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Legislative Journals of the Council of Colonial Virginia

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JOURNALS of the COUNCIL

of Van

COLONIAL VIRGINIA

Y. I.

IN THREE VOLUMES

Edited by H. R. McILWAINE

VOLUME I



RICHMOND, Virginia
MCMXVIII



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The Journals of the Council of *Virginia* as a legislative body appear in print now for the first time, and they will immediately take their place as a source of *Virginia* history of equal value, page for page, with their companion Journals of the House of Burgesses. Many points left obscure by those Journals have additional light shed upon them in these.

In one notable respect the Council Journals are, not infrequently, more informative than those of the House of Burgesses, since it was the practice for councillors, if they thought the matter of sufficient importance, to have, when they were not in favor of the passage of bills which nevertheless gained a sufficient number of votes, their objections spread upon the minutes. These objections give us a much clearer idea than we should otherwise have of the arguments used for and against the passage of certain measures.

In theory, bills, except those in reference to money matters, could originate in either house, but in practice the great majority of bills actually originated in the House of Burgesses. The Council came to be looked upon as a body for the examination and emendation of bills and not one for their origination. Hence the work of the second body in connection with the passage of laws was much less onerous than that of the other and its Journals much less voluminous. For this reason, and for the additional reason that the speeches of the governors to the General Assembly as a whole and to the House of Burgesses and the communications from the House to the governors, with those passage between the two chambers, all of which have already been printed in the "Journals of the House of Burgesses of Virginia," are not printed again in these Council Journals, only references being given, it is possible to print the entire series of Journals in three large volumes, whereas the House Journals, with the General Index, required thirteen.

The general ftyle of printing used in the two sets of volumes is the same, the only difference appearing in the method of printing the names of members of the Council when compared with that of printing the names of members of the standing committees of the House. Whereas the names of the standing committees of the House were printed in columns, in this way being preserved the style of the original printed Journals for the years for which printed Journals exist and of the manuscript Journals where the printed Journals fail, the names of the members of the Council are printed in lines. The object of this slight departure from the original style is, of course, merely to save space. The contractions and special characters used in the "Journals of the House of Burgesses of Virginia" are used in this set of "Legislative Journals of the Council of Colonial Virginia" also, and are as follows:

- č, indicating ti (menčoned, for example, for mentioned)
- \$, indicating -leman or -lemen (gent\$, standing for gentleman or gentlemen, usually the latter)
 - (f), indicating pre (f)vent, for prevent)
 - q3, indicating que (annoq3, for annoque)
 - m, indicating mm (sumon, for summon).

In general, a curve over a letter indicates the omiffion of a letter or letters either preceding or following the marked letter.

The text of the Journals has in the great majority of instances been secured from the copies originally sent to England and now deposited in the Public Record Office, London, the original Journals of the Council now in existence in Virginia, or contemporary copies, being very sew in number and some of these being badly mutilated. Some, however, have been found which it has been possible to use as sources of the text. In at least one instance—session of July 11-16, 1746—the original Journal has been found in Virginia and no copy in the Public Record Office. In a note at the beginning of each Journal is given the source of the text.

¹ The Council had no ftanding committees.



The following table gives a lift of the fessions for which there ought to be copies of the legislative Journals of the Council in existence. The letter "v" indicates that the Journal, either the original or an early copy-fometimes much mutilated, however-is in the Virginia State Library, the letter "L" indicates that a copy is in the Public Record Office in London, and the letter "x" indicates that no Journal for that fession has been found. The italics show the seisions for which the Journals in the Virginia State Library have been used as the source of the text.

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1680, June 8 - July 7. (L)
                                             1740, May 22 -- June 17. (L)
                                             1740, August 21 - 28. (L)
1682. April 18 - 25. (L)
1082, November 10 - December 22. (L)
                                             1742, May 6 - June 19. (LV)
                                             1744, September 4 - October 25. (LV)
1684, April 16 - May 24. (N)
                                            1745/6, February 20 - April 12, 1746. (LV)
1685, November 3 - December 13. (L)
1686, October 20 - November 15. (L)
                                             1746, July 11 - 16. (v)
1688, April 24 - May 12. (L)
                                            1747, March 30 - April 18. (LV)
                                            1748, 3October 27 - May 11, 1749. (LV)
1001, April 17 - May 22. (L)
                                             1752 (new ftyle), Feb. 27 - Apr. 20. (LV)
1692, April 1 - 30. (L)
                                             1753, November 1 - December 19. (LV)
1692/3, March 2 - April 3, 1693. (L)
                                             1754, February 14 - 23. (N)
1693, October 10 - November 18. (L)
1695, April 18 - May 18. (L)
                                             1754, August 22 - September 5. (L)
                                             1754, October 17 - November 2. (N)
1696, April 24 - May 1. (L)
1696, Sept. 24 - Nov. 3, 1697. (L)
                                             1755, May 1 - July 9. (L)
1698, September 28 - October 6. (L)
                                             1755, August 5 - 23. (N)
1699, April 27 - June 8. (L)
                                             1755, October 27 - November 8. (L)
1700, December 5 - 27. (L)
                                             1756, March 25 - May 5. (N)
1701, August 6 - October 2. (L)
                                             1756, September 20 - 28. (N)
1702, May 13 - 29. (LV)
                                             1757, April 14 - June 8. (L)
1702, June 18 - 25. (L)
                                             1758, March 30 - April 12. (L)
1702, August 14-28. (LV)
                                             1758, September 14 - October 12. (L)
1702/3, March 19 - April 10, 1703. (L)
                                             1758, November 9 - 11. (L)
1704, April 20. (LV)
                                             1759, February 22 - April 14. (L)
1704, April 21 - May 12. (L)
                                             1759, November 1 - 21. (L)
1705, April 18 - May 12. (L)
                                             1760, March 4 - 11. (L)
1705, October 23 - June 22, 1706. (LV)
                                             1760, May 19 - 24. (N)
1710, October 25 - December 9. (LV)
                                             1760, October 6 - April 10, 1761. (L)
1711, Nov. 7 - Jan. 31, 1711/12. (LV)
                                             1761, November 3 - 14. (L)
1712, October 22 - November 29. (L)
                                             1762, January 14 - 21. (L)
1713, November 5 - December 12. (L)
                                             1762, March 30 - April 7. (L)
1714, November 16 - December 24. (LV)
                                             1762, November 2 - December 23. (L)
1715, August 3 - September 7. (LV)
                                             1763, May 19 - 31. (L)
1718, April 23 - July 10. (L)
                                             1764, January 12 - 21. (L)
1718, November 11 - December 1. (L)
                                             1764, 3October 30 - June 1, 1765. (L)
1720. November 2 - December 23. (LV)
                                             1766, November 6 – April 11, 1767. (L)
1722, May 9 - June 7. (LV)
                                             1768, March 31 - April 16. (L)
1723, May 9 - June 20. (L)
                                             1769, May 8 - 17. (L)
1726. May 12 - June 7. (L)
                                             1769, 3November 7 – June 28, 1770. (L)
1727/8, February 1 - March 30, 1728. (L)
                                             1771, July 11 - 20. (L)
1730. May 21 - July 9. (LV)
                                             1772, February 10 - April 11. (L)
1732, May 18 - July 1. (L)
                                             1773, March 4 - 15. (L)
1734. August 22 - October 4. (L)
                                             1774, May 5 - 26. (x)
1730, August 5 - September 23. (L)
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1775, June 1 - 24. (N)

1738, November 1 - December 21. (L)

In this session there was a very long recess.



In the Appendix are printed fuch papers emanating from the Council before the year 1680 or from the General Affembly as a whole as have not already been printed in the "Journals of the House of Burgesses of Virginia"—that is, such of them as have been discovered—and the very interesting Journal of the Committee for the Revisal of the Laws appointed in 1699.

Biennial appropriations have been made by the General Affembly of Virginia for the publication of the Journals of the House of Burgesses and of the Journals of the Council. The appropriation, however, made by the General Afsembly at the 1916 seffion for the publication of the Journals of the Council was sufficient for the publication of only two volumes, and in order to use this appropriation it is necessary that the two volumes be issued and paid for before the close of the appropriation period, that is, before the first of March, 1918. Hence the first two volumes of the set are being issued some time before the third, which cannot be printed till after the close of the 1918 setsion of the General Assembly. At that setsion an appropriation for printing it will, it is expected, be made.

A General Index to the contents of the three volumes will be found at the close.

H. R. McILWAINE.

Richmond, Va., February 5, 1918.



Some of the Proceedings of the Council at a General Assembly held at *James City* from the 8th day of *June*, 1680, to the 7th of *July*.



Some of the Proceedings of the Council at a General Assembly held at *James City* from the 8th day of *June*, 1680, to the 7th of *July*.



JOURNAL OF THE COUNCIL

[Note:—The first Journal of the Council of Virginia acting as a branch of the General Assembly sent to England aster the issuance of the order of the 14th of January, 1679/80, by the Committee of the Privy Council for Trade and Foreign Plantations that copies of the Journals of the Assembly should in future be furnished the home government, was that of the session beginning the 8th of June, 1680, and ending the 7th of July. It is probable that the order did not reach Virginia till this session was well under weigh, and that in this fact is to be found an explanation of the meagreness of the Journal. For much of the session in consists, as will be seen, merely of the species of the governor made either to the General Assembly as a whole or to the House of Burgesses and of communications between the governor and the House of Burgesses or between the two branches of the General Assembly. Such of these species and communications as have already been printed in the "Journals of the House of Burgesses" being given. For the reft of the session the material, though of great interest and historical value from many points of view, can certainly not be said to constitute an adequate journal of the proceedings.

[June 9, 1680.]

The Gov¹⁸ Speech to ye Affembly

T IS now almost three yeares Since it first pleased his Ma^{ty} [See J. of H. of B., 1659/60-1693, pp. 147-149.]

M. Speaker & you Gentlemen of yo house of Burgesses.

Yor Yesterdayes Vote is the occation of my Sending to you now [See J. of H. of B., pp. 130-1.]

June 10th 1680.

To his Exceller of Virga By the House of Burgesses.

HIS House returnes his Lord^p their humble thankes for those great demonstrations of his Exceller's Care for the good of this Country, whilst his Exer remained in England, and also for those noble proposalls his Exer was pleased to make in his late speech & charge to the hovse of Burgessexpressing his Lop's free good & great Intentions for the future good of this his Majirs Colony and the severall Inhabitants thereof: And this House humbly pray his Exer will please to favour them with a Copy of the heads of that his Lord^{pp's} most noble speech & charge, to the end they may the better know with all ready submission to observe and pursue ye same, and to ye end the same may be imparted in their respective Counties, we'they humbly suppose will be for the generall good & satisfaction of ye Inhabit thereof.

Test: R B Cl Ass:

By yo House of Burgesses.

To his Excy of Virga

The House finding Mr Jnº Langton not capable by Law, and his Majts exception to serue as Burgels for New Kent County, as also that the County of Lancaster have made choice



choice of Col S^r Leg^r Codd for their Burgefs, who being also chosen for Northumberland County hath declared to serue for that County, Do humbly pray y^r Ex^{cr} will please to iffue forth a Writt for the Election of one Burges for New Kent County and one Writ for y^e Election for one Burges for Lancaster County to the end they may have y^{tr} Representatives in this prent generall Assembly

Teft R: B Cl Ass:

June 11th 1680

To his Exer of Virga By the House of Burgesses.

HIS House by those their Memb's Bearers hereof humbly pray to know yr Excellers Pleasure concerning the sending forth a Committee for tryall of private Causes—this House supposeing it will be no hinderance of time

Test R: B Cl Ass:

To his Exto Thomas Lo Culpepper Baron of Thorefway his Maju Lo and Gov Genu of Virginia.

The House of Burgesses most humbly prient, That for many years [See J. of H. of B., p. 144.]

At a Councill held at James City 9th June 1680. . . . [See J. of H. of B., p. 144.]

June 16th 1680

To his Excellency
By the House of Burgesses

PON the Petition of Coll: The Clayborn [See J. of H. of B., p. 124.]

By his Exceller

Vpon the Address of the House of Burgesses desireing his Exceller's opinion vpon the petition of L^t Coll Tho: Claiborne of stray Horses its answered haveing examined y Act of Assembly therein directing, it appeares publication of such Stray horses are required to be made by rendring Account thereof to the Secretaries office to y intent notice may be given thereof to all County Courts, by w meanes the true Owners of the horses might make their just Claimes, w not being Pformed, its conceived the Intent of the said Act hath not been pursued

Signed by his Excy's Command

Hen: Hartwell Cl Gen" Affembly.

June 18th 1680.

EPORT on the petition of L' Coll Cad Jones to the House of Burgesses 18th June 1680.

The Sufferings of this Petitioner are most apparent and his resoluedness to abide his plantation age all the attempts and Conspiracies of Our Indian Enemies for many yeares, hath (as may well be supposed) maintained us in the seatment of the vpper parts of Rappahanock for many miles, This petition and all its Circumstances are therefore reserved to the most serious Consideracon of the House of Burgesses.

To his Excellency Tho Lord Culpepper Baron of Thoresway, his Majis L. & Governour Generall of Virga and to the Hondia Councill.

The House of Burgesses Present. That in 3 severall Votes [See J. of H. of B., p. 126.]

June



June 19

By his Excellency

PON the receipt [See J. of H. of B., p. 127.]

To his Excellency

By the House of Burgesses

Resolved by the whole house [See J. of H. of B., p. 127.]

June 23

By the House of Burgesses

HE question put whether from [See J. of H. of B., p. 128.]

June 24

To his Excellency

HIS House humbly fignify [See J. of H. of B., p. 130.]

June 15 [25th]

By the house of Burgesses

RESOLVED that an humble address be made to his Excellencie . . . [See J. of H. of B., p. 131.]

His Excell^{ey} fent a Meffage to the house of Burgesses, that he appointed the same gent of the Councell that were of the former Conserence to be of this Conference, to be held at M. Sherwoods house at three of the Clock in the asternoon.

To his Excellency and the Honbi Councill

The House of Burgesses humbly propose

That these following provisoes [See J. of H. of B., pp. 132-133.]

June 26

To his Excellency

HE House of Burgesses humbly present
That according to the propositions [See J. of H. of B., 134.]

June 28th 1680

HE Councill haue confidered the house of Burgesses propositions for provisoes to his Maj's Bill for ye Imposition of 2° P hogshd and do vnanimously consent to the same

To y House of Burgesses. H. H. Cl. Con:

His Maj¹⁰ Act intituled an Act of free & generall pardon &c²⁰ accepted by his Excellency & y²⁰ Councill vnanimously.

His Majt Act intituled an Act for Naturalization past by his Exceller and ye

Councill vnanimoufly.

His



His Maj^{to} Act intituled an Act for the Imposition of 2' to hid past by his Exceller and Councill vnanimously.

As to ye proposalls of New Kent County.

The Report of the Committee is agreed to by his Excellency and the Councill.

As to the Propofalls of the Commi^{tee} about Garrifons his Excell^{cy} and the Councill approues the keeping vp of the Garrifons wth the number of twenty men, and likewife the Appointment of Vndertakers, and its further proposed if there be emergent occasions for fending more Soldiers to the Garrifons how such Soldiers shall be supplyed wth Provisions.

As to the propofall of reftraining the makeing and packing Ground Leaues feconds & flips his Excellency [and the Council] are of the opinion that to declare those Lengths and Breadhts according to the report of the Committee to pass as Merchantable Tobacco is to injoine the receiveing such Tobacco, which is of no value, and so do not agree.

To the proposition of Warwick County his Exceller and the Councill agrees to the Report of the Commi^{tee} and that application be made to his Majesty that wee may have Liberty to advance 4^d on the shilling vpon his Maj^{te} Coin, and the like proportions on all forreign Coines, the Imposition of two shills had, the penny had li. Customes, Castle Duties and head money to be paid as formerly in mony sterl.

To the proposition of Eliz: City his Exceller and the Councill agrees to the report of the Comtee

To ve proposition of Gloster County.

His Excelley & ve Councill agrees to the report of ve Commtee

To the proposition of Isle of Wight County.

His Exceller and the Councill agrees to the Report of the Commtee.

To the 7th proposition of York County

His Excell^{sy} and the Councill agrees wth y^e Report of the Comm^{tee}, but there being no directions about the weight of each Caske that it be provided that if the Receiver of Tobacco do not agree to the Tare of the hhds the Tobacco be vncased, and the hhds weighed, and allowance to be made accordingly.

To the propofall of York County about Negro Children his Excellency and the Councill agrees to the report of the Committee, and that all English Children imported

be tithable at fourteen years of age and no fooner.

Vpon the proposition of York County abt his Majts Soldiers sent to the stalls of James River for pay for their provisions whilst there, his Excellency and the Councill are of opinion, that if his Majts Solds committed no misdemeanors and were not extravigant in provision that they ought not to pay for their provisions, but if they were excessive in the expence of provisions allowance ought to be made.

To the 3d Proposition of York County about quartering soldiers all care possible will in due time be taken by his Excellency, and the proposition for the Governor and

Councill to lay a Levy answered in Lancaster Grievances.

The Reports of the Comm^{tee} to the Rest of York County Propositions are agreed to by his Excellency and ye Councill.

The Reports of the Committee to the propositions of Northumberland County are by

his Excelley and the Councill agreed to.

Vpon the fecond part of the first proposition of Lancaster and other Counties propositions concerning ye Govern and Councill laying a publique Levy his Excellency and the Councill are vnanimously of the opinion that it would be for the ease of the Charge of the Country according to the direction of a former Act in that case made and provided, Account thereof be given to the next Generall Assembly.

The Reports of the Committee to the other propositions of the County of Lancafter

are by his Excellency and the Councill agreed to.

To the 1, 2 & 3 propositions of Stafford County about the Commander of the Garrison in that County neglecting his Service: His Excellency and the Councill are of opinion that if any Commander hath neglected his Duty his pay not onely to be kept from him, but that such Commander be punished according to Law.

The



The Reports of the Comm^{tte} to the reft of y^e propositions of Stafford County, and agreed to by his Excell^{ey} and the Councill

As to ye proposition of Henrico County.

The Vote of the House agreed to by his Excy and the Councill Guns, Pistolls, powder & shot onely excepted vnder ye penalties of the former Lawes.

The Reports of the Commtee to the propositions of Rappak County are agreed to

by his Excellency and the Councill.

The Reports of the Commies to ye propositions of Lower Norfolk County are agreed to by his Exer and the Councill.

The Committees Reports to ye opposition of Charles City County His Exceller and

Councill agrees too.

The Committee Report to the propositions of Nanzemond County His Exceller & the Councill agreed to.

The Comm^{tees} Report to the petition of ye Inhabitants of Pamunky is agreed to by

his Exer & Councill.

The Comm^{tees} Report to the proposition of *Henrico* County is by his Excell^{cy} and y^e Councill agreed to.

The Committee Report to the proposition of Accomack County is by his Exceller and the Councill agreed to.

The Comm^{tees} Report to the proposition of *Northampton* County is by his Excellency & y* Councill agreed to.

The Committee Report to the Profitions of Surrey County are by his Excellency and

y Councill agreed to.

The Report of the Com^{tee} on the proposition for clearing *Pamunkey* River agreed to by his Ex^{cy} And y* Councill but the same to be made generall for the Clearing all Rivers & navigable Creekes.

The Report of the Comm^{tee} vpon Coll Jn^o Pages Petition being confidered His Excell^{er} and the Councill do find that the Report, of the Comm^{tee} is againft the Act concerning Indian Lands, and therefore do not agree to the fame.

The Report of the Commtee fetting forth ye State of the Country The Councill do

concurr that the fame is a true and full ftate of the Country.

The Report of the Comm^{tee} vpon the petition of the Inhabit^{ts} of *Black water & Currotuck*.

Its the opinion of the Councill that his Exceller be defired to order and require the High Sheriff of Lower Norfolk County to demand and collect Rents and Levies of all the Inhabit of Blackwater & Currotuck for Lands that they hold by Patent from this Colony, and if the Government of Carolina shall disturb them for the payment of such dues, that the sheriffe of Lower Norfolk be authorized and Impowered to defend them in the payment of such Rent justly due to this Colony, and likewise that his Exceller be desired to write to the Governet of Carolina to the Intent the Inhabit of Blackwater & Currotuck may not be disturbed.

As to the propositions of the Commtee about dedimus and Executions.

His Exceller & the Councill will take care therein.

June 29th 1680.

By his Exceller

HAT being ready to ferue y' Country & ye house of Burgesses the best I can in the business of the Cessation according to their desire for the better effecting thereof I would be glad to receive their reasons to offer to his Maj'v & the Councill

By his Exceller order

Hen: Hartwell Cl Gen: Ass:



June 30th 1680.

Councills Amendm^{to} on the Comm^{tees} Reports of Claimes.

Eliz City County.

T IS the opinion of the Councill that Coll Morison ought to be allowed tenn pounds Sterl for his Claime

Northumberland County.

The Webb and Rigging of a Boat 2000 objected against:

Mr Shapleigh for Sloop hire and provisions...... 6000 objected against.

Stafford County

 $\it Taylors$ pay objected $\it ag^{fe}$ Information being made that he hath neglected the Countries Service.

Westmoreland County.

Henrico County

Coll Birds Account & difburfments objected against.

Charles Citty

Coll Place for Armes thought fit to be allowed as well as feverall others.

Surry County.

Bufbys Accts objected against, and for 6000 from Surry Court.

Nanzemund.

Coll *Potters* Claime allowed provided it doth appear by the Masters, Owners, or Husbands of the Ships that brought in the Gunns, that Coll *Potters* paid the monyes demanded.

Yorke.

Madam Diggs Claime for meal being to feverall of the Councill known to be juftly due, and no allowance made, do think it ought to be allowed.

James Citty County.

Mr Sanderson conceived to be allowed too little for himself and severall Officers.

Its the opinion of the Councill that M^r Sherwood & Rably ought to be paid for the Reparations of their houses besides the allowance made for Rent, the houses being very much impaired.

Its the opinion of the Councill that the Agents ought to be allowed 12000th of Tobacco & Caske each in Lieu of the 30th apeece allowed by the house of Burgesses.

The Petition of Coll *Leroy Griffin* for entertaining ye honble St Hen: Chicheley, feverall Gent4 and a party of horse near a fortnight, and Rum for the Soldiers being considered, Its the opinion of the Councill that the Officers and Soldiers ought to pay for their Entertainment and the Rum, and that 5000th Tobacco be allowed for the Entertainment of St Hen: Chicheley, and sevil Gentl. wth him.

In Confideration of the great Loffes and Sufferings of Coll Cad: Jones in the fervice of the Country for defending the firontiers, and keeping, and fecureing at least thirty miles of Rappahanock River, thought vnreasonable to be allowed 150001 of Tobacco and

Caske.

Glofter.

Quere what Bookes M^r Beverly is allowed for, if Acts, then one to be for the Secretaries Office.

Quere why Mr Bird 50160, in Glofter, when he liues in Henrico, and to know the Pitculers of the Account.

Nelfons Account objected against.

The order of the Houle of Burgesses about Coll Bacons Cares the Councill are of opinion that he ought to be paid 2000th of Tobacco by the publique.

Its



Its the opinion of the Councill that *Hen: Hartwell* Cl of Gen¹¹ Affemb. ought to be allowed 15000¹⁵ of Tobacco & Caske, they well knowing that in the year is more then any other Cl on the publique not accounting any thing of the generall Court.

By his Exceller

I conceiue myself and the Councill [See J. of H. of B., p. 140.]

July 2d 1680.

To his Excellency By the House of Burgesses.

HIS House signify to yo' Exer [See J. of H. of B., p. 139.]

Amendm's by his Exer & ye Councill on Act for Towns folio 1"

in ye 18th line after the word the Inter line

(ffcoffees of the

s folio.

In the 11th line instead of the words next after this present year, insert in their place from and after the first day of *January* next ensueing.

In the 5th line after the word Colony, add, from and after the 29th day of September were shall be in the year 1681 instead of the words next after this present year.

In the 11th Line after the word Act the party that remoues, or transports such Tobaccoes haveing first made Oath before a Magistrate that he is realy and bona fide transporting the same to one of the same words, instead of these words, Removeall, or Transportacon of such Tob towards the said Warehouses at the time of such Seizure Attachments, and appearing so to be vpon Oath.

The first Line after ye word Law all that Clause to be left out.

ffrom the beginning of the Act for a Town Liberty to carry hides being the end of a Leafe, agreed to.

Agreed to the Clause for building Storehouses at Landings.

The Clause for takeing sloopes or Boates not agreed to.

The Clause for 100 Acres of Land to be purchased agreed and for every one that will build a Warehouse and a Dwelling house agreed to. Surveyor flees agreed to.

To that Clause for the Encouragem of Tobacco, no Execution to be layd when the Tobacco is brought to the places, but not before.

Tradefmen to be free from Arrefts & Executions within the places, and further added to be free from publique Levies, fiue yeare, they not planting Tobacco.

Paym' of Levyes at the feverall places appointed not agreed to.

ffor the Law to be in force as to laying out of the Land & building within fix months after the publication and the time of forfeiture for shipping from other places then the places appointed, to begin from the first of January 1682.

The time for opening the Trade & the Restriction agreed to with the proviso.

An humble Application to his Majty for a Ceffation in the year 1681 agreed to.

A Supplication for the rd ?!! agreed to.

The half penny not agreed to.

A forfeiture for the 1d Pli agreed to.

fforfeiture on Collectors agreed to.

Bill about Lawes agreed to.

As to the Act intituled an Ad Phibiting the Transportation of English monyes & foreigne Coines &c and fetting a valuation thereon. His Exe and ye Councill do sertift in their former opinions that the best way of doing of it, is by address to his Majr.

Amendm¹



Amendm for fending Soldr to Garrifons, In the 27 Line after the word other, added, togeather with horses and furniture.

In the 28 Line after the word Bedding, to be carryed to fuch Garrisons at the Charge of the Country.

Provided alwayes and his Excellency is defired if he fee Caufe to draw off ten of the Sold's from each Garrison for the ease of the Country supplying the same with Ten of his Majts Soldre

July 3 1680

By the House of Burgesses

T IS Signified [See J. of H. of B., p. 140.] By His Excellency

Altho' I think Henry Hartwell [See J. of H. of B., pp. 140-141.]

To His Excellency By the House of Burgesses

This house in all humility [See J. of H. of B., p. 141.]

July 5. 1680

By his Excellency

OLL Phillip Ludwell and Major Richard Lee [See J. of H. of B., p. 142.]

6th July 1680.

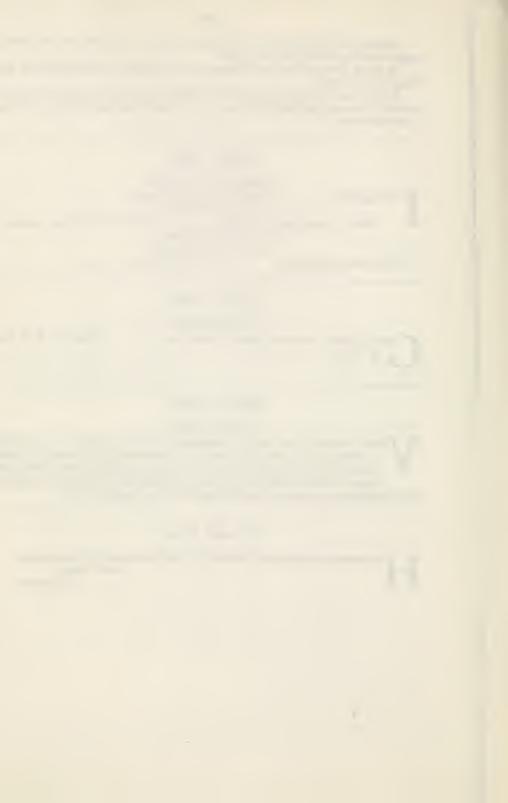
By his Excellency.

PON the offer of the house of Burgesses that Mr Lee might have the house according to the Tenor of his Petition, its answered that M1 Auditor Bacon vpon Mr Quigleys petitioning for the faid houses, moved for them in' the like nature, and Mr Quigley haveing fince declined the same, Its most fit Mr Auditor Bacon should have his defire in the said Houses, & Mr Lee the other House.

7th July 1680.

IS Excellency adjourned ye Affembly to the fifteenth day of ffebruary next. Hen: Hartwell

Cl Gen¹¹ Afs:



ATT A

GENERAL ASSEMBLY

held Att

James Citty Aprill 18th 1682.



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1405, pp. 101-111.]

Att A General Affembly

held Att James Citty Aprill 18th 1682.

Die Martis 18mo Aprilis 1682

HE Rt Honble Lt Gouern' and the Councill meet, according to the tenor of the writts, in order to hold An Affembly.

The L^t Gouern' with the Councill Adjournes to the beat of the third Drum tomorrow.

Die Mercuris 19mo Aprilis: Post Meridiem

OLL Wm: Bird, Capt Richard Whittaker, Mr Jor Speir and Mt Thomas Taberrer waite upon the Gouern and request him to appoint some of the Councell to Administer the Oaths Viz, of Allegiance, Supremacy and of a Burgess to the new elected members

The L¹ Gouern' defires the Gentlemen att their return to acquaint M¹ Speaker, he is defirous to speake with him

M. Speaker with some members of the house of Burgesses and their Clerk attend the Gouern'

The L¹ Govern acquaints M¹ Speaker, that by commands lately recd, from his most Sacred Majesty, he is not to suffer or permitt any Assembly to be called or sitt, untill the tenth of November and that he will call the house before him on the morrow, and acquaint them with his Majesties commands, soe that there was no occasion of swearing the new elected members.

M' Speaker with his attendance returnes

Die Jouis 20mo Aprilis

AJOR Geo: Morris Capt Richard Whitaker, Mr James Biffe and Mr Hen: Mills waite upon the Lt Gouern and prefent to him An Address from the House, for his continuance of this present Assembly

The Address is as foll

To the R' Honbie S' Hen: Chickeley Kn' his most Sacred Majesties Deputy Gouern' and to the Honbie Councell of State

The humble fupplication of his Majefties most humble distressed and Loyall Subjects of his Majesties Countrey of Virginia

In all humility prefent

R' Honbie

That wee our most Dread and most gracious Soueraignes most humble and loyall Subjects [See J. of H. of B., 1659/60-93, pp. 158-159.]

The Address being read and debated, It was ordered that Edward Chilton Cl: of the Councell should goe to the House of Burgesses and acquaint Mr Speaker that the Li Gouern' desired and required him and the house of Burgesses to attend the Li Gouern' and Councell in the Court house, att the beat of the first Drum.

The Clerk returnes with answer from the House of Burgesses that M' Speaker and the rest of the Burgesses would readily obey the L' Gouern's Commands and attend accordingly.

Post



Post Meridiem

FTER the drum had done beating the L' Gouern' with the Councell repaired to the Court house, where haveing spent some considerable time without the Attendance of any of the Burgesses; It was unanimously resoluted and accordingly ordered that the Clerke of the Councell should forthwith wait upon the house of Burgesses and acquaint Mr Speaker that the L' Gouern' had long time waited for the house of Burgesses and then expected and required the Houses immediate Attendance on him and the Councell in the Court house, as he had before appointed.

The Clerke goes on his meffage, returnes and fayes that att his first entrance into the house being Admitted, he was commanded by Mr Speaker to retire and withdraw

himselfe awhile.

Ordered a Second time, that the Clerke goe to the House of Burgesses.

Before the Clerke was discharged from the L^c Gouern with his message, a messenger from the house of Burgesses comes into Court house, and acquaints the Clerke that M^r Speaker had sent for him

The Clerke in obedience to the L^t Gouern' command and att M^r Speakers request leaues the Court house, waites on the house of Burgesses and acquaintes M^r Speaker, that he had received a command from the L^t Gouern to waite upon the house and acquaint them, that he with the Councell had long time waited for, and still continued in expectation of their Attendance, which the L^t Gouer' required should be immediately.

The Clerke returnes and fayes, that although he was commanded by the L^t Gouernour to goe a fecond time to the house of Burgesses and sent for by the Speaker, yet he waited neer half a hour, before he received his admittance, which when allowed, delivered his meisage, to which M^r Speaker made answer y^t the house would consider of what was delivered.

Coll Wm: Loyd &c from the house of Burgesses acquaints the L^t Gouern that a messenger lately came into their house as from the L^t Gouern whom their house not knowing, they could take noe notice of

The L^t Gouern' returnes his Answer in writeing, which was sent by the C1: of the Councell the next morning.

Die Veneris Apr. 21. 1682.

The Answer foll:

Mr Speaker

DID feuerall times yesterday send Edward Chilton [See J. of H. of B., pp. 162-163.]

Majr Cha: Scarburgh &c comes from the House of Burgesses and request the

Gouern to appoint Councell to swear the new elected Burgesses.

The L^t Gouern' acquainted the Gentlemen, that he had oftentimes fent for M^t Speaker and the house to Attend him, to impart his Majesties Letter unto them, and till there coming would neither hear any messages nor permitt the new members to be sworne.

The Gent returne to their house, they are againe sent with a written message directed to the Lt Govern' & Councell

The Message foll:

To the Rt Honbie His Majesties Deputy Gouern' of Virginia and to the Honbie Councell of State

The House of Burgesses humbly present

This house haueing taken into their considerations y' Hon's returne of their message . . . [See J. of H. of B., p. 161.]

M^t Wm: Fitzhugh and L^t Coll John Farrar from the house of Burgesses waite upon the Gouern^t and acquaint him that the House is ready to attend his Commands

The



The Li Gouern makes answer that he is ready to receive and admitt their Attendance:

The two members of the house of Burgesses return to their house

The L' Gouern' attended with the Councell, repaired to the Court house.

M' Speaker accompanied with the whole house of Burgesses attend the L' Gouern' in the Court house;

Coll Wm Cole by order from the Honble L' Gouern' reades to M' Speaker and the House of Burgesses that part of his Majesties letter, which commands the disbanding the two foot companies, as well officers as private Soldiers att Christmas last, unless the Courrn' Councell and Assembly should desire and agree to pay them out of the revenue raised or to be raised, within his Colony, for that purpose

The letter being read, the L' Gouern' defired M' Speaker & the house of Burgesses

refult therein

M' Speaker replied, it was a matter of great importance, therefore defired he and the reft of the Burgesses might be admitted to retire to their house to advise & consult therein.

The L. Gouern charges Mr Speaker to lay afide all other debates and returne their answer, with all expedition, to his Majesties letter.

M' Speaker with the Burgesses returnes to their House. Coll Wm: Loyd with other of the Burgesses waite upon the L' Gouern' with a written message from their house.

The Message foll.

The house haueing confidered what was read to them by Coll Wm: Cole, . . . [See J. of H. of B., p. 163.]

The meffage read

Ordered that Coll Wm: Cole and Ra: Wormeley Eqq (wear the new elected Burge(ses.

By his Majesties Deputy Govern

I doe hereby nominate and appoint Coll Wm: Cole [See J. of H. of

B., p. 163.]

Coll Wm: Cole and Ralph Wormeley Esq returns and say they have administred the Oaths of Allegiance, Supremacy, and of a Burgess to the new elected members, that were present.

Ordered that Coll Joseph Bridger goe to the House of Burgesses, with a coppy of y part of his Majesties letter, that relates to the disbanding the soldiers.

The words foll Charles R.

Trusty and wellbeloued [See J. of H. of B., p. 164.]

Coll Joseph Bridger returnes from the house of Burgesses and acquaints the La Gouern' & Councell that the house of Burgesses seems well satisfied with the transcript of that part of his Majesties letter.

Die Saturni Ap: 22: 1682

R. Tho: Clayton &c from the house of Burgesses waite upon the L¹ Gouern and return him the thanks of their whole house, for appointing Councell for swearing the new elected Burgesses, and likewise for sending a coppy of that part of his Majesties letter, which relates to them.

The L^t Gouern defires the Gentlemen to acquaint M^r Speaker and the house of Burgesses, that he expected their full and speedy answer to his Majesties letter and till then to lav aside all other debates.

The Gentlemen return



Die Lunæ: Ap: 24th 1682 Post Meridiem

WRITTEN meffage fent from the L^t Gouern^t by the Clerke of the Councell, which foll

Mr Speaker

Haueing received a Command from his Majesty [See J. of H. of B., pp. 167-168.]

Coll S' Leger Codd and others from the House of Burgesses bring an Answer to the last message, and deliuer it to the L' Gouern'

The Answer foll

This House haueing read the late message from the Rt Honble the Gouern. [See J. of H. of B., p. 168.]

Die Martis. Ap: 25. 1682

RDERED that M' Secretary Spencer transmitt to England Coppies of the Journall of this Board, the House of Burgesses, as likewise of all other proceedings, relating to this present Assembly, and that he take effectual care, that the same be presented to the Rt Honble St Lyonell Jenkins his Majesties Principall Secretary of State.

Moued in Councell, whether the Affembly should continue being now mett, or be

prorogued;

Refolued nemine contradicente, that in obedience to his Majesties Commands, the

Affembly be prorogued (this afternoon) untill the tenth of November next:

Ordered that the Clerke of the Councell waite upon M' Speaker, and acquaint him, that the L' Gouern' desires, as soon as the house of Burgesses are mett, y' he would fignify the same to him.

The Clerke returnes and fayes he deliuered his meffage, to Mr Speaker, who

promifed to readily obey the Gouern's Commands

Post Meridiem

HE L' Gouern' and Councell repaire to the Court House; Coll Wm: Bird and Capt John Matthews from the house of Burgesses attend the L' Gouern' and acquaint him their house is mett:

The two members of the house of Burgesses returne to their House

Ordered yt the Clerke of the Councell goe to the house of Burgesses and acquaint Mr Speaker, that the Lt Gouern expects and requires his and the rest of the Burgesses Attendance on him in the Court house immediately.

The Clerke returnes

Mr Speaker with the whole house of Burgesses attend on the Li Gouern in the Court house, according to directions

The L' Gouern' desires M' Secretary Spencer to read to the house of Burgesses, then present that part of his Majesties letter, which commands the proroguing the Assembly

Mr Secretary reades

The Wordes foll
Charles R

Trusty and wellbeloued [See J. of H. of B., p. 169.]

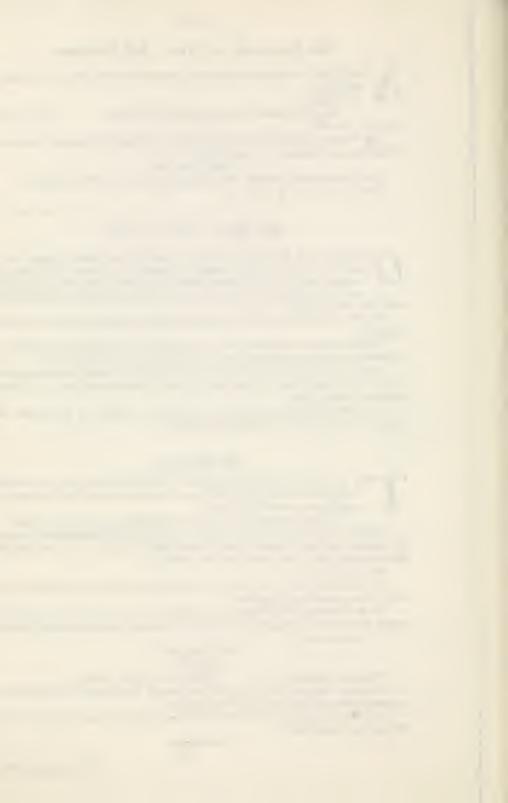
The letter being read, the L^t Gouern^t was pleafed, (by the Aduice of the Councell) to prorogue the Affembly in these following words

In pursuance of his Majesties letter, I doe in his Majesties name prorogue you unto

the tenth of Novembr next.

Copia Vera

Test



THE

JOURNAL

OF THE

GENERALL ASSEMBLY

OF

VIRGINIA

begun Att James Citty ye tenth day of November and ended ye two and twentieth day of December Anno Regni Regis Caroli Secundi Nunc Angliæ &c 34°:

Annoq Domini 168²/₃ [1682]



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1407, pp. 1-74.]

The Journal of The Generall Assembly of Virginia begun Att James Citty ye tenth day of November and ended ye two and twentieth day of December Anno Regni Regis Caroli Secundi Nunc Angliæ &c 340: Annoq Domini 1682 [1682]

Prefent

His Excellency Thomas Lord Culpeper Gouern' &c

St Hen: Chicheley Kn^t
Mt Secretary Spencer
Mt Auditor Bacon
Majt Genth Smith
Coll Joseph Bridger

Coll Phillip Ludwell
Coll W^{**} Cole
Ralph Wormeley Efq^{**}
Coll Richard Lee
Coll Matthew Kemp

Coll John Page
The Burgelles for ye feveral Counties.

Coll W" Bird New Kent Henerico Coll John West Lt Coll Jon Farrer Mr Cha: Turner Charles Citty Mr James Minge Glocester M^r John Buckner M: James Biffe Maj Hen: Whiting James Citty Mr Tho: Clayton MiddxM' Xpher Robinson Jam Citty County Coll Tho: Ballard Mr Abra: Weekes Mr W. Sherwood Rappā: Coll John Stone Surry Coll Wm Brown M' Henry Awbrey Capt: W" Ball Majt Arth: Allen Lancaster Isle of Wight Coll Arthur Smith Majt Edwd Dale Northumbld Coll James Powel Coll Tho: Brereton Nanzemd: Mr Wm Prefly Coll Jo* Lear M^r Jo* Brashear Westmld L' Coll Ifaac Allerton Low Norfolke Coll Lemuel Mason Mr Wm Hardridge Mr Mala Thruston Stafford Mr W" Fitzhugh Coll Dan" Jenifer Eliz: Citty Capt: Arth: Armftead Accomack Mr Edwa Read M^r Baldwin Shepherd Warwick Capt: John Langhorne Northam pton Coll W= Kendal M' Tho: Hunt Capt Miles Carey York M' Hen: Jenkins Mr Tho: Barber

Die Veneris 10º die Nouembris 1682.

HE L^e Gouern' with fome of ye Councel meet according to ye tenor of the writte in order to hold An Affembly



Die Martis 14º die Nouembris

HE L^t Gouern^t Attended with most of y^e Councel repaires to y^e Court house, where It was ordered that y^e Clerk of ye General Assembly should waite on y^e house of Burgesse and acquaint them y^t y^e L^t Gouern^t and Councel required their immediate Attendance in the Court house.

The Clerk returnes with answer, that y* house of Burgesses would most readily obey the Lt Gouern's Commands.

The house of Burgesses Attend ye L' Gouern' & Councel in ye Court house.

The Lt Gouernt speakes as followes

The last time I had ye honour and satisfaction of meeting you, ye Honrble Gentlemen of his Majesties Councel and ye Gentlemen of the then house of Burgesses, in this place, on this occasion, I then imparted his Majesties Commands, weh in that juncture, I had ve honour to receive, in weh his Majesty was pleased to signifye his Excellency The Lord Culpeper should return to this his Lordships Gouernmt with full signification of his most facred Majesties Royall will and pleasure, in all affaires of this Government. his Excellencies Arrival is daily, nay hourly, expected, of web we have as full Affurance, as from Sea expectation can possibly be, some ships being lately arrived give most positive Account, that his Lordship was to faile, from ye Downes, ye next day; upon which confideration, and to ye intent wee may ye best way husband our time, I shall att prefent, only recommend to y' confideration, aduice and performance, ye discharge of ye Publick Credit, weh principally hath arisen, for ye maintenance of ye Garrisons, as likewise y' aduice, whether you Shall find it necessary, longer to continue them, or haue them flighted. This is Att present ye Vnum Necessarium, web I desire you to take into y' ferious confideration and not enter into any other debates, but wholy compose y' felues calmely and Speedily to this affaire proposed, And this I desire of you and only giue you in charge, from ye regard I haue to ye care of yr own persons and ye mitigation of a greater charge, web unauoidably will attend ye long continuance, and that only to propose and debate matters, upon unsure foundations, weh will soe be, until ye Signification of his Majites will and pleafure, or ye Arrival of ye Lord Culpeper: I hope you came here with hearts and minds foe truly zealous, for ye feruice of his Majiy and Good of ye Countrey, nay I fay, I doe not only foe hope, but I firmely and fully foe beleiue of you, therefore shall not spend more time in words to set forth this my defire unto you, but pray to God to guide our Councels and these our endeauors.

Hen: Chicheley.

The L^{ι} Gouern commands y^{ϵ} house of Burgesses to return to their house and proceed to y^{ϵ} election of their Speaker.

The Burgeffes goe to their house.

The house returnes and present Coll *Thomas Ballard* for their Speaker. The L^t Gouern and Councel allow of their choice & commend y same.

Coll William Brown, L. Coll Daniel Jenifer and M. Malachy Thruston, waite upon ye L. Gouern from ye house of Burgesses, and request his honour to appoint Councel, to administer ye oathes, as by Law required, to ye respective members.

The Lt Gouern's Commission followes

I doe hereby nominate, order and appoint Coll Joseph Bridger and Coll Phillip Ludwell two of his Majesties Councel of State, in this Colony, to administer ye Oaths of Allegiance and Supremacy, as likewise ye Oath of a Burgess to euery Indiaudual member of this Assembly, Giuen under my hand this 14th day of November 1682.

Hen: Chicheley.

The Gentlemen of ye Councel return with answer, that they had administred ye Oaths of Allegiance, Supremacy and of a Burgess to All ye members present.

The Lt Gouern and Councill adjourn till ye morning



Die Mercurii 15th

MESSAGE from ye house of Burgeises by Coll Wm Kendall &c

Nouember 15th 1682.

Refolued and ordered That a meffage be fent by Coll W'' Kendall, Coll Arthur Smith, Major Arthur Allen, and Capt: W'' Ball to ye Hon'ble Gouern and Councel, with an Addresse to their Hon's and pray them, that ye Records, Journalls, Bookes and all manner of other papers and letters belonging to, or that may concerne this house, and late in ye possession of Major Robert Beverley, as Clerk of ye Affembly, or otherwise, may be deliuered to this house.

Tho: Ballard Speaker

The answer followes

By The L^t Gouern^{*} and Councel

Vpon ye request and desire of ye house of Burgesses, that all books Journalls and whatsoever papers were formerly in ye possession of Maje Robert Beverley, as Clerk, relating to ye Publick, weh by order of Councel were taken out of his custody and keeping, may be deliuered to ye house of Burgesses. I'ts Answered and accordingly resolved and ordered that Me Secretary Spencer doe deliuer unto such members of ye house of Burgesses, as that house shall appoint, all books, Journalls and papers by order of Councel taken out of ye possession of Major Robert Beverley, and committed to ye care, charge and keeping of Me Secretary Spencer and that accordingly a list be taken of all such books, Journalls and papers redeliuered and Subscribed by those members of ye house of Burgesses, as shall be appointed to receive them.

Edwd Chilton Cl Gen! Affbly

Ordered that y^e Clerk goe to y^e house of Burgesses and present y^e aboue answer to y^e addresse of y^e house of Burgesses to M^r Speaker.

The Clerk returnes.

Coll W^m Kendal with others from y^e house of Burgesses waite upon y^e L^t Gouern^t and desire his honour to fauour their house with a copy of his charge.

The Gentlemen return

Ordered that Coll Natha Bacon and Coll Wm Cole carry ye Le Gouern's Speech to ye house of Burgesses, and defire ye Speaker, after they have taken a copy, to return ye Original

Coll Bacon and Coll Cole return

A mellage lent from ye house of Burgelles by Mr Tho Clayton &c.

The message followes

November 15th 1682

By the house of Burgesses

M' Edward Chilton brings into this house An order of ye Gouern' and Councel, that M' Secretary Spencer doe deliuer unto such members of ye house of Burgesses, as ye house shall appoint, all books, Journals and papers, by order of Councel, taken out of ye possesses of Mi Secretary Spencer, and ye a lift be taken of all such books, journals and papers deliuered and Subscribed by those members ye house Shall appoint to receive them, we'b order was subscribed (Edwa Chilton Cl Gen¹¹ Aff^{bly})

This house doth unanimously except, ag' y's subscription of y's last recited order, of y's Gouern' and Councel, as unusual, introduced without any former usage or custome in this house, neuerthelesse, sauing to this house y's antient Rights, Priviledges and usages thereof, and with protestation, that noe advantage shall be thereby taken, to y's prejudice of this house, doe order and appoint Mr Thomas Clayton, Major Henery Whiting, Mr Wm Fitzhugh and Mr Christopher Robinson to Attend upon Mr Secretary Spencer, to receive y's books, Journals &c mentioned in y's said order of y's Honthis Gouern' and Councel, according to y's purport of y's said order and upon receipt to convey y's same books journals &c into this house.

Tho: Ballard Speaker



M' Secretary deliuers ye books, journals &c

The receipt followes

Wee the fubscribers being appointed by ye house of Burgesses, to receiue what books, papers and journals M¹ Secretary Spencer had in his custody, belonging to ye Publick, formerly in ye possesses of Major Robert Beverley, as Clerk of ye house of Burgesses, doe hereby acknowledge, to have received from M¹ Secretary Spencer all books, papers and journals, mentioned in ye list subscribed by Ralph Wormeley Esq, Coll Matthew Kemp and Coll Christopher Wormeley, as likewise what books, papers, and journals were mentioned in ye list subscribed by Peter Beverley, according to each particular bundles endorsement, wee doe hereby acknowledge to have received ye same, as witnesse our hands this 15th day of November 1682

Tho: Clayton Hen: Whitings Will: Fitzhugh Chr: Robinfon

Die Jouis 16º Nouembris 1682

A

MESSAGE fent from ye house of Burgesses by Coll Lemuel Mason and Capt: John Langhorne by word of mouth to ye L' Gouern' and Councel, to acquaint their Hon's, that they had made choice of a Clerk and desired ye L' Gouern' to appoint Councel to swear him accordingly.

The Lt Gouern's Answer

Mr Speaker and Gentlemen of yo house of Burgesses

I have received a melfage from y^t house, by two of y^t members acquainting me y^t house defired I would affigne Councel to swear y^t Clerke, but have not given me y^t knowledge of y^t person newly elected, I expect you present me his name soe elected, before I affigne Councel

November 16th 1682

The two following meffages fent from ye house of Burgesses by Coll William Kendal and Capt John Langhorne

Thursday November 16th 1682

It being put to ye vote of this house, whether L' Coll Thomas Milner or M' James Minge, shal be Clerke of this Assembly, ye S⁴ Thomas Milner is by ye majority of votes elected Clerke of ye Assembly

Tho: Bailard Speaker

Hen: Chicheley

Thursday November 16th 1682

Whereas y house of Burgesses haue elected and appointed Tho: Milner, who was returned a Burgesse, for y County of Nanzemond, to be Clerk of y Assembly, and y said Thomas Milner being by y said election rendered incapable, to serue in y capacity of a Burgesse;

The Honrble Gouern' is therefore requested, that a writt may be directed to ye Sheriffe of Nanzemond County, for ye election of another Burgesse, for ye said County,

in ye room of ye faid Thomas Milner.

Tho: Ballard Speaker

Ordered that ye Clerk goe with ye following meffage to ye house of Burgesses, in answer to their message.

M' Speaker and Gentlemen of y' House of Burgesses.

I doe well approue of y' choice of L' Coll Thomas Milner, to be y' Clerk of y' house, and haue accordingly assigned Coll Joseph Bridger, and Coll Phillip Ludwell, two of his Majesties Councell, to swear him Clerk of y' house of Burgesses, and att y'



request, I have ordered ye Clerk to prepare a writt, for my figning, directed to ye Sheriffe of Nanzemend, to convene ye freeholders of that County and to proceed to ye election of a new representative, in ye room of him, who is now ye Clerk.

Hen: Chicheley.

The Clerk goes to ye house of Burgesses, deliuers ye message to ye Speaker

The Clerk returnes

Coll Joseph Bridger and Coll Phillip Ludwell goe to ye house of Burgesses, with intent to swear L. Coll Thomas Milner, att ye request of ye house of Burgesses, their Clerk

Coll Joseph Bridger and Coll Phillip Ludwell return and fay, ye house of Burgesses would consider of ye oath, offered to be administred to ye Clerk of ye house of Burgesses.

Post meridiem Nouembris 16º 1682.

MESSAGE from ye house of Burgesses by Mr John Buckner and Mr Baklusm Shepherd

This house having under their consideration ye matter concerning ye Swearing ye Clerk of ye Assembly, we passed this forenoon, when ye Gentle-

men of ye Council were in this house

The house doe all unanimously agree and resolue, that his honour ye Gouern may be requested, yt a conference may be had, with some of ye Hon'ble Council, and some members to be appointed by this house, and that if it stand with their Hon's conueniency it may be forthwith had.

Tho: Ballard Speaker

The L' Gouern's Answer

M' Speaker and Gentlemen of y' house of Burgesses

Whereas ye house of Burgesses have requested, that a conference be held, with some of ye Councel and some of ye house of Burgesses, in ye debate of a Clerk to be sworne for ye house of Burgesses, I doe nominate and appoint Mr Secretary Spencer, Mr Auditor Bacon, Coll Joseph Bridger, Coll Phillip Ludwell and Coll We Cole sine of his Majites Councel to hold a conference in ye aforesaid matter, and that ye weighty businesses of this General Assembly, may not be retarded, I desire this conference be not delaied

Hen: Chickeley

November 16th 1682

Ordered that y^e Clerk carry y^e aboue message, to y^e house of Burgesses and deliuer it to M^e Speaker

The Clerk proceeds on his message

The Clerk returnes

Coll John Weft and Mr Edward Read from ye house of Burgesses, wait upon ye L' Gouern and give him thanks, for assigning Councel to hold a conference, with some of their members in ye debate relating to ye swearing ye Clerk of ye house of Burgesses, and as soon, as their Clerk can conveniently, ye names of those, who are to manage that conference shall be sent to his Hon

The Gentlemen return

Coll William Kendal with other Gentlemen prefent the following mellage

Post Meridiem November 16th 1682

Coll W^m Kendal, M^t W^m Fitzhugh, M^t W^m Sherwood, M^t Charles Turner, Coll Thomas Brereton, M^t Christopher Robinson, M^t Thomas Clayton, Coll John Lear, Coll Lemuel Mason, M^t James Minge are appointed to mannage the conference with y^t Gentlemen of yth Councel, appointed by the Honth Govern^t concerning yth Clerk of yth Assembly, why yth Clerk chosen by this house, should not be sworne and continued

Clerk



Cierk of y° Affembly, according to y° auntient ufages & practices of all former Affemblies in this Country, and these Gentlemen shall make use of such reasons, and Arguments, as haue been used in this house and other, as they shall think fitt, for y° management of y° conference.

Tho: Ballard Speaker

Die Veneris 17º 9bris 1682

MESSAGE from the house of Burgesses by Coll Wm Kendal and Mr Wm Fitzhugh

Fryday November 17th 1682

Vpon confideration and full debate of ye report of ye Gent of ye conference and ye arguments and reasons urged and used by divers members of this house, upon ye same, & for an Accomodation and to ye end this Assembly may goe on and proceed in ye dispatch of that affaire, for we's they are now convened:

Refolued Nemine Contradicente, yt ye usages and auntient laudable and necessary customes of this house be from henceforth observed and maintained, and that an humble addresse be forthwith made by this house to ye Honrble Gouern and Councel, that for ye future in Committees some of ye Honrble Councel may be assigned by ye Honrble Gouern (upon ye request of this house) to join with and assist ye Committees of this house, in ye debating & preparing matters for ye consideration of ye Gen!! Assembly as hath been formerly used in any Grand Assembly heretofore held by ye Honrble Gouern Councell and Burgesses of this his Majties Dominion, and that for ye expediting and dispatch of ye Countries businesse ye Clerk of ye Assembly may be sworne, as hath been formerly used and Accustomed

Tho: Ballard Speaker

Ordered that ye Clerk attend Mr Speaker in ye house of Burgesses, and acquaint him, that ye Lt Gouern requires him and some of ye members of that house to Attend him and ye Councel immediately in ye Councel Chamber.

The Clerk proceeds on his melfage

The Clerk returnes with answer, that he has acquainted M^r Speaker with ye L^t Gouern^r Commands, and M^r Speaker made noe reply

about halfe an hour after

Coll John Weft, Coll Thomas Brereton and M^r Xpher Robinfon with another from y^e house of Burgesses waite upon y^e L^t Gouern^r and acquaint him, that by order of their house, they waite upon his Hon^t to receive his Commands

The Lt Gouern acquaints the Gentlemen, that he fent for Mr Speaker and halfe a

dozen of their members.

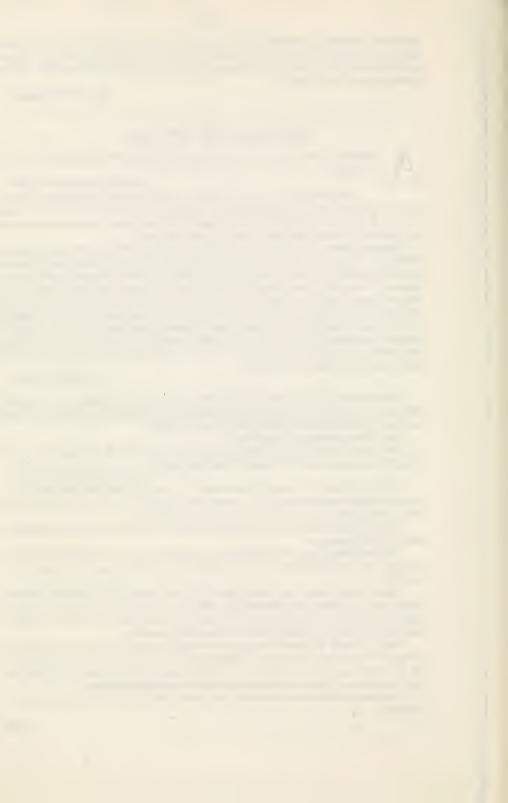
The Gentlemen begg his pardon, with apprehensions that ye message was wrong deliuered, and return saying, that their Speaker would waite upon his honour in ye morning.

Major Arthur Allen, Coll Lemuel Mafon, Mr Tho: Barber and Mr Baldwin Shepherd waite upon ye Gouern and acquaint him, that by order from their house they waite upon his Hon and acquaint him their house was slender and it was late att night, therefore they desired, that it might be deferred till ye morning.

The L^t Gouern^t acquaints them, that he would most willingly have conferred with y^e Speaker and some of y^e members of their house, to y^e end y^e Countries business might not be delaied and that he would most willingly stay till ten or eleven of y^e Clock att night, provided y^e Speaker with some of their house would attend him

The Gentlemen return with answer, that they were bound by Instructions to say

noe more.



Die Saturni 18º 9bris 1682

RDERED that ye Clerk waite upon Mr Speaker, in ye house of Burgesses and acquaint them that ye L' Gouern' and Councel are met.

The Clerk goes and acquaints Mr Speaker with his meffage.

The Clerk returnes with answer, that Mr Speaker would fuddenly return answer to ye Gouern's Commands.

M. Speaker Attended with M. John Buckner, M. Henery Whiting, M. W. Fitzhugh, M. Christopher Kobinson, M. Thomas Barber and M. Cha: Turner waite upon ye Gouern.

The Lⁱ Gouern[†] acquaints them, that he had fent for them yefterday, and is formewhat displeased, that they stand so long upon niceties, with disputing y^e title of Clerk of y^e Assembly, comparing this to y^e Parliament of England, and y^t he had assigned Councel to swear their Clerk, Clerk of y^e house of Burgesses and produced a President wherein their Clerk formerly signed Cler: Dom: Com: desired them to delay now more time, by spending y^e Countries money in uain, but to return their answer suddenly

M' Speaker with ye rest of ye house return.

M' Henery Whiteing with M' Miles Cary from ye house of Burgesses waite upon ye L' Gouern' and Councel, desiring their Hon's to transmit to their house ye President produced, signed by M' Corker, that ye Clerk of ye house of Burgesses formerly signed himselse Cler: Dom: Com:

The Gentlemen return with ye paper

Coll Daniel Jenifer, Mr Hen: Jenkins and Mr Xpher Robinson from ye house of Burgesses waite upon ye Le Gouern and present him with ye sollowing paper.

To the R. Hon'de ye Gouern' and ye Hon'de Councel of State

The humble address of y* house of Burgesses in behalfe of themselues and y* whole Commonality of this his Majires Dominion of Virginia

This house doth first humbly offer to y^r Hon^{rs} that they doe conceiue, they have not in any manner been negligent of y^e Country Affaires, nor of y^e discharge of y^e trust reposed in them, since their coming together, and doe resolue with one mind, to use their utmost endeauors in their further processe, in this Assembly to manifest their obedience to y^r Hon^{rs}

And they doe humbly pray y' Hon's y' you would be pleafed, that they may receive from y' Hon's in writing an answer to y' message, being a resolution of this house sent yesterday to y' Hon's by y' hands of Coll W'' Kendall and M' W'' Fitzhugh

Tho: Ballard Speaker

November 18th 1682

The L' Gouern's answer returned by y Clerk M' Speaker and Gentlemen of y house of Burgesses

On Thursday att y' request I assigned Councel to swear y' Clerk accordingly doe now offer y' same and to be sworne, as its y' right and due, to have him sworne Clerk of y' house of the house of Burgesses: I earnestly request and require you, that youl not loose more time, but fall diligently and seriously to those affaires, I gave you in charge, and expect y' performance that this our meeting, as its most heartily desired and wished may have an happy accord and successfull closure.

Hen: Chichely

9hr 18th 1682

The Clerk returnes with answer that he has deliuered the aboue message to M^{*} Speaker

L' Coll James Powel, Coll John Stone, Coll Thomas Brereton and Major Arthur Allen from ye house of Burgesses waite upon and present ye Gouern with ye following message

Saturday November 18th 1682

It is y' unanimous uote of this house that y' writing now brought from y' Hon'ble Gouern' by M' Edward Chilton Clerk of y' Councel is not a full answer to their humble Addresse



Addresse this day sent to his Hon and Councel, by ye hands of Coll Daniel Jenser, Mr Xplier Robinson and Mr Henery Jenkins, for that noe notice is therein taken of ye vote of this house, that for ye suture in Committees some of ye Hon le Councel may be assigned, by ye Hon le Gouern upon ye request of this house, to assist in ye debating and preparing of matters, for consideration of ye Gen Assist and ye house doe also unanimously agree, and uote, ye it is their auntient and undoubted right and priviledge, to have their Clerk sworne Clerk of ye Assembly and that they cannot, neither in honour nor justice recede from ye same, and therefore doe again, most humbly pray ye Hon that he may be soe allowed and sworne, to ye end that noe more time may be spent nor ye Assembly retarded in their proceedings in their weighty affaires.

And this house doe further humbly offer to y' Hon's consideration that y' Burgesses, according to y' writt for election, were met att James Citty, and did continue from fryday y' tenth day untill tuesday y' fourteenth day of this instant, before they were by

y' Hon' called together to receive y' Commands.

Tho: Ballard Speaker

Ordered that ye Clerk present ye following message to Mr Speaker.

M. Speaker and Gentlemen of y. house of Burgesses.

In y' paper, euen now brought me, by fome of y' members, you fay, y' house met on ye day by writ appointed, but doe not take notice, that halfe y' house was not in Town ye eleuenth inftant, nor a full house till monday, in ye afternoon, on tuefday, web was as foon, as y' house was full I Commanded y' Attendance on me, and then gaue you in charge, what was most absolutely necessary, to be presently taken under consideration, ye web by y' proceedings, I have just cause to believe, you only intended ye hearing of, or elfe would not passe soe much time, without performing ye least point of what conuened for, that all y' time hath not been well managed, yesterdayes proceedings did fufficiently euidence, for I defired M. Speaker with some of y members, to attend me and in expectation thereof waited fome houres, and att last had return that M' Speaker would come ye next morning, weh I took as if it had been faid, M' Speaker either would not, or could not come, ye web I cannot but refent and take it, as it's ye greatest flight, any of his most facred Majties Gouern's of this Colony euer received from ye house of Burgesses; Gentlemen I am constrained to make these particular recitals to acquit myfelfe Hen: Chicheley

November 18th 1682

The Clerke returned

Ordered that y* Clerk carry y* following meffage.

By the L* Governour and Councel

The L' Gouern' and Councel having under their most ferious confideration ye flow motion, or rather noe progresse of affaires, for web this Assembly was conuened, and finding ye whole Current of bufinesse, to be stop'd by the house of Burgesses refusing to haue their Clerk fworn Clerk of yt house, but infifting to haue ye said Clerk sworn Clerk of ye Affembly, a taken up title not agreable to ye great Prefident of ye great and Honrble body, ye house of Commons of England, whose Clerk only beares ye title of Clerk of ye house of Commons and to all matters, to we ye said Clerk is to signe, gives noe other title, then Clericus Dom: Com: in web ye L' Gouern' and Councel to manifest how fenfibly they are of and heartily affected with ye growing charge of this Affembly, web will prove insupportable, should time in debates of this nature thus be spent, ye web to ease and lighten, out of ye earnest defire, they have, that matters of this Assembly may proceed, I'ts admitted ye Clerk of ye house of Burgesses be sworne Clerk of this prefent fessions of Assembly, but with this referuation and protestation, that this admittance be not taken or allowed, to be any prefident for future Affemblies or Selfions of Assemblies, whereby to pretend to, or entitle ye Clerk of ye house of Burgeffes by any other ftile or title, then Clerk of ye house of Burgeffes.

Edward Chilton Cl of Gen'l Affbly



The Clerk returnes

A meffage from ye house of Burgesses by L. Coll Ifaac Allerton and other members hereafter named

The meffage Followes

Post meridiem Nouember 18th 1682

Refolued by the house of Burgesses, that some members be appointed by this house to waite upon ye Gouern' and pray his Hon' in ye behalfe of this house, that ye Clerk may be sworne without ye limitations and protestations in ye last paper received from ye Hon's Gouern' and Councel by Mr Edward Chilton Clerk of ye Councel, and that ye Gouern' Honour will be pleased, to give an answer to this house, of ye other part of ye humble addresse, relating to ye Councels joining, with ye Committees of this house, in preparing matters for ye consideration of ye Gen's Assemble will be in a condition vigorously to proceed upon ye weighty affaires that lye before them Coll Island Allerton, Coll William Bird, Coll William Brown, Mr Abraham Weekes are appointed and desired by this house, to waite upon ye Hon's Gouern' with this Resolve and to pray his Hon's concession to ye same, in ye name of this house

Tho: Ballard Speaker

The Gentlemen return

Ordered that the Clerk attend upon M^r Speaker and defire him to Command y^\bullet last members to attend y^\bullet Gouern

The Clerk goes and deliuers his meffage

Coll Allerton and ye other Gentlemen waite upon ye Le Gouern and acquaint him, that ye paper they brought comprehended their whole Commission, and therefore could make noe farther answer.

The Gentlemen return

M' Miles Carey and M' Thomas Hunt wait upon ye L' Gouern' and acquaint him their house are preparing a message, weh shall be forthwith sent.

The Gentlemen return

Coll Allerton, Coll Bird &c wait upon y^e L^e Gouern and \mathfrak{P} fent him with y^e following meffage

Post meridiem 9bris 180 1682.

L' Coll Ifaac Allerton, Coll W^m Bird, Coll W^m Brown and M^r Abraham Weekes are again defired and appointed to waite upon y^e Hon^{rble} Gouern' and Councel, with a copy of y^e Clerks Oath, as is now framed by this house, and to pray their Hon^{re} that they will please, y^e Clerk may be sworne, according to that forme, without any limitation, and thereupon this house will order, y^e y^e protestation formerly entered in their Journal ag^e y^e title of Clerk of y^e Gen¹¹ Assembly, shall be taken out and obliterated, and to pray their Hon^{re} y^e like may be done by their Hon^{re} protestation lately sent to this House

Tho: Ballard Speaker

The L^t Gouern acquaints y Gentlemen, that he formerly had and that he is willing again, to affigne Councell to fwear their Clerk Clerk of y Affembly, for this prefent felfions, but as to y obliterating y protestation entred in y Journal, acquainted them, that he could not make a positive answer thereto, being concluded in full Councel, and some of y Gentlemen of y Councel out of Towne.

The Gent return

about halfe an hour after

Coll John Stone, and Mr Malachy Thrufton waite upon ye Lt Gouern and acquaint him, their house is very thin, many of their members (being Saturday night) gone out of Town, and therefore desired, that his Honour would not expect their resolution, till monday morning.

The Le Gouerne and Councel adjourne till Monday morning



Die Lunæ 20th Nouember 1682,

HE Clerk carries ye following meffage to ye house of Burgesses Whereas ye house of Burgesses have requested, that I would assigne Councel, to swear such of their members as are now in their house, not yet sworne.

I doe therefore hereby nominate, order and appoint Coll Joseph Bridger and Coll Matthew Kemp, two of his Majties Councel, to administer ye Oathes of Allegiance and Supremacy, as likewise ye Oath of a Burgesse, to every elected member of this Assembly, not yet sworne, as likewise that they administer ye Oath, to L' Coll Thomas Milner, of Clerk of ye Assembly, for this present sessions of Assembly.

Hen: Chicheley

Coll W^m Kendal with others from y^e house of Burgesses present y^e following message

1682 Monday Nouember 20th Post meridiem

Whereas this house have several times, by some of ye members of this house, made their humble addrefs and requeft to ye Honrble Gouern and Councel, that they would please to conceed, that some of ye Honrble Councel should by his Honrs appointment, on ye request of this house, be joined with ye Committees, of this house, in preparing matters, for ye confideration of ye General Affembly, according to ye auntient laudable and necessary Customes, used in former Assemblies of this Country; And whereas this house did on Saturday last, by Coll Allerton and some other members of this house fend to their Hones a copy of ye oath conceived and framed by this house to be administred to ye Clerk of ye Affembly and did alfoe by those members pray their Honra that ye Clerk might be fworne, according to that forme, and did declare that they would thereupon take out and obliterate from their Journal their exception and protestation agt ye title of Clerk of ye General Affembly and to pray their Hones ye like might be done by their proteftation lately fent to this house, and whereas Coll Allerton and ye rest of those members sent from this house to their Honrs upon their return to this house did report, that y' Hon'ble Gouern' was pleased to answer, that his Hon' and ye Councel were willing the Clerk fhould be fworne Clerk to this prefent felfions of Affembly, but as to ye proteftations and limitations they would reffer to this day by reason seueral of ye Honrble Councel were gone out of Towne

This House doe now humbly pray their Hon's that they will be pleased to give this house a full answer to their humble request concerning ye Councellours joining with ye Committees of this house and that ye Clerk may be sworne according to that oath without any limitations, reservations or protestations, that soe they may, (as they earnestly desire) frame themselves to ye dispatch of ye weighty affaires of ye Country

Tho: Ballard Speaker

Ordered that ye Clerk carry ye following meffage to ye house of Burgesses, being an answer to theirs.

By The L' Gouern' and Councell

Whereas y* house of Burgesses by Coll W* Kendall, with many worthy members of that house even now presented a writing, from that house, y* consideration of w* is such, y* y* late season of this evening admits not time to make full answer unto; Its therefore Refolued, that answer be given too morrow morning thereunto, w* would not have been till then defferred, had any return from y* house of Burgesses been made in any part of this day, whereby to have had time proportionable to have made response Edw* Chilton Cl Gen* Assessment

20th November att seuen of ye Clock att night.



Die Martis 20: [21] Nouembris 1682

HE following message brought from ye house of Burgesses by L. Coll James Pewell, Maj Arthur Allen, Coll Lemuel Mason, and Coll Thomas Brereton
Tuesday November 21th in ye forenoon

May It Please y' Hon's

This house having received from y' Hon's a message, dated last night att seven of y' Cleek, that you would give an answer this morning to ye addresse of this house, sent to y' Hon's by Coll Kendall'& other members, web you are pleased to say should not have been desserted, had any return from ye house of Burgesses in any part of that day been made, whereby to have time proportionable to have made response.

The house doe with all respect and reverence due to y' Hon's humbly desire to acquaint you, that as a continued demonstration of their earnest defire, and due Attendance, on ye great and emergent affaires of ye Country, This house did on Saturday last humbly pray y' Hon's by some of their members, that you would please, to give an aniwer to their addresse, and y' Hon's were pleased to desser it till monday; In expectation and hopes thereof this house did attend yesterday, and put themselues on ye difpatch of other necessary matters concerning return's of writts and other things that lay before them, and did about fiue of ye Clock, in ye afternoon yesterday send to ye Hon's by Coll Kendall and other members, to pray y' Hon's for a full answer to their request, we was ye first thing this house took into consideration, and applied themselves to, att their meeting in their house, in ye afternoon, & ye rest of ye time yesterday was spent in expectation of yr Honrs fauourable and beninge answer to their just and humble request, wherefore this house doe humbly pray, that y' Hon's will please to conceiue a right of this house in their proceedings, who assiduously joine, according to ye obligation, they take themselues to be under, both to God and ye people they represent, to make ye best use of their time, without respect to early or late, and to improve their utmost endeauours, to accomplifh ye end of this meeting, and to manifest our duty to our most Gracious King, our due respects and obedience to yr Honra and to discharge ye trust repoted in us

Tho: Ballard Speaker

The Gent return

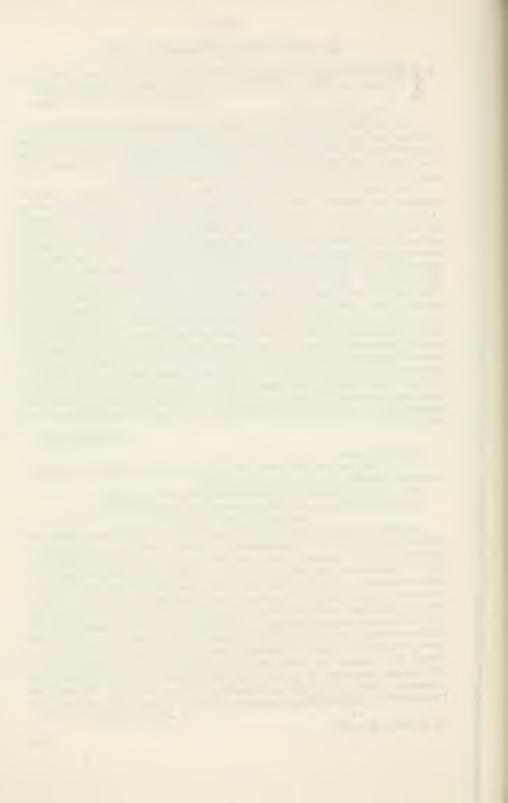
M' W- Prefly and M' Tho: Hunt come from y house of Burgesses and desire y L' Gouern to appoint Councel to swear their Clerk

The L^t Gouern' acquaints y^e Gent he would foon return an answer.

Ordered y^t y^e Clerk carry y^e following message to y^e house of Burgesses.

By The L^t Gouern' & Councel.

Whereas ye Li Gouern and Councel conceded, that Li Coll Thomas Milner, late elected Clerk, by ye house of Burgesses should be sworne Clerk of this present session of Assembly, but with ye referuation and protestation, that that admittance should not be taken or allowed to be any President for suture Assemblies, whereby to pretend to or entitle ye Clerk of ye House of Burgesses, by any other stile or title, then Clerk of ye house of Burgesses, in web ye Li Gouern and Councel doe declare, ye intent and meaning of ye referuation and protestation was not designed, or intended, to bar or exclude ye house of Burgesses, in suture Assemblies, or sessions of Assembly's, to make claime unto right, or pretention of Right, they may in suture Assemblies make, to have their Clerk sworne, or entituled, Clerk of ye Assembly, but ye sole intent and meaning of ye La Gouern' And Councel, in yt reservation and protestation (in yt concession) was to preserve their own Right, if ye like debate should arise, in future Assemblies, and accordingly ye Councel are ready to administer ye Oath of Clerk of ye Assembly, unto ye aforementioned elected Clerk, according to ye Oath by ye house of Burgesses presented Edwa Chilton Cl Gen! Assembly.



The following meffage fent by ye Clerk

M' Speaker and Gentlemen of y' house of Burgesses.

I have affigned Councel, to fwear L^t Coll Tho: Milner Clerk of y* Affembly, in terminis, as by y* Oath by y* house presented; This concession may sufficiently affure of y* earnest desires and endeauoures I and y* Councel have, y* y* affaires of this Assembly may proceed, without heats, or endeauours of growing Interests, I therefore, Gentlemen, desire and require you, evenly, seriously and diligently, to goe forward, in what I gave you in charge, y* wee may affure y* world, wee came here, with hearts and minds zealously bent, for y* feruice of his Majesty and y* good and welfare of this our Country.

Die Martis 21º Queis 1682

Coll Joseph Bridger and Coll Matthew Kemp goe to ye house of Burgesses, and swear their Clerk according to ye following oath.

The Oath

You shall swear, as Clerk of y* Assembly of Virginia, to which office you are elected, justly and uprightly, to make true entries and journals of all uotes and proceedings, of y* sd Assembly, as from time to time, you shall receive orders and directions from them, you shall keep secret all proceedings of y* sd Assembly, so far as shall by y* said Assembly be found necessary, and shall, in all things, to y* best skill and judgment, discharge and execute y* said office and trust of Clerk of y* Assembly

Soe help you God

Coll Iface Allerton with other members of ye house of Burgesses waite upon ye Le Gouern and in behalfe of their whole house return his Hon thanks, for assigning Councel, to swear their Clerk & acquaint his Hon that their house would most uigorously proceed to ye Execution of what they had in Charge from him.

The following meffage brought by Coll Ifaac Allerton.

Tuesday ye 21th November 1682 post meridiem

A Committee appointed to confider of propositions and greiuances

Coll Ifaac Allerton Chaireman

Coll John Lear M^{*} W^{**} Fitzhugh Maj^{*} Arthur Allen Coll Arthur Smith

Coll Tho: Brereton M^t Hen: Jenkins M^t James Minge M^t Xpher Robinson

M. W. Sherwood

Mr Tho: Blayton is appointed Clerk of this Committee

Tho: Milner Cl of ye Affembly

0 ber 22d

The $\operatorname{Hon^{rble}}$ Gouern is requested to affigne some of y^{ϵ} $\operatorname{Hon^{rble}}$ Councel, to affist this Committee

Tho: Milner Cl of ye Affembly

Coll Wm Kendal brings ye following

Tuefday Nouember 21th 1682 Poft Meridiem

A Committee for Private Causes

Coll W= Kendall Chaireman

Coll John Weft Coll John Stone Coll Dan¹ Jenifer Coll Lemuel Mafon Coll W^m Brown M^r John Buckner

Coll James Powell

9 00 22d

Mr Wm Bolton is appointed Clerk of this Committee

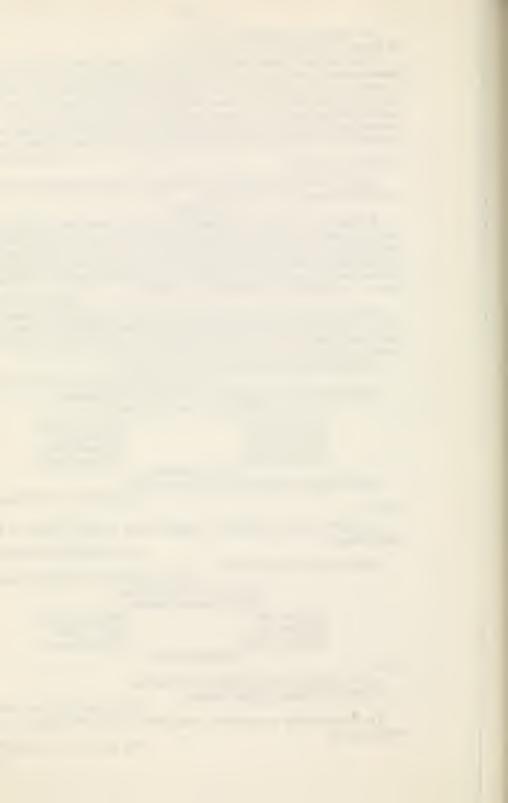
Mr Wm Prefly is added to this Committee

Tho: Milner Cl of ye Affembly

The Hon^{rble} Gouern^r is requested to Affigne some of y^e Hon^{rble} Councel, to affist this Committee

Tho: Milner Cl of ye Affembly

Coll



Coll W" Bird brings ye following paper.

Tuefday November 21th 1682 Post Meridiem.

A Committee appointed for ye examination of Publick claimes.

Coll Wm Bird Chaireman

Capt John Langhorne
Mr Charles Turner

M' Malachy Thruston Capt Antho Armstead

Mr Henery Awbry

Cap' W- Randolph is appointed Clerk of this Committee

Tho: Milner Cl of ye Affembly

The Hon^{rble} Gouern^r is requested to Assigne Councel to assist in this Committee

Tho: Milner Cl of ye Assembly

Ordered That ye Clerk carry ye following melfage to ye house of Burgesses.

Die Mercurii 9bris 22º 1682

By his Majesties Deputy Gouern'

YHEREAS ye house of Burgesses have requested, I would be pleased to appoint fome Gent of the Councel, to fit and affift, in Committees, appointed by y house, we request and motion, I have fully and feriously aduised and debated with ye Councel, I'ts thereupon found not agreable, to ye forme and manner of proceedings, in ye General Affembly, held by his Excellency ye Lord Culpeper, and that by ye fole act and option of ye then house of Burgesses, as ye most fit and expedient way, for yt house to proceed in, as yt nearest to a Parliamentary way, & forafmuch as his Excellency, when he returned for England, gaue his Majir, not only the then ftate of ve Country, but likewife ye manner & forme of all Courts proceedings, of we's ye Gen" Affembly is ye highest, Its therefore neither fit, respectfull nor convenient, to make any alteration, in ye manner and forme, of ye Generall Affemblies proceedings, tor to recede from any part of ye then prefent state, untill ye arrivall of his Excellency y' Lord Culpeper, who is daily expected, I therefore doe remind you, of what Att our first meeting I gaue you in charge and desire & require you, not to entertaine any bufineffe, but folely to apply y' felues thereunto, and this complyance I most earnestly hope, expect and defire from you.

Hen: Chicheley

The following meffage brought by Coll John Lear and other members

To the R' Honest S' Henery Chicheley Kn' his Majiin L' Gouern' and y' Honest Councel
of State.

The humble addresse of y house of Burgesses

May It Please y' Hon's

In y Hon's Gouern answer this day received to y humble request of this house, y he would be pleased to appoint some Gent of y Councel, to sit and assist, in Committees appointed by this house, his Hon is pleased to say, I'ts not sound agreable, with y forme and manner of proceedings in y General Assembly held by his Excellency y Lord Culpeper, and y by y fole Act and option of y then house of Burgesses;

This house of Burgesses doe humbly conceiue, yt Assemblies are not tied up, to all formes, especially mistaken ones, therefore, wee hope, yt yt late President (if soe) because wee want yt Journal of yt Assembly cannot prejudice an humble request, grounded upon an auntient usage, hoping that such our request will not be taken, as unfit or disrespective carriage to his Excellency, whose speedy arrival is daily expected and hoped for, and to whom wee Shall alwayes pay all dutifull respects and service, and yt yt mistaken uote of one Assembly, and that seemingly pass't, in compliancy with & obedience to yt direction and desire of his Excellency, yt in yt session noe private cause should be medled with, cannot totally overthrow yt accustomed practice of all preceding



Affemblies of hauing, upon humble request of this house, Councel joined with their Committees, especially that of Private Causes, and if his Hon please, in y' of greinances

and propositions and the Committee of Claimes

Wee waite for ye arrival of his facred Majesties Royal Commands and Instructions, to we as wee euer haue, wee will euer giue ready Submission, being well assured, that they will confirm those just usages and primiledges, we his Loyal (the poor) subjects of this his Majesties Dominion haue euer enjoyed, whereof that of appointing Councel, is a very great one.

The great trouble this house lay under, for scueral dayes was happily remoued, by his Hon ye Gouern and Councels Concession to ye swearing of their Clerk, and wee hoped that thereupon all obstacles would be removed, that soe as an essential part of this houses businesse (ye representatives of ye whole Country) wee might proceed, to enquire into, and endeauour ye redresse of their just greiuances in ye first place, as ye

writt enjoines.

And It is a General Complaint, that feueral Private Caufes have depended feueral yeares unheard and undetermined, to their great charge and trouble, and therefore wee doe humbly pray, that for dispatch of these concerning affaires, y' Hon' would please to Affigne Councel (ye want of web must unauoidably retard our proceedings) to affist ye Committees, and att ye fame time ye Committee for claimes will uigorously endeauour, to fettle that affaire, and wee hope by their proceedings together to give a General fatisfaction to ye Country & establish a full and well setled peace, weh every good, Loyal, & uninterested person prays for

Tho: Milner Cl of ye Affembly

Wednesday 224 9ber 1682 Post meridiem.

The Clerk carries ye following message to ye house of Burgesses

Nouember 22d 1682

By The L' Gouern' and Councell M. Speaker and Gentlemen of y. house of Burgesses

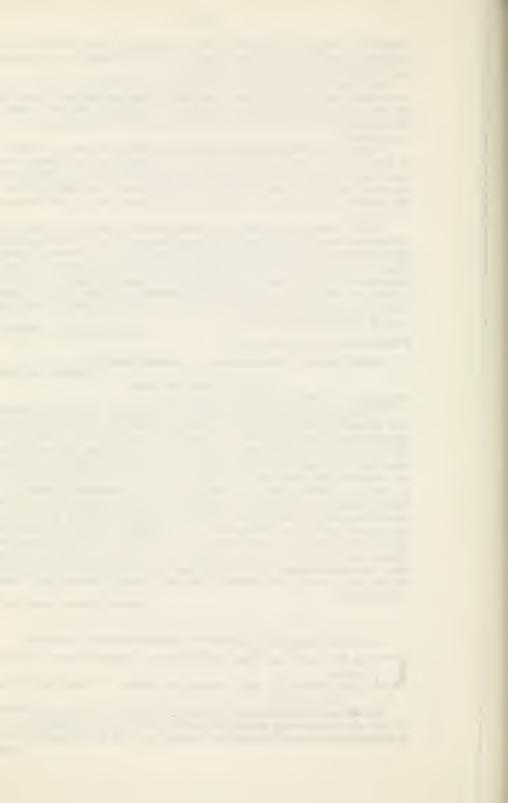
The Addresse even now received, from ye house of Burgesses, desiring some members of ye Councel, to be appointed, to fit & affift in Committees, It was yesterday by a written mellage from ye Rt Honrible ye Lt Gouern with ye aduice of ye Councel, to all parts Answered, to web haue now only to add ye Assurance that they neither haue defire, will nor inclination to inuade ye Rights of ye house of Burgesses, nor to encroach on ye minutest part thereof and as a testimony of ye reallity and ye sincerity thereof, I'ts defired ye present debate of Councell to affift in Committees appointed, by ye house of Burgesles, be refferred to ye consideration of ye next selsions of Assembly, with this affurance y' y' L' Gouern' and Councell will willingly and freely admit, receiue, hear and full answer make in all points to ye Arguments ye house of Burgesses shall then find fitt & necessary to offer thereon, upon weh Assurance given, ye L. Gouern and Councel cannot doubt, but yo house of Burgesses will (as is earnestly defired) set themfelues ferioully & uigoroully to ye performance of ye discharge of those chargeable affaires, att y opening of this Affembly, was given in charge, without further infifting in this manner. Edward Chilton Cl Gen¹¹ Aff^{bly}

[There is no heading here, but it is prefumed the proceedings of the 23rd begin at this point.]

OLL West with other Gent from ye house of Burgesses present ye following To the R' Honrile S' Hen: Chicheley Kn' his Majiles L' Gouern' and y' Honrile

Councel of State

Wee his Majties Loyal Subjects, ye Burgeffes in this Afent Gen'i Affembly affembled, fince ye first of our meeting, haue defired nothing more, then ye wee might proceed on ye performance of those Commands laid on us by y' Hon and discharging ye trust reposed



repoted in us, by ye Country, and to yt end, amongft other matters, we are happily adjusted and yt conduce to our more orderly and regular proceedings, have more, then once, become humble fuitors, to yr Honts that you would be pleased to assigne, some of ye Honts Councel, to assist att our Committees, we our humble petition yr Honts have

not yet been pleafed to grant.

This house having further feriously confidered ye great necessity and Generall expectation of good and wholesome Lawes, which are Requisite to be made this session for ye propagation & encouragement of usefull manufactures and for ye advancement (if possible) of ye value of Tobacco and discharging Publick Debts, doe therefore in all humility again importune and implore ye Hontble Gouern not to deny them ye affistance of some of ye Hontble Councel att our Committees, as hath been accustomed, that thereby were may be ye better capacitated, to make a speedy and effectual return, both to ye Hontble Commands and our Countries expectation, in web if wee should be, by any meanes, obstructed, were much doubt it may be of euil and dangerous consequence, web God of his mercy divert

Thurfd.1y 23d 9ber 1682 Post meridiem

The Gent return

Coll Allerton prefents ye following melfage

Post Meridiem. Thursday November 23d 1682

May it please y' Hon's

The house of Burgeffes hath often desired, of ye Honrble Gouern to assigne Councell, to assist att Committees, and their applications seem hitherto obstructed, thro an apprehension, ye by ye Act and option of ye house of Burgesses in 1680, noe Councel did assist, in their Committees, but tho this house is unhappy, thro ye want of ye Journals and other proceedings of that Assembly, they doe, (by ye diligence of persons appointed, to inspect those papers that were returned and relate to this house) find that his Excellency was pleased, then to appoint Councel, to assist in one of ye then Committees, who did affift accordingly, web being considered, this house doth hope, they have noe need to doubt ye Honr concessions, to their humble requests, in their former addresses.

Tho: Milner Cl of ye Affembly

Die Veneris 24º 9bris 1682

By The L' Gouern' and Councel

HE defire of ye house of Burgesses, requesting Council, to be assigned, to fit and affist, in Committees, hath most feriously, deliberately and fully been considered and debated, with all euenesse, equality and resolution of preservation of ye Rights and Priviledges of ye house of Burgesses, as by ye assured testimony of Yesterdayes response hath in full and plain words been expressed, from which well grounded resolution, ye Li Gouern and Councell out of Duty to our most Gracious Soueraigne, respect to his Excellency and honour and justice to themselves cannot depart, for if should Concede to any alteration, of ye forme and manner of Assessed proceedings, before receive ye signification of his Majuses will and pleasure, it may justly be taken for an anticipation thereof

Gent, for y* inftance of a paper, figned by M' Hartwell, I'ts noe Prefident to y* nature of y* flent debate, y* being only to draw into fit and fuitable words an addreffe, y* whole matter and fence being before by y* Gouern* Councel and Burgeffes unanimously agreed on; This confidered, It cannot be doubted, but you'l refolue cheerefully, rigorously and affiduously, to performe y* matter given in charge, y* w* hath with all possible calmenesse, and defire of reconciling words, been often put unto you, thô ye pressing nature of y* affaire, being y* consideration of y* greiuous burthen, our long

continuance



continuance muft unauoidably draw on us, doth tell you, noe longer time ought to be loft, and that its foe refolued this returne Affures you, In web I'ts most fincerely wished a happy correspondency, that this our meeting may proue happy and successfull, to web let all concerned say, Amen

Edward Chilton Cl Gen¹¹ Aff^{biy}

The Clerk carries ye above message to ye house of Burgesses.

Post Meridiem

R James Biffe and Mr Baldwin Shepherd from ye house of Burgesses, acquaint ye Lt Gouernt that their house is preparing a message, web shall be sent within one queer of an hour.

The Gent return

Coll John Lear with other Gent prefent ye following message from ye house of Burgesses

Fryday November 24th 1682.

May It Pleafe Y' Hon"

as doth become us

The house of Burgesses having received y' Hon's answer this day, to their many humble Supplications and addreffes, concerning fome of ye Honrole Councellours being joined, with ye Committees of this house, Agreed It should be put to ye question, whether ye Committees now appointed, by this house shall proceed without Councellours affigned, to ye examination and preparation of fuch matters and things, as now lye before ye Assembly, and ye sid question being Resolued in ye negative, The house doth humbly offer, to y' Hon's that they cannot with honour or Justice discharge ye trust reposed in them, by ye Counties, they represent, without such addition of Councel, to ye Committees, by this house appointed, and therefore doe again most humbly supplicate and implore Yr Honrs concessions, to their earnest requests, yt Councel may be affigned to them, according to ye auntient cuftome, in ye proceedings of former Affemblies, for ye Speedy and more effectual dispatch of ye matters and things, now lying before them, web they doe with real and most Loyal hearts and minds zealously defire to confummate and finish, according to y' Hon's defires & their duty and doe again affure yr Honrs that wee fhall att all times humbly fubmit to, and obey all his Majesties Royall Commands, as becomes ye duty of faithfull and loyall fubjects, being well affured, that his Majesty will neuer deny nor abridge us of our auntient Priviledges.

Tho: Milner Cl of ye Affembly

Die Saturni 250 9bris 1682

nor of any fauours, his Majesty indulged us, soe wee shall not be wanting, to give that hon and dutifull respect, to his Excellency yo Lord Culpeper, and yo Hon att all times,

PDERED that ye Clerk goe and acquaint Mr Speaker, that there is a meffage preparing from ye Lt Gouernt weth shall be suddenly sent.

The Clerk carries ye following meffage

Die Saturni 25° gbris 1682

By The L' Gouern' and Councel

M' Speaker and Gentlemen of y' house of Burgesses

Whereas many written messages, have passed from ye Lt Gouern and Councel, to ye house of Burgesses and returnes from ye house of Burgesses, to ye Lt Gouern upon ye debate of Councel, to joine in Committees, with ye house of Burgesses, I'ts defined and proposed, that a conference be held, by some members of ye Councel we ye Gouern shall appoint, with soe many members of ye house of Burgesses, as they shall find fitt to appoint for ye same, we conference, is desired, may this afternoon be held

Edward Chilton Cl Genii Affbly



Capt Antho: Armftead and M. Hen: Jenkins from ye house of Burgesses wait upon ye L. Gouern and acquaint him ye last message is willingly accepted, and desire ye names of ye Councel he designes to appoint to hold ye conference, and ye time and

place. 1676090 By The L' Gouern

I doe hereby nominate and appoint Mr Secretary Spencer, Majr Genn Smith, Coll Jeleph Bridger, Coll. Richard Lee, and Coll Matt: Kemp fine of his Majesties Connecl of State, of this his Colony, to Hold a conference, with such members of yr house of Burgesses, as they shall appoint, if possible to reconcile yr debate, relating to yr Councells affisting yr Burgesses, in Committees, & yr yr same be held accordingly, att sine of yr Clock, this afternoon, in Coll. Joseph Bridgers Chamber.

Hen: Chicheley

November 25th 1682

Die Lunæ 270 9bris 1682.

OL John Stone and Mr Tho: Barber come into ye Councel, and deliuer ye following meffage

To yo Rt Hon his Majiis Lt Gouern and to yo Hon to Councell of State.

The members of this house appointed, to mannage ye conference, according to their duty, reported to this house, ye substance of yt debate and haue by their relation, given ye house some hopes of yr Honts favourable condescention to their just demands, web wee, now hope, and most earnestly desire, yr Honts will fully agree to, by ye immediate assignment of of some of ye Honts Councel, to be joined to our Committees, who only waite that assignment, upon web concurrence, wee shall not only thankfully acknowledge it, but doe assure yr Honts that it is our hearty desires and shall be our utmost endeauours, that nothing may or shall lye, in ye way further to obstruct our speedy and diligent proceedings, in ye weighty affaires of this meeting, assuring our sclues, ye yr Honts according to ye Rt Honts ye Gouerns sirst grant to our speaker in behalfe of us all, doe not intend or will euer endeauour, to ensinge or take away our just and auntient Rights and Priuiledges

Tho: Milner Cl of the Assembly

monday november 27th 1682

The Clerk carries ye following meffage 1281941

Die Lunae 27° 0hr 11

M. Speaker and Gentlemen of y' house of Burgesses.

The Gent of ye Councel appointed to hold a conferrence with fome Gent of ye house of Burgesses, on Saturday last, reported to ye Le Gouern and Councel, ye upon ye result of ye conferrence, ye Gent of ye house of Burgesses did offer and undertake, ye ye house of Burgesses would this morning, particularly represent, what matters lay before them, ye that house desired this present session to proceed on, we accordingly by ye Le Gouern and Councel is expected and desired, ye if possibly, it may be known, where demands will end, since in ye paper, even now, received from you, you take noe notice of that Issue of ye conferrence, but say, those members of ye house, we managed ye conferrence, gave hopes of a condescention to ye just demands, we if, in themselves, they were soe, would have been, as soon granted, as asked, as by ye contant and continual assume this meeting has given you.

Edward Chilton Cl Gen II Affely

Majr Arthur Allen with others from ye house of Burgesses present ye following message

To The R. Hon'ble his Majesties L. Gouern and ye Hon'ble Councel of State

May It please y' Honrs

Wee doe with our great trouble confider, that this is ye eighteenth day of our meeting together, in due obedience, to y' Hon's writt and for discharge of yt duty wee owe to his Majesty, to our seueral Counties and to ye whole Country, whom Wee represent.

The charge is great, and in truth ye expectation great, it must be an unhappinesse, that in things by some thought minute, an obstruction should be, in ye Assembly proceedings.

This



This house hath frequently declared their ready obedience to all Royall Commands, their dutifull refpect to his Excellency, whose speedy arrival is heartily prayd for, & our due feruice to y' Hon' and ye Hon'ble Councel.

But may it pleafe y' Hon's This house hath unanimously agreed, that they doe not think it expedient, to proceed without ye affiftance of fome of ye Honrble Councel with their Committees, web would put them, upon a uigorous profecution of ye Countries great and weighty concernes, & Wee hope by our ftrenuous endeauours therein, to give fatisfaction to all Interests;

Therefore wee again humbly emplore yt Honte yt fome of ye Hontel Councell may be affigned, to affift ye Committees already appointed, by this house, we hath been ye auntient usage and practice in all Assemblies. Tho: Milner Cl of ye Affembly

Monday 9ber 27th 1682,

The Lt Gouern's answer followes

Die Lunae 27° Obris 1682

M' Speaker and Gent of y' house of Burgesses

I have often urged you, to proceed, on ye dispatch of present urgent affaires, as are fit to be done, viz: ye laying of ye Leauy & to give me ye opinion, whether it be necessary to keep ye Forts up or difmantle them, to weh you have yet given me noe answer att all; y' ftay here hath been long, and (as you fay) ye charge great, and had you proceeded, in ye dispatch of what I have Given you in charge, ye part of ye Countries business had long ere this been finished.

You often infift for Councel to affift in y' Committees, as if noe businesse could be done, without their fitting with you, when you very well know feueral Affemblies of ye house of Burgesses haue sate and prepared businesse, without them, and those things, foe prepared, haue been allowed of by ye Gouern and Councel and pass'd into Lawes, and haue been, as good to all intents and purpofes, as any Lawes, made with Councel affifting ye Committees, particularly when his Excy ye Lord Culpeper was here in 1680; I doe therefore recommend again ye points, I gaue you in charge, and if you think ye grieuances, you have brought from y' Counties, are of fuch great concernment, that they cannot ftay, till his Excy ye Lord Culpepers arrival, who wee every day expect. I am willing then, you should proceed on that alsoe, prouided you meddle not with anything, that lies before his Maj's remembring you ftill, that they may as well be redress'd in y' manner and way, y' house proceeded, when his Excy ye Lord Culpeper was here, and myfelfe with ye Councel will most readily confider fuch bills, as you shall prepare for redreffe of them.

As to that you urge for Councel, to affift you, in private causes, that businesse relating, but to few persons, may be very well defferred, till his Excellency ye Lord Culpepers arrival, who, as I faid before, is every day expected, & as that will be little prejudice to those persons concerned, soe wee shall gaine great advantage, in ye dispatch of those matters (under y consideration) of a higher nature and more publick; I doe therefore defire and require you, to give me y' positive answer without loss of time.

Hen: Chicheley.

Die Martis 28º 9bris 1682

OLL Wm Kendall and other Gent bring ye following message into ye Court house and deliuer it to ye Lt Gouernt The meffage followes

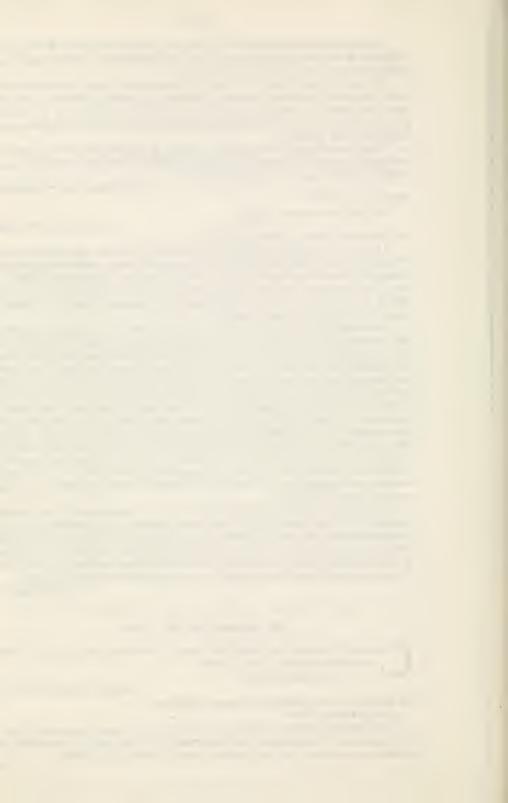
Tuefday November 28th 1682

To The R' Honrole his Majesties L' Gouern' of Virginia

May It Please y' Hon's

The house of Burgesses, after seuen, last night, received in a large message, from y' Honrs containing fundry articles and particulers, web being read and maturely and deliberately confidered, doe in all humility refolue to return this answer

 T^{ft}



That ye laying of ye Leauy, hath in all former Affemblies been (as its most necessary it should) ye last Ast or close of their Proceedings, and this house having ever fince their meeting, upon just and mature reason, used their utmost endeauours for ye continuance and preservation of their auntient Rights, usages and Priviledges, it cannot be rationally expected, that they should now divert, from what they have soe long and putty infifted on.

That it is ye opinion of this house, ye it is altogether unnecessary, to keep up ye Forts any longer, since they are very well assured, ye charge is uast, ye General advantage inconsiderable and ye end, for we's they were constituted, ye good of ye

Publick, wholy peruerted, and drawen only to ferue particular Interefts.

1 That our ftay has been long and ye charge great were our own words, in our last mellage, but with this addition, yt ye expectation was also great, for we wee take oursclues to be accountable and whereas y' Hon' hints, y' had wee proceeded, to ye diffratch of what was given us in charge, ye Countries businesse had long e're this been finalhed, y Hon may very well remember, and our many reiterated Addresses will manifest, y earnest defires and endeauoures of this house, uigourously to prosecute y great and weighty affaires, yt now lye before them, all weh might, as well, haue been proceeded on together, with as little expence of time, as any particular thereof, This being ve eight day fince ye appointment of our Committees, euer fince weh appointment. wer have daily supplicated y' Hon' y' Council might be assigned, to assist them, accordung to y' auntient usages and customes of preceding Assemblies, and more particularly. on tryday ye 24th inftant this house did resolue, that they should not proceed without Councel foe affigned and doe now again declare and refolue, y' they cannot, without a manifest uiolation of that trust reposed in them and betraying their Rights, liberties and priviledges recede, from that refolue, and therefore wee doe againe implore y Hon to affigne fome of ye Hon Councel, to our Committees, according to ye auntient usage and custome of Assemblies.

By order of ye house of Burgesses

Tho: Milner Cl of th' Affembly

Die Martis 28° 9bris 1682

Ordered that ye Clerk carry ye following meffage in answer to ye house of Burgesses aft addresse

M' Speaker and Gent of the house of Burgeffes.

This afternoon I received from you, a written message returned me, as you say, to my large message, ye last night sent you, ye lines in yes are many, thô not answering my expectation or defire, I ask'd from you a particular return to all those matters of moment therein contained, to all weh unlesse It be that of ye Forts, you make one positive answer, that you Cannot receed from yr former Resolues of Proceedings, without Gentlemen of ye Councel be appointed to affift in yr Committees indeed yr absolutenesse might have justly provoked me, long since, to have ended this our meeting, but that earnest defire I have, that all matters might be accomplished, for web convened you. I haue with all possible moderation, receiued y' return's, thô their language speakes you absolute, but to assure you of ye steddinesse of my affection unto you, I doe once more defire and require you, to apply y'selues to ye performance of y' duty to our Soueraigne Lord ye King and feruice of ye Country for weh I called you together, and whereas you infift to have Councel affigned, to fit and affift in y' Committees (a way of proceeding ye yeselues departed from) though now presse a return of ye same, you haue thereunto received my many answers and reasons, why this present sessions it cannot be admitted, and that with my tender care and referuation of all pretences of right and priviledges of y' house, soe y' ye next sessions of Assembly, you may reassume y debate of Councel, to be affigned to fit and affift Committees appointed by y house of Burgelles, foe that if y' Committees now proceed, without Gentlemen of y' Councel, affifting in ye fame, It fhall be noe bar to y' future claime of proceeding by Committees conjoined: And Gent as to that particular part of Private Causes, web you mostly infift



infift on, you now receive ye word of him, whom his Majesty hath been graciously pleased to dignifye with ye Supream authority, in this Colony in his Excellencies ablence, y' if betwixt this time, and y' next fellions of Affembly, his Majesty shall not please to give particular directions, in ye matter of Proceedings of Appeales in private causes to ye Assembly, then they shall be heard & determined by Councel assisting in ye Committees after ye form and manner of private causes, in Assemblies held before ye year 1680, and for yt farther fatisfaction ye Councel will willingly and readily join with me herein: As to ye Forts, you fay its yr opinion they are unneceffary longer to be kept, but take noe notice, they were erected by a Law, and are not to be diffolued, but by ye fame manner.

Gent You fay ye laving ye Leuy is ye last matter or businesse of an Assembly, it is foe, and its alfoe as certaine, ye Claimes and demands, from whence ye Leuy doth arife, ought to be timely taken under confideration, especially in this Assembly, being many and great, and will require a confiderable time to afcertaine them, yt and all other matters of moment, I have often intimated unto you, out of ye ardent defire I haue that this our meeting may performe ye end for weh called, ye feruice of his Majefty

and welfare of this our poor Country.

Hen: Chicheley

Some of ye Members of ye house of Burgesses present ye following message to ye Lt Gouernt

To The Right Honrble his Majesties L. Gouern' and ye Honrble Councel of State

The house of Burgesses wanting seueral papers of greiuances, propositions, claimes and other papers belonging to ye house, & Maje Robert Beverley, late Clerk of ye Assembly being fent for in this house, to give an Account thereof, hath informed this house, y' he cannot fatisfye ye house therein, without some time allowed him, to ye end and informing this house, that by order of ye General Court, he is forthwith, in ye custody of ye under Sheriffe of York County, to depart out of Towne.

The house of Burgesses doe therefore pray y' Hon's y' Major Beuerley, in y' custody of ye under sherriffe of York County, may be permitted to stay in Towne, till he hath giuen this house an Account, concerning ye said papers, web ye house of Burgesses will take care shall be done with all possible expedition & dispatch

Test

Tho: Milner Cl of th' Assembly

Thursday 9ber 30th 1682

The Clerk carries ye following message in answer to ye last addresse

Die Jouis 30° Nouembris 1682

By y. L. Gouern and Councel

Upon ye request of ye house of Burgesses, Major Rob' Beuerley is hereby permitted to ftay in James Citty, untill ye morrow morning, to ye end he may fatisfye ye house of Burgesses, abt fuch papers, as they shall require of him

Edward Chilton Cl Gen¹¹ Affbly

The following message brought by Coll Lear and others from ye house of Burgesses

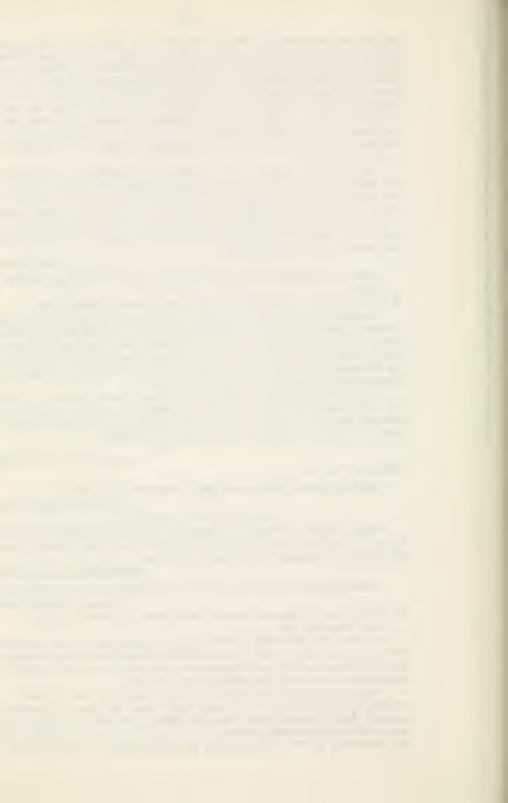
Fryday 111 December 1682,

To y' Right Hon'ble S' Henery Chicheley Kn' his Majiles L' Gouern' of Virginia

May It Please y' Hon's

It is our duty, first with humble thanks, to acknowledge yr Honrs fauourable concessions ye 20th of 0 ber in answer to our last humble addresse ye 28th of ye same moneth and humbly begg pardon, yt ve weightinesse of ye concerne haue made our return (thô this house lost noe time in ye consideration of it) thus late.

May It please y' Hon' It hath been fully debated and upon ye Question put, Refolued by this house, that they cannot recede, from their former supplications of having Councel, joined with our Committees, according to former usages and therefore this house doth again humbly implore y' Hon' that Councel may be assigned, to assist ye Committees, by this house appointed, this present session of Assembly and as wee



are to firenuous, in supporting those usages, so wee will neuer defect from our Loyalty to his facred Majesty, our duty to his Excellency ye Lord Culpeper and all due respect and service to ye Hone his Excellency is hoursly expected and by him his Majues Instructions, to we wee have professed and doe again declare, wee will show all ready, humble and Loyal obedience, but till those arrive ye house humbly implores Councel may be assigned, for this present session, according to those usages, which will not only expedite ye most weighty affaires of ye Country (many of web are already prepared) but wee hope, put an happy iffue to all our proceedings.

By order of ye house of Burgesses

Tho: Milner Cl of th' Affembly

Saturday December 2d 1682

From The house of Burgesses

OLL Lear, Major Allen, Mr Minge and Mr Hardridge are defired by this house to wait upon ye Rt Honribe ye Gouern and Councel to fignifye to their Honriby ye vote of this house, on Thursday last coming in debate and it appearing that many of ye members were not well informed, in ye state of ye question then put. It was agreed, by ye whole house, that ye question should be again put, and it was Resolued (nemine Contradicente) in ye affirmative wherefore this house doth humbly pray their Honriby ye addresse yesterday sent to their Honrib may be returned to this house and ye ye same may not be entred on ye Honrib Journal

Teft

Tho: Milner Cl of th' Affembly

The answer followes web was fent by ye Clerk

By The L' Gouern' and Councel

Xber 2d 1682.

Vpon ye requeft of ye house of Burgesses, were have herewith remitted ye Addresse of yesterdayes date, and with this assurance (to ye intent it may evidently appear), how earnest wee have been, that this our meeting might prove Successfull) that ye same shall not be inserted in our Journall

Edward Chilton Cl Gen II Affair

Some members of ye house of Burgesses bring ye following message

December 2d 168:

To The R' Honeble his Majiles L' Gouern and to yo Honeble Councel of State

The house of Burgesses doe return to y' Hon's humble & hearty thanks, for y' Hon's concessions to this house & request this morning sent to y' Hon's by some of the members of this house, and whereas y' Right Hon's y' Gouern' was pleased, in his most noble concession, to this house of ye 28th day of November, to offer his word, y' y' Councel (for this houses farther satisfaction) would willingly and readily, joine with his Hon' in those concessions; The house of Burgesses doe now most humbly pray, y' y' Hon's Councel will be pleased to signifye their concurrences therein, with his Hon' y' Gouern' and this house shall then without any hesitation apply themselves cheerfully, gladly and thankfully, to the dispatch of those concernes that lye before them.

Tho: Milner Cl of th' Affembly

The answer followes, wen was carried by ye Clerk

Die Saturni 2º Xbris 1682,

By The L' Gouern' and Councel

By y melfage, euen now, received, from y house, you expresse y thankfull sence, you rightly have of y concession made on Wednesday to you, y which wee will not doubt, but you'l so use, y a perfect understanding may be between us, and y better to confirme you in y same y L Gouern and Councell doe now again assure y house of Burgesses, y if betwixt this time and y next sessions of Assembly, his Majesty shall not please, to give particular direction in y matter of proceedings of Appeales, to y Assembly.

bly



bly, in private causes, that then they shall be heard and determined by Gentlemen of youncel conjoined with Committees of youncel of Burgesses, after younger and forme of private causes, in Assemblies held before younger 1680; Its desired younger much time lost, may see quicken us, that noe remoras [?] may be offered att, but by a sufficient younger laps did time may be redeemed and matters expedited for work convened.

Edward Chilton Cl Gen¹¹ Assembly

Major Dale and M. Thruston bring ye following message

December 2d 1682.

The house being informed that Major Beuerley stands obliged by bond to depart forthwith, for middlefex County doe humbly pray, yt Major Beuerley may be permitted by their Honrs to stay in James Citty, till ye businesse concerning ye books and papers, we concerne this house, may be perfected:

And Maj' Dale and M' Thruston are appointed to waite upon ye Honrble Gouern'

and Councel with this request

Tho: Milner Cl of th' Assembly

The Clerk carries ye following paper

Die Saturni 2do Xbris 1682,

By The L' Gouern' and Councel.

Vpon ye defires of ye house of Burgesses that Majr Robert Beuerley may be permitted to remaine in James Citty, for perfecting some books and papers, wen ye house of Burgesses have an occasion to take an account of, and to be informed in, I'ts Admitted ye said Major Robert Beuerley doe remaine for a convient time, to give satisfaction in ye same.

Edward Chilton Cl Gen11 Affbly

Capt Armstead and Capt Ball present ye following message

Saturday December 2d 1682,

The house of Burgesses, as they have already given the Hon^{thle} Gouern' their humbly and hearty thanks for his most Hon^{thle} concessions and expressions of affections to this house, so they doe now desire and appoint Cap^t Antho: Armstead and Cap^t W^m Ball to waite upon y^e Hon^{thle} Councel to expresse y^e gratitude of this house to their Honth for their concurrence with y^e Hon^{thle} Gouern' in his concessions to this house.

Teft

Tho: Milner Cl of th' Affbly

Ordered That ye Clerk carry ye following message to ye house of Burgesses By His Majesties L' Gouern'

M. Speaker and Gent of y. house of Burgesses

I have heard fomewhat of a petition, in y' house presented, by Major Robert Beverley, highly reflecting, both on y' honour and justice of myselse and y' Councel, in w' will not doubt y' willingnesse, in what lies in y' parts, to doe us right, I therefore desire you'l send me y' petition, which when perused and considered, I will order its return unto you.

Hen: Chicheley

The petition of Maj Beverley brought by some of ye Burgesses.

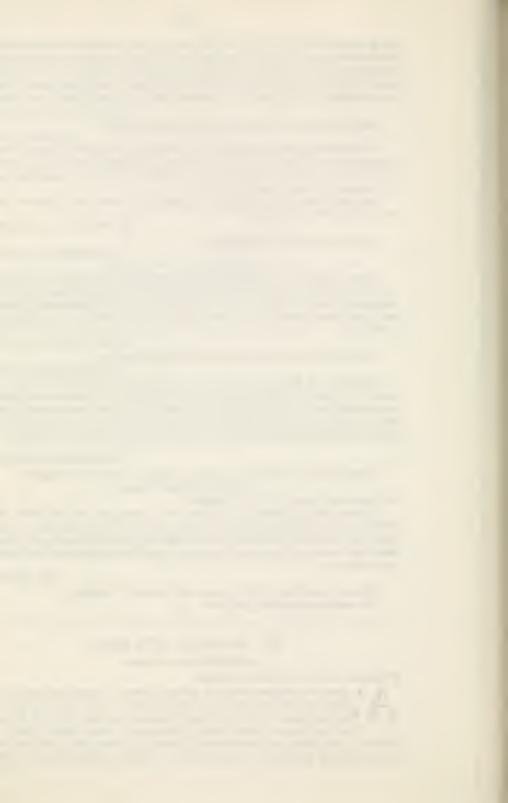
The petition returned by ye Clerk

Die Mercurii 6to Xbris 1682,

By his Majesties L' Gouern'

M' Speaker and Gent of y' house of Burgesses

S, upon all occasions, fince our present meeting, I haue been open, free and communicative unto you, soe y fame freedom I shall continue, and as an Instance thereof, you receive this, to acquaint you, that yesterday I received by Capt Morgan, a letter from his Excellency y Lord Culpeper, writt in y next morning, and hoped to be in as soon, as y ship which brought his Lordships letter,



letter, we principally confifts of two parts, and those soe inseparable, that they may be taken for one, ye one being ye efficient cause of ye other, ye Adjourment of our present meeting, until some convenient time in March next, in weh his Lordship sayes, for ye better execution of his Majesties Instructions, for ye service of his Majesty and this Country his Lordfhip defires ye adjourment: to web (as i'ts my duty) I shall alwaies be most ready, to yeild all due obedience, but in this our present juncture, I consider ve progretle of affaires, towards ye compleating this a felfion, as alloe ye weighty confideratun of dicharging our Publick charge contracted and ye keeping up or difmantling our Ports, wh I carneftly defire you'l expedite, as alsoe such other bills, we att present you have under y' confideration and that all affaires relating to this Country lying before his Majefty or that relate to his Excellency, I defire you will not intermeddle with nor frend time, in debating or confidering thereof, but wholy reffer them, untill ye arrival of his Excellency, when all matters of that weight and concerne may be fitly tim'd, ye already long time spent and the season of ye year, with great earnestness presses for diffratch, web I doubt not our present concurrence and sedulity will in a short time accomplish to our Gen" fatisfaction.

Hen: Chicheley

The Clerk carries ye aboue meffage

 M^r W^m Prefly with others from y^e house of Burgelles prefent y^e two following messages.

To The Rt Honeble his Majties Lt Gouern'

The house of Burgesses doe humbly signifye to y' Hon' that as they have not entred, upon any of those matters, intimated to them, by y' Hon' to lye before his Majesty, soe they shall in their future Proceedings, avoid y' same and use their utmost endeavours with great carefulnesse to expedite and finish those things, they have now made some progresse in, w'h they hope shall be soe disposed, as this house shall to their great joy and satisfaction find y' Hon' and Councels cheerful concurrence with them and in all other matters, with patience attend his Excellencies Arrival, w'h is with all joyfulnesse expected.

Tho: Milner Cl of th' Affembly

December 6th 1682

Wednefday Xber 6th 1682.

Refolued and ordered that all private causes by appeale, now depending before y^e Assembly shall be and are refferred to y^e next sessions of Assembly and y^e house of Burgesses doe pray y^e concurrence of y^e R^t Hon^{tble} Gouern^t and Councel with this house therein.

Tho: Milner Cl of th' Affbly

Die Veneris 8º Xbris 1682

By The L' Gouern and Councel

M' Speaker and Gent of y' house of Burgesses

HE L' Gouern' and Councel having read y Resolue of y house of Burgesses dated y fixth instant, are equally content, that all private causes by appeal be refferred to y next sessions of Assembly.

Edward Chilton Cl Gen'i Affilia

Coll W^m Kendall, Coll Tho: Brereton, and L^t Coll Arthur Smith prefent y^e following acts to y^e L^t Gouern^e & Councel for their affent viz

An Additional Act for v. better preventing v. Infurrections by Negroes.

An Aâ declaring Indian women feruants tythable

An Act for diffunding, y prefent foldiers, in Garrison in y Forts att y heads of y feueral riners, as alsoe for y raising of other forces in their stead.

An Act repealing a former Law making Indians and others free.



All affented too

Coll W^m Kendall and M^p W^m Hardridge prefent, y^e following Acts for approbation An AA directing how Commissions of Dedimus Potestatem and other writs shall iffue Assented too

An A& declaring yo Lawes made by yo Affembly to be in force.

The act returned with ye following answer

This Act relating to his maj^{tys} most immediate authority, Its most agreable, to be refferred, to y* consideration of y* next Assembly, and then by an humble addresse to supplicate his Majesty in y* same.

An Ast declaring y meaning of fome words, in his Mauer charter, dated y tenth day of October 1676 and afcertaining feueral dues and fees of officers about Efcheats of land

The act returned with ye following answer.

His Excellency ye Lord Culpeper being daily expected, fully inftructed in his Majefties will and pleafure, in all affaires of this Colony, and this of Escheats being a royal Grant, Its therefore most fit, to be refferred to ye consideration of ye next Assembly, when wee shall have unerring grounds, from whence to draw Conclusions.

An AA prohibiting y exportation of any Iron, Wool, Woolfells, skins, hides or leather.

December 8th 1682

Affented too

M^r James Minge &c from y* house of Burgesses present y* following message
Fryday December 8th 1682

The house of Burgesses having heard, that his Majty hath been pleased sometime fince to fignifye his royall Pleasure, into this his Country, that ye putting in execution ye Act of Assembly of June 1680, for Cohabitation be att present suspended, till his Majesties Pleasure be further known therein, doe humbly pray ye Hone's that you will please, to transmit his Majeses order or Instructions, concerning ye same, into this house to ye end ye same may be published, for ye satisfaction of his Majesties subjects ye Inhabitants of this Country

Tho: Milner Cl of th' Affembly

The Clerk carries y^e order of y^e King, in Councel, for y^e suspention of Townes and presents y^e same to M^r Speaker

Die Saturni Xbris 9º 1682,

OLL John Stone and others prefent ye following mellage from ye house of Burgesses

May It Please Y' Hon's

Vpon confideration of y* petition of Capt: Thomas Gardner and an order of y* Affembly, held att Green Spring, y* 20th day of February 1676, by which y* faid Thomas Gardner was ordered, to be paid y* fumme of twenty fiue pounds Sterl, out of y* eftate of Giles Bland, when he neither hath, nor could by any meanes obtaine, and y* house of Burgesses being very sensible of y* considerable service done to his Majesty and this Country, by y* said Gardner, in y* late unhappy distractions, doe recommend y* merrits and sufferings of y* said Gardner to y* Honts and doe therefore pray y* Honts to take it into y* service consideration and that he may be ordered and paid y* said twenty sive pounds sterl, out of y* two shillings Ahd, and such farther reparations or gratuity, as y* Honts shall in y* Judgements think proportionable to his merrits and sufferings

Tho: Milner Cl of th' Affembly

The answer followes, carried by ye Clerk

December 9th 1682

By his Majefties L' Gouern' and Councell

M' Speaker and Gent of y' house of Burgesses

The house of Burgesses having declared their opinions, on ye petition of Capt Thomas Gardner, that his merrits, deserts and sufferings of him ye said Capt Thomas Gardner,



tiardner, for his Majesty and this Country, in our late Rebellion, is most fit to be confidered, and finding ye twenty fiue pounds ordered to be paid out of Mr Giles Blands estate, we'be by its infoluency is not to be had, and therefore have proposed and desired it may be paid, out of ye two shillings ft hhd, in web ye Councel to manifest their desires, and as far as in them lie's, that noe such services, may pass unrewarded, have agreed and granted, that Mr Auditor Bacon doe pay unto Capt Thomas Gardner, twenty sue pounds sterl, out of moneys due, in payment to be made to them as Councellours, and doe recommend ye services and sufferings of Capt Thomas Gardner to ye consideration of ye house of Burgesses, for such further allowance in Tobaccos, as they shall find agreable, for such like gratefull and faithfull services, performed for this our Country Edward Chilton Cl Gen¹¹ Affely

Some of ye Burgelles preient ye following melfage

Saturday Xber oth 1682

May It Pleafe Y' Hon's

By yr not affenting to this Act, all ye reft of ye Acts, by yr Honra already affented too this fession, as also those Acts you shall hereafter affent too, are certainely and absolutely rendred inuallid and of noe force, and wee must of necessity conclude, if this Act be not affented to by yr Honra yt wee neither can at present proceed, nor now haue wee, nor shall hereafter haue any lawes in this Country to be gouerned by, till after yr next Assembly shall make their humble Addresse to his Majesty and haue his Majesties royall will and pleasure in order thereunto returned hither, and further may It please yr Honra ye words in this Act are, that ye Lawes and acts of Assembly &c doe & shall continue in force &c and ought to be punctually obeyed &c untill such Lawes shall be dissoluted, by his Majesty, wherefore ye house of Burgesses doe humbly pray yr Honra to assent to this Act, as it is now presented

Tho: Milner Cl of ye Affembly

Some of ye Burgeffes prefent ye following meffage

Monday ye 11th Xber 1682

The house of Burgesses, having received Information, that there are now, on Cap' Benjamin Halls ship in Warrisquiack bay, a very considerable quantity of skins, to ye quantity of twenty hhds, to be exported, contrary to ye intent of ye Law made att ye Assembly held in June 1680

The house doe humbly pray y' Hon' to iffue out a warrant directed to y' Sheriffe of y' Isle of Wight County or such other person, as y' Hon' shall think fitt to serch y' ship & to seize all such hides, skins or prohibited goods, as shall be there sound and that such proceedings may be thereupon had, as y' Law directs

Tho: Milner Cl of th' Affembly

The addresse granted

Coll John Lear & Coll Arthur Smith Beent ye following meffage

Monday 11th 1682 Xber

The Counties of Nanzemond and Isle of Wight amoungst other their greiuances sent by their Burgesses to this present Assembly have complained, that there is due to divers of ye Inhabitants of ye said Counties, divers summes of moneys for quarters of soldiers upon them in ye year 1677, belonging to Major Motleys Company, according to ye several accounts thereof stated and signed by Capt Tounge and some of ye Justices of each County in January 1677 and forasmuch as his Excellency ye Lord Culpeper, att ye beginning of ye Assembly 1680, was pleased to take notice thereof, and promised his particular care, for ye payment thereof and his Majesty having sent in money, for ye paying ye Soldiers wages, ye house of Burgesses doe hope his Majesty hath also sent in, moneys, for ye payment of ye Quarters of ye said Soldiers and doe therefore pray ye Honte that you will please to take ye same, into ye consideration, that ye Inhabitants of ye said Counties may be paid, what is their just dues, for ye said Soldiers quarters, according to his Excellencies promise, and their just hopes and expectations

Tho: Milner Cl of th' Affembly



The L¹ Gouern^e acquaints them, that y^e fame was reprefented to his Majefty, whose answer he fuddenly expected in, with y^e arrival of his Excellency y^e Lord Culpeper.

A message from the house of Burgesses by some of their members

Munday Decemb, 11th 1682 post Meridiem

May it please yo' Hon's

M^t Speaker haucing acquainted this House y^t yo^t Hon^{to} had figned a warrant directed to Robt Bradley, according to y^{the} House's humble request to yo^{the} Hon's for y^{the} searching Capt Halls ship for skins, and M^{the} Speaker was Informed by y^{the} Clerke of y^{the} Councill that yo^{the} Hon' had been pleased to Call in y^{the} warrant againe, noe particular person being appointed to prosecute. The House of Burgesses doe therefore most humbly signific to y^{the} Hon's y^{the} upon the Reputable Informacon of some Members of this House they did in the name of themselves, and of the whole Comonality of Virginia, give in this Information to yo^{the} Hon's, and will appoint some particular persons to prosecute the same, and doe humbly desire an imediate Execution of yo^{the} Hon's Writt by yo^{the} Hon's Command.

Tho: Milner Cl Assembly

December 12 1682

RDERED y^t y^e Clerk Carry y^e following Message to y^e House of Burgesses.

By his Maj^{thes} L^t Govern^t & Councill

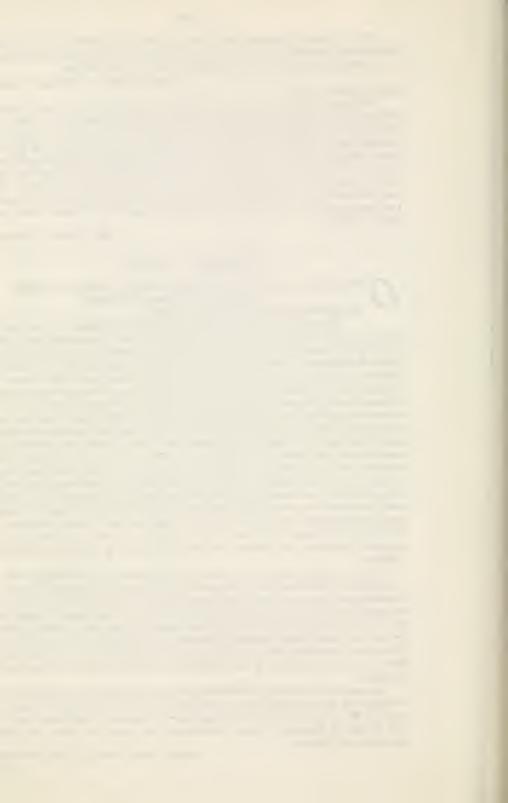
M^t Speaker and Genth of the House of Burgesses

That this His Majties Country from it's first seateing to this day hath beene Gouerned (and that by a Royall Grant) by Orders Proclamacons and Acts of Affembly, all Auncient as also present Records doe testifie, to the preservation of ve Rights & properties of euery Individuall person here Inhabiting, and that all Acts of Affemblys imediately after the promulgation thereof, haue beene held deemed and adjudged to be of Executive force, the practice of all Courts for a Continued fucceffion of yeares hath so declared. unless in Acts limiteing time for their Comencemt or that his most facred Majty hath been pleased to fignifie his Nullification of them, and of the fame force and efficacy we hold them ftill to be, that equall Justice both to fforraigners and Domesticks by ye lawes of this Country hath beene Speedily administred to the great Hon of this Country is in all parts with whome we have any Comerce often to declared, and if all former Acts of Affemblies had not had ye forece power and ftrength of Lawes whout being reinforced by this Declaratory Act, where his Majiv hath not beene pleafed by his Royall Authority to declare them void, then by ye fame meafure, this Declaratory Act now in debate canot be of any greater force, strength, or validity, then lawes formerly made fince there hath beene one and the fame Authority and Conftitution in makeing all former Acts of Affembly, as now at prefent is in this proposed declaratory Act, therefore let us not Catch att ye shadow and Hazard ye fubstance.

Gent4. we dayly expect ye arrivall of his Excellency ye Lord Culpeper who undoubtedly in few moneths after his arrivall will Convene an Affembly if upon due Confideracon then had, it shall be found not only fitt but necessary That all our Lawes be reuised, and by an humble adress presented to his Maj^{ty} imploreing ye royall affent to them as also yt his Maj^{ty} will be graciously pleased to grant that ye Acts of Affembly web shall be futurely made may be held deemed and adjudged to have ye full force and strength of Lawes untill his Maj^{ty} shall be pleased to make them void, in such an adress the Le Gouern and Councill ye next Assembly will readily Concurr with the House of Burgesses.

And whereas it's faid many ill difposed persons have presumed to speake Contemptuously of our Lawes, questioning ye validity thereof, the L' Gouern' and Councill doe here Declare y' it's ye duty of every Magistrate to Convince ye unbeliefe of such evill and ill disposed Psons of ye power & efficacy of our Lawes, by strictly executing ye Lawes on such Offenders.

Edward Chilton Clerk of ye Gen Assembly



Coll Arthur Smith and M^t Henry Jenkins bring the following Act for approbation An Act Repealeing an Exception in y^{*} ninth Act of Affembly made in Anno. 1664. An Act Repealeing y^{*} Sixth Act of Affembly Anno. 1680 about Attorneys. An Act y^{*} witneffes be free from Arrefts.

All affented too.

An Ad for yo Encouragement of yo Manujaduries of Linen and Woolen Cloth

- Affented to, but propose that ten pounds of tobacco be allowed for every well made & wrought Hatt in this Country, and twelve pounds of tobacco for every dozen of mens and weomens woollen or worsteed Hose, Spun and Knitt here.

An Ad Declareing y meaning of fome words in his Majiii Charter dated y tenth of October 1676, & afcertaining feuerall dues and ffees of officers about Efcheates of Land.

The answer followes

Escheates are an inherent Right of the Crown, & not to be limited otherwise then his Majty shall be graciously pleased to grant them, therefore ought not to offer to extend you Royall Grant of Escheates, or by Act of Assembly to put it into other words, then you Royall Charter expresses it selfe by, the Act for Escheates now proposed, and granted Escheates as thereby stated is without you express words of you Charter, it's therefore desired, we doe not offer att such presumptions, but referr you Consideracon thereof to you next Assembly, for then we may expect you signification of his Majties Will and pleasure in all affaires of this Collony, & in the Interim Mr Secretary Spencer, who is Impowered by his Excellency the Lord Culpeper to grant Escheates, doth promise that noe Grants shall pass in Escheates, untill the arrivall of his Excellency you Lord Culpeper and to you Intent noe pretensions of Right to Escheates may be wronged. It's agreed that Entries by Caueats may be, in you same state as before the office was open in you Concerne.

As to that part of this Act, directing how Debts Contracted before the makeing and Publication of this Act shall be paid it's unprecedentiall, for a Law made post suction of the fuctum canot so extend itselfe to include debts or other personall accounts made & done before such a Law, had life or being, & though in this Act it may be said, it doth not positively looke back, yet it is so little different in effect, that it's equally hard and bitter, requireing to forbeare receiving debts for one yeare, or if ye Creditor will by Law force ye payments of his due debts, then to be paid and satisfied in Comodities att rates in this Act expressed, & in noe other Comodities, directly agt ye Right of an Act of Assembly made in Anno 1663 entituled An Act for permitting Plans üder execution to redeeme their Bodies by their Estates, in web is reasonable provision made for ye reliefe of Debtors

In all parts either felling or buying pipe ftaues ye tole alwaies goes att ye number of fix fcore to ye Hundred, & att ye Number of ye Kings Book of Rates, they are so settled. It's therefore proposed pipe staues be expressed by fix score to ye Hundred, it's fitt to be expressed that this Act doth not intend to Include the payments of Quitt rents, but that his Majties Rents be paid as formerly, these parts being amended

This Act is affented to.

Ordered that the Clerk carry y foregoing Acts and answers to the House of Burgesles, and deliuer them to Mr Speaker.

Coll Tho: Brereton and L. Coll Arthur Smith present ye whole accor of ye Publique Debts

14th December 1682

OLL W^m Kendoll Coll W^m Bird and M^r Thomas Clayton waite upon y^e Gouern^r and Councill, and defire them to expedite Cap^t Hall, and difcharge him from what skins were feized on Boord his fhip

Ordered that the Clerk waite upon the house of Burgesles and enquire of them whether they know or not that Mr Herbert Mr Bullens fractor has any advice of the skins being seized weh he Consigned to Mr Bullen, as likewise to transmitt yr Tricular



acco** how y* Comanders and foldiers of y* Respective Garrisons have been paid to y* intent it may appeare what Credit y* Country has had for y* time y* Kings soldiers were att y* Garrisons.

The Clerk proceeds and deliuers his Message.

The Clerk Returnes.

Coll W^m Brown and M^t Edward Revel waite upon the Gouern' and defire him to Iffue forth his fumous for M^t John Herbert's personall Appearance to answer for shiping Buck and Doe skins.

The L^t Gouern acquaints them that he will grant their request and order a Sumons to be prepared.

The Gent4. returne

Ordered that the Clerk goe to the House of Burgesses and desire that their Clerk may be ordered to Returne a List of Tythables to be Recorded in ye Secretaries Office

The Clerk returnes and brings a Lift

M' Arthur Ailen Cap' Anthony Armefteed and M' Henry Jenkins prefent y following Act for the Gouern's and Councells affent.

An Ad for yo Advancement of Manufaduries of yo growth of this Country and for the better & more speedy payment of Debts and Levies.

The Gent& returne

Ordered that ye Clerk returne the Act with ye following Additions.

In this Act it's fitt to be provided that if y* Debitor make tender of payment of his Debt in y* Commodities in this Act specified, that then the Creditor if in this Country, to have timely notice given him by y* Debitor of his Intentions in these maners of payments that y* Creditor may provide for y* security of the same, and in Case y* Creditor be not a liver in the Country that then his Attorney have timely Notice thereof.

In this Law it ought to be declared y^t it doth not in any waies intend his Maj^{ties}
Deeds & Cuftomes be paid in payments otherwife then by former Lawes Eftablished.

The Clerk Returnes.

Coll William Bird, M^r William Fitzhugh, and Cap^r John Langhorne come in, and prefent the accounts how the Refpective Comanders and Soldiers of the Garrifons have beene paid, as the Leiv^t Gouern^r and Councill defired.

The Gentlemen returne.

Majr $Edward\ Dale$ and Capt $W^{\bullet}\ Ball$ prefent the following Act with amendments, which is affented to.

An Ad for the Advancement of Manufaduries &c:

The Gent4: Carry the Act back.

Mr James Minge &c: prefent the accot of Runawaie's.

Ordered that the Clerk Carry the Accot of the Publique Creditt to the house of Burgesses, with the following directions and Exceptions.

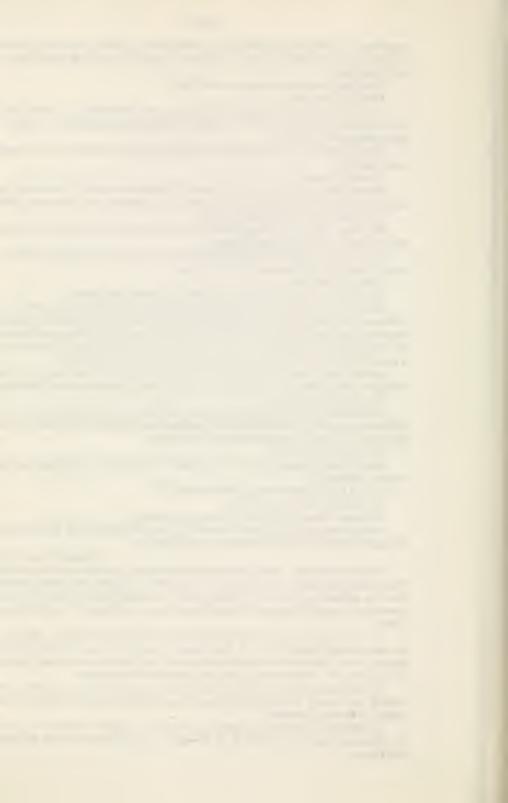
December ye 14th 1682

His Maj^{tles} Attorney Gen¹¹ is an Officer most necessary and hath in all former Assemblies beene Allowed by the Publique, it's therefore reasonable the present Attorney Gen¹¹ be allowed as others in the same Nature Commissionated being four thousand pounds of tobacco Annu which Rate slenderly payes the Charge of his Attendance in Town.

Henry Newcomb was in former yeares found fo Notoriously villanous, that he was for euer rendred unfitt to serve in that Capacity, as by his Bond herewith sent doth appeare, but if the house of Burgesses doe know of any service by him done, for which not satisfied, it's desired to be ordered proportionably for what due.

The allowance given to M^r Richard Little page for pretence of more tythables returned then in the County, is unprefidentiall, and if now allowed will open a Gapp of great trouble to future Assemblies.

The houses att the Middle plantation in which his Majesties Powder is kept, canot be discharged, untill the arrivall of his Excellency, who will direct for the disposall of the Powder.



It's found Reafonable Capt Wm Armiger be allowed att leaft three thousand pounds of Tobacco with Cask for the use of his Roomes more then in the state of Claimes is allowed.

The Deferts of M^r Speaker are very greate and allowances should accordingly be offered, but the present meanness of our Condition, requires our best husbandry, and therefore doe defire it may be Considered, that Aprill Assembly did Continue but eight dayes, and therefore doe propose sisteness thousand pounds of Tobacco with Cask be allowed M^r Speaker.

Maj' Beverley is allowed twenty thousand pounds of Tobacco for his service as Clerk of the house of Burgesses in Aprill last, which was prorogued in eight dayes after it's first Mecteing, and according to that time he ought to be allowed, which may be fix thousand pounds of tobacco, and for his attendance this sessions it was in order to his own affaires, as he himselse by his Petition expressed, therefore it canot be thought reasonable to be allowed by the Publique for being in James Town onely to attend the management of his $\frac{1}{2}$ ticular Concernes

To Edward Chilton Clerk of the Gen¹¹ Affembly for Aprill Affembly and this prefent Affembly fifteene thousand pounds of Tobacco with Cask, being proportionably to what was allowed, when his Excellency the Lord Culpeper was here.

The Clerk returnes the accot of the Runawaies.

December 15th 1682

OLL Lemuell Majon and Capt Anthony Armefteed prefent the following Meffages.

December 15th 1682

For afmuch as by the third Act of Affembly of the eight of June 1680 there is Raifed a Publique Revenue for the Maintenance of feverall officers, of which officers this house doe Conclude Mr Edmund Jennings his Majties Attorney Gen¹¹ for this his Dominion to be one.

This House doe therefore *Refolue* that the said Attorney Gen¹¹ ought to be paid his sallery and allowance out of the Publique Revenue, raised by the said Act of *June* 1680, and not out of the Publique Levy

Tho: Milner Cl Affembly

Decembe 15th 1682.

The Question being putt whether the Resolue of this house of the 15th Instant concerning the Attorney Gen^{11s} allowance shall be Confirmed or noe.

Refolued in the affirmative that the Refolue of ye 15th instant be Confirmed.

The Question being putt whether *Henry Newcomb* as Interpreter shall have any allowance from the Publique.

Refolued and ordered that Henry Newcomb shall not be allowed any thing as Interpreter from the Publique, which Resolue is grounded upon a Bond sent to this House from the Hon^{tole} Gouern^e and Councill, by w^{ch} he is rendred uncapable to serue the Country as Interpreter.

Refolued that the name of Henry Newcomb be obliterated in the Journall of this House December ye 13th and the name of Richard Washington of Surry County inserted in the steed thereof for an Interpreter for ye suture.

It being debated whether the allowance to Mr Littlepage Sheriff of New Kent for tythables ouer charged on the faid County Ano 1680 shall stand or noe.

Refolued that it doe frand the justness of his Claime haueing beene authentically proued to this house.

The Question being putt whether there shall be three thousand pounds of tobacco added to the allowance of Capt W^m Armiger or noe.

Refolued it shall be allowed.

The house doe Refolue Nemine Contradicente to Confirme the allowance of twenty thousand pounds of Tobacco & Cask to Mr Speaker.

Upon



Upon ferious debate and Confideracon of the Articles that Came from their Hone Concerning Maj' Beverleys allowance, it's ordered that their Hone be humbly advertized that the house of Burgesses did allow the sum of twenty thousand pounds of tobaccon, Maj' Beverley not onely for his being Clerk of the Assembly in Aprill last, but for many Considerable Extraordinary Services before and since that Assembly performed by him

Refolued that there be added to the former allowance of ten thousand pounds of Tobacco to M^t Edward Chilton the sum of fine thousand pounds of tobacco & Cask more web makes in all fifteene thousand pounds of Tobacco & Cask & y^t it be mended in the

ftate of the Claimes

Tho: Milner Cl Affembly

Ordered that the Clerk goe to the house of Burgesses and desire that the Accot for weh Majr Beverley was allowed twenty thousand pounds of tobacco & Cask be sent up to the Lt Gouern and Councill.

Coll James Powell and Mr Abraham Weeks bring the faid account.

L^t Coll John flarrer comes from the house and acquaints Coll Phill Ludwell that there is a Debate now in the house of Burgesses between him and Doctor George Lec.

Ordered that the Clerk Carry the foll paper in answer to the house of Burgesses last Message.

Three Interpreters are admitted and fworne, a number fufficient to attend upon all occasions, therefore in the place of *Newcomb* there is noe neede of another Interpreter to be appointed.

As to the allowance given to Mr Littlepage it's infifted on more, then that it ought to be well Confidered how prefidentiall this Grant will futurely be, and it's defired the Authentick proofe of this Claime made to the house of Burgesses be sent up to the Li Gouern and Councill that they as in their parts may be Judges of the justness of the Claime.

The L^t Gouern^t and Councill haueing under their Confideracon the prefent great and weighty Debt, the Publique hath unavoidably Contracted, and being defirous in what possible they justly may to ease the Publique, haue Resolued the Clerk of the Gen¹¹ Assembly, nor the Clerk of the Assembly be in any kind Chargeable to the Publique, but that according to a Parliamentary way they haue noe other profitts then what may justly be demanded by due sees established by Law.

All Claimes and ffees founded by Law it's most fitt they be allowed, and if any Law can be produced whereby to Justifie us in passing the allowance of twenty thousand pounds of tobacco & Cask to the Speaker, it's desired that Law be produced to auoid

Delays or further Arguments in the Matter

Our Refolues being not to lessen the Right the Law hath provided for any man, nor to be so Regardless of our Trust to Convert the Gratifications not Established by Law. And whereas the House of Burgesses haue Resolued Nemine Contradicente to allow the present Speaker of the House of Burgesses twenty thousand pounds of tobacco & Caske it's not Controverted provided it be not Charged to the account of the Publique.

Decembr 15th 1682

Edward Chilton Cl Gen!! Afsembr

Mr Charles Turner and Capt John Langhorne waite upon the Lt Gouernt and Councill and acquaint them that the House of Burgesses had sent them to satisfie their House in the justness of Mr Littlepages Claime and Mr Turner affirmed, that as being a Justice of New Kent to his knowledge the County had allowed Mr Littlepage for the ouerplus tythables returned in County Levy.

The L^t Gouern acquaints them that it was an ill prefident and Defired that the house would remitt the same back to New Kent County, and there M^t Littlepage to be Satisfied for what Tythables he returned more then due.

Ordered that the Clerk Carry to the House of Burgesses the Accor of Mr Robert Beverley with this following addition.

Great part of that Charge relates to his Excellency the Lord Culpeper, and moit part of the reft of the Articles for Coppies transmitted to England, it's therefore thought

fitt



fitt the whole be referred to the arrivall of his Excellency the Lord Culpeper, and then the meritt of the whole Claime to be taken under Confideracon.

Coll John Stone and M. Hen: Jenkins prefent the following message

Decembr 15th 1682

May it please yor Hon's

It hath alwaies beene the usuage and practice of the House of Burgesses, euer since there hath been any Assemblyes in Virginia, to gratise their Speaker, their Clerks, and other Officers according to their meritt, as they have thought fitt, and the House of Burgesses doe humbly Conceive that practice and Usage to be a sufficient Ground for this House's proceeding therein.

It was Judged by this house that two Interpreters were sufficient, but now understanding there are three sworne doe humbly submitt to yo' Hon's in that poynt and

pray that there Names may be Returned to this House.

To Mr Littlepage although the House is satisfied in the Justness of his Claime, yet yor Honra Concerning [conceiving] it may be of ill Consequence to the Country, humbly offer that his allowance may be deducted from the present Levy and his Case refferred to the Consideration of the next Assembly.

Tho: Milner Cl Affembly.

M' Malachy Thrufton and M' Thomas Barber waite upon the Gouern and Defire to know whether they may Expect any answer tonight.

The L^t Gouern^r acquainted them that there was a Meffage prepareing w^{ch} fhould be fuddenly fent.

Ordered that the Clerk Carry the two foll. meffages.

December 15th 1682

By his Maj*** L' Gouern* and Councill M* Speaker and Gent*. of y* House of Burgesses

If the Auncient Records of the Affembly be Revifed it will be found noe gratification was given to their Speaker nor Reward to the Clerk of the Affembly Exceeding five or fix thousand pounds of Tobacco for a selfions, neither did the House of Burgesse euer Conceive themselves to have the sole disposal of assessments without the Concurrence of the Govern and Councill as being two parts of the three Estates the Gen¹¹ Affembly Consists of.

The prefent Debate of Gratifying the Speaker and Rewarding the Clerk of the Affembly may most fittly be Resoluted, when his Excellency the Lord Culpeper arrives, by whome we may Expect his Maj^{ties} pleasure in all Affembly affaires, and therby be directed what allowances and Rewards to appoint for services done.

It's therefore Refolued the prefent Concerne to the Speaker and Reward of the Clerk of the Affembly be Referred to the Confideracon of the next Affembly.

The Names of the Interpreters which are fworne and appointed are

Tho: Bufby Dauid Whittley George Smith

Edwd Chilton Cl Gen!! Affembly

December 15th 1682

By his Majiies Deputy Govern'

M' Speaker and Gents. of the house of Burgesses

It's fome dayes fince the Councell and you prefented Me with feverall Bills prepared for Lawes, to weh I affented weh I doubt not but are Ingroffed and fitted for Publicacon all Claimes from the Publique haue been Examined and what found due past, those Relateing to the Speaker the Clerk of the Gen¹¹ Affembly, Clerk of the Affembly, and Majr Beverley are Referred to the Confideracon of the next Affembly, I defire therefore youle without delay proceed to the proportioning of ye Levy, that tomorrow we may close this seffions

Hen: Chicheley Ordered



Ordered that the Clerk goe to the House of Burgesses, and desire to know whether the Gouern' and Councill may Expect an answere from the House this Night.

The Clerk Returnes with answere that the House would imediately send an answere. Majr Arthur Allen, Mr Wm Fitzhugh and Capt Anthony Armsteed present the following Message.

Decembe ye 15th 1682

To the R' Honrbie y' L' Gouern' and Councill

May it pleafe yor Hon"

By the Meffage now fent us in Writeing, you are pleafed to Signifie, that you haue Refolued that the Concerne of the Speaker, and Reward of the Clerk of the Affembly be Referred to the Confideration of the next Affembly, and thereupon his Hon^r the Govern^r haueing referred the allowances relateing to the Speaker, the Clerk of the Gen¹¹ Affembly, Clerk of the Affembly and Maj^r Beverley to the Confideration of the next Affembly wthout The Confent of this Houfe, they humbly Conceiue they are thereby excluded from haueing any influence in the Gen¹¹ Affembly, and therefore Cannot proceed to the proportioning the Levy, or any other affaires of the Country now before them, wth they hoped to haue finished tomorrow.

Tho: Milner Cl Affembly

Ordered that the Clerk goe to the House of Burgesses and acquaint them there is a Message prepareing in answere to theires last sent, we shall presently be sent.

The Clerk Returnes with answere that the House of Burgesses would waite and expect the Govern's Comands

Ordered that the Clerk Carry the foll Meffage.

Decembe 15th 1682

By his Majus L' Govern' and Councill

M' Speaker & Genth. of the House of Burgeffes.

The L^t Gouern^t and Councill in their Messages lately sent expressing their Desires that the Concerne of the Speaker now in debate, as also the Reward of y^e Clerk of y^e Genⁿ Assembly Clerk of the Assembly, and Maj^r Beverleys Claime to be referred to the Consideracon of the next Assembly is not taken in the sence intended, for it was not intended to exclude the house of Burgesses in that reference, in which could not doubt of their Concurrence, and that for those many Reasons laid down in seueral Messages this day sent, and not as yet Directly answered.

Edwd Chilton Cl Gen Affembly

Ordered that the Clerk goe to the house of Burgesses & acquaint them their answere is expected this night, and that the Gouern and Councill desire their house may be full to make answere to the last propositions.

The Clerk Returnes

Coll W^m Byrd and Cap^t John Langhorne waite upon the Gouern and acquaint them that the House of Burgesses would imediately Returns an answers

The Gent& returne.

Cap' Miles Carey and L' Coll John Farrar waite upon the Gouern' and acquaint him that their house was prepareing a Message to send.

Coll W" Bird &c. prefent the foll meffage

The 15th of Decembe 11 att night

May it please yo' Hon's

This House Conceiue themselues the most fitt and Competent Judges, in rewarding the Deserts and Meritts of their own Officers, and doe find upon their Records and Journalls the allowances now granted many times with Addition, seldom diminution for this many yeares, nor can we learne neither from our Records Journalls or auncient Members of this House, that euer before now, any of their Rewards or gratuities (though sometime Change appeares) was euer disputed by the Gouern and Councill nor doth this House think it reasonable that any officer of theires should or ought to have any dependance on any other for their services done here, then imediately upon the House



it felfe, nor can Wee belieue that wee may expect any Aticular direction from his Major in payment of our Officers, especially when wee Consider yor Hones first paper in this dispute, wherein you doe Concurr with us, provided wee would make abatement in some of our allowances, which (had not ye greatness of the Publique Charge appeared) Wee esteemed too small a Reward for their great & many services in Aprill and this long Assembly, it appeareing to us that former assemblies have allowed the whole Reward for halfe the service, and it would be apparent injustice to referr our Officers to another assembly for their just rewards, and a thing wholly impractick in any former when a Levy hath been laid, and therefore hope yor Hones will noe longer urge for their further abatements or stay from their so well deserved allowances.

Tho: Milner Cl Affembly.

Ordered that the Clerk Carry to the house of Burgesses two old Books of Records the one dated in 40 ye other in 57 wherein it appeares noe Gratuity was formerly given to the Speaker and an inconsiderable one to the Clerk of ye Assembly in respect of what is now offered.

The Clerk returnes.

M' James Minge and Cap' John Langhorne with Coll Tho: Milner Clerk of the House of Burgesses bring a Book to Justifie their allowance to their Speaker, and Clerk Continued about twenty yeares.

Cap' Miles Carey and Cap' Anthony Armefteed waite upon the Gouern' to know if he will pleafe to Returne an answere tonight

The Gouern' replyes affirmatively

Ordered that the Clerk goe to the House of Burgesses and desire to know whether they will send any answer tonight

The Clerk returnes with answer that the Speaker said he would send soone.

Coll Ifaac Allerton M^r W^m Fitzhugh M^r Chriftopher Robinfon and M^r James Minge waite upon the L^t Gouern^r & Councill and defire to know what it is that is defired, that a Mediation may be found to Compose and settle all differences whether it be Relateing to the allowances of y^e Clerk of the Gen¹¹ Assembly, and y^e officers of y^e said House.

The Gouern and Councill defire them to Returne to their House, and know their opinion whether they think themselues to have that Authority to raise a Levy without the Consent of the Gouern & Councill, and whether Major Beverley was meant amongst their officers in one of the last of their Messages.

The Gent& not haveing full Comiffions to discourse more then what they delivered, therefore returns.

M' James Minge M' W'' Fitzhugh and M' Christopher Robinson present the foll message.

May it Please yor Honrs

December 15th 1682

This Houle by any of their writeings fent to yor Honra did neuer intend or think their words in any of them could extend to be Conftrued, that they tooke themselues independent to yor Honra in Respect to ye laying or levying any allowance but onely in ascertaining Rewards to their own officers, (of whose deferts) they Conceiue themselues most Capable of Judging as appeares by their presenting to yor Honra ye state of the Claimes this present session for yor Confirmation.

Tho: Milner Cl Affembly

The L^t Gouern^{rs} and Councill adjourne while tomorrow morning

Saturday December 16th 1682

R W* Sherwood and M' Charles Turner from the House of Burgesses waite upon the L' Gouern' and Councill and acquaint them that their House have thought fitt to allow Maj' Robert Beverley ten thousand pounds of tobacco & Cask to be paid this Levy, and are willing that the rest be referred to the next Assembly Provided the L' Gouern' and Councill would Concurr therein.



The L^t Gouern and Councill acquaint them that they have already fetled fix thousand pounds of Tobacco to Majr Beverley and are willing that the other Articles to be referred to the next Assembly then to be allowed, Provided they appeare to be just.

The Gent& returne

M' W'm fitchugh and M' Christopher Robinson waite upon the L' Gouern' & Councill & acquaint them that their house would enter noe messages returned by their Members in their Journall, and therefore desired what was sent from hence be sent by some of their Messengers.

Ordered that the Clerk Carry the following Meffage.

Decembr 16th 1682

By the L' Gouern' and Councill

M' Speaker & Genth of y' House of Burgesses.

The L^t Gouern^t and Councill haue Confidered the Claime of Maj^t Robert Beverley, and doe think it reasonable he be allowed in this present Levy fix thousand pounds of tobacco and Cask, and further doe Consent that the Articles of his Claime be referred to y^e Confideration of the next Assembly for a further satisfaction, if upon a full examination any shall be found due unto him, and it's desired noe further delayes be in debates of this affaire, but that the House of Burgesses doe significant their Concurrence thereto.

Edw^d Chilton Cl Gen¹¹ Affembly

The Clerk Returnes.

Coll John Leare and Majr Arthur Allen present the foll message

May it pleafe yor Honrs

The Houle of Burgesses doe pray yo' Hon's to fignifie to this House if they shall Concurr with yo' Hon's in the last proposall concerning Maj' Beverley, whether this house may without further debate of any other matters proceed to the proportioning the Levy according to the now state of the Claimes (this being deducted)

Tho: Milner Cl of Affembly

Decemb' 16th 1682

Ordered that the Clerk goe to the house of Burgesses and desire the accot of the levy. The Clerk returnes with answer that Mr Speaker would imediately Returne ye accot Majr Edward Dale and Coll John Stone bring ye Levy accot

The Gent4. returne.

Ordered that the Clerk Carry ye following Message to the House of Burgesses.

Decembr 16th 1682

By the L' Gouern' and Councill

M' Speaker and Genth. of the house of Burgesses

In the ftate of Claimes now Reced from the house of Burgesses, the Comittee haue Reported Edward Chilton Clerk of the Gen¹¹ Assembly, by his Recording many Publique papers and other services done as by the Report of the Comittee is expressed hath deserved for those services ten thousands pounds of Tobacco & Cask web the House of Burgesses approued of and allowed as by ye state of the Claime presented ye 14th Instant and for his service of ye Clerk of ye Gen¹¹ Assembly, it's proposed Considering the present great Charge on the Publique he be this present leuy allowed onely ten thousand pthe of tobacco with Cask, web is farr short of what his paines and Care do deserve which in the whole makes twenty thousand pounds of tobacco & Cask and in this Canot doubt the Concurrence of the House of Burgesses.

Edwd Chilton Cl Gen¹¹ Affembly

M^t W^m ffitzhugh M^t Chriftopher Robinfon and Cap^t Anthony Armefteed from the house of Burgesses waite upon the L^t Govern^t and Councill and acquaint them that their house doe willingly Concurr in giueing Edward Chilton Clerk of the Gen¹¹ Assembly twenty thousand pounds of tobacco to be raised this present Levy, and desire that all other Claimes as they are stated may be allowed of.

The Gent&. Returne



Ordered that the Clerk goe to the house of Burgesses and carry the Booke of Account the Publique Levy, and desire that the Genth. proceed to ye proportioning of the Levy.

The Clerk returnes with answere that ye Comittees appointed for proportioning the

leuy should presently be sent forth.

Coll We Bird Mr Malachy Thrufton &c. acquaint yr Lt Gouern and Councill that the Comittee of Claimes had Comitted an Error in Majr Beverleys accot and allowed him fix thousand pounds of tobacco less then he ought to have, being miscast up, we in the name of their house they desired might be rectified.

The L' Govern' & Councill upon the aforesd Members affirmacon that the account

was wrong Cast up, allowed it to be rectified.

Die Lunæ 18th Decembris

Oll. Ifaac Allerton Coll W^m Kendall M^r John Buckner, M^r W^m Fitzhugh M^r Christopher Robinson and M^r W^m Hardridge present his Excellency with the Levy as it is now proportioned and desire to know, when the House shall waite upon him.

His Excellency acquaints them that he would foone fend to their house.

The Gent& returne.

Die Lunae 18º Xbris 1682

By his Excellency and Councill

In the Act Repealeing the fixth Act of Affembly Ano 1680 about Attorneys.

It's proposed that the preamble be omitted, and that it may be onely said, this Ad being found inconvent therefore it's repealed.

In the AA Repealeing the Exception of the Inhabitants of James Citty County from arrefts

It's proposed the Inhabitants of James Citty be not included in that Law, but that in Court time, they may be lyable to arrests, there being not the like reason for their Exemption as for the Inhabitants of the County.

In the A&t for the encouragement of Liñen and Woolen its proposed for y^* prevention of deceipts, that the Law directs all Certificates to be passed under the hands of two Justices of the peace, whereof one to be of the Quorum, and that Certificates be returned to the County Courts, and filed up at the Court house, where all persons may have the view of them.

In the Acts prohibiting hides, skins, Iron and Wool to be Exported, It's proposed that a Clause be added, whereby to provide that if any persons be sued upon forseiture of yexpoting of any Comodities prohibited by this Act, they shall not be lyable to be sued by any other former Act, prohibiting the Exportacon of any the Comodities in this Act Conteined all the penalties by this Law appointed upon forseitures are very severe, and a Mitigation thereof will be more agreeable to Lawes of this Nature, and that part of this Act web renders euery Pson & Psons who shall be lawfully Convicted of exporting any Comodities by this Law Phibited, uncapable of suing or recouering by Law any debts it's most fitt it be wholly left out; this act being a probational act, it's most worthy of Consideracon, whether it will not be most agreeable to make it temporary onely for three yeares.

In the Act for advancement of Manufactury it's proposed yt in the fourth line, next after the words, (after publication hereof) be added these words, in this his Mayon Collony and Dominion of Virginia.

Edwd Chilton Cl Gen11 Assembly

Ordered that the Clerk Carry the aboue Meffage to the House of Burgesses.

The Clerk Returnes.

Ordered that the Clerk goe to the House of Burgesses and acquaint them, that his Excellency is now ready to receive their attendance.

The



The Clerk returnes with answere that the House would imediately attend his Excellency.

Mr Speaker attended with the House of Burgesses waite upon his Excellency and Congratulate his safe arrivall.

Die Martis 19: 1682

OLL John Leare, Coll Arthur Smith, Maj' Arthur Allen, and M' John Brafhear prefent a petition, relateing to the Inhabitants of the Ijle of Wight and Nanzemond Counties.

The Gent&. returne

Ordered that the Clerk goe to the House of Burgesses and desire the aboue named Gentlemen to waite upon his Excellency.

The Clerk returnes,

The Gent&. attend his Excellency.

Ordered that the Clerk goe to the House of Burgesses and desire that the message sent last night be returned.

Mr Fitzhugh &c. bring the paper.

Die Martis 10º Decembris 1682

By his Excellency and Councill

In the Act makeing it poenal for any person to declare the Acts of Assembly are not of sorce.

It's propofed this Act be made as an Additionall Poenalty to what legally may be already inflicted upon offenders, who shall dare to offend agt the Authority and Dignity of the Gouernmt in so high a Nature, as to speak Contemptuously of the power and Efficacy of our Lawes.

It's proposed that Considering the shortness of our Crops, and the greatness of our present Leuy, that one halfe be protioned and ordered to be paid this yeare, and you other halfe the next yeare, we'make will render the whole paym' much you easier.

It's proposed that one yeares Charge of Mainteining of the four Cap¹ and ffourscore soldiers by Act now established be provided for this present session of Assembly, and proportioned with order of payment to be Leuied and paid the next yeare as shall now be proportioned, it's fitt this provision att least be made for the encouragem¹ of the soldiers, to assure them that noe accident shall retard their payments.

To the Act for encouragemt of Manufacturie a Clause be added declareing that Law to be and Continue of force for three yeares

The Act Repealeing the fforts to be made temporary, and to be repealed for three yeares only, and so to be provided for by a Clause in the said Act.

In the Act for advancemt of Manufacturies of ye growth of this Country &c: a Clause to be inserted, to declare this Act to be of force for three yeares onely.

Edwd Chilton Cl. Gen11 Affembly

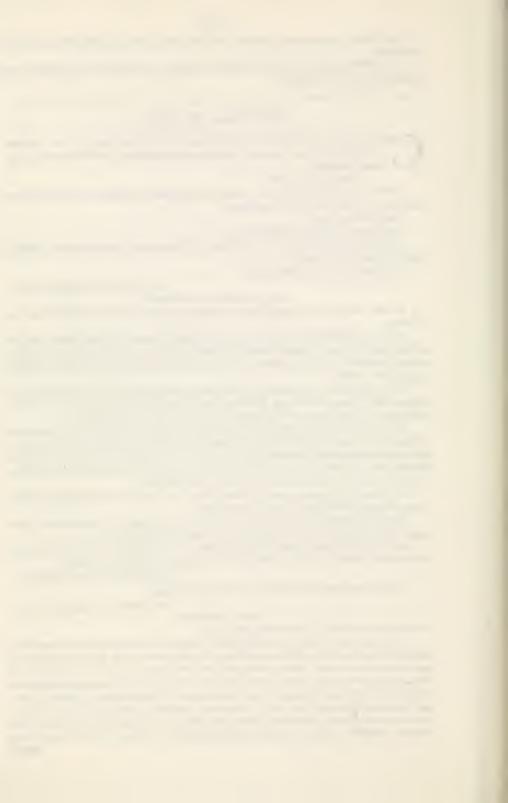
Ordered that the Clerk Carry the following Meffage.

Die Martis 19th Decembris 1682

By his Excellency M' Speaker and Gents, of the House of Burgesses

In the Articles of Claimes and allowances, passed by ye Councill & yor selues in the state of the present leuy, relying on ye Care of ye Councill and yor House, in the fitness and justness of ye same I have passed all, but one Article, being six thousand pds of Tobacco allowed to Majr Beverly, weh I shall not Consent unto, he being represented to his Majis as a principal somentor and encourager of ye late disorders of plant Cutting and other disorders, & by his Majise Comands in Councill by ords beareing date June ye 17th 1682, and by my Instructions made uncapable of any Office or Trust, in this his Majise Dominion, untill his Majise pleasure shall be Therein surther signified, and

Gent&.



Gent4. my Conceding to the intercession of the Councill and the House of Burgesses in June 1680 to restore him, when by his Majties Comands he was made uncapable of any publique Employment, was not well accepted of, therefore Cannot admitt of any allowance to be now made him, untill he hath satisfied his Majesty that his services have deserved the same.

But in the Reading over the Journali of this prefent fessions I observe, some Debate hath beene Concerning the allowance to be made to the Attorney Gen¹¹ out of ye Levies for services done in that Capacity, and that he hath not beene allowed for the same. Now forasmuch as he is his Maj^{ties} Officer, onely for his Maj^{ties} and the Countries services here, & that in all respects equally with those you have puided for and that ye usuall allowance of sour thousand pounds of Tobacco annum is so small, that webout other encouragements he canot subsist. I doe desire and expect that the said Sum be paid unto him out of ye so Levies, as well as greater sums to other and some some desired in the said Sum be paid unto him out of ye so Levies, as well as greater sums to other and some services.

As to yo' Adress concerning the paymt of the Quarters of Maj' Motleys Company in the Isle of Wight and Nanzimund Counties I made it my business whilst in England to sollicite the same, but without effecting thereof or receiuing any part, nor as yet able to doe any thing therein however in regard of my Promise to the Assembly in 1680 and y' I may not in the least saile yo' expectations I will give speedy directions, that the same be effectually paid to yo' satisfaction, and of all other persons Concerned

Tho: Culpeper.

M' W'' Sherwood M' James Minge, M' Chriftopher Robinson and M' Charles Turner present his Excellency with the Ord's of Assembly.

By his Excellency December 19th 1682

M' Speaker and Genth of the house of Burgeffes

The Ordro even now prefented Me, are all new Matter, and att prefent canot be fully Confidered, and may be referred to the next meeteing, we'l I hope will not be long, wt in the Orders relates to the fforts, effectuall Care shall be taken therein according as is defired

Tho: Culpeper.

The Clerk prefents ye aboue Message to the house of Burgesses Coll Lemuell Mason Mr Wm Sherwood and others from the House of Burgesses present the following paper.

Decemb' 19th 1682

To his Excellency

May it please yo' Excellency

The House of Burgesses haueing in behalfe of themselues and of the whole Comonality of Virginia the 11th of this Instant December given in an Information age one John Herbert for the breach of the 12th Act of Assembly of June 1680 Prohibiting the exportation of Deer skins, whereupon a Tryall hath been had, before the Rt Hontble Lt Governt & Councill and the said John Herbert haueing Confess the fact, the house of Burgesses in the name of themselves, and of the whole Comonality of Virginia doe humbly crave Judgment thereon according to Law.

Tho: Milner Cl Assembly

The answere followes

December 19th 1682

By his Excellency

M' Speaker and Genth. of the house of Burgesses

Yo' laft Meffage occasioned my perusall of what proceedings have passet in the seizing severall Buck and Doe skins from off aboord the ship Dolphin, Capt Benj's Hall Comand' which were shipt Contrary to the 12th Act of Assembly 1680 and since by order of Councill Condemned, and Notwithstanding the former proceedings have been somewhat irregular as to the formalities of Law, yet since the Councill have already adjudged them to be legally forseited, shall give directions that the Moyety due to the Informers



be disposed of, as the Law requires, all Costs Charges and Sallery being first deducted to such Prion or Prions as you House shall think fitt to Nominate Informers, and receive the same.

Tho: Culpeper

Ordered that the Clerk Carry the aboue Meffage

The Clerk Returnes

Capt John Langhorne Mr James Bifs Majr Edward Dale and Mr Wm Preffly waite upon his Excellency and acquaint him that theire House in the morning would returne an an answere to yr last Messages sent.

The Gent&. returne

December 20th 1682

OLL W^m Bird and feuen other Gent& prefent the foll paper with the Acts and Ordrs

To his Excellency

May it pleafe yo' Excellency

Before yo' Excellencies wish't arrivall the House of Burgesses had pass'd severall Bills and presented them to the Rt Honthe the Lt Gouern' and Councill, weh were returned by their Honth affected to, weh since yo' arrivallyo' Excellency haueing perused, were returned to the House of Burgesses with a Signification of yo' Excellencies pleasure for some alterations and amendments, weh this House in great Confidence of a Conclusion of that affaire did with what possible expedition, a business of that nature could regularly admitt, alter, amend and pass accordingly and did Cause them to be new written, and presented to yo' Excellency together with some order for yo' Lordships Ratification, some of private, some of publique Concernment, some of both, weh seeme of Importance as that of the private Causes, Coll Phill Ludwell, and George Lee for Country Houses, Coll Potter and Cole of Accomack are more especially recomended to yo' Excellencies Consideration, and for the rest if yo' Excellency soe please, We are Content to referr to the next session of Assembly, respect had by yo' Excellency to those Concerning the fforts.

This Affembly hath been of long Continuance, and to be much longer would make the Charge insupportable to the Country, and might be of ill Consequence to ye Affembly

Confidering the feafon and danger of our healths.

The house of Burgesses doe therefore humbly pray yor Excellency that you will please to pass those Lawes that have been presented to yor Excellency, and amended fully according to yor Excellencies first proposall, as they now are, together with the Leuy as now stated, we'n will be to ye unexpressable satisfaction of this House, and to all the Inhabitants of this his Maj^{ties} Collony and Dominion of Virginia

Tho: Milner Cl Assembly

The Gent& returne.

Coll Bird againe with the other Gent& waite upon his Excellency and defire to know in what ftile the Lawes shall pass, and defire that a Coppy of the Condemnation of the skins be sent to their House.

The Gent&. returne.

Ordered that the Clerk Carry a Coppy of the Judgm⁴ whereby the buck and doe skins w^{ch} John Herbert shipt on Boord the ship Dolphin were Condemned, as likewise the foll. paper

Decemb 20 1682

By his Excellency

The Stile of Authority to be in the Acts Vizi Be it enacted by yo Gouern' Councill and Burgesses of this Gen" Assembly

Tho: Culpeper. December



By his Excellency

M' Speaker and Gent's of the house of Burgesses

It was very late on Sunday night before I reced ye Bills prepared this fessions, to web (with an Expedition, that nothing but my desire to dispatch affaires could induce) I gaue such answer on Munday Noone, as the shortness of the time would permitt but not with intent to be Concluded, till I had perused my Instructions; and his Majues Comands in Councill, left by me on shipboord, web I sent for by Express and were brought to me on Munday night, the very next day I sent you all I had to say to those Bills then before Me. and not onely that, but those (few) alterations I though necessary in the leuy alsoe (web was first brought to me on Munday in the Euening (but was surprised to have soe many orders brought before Me last night, when I had hoped to have Concluded the session in very sew houres. It is Contrary to Instructions that you have satt foe long, and the Consideration of the Publick Charge, and yot private healths & business, are very urgent additionall reasons to dispatch this day. I doe therefore desire and expect, if you doe not agree to the alterations I sent or any of them, that you forthwith acquaint Me with ye particulars and yor reasons, web will expedite matters, it being Impossible to answere the Generalls.

As to the Orders, though I infinitly defire the Houses in *James Citty* should be built out of hand, yet I doe not think them worth the least delay, and besides I hope they may be timely enough done, according to the designe of ye order.

As to private Caules both you and the Councell have agreed thereunto already,

and entred ye fame in yor respective Journalls.

As to M^r Potter, 'tis but the Revivall of a former Order and I fhall take particular Care therein, and laftly for Accomack Court house, the Case is not before us, but tis supposed that the County Court is sufficiently Authorized to take Care about the same.

Tho: Culpeper

The Clerk Carries the aboue message.

Coll John Farrar and M^r John Brafhear prefent his Excellency with the following paper.

December 20th 1682

To his Excellency and the Hon *blo Councill

May it please yo' Excellency

This House haveing Rečed a Coppy of the L^t Gouern' and Councills Condemnations of the skins lately seized on Boord the ship Dolphin doe humbly Conceiue ye Judgm' is Defective, and that the skins so ship't are not onely forseited, but there is by ye Act of June 1680 prohibiting the exportation of Deere skins a poenalty of one hundred pounds of Tobacco & skin upon the exporter, for which those Gents, appointed by this House upon the tryall Craued Judgm' according to ye said Law and therefore this House doe pray that the Judgm' may be persected, and a Coppy thereof transmitted to this House

Tho: Milner Cl of Affembly

The Gent& returne.

Ordered that the Clerk goe to the House of Burgesses & desire the Order of Councill wherein the Buck and Doe skins were Condemned, that were shipt by John Herbert.

Coll Tho: Milner Clerk of the house of Burgesses presents ye Order.

Ordered that the Clerk enlarge the Order of Councill where the aboue skins were Condemned, and infert ye payment of ye fine, as well as ye forfeiture of ye skins.

Coll Brown with others waite upon his Excellency and acquaint him their house was prepareing a Meffage in answere to his last propositions, we within an hour should be returned.

His Excellency acquaints them he would willingly ftay an hour or two provided he were Certaine of a Returne But that he would expect the same tomorrow by eight of y Clock.

Decemb



Decembr 21th 1682

R W^m Fitzhugh, and M^t Christopher Robinson waite upon his Excellency, and defire that a paper lately fent be amended.

Coll Allerton, Coll Lear, and some other Members present ye following

Meffage.

Decembr 21th 1682

To his Excellency & Councill

The humble answer of the house of Burgesses to the severall proposalls of the 19^{th} & 20^{th} Instant.

To ye first

Agreed, that this be entituled an Additionall AA, according as is proposed.

To ye fecond

We are of Opinion that the House of Burgesses have Competent knowledge as well of the inclinations as abilities of the People, of the first they are well assured, they are more willing to depart with what is now assest then to be in expectance of Arreares. Supposeing that the following yeares will be Chargeable enough of themselves, and as for their abilities, if the whole cannot be had intire in tobacco, they will yet be Content to pay in such things as they have, besides this forbearance of one halfe to be paid hereafter will be a disappointment of the present Country Creditors, and that like retrospection may here be justly objected, as sometime this present selsion was opposed by ye Honthic Council to a Bill lately before them, and for such rejected.

To the third

We find that the fetling of a Leuy one yeare to be Collected the next is unequall, fo long as we are to protion it by ye pole for ye Number of Tythables in the Counties alter every yeare fome in the decrease, others increaseing, then the anticipating of a Leuy by a known sum will be of such Consequence among the people, that what with that & a greater, we they may expect & seare another yeare added together will dispose many families and young streemen to remove themselves into the Neighbouring Governmes and discourage others from comeing to us, as is already experienced, and when we shall see how these Soldiers designe to be employed by this Law, shall discharge themselves of the duties expected from them, it will be then time enough to Continue their payment, besides it may be added that we have late & sad Instances, what the anticipation of Leuies have produced.

To the fourth

That this Act was originally defigned to be temporary, and is now actually done for three yeares.

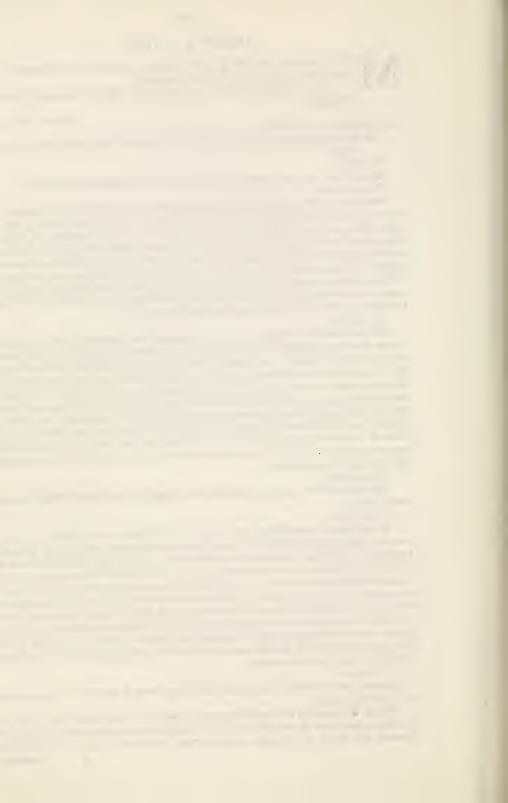
To the fifth

It hath been a proposition from most or all ye Counties in ye Country to haue ye forces as they were established by an Act in 1680 disbanded, being sound extreamly Chargeable, and did not answere the expectation was had of them. and if these now be employed shall also be found to be of noe more use, succeeding Assemblies may be ready to take such other measures as his Majer shall direct, or ye exigency of the Country require, and whereas in this proposition ye word sforts is mentioned, it is to be Noted they were neuer other then the Shadowes of such, being onely slight Virginia Houses to shelter men from the weather, about some of which are onely some rotten Pallisadoes remaining if these reasons doe not satisfie yo' Excellency this House is Content that the Act of 1680 shall stand Repealed by the Act now made for three yeares, and after till his Majere pleasure signified to the Contrary.

To the fixth

Agreed, that it continue three yeares, and from thence to the end of the next feffion of y^e Gen^{II} Affembly.

To the Allowance of fix thousand pounds of tobacco to Maj^r Beverly we say that his Excellency being here in 1680 M^r Beverley was restored, att the intercession of ye Hon^{thle} Councill and House of Burgesses, and was then allowed his Sallery as Clerk of the Assembly



Affembly, and att the Convention in Aprill last and sometime after stood rectus in Curia, and this house did think he did deserve for his services done within those times twenty thousand pounds of tobacco, and accordingly represented The same to the R^t Hon^{thle} y* L^t Gouern* & Councill, who were pleased to think it reasonable, he should be allowed the said fix thousand p^{ds} of tobacco in this present Leuy, with a Reference of the rest to y* Consideracon of y* next Assembly as by their Hon* message of y* 16th Instant, & thus it stands in the present Leuy by their Hon* Consent, and so provided.

As for ye Attorney Gen'l this house hath fully answered yt proposition by their resolue

of ye 13th Instant presented to ye Hontble Lt Gouern and Councill.

To the Reference of Priuate Causes as it stands on both ye Journalls, we pray your Excellencies Concurrence, and as for all other the orders, they are now ready drawn up, & settled, in such forme and Mañer, as things of ye like nature hath heretofore in some former Assemblies been done, and most of them of Course, but if it be not your Excellencies pleasure now to Ratisse them (together with the Lawes) as usual, this House doth submitt, and shall Consent, that they stand referred by a Gen's order to the next session of Assembly

Tho: Milner Clerk of Affembly

The answer followes

December 21th 1682

By his Excellency

M' Speaker and Genth. of the House of Burgesses

To the first

Agreed that that Act be Intituled an Ad imposeing further poenalties upon any \$\pi\sigma\text{fon or \$Psions that shall Publish or Declare that the Ads of Assembly of Virginia are not of force.}

And that the following words be inferted in the foot of the Law web faid penalties are to be added and Imposed over and besides all other punishments that may be legally instituted upon such offenders.

To the fecond

Though I am not att all Convinced by yo reasons, yet in regard this Affembly hath sate so long allready, and that the Charge (which is Chiefly designed to be avoided) would be encreased by any further debates thereupon, I doe for this time Condescend and agree to it.

To the third

Though yor reasons are not satisfactory or allowed & that it is not Consonant to the practice usuall in such cases, yet For the Reasons about mentioned I doe Agree.

To the fourth

Agreed, fo it be for three yeares onely

To ye fifth

Provided the Act for ye 20 foldiers be for three yeares I confent the Act for thefforts be Repealed for three yeares under his Maj^{ties} good likeing and after till his Majefties pleafure fhall be fignified to ye Contrary.

To ye fixth I agree for three yeares onely.

That in Regard of the particular ftrict orders I have about Mr Rob' Beverley, and that matters relateing to him are not yet determined, I shall not agree to any thing that may in the least Countenance him and though there are legall meanes enough to punish the persons concerned in the late Insurrection in destroying of Plants, and their abettors, and preserve the Dignity of the Gouernment, to ye end all euill minded persons may be deterred from the like for ye suture yet it will be much observed in England, that in all this time, there hath been noe Consideration thereof in this Assembly, and therefore it will be best in all Respects, that there be now noe more mention of his particular Case.

To ye eighth

That about the Attorney Genⁿ I confented it be referred to the next Affembly.

As to the laft, all Private Causes debated & undetermined this sessions of Assembly,
I agree that they stand refferred to the next Assembly.

Tho: Culpeper.
December



To his Excellency

May it please yo' Excellency

For that noe private Cause hath been in debate this session of Assembly, The House of Burgesses doe humbly pray yor Excellency that you would please the last Article in yor message to this house, whether it doth extend to private Causes, and other matters undetermined this Assembly.

Tho: Milner Cl of Affembly

The answere followes

December ye 21th 1682

By his Excellency

Noe Cause can be supposed to be Dismissed any Court, till the same be determined by some Judgm' of that Court and therefore I conceive all Causes of Course remaine refferred, and so noe need of any Aticular reference at all, besides I find it in ye Journall of the Councill this Aticularly provided for, however (for dispatch sake) I have agreed to ye Gen" termes expressed in the other paper.

Tho: Culpeper.

Maj' Arthur Allen and other Gent4. defire his Excellencies Order, that the skins feized and condemned be difpofed of as the Law Requires.

The Order followes

December 21th 1682

By his Excellency

Whereas there were feverall Buck and Doe skins fhip'd on Boord the fhip Dolphin, in order to be exported out of this Country, Contrary to Law, and the faid skins haueing been feized, and condemned, and being in the hands of Coll W^m Cole his Maj^{ties} Collector of the upper Diftrict of James Riuer, the one halfe part whereof doth by Law belong to the Informer. I doe therefore hereby order and direct the faid Coll W^m Cole to deliuer the one halfe of the faid skins to the Informer or Informers according to the directions of the order, by w^{ch} the fame are condemned Giuen under my hand this 21th of December 1682

Tho: Culpeper.

Fryday ye 22th Decembr 1682

R Thomas Clayton and other Members prefent the foll. Meffage

M' Tho Clayton M' Edward Reuel, M' Baldwin Shepherd and M' Hen:

Awbery are Nominated by the House of Burgesses in the behalfe of themselues
and the whole Country to receive from Coll W' Cole Collector of the Upper

District of James River the Moiety of thirteene hundred thirty three skins condemned
by Judgment of the R' Hon' the L' Gouern' and Councill according to his Excellencies

Order this day, and they are hereby Impowered to give a Recept for the same

Tho: Milner Cl Assembly

 $M^rW^mFitzhugh$ and $M^rChriftopherRobinfon$ waite upon his Excellency and acquaint him that the Lawes are Ready and amended as proposed.

Ordered that the Clerk acquaint the House of Burgesses that his Excellency expects their imediate attendance on him and the Councill in the Court house.

The Clerk Returnes

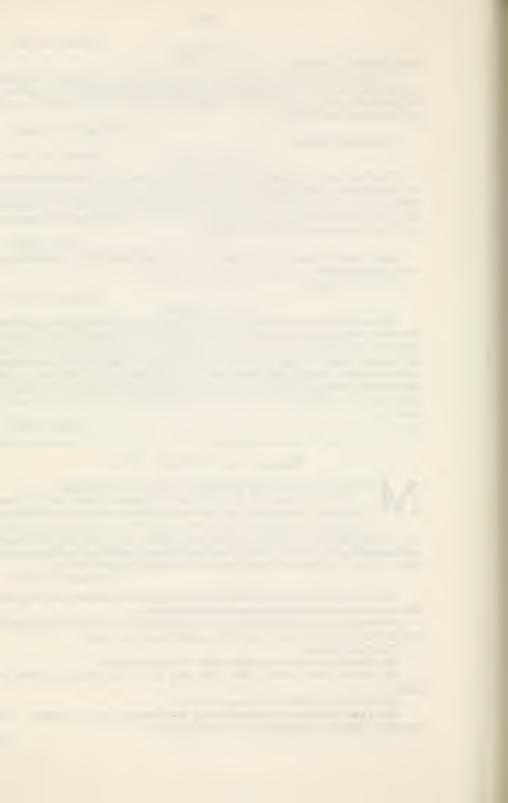
His Excellency and the Councill Repaire to the Court house.

 M^r Speaker and the House of Burgesses waite upon his Excellency in the Court house.

His Excellency Comands the Lawes to be read.

The Lawes being read and fubfcribed by his Excellency and the Speaker. His Excellency diffolues the Affembly in the following words.

His



His Excellencies Speech.

I think fitt to lett you know before We part, that his Majites Refentment agt the late infurrections and Comotions by the deftroyers of tobacce plants, & their Abettors was fo great, that I had his especiall Comands, not to call any Assembly att all, till the Dignity of the Gouernment should be first afferted by the punishment of the offenders according to Law not so much to value my selfe to you in my Condescending to those Acts that I found Agreed to, att my arrivall, with those alterations I thought necessary as that since you have omitted the makeing a Law both for the suture prevention thereof, and the rendring it yet more poenal if possible, you should att least till that can be done, shew yo' Indignation And Detestation thereof to the Inhabitants of yo' severall Counties whither you are now returning, that done and such other Comands as I have from his Majite being performed, I shall hope to see another Assembly, when the Charge of this Extreame long one shall be paid, and the Country in a Condictor to support the Expence of it, and soe in his Majites name I dissolve this Gen' Afsembly, and this Assembly is hereby dissolved.

A True Copy Examined by

Nicho: Spencer Secry



ATT A

GENERAL ASSEMBLY

begun att James Citty ye first day of October, in ye yeare of Our Lord God, one thousand six hundred, eighty and sive, and in ye first yeare of ye reigne of James ye second, of England, Scotland, France, Ireland and Virginia King, and from thence prorogued to ye second day of November following.



Att A Generall Assembly begun att James Citty ye sirst day of October, in ye yeare of Our Lord God, one thousand six hundred, eighty and sive, and in ye sirst yeare of ye reigne of James ye second, of England, Scotland, France, Ireland and Virginia King, and from thence prorogued to ye second day of November sollowing.

Die Jouis primo Octobris

R Prefident Bacon & feverall others of the Councel mett

Die Saturni 3º 8bris

RDERED, that the Clerk of ye General Affembly goe to ye house of Burgesses and acquaint them, that ye Councel are sitting in ye Court House, and require ye Burgesses immediately to attend them.

The Clerk returnes with answer, that ye Burgesses would immediately

waite on ye Councel.

The Burgesses attend ye Councel

Vpon which ye Councel ordered ye following Inftrument to be read by ye Clerk of ye General Affembly.

Virgo fs.

By His Excellency

Whereas by ye advice of his Majties Councel of this Colony, by my writt bearing date the tenth day of July 1685, I have ordered & appointed a General Affembly to convene att James Citty on ye first of this instant; And whereas It hath pleased Almighty God, to visit me with a very violent sicknesse, we alltogether renders me incapable of taking a Journey to James Citty; and whereas such matters of moment are to be treated on, we require my presence; and ye Burgesses being now mett according to ye tenor of ye aforesaid writs att James Citty; I doe therefore hereby, in his Majties name, prorogue ye aforesaid Burgesses, until ye second day of November, att we time and place aforesaid, I doe hereby order & appoint ye aforesaid Burgesses returned elected by vertue of ye afores writs, to meet me and ye Councel: Given under by hand and ye seale of ye Colony this third day of Odober 1685, Annoqu Regni Regis Jacobi secundi primo

Effingham

Die Lunæ 2do 9bris

IS Excellency ye Lord Howard of Effingham Govern and general of [and] ye Councel meet, in order to hold a General Affembly.

Ordered, ye ye Clerke of ye Generall Affembly goe to as many Burgeffes, as are in Towne, and fignifye unto-them, that this is ye day unto which his Excellency prorogued ye Burgeffes, and therefore It is his Excellencies Command, that they repair to ye ftate house, and that they fignifye unto His Excellency, what number

of



of Burgesses are mett in Towne, that he may be satisfied, whether there be a sufficient number to make election of a speaker, and that they adjourne to ye morrow morning.

The Clerk returnes with answer, that there are twenty three Burgesses mett in yes state house, and withal, that he received an Instruction from yes Burgesses to signifye unto his Excellency, that they were of opinion, that they had not authority sufficient to adjourne themselves, being neither a house, nor having a Speaker, and that therefore they waite his Excellencies further Commands.

Ordered, that ye Clerk of ye General Affembly doe goe to ye state house and signifye to ye Burgesses, that it is his Excellencies pleasure, and that his Excellency doth prorogue ye Burgesses to nine of ye Clock on the morrow morning, and that att ten of ye Clock they waite on him.

Die Martis 9bris 30

HE Burgeffes attend his Excellency and Councel, and are ordered to returne to their house, and to proceed to y election of their Speaker.

Die mercurii 40 9bris

OLL Ballard, Mr Hen: Jenkins, with feven other Burgesses waite on his Excellency and Councel, and signifye that they have made choice of a Speaker.

His Excellency returnes answer, that when he is advised, ye Burgesses are mett in ye afternoon, he will order their attendance on him.

Post meridiem

IS Excellency and Councel goe to ye Court house, where being sett It was ordered, that ye Clerk of ye Generall Assembly should goe to ye Burgesses and signifye unto them, that it was his Excellencies pleasure, that they should attend him and ye Councel immediately in ye Court house.

The Burgesses attend his Excellency and y^e Councel in y^e Court house and present Col W^m Kendal for their Speaker, who being approved of, made y^e usual petitions in y^e behalfe of himselse and house of Burgesses, w^{ch} were granted, after which his Excellency made y^e following Speech.

·M' Speaker and Gentlemen of y' house of Burgesses.

I have not much att prefent to propound to you from his Maj^{ty} but that little I have, is too much for my weak memory, to retaine; being too much impaired by my late ilnesse, therefore must make use of my paper.

But what I shall propose to you att present is, what was deserred by ye desire of ye last Assembly to this, and what I have his Majesties particular Commands for, that you will prepare a Law, whereby all County Courts and Parishes may have noe power to make Bye-Lawes obligatory within their Counties and Parishes, till first approved of by his Maj^{ties} Govern and Councel.

Farther Gentlemen, in ye perufing y' Lawes I have observed in very many of them, that fines and forfeitures are to be accounted for to ye Publique (as then foe termed) a name certainely most odious under a Regal Governme and that we doth in name, soe in consequence, but little differ from that detestable one (Republick) we I am very much persuaded you all soe realy abhorr, that you will remove any thing, we in ye least relates to it; therefore I recommend to you, that all those Clauses in those several Lawes may be repealed, and a Law passed, that all sines and forfeitures for ye future be appropriated to his Majites use for ye benefit of this his Majites Dominion.



I can now acquaint you, Mr Speaker, that Coll Byrd, whom I fent with fome of our Indians this fummer to Albany to ratifye yr Peace with those Northerne Indians last year concluded by me, is returned and hath received full affurance, that it shall be kept by them inviolable; that quiet yr frontiers have enjoyed, since my being there, was a motive to me to comply with that Article, wr they soe insisted on, in sending our Indians to compleat it, and though this hath been some charge att present, yet I suppose you may easily find an expedient in a short time to be reimburst.

I have observed, Mr Speaker, that fince ye additional duty hath been laid on Tobaccos, many feem to be discouraged, either from shiping their present Crops, or planting any for ve future. I cannot but wonder at their cautious, or rather, peevifh temper, for if they confider his Majesties gracious disposition, towards all his dutiful subjects, they might rest assured, that nothing will be acted to ye disadvantage of this his Majties soe confiderable a Dominion we his facred Majty has vouchfafed to fignifye in a letter to me. was shall be communicated to you: his Majtles peaceable accession to his rightfull Throne hath given all good people an happy profpect of his profperous and glorious reigne, effecialy when feconded by fuch fignal demonstrations of ye Almighties care and protection over him, in giving him fuch happy victories agt his Enemies and bringing those notorious Rebels foe Speedily to condigne punishment, for we foe great mercies, I hope, wee shall throughout ye whole Colony, ye next Sunday, offer up all our cordial praises and thanksgivings; Therefore, M. Speaker and you Gentlemen of the house of Burgesses, I fpeak to you as ye representatives from all parts; I should be ashamed, should this prove y* leaft discouragement to any, but rather a motive to all good subjects to be more vigorous in that employ, especialy when reaped soe plentifully againe in ye Glory of yo Crown and hon and fafety of yo nation.

As to those affaires, we may conduce to ye advantage of ye Country, you are better Judges, than I; therefore shall leave them to ye consideration, and only give you the affurance, that I shall be very ready to comply with whatever may contribute to it.

His Excellency having ended his Speech, ordered his Maj^{ties} most gracious letter bearing date ye 26th of June 1685 to be read; as likewise the Articles of Peace ratifyed by ye Hon^{ble} Col Wm Byrd agent for this Colony, with ye Seneca, Maquase, Oneydes, Coyouges, & Onnondages Indians att Albany on ye day of 1685

Die Jouis 9bris 5to

OL Thomas Ballard, Col W. Loyd, and fix other Burgesses waite on his Excellency, and on ye behalfe of their house humbly supplicate his Excellency to assign Councel to swear the respective members of this Assembly, as likewise to iffue a new writt directed to ye sheriffe of Middlesex County, for ye election of another Burgesses in ye place of Maj Robert Beverley, who being elected clerk of ye house of Burgesses is thereby rendered incapable to serve as a Burgesse.

His Excellency thereupon ordered ye following Commission to be drawn.

Virginia Is:

By his Excellency

I doe hereby nominate, order and appoint Col W^{**} Cole and Col John Lear two of his Majefties Councel of State in this Colony to administer y^{*} oathes of Allegiance and Supremacy, as likewise the oath of a Burgesse to euery individual member of this Assembly; Given under my hand and y^{*} seale of y^{*} Colony this fifth day of November, in y^{*} yeare of our Lord God one thousand, fix hundred, eighty and five, and in y^{*} sirst year of his Maj^{utes} reigne

Effingham



Die Veneris 6to 9bris

OL W^m Cole and Col John Lear goe to y* house of Burgesses and administer y* oathes of Allegiance and Supremacy, as likewise y* oath of a Burgesse to every member present in y* state house

Die Saturni 7mo 9bris

APT W^m Robinson and other Burgesses bring y^e following message
November 7th 1685.

By yo House of Burgesses

Capt W^m Robinson, M^r W^m Randolph, M^r Joⁿ Braffeur, Capt John Custis, Capt: John Smith, Majr Samuel Swan are appointed by this house to waite upon his Excellency, and to request, his Excellency will please to assign Councel to administer ye usual oathes to ye remaining Burgesses yet unsworne; as also to administer ye usual oaths to Robert Beverley their Clerk; and further to entreat his Excellencies savour to this house in sending them his Majites most gracious letter, for their perusal, and for a copy of his Excellencies Speech made to them on wednesday last.

Test Robert Beverley C1 Assbiy

His Excellency acquaints ye Burgeffes, web prefented ye former paper, that one of ye Councel being abfent, web he Commissionated to swear ye house of Burgesses, he will appoint one other in his room, provided ye House of Burgesses sitt in ye afternoon, and that he will suddenly send to their house his Majesties most Gracious letter and a Copy of his own Speech, web his Excellency accordingly did.

The Gentlemen return

Capt: Robinfon and five other Burgesses waite upon His Excellency and Councel, and fignifye that y* house of Burgesses have adjourned until nine of y* Clock on monday morning.

The Gentlemen return

Die Lunæ 90 9bris 1685

R John Braffeur with five other Burgeffes waite upon his Ex^{cy} and Councel and prefent ye following meffage

November 9th 1685 By y* House of Burgesses

Mr Jon Braffeur, Col Arthur Smith, Capt: John Smith Mr Wm Wilson, Mr Tho: Lear Capt: John Custis Are appointed by this house to request his Excellency to assigne Councel to give ye usual oaths to ye remaining Burgesses yet unsworne, and that his Excellency will also please to direct those Councellors to administer ye usual oaths to Robert Beverley their Clerk.

Test Rob' Beverley Ck Affbiy

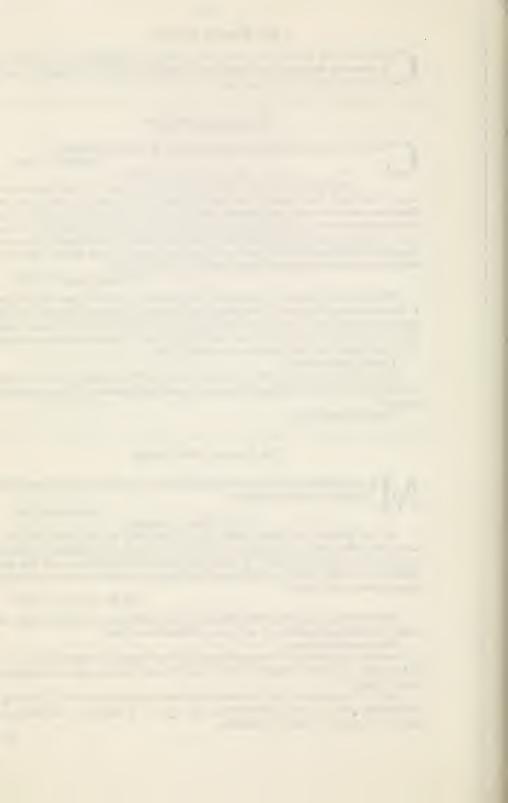
His Excellency acquaints y* Burgesses, that Councel shall be forthwith assigned to swear y* remaining Burgesses, yet unsworne, as likewise their Clerk

The Burgesses returne

Ordered, that ye Clerk of ye General Affembly goe to ye house of Burgesses and present to Mr Speaker his Majties letter of ye 26th of June 1685, as likewise a copy of his Excellency's Speech.

Col W^m Cole and Col John Lear having received from his Excellency y^e following Commission, goe to y^e house of Burgesses, and swear y^e Burgesses yet unsworne, as likewise y^e Clerk of y^e house of Burgesses.

By



By his Excellency

I doe hereby nominate, order and appoint Col W^m Cole & Col Joⁿ Lear two of his Maj^{ree} Councel of ftate in this Colony to administer y^e oaths of Allegiance and supremacy, as likewise y^e oath of Clerk of y^e Assembly to Maj^r Robert Beverley; Given under my hand and y^e seale of y^e Colony this ninth day of November 1685, and in y^e sirst year of his Maj^{rice} reigne.

E ffingham

Die Martis 9ber 10mo 1685

T COL Arthur Smith and three other Burgesses waite on his Excy and present ye following message

November 10th 1685

By yo house of Burgesses

L' Col Arthur Smith, M' Tho: Cheefeman, Capt: Henry Batts, M' Hen: Applewhaite are appointed to waite upon his Excellency, and request ye favour of Councel to administer ye usual oaths to ye Burgesses yet unsworne.

Teft Robert Beverley Clk Afford

Ordered, that Col W^m Cole and Col John Lear goe to ye house of Burgesses and swear y^* Burgesses yet unsworne.

November 11th 1685

RDERED, that ye Clerk goe to ye house of Burgesses and acquaint Mr Speaker and ye House, that his Excellency commands their attendance on him and ye Council, in ye Councel Chamber

Mr Speaker and ye reft of ye Burgesses attend.

His Excellency acquaints them, that by reading of ye former Journals he finds, that their house have not observed ye method as formerly in giving ye Govern and Councel an account of ye going out of their Committees, and who are Chairemen thereof; as likewise that he finds ye Committee of Claimes have ejected ye Claime made by Capt: Davis ye Sheriffe of North Carolina, for services done for Virginia, as likewise ye Claime made by Capt: Tho: Goodwin Sheriffe of Nanzemond County, who was employed for ye service mentioned in his Claime, by his Excellency and Councel, and therefore needed not to have his account proved in ye County Court, we his Excellency desires, their house would take into their consideration & return to their house, ye better to consider of it.

Mr Speaker and ye house return.

November 12th 1685

APT: Wm Robinson &c brings ye following message

Thursday November 12th 1685

By yo house of Burgesses

Capt: W^m Robinson, M^t Richd Whittaker, Maj^t Joⁿ Stith, M^t Thomas Barber, Capt: Lawrence Washington, M^t Humphry Harwood & M^t Tho: Lear, are appointed by this house forthwith to wait upon his Excellency and present him with this humble answer from y^e house, to what his Excellency yesterday was pleased to declare to their Speaker & to pray his Excellency will accept the same as a full and true answer thereof.

Test Robert Beverley Clerk Affbly

That



That ye house of Burgesses alwaies are desirous to satisfye all such just Claimes, as shall come before them, and because yt noe person demanding any such Claimes might loose his just right for want of knowledge, how to bring them before them, did in yt Assembly held att Middle Plantation Odober tothe 1677 make a publick order (a copy whereof is herewith presented) fully in that directing such a method, as whosever pursued it, could not faile of being allowed his Claimes; and whereas they are so farr from discouraging any neighbour, from yt service of this Country by they satisfact thereof, that they are as willing altogether to reward and answer them in their just Claimes, as they are yt shabitants of this Country, yet they humbly conceive, that all persons are equally oblidged to make their Claimes appear by such waies & methods, as in yt aforesaid order is provided; The which rules Mt Goddin Sherisse of Nanzemond, and Mt Davis of Carolina, as not failinge to use, as to make any other Satisfaction of their Claimes being due, to yt Committee appointed for examination of all Claimes, yt House of Burgesses humbly conceive, they had just reason to disallow and eject them.

And that whereas It was heretofore usual & customary for ye house to signifye to ye Govern when any Committees were appointed by ye house, yet it was never done, but when they made their addresses for Councel to be assigned to sit with them; and that since It has pleased ye Govern to put a stop to that practice, they humbly conceive, ye cause and sole end being wholy removed, that they need not put ye Excellency to soe much trouble, as ye tedious presentment of every Committee must needs create.

Teft Robert Beverley Clk Affbly

The ordr of Affembly followes

Att a Grand Assembly begun att Middle Plantation att ye House of Capt: Otho

Thorp ye 10th of Odober Anno Dom 1677.

Ordered, that fuch accounts as are brought ag' ye Publick for proofe to the County Courts for ye time to come, that ye true Cofts, and full value of all fuch things, as are therein contained, be also made out, att ye fame Courts, either by evidence or ye oath of ye Claimer, and ye like for all provisions expended for Publick use, and such valuation and accounts, as shall Come soe returned, shall be allowed by ye Publick, without abatement: and all just accounts and claimes, wen come too late this Assembly to be examined by ye Committee, and also all such, as are yet to be made, stand refferred to ye examination and allowance of ye next Assembly.

Copia Vera

Qter 12th 1685

Test Robert Beverley Clk Affbly

The Gentlemen return

The Clerk carries ye following message in answer to ye last.

By his Excellency.

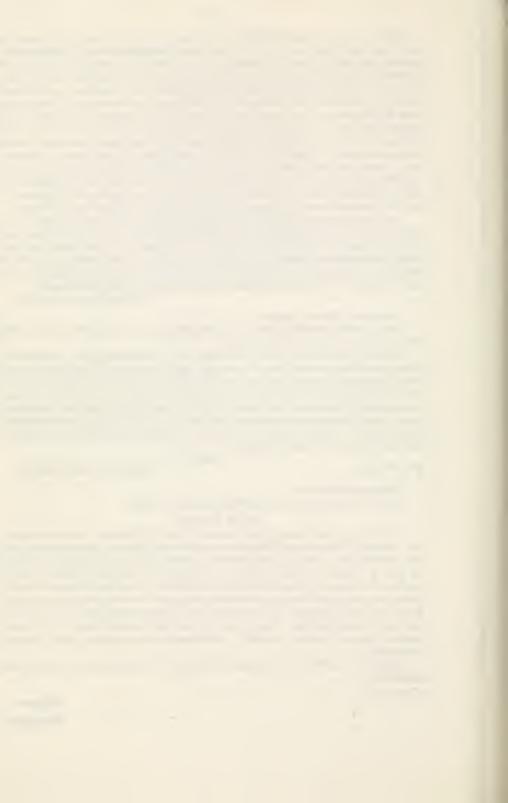
In Answer to what was presented to me by y* house of Burgesses I make this return, that I think, y* order w*h you Specifye, made att Middle Plantation, was grounded upon due consideration, in regard it oblidges every person to make his claime appear either by oath or evidence, and soe prevents y* bringing in extravagant accounts, but y* method not soe proper, being only by order of Assembly, therefore myselfe & Councel recommend to you, that that order be passed into an Act, with such limitations and conditions, as shall be thought fitt and necessary, but doe not judge, that y* order does in any waies comprehend any claimes, made by our neighbouring Colonies for services done to Virginia, therefore I expect y* Claime made by the officer of North Carolina be allowed.

And as to y' answer to my demand concerning y' Committees, I allow it as full and satisfactory

Qber 12th 1685

Effingham

November



November 13th 1685

OL Lemuel Majon &c come to his Excellency & prefent the following meffage
Fryday November 13th 1685.

By y House of Burgesses

Col Lemuel Mason. Col John West, Capt: W Robinson Maj Jo Stith
M' W Anderson, Col Arthur Smith, Mr Richd Whittaker, Mr Tho: Cheeseman, Mr Tho:
Lear, Mr Hen: Applewhaite, Mr Humphry Harwood, Mr John Brasseur, Capt: W Ball,
Capt: David flox, Capt: Law: Washington and Mr Xpher Neale Are appointed by this
house to signifye to his Excellency, that by y opportunity of Cap' Wynns ship, this
house conceive it an incumbent duty upon them to make their humble addresses to his
Majesty, w in some part they have prepared, and that it is their humble desires to his
Excellency and to the Honbie Council of State, that they will please to joine with them,
in such addresse, w that they may know the house of Burgesses have ordered them to
present to his Excellencies and their Hons view, what they have already done therein,
and humbly pray their concurrence and directions, how ye same shall be stilled, directed,
amended & concluded.

Test Robert Beverley Clk Assoly

The addresse read, seriously considered, and some amendments being resolved on, you following return was ordered, we'mas carried by you Clerk of you General Assembly.

By his Excellency

M' Speaker and Gentlemen of y' house of Burgesses.

I have even now received an addreffe from yr: house to his most Sacred Majesty, concerning the late Imposition upon Tobaccos; I desire some members of yr house may be appointed to hold a conference about yr same, with Col Wm Cole, Ralph Wormeley Esqr, Col Richa Lee and Col John Page, sour of his Majesties Councel of this Colony, whom I have assigned to mannage it; wrh conference I desire may be forthwith held in Esqr Wormeleys Chamber; but as for myselfe and yr Councels joining with you in this addresse, I think it needlesse, seeing it comes from you as the representatives of yr Colony.

9ber 13th 1685

Effingham

The Gentlemen of ye Councel appointed by his Excellency to hold a conference with the Burgesses return and report, that ye Committee appointed by ye house to mannage ye conference consent to ye amendments proposed, as likewise that reasons be annexed to ye addresse,

November 14th 1685

OL Lemuel Mason &c. brings ye following message

Saturday November 14th 1685

By the House of Burgesses.

Col Lemuel Mason, Col Jon West, Col Arthur Smith, Capt: John Custis, Mr Tho: Lear, Capt: Law: Washington, Mr Richd Whittaker, Capt: Wm Robinson are appointed by this house forthwith to acquaint his Excy that it is ye humble suit and earnest supplication of this house to his Excellency, that he will please to admit, that ye Honble Councel may joine with ye house of Burgesses in their necessitious and dutifull addresse to his Majesty relating to the new Impost laid upon Tobaccos & that his Excellency will please to signifye to this house, with his first conveniency, his assent therein, to ye intent such addresse, as becomes them to offer to His Majesty may be prepared and made ready to be sent by Capt: Wynns ship now upon sailing directly for England.

Teft Robt Beverley Clk Affbly



To weh ye following Answer was sent.

By his Excellency.

M' Speaker and Gentlemen of ye House of Burgesses.

I have received y' humble fuit and earnest request, y' y' Honble Councel may joine with y' house in y' Addresse to his Majesty, but neither myselse, nor Councel think it proper, it being humbly offered by you, as the representatives of y' Colony, therefore I send you this as my final answer.

November 14th 1685.

Effingham

The Addresse followes

To the Kings Most Excellent Majesty.

The Humble Addreffe and Supplication of y Burgeffes now Affembled in Virginia on behalfe of themselves, and all ye Commons of y Majesties said Dominion

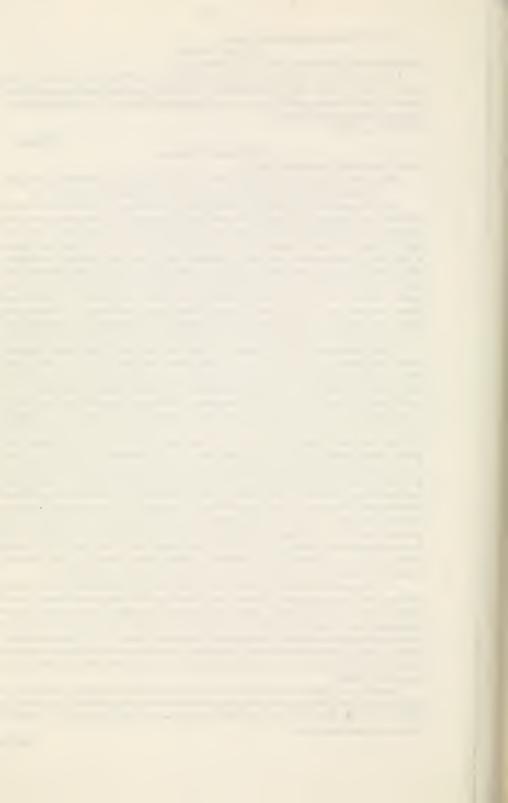
As it is an inexpreffible comfort and delight to us y^r Maj^{tles} poor, but most dutiful and obedient subjects to see in y^r Maj^{tles} most Gracious letter to his Excellency ye Lord Effingham, yr: Majesties L^t and Govern^r Gen^t of this yr: Dominion, and by him communicated to us, with what Princely savour, y^r Majesty was pleased to receive the tenders of that duty and obedience, wee most rightfully owe to you our Gracious Soveraigne, and w^{ch} we shall at all times, when yr: Maj^{tles} fervice requires, make good with our lives and fortunes; so wee want words to expresse our exceeding joy for y^t Majesties so many signal victories over y^r Maj^{tles} most wickedly Rebellious and traiterous subjects, all whom wee with glad and thankfull hearts, understand are deservedly delivered up to Justice, and thereby y^r Maj^{tles} reigne over us established in sure peace, w^{ch} y^e same God, who hath protected y^r sacred person, in all adversities, make long, happy and Glorious.

Y' Majesties royal favours towards us y' poor, but most loyal and obedient subjects loudly proclaimes those many gracious inclinations inhaerent in y Princely mind, filling us with admiration of y' royal goodnesse towards us y' Majties poor subjects, fignifyed in yr Majesties most gracious message to yr great Councel of Parliamt by Sr John Erneley Knt whereby yt Majesty was pleased to declare yt royal intentions, that if ye additional duty upon our only Commodity Tobacco lately granted to ye Majesty upon all Tobacco, of ye growth of this y' Majestys Dominion should prove destructive to Trade, and too prejudicial to yr Majties Plantations, yr Majty out of ye princely care of all y' good subjects would be graciously pleased to dispence with ye payment of that duty, weh royal declaration, as it hath with great comfort revived ye drooping fpirits of y' Majties poor, and till then miferable subjects, soe those beams of y' royal bounty hath emboldned us, with minds full of all loyal & dutiful and obedience to proftrate ourselves att y Royal feet, and become humble supplicants to you our most gracious and dread foveraigne, that of y' accuftomed Grace and Goodnesse, y' Majesty will be graciously pleased to dispence with ye payment of that duty, which if it continue, will in little time be very ruinous to all y' Majties most dutiful subjects of this y' Majties most auntient Colony and Dominion of Virginia (amoungst divers others) for these reasons hereunto annexed, weh wee humbly offer to y' Majties Gracious confideration.

r'' It is not above three or fower yeares, fince great quantities of Tobacco were fold for leffe, then ye freight, Cuftome, and other incident charges amounted to, we forced feverall perfons to defert their own Tobaccos, although for two yeares paft ye fmalneffe of our Crops has a little advanced ye price, and thereby in fome measure relieved our present necessities, but this new Imposition laid in such a juncture when ye current price of Tobacco yeilded very little more, than ye former Custome at two pence pound, with freight &c it must necessarily follow, wee cannot support ourselves under ye burthen thereof.

Secondly, It hinders many fhips and adventurers from bringing Goods for ye fupply of our neceffities, ye first not daring to hazard their freight on soe low valued a Drug, and ye last foreseing their impossibility of gaine, we also takes off ye employ of several thousand marriners.

Thirdly



Thirdly That ye last year, ye poore planter, who haveing soe low prices from ye merchants here, adventured their smal quantities of Tobacco for England in hopes of a better produce, but by this Impost (ye planter having noe money of his own to clear it) their Correspondents resuled to take up, clear or engage for it, soe that our bills of Exchange are and will be protested, our supplies not returned; and what wee hoped would have fully releived our necessities, brought us surther in debt, and added ye more to our misery.

Fourthly; The additional duty, if continued will necessificate ye Inhabitants to contrive other waies to cloth their families, than from England, as heretofore they have done, to wit, by following Manusactures here, ye which if it happens, that they cannot performe, they will then be forced to remove themselves and samilies to other places.

Fifthly That whereas ye Act of Parliament declares ye Impost to be laid only upon ye Consumptioner, Shopkeeper, and Retailer, yet wee deplorally find, that this and all other Impositions upon Tobaccos falls upon ye poore Planter and Importer.

November 16th 1685

OL Lemuel Mafon &c wait upon his Excellency & present ye following message.

By ye house of Burgesses,

Monday 9ber 16th 1685

Col Lemuel Mason, Capt: Jo* Custis, Capt W** Robinson, Capt: W** Ball, Majr Jo* Stith, Col Arthur Smith, Mr Tho: Lear, Capt: Hen: Batts Are appointed by this house to give his Excellency y* thanks of this house for y* great favour of his Excellencies care in y* transmitting their addresse to his Majesty and to request, his Excellency will please to take upon him ye trouble of a duplicate to send by ye next conveniency.

Teft Rob' Beverley Clk Affbly

They are also to request, his Excellency will please to assign Councel for administring y usual oaths to M Matthew Kemp, a new returned Burgesse for Middlesex County.

Test Rob Beverley Clk Assistance.

To we his Excellency made answer, that he would be alwaies ready to serve ye house of Burgesses, and that according to their desire, Councel should be assigned to swear Mr Matthew Kemp a Burgesse.

The Commission followes

By his Excellency

I doe hereby nominate, order and appoint Col W^m Cole and Col Jo^n Page two of his Majestys Councel of State in this Colony, to administer ye oaths of Allegiance and supremacy, as likewise ye oath of a Burgesse to M^n Matthew Kemp, who is lately returned a Burgesse, for Middlesex County; Given under my hand and ye seale of ye Colony this 16th day of g^{bm} 1685

Effingham

November 18th 1685

RDERED, that ye Clerk of ye General Affembly doe goe to ye house of Burgesses and acquaint Mr Speaker and ye house, that his Excellency Commands their Attendance on him and ye Councel, in ye Councel Chamber.

 M^r Speaker and y^* Burgeffes wait on his Excellency and Councel & acquaint his Excellency, that it is in obedience to his Commands. Upon w^{ϵ_h} his Excellency fpoke as follows

M' Speaker and Gentlemen of ye house of Burgesses

What my weaknesse att ye first meeting of y' house rendered me unable to declare to you, I think necessary to doe now, and I doe it ye sooner, because I hope ye more businesse you have to consider of, ye more expeditious you will be, for I cannot without

fhame



fhame to you, take notice, that you have now fatt neer three weeks, and not one bill, as yet, prefented to me; but indeed I cannot well expect it otherwife, when I observe your house not to fitt till eleven in ye morning, nor till five in ye afternoon, but I hope, you will remedye it for ye future, else I tell you plainly, I must, according to his Majties comands to me, and in pursuance of those, I acquaint you, that it is his Majties desire, that an house be built fit for his Govern' to reside in; ye last selfions, I was such a stranger to ye Countrey, that I could not then determine ye properest place, but being now better acquainted, I judge it most convenient to be built on ye Govern's land, we'n I desire you to consider of, and that a model of it be prepared to be presented to his Majesty, for his Majites approbation.

I must remind you likewise of what was omitted ye last Assembly, web truely I could not imagine would, since it was soe particularly commanded by his Majesty, that a Law may passe, whereby His Majesties Govern with ye advice of ye Councel may be impowered to lay a leavy, not exceeding twenty or twenty five pole, to defray ye incident charges of ye Governm: I am sure, there is not any of you, but are sensible how great an ease this will be, to every person, ye charges of an Assembly soe highly encreasing ye leavy, especially as they are of late prolonged; but Mr Speaker, I would not be understood (as some persons are too apt to judge) that by this method, Assemblies will be thought uselesse, but shall be ready to give an assurance to call them successively in some reasonable time, his Majesty having noe other end in this his desire, but ye ease and advantage of his subjects

I have Mr Speaker, fomething further to propound to you, from myfelfe and Council, which is this, I doe intend forthwith to raife twenty fouer men for ye fafety of ye Governmt which shall be paid out of his Majesties revenue, but they being soe small a force to resist any Commotion, what is desired of you is, that there may be twenty souer more raised with Officers, and ye halfe charges of ye whole may be paid by ye Country: I will make it my care, that they may be quartered soe commodious and soe neer me, that they may be ready to suppresse any disorder attyc first, or to send to ye heads of ye rivers upon any Alarum of ye Indians; truely ye unruely tongues of some of ye Commonalty in many places of this Colony have late soe palpably demonstrated ye wickednesse of their hearts, that it hath made this method seem to me and ye Councel, and doe not question, but it will to you, absolutely necessary, therefore I promise to myselfe ye ready & chearfull complyance, it being soe induceing to ye safety and honour of this his Majtles Dominion.

November 19th 1685

OL Lemuel Majon &c come into ye Councel Chamber & Affent his Excellency with ye following message.

November 19th 1685

By the House of Burgesses

Col Lem: Mafon, Col Jo* Weft, Mr Tho: Cheefeman, Capt: Law: Washington, Majr John Stith, Capt: Peter Knight, Mr Tho: Barber & Mr Wm Anderson are appointed by this house to Bent to his Excellency yr addresse about yr Quitrents, they are also appointed to request his Excellency, from this house, yr favour of a Copy of his Excellencies Speech made to them yesterday, to yr end all due regard may be had thereto, & answer made according to ye weight thereos.

They are also appointed to request his Excellencies favour to appoint Councel to administer ye accustomary oaths to Majr Sam' Weldon one of their Burgesses, whom sicknesse hath hitherto kept absent from this house, and to signifye to his Excellency, that too morrow this house will be in a readinesse to plent his Excellency and Councel with two or three bills for Lawes.

Teft Rob' Beverley Clk Affbiy



The Addresse about ye Quitrents followes.

To his Execllency Francis Lord Howard, Baron of Effingham His Majur Leiuetenant and Govern' General of Virga

The house of Burgesses now assembled att James Citty

Humbly prefent

That for many yeares before ye happy reftauration of his late Ma^{ty} of bleffed memory, and fince fuch his happy reftauration by a Law of this Country made Anno 1678, even to this day, ye Quitrents due to his Majesty for all lands in this his Maj^{ties} Colony and Dominion of Virg^a have been paid and accepted in Tobaccos Att ye rate of two pence pound; and ye Excellency ye last April General Court having been pleased publickly to signifye, that for ye time to come (according to his Maj^{ties} Instructions to ye Excellency) ye Excellency would command and expect ye same should this year and hereaster be paid in Currant English money, according to ye tenor, and att ye time and dayes mentioned in all Pattents for lands.

And ye Inhabitants of this Countrey not being possibly able so to doe, there being noe Specifical money in this Countrey, nor possibility of such to be procured from England, his Majties Lawes prohibiting ye transportation thereof, they have under ye deep sence of such difficulty most humbly moved for their respective Counties, that ye Excellency be entreated by an humble Addresse to permit and grant, ye ye Quitrents due for all lands be paid and discharged by Tobaccos att ye prices & rates as formerly.

This House doe therefore in ye names of themselves and all ye freeholders of this his Majesties Dominion humbly pray y' Excellency, that the Quitrents may continue to be paid and discharged by Tobaccos as formerly, it being not only ruinous, but utterly impossible to make payment thereof in Specifical moneys, as ye Pattents provide.

And as in duty bound, they shall ever pray &c

To web his Excellency returned ye following answer in writing on ye 20th of 9br 1685.

By his Excellency

Mr Speaker

I have received an addreffe from y' house, that I would permit & allow ye Quitrents due to his Majesty, for all lands holden of his Majesty, in this his Colony and Dominion of Virginia, to be paid in Tobaccos, as formerly, by reason of y' great difficulty, you alledge in satisfying them in money, though that be ye conditions of y' Pattents, and his Majesties particular Commands to me, either of which had you considered, as you ought, certainely you could have had no pretence, for such and addresse; and indeed I was concerned to receive such an one from you, when y' Crown hath been att soe great expence and charge to redeem them from ye hands of a Proprietor, solely to appropriate them to the benefit & advantage of this Colony; I did much rather expect y' humble thanks to his facred Majesty, that he hath soe long forborne his just dues, than that you should make ye least exception, he now requires it.

And as to what you instance, that there is a Law, by web ye Quitrents have been payable in Tobaccos att two pence \mathfrak{P} pound, I conceive you misunderstand it, but if there be such a Law, I appeal to yrielves, whether any Law can extend soe far, as to prejudice or invade any mans property, much lesse his Majties; but being affured of his Majties gracious disposition to render all things as easy to his loving subjects, as possible, I shall so far comply, that where by reason of ye fearcity of money, it may be difficult for many to pay their Quitrents in Specie, I will give orders to ye sheriffs to receive them in Tobaccos at one penny \mathfrak{P} pound to ye value of the money, web ye conditions of their pattents oblidges them to.

November 20th 1685

Effingham

Some members of y^{ϵ} house of Burgesses bring some bills to his Excellency, to $w^{\epsilon h}$ the following answer was returned.

By



By his Excellency

M' Speaker

I have received this day divers propositions from y' house in order to y' making them Lawes, but finding, that they passed y' house, only y' first vote, I judge it not proper for myselfe and y' Councel to take cognizance of them, therefore desire you will proceed to y' passing y' third vote on them, and then they shall be considered by myselfe and ye Councel, and be dispatched as soon as possible.

Obv. 20th 1685

Effingham

The two aforegoing meffages were delivered to M^r Speaker in y^e house of Burgesses by y^e Clerk of y^e General Assembly.

9ber 23d 1683 [1685]

APT: W^m Robinson &c come into ye Councel Chamber & present his Excy with fix several propositions, w^{ch} follow with his Excellencies answer to each.

An Act prohibiting County Courts &c to make bye-Lawes

That It may be enacted by ye Gouern Councel and Burgesses of this Generall Assembly and ye authority thereof, that for ye time to come noe County Court, Parish, or Vestry shall have power in themselves or joined with any other to make any Bye-Lawes, we shall be of force or binding to any ye Inhabitants of this his Majties Colony & Dominion of Virginia, until ye same shall be first approved of, consented to and allowed by his Majties Govern and Councel of state here in Virginia

His Excellency thought fitt to add

And that fuch Bye-Lawes foe made by County Courts, Parishes, or Vestries be presented to his Majesties Govern' and Councel, att ye ensuing Genl Court, to be confidered of, and if allowed, then to be recorded in the Secretaries office.

That ye Act made 8th of June 1680 about killing of Fish &c be repealed.

Affented to

That y^e 12th Act of Assembly made 10th of g^{ber} 1682, for ye advancement of manufactures be continued &c

Affented to

That all horses breaking into senced grounds, fower foot and an halfe high, ye owner of such horse or horses shall be deemed trespassers. This is already provided for by ye second Act of Assembly in 1670

That debts contracted or to be contracted in Maryland shall be recoverable in Virginia.

Affented to

That y^e foldiers at y^e heads of y^e fower great Rivers be difbanded on y^e 25th of X^{ber} next.

As to this Bill, It is not thought fafe totally to difband these forces att ye heades of ye Rivers, until you have proposed some other waies for ye security of ye Country.

E Chilton Cl Gen! Affbly

By his Excellency

M' Speaker

9ber 23d 1685

I have had this day presented to me divers bills from y^r house in order to mine and ye Councels affent to them, all w^{ch} wee have returned, with such alterations, additions and amendments, as are thought requisite

Effingham

9ber



9ber 25th 1685

T COL Arthur Smith &c prefent his Excellency with ye two following bills;

The one, that all Claimes shall be proved in County Courts &c To web
his Excellency added these words, and that this Act shall be read and published in every Parish Church in Each County, by ye Sherisse of ye County or
his Deputy one Sunday at least before ye holding of ye Court of Claimes.

The other was about Runawayes, weh was affented to.

w^c two bills were by ye Clerk of ye General Assembly returned to M^r Speaker in ye house of Burgesses, with ye following message.

By his Excellency

M' Speaker

I have received feverall bills from y' House in order to mine and y' Councels approbation of them, but find only one in answer to what I have recommended to you, therefore I desire you forthwith to proceed to ye consideration of ye rest.

Effingham

Ober 25th 1685

Maj' Arthur Allen with other members from ye house of Burgesses, waite upon his Excellency and humbly desire a copy of his Maj'ties letter directed to his Excellency for payment of all Quitrents, in specie in money Sterl

The Gentlemen returne.

Ordered, that ye Clerk forthwith draw out a true Copy of ye above letter and carry ye same to ye house of Burgesses, we was accordingly done.

Mr Jon Braffeur &c brings ye following message.

November 25th 1685

By ye House of Burgesses

M' John Braffeur, Capt Henry Batts, M' Richd Littlepage, M' Richd Rennon [Kennon], and M' W'' Anderson are appointed to present to his Exer and Councel

The bill for fetling Ports, wharfes, Keys and Places for landing & fhiping off all Goods and merchandizes to be imported or exported & preventing frauds in his Majefties Cuftomes and Revenues.

The Bill Declaring ye 107th Act in ye Printed book to be of force both web passed ye third vote this day in ye house and to pray their concurrence and assent to ye same.

Test Robert Beverley Clk Assely

9ber 27th 1685

IS Excellency with ye advice of ye Councel having well weighed ye Bill for Ports &c and made fuch alterations and amendments, as were thought fitt, ordered ye fame to be returned to ye house of Burgesses together with that about slips and seconds, ye last of we'h was assented to.

Col Lemuel Majon &c presents ye two following addresses to his Excellency.

To his Excellency Francis Lord Howard, Baron of Effingham his Majiir L' and Govern' General of Virginia

The House of Burgesses now Assembled att James Citty

Humbly present

This House receiving y' Excellencies answer to their addresse about ye Quitrents, doe most readily submit to his Majesties Commands, and will ever endeavour (as they acknowledge it their duty) to answer ye same with their utmost obedience, but because Specifical money for discharge of ye Quitrents is utterly impossible to be procured, and y' general indigency of this Countrey soe conspicuous and apparent, ye house of Burgesse therefore under ye deep sence of ye want of all ye Inhabitants in their respective Counties beg leave again to reiterate their former petitions, and with fresh supplication on their behalfe to move, y' Excellency would please to accept of, and dispence with y' payment



of y Quitrents as formerly for this year, until fuch new Inftructions shall arrive about ye same from our present most Gracious Soveraigne, as will either confirm ye last of his late Majesty of most blessed memory, or permit and order ye payment thereof, as heretofore usually hath been accustomed.

And forafmuch as y' Excellency thought it not fafe totally to difband y' forces att ye heades of ye rivers; Ye House of Burgesses humbly desire to informe y' Excellency,

with their reasons, for their urging ye passing that bill.

 I^{f} That it feemes fafe to this house, because y^e disbanding of ye soldiers, is generally defired by ye frontier Counties, who have most reason to aske their continuance, when need is, as being nearest ye danger, & most exposed to ye plunders and cruelties of ye Indian Enemy.

2^{dly}. That ye whole Countrey have received foe great a fatisfaction of a fure peace by y' Excellencies great care, prudence & perfonal endeavours, being confirmed and fetled with ye Northern Indians, in y' happy effects they have already experienced, that they also pray ye great charge and expence ye Countrey is yearely att in maintaining ye foldiers may be now taken off, since they apprehend noe necessity for their longer continuance.

w^{ch} reasons wee humbly submit to y^r Excellencies consideration & doubt not, but that y^r Excellencies inclinations soe far tender ye ease of this needy Countrey, as to approve ye reasons asorementioned sufficient for passing ye Bill to repeal ye Law for placing ye sold^{rs} att ye heads of ye fower Rivers.

To His Excellency Francis Lord Howard, Baron of Effingham, his Majiii L! and Govern

General of Virginia.

The House of Burgesses now Assembled att James Citty.

Humbly Prefent

That whereas feverall propositions have been presented for ye revising of ye whole body of ye Lawes, within this his Maj^{tlee} Colony & Dominion of Virginia, whereby they might be made fitt by an humble addresse to be presented to his most Gracious Majesty for his Royal assent and confirmation, in consideration of web propositions, This house inspecting ye Journal of ye last Assembly in April 1684, doe find That your Excellency was pleased to promise to make it yeare, that ye Lawes should be revised, with directions for such observations and considerations, as should be found necessary to be made therein, and to be reported to the then next following Assembly for their consideration and approbation, to ye intent they might by ye Gen! Assembly be humbly presented to his Majesty, as ye body of ye Lawes of this his Majesties Dominion for his royal confirmation.

And ye house of Burgesses now assembled having as yet received noe intimation from y' Excellency of any such revisal & conceiving ye same most necessary to be done, humbly pray y' Excy That if ye said Lawes are soe revised and prepared, you will please

to transmit them to this house for their perusal and consideration.

Ordered, that ye Clerk of ye General Affembly goe to ye house of Burgesses and deliver ye following answers to ye two last addresses.

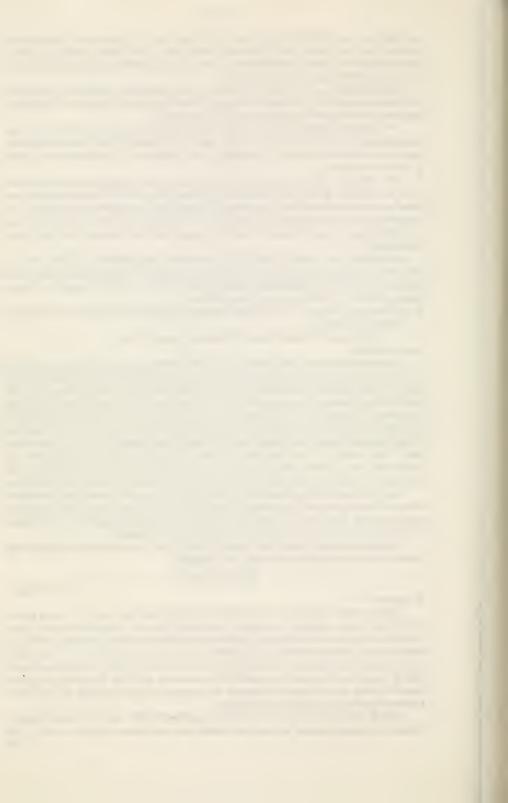
By his Excellency

9ber 27th 1685

M' Speaker

I have this day received two Addreffes from your houfe, the one that I would permit ye Quitrents to be collected, as formerly, to which I thought, I had before given you a fatisfactory answer, and did judge, you would have received it foe, especially when you find in his late Majties letter to me, his positive Commands therein, to we's I desire, you'l give me leave to be obedient, as well as y'selves, we's you very justly in y'addresse acknowledge y' duty; and whereas you desire it to be remitted, until his Majesties pleasure be known therein, that is already declared, as you may be fully satisfied, by his Maj^{ties} Proclamation att his accession to y'e Crown.

And as to the latter part of y addresse, neither myselfe nor ye Councel judge y reasons convincing enough, to make me recede from my former opinion, that till there



be some other way proposed for the security of y. Countrey, it will not be safe those sortes att ye heads of ye Rivers should be disbanded, w. when provided for, y. desire may be ye easier consented to, with this addition, that if any disturbance att home, or Invasion from ye Indians, make it seem necessary to y. Govern and Councel to raise any forces, they shall be paid by ye Publick charge att ye rate provided for by ye last Act.

And as to y' other addresse, that ye Lawes may be revised, there is some progresse

made in it, but not yet perfected.

Effingham

Ordered, that ye Clerk carry ye following meliage to ye house of Burgelses.

By his Excellency

M. Speaker.

Finding y' House hath fatt soe long a time, and as yet, to little purpose, I think it very requisite to take notice of it, and therefore desire you forthwith to prepare those bills given you in charge by me, and that you take order, that ye Claimes may be presented to myselsc and ye Councel to be considered of, that wee may Speedily put an end to this session, for ye ease of ye Countrey and for ye better payment of ye Publick Debts 9^{btt} 27th 1685

Estingham

November 30th 1685

OL Tho: Ballard &c comes and delivers ye following meffage.

November 30th 1685

Ordered, that Col Tho: Ballard, Majr Arthur Allen, Capt: John Smith Mr Matthew Kemp, Mr Wm Hardridge and Mr Wm Wilfon doe fignifye unto his Excellency and Councel ye request & humble supplication of this house is that their Honro will please to admit your Bill for Ports &c may passe their assent, with one Towne, for each County, it being otherwaies confined, appeares to them destructive to Trade and too burthensome to ye Inhabitants of this Countrey and to signifye also to his Excellency and their Honro that this house hath agreed to all other you alterations and amendments made by them in ye said Bill.

Teft Rob' Beverley Clk Assembly.

Xber 1 ft 1685

HE Bill for Ports &c. was peruled, feriously considered, affented and returned to y house.

Col W. Loyd with other Burgesses Stent ye following message

Xber 1ft 1685

By ye house of Burgesses.

Col W^m Loyd, M^r W^m Hardridge, M^r W^m Wilson, M^r W^m Anderson and Capt: W^m Randolph are appointed by ye house to fignifye to his Excellency, that this house requests, his Excellency will please to informe, what arms are come to his hands belonging to ye Country since ye last Assembly, either from M^r Auditor Bacon, Col. Joⁿ West, M^{rs} Mildred Warner or Maj^r Lawrence Smith, and where ye same are att plent lodged.

Test Robert Beverley Clk Affbir

Xber 2d 1685

RDERED, that ye Clerk carry ye following message to ye house of Burgesses By his Excellency.

Mr Speaker.

I have received a request from y^t House, that I would informe you, what arms belonging to ye Country are come to my hands, since y^e last Assembly; I doe not understand by what authority you make such a desire, and as little y^e meaning of those words



words (viz belonging to the Countrey) what arms belonging to his Majesty I have received, are lodged att my house for his Majese service.

X^{br} 2^d 1685

Effingham

Some members of ye house of Burgesies present ye two following addresses.

To his Excellency Francis Lord Howard, Baron of Effingham, his Majesties L. and Govern' General of Virginia.

The House of Burgesses now Assembled

Humbly prefent

That ye feale first most graciously granted to this Countrey by King James ye first of blessed memory, and since by his Royal successors on ye humble addresses of ye Inhabitants of this his Majetes Dominion to this time as graciously confirmed, was both at its first grant and ye severall confirmations afterwards procured and purchased att ye proper charge and expence of this Countrey, and accordingly all along made use of, as an authentick attestation to all their Pattents, Grants &c. without see, reward or other imposition, until y Excellency, in April Court last was pleased to declare & Speedily after to sett forth y Proclamations commanding the payment of two hundred pounds of Tobacco for affixing ye same; web publication of y Excellencies pleasure, as it hath prevented several from taking out their Pattents, under ye seale, from ye secretaries office, and deterred many more, from entring new seats of land to ye great prejudice of his Majeties revenue in ye Quitrents, soe it hath caused all ye Inhabitants in general to present it as a great pressure, innovation and greivance to this Assembly.

Wherefore ye house of Burgesses on ye behalfe of themselves, and all ye Freeholders of this Countrey humbly supplicate ye Excellency, that ye rights, priviledges and benefit of ye seale may be continued to them, as formerly, without see, ye Excellencies proclamation about ye same called in, and ye whole imposition lately commanded forthwith

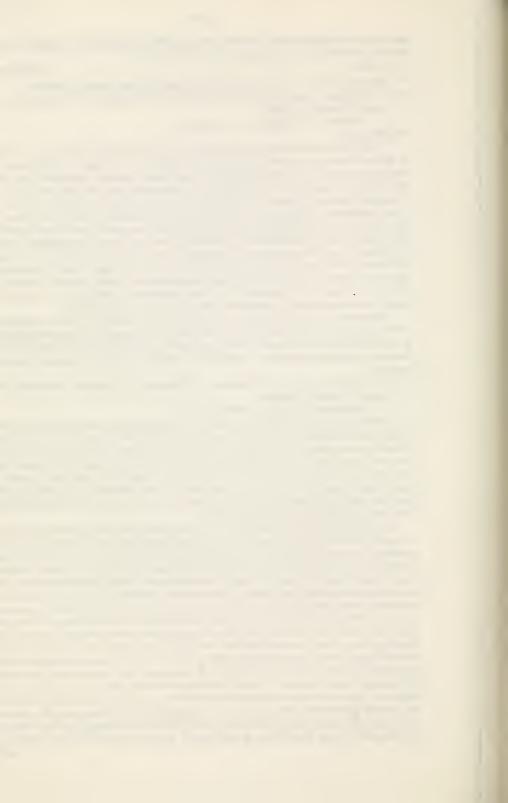
taken of.

To his Excellency Francis Lord Howard of Effingham, his Majesties Leiuetenant and Govern' General of Virginia

The House of Burgesses humbly sheweth

It having been presented to this house by y Burgesses of Charles Citty County, that sundry persons inhabiting on ye black water, on ye south side of James River, have been att very great charges and trouble in taking up and seating divers tracts of land, and have with themselves, samilies and slocks continued therein att least seven yeares, and that divers others have entred rights, surveyed and upon ye dependance of Pattents have likewise seated several tracts of land, and are now doubtful, their Pattents will not issue persons having been lately denied ye same on pretence (as is apprehended) that they entrench upon ye Indians bounds.

Now may It please y' Excellency, It is conceived by this house, those Indians did or ought to have held their lands by Pattent, or some other lawful meanes, as wel as other nations, and those bounds were not defigned to such end, but were only fett and laid out as marching bounds from Towne to Towne, with intent ye Indians in those times should come noe nearer ye English Plantations to disturb some smal families, wch might then be timorous and fearful of them and not to hinder those, that would adventure and hazard themselves from feating beyond those bounds, wen plainly appeares by ye Honble Majr General Wood, ye Gentleman appointed to fettle them, who brought them foe far through his own land, that if they had or should debar ye English from feating without them, he must have lost, and his heires after him two thirds of ye land he lived upon; And it is further humbly offered to y' Excellency, that att that time, whose [when] those marching bounds were soe settled, being neer thirty yeares agoe, there were feveral confiderable nations of Indians inhabiting neer or adjoining to ye fd Black water, which are now either wholy extinct, or removed many miles farther off, foe that from ye present Nanzemond Indian Towne to ye Appamatox Towne being att least seventy miles, and from about thirty miles from ye faid Blackwater foutherly, there are not any Indians, that lay ye leaft claime to any part of that vaft quantity of land, excepting only



only ye Wyanokes, we are not above ten or twelve in number, who would be fatisfied with a very final part of ye fame, and are mighty willing ye English should fettle ye reft, we would not only extreamely advantage ye Inhabitants of this his Majties Dominion, but also very much enlarge his revenue here, there being att least one hundred to fifty thousand Acres of land, that might, without any prejudice, be taken up.

All we'ye house of Burgesses now Assembled doe humbly supplicate y' Excellency to take into y' serious consideration, and to give such directions, that Pattents upon ye former surveys may be permitted to passe ye office, and y' ye remainder of ye said land may be free for all Inhabitants of this his Majties Dominion, to take up & seat thereon, excepting only such a quantity of Acres to or distance of miles, from ye said small Towne of Wyanokes, as y' Excellency shall think fitt to appoint.

Ordered, that ye Clerk goe to ye house of Burgesses & deliver to Mr Speaker ye

following meffage.

Xber 2d 1685

By his Excellency

M' Speaker

I have this day received two addresses from y' house, ye one, that liberty may be given to y' Inhabitants of this Countrey to seat on his Majties land on ye south side of ye Black water swamp, but there having been articles of agreement formerly made between this Governm' and ye Indians on ye south side of ye Black water, and those articles confirmed by Act of Assembly, I can in noe waies concede to it; and as to y' other, that I would remit that smal see laid on ye passing of ye seal by Decree in Chancery, and not by any Proclamation from me, as you have misrepresented, It was laid rather to be agreable to ye Custome of all nations, & all other his Majesties plantations, than for any private gain, as you may naturally conclude from ye Reasonablenesse of ye see, Tobacco not being (Communibus Annis) worth sive shillings Cent, but to give you as much satisfaction as I think requisite in this matter, I have not done this, nor anything else to my knowledge, without lawful authority, therefore shal not recede from ye Decree soe passed.

Effingham

The following melfages are brought up by some of ye Burgesses.

By ye Houfe of Burgesses

Xber 1ft 1685

To His Excellency Francis Lord Howard, Baron of Effingham, his Majiin Li and Governi Gen! of Virga

Is humbly prefented

That although they are most heartily glad to understand from y' Excellency y' better ability and health to declare such businesse, as y' weaknesse att ye first Meeting rendred y' Excellency unable to doe, yet they can not but with sorrow, att the same time receive such reproofs from y' Excellency of their neglect, as they know themselves altogether undeserving of, for that several such matters have this session offered, as has exercised their continual diligence, and necessarily required their sull and considerate determination, web proceedings, when y' Excellency shall come thoroughly to understand, this House are very well assured y' Excellencys former Apprehensions of them will be removed, and this house appear to have used as much expedition in all their affaires, as will both answer y' Excellencies satisfaction, and ye most advantagious service of this Countrey.

To that part of y' Excellencies Speech relating to ye building of an house fitting for ye Govern' to reside in, this house unanimously agree, and think it most fitt, that such an house be with all possible conveniency provided for the Govern' of this his Majties Dominion, and that they conceive ye Govern's land, ye place nominated by y' Excellency, most proper and convenient to build ye same upon, and that ye model, we's y' Excellency was pleased to rester to this house to consider of, for his Majesties approbation, will be best prepared, appointed and directed by y' Excellency his Majesties now immediate Govern', and this house not doubting, but there is and will be moneys sufficient



fufficient to be spared from his Majties revenue accrewing here & appropriated to defray that and other contingent charges, are most ready to consent, that soe much thereof be in that use emploied, as a worke of that nature will reasonably require.

And whereas It is proposed by y' Excellency that a Law may passe, whereby his Majties Governt with ye advice of ye Councel may be impowered to lay a levy not exceeding twenty or twenty five P pole; This house duely & seriously considering how far it may tend to ye difadvantage of this Country, & how unacceptable, as wel as inconvenient it will be to ye Inhabitants of this his Majtier Dominion in general, whom this house represent, doe humbly signifye unto y' Excellency, that they can noe waies concede to or comply with that proposition, without y apparent and fignal violation of ye great trust in them reposed. And to that part of y' Excellencies Speech relating to ye defraying ye one halfe charge of forty eight men & officers for a ftanding Guard, This house humbly conceive y' Excellency ye fittest Judge, what Guards are necessary to be raised & setled, but because of ye general great poverty and indigency of ye Inhabitants of this Countrey, they humbly pray y' Excellency will not think of lifting any other or more foldiers or officers for fuch ftanding Guard, than what may be conftantly and duely paid from his Majties revenue accruing here.

A True Copy

Test Rob' Beverley Clk Affbly

By ye Committee of Greivances and Propositions

Reported

Whereas in his Excellencies Speech to Mr Speaker and ye house of Burgesses is expressed ye odiousnesse of all fines and forfeitures, being accounted for to ye Publick, under a regal Governmt and this Committee being fully assured, all ye subjects of this his Majesties Dominion, have a great detestation and abhorrence to any other Governmt but that of a monarchy, are of opinion, that in concordance thereto, all fines, forfeitures and penalties, that fhall be enacted this prefent Affembly, fhall be appropriated to his Majesties use for ye benefit of this his Majesties Dominion.

But because ye penal Lawes now in force are soe numerous, and require a great time for ye revisement, and serious consideration, what of them are fitt to be repealed, and what to continue in force, This committee therefore report, that all fines, forfeitures and penalties to this time by former Acts already ordered and established, shall stand and remaine under that ftile, without any alteration or repeale, until fuch full and deliberate confideration can be had, as ye Cafe requires, after weh inspection and amendme they likewife may be ordered and invefted in his Majesty towards ye support of this Governmt and ye contingent charges thereof.

A True Copy

November 18th 1685

Read in ye house and allowed

Teft Rob' Beverley Clk Affbly

Teft Rob! Beverley Clk Affbly

By ye house of Burgesses

Xber 1ft 1685

Refolved, that there be a good, substantial, strong, publique Prison house built in James Citty att ye charge of ye Countrey, and to be paid for out of ye imposition of three pence & Gallon, next after Col Phillip Ludwel is fatisfied for ye Countries house, to hold Affemblies and General Courts; and that a copy of this resolve be sent to his Excellency and ye Councel, with ye request of this house, for their concurrence therein

Test Robert Beverley Clk Affbly

Xber 1ft 1685

By ye House of Burgesses

To His Excellency Francis Lord Howard, Baron of Effingham, his Majiis Leiuetenant and Govern' Gen' of Virginia

The House of Burgesses now Affembled att James Citty

Humbly Ofent

That whereas att an Assembly held att James Citty, Anno 1682, ye summe of thirty fix Thousand, two hundred and twenty three pounds of Tobacco was ordered payable

unto



unto L. Col W. Fitzhugh & Capt: George Brent in Stafford County, with Caske and fallary for ye fame, yet notwithstanding ye said Col Fitzhugh did afterwards att ye laying of ye County Leavy in exhibiting that claime not only diflown ye faid Caske and fallary to be allowed in ye Publick, on purpose concealing ye authentick copy of ye Publick Leavy for that County, but alsoe demanded satisfaction from them there; & whereas It is made appear to this house by ye affirmation of Mr Martin Scarlet and ye Record of ye Leavy account attefted by ye Clerk of that Court, that ye faid Col Fitzhugh did not only make demand, but alsoe persist to urge, persuade and aver his false Assertion, we together with his fubtile infinuations foe far gained Credit (he being att that time ye Counties representative) that ye said Caske and sallary amounting to six thousand, five hundred and twenty pounds of Tobacco was there admitted and relevied. web wrongful and unjust procurem being presented to this house as a grievance, It is ye humble defire of this house, that in order to ye punishment of this apparently dishonest action, and for ye preventing ye like evil practices and abuses for ye time to come, y' Excellency would please att some convenient time to issue out y' warrant to Command ye said L' Col W- Fitzhugh to answer ye abuse & wrong done that County, and ye whole Countrey, att ye next General Affembly, and alfoe all other articles of charge, as shall be by y house of Burgesses filed ag' him; and that ye said L' Col W" Fitzhugh be suspended from all offices military and Civil, until he shall answer to such matters, as shall be soe exhibited, and afterwards during yr Excellencies pleafure.

And this House doe farther present to y' Excellency, that if for ye better prosecution of ye said Col Fitzhugh, any other methods should seem more proper and fit, than what are already laid down, that y' Excellency would please to vouchsafe this house ye honour of communicating and directing them therein.

A True Copy

Test Robert Beverley Clk Affely

Ordered, that ye following paper be delivered to M^r Speaker in ye house of Burgesses by ye Clerk

By his Excellency

M' Speaker

I have this day received divers papers from y house, in answer to some things I

propounded to you.

As to ye first of building ye Govern's house, I find we both agree in ye necessity of it, but as to ye charge of building it, wee are much different, his Majesties Instructions to me directing it to be built by ye Countrey; but you are soe mistaken, as to declare ye ready consent, that ye charge be defrayed out of his Majese Revenue, we does not att all belong to you, but soe far, I am willing to satisfye you, that were it in my power to comply with you, ye revenue would not answer it, being already much in arrear.

And as to y' Answer of that proposition, that ye Govern' & Councel might be impowered to lay a smal levy. I doe acquaint you, that his Majesty has now reinforced that Instruction to me, and myselfe & ye Councel did beleive, that it would have seemed, as

reasonable to you, as to us, and most of ye Inhabitants of ye Country.

In answer to what you have sent me to ye raising ye forty eight men; could his Majesties revenue have maintained them, it would not have been desired of you, and a lesse number will not be any security to ye Countrey.

To that of ye fines and forfeitures, I have again recommended it to you, and hope

you will consider of it, as you ought.

In answer to that, that a strong, substantial, publick prison house may be built in *James Citty*, myselfe and ye Councel think it very necessary, but not by that method, that you propound, there being already divers Countrey debts, wen ought to be preferred & wee judge most easy for ye Countrey to discharge that way.

I have received likewise a Complaint from y' house ag' L' Col W'' Fitzhugh, I am very willing to agree to y' method soe far, as to send out my warrant for him to answer ye Complaint ye next general Assembly, but think it not proper to suspend him from any office either Civil or military, until he has answered for himselse

any office either Civil or military, until he has aniwered for himlelfor X^{brr} 2^d 1685

Effingham Ordered,



Ordered, that ye Clerk of ye General Affembly goe to ye House of Burgesses and tell M' Speaker that his Excellency Commands his and ye house of Burgesses attendance on him forthwith in his Chamber.

Mr Speaker and ye house of Burgesses waite upon his Excellency and ye Councel, upon weh his Excellency express himselse as followeth.

Mr Speaker and Gentlemen of ye House of Burgesses

I have fent for you and y^r house to acquaint you, that I have rec^d from his Majesty, his Majesties approbation of all ye Lawes made ye last General Assembly, with this additional clause to that Act for altering ye time of holding General Courts, that ye power of appointing Courts to be held att any time whatever remaine in his Majites Govern or Commander in Cheise of this his Majites Dominion; & that his Majesty thinks it most necessary, that that act for ye better defence of ye Countrey be made perpetual; but M^r Speaker & you Gentlemen of ye house of Burgesses, I can hardly promise to myselse y^r performance of any of these his Majesties soe reasonable desires, since I find you soe averse to those I have already propounded to you from his Majesty, especially to one secoming you as good subjects, to appropriate those sines and forfeitures formerly laid to ye Countries use, now to his Majesty, for ye better support of ye Governmt

Mr Speaker and ye house returnes

Xber 3d 1685

OME of ye house of Burgesses come & present ye following paper.

Xber 2d 1685

By ye house of Burgesses.

To his Excellency Francis Lord Howard, Baron of Effingham his Majiin Li and Govern' Gen' of Virga

It is humbly prefented

That this house did on ye first instant present to y' Excellency their supplication, that for ye reasons in that addresse expressed grounded upon ye general complaints of ye feveral Inhabitants of this his Majesties Dominion, ye late imposition of two hundred pounds of Tobacco and Caske, for ye affixing ye feale of this Colony to any Pattent, Grant &c might be taken off, in return to weh addresse, y' Exey was pleased to declare to this house, that ye faid see was laid by Decree in Chancery, and that therefore it was mifreprefented, in faying it was done by y' Excellencies Proclamation; This house doe humbly offer to y' Excellency and ye Hon'ble Councels confideration, that they never were informed of any fuch Decree in Chancery; and that if any fuch were, it would have been imparted to this house, and doe alsoe humbly conceive, that Decrees in Chancery usualy passe under ye Broad Seale of England, and that such Decrees are not granted, but upon deliberate confideration, and ye lawfull defences of all parties, nor doth this house find, that by y' Excellciea declaration, we' they look upon as a Proclamation, any mention made of a Decree in Chancery, but published as y' Excellencies Decree, for we's reasons together with those formerly presented, this house doe humbly fupplicate v' Excellency, that ye faid imposition may be immediately taken off, their priviledges weh through ye Kings most gracious Grants they have soe long enjoyed be ftill continued unto them, and that this Countrey may not be forced to part with their auntient rights only to become agreable to ye Custome of other places, and this house doe further on behalfe of themselves and all ye Inhabitants of this Countrey humbly fupplicate, yt yr Excellency would be pleafed to take again into yr ferious confideration their former addresses made to y' Excellency for ye accepting of ye Quitrents in Tobaccos for ye enfuing year att ye rates formerly allowed.

And that on fuch further confultations yr Excellency would pleafe to affent to these their humble requests, we this house are very well assured, would well enough consist with ye welfare, add much to ye ease and infinitely answer ye general satisfaction of all ye Inhabitants of this Countrey.



And whereas y' Excellency was pleafed to fignifye to this house, on their addresse about ye revisal of ye Lawes, that such revisal was not perfected, and this house conceiving ye necessity of having ye whole body of ye Lawes to be with all convenient Speed prepared to present to his Majesty for approbation, humbly desire, that such of ye Burgesses, as shal be nominated by this House may be joined with soe many of ye Honble Counces, as your Excellency shall think fitt to appoint; to review all ye Acts, peruse ye Records, and to prepare a draught of them, with such alterations and amendments, as they shall find necessary and to returne ye same to ye next Gen' Assembly.

By Order of ye house of Burgesses

Teft Rob! Beverley Clk Affbly

Refolved, that ye Clerk carry ye following meffage to ye house of Burgesses.

By his Excellency

M' Speaker

I have this day received an addresse from y^t house, that ye smal see laid on ye seale may be remitted, and you instance, because all ye Decrees in Chancery in England goe under ye Broad Seale; I agree with you in it, but my Lord Chancelor quaterus Chancelor hath power to lay a see upon ye passing of that seale, w^{ch} to ye best of my remembrance is twelve pounds Sterl, ye seale of this Colony is of that nature, w^{ch} being committed to once by his Maj^{ty} gives me y^e same power, but least you may imagine, ye see may be augmented by me, or any other Govern^t att pleasure, I am very willing to give you any affurance, you shal reasonably desire, that it shal not, regarding more ye decency and regularity of ye thing, than any private profit.

As to y' desire concerning ye Quitrents, I can give you noe other answer than I have already, his Majesties Commands being positive therein. And as for ye revisal of ye Lawes, I think it very necessary & requisite that ye whole Councel doe first consider of them, and give their opinions, we's I will take care shall be done, between this and ye next Assembly, and then you shall be made acquainted with what is done therein.

Effingham

Xber 3d 1685

M' W'' Wilfon &c. bring ye account of Claimes and ye following message

Xber 3d 1685

To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties Leiuetenant and Governor General of Virginia.

The House of Burgesses humbly present

That in answer to y' Excellencies reply about building an house for y' Govern' of this his Majesties Dominion, this house doe desire y' Excellencies acceptance of their former proposals in that affaire, for that as they well hoped, his Majesties revenue accruing here & raising for ye defraying of ye Publick charge and expence of this his Majesties Dominion, would have fully answered ye same, soe they are well affured ye continual levying of new taxes for such matters can not be complied with, without ye impoverishing of ye already wanting and needy Inhabitants.

And whereas y' Excellency was pleafed to reinforce ye proposition y' ye Govern' and Councel might be impowered to raise a levy, This house doe unanimously agree, they cannot recede from their first response without breach of y' great trust in them reposed.

And to what y Excellency was pleafed againe to intimate about ye raifing of forty eight men, this house doe humbly hope, they have already given a full and satisfactory answer.

As to ye fines and forfeitures now again recommended from y^r Excellency, this house doe conceive, they have already fully confidered and answered as they ought, it being ye intent and meaning of this house, that all fines and forfeitures imposed for ye future by ye Gen¹ Assembly, as well as those past this present session, shall be appropriated to his Majesty for and towards ye better support of ye Governm¹ of this his Maj^{ties} Dominion and ye contingent charges thereof.

As



As to ye building of a ftrong, fubstantial prison in James Citty, this house conceive it very necessary, but if it shall appear to ye General Assembly, that there is not moneys sufficient yet remaining to defray ye charge of such a worke, that then it be refferred to ye further consideration of ye next Gen! Assembly. And this house doe most readily submit to ye methods prescribed by y Excellency in ye matter relating to L. Col W Fitchugh,

By order of ye house of Burgesses

Rob' Beverley Clk Affbly

Xber 5th 1685

R W- Wilson &c brings ye three following messages

Xber 4th 1685.

Ordered

By ye house of Burgesses,

That M^r Auditor Bacon pay to Col Phillip Ludwell fouer hundred pounds fterl out of ye moneys accruing from ye duty of three pence & gallon upon liquors, for and in confideration of rebuilding ye ftate house, upon payment of weh money M^r Auditor is defired to take bond from Col. Ludwel for ye full compleating of ye said house, in such manner, as shall be fully satisfactory to his Excellency, ye Councel and ye house of Burgesses, answerably good and equivalent to the condition for ye same.

His Excellencies and ye Councels concurrence herein is defired by ye house

Teft Robert Beverley Clk Affbir

Refolved by ye house, that ye room in ye state house, called ye Porch Chamber be kept and appropriated an office for ye Clerk of ye Assert Beverley ye present Clerk take possession thereof and therein lodge and place all Records, Books and Papers belonging to ye Assembly, we either now are or for ye time to come shall be committed to his charge, keeping or custody.

Ordered that this resolve of ye house be sent to his Excellency & ye Councel, with

ye requests of this house for their concurrence therein.

Proposed by ye house, yt ye lower room in the state house opposite to ye Court house room be with all possible expedition fitted for ye secretaries office in such manner, as his Excellency and ye Councel shall direct, and this House doe pray his Excellency will please to Command and direct ye doing thereof, and yt the Honble Col Ludwel be treated with about it.

Xber 4th 1685

Signed by order of ye house of Burgesses

Rob' Beverley Clk Affbly

By ye house of Burgesses

Xber 4th 1685

To His Excellency y' Govern'

This house having confidered y' Excellencies late Speech to M' Speaker and themfelves, of web you were pleased to favour them with a copy, doe observe, y' y' Excellency
therein makes mention of his Majesties gracious approbation of all ye Lawes made y'e
last General Assembly, but with additional clauses to some particular Ass, and to ye
end they may, as their duty is, take notice and render and give humble thanks and
obedience to all his Majesties gracious Commands, they humbly pray, y' Excellency
will please to favour them with a copy of such of his Majestes Instructions to y' Excellency,
as is mentioned by y' Excellency in y' said Speech.

Signed by order of ye house of Burgesses

Robert Beverley Clk Affbly

Xber 5th 1685

Ordered, that ye Clerk transcribe his Majesties Instruction signifying his allowance and approbation of ye Lawes made ye last General Assembly and carry ye same together with ye following Message in answer to ye state of Claimes, to ye house of Burgesses.

Yber



By his Excellency and Councel

M. Speaker and Gentlemen of ye house of Burgesses.

Upon ye Examination of ye Publick claimes returned from y' house wee have thought fitt to acquaint you, with our observations thereupon, web are as follow viz:

As to ye Claime made by Mr Joseph Ring for cleaning several swords; It being thought necessary, that swords should be sent to ye heads of ye rivers, for ye better defence thereof, many persons there not being of ability to buy, weh his Excellency confidering, was foe far pleafed for ye fervice of ye Countrey, to permit his Majesties swords to be fent thither, provided they were cleaned, upon weh Col John Page by order of Councel was defired to agree with Mr Ring for ye fame; and Col Page having acquainted y Committee of Claimes that he has seen several of them, that were well done, and he was confident, all ye reft were in ye like condition; and fouerfcore of them to our knowledge being now on ye Countries fervice, therefore wee think it most reasonable, that his account, being moderate, be allowed, he having already been one year & an halfe without his pay, for his work done, & defire to be fatisfied for what reason this claime was difallowed by ye houe of Burgeffes.

The Claimes of Mr Edmund Jennings & Col Tho: Ballard for profecuting feveral malefactors, wee conceive ought to be allowed, it formerly having been customary, and ye tryals of Criminals is altogether for ye peace and advantage of ye Countrey, and there is noe other fund to discharge ye same, unlesse the fines and forfeitures had been appro-

priated, if weh had been done, this charge might have been paid that way.

As to ye Claime of Capt: Brent, It does appear to us, that when he was upon ye Countries fervice, purfuant to his Excellencies Commands, there was a necessity of giving an account of his proceedings to Mr Secretary, being ye next Councellour, and ye Countries Credit being foe very bad, noe perfon whatever could be procured to goe on fuch a message, unlesse Capt: Brent would oblidge himselfe for payment, It would be therefore thought hard, that he should suffer for serving ye Countrey, therefore wee conceive he ought to be paid twelve hundred pounds of Tobacco & Caske paid ye three

As to ye Claime made from New Kent County for feveral forrages and provisions expended, att ye time when ye Seneca Indians lay on ye frontiers of that County, and committed feveral injuries on ye Inhabitants thereof, those foldiers were raised by Mr Secretary Spencers Commands, (who was then Prefident and Commander in Cheife) for ye better defence and fecurity of ye Countrey, and Col George Lyddal, who was then appointed Command was constrained to passe several notes both for forrages & provifions expended by those foldiers, for some of web notes he has been sued, and some judgements passed agt him, and if ye same be not satisfied by ye Countrey, he is without all remedy, and it would be most hard, that he should be ruined for ye service of his Countrey, and noe man, if ye like occasion should happen, (weh God forbid,) can be expected to ferve ye Countrey; and as to the Counties paying for ye provisions, It hath been proposed to ye County Court, who refuse to pay ye same, saying there is noe Law for it, and that Law for ye Counties maintaining their foldiers being fince made, wee think it but just and right to be allowed by the Countrey.

And as to ve claime made by Edward Chilton Clerk of ye Councel for twenty thousand, five hundred, thirty nine pounds of Tob: and Caske, due for fees accrueing upon ye profecution of Criminals &c web is most necessary, being for ye peace and ye safety of ye Countrey, great part thereof is due by a Law of this Countrey, & found legal according to that Law, and notwithstanding ye objection you have made, has alwaies been paid by ye Affembly, when demanded, and as to what you fay to his other Claime for other publick fervices, ve account he now exhibites is not equivalent in exorbitancy or greatneffe in ye charge to ye thousand or twelve hundred pounds of Tobacco, you have been willing formerly to allow to ye Clerk of ye Councel, none before him having done ye fortieth part of fervices, web his place now annualy requires him to, and if ye Law for defraying Criminal charges be of force, weh it is, not being repealed, & sheriffs fees, weh



are not altogether due by Law, but most by Custome, and allowed to be paid, his Claime as now presented is most just & ought to be paid great part of ye same being due by a Law, and for ye like other publick services, you y selves have alwaies paid, since he was first Clerk, and as to that you say, that there be an annual allowance of five thousand pounds of Tobacco & Caske paid to ye Clerk for all services, that can have noe relation to ye time past, neither is it a sufficient allowance for ye time to come, considering ye services he is likely to doe, nor ye quality he is in, being little more, than what is allowed by y house to ye Dromer, for one yeares Attendance; and if ye same were agreed to, it might prove prejudicial either to ye Countrey, or ye Clerk, either in giving more than he deserves, or in not giving him his just due, therefore It is thought fit, that he [be] considered according to his services and have noe full assurance of any reward before hand, we may occasion a great neglect in him, wee hope therefore you'l dwel noe longer on this, but be as just to him as others, in allowing him his full and just claime.

As to ye allowance of two thousand pounds of Tobacco made to M^r Hen: Gauler for ye Council Chamber, wee think sit he be allowed fouer thousand pounds of Tobacco & Caske; and find you allow for a room for one of y^r Committees sifteen hundred pounds of Tobacco & Caske, w^{ch} wee think a great deal too much, and ought to be regulated, for should an allowance be proportionable for ye Councel Chamber, for three Courts & one Assembly, by ye like reason he ought to have fouer times as much.

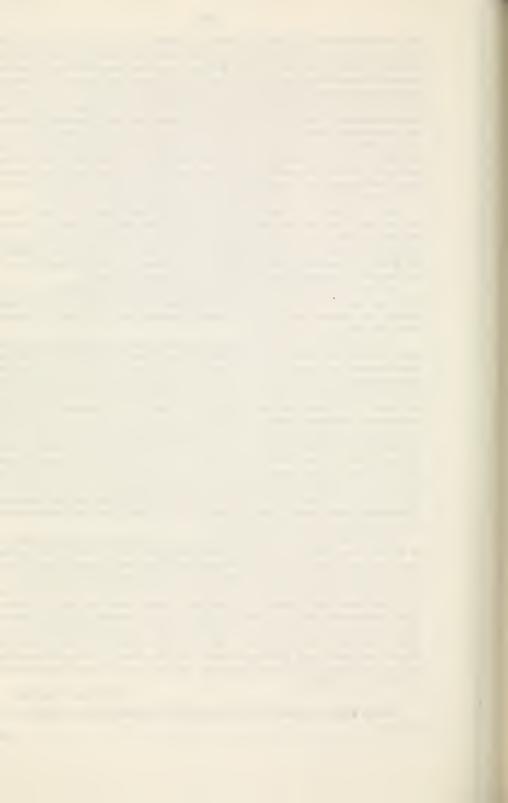
As to ye Claime made by M^r Hen: Gauler for drink given to ye Indians, att ye time they were going to New York in order to confirme ye Peace made with ye northern Indians, wee conceive he ought to be allowed a moderate rate for ye fame, ye Indians being then on ye Countreys fervice

The whole Countrey in general having received foe great a fatisfaction in ye firme peace concluded on between his Excellency ye Lord Howard Govern' on ye behalfe of this Governm' and ye northern Indians and fince confirmed by Col Wm Byrd, as you have inftanced on ye 27th of November laft, and ye charge being allowed by y' Committee of Claimes, wee doe much admire to find it wholy difallowed by y' house, and whereas by ye report of y' Claimes, you have signifyed, y' ye reason of y' disallowance is, because you reap no advantage thereby, ye Country being att ye same charge in maintaining ye soldiers att ye heades of ye rivers; had you proposed in y' desire of ye repeal of ye Act for ye better desence of ye Country, a Clause (notwithstanding ye repeale of such Act) appointing all such forces, as ye Govern' with the advice of ye Councel should raise upon any emergent occasion, during ye continuance of such Act, to be paid for ye time, they are on such service, according to ye intent of ye said Act, then little question is to be made, but that y' desires would have proved more effectual, therefore wee think it reasonable [unreasonable], that his Excellency, Col Byrd & others, who have been att so great charges should not be reimbursed.

The allowance given to y^t Clerks in General, wee find most immoderate & exorbitant & ought to be regulated, & in a more particular manner that of Col Milners, having given him eight thousand pounds of Tobacco and Caske for Coppies of Journals sent for England and given to his Ex^{cy} &c when you y^t selves ordered him pay for ye same ye last Assembly, having included it in his twenty thousand pounds of Tobacco & Caske, as by y^t last Journal may appear, but wee are not in ye least unwilling, that he should be justly satisfied for all services not already paid, and think it reasonable, that he be allowed during his Attendance here in Towne, although it was in expectation of his own profit, after ye same rate, as a Burgess is by Law, and that satisfaction be made likewise for his boat and hands; and if you agree not to this, wee desire, that ye petition of Col Milner, ye ground of this great claime, may be sent to us, that wee may be equally satisfied in ye justnesses.

E Chilton C1 Gen1 Affbly

Several Articles wherein Capt: W^m Hartwel hath overcharged in his Account to ye Country.



1	8000	
To impannel a Jury to attend ye Court 16 Days att 10d 🎘 man	1920	
To a Juries attendance 2 dayes att 60 🔁 day	0720	
April. To Commitm' Warner overcharged	0020	
To a Juries attendance 2 dayes 60 \$\text{ day a man}	0720	
To a Juries attendance 2 dayes 60 🔁 day a man	0720	
To a Juries attendance 2 dayes 60 🔁 day a man	0720	
To a Juries attendance 2 dayes 60 P day a man	0720	
To a Juries attendance 2 dayes 60 🔁 day a man	0720	
To a Juries attendance 4 dayes	1480	
To overcharged in ye 6 men guarding ye prison 39 days att 40 🏗 day	5850	
To ye charge of M ^r Smith, his wife &c, when indeed they were fummoned by		
writ for evidences	0120	
The feveral charges att ye beginning and latter end of ye account for Giles Hill,		
John Smith, Wm Davis & Rob Morton, the three first being ordered to serve		
him, and ye other officers, to fatisfye ye fees, & Morton was an unruly fervant		
committed by his Master Mr Wm Sherwood, who is lyable to pay what is justly		
due	2180	
Nor doe wee find any thing allowed to ye sheriffe of Nanzemond for his own		
in coming and going and bringing up Mekeel and ye other Pyrates we he did by a	1	
order from ye President and Councel, he having modestly refferred that to y' con		
tion; And It is Judged fix dayes was ye leaft he could be performing that fervice,	befides	
his own expences, w ^{ch} att ye least ought to be one hundred & twenty A day		
X ^{ber} 4 th 1685 E Chilton C ¹ Gen ¹ Aff ^{bly}		

Xber 7th 1685

HE following meffage is prefented to his Excellency & Councel by fome members of ye house of Burgesses

Xber 7th 1685

By ye house of Burgesses

In answer to his Excellencies & ye Councels observations upon ye report of ye Committee of Claimes and resolves of this house thereupon, this house doe declare.

That ye reason why they disallow ye article of three thousand, fix hundred pounds of Tobacco & Caske to be paid to M^r Joseph Ring for cleaning swords is, because they judge ye Countrey not lyable to be levied upon for ye same, for that being his Majelte Armes & his Majesty having appropriated his revenues here to ye support of ye Governmt and ye contingent charges thereof; ye charge claimed by M^r Ring ought to be paid from ye said revenue.

To ye Claimes of M^r Edmund Jennings and Col Tho: Ballard, as officiating as ye Kings Attorney Generals, this house continue their former resolve, that they are not lyable for such services, as they claime for.

To ye Claime made from New Kent by Col Lyddal &c this house resolve that what is not heretofore and [by] this Affembly allowed towards ye same, is not any debt of ye Countries, but whatsoever else is due to any person in that service, ye County of New Kent is lyable for, all web was accordingly resolved ye last Afsembly.

To ye Claime of M^r Edward Chillon, this house can not recede from ye report of ye Committee of Claimes, and resolve of ye house thereupon.

To ye Claime of M^r Hen: Gauler, for ye Councel Chamber, this house continue their resolve that he be paid two thousand pounds of Tobacco & Caske; and account it a good & sufficient allowance, M^r Gauler keeping an ordinary, and thereby oblidged to find a room for his Guests.

The article of five hundred pounds of Tobacco to M^r Gauler for drink to ye Indians is allowed, but not to be made prefidential, there never before having been fuch allowances made by this house;

To



To ye article of allowance to L' Col Milner late Clerk of Affembly being eight thousand pounds of Tobacco & Caske, ye particulars mentioned by Col Milner in his claime to this house have been already particularly express to y' Excellency and ye Councel in ye foot of ye report of ye Committee of Claimes, to we this House thought fit to consider his other services done & make ye summe in grosse eight thousand pounds of Tobacco & Caske, we they pray y' Excellency & ye Councel will concur in.

And to what is faid in relation to our Clerks, this house humbly hope, that they are not chargeable with immoderation or exorbitancy, in ye allowance to their Clerks, for that web in former Assemblies stood ye Countrey in att least twenty thousand pounds of Tobacco to several Clerks of Committees is by ye frugality of this house reduced to twelve thousand, and therefore this house further hope, those misgrounded imputations will be taken off & obliterated.

Refolved that Capt: W^m Hartwels articles in his account and objected agt by ye Govern and Councel be allowed as, reported from ye Committee of Claimes, but for ye future all fheriffs fees to be afcertained by Act & not any allowed by Prefident only, ye ground of this plent refolve proceeding from ye observation of like allowances to former fherriffs in like cases; one article only from ye Govern and Councel in ye said Hartwells account is by this house disallowed viz.

ffor Gyles Hill, Jo* Smith, W* Davis & Robt: Moltons fees 2180th Tob: ye three first being ordered to serve him, with web ye Committee of Claimes was not acquainted.

In answer to what concernes ye sheriffe of *Nanzemond*, this house informe y^t Excellency and ye Councel, that whatever ye said sheriffe demanded of, or refferred by any meanes in word or writing to this house or ye Committee hath been duely considered of, and all fit allowances made.

Teft Rob! Beverley Clk Affbly

The Report as come from ye Committee of Claimes, relating to ye $New\ York$ and Albany Charge is by ye house allowed of and M^r Auditor Bacon is defired to pay

	£	S	d
To his Excellency ye Govern for difburfements made	93	05	01
To Col W ^m Byrd for his account of difburfements	168	14	101/2
To M' Edmund Jennings for his account of difburfm's	35	04	00
To Rich's Yarborough Interpreter for his voyage & fervices	20	00	00

As to Capt: Sam' Ifaac's claime noe agreem' appearing to the Committee or to this house, they can not att present make any resolve therein, least in soe doing, they should doe wrong to ye Countrey or to Capt: Isaac.

Refolved that ye confideration of a gratuity to ye Honble Col Wm Byrd for his late Agency to New York and Albany stand refferred to ye next Assembly.

Refolved, that ye confideration of a gratuity to M^r Edmund Jenings for his accompanying ye Hon^{ble} Col Byrd in his Agency to New York and Albany stand refferred to ye next Assembly.

Teft Robert Beverley Clk Affely

Xber 7th 1685

Ordered that ye Clerk deliver to M^r Speaker ye following meffage

By His Excellency

M' Speaker and Gentlemen of ye house of Burgesses.

This day an addreffe and fome orders of y^t house have been presented to me and ye Councel by some of y^t members, & doe much wonder, you should propose so unreasonably, as to desire our concurrence, in ye memorial of ye secretaries office, w^{ch} ever since ye state house was first built, until burnt, has been continued in ye place you allot for an office for y^t Clerk, so that M^t Secretary justly claimes it by prescription, and you y^tselves have so consented and also desired, that it be enlarged, as by ye agreement made ye last general Assembly with Col Ludwel appeares, and ye place you propose for ye secretaries office is absolutely necessary to be kept, as now it is, for those that have businesse att general Courts, otherwaies they must be constrained to attend without

doors,



doors, let the weather be what It will, and ye fame being foe neer ye ground, notwith[tanding all endeavours, will never be fit for Records to be kept in, by reafon of ye great
dampneffe, w^{ch} is there, and ever will foe continue, befides there has been formerly an
office for ye Clerk of y^r houfe, w^{ch} wee conceive with a little fitting may be as proper now
as ever, foe that wee neither can, nor will concede to yr defires in that, but if you are of
opinion, y^t ye place wee propose for y^r Clerks office, be either inconvenient or not fit, wee
leave you to y^r liberties to make choice of any other place in ye state house not already
appropriated to any other particular use.

As to ye Claime of Mr Ring, ye fwords cleaned by him are now on ye Countries fervice, and his Maj^{tles} revenue being in arrear, Its therefore thought reafonable to be

paid by ye Countrey, there being noe other way of paymt

By our last wee desired, if you confirmed y former allowance to Col Milner, you'ld return his petition ye ground of his claime, we wee find you have not done, therefore wee expect it, before our concurrence, ye allowance made by ye last Assembly to him, having included all services he did, as wee find by our Journal.

Wee rest not satisfyed in y' answer to Capt: Hastwels claimes, If it be presidential,

wee defire wee may be fatisfied in it.

It would have been impossible for Capt: Ifaac to have made his claime appear to a County Court, but seeing there was an agreement made by ye Councel with Capt: Ifaac, and allowed on by me, web was as followes: viz: Capt: Ifaac was to have for his vessel one hundred pounds fterl for every three moneths, and soe proportionable for a longer or lesser time, wee therefore expect, that he may be paid from ye date of his Commission, until ye time he was discharged att James Town, web was on ye fifth day of November, and that Mr Auditor may accordingly be ordered to pay him what due after Col. Ludwel and his Excellency are paid

Wee find you have allowed his Excellency, Col Byrd and M^r Jenings for their difbursements att New York, but have not directed ye manner of payment, wee conceive therefore, that it will be most conveniently paid out of ye ensuing produce of ye Impo-

fition, that fhall arife upon liquors.

The Claime of Edward Chilton Clerk of ye Councel, wee find returned without ye allowance of his just due, we wee could never have expected, being soe reasonable, and are something concerned, that you should make such marks of distinction, there is none in y' house, but what is fully sensible of his great services, expense & charges, we in a great manner exceed those of any sherriffs whatever, yet y' house, have exceeded y' usual allowance to sheriffs & other officers, and not given him as formerly, if therefore you expect, that presidents be binding, let them be soe in this case, as well as others, if not, let all Claimes made by sheriffs & other officers be paid only according to Law, in either of we wee shall rest well satisfied, let us therefore Spin out noe longer time; but that such controverses may not suturely arise between us, wee are content, y' ye vote passed by y' Committee for ye annual allowance to him of five thousand pounds of Tobacco and Caske, bee brought to Ten thousand pounds of Tobacco & Caske, and that that be a satisfaction to him for all services he shall doe yearely as Clerk of ye Council, we being soe moderate a proposal, wee question not y' concurrence, neither in this, nor in payment of what he now claimes.

Wee find you have refferred ye gratification w^{ch} you think fitt to be made to Col Byrd and M^r Jennings to ye next Assembly, w^{ch} wee think very improper, wee therefore propose, that notwithstanding att present, there is noe fund, y^t ye gratifications be

ascertained this Assembly, and ordered to be paid ye next.

As to what you propose in relation to Col *Ludwel*, wee think it reasonable, and doe therefore agree to it.

Effingham

Xber 7th 1685

Col Lemuel Mason &c brings a bill for ye repeal of ye 7th Act of Assorbit made att James Citty ye 16th day of April 1684, weh was Assented to.



A bill for ye better defence of ye Countrey & defraying ye charge thereof by ye Publick.

wch was Affented to, some alterations being first made.

The Clerk having acquainted his Excellency, that he had received a Command to waite upon ye Burgeffes &c his Excellency was thereupon pleafed to order ye following meffage to be fent to Mr Speaker.

By His Excellency.

M' Speaker

I have this day feen an order of y' house commanding Edward Chilton Clerk of ye General Affembly to appear before you this afternoon, to answer his neglect in not bringing to y' house ye Records transcribed by him & presented to y' house ye last Affembly; we' I am willing to performe, as far as able; but that he should appear before you for any unbecoming answer given to M' Robert Beverley y' Clerk, my leave should first have been asked, or complaint made unto me.

Xber 7th 1685

Effingham

Xber 8th 1685

OL Jo* Armiftead &c brings & Beents ye following mellage.

By ye house of Burgesses

Xber 8th 1685

In answer to y' Excellencies last message, This house present viz:

Refolved by ye house, that ye Countrey is not lyable to pay M^r Ring his Claime, and ye debt must lye, until his Majesties revenue can make payment thereof.

M^r Milner upon ye choice of another Clerk moved this house personally for confideration of his Attendance & services, w^{ch} this house then promised, they would in proper time confider of, and have deliberately confidered and resolved he well deserves ye eight thousand pounds of Tobacco & Caske awarded him, from w^{ch} resolve they can not find how to recede.

As to Mr Hartwels claime, this house continue their former resolve, ye allowances being none other, than other former sheriffs had in like cases.

Refolved, that Capt: Sam^l Ifaac be paid for his verifel, by M^r Auditor Bacon, out of ye Impost money upon liquors next after his Ex^{cy} and Col. Ludwel is paid according to ye agreement made with him by ye Council and allowed of by his Excellency.

Refolved, that ye moneys due to his Excellency, to Col Byrd and to M Edmund Jenings for their difburfements yesterday ordered to be paid them by M Auditor Bacon, be paid out of ye moneys arising from ye Impost upon liquors.

This house continue their yesterdays resolve, yt ye consideration of ye gratification

to Col Byrd and Mr Jennings ftand refferred to ye next Affembly.

Mr Chilton is allowed eight thousand five hundred and fifteen pounds of Tobacco & Caske, being ye equall summe allowed him last year, when his claime was much greater, than he pretends to now; This Allowance not to be accounted as presidential, but that hereafter all claimes be regulated according to Law.

Teft Robert Beverley Clk Affbly

Capt: W" Ball &c delivers ye following meffage.

Xber 8th 1685

By ye house of Burgesses

To his Excellency and ye Councel

This house having read and considered yr Excites late answer to ye resolve of this house appointing ye room called ye Porch room in ye state house for an office for our Clerk, and that ye lower room under ye Assembly room may be sitted, soe much thereof, as is necessary, for an office for Mr Secretary, doe now againe supplicate yr Excellency and ye Councel will please to concur with them therein, for although they doe acknowl-

edge



edge y' ye f' Porch room att ye first building of ye state house was made use of, for an office for ye secretary, yet ye house of Burgesses whilst it soe remained, all along observed it, both inconvenient and incommodious to them whilst sitting; there being nothing Spoken or proposed in ye house, that was not equally to be heard there, as well as in ye Assembly room itselfe, besides ye same gave continual opportunity to all sorts of Flons to crowd before the Assembly room, under pretence of coming to ye office.

And this house doe again propose to y' Excellency and Hon's such part of ye room, under ye Assembly room, as is necessary for ye secretaries office, we'h by seeling ye walls and raising ye floor will become as safe & commodious for preservation of ye Records, as i'ts possible any other place can be made, we'h they doubt not will soe appear to y' Excellency and ye Councel, to whom they submit ye manner of doing and directions thereof, and againe request ye acceptance thereof to that purpose.

Teft Rob' Beverley Clk Affbly

The following answer was ordered to be returned.

By His Excellency & Council.

Y' reasons given for ye Porch room to remaine an office for y' Clerk, have been confider'd and agreed to, upon condition his Majesty's secretary upon ye first notice given him, be content, that his office shall be in ye lower room you propose, we is not in ye leaft to be doubted, and that you will provide, that a ftrong partition be made under ye fecond Girder, att ye west end of ye said room, ye floor raised two foot from ground, ye walls ceeled, with fawen board fmooth'd and battened, and ye windows Iron barred, and flutters or window leaves of halfe inch board with a Croffe barr to each, with shelves, table and benches to be well done and compleatly finished before ye next General Court, Att ye charge of ye Countrey, to be paid for ye next General Affembly, and that you agree with fome workman accordingly Proposed alsoe, that you agree with Mr Wm Sherwood, for his Hall, fmall back room, and Cellar, for ye use of his Majesties Govern and Councel, for a Councel room, to debate all matters relating to ye Governmt of this his Majties Dominion of Virginia, being more convenient, than any yet made use of, for privacy and dignity, his Excellency having lodgings in ye same house, and defire you'l treat with Mr Sherwood accordingly. Xber 8th 1685

E Chilton C1 Gen1 Affbly

M' Matthew Kemp &c brings ye following Mellage

Xber 8th 1685

By ye house of Burgesses

Refolved, that Col Tho: Ballard, Maj^r Arthur Allen, Maj^r Sam^t Swan and M^r Hen: Hartwel or any three of them, doe with ye first possible conveniency treat and agree with ye Hon^{hle} Col Ludwel, or such other person or persons, as they shall think fit to treat and agree with for ye expeditious undertaking and finishing ye work about ye sitting up an office for M^r Secretary, according as ye same is proposed to be done by his Excellency and ye Councel, and they are by this resolve impowered to make such Agreement and engage ye Publick saith for payment to be levied and made by ye next Assembly, his Excellency and ye Councels concurrence is desired herein.

Test Robt: Beverley Clk Assoly

Mr Richa Littlepage, Mr Jon Lear &c bring & present ye following message.

Xber 8th 1685

Col. Tho: Ballard, M' Hen: Hartwell, Maj' Sam' Swan Maj' Arthur Allen Being appointed a Committee to treat and make agreem' with M' W'' Sherwood, for his great Hall, and ye back room on ye fame floor, and ye Cellar under ye faid room, according to a propofal this day made by his Excellency and Councel, doe Report.

That pursuant to ye said proposal, they have treated and agreed with M¹ Sherwood, he ye said M² Sherwood compleatly sitting & surnishing ye said great Hall &c and for sire, candle and attendance, for ye uses and purposes in ye said proposal express, for

twenty



twenty five pounds fterl ? annum, to be paid out of ye three pence ? gallon on liquors imported, to commence att ye next meeting of his Excellency & Councel, and to continue till ye end of ye next fession of Assembly. Xber 8th 1685

Read in ye house, allowed & confirmed

Test Robert Beverley Clk Assbir

Xber 8th, 1685

Refolved, that a copy hereof be fent to his Excellency & ye Councel to weh their concurrence is defired by this house.

Test Robert Beverley Clk Assety

Ordered, yt ye Clerk carry ye following message to ye house of Burgesses. M' Speaker

Since you can not be perfuaded to regulate the Claimes, wee had rather allow them, than put ye Country to any farther charge by these disputes; And since you have said nothing to ye allowance of twenty thousand pounds of Tobacco & Caske made to ye Clerk of ye General Assembly, wee take it for granted, that you have allowed it, therefore defire you will proceed to ye proportioning ye Levy, that wee may put an end too morrow morning to this tedious fessions.

E Chilton C1 Gen1 Affbly

Xber 8th 1685

M' Littlepage &c brings ye following message

Xber 8th 1685

By ye House of Burgesses. To his Excellency and ye Councel

This house having read and considered y' Excellencies & Councels late message relating to M' Chiltons allowance as Clerk of ye Gen' Affembly expressed in these following words (and fince you have faid nothing of ye allowance of twenty thousand pounds of Tobacco and Caske made to ye Clerk of ye General Affembly, wee take it for granted, that you have allowed it) doe fignifye to y' Excellency & Honre y' nothing has been before us, whereby wee could take notice of any fuch allowance, and confequently have not allowed fuch fumme, but this house have inspected ye last Assemblies Journal & there find, after many ferious confiderations in ye house, and conferences with ye house had and done about a fit allowance to Mr Chilton as fuch Clerk, there was then confidered of and allowed him ten thousand pounds of Tobacco & Caske, for his fallary as Clerk of ye General Affembly, and this house doe now agree, nemine contradicente, to ye like allowance for this Affembly, to web they pray y' Excles and Hon's confent & concurrence

Test Robert Beverley Clk Assis

The Clerk carries ye following answer to ye house of Burgesses By his Excellency.

M' Speaker

As to y' Answer concerning Edward Chiltons fallary as Clerk of ye General Affembly, wee find you have allowed him but ten thousand pounds of Tobacco & Caske, and that because you say, serching ye last Journal you find noe more allowed, but you may likewife find, that it was then confented to with this exception, that It should not be prefidential, therefore wee think it most fitt and reasonable, that he have ye equal allowance with ye Clerk of y' house, we's will be ye ready way to hinder all disputes for ye future and diffatisfactions for ye prefent, he hath plainly demonstrated to us, and is ready to doe ye fame to you, that with his Clerks fallary, his own expences and charges of diftributing Proclamations, he is realy out of purse, above souerteen thousand pounds of Tobacco & Caske, and you have allowed him for ye whole but eighteen thousand, odd hundred, therefore myselfe and ye Council expect y' compliance herein.

As to ye agreement made by y' house with M' Sherwood, myselfe & ye Councel confent.

Effingham



Xber 9th 1685

AJR Arthur Allen &c brings ye following melfages.

X ** 8th 1685

By ye House of Burgesses

In answer to his Excellencies and the Councels late message concerning Mr Edward Chiltons sallary, as Clerk of ye General Assembly, This house humbly pray his Excellency and ye Councel to accept this their unanimous resolve.

Refolved, that they can not depart from their late refolve that Mr Chilton be allowed as Clerk aforefaid, for this felfion of Affembly ten thousand pounds of Tobacco & Caske and noe more.

Teft Robert Beverley Clk Affembly

Xber 8th 1685

Majr Arthur Allen, Col John Armiftead, Mr Arthur Spicer, & Col Wm Loyd, are appointed by ye house to signifye unto his Excellency and Councel for their perusal, under ye test of ye Clerk of ye Assembly, ye same being brought back to ye house by Mr Chilton, was observed by this house a certain paper noe waies authenticated, and farther to let his Excellency know from this house, that ye said engrossed bill, as it came from ye house is perfectly agreable with ye Bill fully voted, in this house, and wch having received ye Test of his Excellencies & ye Councels Assent, wch gives ye same ye full force of Lawes, and can not therefore without ye authority of another Assembly admit of, or receive any alteration or addition.

Teft Rob' Beverley Clk Affhiy

Ordered, that ye Clerk of ye Gen¹ Affembly deliver to Mr Speaker ye following writing.

By His Excellency

Y' message this morning received about ye Bill for Ports &c, where you insist ye Bill was agreed to, ye fame is a very great miftake, for first it came with forty five Townes, and then myselfe and ye Councel proposed to you, that two Towns in a river would be fufficient and upon that confideration, there was noe alteration in that claufe about ye officers fees att ye Townes, It being thought possible, that ye Collector either by himfelfe or his Deputy, might give attendance, and then you proposed to have a Town in each County, we's was then thought reasonable by ye Councel, but then it will be impossible for a Collector to be att all places, and therefore there must be an officer appointed and allowances made, or elfe ye Law will never be practicable; and as ye Act proposes ye security of his Majties revenue, this will much diminish it; and It was never known, that officers were appointed and noe fees allowed; and as to ye not figning ye alteration of ye Act, there was no room in ye margent to write ye alteration, and therefore It was wrote in a peice of paper and affixed to ye Act, we'h hath been alwaies ye way, without figning, all web being confidered, I can not agree to that bill without that Amendment, that there should be reasonable sees sett for ye officers to be paid by ye owners of ye Goods, merchandizes, fervants and flaves.

E ffingham

Xb.r 9th 1685

Since you can not be prevailed with to make ye allowance to ye Clerk of ye Gen¹ Affembly, as was thought fitt, y' laft answer is allowed of.

Effingham

Col Lemuel Majon &c Pfents ye following paper

Xber 9th 1685

By ye House of Burgesses

May It Pleafe y Excellency

This house having caused to be read and seriously weighed y' Excite message in writing this day sent to them by M' Chilton relating to ye Bill for Ports &c are much surprized to finde y' Excellency concludes them under a great mistake, when they insist



ye Bill is agreed to by y' Excellency & ye Councel, and therefore hath ye force of a Law, and can not with[out] ye authority of another Affembly admit of or receive any alteration or addition.

This positive affirmation this house begs leave a second time to make to y^r Excellency, from which they can not in ye least deviate, y^r Excellencies and ye Councels assent to ye Bill being before them under ye Test of Edward Chilton Clerk of ye General Assembly, w^{ch} beares date ye first of this instant X^{brr} and therefore this house humbly hopes, that att ye reading ye sair engrossed Bill, y^r Excellency will please to signe ye same, as ye Speaker of this house will likewise doe, according as hath been all along customary for ye better authenticating thereof, after ye same hath been made publick by being read before y^r Excellency, ye Councel and ye house of Burgesses, w^{ch} is and hath alwaies been held a full & sufficient publication of ye Lawes, of w^{ch} subscription this house humbly prayes y^r Excellency will assure them.

And now because this house are desirous, (as their duty is) to give y^r Excellency all ye satisfaction possible, that what they propose is well becoming them, they humbly offer to make answer to ye other particulars by y^r Excellency mentioned in ye aforesaid written message.

Y' Excellency is pleafed to fay, that there being a Town in each County, It will be impossible for a Collector to be att all places, & therefore there must be an officer appointed and allowances made, or else ye Law will never be practicable; and as ye act proposes ye security of his Majties revenue, this will much diminish it, and it was never known, that officers were appointed & noe sees allowed.

This house most readily concede, that as ye Collectors have hitherto acted, to make all masters, merchants &c waite their pleasures att their houses, and not only soe, but ye incertainty of finding them there to enter and clear ships, would be too burthensome for merchants and traders &c, for every entry of Goods, to be forced thither, and that therefore It will be of absolute necessity, as wel for ye reasonable encouragement of Trade, as ye advancement & better Securing his Majites Customes, that att each Port a Collect or Officer doe reside (ye went to appoint is in y' Excellencies authority, and ye salary allowed out of ye said revenue being ten & Cent is soe considerable, that y' Excellency needs not doubt to find fitt & sons humble suitors for such employ, who noe doubt will be found faithfull therein, and willing to give such security therefore, as y' Excellency shall require, and for ye other sees due to ye Collectors for entring and clearing ships and giving Cocquets for Tobaccos to be shipt, his Majites Lawes and ye Lawes already made here doe well and sufficiently provide.

And farther May It Please y' Excellency, this house begs leave to affirme to y' Excellency, that they well apprehend, that when ye Act for Ports takes place, if ye officers appointed for his Maj^{ties} Customes Forme their duty, as they ought & easily may, his Majesties revenue here will be found to encrease very considerably, that of ye Impost of two shillings Formethan, not unlikely a fourth part, that of one penny Formed upon Tobaccos more than double, and ye like may be hoped of ye Impost upon liquors.

ffor as ye manner has hitherto been used by ye Collectors taking Entries inwards and outwards, this house presumes to acquaint y Excellency, noe master, merch or Trader needs to make Entry or pay duties for more goods, than himselfe pleases to tell the Collector he hath imported or is ready to export, and as their humour leads them to be more or less honest therein, even soe they pay more or less Custome.

This House most humbly begs y^r Excellencies pardon, if in these intimations, they have too far presumed, it proceeding from their loyal zeal to his Maj^{ties} interest, and ye welfare of those whom they represent.

Signed by order of ye House of Burgesses

Robert Beverley Clk Affbly

The two following meffages are prefented to his Excellency by M^r John Braffeur and others of ye house of Burgesses.

Xber



By ye Houfe of Burgeffes

It being refolved by ye house of Burgesses, yt a Committee should treat and agree with ye Honble Col Phillip Ludwel for making & finishing an office for ye Honble Mr Secretary, in ye room of ye state house opposite to that for holding General Courts; It is reported to ye house, that an agreemt is made with ye said Col Ludwel, yt he doe build and finish an office in ye said room, according to ye proposal from his Excellency and ye Honble Councel; and that a well made partition be made therein, one part whereof to be for ye Clerks writing, and receiving Fons coming thither upon businesses, and ye other for ye placing ye Records, and other papers in; In consideration whereof, yt yt so Col Ludwell have thirty pounds sterl paid him, from ye Imposition of three pence Pallon upon liquors, and that Mr Auditor be defired to satisfye ye same by ye first day of Xbr next.

Read in ye house allowed and approved of, & resolved that his Excellencies & ye Councels concurrence be desired therein.

Teft Rob' Beverley Clk Affbly

Xber 9th 1685

By ye House of Burgesses.

Refolved, that Col Tho: Ballard, Maj^r Arthur Allen, Maj^r Sam^t Swan and M^r Henry Hartwel or any three of them doe treat and agree with ye Honbie Col Ludwel about railing with railes and banifters of Locuft & Cedar laid double in Oyle, and as close as may be ye forepart of ye state house of convenient height and att convenient distance from ye house & report their agreement when made to this or ye next session; his Excellencies and ye Councel concurrence is desired herein.

Rob! Beverley Clk Affbly

Ordered, yt ye Clerk carry ye following message to ye house of Burgesses

Xber Qth, 1685

By his Excellency

M' Speaker

I have received y' answer to what I sent you in ye morning and continue my opinion, that you are still under a mistake in thinking any bill (though agreed to by you and ye Councel) should have ye fforce of a Law, until it be publickly read before me, ye council & ye House of Burgesses, and then signed by me, and you as Speaker; I appeal to y'selves, whether any Bill in England, though agreed to by ye Lords and Commons, and fairely engrossed, hath any force, before ye Royall Assent confirmes it; should I allow It otherwise to be authentick, I should destroy his Majesties Prerogative in his negative voice, we'b Jewel he hath entrusted with me, we'b God willing, I will preserve, therefore shall not passe that Law for Ports &c unless that clause be allowed of, we'b I last sent to you,

And whereas you further intimate, that it will be ye encrease of his Majites Revenue of two shillings had, & other duties myselse and ye Council conclude ye Contrary, and that from this ground, that whereas Masters of ships, doe from ye encouragem of ten Cent allowed them, and their sent conveniency of dispatch, give bills of Exchange for their whole loading & take them from every individual planter in small parcels, according to ye number of hads they ship, who being burthened by this bill you now propose with greater inconveniences & retarding their voyage by such frequent loadings and unloadings of their floops [will be discouraged from passing their bills] as formerly, and force Mr Auditor to accept those Bills from ye Planter, and what dimunition that will prove to ye two shillings had, considering ye inability & poverty of Virginia, is obvious.

Further I find, that you think that Masters of shipps doe make Entry and pay Duties for noe more goods, than what seem good to them; if any of y' house know any such Master, pray informe me, that they may be dealt withal, according to Law, but bonds being given in England and there ye Cocquets signed by ye Commissioners of ye Custome house for goods imported as likewise for all other his Majesties Plantations & the Collectors giving them their Oaths for goods exported & taking bonds according to Law in that case provided & Certifying to ye Commissioners of his Majesties Custom



houses ye loading of every individual ship; and there being noe port in his Majesties Dominions, where there is a Custom house, but ye waiters attending have a certaine see for every parcel of goods, that is either imported or exported, makes me conclude it ye best way for securing his Majesties Dues; and whereas you seem to reslect as if ye Collectors had been defficient in ye discharge of their duties, I have ever since I was Govern made it my great care to discover, but never yet sound any ground of ye least suspicion; and if any Fon should make a just complaint to me agt any of them, I shall willingly receive it that they may be made examples for ye suture, all web being considered, I shall not recede from my former resolution.

Effingham

By His Excellency & ye Councel.

As to ye agreement made by y' house with Col Ludwel about making a fitt and convenient office for M' Secretary, wee agree,

Wee doe likewise agree to ye proposal of y house to be made to Col *Ludwel* about ye railing in ye fore part of ye Court House.

Xber oth 1685

E Chilton Cl Gen1 Affbly

Xber 10th 1685

RDERED yt yt Clerk of ye General Affembly goe to ye house of Burgesses and desire of Mr Speaker ye first bill proposed by their house for Ports &c, his Excellencies answer thereto; as likewise ye Bill appointing one Port in each County be sent to his Excellency.

Col Tho: Ballard, L. Col W. Loyd, &c bring ye above Bills and answers. Ordered y' ye Clerk carry ye following message to ye house of Burgesses.

Xber 10th 1685

M' Speaker

Since my answer to what y' house sent yesterday, I have perused and considered ye Bill for Ports &c Assented to by ye Councel and find in ye amendment of ye first proposition for forty five Townes where ye Councel proposed there should be two Townes in a river It was there added in ye ninth page, that there should be sees appointed by Law for ye officers att each Town; and when y' house proposed to me and ye Councel on ye 30th of 95th that instead of two Ports &c in a river, there might be one in a County, that to all ye other alterations and amendments made by ye Councel in ye Bill you had agreed to; whereupon ye Bill passed ye Councel ye first of X5th but when you fent ye Act drawn out att large, wee found that you had not appointed sees for such officers, we'b was one of ye amendments made, and indeed a most material one for his Majesties service & ye securing his duty; and therefore you have gone all along upon a mistake, insisting that ye appointing sees for officers was never in ye Bill, we'b now clearly appeareth otherwise; and if it was thought necessary, that sees should be established for officers, when but two Townes in a river, than a fortiori, when there is one Towne in each County.

Effingham

The Clerk carries ye following message to ye house of Burgesses.

By His Excellency

M' Speaker

I find y' house so delatory in y' proceedings and have fatt soe long to soe little purpose, that I am ashamed to give his Majesty an account of it, and you may be much more to those that sent you hither, therefore I think it high time to let you know, that I expect that bill about Ports &c shall passe with that amendment I last sent, or laid wholy aside, and soe forthwith proceed to ye proportioning ye Levy, else I shall sooner, than perhaps you expect, put a period to this convention. I have in every thing, that was defired, consented to ease ye Leavy, but I find you intend by y' long sitting to advance it beyond a parrellel; had that clause, when agreed on, been inserted, it had pre-

vented



vented all difputes; whether it proceeded from ye negligence, or other waies of y^r Clerk, I leave you to examine, but for either, he ought to be made an example; what greater charge may burthen ye Countrey by ye continuance of ye foldiers att ye heades of ye rivers, or ye inconveniences happen, fhall lye att y^r doors,

Xber 10th 1685

Effingham

Xber 11th 1685

OL Arthur Smith &c Alents ye following mellage

Xber 11th 1685

By ye House of Burgesses

To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties L' and Govern' Gen' of Virga

This house in answer to y^r Excellencies message even now recd doe unanimously stent, that they have already soe fully answered this y^r Excellencies proposition about ye Bill for Ports &c & rendered such reasons, why they soe earnestly pray y^r Excellencies strained to subscribe ye faire drawn engrossed Bill, without ye addition of a table of sees for officers annexed thereto, that they can not doe more, than renew ye same requests, of w^{ch} being assured from y^r Excellency, they shall cheerfully & readily put themselves upon ye proportioning ye Levy, & sinish all other things necessary for ye speedy determination of this session.

Signed by order of ye house of Burgesses

Robert Beverley Clk Affbly

Ordered, that ye Clerk carry ye following meffage to ye house of Burgesses By His Excellency

Mr Speaker.

Since my last to you I have perused his Majesties Commission to me, and that I may leave you with out excuse, I have herewith sent you a clause thereof, whereby you may be informed, that though ye Councel, nay, though myselfe had assented to any bill by you presented to us, yet I have a negative voice, as well in ye passing, as in ye making those Lawes, but that you may see, how willing I am, that an amicable end may be made to this meeting, I am still willing, that it be presented to his Majesty, that his Majesties pleasure may be known therein; when you have well considered that clause of his Majesties Commission to me, I cannot but hope, for y ready & cheerful obedience to ye same.

Effingham

Xber 11th 1685

The Claufe followes

And to ye end nothing may be passed or done by our said Councel or Assembly to ye prejudice of us, our heires and successors, we will and ordaine, that you ye said Francis Lord Howard shall have and enjoy a negative voice in ye making and passing of all Lawes, statutes, and ordinances.

Capt: Hen: Applewhaite &c, brings ye following message.

Xber 11th 1685

By ye House of Burgesses

To his Excellency Francis Lord Howard, Baron of Effingham, his Majesties L' and Govern' General of Virginia.

Whereas y Excellency is pleased to say in y last message to this house, that although ye Councel, nay, y selfe had assented to any Bill by us presented to y Lordship, that you still had a negative voice, and to evince we have sent to this house a clause of y Excellencies Commission relating thereto, we clause has long before by this house been maturely & deliberately considered.

And



And this house, as they have by their several former messages constantly owned yr Excellency to have such negative voice in ye making or passing all Lawes, soe they unanimously agree, that yr Lordships affent being once obtained, to any Bill, it can not saile of having ye force of a Law, until his Majesty himselfe signifye his Nolumus, or it be destroyed by ye same power, that made it, wherefore this house most earnestly supplicates yr Excellency to give them yr Assurance of signing ye sair engrossed bill for Ports together with ye other bills this session Assented to by yr Excellency, and this house will most willingly & readily proceed to ye proportioning ye Levy, that an end may be put to this.

Signed by order of ye House of Burgesses

Robert Beverley Clk Affembly.

Xber 12th 1685

OL John Weft &c brings ye following paper.

Xber 11th 1685

affent

By ye Houfe of Burgeffes.

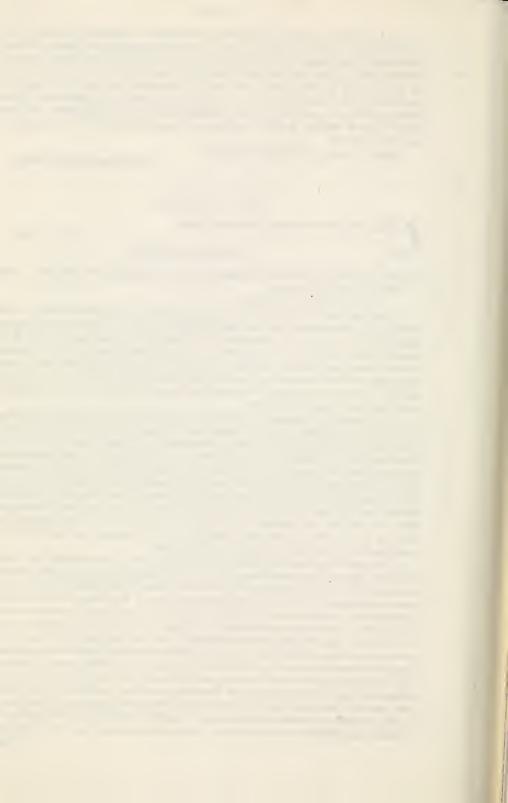
To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties L' and Govern' General of Virginia

May It Pleafe y' Excellency.

This house doe forrowfully receive y^t Excellencies two written messages, ye one dated ye 9th ye other ye roth instant about ye Bill for Ports &c In Answer to wth they are necessitated to reiterate to y^t Excellency, y^t ye faid bill is before them plainly & in expresse words assented to by y^t Excellency and ye Councel, under ye Test of Edward Chilton Clerk of ye General Assembly, wth this house looks upon still (as ever it hath been held) too carry soe much ye force of a Law, that it can admit of noe alteration or addition, without ye authority of a succeeding General Assembly, from wth averment this House can in noe waies depart.

And whereas y' Excellency is pleased to say, wee lye under a mistake in thinking any Bill, though agreed to by this house, and ye Councel, should have ye force of a Law, until it be publickly read before y' Excellency, ye Councel and this house, and then signed by y' Excellency, and our Speaker, and in that appeal to ourselves, whether any bill in England, though agreed to by ye Lords and Commons, and fairely engrossed, hath any force, before ye Royal Assent confirmes it, and thereto y' Excellency is pleased to add, that should y' Excellency allow ye bill otherwaies to be authentick, you should destroy his Majesties prerogative in his negative voice, we'b Jewel he hath entrusted y' Exer with, and we'b God willing, y' Excellency will preserve, and therefore shall not passe ye bill for Ports &c without ye addition of other matters and clauses then is mentioned in ye said bill soe affented to as aforesaid.

This house begs leave to informe y^r Excellency, that it never entered into their thoughts, that any bill, though agreed to by ye Councel and this house, did thereby take any life before y^r Excellencies Assentiated was obtained to ye same, and this house alwaies understood, that though such agreement were, y^r Excellency as his Majesties representative, hath ye undoubted right of a negative voice; but in ye matter of this bill for Ports, And all other ye bills sent this session from this house to y^r Excellency and ye Councel, y^r Excellencies assent is obtained for ye said bills, having sirst passed ye votes of this house, were severally sent to y^r Excellency and ye Councel for approbation, concurrence and assentiated to by y^r Excellency and ye Councel, as ye same is sairely engrossed, without any distinction of having, as y^r Excellency expresses it, ye Assentiated only, who this house must and doe own in this Government quatenus ye upper house, or that of Lords, in relation to ourselves ye Commous of this his Maj^{ties} Dominion of Virginia, and therefore in a Parliamentary method or proceeding may concur, but not



affent or give life to any Law, being equaly fubjects to one & ye fame monarch, though moving in a higher fitation, and for that ye bill for Ports &c as aforefaid has paffed this house, and been fent to y' Excellency and ye Councel; wee never yet knew, but on ye contrary find by former proceedings of Assemblies, that a bill returned with these words, assemble to, attested by ye Clerk of ye General Assembly, was ever questioned, disputed or altered by ye Govern' but readily subscribed, when presented in fair engrolement, otherwaies Its presumed, this bill amoungst others had not been returned soe attested.

And in answer to y' Excellencies message of yesterdayes date, wherein (to use y' Excellencies words) yr Excellency is pleafed to fay, that in ye faid bill for Ports &c affented, y' Excellency observes in the amendment of ye first proposition of forty five Ports, wharfes, Keys & places, where ye Council proposed there should be two Townes in a river. It was there added in ye ninth page, that there should be sees appointed by Law for ye officers att each Town, and when this house proposed to y' Excellency and ye Councel ve 30th of gber that inftead of two Ports &c. there might be one in a County, and that to all other ye alterations and amendments made by ye Councel, in ye Bill, this house had agreed to, whereupon ye bill passed ve Councel ye first of December, but when ye Act came from this house drawn out att large, y' Excellency and Councel found, that this house had not appointed fees for such officers, we was one of ye amendments made. and y' Excellency is pleafed farther to fay, that indeed that amendment is a most material one for his Majties fervice, and ye fecuring his duties, and that therefore this house have gone all along upon a miltake, infilting yt ye appointing fees for officers was never in ye bill, as it now clearly appeareth otherwaies, and if it was thought necessary, that fees should be established for officers, when but two Townes in a river, then a fortiori, when there is one Towne in a County.

This house beg leave to observe to y' Excellency, that in ye said bill for Ports, as ye fame came first from this house to y' Excellency was inserted this following clause or paragraph, and forafmuch, as it appeares, that feveral unlawful & indirect meanes & devices are daily put in practice to export and import goods & merchandizes out from and into this his Majefties Dominion of Virginia to ye great defrauding ye Kings most Excellent Majesty of his dues and Customes here, as wel by secret, and deceifful designes, as by open force and violence used ag' ye Kings Majesties Officers employed in ye affaires of ye Customes viz: ye Impost of two shillings 🔁 hhd upon all Tobaccos exported, ye Impost or Custome of one penny pound for all Tobaccos going from hence, to any other his Majues Plantations, and ye Impost or duty of threepence & gallon, on all wines, brandy, rum &c imported into this his Majiis Dominion of Virginia, and not having first paid his Majesties Customes in England, and coming directly from thence; for ye better prevention of web frauds and violences in time to come, and for ye encouragem' of trade and eafe of merch's traders hithers, mafters of fhips, mariners, and other y. Inhabitants of this his Majuer Dominion of Virginia, that from and after ye faid twentieth day of September 1687, ye officers appointed by his Majefty to make entry of all fhips and veffels coming into and trading in this his Majefties Dominion, and to collect and receive his Majesties several Customes due for all goods and merchandizes to be imported or exported, shall in their own Flons, or by their several Deputies, refide daily in every of ye before nominated Ports, wharfs, Keys, or places, within their difting and feveral diftrigs, there to receive and make entry of all Tobaccos, goods and merchandizes to be exported or imported, according to fuch rules & directions, as fhall from time to time be given them by his Majefty, his Majefties Govern here, or fuch other, as his Majefty fhal pleafe to authorize thereto, weh faid part of ye faid bill is ye only part that enjoines officers to refide att ye faid Ports, wharfes, Keys or places, and is by y' Excellency and ye Councel marginaly noted with these following words viz: This is particularly & more effectualy provided for by Act of Parliament, and by Instructions from ye Commissioners of his Majesties Customes in England, than wee can doe here, therefore ought to be omitted.

To w^{ch} amendment or omiffion in ye faid bill, this House agreed and caused ye faire engrosem^{nt} thereof to be drawn leaving ye faid clause or paragraph wholy out, and consequently



consequently medled not att all with appointing officers to reside att all or any one of ye single Ports, wharfes, Keys or Places in each respective County, nor with setling sees to such officers, as by his Majesty or y' Excise Commands should be appointed (in time to come) to reside there if any such shall happen to be soe appointed, in that wholy submitting to And concluding with y' Excellencies and ye Councels direction therein.

And to what y' Excellency is pleased to return to this house in answer to that part of their late humble propofal to y' Excellency, that it will be for ye advancement and better fecuring his Majties Customes that att each Port an Officer be appointed to reside to take notice and make entry of all Goods, lyable to Custome, or other imposition before fuch goods shall be shipped of, for exportation or admitted to be taken on shore into ye Importers possession, after which I'ts utterly impossible to know or find out, whether ye fame have duely paid ye Cuftomes due to his Maj'y viz: that y' felfe and ye Councel conclude ye contrary from this ground, that whereas now mafters of fhips doe from ye encouragement of ten ? cent allowed them, and their present conveniency of dispatch give bills of Exchange for their whole loading, and take them from every individual planter in fmal parcels, according to ye number of hhds they ship, who being burthened by ye bill for Ports, with greater inconveniencies, and retarding their voyage by fuch frequent loadings and unloadings of their floops will be difcouraged from paffing their bills, as formerly, and force M^r Auditor to accept those bills from ye Planter, and what a dimunition that will prove to ye two shillings & hhd considering the inability and poverty of Virginia, is obvious.

This house in all humility, out of their loyal zeal to his Majties Interest and hearty defires of rightly informing y Excellency therein, can not think themselves discharged of their duty, if they should not this once more assure yr Excellency, that it is a plain, undoubted, and demonstrative truth, that his Majesties revenue here of ye two shillings A hhd & penny pound on Tobaccos, and alsoe ye Impost of three pence pallon on liquors will be much better discovered and secured to be more duely and fully paid, when ye bill for Ports shall take effect (if officers be made to reside there, then now it is or possibly can be, except it be allowed and granted, that masters of ships who goe for England, and are lyable for ye impost of ye two shillings \$\text{\text{\$\text{\$\geq}\$}}\$ hhd, and other merch**, mafters or traders, who export Tobaccos lyable to ye Cuftome of one penny pound, as alsoe those traders hither, who import liquors lyable to ye duty of three pence ? gallon, will all of them be foe confcientiously honest, as to make true entry and confequently pay ye full Customes due, for as ye management hath hitherto all along been, i'ts impossible to discover ye frauds used therein, ye master or merch' not making any entry of what he hath on board for exportation, until his ship is on ye point of failing, nor ye Importer oblidged further, than on his own word to tell ye Collectors, what liquors he hath on board lyable to ye duty of three pence pallon, on we he receives a lycence to trade, and passes where he pleases with his ship or vessel to deliver and unload, without further fearch or enquiry by any officer, whether true entry or report hath been made with the Collector.

And whereas y^r Excellency is pleafed to fay, that there is noe Port in his Majesties Dominion, where there is a Custom house, but ye waiters attending have a certaine see for every parcel of Goods, that is either imported or exported, w^{ch} makes y^r Excellency conclude it ye best way for securing his Maj^{stes} dues; This house in noe fort disagree thereto, and beg leave they may farther add, that they also believe, there is noe place in his Majesties Dominions besides this, where there is not certaine Ports and Places appointed and set for shipping of and receiving on land all goods and merchandizes exported or imported, w^{ch} are lyable to pay duties, and Custome houses erected, where ye officers are bound to give due attendance for ye exporter or importer to make Entry & receive Cocquets.

And forafmuch as this Bill for Ports can not take effect until ye 20th of 75th 1687, if his Majefty shall please to direct & Command officers there to attend and reside, and what fees It shall be lawful for them to demand and receive, when ye same shall be known, they will undoubtedly be complied with; and therefore this house doe now again make



humble fuit to y' Excellency to give them affurance of y' Excellencies fubscribing ye fair engrost Bill, as ye same hath past in all respects equaly affented to with other Bills, and hath cost soe much time in debate

Signed by order of ye House of Burgesses

Rob' Beverley Clk Affbly

Ordered, that ye Clerk goe to ye house of Burgesses, & acquaint M^r Speaker, that his Excellency commands him and ye rest of the house of Burgesses, to come to his Excellency & ye Councel in the Court House.

Col Tho: Ballard &c comes into ye Court house and presents ye following message.

By ye House of Burgesses

To his Excellency Francis Lord Howard, Baron of Effingham, his Majesties Leiuetenant and Govern General of Virginia.

May It please y' Excellency

The reiteration of y' Excellencies former messages by one sent to this house last night, as it can not but redouble their forrow to be esteemed delatory in their proceedings, soe does it necessitate this house to repeat to and assure y' Excellency, that they have all along with their utmost diligence, vigour and zeale pursued ye Countries affaires, and doe considently believe ye good fruites of their constant and indefatigable endeavours will give full satisfaction to ye several Inhabitants of this his Majesties Dominion, by whom they are sent as representatives, and therefore conceive noe complaint therein can be justly made unto his Majesty.

As to that part of y' Excellencies meffage relating to ye Ports &c This house doe well hope, they have already sent their humble, full, and satisfactory answer to y' Excellency in their return to two precedent messages received on ye 9th & 10th instant about ye same.

The porportioning of ye Levy, as it is a worke that requires very little time, for ye fettlement, foe it has ufualy been made one of ye last acts of an Assembly, and been alwaies done after a general concurrence in all precedent matters.

And this house being very sensible of y^r Excellencies power and authority to convene, adjourne, prorogue or dissolve Assemblies, as it shall seem most convenient to y^r Excellencies discretion & wisdome, must, as it is their duty, att all times submit to y^r Excellencies pleasure therein.

Nor was It ever y^e intention of this house by long fitting to advance y^e Levy beyond a parrallel, several former Assemblies have been of longer continuance, and consequently of greater charge, and It was fully hoped, that this present session would have some ended, had ye Bills drawn, presented and assemble to by y^e Excellency and y^e Hon^{ble} Councel received noe unusual obstacle by y^e late messages to this house.

May It pleafe y' Excellency ye diligence, care and abilities of our Clerk have been fuch, that upon a ferious infpection into them, they can not but give him a vindication, and humbly hope a concurrent agreement of y' Excellency and ye Honble Councel in ye allowance of his dutiful and observant management, during this whole fession.

And this house doe hope, that ye inconveniences of continuing ye soldiers att ye heads of ye rivers can not lye att their doors, for that they have from ye beginning of this session continued their frequent supplications for their disbanding & accordingly prepared a bill for ye same, to web ye Excellency and ye Councel have Assented.

Affented to by ye house and subscribed by order of ye house of Burgesses

Test Robert Beverley Cl Affbir

Ordered, yt ye Clerk carry ye following message to ye house of Burgesses.

By his Excellency,

M' Speaker.

I am forry to find you still soe obstinate, when I made soe moderate and reasonable a proposal, but to demonstrate to you and ye whole Countrey, how unwilling I am, that any further charge should lye upon them, I am willing to passe all other bills, assented to, provided you proportion ye Levy, yt ye Country Creditors may be satisfied their



just dues, and that bill soe much infisted on may as well be presented to his Majesty before, as after signing, and am consident, his Majesty will signifye his pleasure soe early therein, that it will be noe impediment to ye furtherance of ye Ports; neither had wee mett with any now, had that clause concerning sees been inserted, as it was agreed on, therefore I desire you once against o consider of it to prevent ye inconveniences and charge, we will otherwise happen to ye Countrey, to we I desire y' Answer.

Effingham

Effingham

Col. Tho: Ballard &c comes into ye Court house and delivers ye following message

Xber 12th 1685

By the House of Burgesses

To His Excellency Francis Lord Howard, Baron of Effingham, his Majestics Leiuetenant and Govern' Gen! of Virga

In answer to y^r Excellencies message even now come into this house requiring ye immediate answer of this house, they most humbly signifye unto y^r Excellency, that they are all most heartily forry, to observe therein y^r Excellencies unwillingnesse to signe ye Bill for Ports &c already assented to, together with ye other Bills and which they have soe often and unanimously agreed and signifyed to y^r Excellency, hath thereby received ye force of a Law, from w^{cb} they can in noe waies depart, and this house doe most heartily and readily now signifye to y^r Excellency, that to ease ye great and growing charge to ye Countrey, when & as soon as y^r Excellency pleases to command, they are ready with all ye several fair engrossed bills to be read before y^r Exc^{ry} ye Councel and this house, and doe humbly pray, they may be authenticated together (as ye manner heretofore hath all along been) by y^r Excellencies such subscription, this house will with all ready diligence cheerfully proceed to what is yet unsinished, that this Session may take end, and they doubt not, but that ye next General Assembly will settle by Law such sees for officers attending att ye severall Ports, as shall be proposed, and thought fitt by his Majesty or y^r Excellency.

Signed by order of ye house of Burgesses.

Robert Beverley Clk Affembly

M^r Speaker and ye house of Burgesses waite upon his Excellency and ye Councel, in ye Court house, upon w^{ch} his Excellency expressed himselfe as followes, viz: Gentlemen

Having this morning y' answer to my two last messages, I find therein you still persist in y' opinion, that noe Bill attested by ye Clerk of ye General Assembly, as assented to, can afterwards allow of any alteration, to w'h I can not in ye least agree, his Maj'y having intrusted me with his negative voice.

But that I may fhow you a good example, and make all ye composure, that this will admit of, and ease ye Countrey of that great charge they labour under by y' long sitting, and will consequently be augmented by ye charge att ye heads of ye rivers; I am willing that Bill for Ports, should att this time be laid by, and I will represent to his Majesty ye true state of this difference, and what his Majesty is pleased to signifye therein to me, shall be faithfully communicated to you; and since it will not take effect, as you well observe till September 1687, his Majese pleasure will long ere that be knowne, therefore I make this my last proposal to you, which if received, wee shall part good freinds, if not, you must take what will consequently follow, and let his Majesty and ye good people of this Colony judge, who are ye obstinate.

Mr Speaker and ye house of Burgesses return to their house; in a short time afterwards Mr Speaker and ye house of Burgesses came againe to ye Court house, where his Excellency and ye Councel continued, and Mr Speaker comming to ye Bar read as followes

Xber 12th 1685

By ye house of Burgesses.

Refolved nemine contradicente.

That this house doe forthwith waite upon M^r Speaker to his Excellency* and that M^r Speaker doe in ye name of this house acquaint his Excellency, that they can not depart

[•] This should be probably—waite with Mr. Speaker upon his Excellency.



depart from their former refolves fignifyed to his Excellency about ye Bill for Ports &c nor give their confent, that ye bill be laid by, as his Excellency proposes, but withal fince ye bill can not take effect until ye 20th of September 1687, This house doe most earnestly pray his Excellency to subscribe, as ye manner is, ye faire engrossed bill, to ye end it may be so authenticated sent to his Majesty, whose royal will and pleasure being known therein, whether to allow or disallow ye same. This house doe promose in ye name of themselves and ye Commons of this his Majesties Dominion, all ready, due and cheerful submission to.

Signed by order of ye house of Burgesses

Rob' Beverley Clk Affembly

The Burgesses return

His Excellency attended with ye Councel leaves ye Court house.

Xber 13th 1685

IS Excellency and ye Councel come into ye Court house

Ordered yt yt Clerk carry ye following message to ye house of Burgesses.

By His Excellency.

M' Speaker.

I am once again come to let you know, that I am ready to figne all ye Bills, what have been concurred withal, unlesse that bill for Ports, and that to, if that clause for sees for ye officers were inserted, as agreed on, but if not, I am willing, it may be laid by, till his Majesties pleasure may be known therein, to which I expect y' immediate answer, which I hope will be according to what I have so often desired, that ye Countrey may be easied of ye great charge of maintaining ye forces att ye heads of ye rivers, and ye Levy proportioned for ye desirating ye charge due to ye Countrey Creditors.

Effingham

Xber 13th 1685

To web answer was returned, that they could not depart from their former Resolves. Whereupon It was ordered, that ye Clerk should goe to ye house of Burgesses and acquaint Mr Speaker that his Excellency commanded his and ye house of Burgesses attendance on him immediately in ye Court house.

M^r Speaker and ye Burgesses being come, accordingly, his Excellency was pleased to expresse himselse as followes.

M' Speaker

I doe with great concerne meet you and y' house on this occasion, because I am sensible, how great prejudice ye not laying ye Levy will be to ye Inhabitants of this Colony, and It is augmented from ye consideration, that you Gentlemen, who have hitherto been blessed with a serene and pleasant countenance from ye late King of ever blessed memory, and from his present Majesty, should now doe any thing, whereby it may be obumbrated & that especially, Att this juncture, when all persons, within his Majestys Dominions, strive to outvye each other in demonstrations of duty and Gratitude, for his Majessem most gracious assumes to maintaine our Religion, Lawes, and Properties—for these reasons Gentlemen and none other, I have so far conceded to y' desires, even to my utmost power, unlesse I had persidiously betrayed his Majesse trust to me.

I muft confesse, considering y^r proceedings and obstinacies, I doe not now treat you in a Parliamentary way, for that would have been much shorter and sharper, but doe, as it were, parly with you, that you may be convinced of y^r errors, w^{ch} I hope you will, when you have consulted with y^t Pillowes, w^{ch} is ye motive, that I doe not att ye present dissolve you, but only prorogue you, and you are hereby, in his Maj^{ties} name prorogued till ye 20th of Odober next, unlesse I shall think sit, in the interim, to dissolve you, or convene you sooner by my Proclamation.

A True Copy

Nicho: Spencer.



ATT A

GENERALL ASSEMBLY

Begun att James Citty ye first day of October 1685, And in ye first yeare of ye Reigne of Our Soveraigne Lord King James the Second of England, Scotland, ffrance, Ireland, and Virginia Defender of the ffaith &c. And thence Prorogued by two Prorogations to ye Twentieth of October 1686.



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1407, pp. 341-382.]

Att a Generall Assembly Begun att James Citty ye first day of October 1685, And in ye first yeare of ye Reigne of Our Soveraigne Lord King James the Second of England, Scotland, ffrance, Ireland, and Virginia Defender of the ffaith &c. And thence Prorogued by two Prorogations to ye Twentieth of October 1686.

20 Oct:

IS Excellency and the Councell being mett, the Clerk of the Generall Affembly, was Ordered to goe to the House of Burgesses, to see whether their house was full, that his Excellency might Send for them.

The Clerk returnes with answer, that as yet Severall Burgesses are

wanting

Octobr 21th 1686.

RDERED that the Clerk of the General Assembly goe to ye house of Burgesses, and acquaint them, that it is his Excellencies pleasure, that they forthwith waite on him.

The Burgesses waite on his Excellency and ye Councell in the Court house. The Burgesses being Soc Come, his Excellency acquainted them, that he finds their Speaker absent, and therefore desires to know what is become of him, to we the Burgesses made answer, that Since their last meeting they were unhappy in ye death of their Speaker, his Excellency then Comanded them to proceed to ye Election of a new Speaker

The Burgesses withdraw themselves, and soon after returne, and Present Majr Arthur Allen for their Speaker, who haveing first Endeavoured to be Excused, and Begged ye usual petitions, was Confirmed by his Excellency.

His Excellencies Speech to ye Afferbly

Gentlemen

I am glad to meet you here againe . . . [See J. of H. of B. 1659/60-93, p. 262.]

Octobr. ye 25th 1686.

OME of the Burgesses wait upon his Excellency and acquaint him, that Since their last Meeting, severall of their house are removed by death, and Otherwaise made incapable of serving, they therefore desire, yt Councell may be Assigned to Swear their new Elected Members.

His Excellency therupon Comiffionated Coll John Page, and Coll John Lear two of ye Councell, under ye Seale, to Administer the usuall Oathes to ye New Elected Members.

Novembr. ye 2d 1686

SOME Members of ye house of Burgesses present the foll: Messages;

To his Excellency strancis Lord Howard Baron of Essingham his Majiii Leivi and

Gov Gen'i of Virginia.

The House of Burgesses now Assembled

Humbly prefent

That ye Seale first most graciously granted . . [See J. of H. of B., pp. 267-268.]

To



To his Excellency firancis Lord Howard Baron of Effingham, his Majiii Leivi and Gov Genii of Virginia, and to y' Hon'bir Councell of State

The House of Burgesses humbly present on Behalse of themselves, and y whole Country the foll: Articles of Charge ag' L' Coll William stitzhugh of Stafford County.

That in ye yeare 1682, Att An Assembly begun att James Citty ye tenth day of Novemb, there was leavyed in ye Publique leavy, and affelied upon Stafford County, thirty two Thousand nine hundred and thirty pounds of tobacco, payable to Mr Wm ffitzhugh, and Mr George Brent, in web Sum Cask for ye fd Tobaccos was raifed, and included, and over and besides web Sum Three Thousand two hundred Ninety three pounds of tobacco, was Leavyed for Sallary of Receiving the f4 Tobaccoes, web makes together Thirty fix Thousand two hundred twenty three pds of Tobacco, Notwithftanding web, ye fd Le Coll Wm ffitzhugh who was then one of ye Burgesses for Stafford County aforesd, att a County Court held the 3d of January 1682, att the laying of that County Leavy, by Cunning Infinuations, and falle Suggestions to ye Court, Concealing ye Authentick Coppy of ye Publique Leavy, and affuring them, that neither Cask, nor Sallery was Raifed by ye Publique, for ye fd Thirty fix Thousand two hundred twenty three pds of Tobacco, and the fd Justices giving full Credit, and belief to him ye fd L' Coll Wm ffitzhugh, as ye Representative of ye County, did in their County Leavy, raife a new Six Thousand five hundred and twenty pds of tobacco for Cask and Sallary of ye fd Thirty fix Thousand two hundred twenty three pds of tobacco, to ye great wrong & Damage of ye Inhabitants of ye Inhabitan ance to ye house of Burgesses, the last Meeting of this Assembly, and Still Continued; This house have therefore brought this Charge agt ye sd Lt Coll Wm flitzhugh humbly moveing, y' y' fd L' Coll W' ffitzhugh may be forthwith Ordered to refund the fd Tobacco to ye County, and Such ffines, Amerciamte and other punishments may be inflicted upon him, for Such his illegall, unjust, and Oppressive action, as ye Merit of his Crime doth deferve, to ye End also, Others may thereby be deterred from ye like Evill practifes for ye time to Come.

ffurther this house of Burgesses Present to yor Exery yt whereas by divers Statutes, It is Enacted, that yt Knights of Counties unduely returned, shall loose their Wages, yet yt sid Coll fitchugh, Notwithstanding he was unduely returned a Burgess, to yt former Meeting, of this Assembly, and for yt reason dismissed from yt sid place by yt house of Burgesses, upon due and full proof of yt matter, did att A County Court held yt set day of Decembr last past, in Contempt of yt sid Lawes, by his Subtile Instinuations, and Evill practices, procure a Tax of flour Thousand pds of tobacco and Cask, to be Imposed and Levyed upon the Inhabitants of Stafford County, as Sallary, for himselse as a Burgess of this Assembly, wth was as a further demonstracon of yt Oppressive, unjust, and illegall practices of him yt sid Coll fitchugh, being by yt Inhabitants of that County Complained of to this Assembly, is likewise humbly presented and Submitted to you Excellencies, and yt Hontule Councells most tender Consideration

Novembr 2d 1686

Teft Rob! Beverley Cl Affbly

To his Excellency ffrancis Lord Howard Baron of Effingham his Majiis Leivi and Gov' Gen" of Virginia

The House of Burgesses now Assembled att James Citty

Humbly present

That for many yeares before ye happy [See J. of H. of B., p 267.]

9^{br} 3.d 1686

R Christopher Robinson &c bring ye foll papers.

To his Excellency firancis Lord Howard Baron of Effingham his Majiin Liand Gov Genii of Virga

The House of Burgesses now Assembled at James Citty

Humbly prefent

That whereas feverall Propositions, have [See J. of H. of B., p. 267.]



The following Bills were prefented Vizi

- 1 A Bill Declareing ye 107th Act of Affembly made ye 23d day of March 1661/2 To be in force.
- 2 A Bill Repealing ye feventh Act of Affembly made at James Citty ye 16th of Aprill 1684.
 - 3 A Bill Prohibiting County Courts to make By-Laws

The Councells Answer, to ye above Bills

To ye first,

This Bill is agreed to, Excepting the Reftriction of not planting tobacco after y^e laft of June, w^{eh} is thought fitt to be Extended to y^e tenth of July, according to a former Law, in this Cafe made, and provided.

And it being the great Concerne, and Care, to keep up ye Comodity of tobacco, It is thought fitt, that to this Act be added a Claufe, providing agt ye fhipping of Tobacco Stalks, from web the ye Leafe is Stript, web fome have Directions out of England to doe, whereby to Defraud his Maj^{ty} of his Cuftoms, and to keep under foot our Manufacture Tobacco; It is therefore thought fitt that this be reftrained, by Imposeing a Severe fine upon ye Offender.

To ye fecond

This Bill is Agreed to, *Provided*, in a Claufe of y* Act of Repeale of this Law, there be a Claufe inferted, that in Cafe y* Gov* in any Exigency for y* Safety of y* Country, with y* Advice of y* Councell, shall think fitt to raise fforces, that those fforces be paid by y* Country ? Diem, att the Rate now Established by Law.

To ye third

The Proviso of this Act leaves ye Justices of Every County Court ad Libitum, in Charging the People of their Counties, thô it was not thought fitt att a former Meeting of ye Assembly, that a Law should pass to Impower the Gov and Councell For ye Ease of ye Country, to lay a Leavy upon ye People not exceeding twenty pounds of tobacco pole, though Directed so to doe by his Maje, but ye Such Methods may be pursued for ye Discharge of ye County Charges; It's Agreed, that there be a Clause in this Act, Impowering the Justices of ye County Courts to assess upon the Inhabitants of their Respective Counties, for the Defraying and Discharging all necessary Charges Established by Law, & also for Other necessary uses of ye County, when for ye use of the County they find it necessary, not Exceeding ten pounds of tobacco pole, and for ye better Satisfaction of all persons Concerned;

It is proposed, that the Lift of Tythables be filed up att ye Court door, ye day of ye laying ye Leavy, and ye likewise every Article of ye Leavy be there filed, that every person may have a Publique view of it, if they desire: It's also proposed that a Coppy of ye List of Tythables, and Leavy soe laid, be by ye Clerk of Every County Court transmitted into ye Secretaries Office Annually, on ye third day of Aprill Court, to ye Intent, ye Secretary may present the Same to ye Gove and Councell, for their Examination, and Consideration; for web Service it's thought fitt, that there be a Suitable allowance appointed this Assembly, for ye Clerks paines, and Care therein, the Proviso in ye Act being thus amended, this Act is Agreed to.

The foll Message is Sent to yo house of Burgesses

Gent

I haue reced yo' Proposicon relateing to [See J. of H. of B., p. 272.] Propositions Methodizing and fforming y' Militia of y' Country, as neer as y' Constitution of this Governm' will beare to y' Kingdom of England, both for horse and ffoot.

first It is proposed; that Such a Number of Horse & froot be raised in each County, as a Standing Militia therof according to ye Proposition [proportion] of Tythables in ye said Counties.

2^{diy} That upon Every fifteen Tythables be affeffed the finding a Man with an able Horfe, well accounted with Saddle, Bridle, Breftplate, Crupper, Carbine, Piftoll, and Sword.



3^{div} That in each Respective County, where it shall be thought fitt y^t sfoot be raised, as well as Horse, y^t in those Counties every two Tythables, who are not affessed to find an Horse, find an able foot Soldier, well provided with good Muskett, Bandyleers, and Belt.

4thly That every Troopers pay, be upon every day of Muster fifteen pds of tobacco. or One shilling & Six pence, to be paid by him or them, upon whom ye finding an Horse and Man with ffurniture shall be Assessed, and for Every flootmans pay, upon Every day of Muster ten pds of tobacco, or One shilling, to be paid by ye two who shall be affeffed to find a Man, and in Cale any Troops of Horfe or ffoot Company, for his Majtles fervice, or ye Defence of ye Country, shall be Required to be in Actuall Service more then four dayes, they shall then be paid Each Trooper att ye Rate of ffifteen pds of Tobacco, or One shilling and Six pence, and Each floot Soldier, att ten pds of tobacco, or One shilling ? ye Country, and to ye Intent that Officers, may be as well Encouraged in ye Pformance of their Duties, as Comon Soldiers, It is proposed, That a Capt of a Troop of Horle, while he is in actuall fervice, Muster, or Exercise, be paid one hundred pde of Tobacco & diem, a Leive of Horle fixty & diem, a Cornet, ffifty pds of tobacco, and a Corporall thirty pds of tobacco & diem, And a Capt of floot Eighty, a Lt of floot fifty, an Enfigne forty, and a Serjant twenty pds of tobacco; It is also proposed, that his Majties Justices of ye peace of each County, not bearing Comand, be Excused from ferving in their persons, and y' noe person, or Horse once listed, Either in y' Horse or ffoot, be Changed or Defert ye Service, without his Comandes leaue, and if any Comon Soldier, or Officer of Horse, or ffoot, shall omitt the Formance of their Duty, they fhall be ffined for Such their Offence One hundred pds of tobacco to ye use of his Majer, towards ye buying of Trumpetts, Colours, Drums, and Other necessary Trophies of Warr, and y' each Troop of Horfe, Confift of at least forty Eight men, besides Officers, and every floot Company, of at least fixty Men, besides Officers, And it is proposed, that ye Affeffmto be made as hereafter foll Viz'

Henrico— 1 Troop of Horse.

Charles Citty— one Troop of Horse of 48 men, at least, besides Officers, One Compa

of ffoot of 60 at least besides Officers.

Surry— One Troop of Horfe.

Ifle of Wight— One Troop of Horse, one Comp^a of floot.

Nanzemond— One Troop of Horse, one Comp^a of floot.

Low Norfolk— One Troop of Horse, one Comp^a of floot.

Eliza & Warwick One Troop of Horse, & one Compa of floot between them.

James Citty,— One Troop of Horfe, one Comp^a of ffoot.

York.— One Troop of Horfe, One Comp^a of ffoot.

New Kent

On ye South, One Troop of horse, one Compa of soot.

On ye North, One Troop of horse, one Compa of soot

In *Pomunky Neck*, one Comp^a of floot. Two Troopes, and two Companies.

Middlefex— One Troop

Glocester-

Lancafter— Two Companies, one of each fide of Currotomon

Northumberland— One Troop, One Company. Rappahanock— One Troop on each fide.

Northampton One Troop Accomack One Troop One Comp^a between them.

Westmorland— One Troop—one Comp^a

Stafford— One Troop.

The Horse and floot so to be raised, to be affessed by One of ye Councell, and three first of ye Comission of ye peace of each County, according to ye Number of Tythables. gb 3d 1686.



9br ye 4th 1686.

HE foll: Messages are Presented by Some of ye Burgesses.

To his Excellency strancis Lord Howard Baron of Estingham his Majiin Li and Gov Gen" of Virga

The House of Burgesses now Assembled

Humbly Prefeni

That they Willingly acknowledge his Majties . . . [See J. of H. of B., p. 270.]

By ye House of Burgesses.

To His Excellency and y. Councell

Upon Reading feverall Bills transmitted from . . [See J. of H. of B., pp. 271-272.]

To his Exes firancis Lord Howard Baron of Effingham his Majiis Li and Gov Gen" of Virga

The House of Burgesses now Affembled

Humbly prefent

That Whereas yo' Excellency has been pleafed . . [See J. of H. of B., p. 270.] Ordered that y' Clerk Carry y' foll Messages [message] to y' house of Burgesses

M' Speaker and Genth: of y' house of Burgesses.

His Excellency and Councell this day reced a . . [See J. of H. of B., pp. 272-273.]

9br ye 5th 1686

OLL John West &c. brought ye foll: Acts: Viz'

If: An A& about Runawaies.

2^d An A& Appointing Certaine dayes for Accomack Court to be held on.

3d An AA that yo twelueth AA of Affembly made at James Citty yo tenth

day of Novemb' 1682, Entituled An Act for y' Advancem' of Manufactures of the Growth of this Country, and for y' better, and more Speedy payment of Debts and Leavyes be Revived, and that y' fame doe Continue in force three years from y' End of this Seffions, and after that to y' End of y' next Seffion of Affembly.

4th An AA that all Debts Contracted, or to be Contracted in Maryland, are, and shall be recoverable in Virga in equall manner, and by y fame lawfull waies and meanes, as tho y fame were, or had been Contracted in Virga any Law, Statute, or usage heretofore to y Contrary Notwithstanding.

5th An Act about y Tare of Tobacco Cask.

6th A Bill [A&] about y' Size of Stonehorfes

The Councells Answer to ye above Acts

To ye first,

It is Agreed to.

To ye Second

It is Agreed to:

To ye third,

It is Affented to.

To ye fourth

It was Agreed to, inferting ye foll Claufe; As Maryland is ye next adjacent Country on ye North, foe North-Carolina is on ye South; It is therefore thought Convenient, that Credite in North Carolina haue ye fame Justice in recovering their Debts here, as Maryland, whereby We shall Testifie a just, and striendly Correspondency with Our Neighbouring Countries

To ye fifth.

This was agreed on with this alteration, with a burnt Mark, is a more propper Expression, being in Wood, a stamp, being peculiar to Mettalls

To ye Sixth

To this was added; This is Conceived to be a necessary Act, but are of ye Opinion, that to Expect Horses of two yeares old, to be of ye Stature of fourteen hands, is of a Growth,



Growth, beyond what can be in fome yeares Expected, Its therefore proposed, that ye limitation of fourteen hands be Sett at thirteene, untill time shall Enlarge ye Breed of Horses, in ye Country, Since at present, there be but sew Stonehorses in ye Country, yt Exceed fourteen hands high, tho they be of sull age, and Growth: It is also Observed that this Bill is not only Improperly Worded in some of its tearms, but also Incongruous in some of its sentences; we being Considered, and more aptly Worded, It will be agreed to.

E. Chilton Cl Gen' Affers

9br ye 8th 1686

By his Excellency.

9 br ye 8th 1686

A A

[See J. of H. of B., obv ve 8th 1686

By his Excellency.

M' Speaker and Genth:

I have reced from you an Address [See J. of H. of B., p. 274.] His Maj^{ties} 27th Instruction [See J. of H. of B., p. 274.]

9br ye 8th 1686

Upon Confideration of y^e Report made by y^e Comittee of Claimes, the Councell haue thought fitt, to make y^e foll: alterations, Viz^i as on y^e other fide.

9 br ye 8th 1686

By his Majesties Councell

The Councell haue thought fitt to appoint, and doe hereby appoint Coll Richard Lee, Coll John Page, Coll John Lear, and Coll Christopher Wormeley, four of his Majties Councell of this Colony, to Manage ye Conference defired by ye house of Burgesses, with Such as they shall appoint of their house, about five of ye Clock in ye afternoon in Coll Byrd's Chamber

E. Chilton Cl Gen'l Affbly

The Claimes are brought by some Members of ye house of Burgesses.

As to y^e Claime of Coll *Ifaac Allerton* Sheriff of *Weftmoreland* County in y^e Article of feven hundred forty Eight pds of Tobacco, It was for y^e fervice of y^e Governm^t for y^e paffing and repaffing of Coll *Lee* One of his Maj^{ties} Councell of this Collony, by Order of his Ex^{cy} and Councell, for y^e Demanding y^e perfon of Coll *George Talbott*, with a fuitable attendance to His Perfon, and Coll *Talbott* being noe Inhabitant, of this Collony, and haueing no Eftate, w^{ch} if he had, noe Prifoner is lyable to pay more, then y^e ffees of his Imprifonm^t, It is therefore thought fitt, that it be paid by y^e Publick.

As to y^e Claime made by y^e fheriff of Weftmoreland County, for One thousand Eight hundred pds of tobacco, and Cask for a Horse lost, for y^e Conveying of an Evidence agt Peter Reyly, is not at present allowed, because not proved according to Law, w^{ch} was Impossible to haue been done, the horse being Lost upon his Journey to Town, and it being ready to be made appeare, by y^e Criminall himselfe, who was acquitted, We

Defire that it may be allowed.

The Claime of Capt Henry Duke of twelue Thousand nine hundred ninety flue pds of tobacco, being reduced by yot house to four hundred seventy six pds of tobacco, is looked upon, to be a great disincouragemt to him for yetervices, we he has well promed, and very Disproportionable to yet allowances proposed to be made to Capt Hartwell, at yet last meeting, it is unusuall to make Resolves of not allowing for Services done, the Resolve may be good for yetuture, but canot be binding to past times; It is therefore Proposed, that Capt Duke's may be allowed, proportionable to Capt Hartwells allowance, or Capt Hartwells Claime reduced proportionable to Capt Dukes.

Edward



Edward Chilton was allowed by yo' house att yo' last meeting for Extraordinary Services Formed, as ye Clerk of ye Secretaries Office, the Suñ of Nine Thousand one hundred Ninety six pds of Tobacco and Cask, as by ye Report of yo' Comittee of Claimes appeares, his account now Exceeds ye Suñ of seventeen Thousand pds of Tobacco and Cask, and moderately Rated, if you agree not to allow that Sum being justly due, yet let his allowance be equall to ye last, we was the least he ever yet had;

We find y* Claime made by Coll Lyddall of New Kent, for Severall well performed Services, and Difburfments, made, when y* Seneca Indians lay upon the ffrontiers of that County, w*h has formerly been foe much infifted on now againe by yo* house rejected, to Our Admiration, if any Regard had been made to y* time, Difburfments, & fervices and what y* fatall Consequences might have been, if y* method had not been Observed; It's therefore Earneftly proposed, that this Claime may be seriously Considered, and Suitable Satisfaction made, that it be noe discouragm* for y* future, for y* Comand* in Chiefe, to give Order, for y* Security of y* Country upon any Emergency, nor to those, to whom those Orders are Directed to be Executed.

E: Chilton Cl Gen II Affbly

9 br ye 8th 1686.

Coll Smith &c brings ye foll Acts

I An A& about Ports.

2 An A& Reftraining Striking and Killing of flish. att unufuall times.

To $w^{\mathtt{ch}}$ y $^{\mathtt{c}}$ Councell answered.

To ye first

Upon Reading and Confidering this Bill, We find it to be ye fame in Effect, with ye Bill prepared att ye laft Meeting of ye Affembly, being Senfible that it was ye laft yeare transmitted to his Majis for his Royall Confideration, We humbly applyed unto his Excellency, begging to be Informed whether his Exes had reced ye Result of his Majis pleasure therein, in web his Exes has been pleased to affure Us, that as yet, his Majis hath not been pleased to Signifie his Comands therein, but was Advised, that as soon as his Majis with ye Court, settled to ye Confideracon of Businesses att Whitehall, Measure would be taken therein, and his Exes accordingly Directed. We are therefore of Opinion that untill ye Kings Majises pleasure be known therein, it will not be fitt to Resolve any thing in this Bill of Ports, but that it rest untill Our next meeting.

To ye Second

This Act is Agreed to.

An AA Easing y Country of y Charges of apprehending Profecuting, and Executing of Criminalls.

We have fully Confidered this Act, In web as We are of ye Opinion, that it is a necessary Law, to be taken under Confideracon Soe likewise are of Opinion, that it cannot be well Setled in this mañer, untill ye Lawes are Revised, for ye it Strikes att ye soundation of soe many Lawes, that it is not known what Confusion it may introduce, but when the Lawes are Revised, and a Bill by ye Succeeding Alship prepared, appropriating all fines and fforfeitures to his Majip to ye use of ye Governme to, and for ye Defraying the Charges thereof, We shall then readily agree, that the Charge in apprehending, prosecuting, & Executing Criminalls, be borne and Defrayed out of ye sfines, and sforfeitures, soe far as they will Extend to Forme it, And whereas you move that his Majip Revenues may likewise goe, towards ye Defraying of ye Charge of Criminalls his Majip hath thought fitt, from time to time to Direct ye Disposall thereof, soe that neither We nor you, have any power to Direct therein

The Clerk by Order Carryes ye foll: Messages to ye house of Burgesses

M' Speaker and Gent#:

By a twelve months Confideration, I did not [See J. of H. of B., pp. 277-278.]

M' Speaker and Genth.

I have reced from yor house this Meeting [See J. of H. of B., pp. 276-277.]



9br ye 9th 1686

OME Burgesses Come, and present the foll Message.

By the House of Burgesses

In answer to y^e Returnes made by y^e Hon^{rble} . . [See J. of H. of B., p. 275.] The Clerk Carries y^e foll: Message

M' Speaker and Genth:

We have diligently Confidered yor returnes [See J. of H. of B., p. 279.]

9br ye 11th 1686

OLL John West &c presents ye foll: Paper.

By the House of Burgesses.

May it please yo' Excy

This House haueing in Consideration yor . . [See J. of H. of B., p. 278.]

The House of Burgesses by Comand of his Excellency Attend his Excellency and Councell in ye Court house, att which time his Excellency Expressed himself as foll:

M' Speaker and Genth:

ffinding matters in a forwardness towards a Conclusion, (and I hope a happy one) of this Seffions, and having done what lyes in Me, towards that good End, by my ready Concessions, and favourable Constructions, and answers to yor Defires, cannot but let you know, I wonder that there hath not been as yet, any thing Offered by you, in Order to ye Continuance of ye Act of three pence A Gallon on Liquors, as I acquainted you before, foe I doe now question not yor Concurrence therein, Since the Benefit to ye Country is foe apparent, without ye leaft difadvantage to any Pticular Intereft; and likewise that I find nothing towards ye fettlmt of his Majties Militia of this Collony, Especially Since you defired y' I would propose some Measures to you for yo' better Direction, we have been fent you long Since from ye Councell; yor Care & Duty herein, I can affure you, will be very pleafing to his Majty, and it cannot Come within my thoughts, that you will have none, of foe necessary a Work, for ye King and Countries Service, Especially fince I understand, that you have refused to Engage for ye payment of any fforces, fhould I with ye Advice of ye Councell, upon Emergency raife any, for the fafety of the Country, wen now I shall be very backward to doe, finding they must be Satisfied out of my own Revenue, if I fhould, from ye Example you have made Mr Secretary Spencer in that Case;

One thing more Gentė: I haue to acquaint you with that his Maj¹⁹ hath Succeffively in his Comands to Me Ordered, that the tedious Seffions of Affemblies be Regulated by

Me, of weh I hope you will take Notice, as well as my Selfe.

9br ye 12th 1686

R Christopher Robinson &c brings y foll Message

By the House of Burgesses.

May it please y Excellency

This House haueing lately Addressed yor . . [See J. of H. of B., p. 280.]

The Clerk Carries ye foll: Meffage.

Novembr ye 12th 1686.

M' Speaker and Genth:

His Maj^{ties} Inftructions Repealing ye Repealed . . [See J. of H. of B., p. 280.] M^{*} Christopher Robinson & Presents ye foll Message

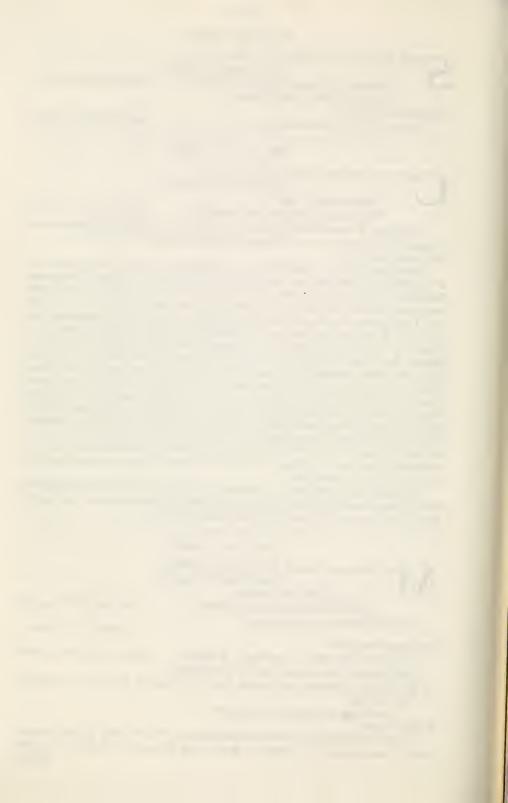
To his Excellency firancis Lord Howard Baron of Effingham his Majiin Li and Gov Gen" of Virga

The House of Burgesses now Assembled

Humbly Prefent

That upon Reading, and ferioufly Confidering yor Excise answer to their Address, about ye ffee demanded for affixing ye Seale of this Collony, to all Instruments they

Obferve



Observe that yo' Lordship is pleased to say, that it is Presidentiall in all Parts of his Majties Dominions, and here only Differenced in the meanness of ye ffee, to what is paid in all Other parts of his Majues Plantations, to web We in all humility take leave to answer: That altho We are unacquainted with the Lawes and practices of ye reft of his Majues Plantations, & Dominions, We are well Affured that both they, and all his Majites Subjects of this his Dominion, haue fuch a Right to, and Inheritance in the Lawes of his Majties Kingdom of England, and ye Liberties, and Priviledges Granted to his Majties Subjects of that Kingdom, from whom they are descended, that noe payment by ye name of any ffee, Duty, or Other Imposition, can, or may be Demanded, Leavyed, or Raifed upon Us, but by, and with Our Own Confent, and yor Excy takeing Notice, that whereas this House have moved in their sd Address, that the same hath not been Required before ye time of yor Excies Government, (weh We hope will Continue over Us) and that None of yor Honrele Predeceffre had the like reason of Demanding it, as yor Excy hath by yor Comicon, (unless the Lord Culpeper) web Impowers, and Directs yor Lordship to keep, and use the Scale, and y' y' affixing the same to all Instruments, being soe necessary to make the fame Authentick, it cannot be Expected that yo' Excellency Should pass by the Moderate profitts of that part of yor place of Gov, and Otherwise then what shall be moderate, and just, yor Lordship will never Offer at.

This House haueing with hearts full of Loyalty, and dutyfull Obedience to Our Gracious Soveraigne (whom God Preserve) and that Difference, and Respect, that is due to yor Excy duely Weighed and Considered the Same, not out of any undutifull humour of disputing any Lawfull Comand, but out of a tender Sence they haue, of how fatall Consequence it might be, to all his Majties Loyall Subjects, of this his most Ancient Collony, and Dominion of Virgs if it should be in the Power of ye Gov thereof, for ye time being, to Demand, and Receive any Sum or Sums of money or Tobacco, under any Colour or pretence whatsoever, Except the same be Consented to by ye Gen!! Assembly,

and by their Authority Established.

And therefore Once againe, in the name of Our Selues, and all his Maj^{ties} Subjects of this his Dominion, doe humbly Intreat yo' Excy to give Strict Order, that noe ffee be Demanded or taken, for affixing the Seale to any Inftrum^{to} but fuch as either is, or shall be appointed by Law.

9^{br} ye 11th 1686

Signed by Order of ye House

Arthur Allen Speaker

The Clerk Carries ye foll: Messages

By his Excellency

As to yor Address [See J. of H. of B., p. 280.]

9br ye 13th 1686

R Speaker, and Genth:

Upon a Serious Confideration [See J. of H. of B., p. 281.] His Excellency Sent to ye House, being in ye Court house, to acquaint

them, that he is ready to pass those Bills.

Agreed to by ye Councell

M' Speaker and the House wait upon his Excellency and Councell

These following Lawes are Read, and Signed by his Excellency and M^r Speaker. Viz^t

- I An Additional Ad about Runawaies.
- 2 An Ad Declareing Maryland and North Carolina Debts Pleadable.
- 3 An Ad Reviveing the Ad Entituled An Act for ye Advancement of Manufactures of the growth of this Country.
 - 4 An Ad Repealing y' 17th Ad of Affembly made y' Eighth of June 1680.
 - 5 An A& Afcertaining dayes for Courts In Accomack County.
 - 6 An Ad Regulating the Tare of Tobacco Hogsheads



7 An Ad Declareing the 107th Ad of Affembly made y* 23d day of March 1661/2 to be in florce

8. An Ad for y' better Improveing the Breed of Horfes.

Mr Christopher Robinson brings ye foll: Message

By the House of Burgesses

9^{br} ye 12th 1686

Upon Reading Certaine Propositions for Methodizing and fforming the Militia, Refolved Unanimously by the House, That the same Cannot be putt in practice, without bringing an insupportable Charge upon the Inhabitants of this Country, This House Conceiving ye Lawes already made, doe Sufficiently provide, (according to ye Abilities of this Country) for ye safety thereof, And for fforming and Methodizing the Militia, This House Conceives it propperly belongs to his Excellency as his Maj^{ties} Leive and Gove of this his Maj^{ties} Dominion.

Teft Robert Beverley Cl Assist

9br 15th 1686

In answer to yor last message relateing to Coll Byrd for a Gratuity, for his trouble in the New York voyage, We well Approved thereof, but what Concernes Mr Jenings, We think it too farr short, he being Ordered by his Exer as an Assistant to Coll Byrd, and if Coll Byrd had sailed, was Impowered to take yr stull Formance of Coll Byrds Instructions upon him, therefore We propose that he be allowed twenty five pounds Sterl. yr Other being too meane for any Genth Imployed in so Signall a Service to accept of.

It is much Admired, that foe little Regard has been had to Coll Lyddalls Claime; It is therefore againe Recomended to yor house; We desire that it may be Considered and allowed, Otherwise the Gents that has been att great Expence, in Expectation of ye Recovery thereof, must fink under that Burthen, and suture Governes discouraged from iffuing the like Orders, upon any Emergency.

In y Fufall of yo' Claimes We find noe mention made, of any allowance made to M' Sherwood for y' Councell Chamber. We therefore Defire that it may be Confidered, and Orders taken for his Satisfaction, according to y' Agreement Between us att yo' laft meeting.

These Amendments being Agreed to by you, all the rest of y* Claimes are allowed of By the Councells Comand

9^{br} ye 15th 1686

E: Chilton Cl Gen' Affby

Capt Wm Randalph &c. brings ye foll: Bills, Vizt

1. A Bill Continuing the Impoficon on Liquors

2. A Bill Directing how Publique Claimes shall be Certified for allowance.

The Councells answer

To ye first, This Bill is Agreed to.

To ye fecond. This Bill is Agreed to, Provided ye Sheriff of James Citty County, who is at foe much greater Charge and trouble, then any Other, by his indifpenfible Attendance, with himfelfe and Officers, three Weeks, at each Gen¹¹ Court; We therefore *Propose*, that he may be afcertained Ten Thoufand pds of tobacco and Cask Annually by the Publique.

E: Chilton Cl Gen'l Affbly

M' Speaker and Genth:

We fully Agree to yo Claimes Agreed on by yor House upon Pusall of yor Message the last night reced. We believe it a Mistake when you affirme, the fforming and Methodizing the Militia only belongs to his Excellency, as his Majtles Lt and Gov of



this his Maj^{ties} Dominion, w^{ch} fformes and Methods in *England* are Settled by Act of Parliament, and foe Ought here by Act of Affembly, w^{ch} when Once Setled, the Comand Refides in his Majefty there, and in his Leiv^t by his Comicon here;

By Comand of ye Councell

E: Chilton Cl Gen¹¹ Aff^{bly}

9br ye 15th 1686

Ordered that the Clerk of the Gen¹¹ Aff^{bly} goe to y^c house of Burgesses, and Signifie that his Excellency is ready in y^c Court house to pass y^c remaining Bills, M^c Speaker and the House of Burgesses wait upon his Excellency and Councell in y^c Court house.

Where These foll: Lawes being Read, are Signed by his Excellency and Mr Speaker:

An AA Repealing y Seventh AA of Affembly made att James Citty, the 16th day of Aprill 1684.

An A& Continuing the Impoficon on Liquors.

An AA for Raifing a Publique Leavy.

His Excellency then Caufed his Maj^{ties} Letter Concerning the Irregularities of the laft Meeting of the Affembly to be Read, and Ordered it to be Recorded both in the Councell, and Affembly Records.

Upon which his Excellency did in his Majtles Name Diffolve the Affembly. 0br ye 15th 1686.

A True Copy

E Chilton Cl Gen! Affely



ATT A

GENERALL ASSEMBLY

Begun att James Citty the Nineteenth day of Aprill 1688, and in the fourth yeare of the Reigne of Our Soveraigne Lord King James the fecond, of England, Scotland, ffrance, Ireland and Virginia, Defender of the ffaith &c. and thence Prorogued to ye 24th of this Instant Aprill.



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1407, pp. 427-498.]

Att A Generall Assembly Begun att James Citty the Nineteenth day of Aprill 1688, and in the fourth yeare of the Reigne of Our Soveraigne Lord King James the second, of England, Scotland, strance, Ireland and Virginia, Defender of the statch &c. and thence Prorogued to ye 24th of this Instant Aprill.

[April 24th 1688.]

Prefent

IS Excellency, Coll Nathaniell Bacon, Coll William Cole, Coll Richard Lee, Coll John Cuftis, Coll John Page, Coll W^m Byrd, Coll John Lear, Coll Christopher Wormeley, Coll Isaac Allerton

The House of Burgesses being mett, waite on his Excellency and Councell in the Councell Chamber.

His Excellency Comanded them to Returne to their House, and make Choice of a Speaker.

The Burgesses withdraw themselves, and soon after Coll Edward Hill with Others waite on his Excellency, and Acquaint him that the House of Burgesses had Elected a Speaker.

His Excellency then Comanded that ye whole House of Burgesses should Attend him, and ye Councell, in the Councill Chamber.

The Burgesses waite on his Excy in ye Councell Chamber, the Councell being present, and present Majr Arthur Allen for their Speaker, who having first Endeavoured to be Excused, And begged the usuall petitions of that House, was by his Excellency Confirmed Speaker.

His Excellencies Speech.

M' Speaker, and you Genth

It is yo' Advantage and happyness [See J. of H. of B., 1659/60-93 pp. 291, 292.]

His Excellency with the Advice and Approbation of the Councell, Appointed and Comifficanted Capt firancis Page Clerk of the House of Burgesses.

Wednesday Aprill 25th 1688

R Peter Perry with others waite on his Excellency, and pray that the Affembly Records may be Delivered to the Clerk of their House.

His Excellency with ye Advice of ye Councell, Ordered the Clerk of ye Councell, into whose Care and Custody the Assembly Records were Comitted, after the death of ye late Clerk of ye House of Burgesses, for ye sure preservation and security thereof, forthwith to deliver them to Cape francis Page Clerk of ye House of Burgesses.

Mercury 25th Aprill 1688

By the Houfe of Burgeffes

Maj^r Scarburgh, M^r W^m Sherwood, M^r Peter Perry & Cap^r Lear Are Appointed in the Name of this House to Address his Excellency, that Councell may be Assigned to Administer the usuall Oaths to the severall Members of this House

Ar: Allen Speaker

Ordered



Ordered that the Clerk of y^e Genⁿ Affembly Carry the foll: Answer to y^e House of Burgesses.

 M^r Speaker

I have reced an Address [See J. of H. of B., pp. 289-90.]

Coll Richard Lee and Coll John Lear two of ye Councell were by his Excellency Comifficanted under ye Seale to Administer the Oaths of Allegeance & Supremacy to those onely who offer to take them, but ye Oath of a Burgess of this present Assembly to all.

Coll Richard Lee and Coll John Lear two of ye Councell were by his Exey Comiffionated under the Seale to Administer the foll Oath of Clerk of ye House of Burgesses to Capt firancis Page, who by Comicon under ye seale was Appointed Clerk.

The Clerks Oath

You shall Swear as Clerk of the House of Burgesses to which Office you are Appointed by his Excp ye Govr, faithfully, Justly and uprightly to make true Entries, and Journalls of all votes and proceedings of the self-affembly, as from time to time you shall Receive Orders, and Directions from them, and shall in all things to yor best skill and Judgment, Discharge and Execute ye self-office and Trust of Clerk of ye Assembly.

Soe help you God.

Thursday Aprill 26th 1688

OME of the House of Burgesses bring the foll Address

By the House of Burgesses

May it please yo' Excy

It is Our Unanimous Opinion [See J. of H. of B., p. 292.]

You shall Sweare [See also p. 292.]

Ordered that the Clerk of the Gen^{II} Affembly Carry the foll: Answer to the House of Burgesses

By his Excellency.

M' Speaker.

By the Message [See J. of H. of B., p. 293.]

You fhall Sweare [See also p. 293.]

Some of the House of Burgesses waite on his Excy with an Address for a Coppy of his Excess Speech, we his Excy was pleased to send them

Some of the House of Burgesses in the Name of the whole House, returne his Excs their most humble thanks for the Coppy of his Excies Speech, and for his Condescention in the Oath of the Clerk of their House.

Veneris Aprill 27. 1688

By the House of Burgesses

HIS House being [See J. of H. of B., p. 296.]

Ordered that W^m Edwards Clerk of y^e Gen¹¹ Assembly Carry the foll:

Answer to y^e House of Burgesses

By his Excellency

M' Speaker I have reced [See J. of H. of B., p. 297.]

May ye first 1688

T COLL Anthony Lawfon with three Others waite on his Exc, and Defire that Councell may be Affigned to Sweare fuch of their House as are not already Sworne.

His Ex^{cy} thereupon Comiffionated Coll John Lear, & Coll X^{fto}pher Wormeley two of y^c Councell, under the feale to Adminifter y^c Oaths of Allegeance and Supremacy to those only who offer to take them, but y^c Oath of a Burgess of this present Assembly



Affembly to all ye Members thereof, who have not yet taken ye Same.

Some of ye House of Burgesses bring the foll Resolve.

To his Excellency firancis Lord Howard Baron of Effingham his Majiii Leivi and Govr Genii of Virga.

The House of Burgesses now Assembled

Prefent

That this House haveing [See J. of H. of B., pp. 298-299.]

Ordered that the Clerk of ye Gen¹¹ Affembly Carry the foll: Answer to ye Refolve of the House of Burgesses, with the Coppy of the Instruction therein mentioned to ye House of Burgesses.

By his Excellency

M' Speaker

I this Morning received [See J. of H. of B., p. 300.]

Coppy of Instruction

In Case of Distress [See J. of H. of B., p. 301.]

[May ye fecond.]

SOME of the House of Burgesses bring the foll Reply and Addresses

To his Exer firancis Lord Howard Baron of Effingham his Majiin Leivi and Gov

Gen' of Virga

May it please yo' Excy

This House having reced [See J. of H. of B., p. 302.]

By the House of Burgesses.

May it please yo' Excy

This House upon Reading [See J. of H. of B., pp. 302-3.]

To his Exer firancis Lord Howard Baron of Effingham his Majiin Leivi and Gov Gen'l of Virga

The House of Burgesses now Assembled

Humbly prefent

That the last Session [See J. of H. of B., pp. 301-2.]

Ordered that the Clerk of the Genⁱⁱ Affembly Carry the foll: Answer to the House of Burgesses with the Laws as they are now Revised.

By his Excellency

Mr Speaker

To yor Address even now [See J. of H. of B., p. 304.]

[May ye third.]

OME of ye House of Burgesses bring ye foll Address.

To his Exes firancis Lord Howard Baron of Effingham his Majiin Leivi and Gove Gen'i of Virga

The House of Burgesses now Assembled

Humbly prfent

That the House [See J. of H. of B., p. 303.]

Nicholas Spencer Efgr Secretary &e added to ye Councell

Ordered the Clerk of ye Gen" Affembly Carry ye foll: Answer

By his Excy

M' Speaker

Yor House haveing by their humble Address sett forth that ye last Assembly prepared Severall Articles of Charge agt Lt Coll Wm ffitzhugh, web Charge I Ordered Capt

George



George Brent Attorney Gen¹¹ for the time being, to profecute at ye then next Gen¹¹ Court, but noe plecution being yet had therein, I fhall forthwith Order and Comand Edmund Jenings Efq^e his Maj^{eles} Attorney Gen¹¹, that without further delay, all papers relateing to ye id Articles of Charge be taken into his Cuftody, to ye Intent the id Charge age ye id Le Coll Wm flitzhugh be by him effectually profecuted at ye next Gen¹¹ Court.

May 3^d 1688

Effingham

May 5th 1688

IS Ex^{c7} having fent to y^c House of Burgesses to Attend him in y^c Councell Chamber, where they being Come he thus Spake to them M^r Speaker.

I was in Expectation ere this, to have received from you a Bill for ye prohibition of Bulk Tobacco, it being recommended to you, by his Maj^{tles} Aticular Directions, web ought to be Reverenced equall with his Maj^{tles} Comands, therefore could not have thought you would have been foe flow in yor Aformance of them, Espec-

ially when it is foe pticularly Intended for yor Advantage.

What I shall further Recomend to you, is, that you would take under yor Consideracon, the Repealing that Law for the prohibition of Planting Tobacco after the last of June, unless Maryland be under ye like Restriction, And it being very unreasonable to Expect my Lord Baltemore, upon whose answer it at present depends, will Consent to his soe Apparent disadvantage, it will be much more prudent to Repeale that Law, unless that Governm be equally Obliged, then by his Lordships resusall to be soe, to have it Repealed.

Further Genth by this yo' Act, the Drought now Impending over us, threatning foe great a Scarcity of tobacco, his Maj^{tie} will fee, you doe what in you lyes, by a timely Confideration, to prevent any Detriment to his Maj^{ties} Cuftomes, web together with that Advantage will accrue to you by a further liberty, should a Season for planting Tobacco not Offer, I hope will be a Motive sufficient to Induce you to it, I shall surther acquaint you, yo' proposalls last Sessions made to Me for ye building Townes, was faithfully Represented to his Maj^{ty}, web is likewise sent to my Lord Baltemore, by ye Lords of ye Comittee for Trade for his Concurrence, as you will be Informed by Letters I shall send to you, this I thought sit to Comunicate to you, that you might save time, if any such Bill should be under Consideracon by yo' House, and soe Dismisst them.

The Clerk of ye Gen¹¹ Affembly Carryes the Letter Concerning Townes, to ye house of Burgesses.

Some of the House of Burgesses bring the foll: Address.

To his Exes firancis Lord Howard Baron of Effingham his Majiin Leivi and Gov Gen'i of Virga

May it please yor Exer

Upon the Reading the Journall [See J. of H. of B., pp. 304-5.]

May ye seventh.]

HE Clerk Carryes ye foll: Aniwers

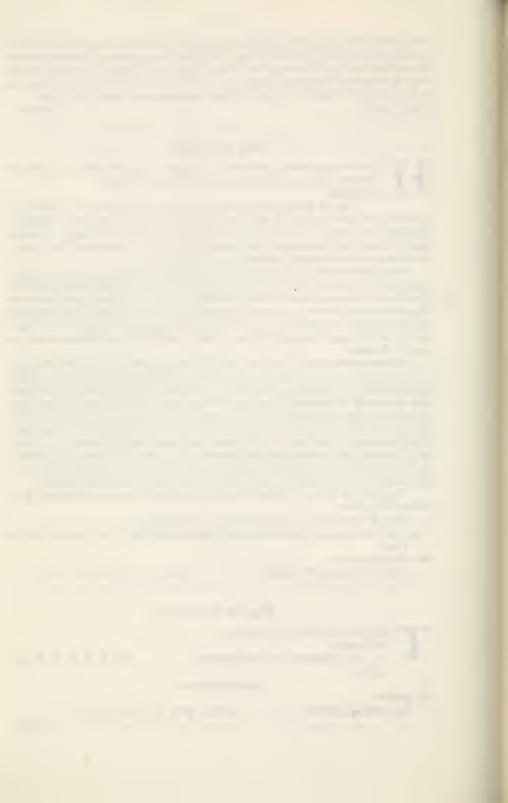
Mr Speaker

His Excellency has been pleased [See J. of H. of B., pp. 308-9.]

By his Excellency

M' Speaker
The Address Received [See J. of H. of B., pp. 309-10.]

[May



[May ye eighth.]

By his Excellency

M

R Speaker
To you Address re

To yo' Address relateing [See J. of H. of B., p. 312.] And We do hereby give and Grant [See J. of H. of B.,

p. 312.]

Some of the House of Burgesses bring the foll: Bills.

A Bill Directing how Publique Claimes shall be Certified for Allowance.

A Bill Declaring how the Charge Arifeing by Criminalls fhall be paid for ye future.

A Bill for Ports for ye better fecuring of his Majties Cuftomes, and Revenues.

Arising in this his Dominion of Virginia

A Bill for an Additionall Law Concerning Negroes, and Other Slaves.

To which the foll Answers were Carryed by ye Clerk of ye Gen¹¹ Assembly, And his Exe Comanded the Grievances to be sent unto him.

By his Majiis Councell

M' Speaker

The Bill Entituled [See J. of H. of B., p. 313.]

By his Majiis Councell

M' Speaker

Upon the Reviewing [See J. of H. of B., p. 313.]

M' Speaker

As to yor Bill [See J. of H. of B., p. 315.]

M' Speaker

The part of this Bill Reftraining Negroes from Meeting in Confiderable Numbers and Walking abroad, as also from bearing any Armes, Carrying of Clubbs, Staves, or Other Offensive Weapons, or Instruments, We are of Opinion is sufficiently provided for by a former Law, made in June 1680, And as to ye other part of this Bill, We doe not Concurr in Judgment with you.

Signed by order of ye Councell

W: Edwards Cl Genii Cur. [Affbly]

May 9th 1688.

OME of the House of Burgesses bring the foll: Answer to his Excles Speech on Satarday ye 5th of this Moneth May it please yor Exc.

This House haveing well Weighed [See J. of H. of B., pp. 311-12.]

By his Excellency

The Clerk of the Gen¹¹ Affembly Carryes the foll Reply.

May ye 9th 1688.

M. Speaker

Though I did not [See J. of H. of B., p. 315.] Cap' Wm Wilfon and M' Richard Whittiker bring ye foll Addrefs

By the House of Burgesses

May it please yo' Hon'

It is not a little [See J. of H. of B., pp. 315-16.]

Cap' Hen: Applewhait &c bring the foll Address

To his Exes firancis Lord Howard Baron of Effingham his Majiii Leivi and Gov Genii of Virga

The House of Burgesses now Assembled

Humbly Prefent

This House haveing Considered [See J. of H. of B., p. 314.]

By the House of Burgesses

May 8th 1688

In Answer to a verball Message [See J. of H. of B., pp. 313-14.]

[May]



[May ye tenth.]

HE Clerk Carryes the foll Replyes to ye House of Burgesses

M' Speaker

If the Address [See J. of H. of B., p. 320.]

By his Excellency

M' Speaker

I cannot but fay [See J. of H. of B., pp. 319-20.]

By his Excellency

M' Speaker

I expected the Grievances [See J. of H. of B., p. 320.]

Some of the House of Burgesses Bring the foll Answers.

·By the House of Burgesses

May it please yo' Excy

This House have proceeded [See J. of H. of B., p. 320.]

By the Houfe of Burgeffes

May it please yo' Excy

This House did well hope [See J. of H. of B., pp. 320-21.]

Some of ye House of Burgesses bring the Comittees Report of ye Claimes.

The Clerk of ye Gen¹¹ Affembly Carryes ye Comittee Report of ye Claimes, with ye foll Answer to it.

The Councells Answer to ye Report of ye Comittee of Claimes.

Isle of Wight fo: 3

As to ye Claime of John Lewis and Richard Macome for being Impress to goe in ye Boate to wait on Coll Lear by his Excies Comand, at a Councell held at Coll Coles, ye same being for ye Countries service, the Councell therefore are of Opinion, that they ought to be paid by ye Publique, as it allwaies has been, the Councell having noe allowance to pay men Impress for ye Publique service.

Nanzemond fo: 6

We are of y Opinion, that Cap' Jeffies Claime ab' y Maherin Indians, ought to be borne by y Publique, and the Claime being uncertaine, ought to be refferred to y next Affembly.

fo: 7

As to y^e Claime of M^r W^m Lee fherriff of Northumberland County Concerning 3247¹¹ of tobacco, by your House disallowed, it being soe Considerable a Claime and noe Allowance made, We desire to see the Accounts and papers, that We may Consider what is fitt to be done therein.

Westmorld fol: 8

As to ye sherriff of Westmorland for his own Coming and goeing, and Attendance at James Citty, and the Guards upon the prisoner, and Wittnesses being Negroes, being not allowed, altho' the Comittee think it just and Reasonable, the Councell are of Opinion, that Notwithstanding the Resolve of ye House, web cannot oblidge us to Consent, nor the Country to Obedience, are of Opinion, what is just, ought to be allowed.

fo: 8

As to ye Claime of *Thomas Baker*, We think it just, that it be Refferred to ye next Affembly for proof.

Warwick fo: 10

As to ye Claime of feverall Plons for fetching & Carrying Coll Lear and Coll Cole over James River abt ye Indian business, it being by Order of ye Govt and Councell, and for the Safety and Security of ye Country, It is thought fitt that ye id Men be paid by ye Country, and not out of ye Councelle Pticular purses, they being allowed noe Allowance, for any Such Service, and never disputed before.

We



We think fitt that M^r Edward Sorrell be allowed his just Claime, for Carrying y* prisoner up to Henrico County.

fo: 13

The fherriff of *James Citty* ever was allowed for Attending the Gov^{*} and Councell on Gen¹¹ Courts & otherwife, and it being for the Publique good, and fervice of y^{*} Country, We Conceive ought to have a reasonable allowance for his sd Attendance.

fo: 13

We Conceive that, the Councell Roome at Mr Sherwoods is, and allwaies was intended for the Govr & Councell, according to ye Agreement of ye Genn Affembly, & not a Temporary Agreement, as ye Comittee would suppose, and yt it cannot be disallowed of, by a part of that Body.

fo: 15

If Coll *Lightfoots* Claime be juft, We Conceive he ought not to be barred thereof, by Order or Refolve of yo^t House.

fo: 17

As to ye Claime of Jopesh ffirth, and Wm Mansfield, and their Horses being Impressit by his Excles Comand, we Conceive it was for ye Publique service, therefore ought to be allowed.

As to ye feverall Claimes of Mr Auditor, ye Pticulars whereof are herewith fent you, web by Multiplicity of business were forgotten (and would have been sent you on ye least Notice) We have perused, & find ye same to be just, and disbursed for ye service of ye Country, therefore ought to be allowed, and as to his Excles Claime of 1611 168 for Interest, for money disbursed for the Country, the same ought to be allowed, that money being disbursed for the Good and benefit of ye Country, and We have sound the good Effects of it, and ye same is approved by his sacred Majer, and we think his Lordship may be as well allowed six P C for being two yeares out of his money, as others twenty. May 10th 1688.

Signed by Order of ye Councell

W: Edwards Cl Genii Affbly

Capt Wm Wilson and Mr Richs Whittiker bring the foll Message to ym Councell Whereas this House upon Examination of [See J. of H. of B., pp. 316-318.]

The Clerke of y^e Gen¹¹ Affembly Carryes y^e foll Answer to y^e House of Burgesses M^r Speaker

As to yor Request [See J. of H. of B., p. 321.]

[May the eleventh.]

OME of the House of Burgesses bring the foll papers

By the House of Burgesses

A Reply to ye Honble Councells Answer to ye Report of ye Comittee of Claimes

Isle of Wight

As to y* Claime of John Lewis and Richard Macome Impress to goe in y* Boate to waite on Coll Lear, This House are of Opinion, y' that Report of y* Comittee is well grounded, they Conceiving that y* Honble Councell ought to Satisfye for their own Conveniences as well for Attendance at Councells, as at Gen¹¹ Courts they having Annuall Allowances.

Nanzemond

Capt Jeffys Claime, the House Consents it may be Refferred to ye next Assembly for better proof.

Northumberland

As to y^e Claime and account of M^r W^m Lee fherriff of Northumberland. The House are of Opinion, the Report of the Comittee is well grounded, nevertheless, they have appointed two of the Members of that Comittee to wait on yo^r Hon's with that account for yo^r further Satisfaction.



Weftmorland

As to ye Claime of ye fheriff of Weftmorland, there is already allowed all ye Articles of his accol according to Law, and for his Expence and lofs of time in Town, by Especiall Comand of his Exe, and returning the prisoner back, This House doe think fitt to allow one Thousand pounds of tobacco and Cask

As to Thomas Bakers Claime, the House Consents ye it stands refferred to ye next

Affembly for proof.

Warwick

The Claime of five Frons four dayes fent by Express for Coll Lear is allowed three hundred pds tobacco & Cask. The other Articles are disallowed, This House Conceiving that ye Honble Councell ought to bear their own Charge in Transporting themselves to and from ye severall Meetings of Councill.

James City

Edward Sorrells Claime for Conveying Toby ye Negro Criminall to Henrico County, being by Especiall Comand he is allowed by ye House three hundred pds Tobacco.

As for Allowance to y^e fheriff of James Citty County this House doe Conceive he ought not to be allowed any thing dureing the time of y^e Gen¹¹ Court, his ffees being a sufficient Recompence But for his Attendance at any Sessions of Assembly when y^e Gen¹¹ Court is not held, This House Consents that he be allowed One hundred and twenty pds of tob: $\frac{e}{10}$ day.

As to y' Agreement with M' Sherwood for his Great Hall &c for y' use and service of his Excy and Councell, if ye first Agreem' be Inspected yo' Hon's will find it Temporary, Nevertheless this House is willing y' sd Agreement be Continued untill y' 20th Septemb'

1690.

Glost

As to ye Claime of Coll Lightfoot, the House are of Opinion that ye Report of ye Comittee is well grounded.

York.

As to y^e Claime of Joseph firth and W^m Manfield the House are of Opinion that the Report of y^e Comittee is well grounded, it being for Carrying Letters on Boord his Maj^{tles} Ketch Quaker, w^{eh} this House Conceives is noe Country Charge.

As to M^r Auditors Acco^t the first Article of fixteene pound fixteen shill for Interest This House cannot Conceive how they should be Oblidged to pay Interest, when

they are not fenfible they are Indebted the Principall.

The fecond Article of thirty five pd five shill ye Mistake being rectifyed, it being

but thirty two pds fixteene shill is allowed.

The third Article of 5¹¹ 1.4° 6⁴ for 2295¹¹ tobacco paid Coll Allerton, This House Conceive they ought not to allow it, it not being for the Countries service but all Relateing to M^c Mein and Cap^t Crafts, & Transporting the Hon^{ble} Coll Lee to Maryland.

The 4th Article of 11° being paid in Relation to Capt Craffts. This House Conceive

they ought not to allow it.

As to ye 5th Article of 16th 10th this House haveing great reason to believe that the Messenger was paid with a farr less Sum, they are willing to allow what was Really paid to him for his time and Expences and noe more.

The last Article of 3¹¹ 10³ paid to Gowen Dunbarr being regulated according to Law comes to two pounds ten shillings, The House are willing to allow.

Signed by Comand of ye House

Francis Page Cl of ye House of Burgesses

May 11º 1688.

May it please yor Excy

This House having Confidered the severall [See J. of H. of B., pp. 321-2.]

To



(131)-132

To his Exes firancis Lord Howard Baron of Effingham his Majiin Leivi and Gov Gen'll of Virga

The House of Burgesses now Assembled

Humbly prefent

That upon takeing that part [See J. of H. of B., pp. 322-3.]

May it please yo' Excy

In a Message from yor Ex^{cy} [See J. of H. of B., p. 324.]

By the House of Burgesses

In Reply to yor Honra Answer [See J. of H. of B., p. 324.]

[May ye twelfth.]

HE Clerk of the Gen¹¹ Affembly Carries the foll Answer

M^r Speaker

Your House having defired [See J. of H. of B., pp. 325-7.]

M' Speaker

As the Councell are foc tender [See J. of H. of B., p. 328.]

By his Excellency

Mr Speaker

Yor House the last Night [See J. of H. of B., p. 328.]

The Clerk of the Gen¹¹ Affembly by his $\operatorname{Ex^{cies}}$ Comand goes to y^e House of Burgesses, and Acquaints them, that his $\operatorname{Ex^{cy}}$ Ordered the whole House forthwith to Attend him in the Councell Chamber where they being Come, He Expressed himselse as foll: M^r Speaker

It hath been Mine, and the Councill's great Admiration, I had not fooner an Answer from yo' House, to what was given you in Charge by Me, by his Majesties particular Directions, relateing to Bulk Tobacco, It being soe long Since; And much greater now to receive Such an One from You as Re Insecta, had you done as you were first Directed, and Since reminded by Me, to have taken that Sooner under Consideration, you had Saved yo' selves much time, and the Country much Charge, but Since you have refused to Enact what you were particularly Sumoned for, I will be soe much the Countries firiend, to putt an End to that Expence by dissolving this Assembly, And in his Majesties name you are Dissolved.

Vera copia Teft W. Edwards Cl Gen Affbly



AT A

GEN^{LL} ASSEMBLY

begun at James Citty ye 17th day of Aprill Anno Dom 1691 and in the third year of ye Reign of our Sovreign Lord and Lady William & Mary King and Queen of England Scotland france and Ireland and Virginia defenders of ye faith



At a Gen!! Affembly begun at James Citty ye 17th day of Aprill Anno Dom 1691 and in the third year of ye Reign of our Sovreign Lord and Lady William & Mary King and Queen of England Scotland ffrance and Ireland and Virginia defenders of ye faith

April 17th, 1691.]

Prefent

THE Rt honble ffra. Nicholfon Esqt Lt Govt, Wm Cole Esqt Sec, Ra: Wormeley Esqr, Ino Custis Esqr, Wm Byrd Esqr, Ino Lear Esqr, Chr. Wormeley Esqr,

Edwd Hill Esqr, Hen Whiting Esqr

It is ordered that Wm Edwards Clerk of ye Gen! Affembly go to ye house of Burgeffes & acquaint them that their Mas Comicon appointing his Excs ffrancis Lord Howard of Effingham their Mas Lt and Gov Gen of Virginia was imediately to be published in ye Gen" Court house where they should give their Attendance to hear ye fame, and they accordingly forthwith came into ye Gen" Court house, and after publifhing of ye aforefd Comicon, their most Sacred Mae Order to ye Right Honble ffrancis Nicholfon Efqr their Mas Lieut Govern to execute ye Severall powers and authorities contain'd in ye faid Comicon and their Mas Instruccions (during his Excellencies absence) ye Lt Govr and Councill took ye oathes by Law prescribed to be taken instead of ye oathes of Allegiance and Supremacy and Subscribed ye Test;

The Lt Gov' comanded ye Burgeffes to return and elect a Speaker, and acquainted them he had appointed Mr Peter Beverley their Clerk, & given him a Comicon accordingly.

The Burgesses withdraw themselves and Soon after Capt Ball &c wait on ye Lt Govern and Councill and acquaint them that ye house of Burgesles had Elected a Speaker.

The L' Govern' then Comanded that the whole house of Burgeises should attend

him and ye Councill in ye Gen" Court house.

The Burgesses wait on his Hon' ye L' Gov' and Councill in ye Gen'l Court house, and present Coll Thomas Milner for their Speaker who begged ye usual petitions of that house and was confirmed Speaker After which ye Lt Gov made ye following Speech. M' Speaker and You Gent of ye house of Burgesses

God Almighty having hitherto [See J. of H. of B., 1659/60-1693, p. 336.]

Coll Arthur Smith &c wait on ye Lt Gov and Councill and acquaint them that ye house of Burgesses had elected Mr Peter Beverley their Clerk and desired that he might be ordered to give his Attendance to which ye Lt Gov answer'd that he had before acquainted their house he had appointed ye said Beverley their Clerk, and given him a Comicon for ye faid place, and ordered him to give his Attendance.

M' Henry Hartwell &c wait on ye L' Gov' & Councill, and defire that their house may have ye Fusal of ye Law requiring ye taking ye Oathes prescribed by Act of Parliament inftead of ye oathes of Allegiance and Supremacy which was accordingly deliver'd

them.

Saturday April 18-1691

AJR Charles Scarbourgh &c Wait on ye Rt honble ye Lt Gove, and pray him to Comiconate Some of ye honble Councill to administer to ye members of their house ye oathes enjoyn'd by Act of Parliament.

And William Byrd and John Lear Efqr were accordingly Comiconated. Capt John Smith &c wait on ye Rt Honble ye Lt Govern, and request him to favor their house with a copy of his Speech.

Ordered



Ordered that William Edwards Clerk of ye Gen" Affembly carry a copy of ye La Gove Speech to ye house of Burgesses.

M' Henry Hartwell &c request that Councill may be assigned to Swear ye Clerk of ye house of Burgesses and present ye following Address

To yo R. Honbie ffrancis Nicholfon Efqr their Mas L. Govr of Virginia

The house of Burgesses now Assembled

Humbly present

That takeing into Confideration [See J. of H. of B., p. 336.]

Chriftop' Wormeley Efq' and Henry Whiting Efq' were Comiconated to adminifter ye oathes by Law appointed to M' Peter Beverley Clerk of ye house of Burgesses.

Monday Aprill 20th 1691.

R Henry Hartwell &c waites on ye Rt honble ye Lt Govern and acquaints him ye house of Burgesses request that he would be pleased to iffue a new writt for election of a Burgess in Surry County in ye room of Maje Arthur Allen who hath disabled himself to Serve in this Assembly by his refusal, through Scruple of Conscience to take ye Oathes enjoyned by Act of Parliament instead of ye oathes of Allegiance and Supremacy. And accordingly a new writt issued.

Some of ye house of Burgesses bring ye following Address.

Aprill 20th 1691:

To y' R' Honble ffrancis Nicholfon Efqr their Mar L' Govern' of Virga

The house of Burgesses having [See J. of H. of B., p. 339.]

Ordered that William Edwards Clerk of ye Gen¹¹ Affembly carry ye following meffage to ye house of Burgesses.

M' Speaker

The Address of the house of Burgesses [See J. of H. of B., p. 338.]

Theufday April 21: 1691

RDERED that ye following proclamacon do forthwith iffue Virge St:

By yo R. Honbie yo L. Governo

A Proclamacon

Appointing a day of humiliation and fasting.

It having pleased Almighty God of his infinite Goodness and mercy to keep this their M. Dominion in peace, when all y. Neighbing Colonies have been in great disturbance and Dangers: And y. Gen. Assembly for this Country being now assembled to consider y. best meanes to Secure y. peace thereof I francis Nicholson Esq. their Ma. L. Govern of this their Ma. Dominion by y. advice and Consent of y. Councill of State and desire of y. Gent of y. house of Burgesses do hereby appoint that Saturday y. 25th of this Instant be Set apart as a day of humiliation and fasting for y. Gen. Assembly and Inhabit. of James Citty humbly to implore y. divine assistance in directing this Gen. Assembly to make Such good and wholesome Laws, as shall be for y. Glory of God, the Honor of their Ma. and Security peace and Safety of this their Ma. Dominion and y. Inhabitants thereof: and on fryday y. 8th day of May y. same to be Formed throughout y. whole Colony. And y. ministers in y. respective Fishes are not to fail to Form y. duties of y. day by reading y. Service of y. Church and preaching and all Fons are to abstain from Servile work and labour that day. Given under my hand and y. Seal of y. Colony y. 21st day of Aprill Ano Dom 1691.

ffr Nicholfon

To ye fher of County

or his Deputy



Coll John Stone &c waite upon ye Rt Honbie ye Lt Govr and prayed his Hon' yt Coll Nath Bacon late Audi and Coll Wm Byrd prient Audit might be ordered to deliver to ye house of Burgesses an Account of ye 3d all upon Liquors according to ye Act of Assembly in that case provided

Which his Hon' answer'd should be done.

ffryday Aprill 24th 1691

RDERED that William Edwards Clerk of ye Gen¹¹ Affembly carry ye following meffage to ye house of Burgesses.

James Citty—Aprill 24th—1691:

M' Speaker

My Self and y Councill [See J. of H. of B., p. 342.]

Monday April 27th 1691

OME of ye house of Burgesses wait upon his hon ye L' Govern and pray that Councill may be assign'd to Swear Mr Benje Harrison who was return'd Burgess for Surry County in ye Room of Majr Arthur Allen, and Ralph Wormeley Esq and William Byrd Esq were accordingly Comiconated.

Wednesday April 29th 1691

R Benj[®] Harrifon &c wait upon y^e R^t Hon^{ble} y^e L^t Govern^r and prayed that fome of y^e Councill might be appointed to hold a Conference with fome of y^e members of their house about considering y^e best method for Securing y^e Country, & y^e most expedient way for erecting of a Colledge.

Ordered that William Edwards Clerk of ye Gen¹¹ Affembly go to ye house of Burgesses and acquaint them that Wm Cole Esqt Sect Ralph Wormeley Esqt Wm Byrd Esqt, Chr: Wormeley Esqt Edwar Hill Esqt and Henry Whiting Esqt are appointed to hold a Conference with such members as Should be appointed by their house tomorrow after morning prayers, in ye Councill Chamber to consider ye Security of this Country and ye most expedient method of Erecting a Colledge.

M' Harrison &c bring ye ffollowing Bills.

A Bill to prevent ye Casting of Ballast into Rivers and Creeks.

A Bill directing how publick Claimes shall be certified for allowance.

A Bill giving reward for killing of wolves.

A Bill prohibiting ordinary keepers to give credit to Seamen and others.

A Bill declaring how ye Charge arifing by Criminals shall be paid for ye future.

A Bill directing how sher and Collecters shall accout for publique dues.

Thursday Aprill 30th 1691.

M COLE Efq' reports from ye Conference held with Some of ye house of Burgesses ye Several methods proposed for ye Security of ye Country erecting a Colledge and ye same are approved of.

Ordered that ye Clerk of ye Gen" Affembly enter ye following Answers in ye Margine of ye bills Yesterday brought from ye house of Burgesses & then return

them to ye faid House, viz'

In y bill to prevent y cafting of Ballast into Rivers and Creeks, this bill agreed to with this addition, that where it shall appear to y Court of y County ag which any ship or ships shall ride that ballast will doe y road good, they be there mitted to throw it over board in y Road, ticularly we are informed It will do good in y Road in Corotomon in Rapp River which is a muddy Road.



A Bill directing how publick Claimes fhall be certified for Allowance. this bill is agreed to.

A Bill giving reward for killing of wolves. this bill is agreed to.

A Bill prohibiting Ordinary keepers to give creditt to Scamen and others, this bill is agreed to.

A Bill declaring how ye Charge arifing by criminals fhall be paid for ye future. The fines have been fo inconfiderable, either by ye remifiness of Grand juries or otherwise, they will in no wase [wise] bear ye Charge as is proposed. And provided an Officer be appointed to look after ye fines & forfeitures upon ye penal Laws, we shall agree they may as farr as they will extend be put to that use, but what they fall short must be borne by ye publick, unless Some better way be found to do ye Same.

A Bill directing how ther and Collectors thall account for publick dues.

We propose that an additionall Clause be enter'd excepting their Ma³ Quitrents & dues which y^e sheriffs must pay in y^e first and best tobacco, also a clause that y^e Sherives be injoyn'd to make y^e tobacco good if it shall appear not to be So, within ten dayes after it shall be allotted y^e Cred^{r3} by y^e County Court; in which time y^e Cred^{r3} are to receive y^e Same, otherwise that it ly on their Account. And y^e 20th of seb^{r3} being very late will be to y^e great hind'rance of y^e Severall concerned, we therefore propose y^e 20th of Jan^{r3} to be y^e time.

By order of ye honrhle Councill

W. Edwards Cl Gen¹ Affembl

M^t Christopher Robinson &c wait on ye Rt honble ye Lt Govt and pray that Some of ye Councill may be Assign'd to Joyn wth Some members of their house in drawing an humble address to their Mas for a Colledge, and accordingly Councill were Assign'd to meet in ye Councill Chamber in ediately after prayers tomorrow morning.

May ye 1st 1691.

R Sec^y Cole reports y^e Severall parts of y^e Address agreed to, to be presented to their Ma^o for a Colledge and y^e Same are approved of.

Wednesday May 6, 1691

R Chr Robinfon &c wait on ye Councill in ye Councill Chamber and prefent a bill about Ports and defire their Concurrence thereto.

Some of ye house of Burgesses wait on ye Council and present

A Bill to prevent ye Cafting of Ballaft into Rivers and Creeks,

A Bill directing how fheriffs and Collect* fhall account for publick dues adhered to by their house with y* amendments proposed, they are therefore agreed to.

Thursday May 7th 1691

RDERED that ye Clerk of ye Generall Affembly carry ye following meffage

By their Mar Councill

Mr Speaker

Having reced A Bill from you Appointing twenty Ports in ye Several Counties in this Colony to which you defire our Concurrence, On confideracon thereof & ye places therein named we cannot agree that any place ought to be appointed a Port, but Such as ships and goods may probably be Secured at by ffortifications, which Severall of ye places proposed by you will not admitt of. But that It may be easy to ye Inhabitants in procuring ye Severall things they shall want from mercus Stores, We propose that ye Severall places appointed in ye Said Bill for Ports, be Towns and have prive-

ledges



ledges to buy and Sell in them, unless Such places as are hereafter nominated in their Stead in *York* and *Gloc'* Counties, which we Judge more proper places and that those onely hereafter named be Ports, *viz'*

In James River

The place appointed

in Charles Citty County

in James Citty County in Nanfamond County

in Lower Norfolk County

In York River

The Ports to be at

Tindals Point &

over against it on ye Land of Mr Read one port which may be defended by Platformes on each fide York River.

And at ye place appointed in New Kent County.

In Rappa River

The place appointed

in Lancaster County

in Rappa County

In Patowmeck River

The place appointed

in Northumberland County

in Stafford County

The Eaftern Shore

The places appointed

in Accomack

& Northampton Counties

But when ye Country Grows more populous and trade increafeth, more Ports may be made if it be found convenient And

Where its provided, that from and after the first day of Odober 1692 no tobacco &c Shall be taken on board any Ship &c in order to be exported in ye Said Ship &c but whatt shall come directly from Some one or other of ye Ports wharfes Keys or places menconed in this Act nor unless ye fame Tobacco, and other goods So taken on Board from Such place or places allowed off by this Act be first entered with ye Collector or officer duely appointed to Collect receive and Secure ye Customes, and a Cocquet or certificate thereof produced from him of Such entry made &c under ye pain & penalty of forfeiting all Such Tobaccoes &c We propose that a Proviso be entered that all tobe Skins &c that shall be found on board any Ship Sloop Boat or other Vessell that hath past by any Port after ye takeing in of ye said Tobacco Skins &c & hath not a mitter ye same, and to what Port or place they are to be carried, the Said tobe Skins &c, shall be forseited, otherwise we conceive any Hon may carry away goods especially flurs and Skins to Maryland to ship of, and if he be Surprised he may pretend he is to go with ye said Tobacco Skins &c to Palowmeck or any other place in Virginia, and so ye greatest part of ye Law be found inessectual.

We conceive y* rates proposed for deer Skins & surs are Somewhat too high and if they be Set at a more moderate rate it will better answer y* Ends of y* Act to raise a Revenue, otherwise it may incourage y* Carrying that Trade to our Neighbing plantacons of North and South Carolina, & Maryland. and therefore we propose a buckskin eight pound and nine pence for every pound & quarter of Beaver, Otter Six pence, wild cat three pence, Minx two pence ffox three pence Raccoon a penny, Muskrats six pence

doz: and that Elk Skins be added at twelve pence each.

In y fourteenth & 15th lines where it is Said, fhall from and after y first day of June be transported or conveyed out of this their Ma Dominion &c we proposed that instead of y words transported or Conveyed, Ship'd be inserted.

Imediately



Imediately after words answer'd and paid to in ye 18th line we propose that this Clause be entered. Our Sovreign Lord and Lady ye King and Queen their heirs and Successors to and for ye uses intents and purposes hereafter mencoed, and no other whatsoever.

We propose that imediately after ye words (house in ye day time) in ye 13th line be added a Clause impowering ye Collector, or Collectore to break open ye Door or doors of any Suspected house, and that all Hons be required to aid and Assist ye Collector or Collectors therein.

And for incouragemt of ye Officers that shall be appointed by ye Collectors to be carefull, and diligent in ye Hormance of their duties, we propose that Some Small Allowance be made them to be paid by ye exporters and importers of goods out of & into this Colony.

Wee propose that a Clause be enter'd requireing ye treasurer or Treasurers, or Such other Pson or Psons as shall be appointed to receive from ye Severall Collectors, ye money accruing due by this Act, to pay that part thereof which is to be to our Sovreign Lord and Lady ye King & Queens Mae their heirs and Successor to and for ye better Support of the Governme, in providing arms and amunicon for ye Better desence thereof and building and maintaining convenient fortifications for ye desence of ye Ships Arriving in ye said Ports to Such Psons, as shall be impower'd by Warrant from ye Re Honble ye Lieut Governer or Comander in Cheif to receive ye same Yearly for ye uses aforesd.

We propose that a Clause be entered that y^e Lands within y^e bounds Set for y^e Port in *James Citty* County be paid for by y^e County to y^e Severall Proprietors and Owners thereof in y^e Same mañer as ye Lands in y^e other Counties appointed for Ports are.

These Alteracons amendments and additions being made we shall willingly give our concurrence to y^e said Bill conceiving that Ports, but not too many of them will tend greatly to their Ma^e Interest, and good of this Country

May 7th 1601:

By order of ye Councill

W Edwards Cl Gen¹ Affembl

ffryday May 8th 1691:

RDERED that ye Clerk of ye Gen¹¹ Affembly carry to ye house of Burgesses ye following Message

By yo Honble Councill

Mr Speaker

Yesterday was omitted returning to you a Proviso to be enter'd in ye Bill for Ports, which we Judge will be of great use in Securing ye Revenue intended to be raised on Skins and surs which is that a Clause be enter'd in ye said Bill, that no goods or Comodities whatsoever for ye Indian Trade shall be carried from this Governme to any other, but Such as shall be Pimitted by ye Collector, which Pimitt ye Collectors are not to grant untill good Security be given, that ye produce of those goods shall be brought into this Colony and enter'd with ye Same Collector who gave ye mitt to prevent straud therein.

We also acquaint you that wee hear they have made a very Strict Law in North Carolina to prevent any Plons tradeing with ye Indians but their Inhabitants, this Provisoe tending so greatly to ye Securing ye designed revenue for ye good of ye Country we doubt not your takeing ye same into Consideracon

May 8th 1691.

By order of Councill

W. Edwards Cl Gen¹ Affembl

Coll Lawrence Smith &c waited on ye Councill in ye Councill Chamber and prefented ye Six ffollowing bills to which they defired ye Councills Concurrence, viz'



A Bill reviving ye Ad for advancement of Manufactures of ye growth of this Country &c

A Bill reviving ye Sixth Act of Affembly made at James Citty ye 20th of 8br 1686

regulateing ye tare of Tobacco hhds.

A Bill for dividing New Kent County A Bill for a ffree trade with Indians

A Bill to prevent Horses runing at Large and barking ffruit trees.

A Bill for ye more effectual Suppressing ye Several Sins and offences of Swearing &c

Saturday May 9th 1691:

RDERED that ye Clerk of ye Gen¹¹ Affembly carry ye ffollowing Meffage to ye house of Burgesses

By their Mas Councill

Mr Speaker

having late in ye afternoon of ye day past receid Six bills from you to which You desired our Concurrence, Do herwith return them with ye following Answer Vizi

A Bill reviving ye AA flor advancem of manufacturs of ye growth of this Country is

agreed to.

A Bill reviving ye Sixth Act of Assembly made at James Citty ye 20th of October 1686, regulateing ye tare of tobacco hogsheads is agreed to.

A Bill for dividing New Kent County is agreed to, dayes for ye Court of King & Oueens County to be held on being appointed by you.

A Bill for a ffree trade with Indians

We propose that a Clause be added to this bill restraining ye Inhabitants of this Dominion from going a hunting remote ffrom ye English Plantacons, but by Amission of ye Rt honbie ye Lt Govr and Councill, & under Such Condicons, and restrictions as they shall appoint, that thereby ye mischeifs which have ffrequently happen'd at huntings may be prevented for ye ffuture.

A Bill to prevent horses runing at Large and barking ffruit trees.

Wee conceive the first part of this Bill which provides that all horses &c shall be kept within ffenced grounds will so lessen ye quantity of horses that in a short time, horses will be wanting for their Ma[®] Service, in ye Security of ye Country, & that being omitted we agree to ye other part of ye bill.

A Bill for ye more effectual Suppressing ye Severall Sins and offences of Swearing &c Wee propose that ye two last provisoes in this Bill be left out, ye last of them being directly contrary to their Ma* Instructions

Also we propose that a Clause be added that Blasphemy be punished, according to ye Law of *England* in that case made and provided.

These alteracons amendments and additions being made we shall readily give our Concurrence to ye aforesd Bills

May 9th 1691.

By order of ye Councill

W. Edwards Cl Gen! Affembl

A letter ffrom their Ma^o Justices of y^e Peace of Lower Norfolk County directed to y^e R^t Hon^{ble} y^e L^t Govern^t and Councill and Burgesses of this Gen¹¹ Assembly complaining ag^e Cap^t John Jenings Comander of their Ma^o Ship Experiment is referred to y^e Consideracon of y^e house of Burgesses.

Col! Anthony Lawfon &c wait upon ye Rt Honble ye Lt Govern and Councill in ye Councell Chamber and prefent them with the following Address

May ye 9th 1691:

By yo house of Burgesses

Upon reading a Letter Subscribed [See J. of H. of B., pp. 355-6.]

Capt



Capt William Randolph &c wait upon ye Councill in ye Councill Chamber and prefent ye Claimes made this Affembly for their concurrence. And also presented ye following resolve of their house, and defired ye Councills concurrence.

Thursday May ye 7th 1691:

By yo house of Burgesses.

Upon reading ye report [See J. of H. of B., p. 351.]

Monday May 11th 1691:

R Christopher Robinson &c wait on ye Councill in ye Councill Chamber, and desire that some of ye honble Councill may be appointed to hold a Conference with some of ye members of their house, about ye amendments and alteracons made in ye bill for Ports.

Ordered that ye Clerk of ye Gen'i Affembly go tomorrow morning to ye house of Burgesses, & acquaint them, that ye R' Honbie ye L' Gov' & Councill have issued a warrant requiring Cap' John Jennings Comander of their Ma' Ship Experiment to make his appearance at James Citty on thursday next to answer ye things complained of agt him

by their Ma[®] Justices of y[®] peace of Lower Norfolk County.

Also that he acquaint them ye Councill hath appointed William Cole Esqr Secry—Ralph Wormeley Esqr, John Lear Esqr & Edward Hill Esqr to hold a Conference about ye amendments and alteracons made in ye bill for Ports in ye Councill Chamber with Such members as they should appoint, tomorrow imediately after morning Service, And that he deliver them ye opinion of ye Councill about a fitt place for a Colledge by Gods &mission design'd to be erected in this Country and of fitt &sons to be presented to their Mae to take their Royal grant for erecting thereof

Tuefday May 12th 1691:

RDERED that ye Clerk of ye Gen" Affembly carry ye following Meffage to ye house of Burgesses.

By yo Honble Councill

Claimes in Año 1688.

New Kent County

Wee Conceive that no allowance for ye future ought to be made to Jno Kimbrough he being very well able to maintain himself, unless by order of ye Gen¹¹ Affembly it was Setled for his life.

Warwick County

Wee conceive ye men carrying Coll Cole to Nanfamond and ye reft of ye Article ought to be allowed, it being for ye Countryes Service about ye Indians for which no allowance is made to Coll Cole as a Councello and therefore ought to be paid by ye Country.

James Citty County

We conceive there is as much Law and reason to allow ye sher of James Citty Couñ for his own and his Officers attendance on ye Govern and Councill in Assembly time as for Allowing to ye Messens and Door keepers of Your house therefore propose that Majr Sam' Weldon late sher of this County be allowed five thousand pds of tobe and Cask.

York County

As to y^e Claimes of Nath Bacon Efq^e late Audit^e he hath produced his account and Wee having examin'd it find Juftly due to him Sixty one pds ten shill and Six pence which he ought to be allowed, and herewith Send his acco^e

Surry County

The Severall interpreters Claimes we conceive ought to be allowed, and they paid each 4000¹¹ tob° and Cask ♂ Annum, they having ♂formed many Services been at

great



great trouble and Charge in Attendance at *James Citty* and were never allowed Lefs and It being of Abfolute neceffity there flould be interpreters it is proposed if You can find Prons as fitt as those already appointed, that will Serve for lefs on presentacon of them to ye Rt Honble ye Lieut Governt they may be appointed.

James Citty County

Wee Conceive that W. Edwards Clerk of ye Gen¹ Court, who to our knowledge hath performed many more Services the two years last past, then was or Could be expected when ye rule was made of 5000¹b of tobo & Cask. Wee therefore propose that he be allowed Six thousand pds of tobo and Cask.

Mr Henry Gauler sheriff of this County for his & his officers attendance, wee Conceive he ought to be allowed for ye Reasons given before in Majr Weldons claimes five thousand pds of tobe, and Cask, and as to his Charge about Mr Woodcock there was an absolute necessity for ye Charge, his Mac having comanded ye Sending them to Maryland And they not having any estates in this Colony to Satissie ye Same we are of Opinion what is Just ought to be allowed.

We conceive M^r Robert Holderby Clerk of James Citty parish ought to be allowed for Attendance at prayers fifteen hundred pds of tobo and Cask, as well as John White for Ringing yo Bell 800 pds of tobo & Ca: which we Judge he hath well deserved.

York County

We conceive M^r Robert Read finer of this County ought to be allowed what is Juft of his account about Mafon and Reevely for ye Reafons given in M^r Gaulers account.

We conceive Wm Chapman ought to have no allowance for ye future for ye reasons given before for John Kimbroughs not being allowed. To Messengers paid by mr Auditr Byrd for ye Countries Service...... 12: 12: 00 to paid Alexander Boniman for transcribing ye revised Laws..... 04: --: ---To W Edwards for his affiftance in ve Same..... oi: --: --To Coll John Page for a printed book of Acts and ye written Laws Since ye printed Sent for England..... 00: 15: 00 To Edward Rofs for beating ye drum 3 yrs..... 22: 10: 00 To Severall meffengers for ye Countries Service..... 18: 00: 00 To Coll Cuthbert Potter for going to New York, Penfilvania and New England to know ye state of those Governmts and inquire into ye Canada affair that this Governmt might know how to act for ye Security of ye Country..... 60: 00: 00 To W" Cole Efqr paid to Mellengrs for ye Countreys Service..... 01: 04: 00 To Richard Lee Efqr pd to divers Messengre to Maryland Patowneck and James Citty about ye Indian business..... 11: 05: 00 To Mr Robert Read paid to Messengre for ye Countries Service..... 05: 00: 00 To a Meffenger now fent to New York Penfilvania and New England for ye Countries Service 40: 00: 00 To paid George Lindsey a Soldier who came from Albany, and was Sent for England to give an accor of that Governme, in order that care might be taken for ye Security thereof, and this Country thereby Secured... 02: 10: 00 To Gilbert Moor for looking out on ye Seaboard fide of ye Eastern shore by order of Councill 3 moneths..... 04: 10: 00 To m' W' Sherwood for ye Councill Chamber by agreement..... 25: 00: 00 To Edward Rofs for Severall meffages for ye Countrys Service..... 03: 00: 00 To m' Edward Sorrell for Meffages for ye Countreys Service...... o1: oo: ∞ To ffrancis Bullivant a mellage for ye Countreys Service..... 00: 06: 00

The duty of Three pence \mathfrak{P} gall on Liquors was raifed to eafe y^e heavy \mathfrak{P} poll, and bear y^e Contingent charges of y^e Governm, And Several Sums of money having been bond fide paid for y^e Contingent charges of y^e Governm, y^e Acco, whereof We have carefully examined and have found them juft: have Sent you an account of y^e Severall Sums as above, and doubt not your allowance of them.

And



And we propose that you take care to raise Allowances for ye Lieuts and Soldiers appointed to Range, for ye Security of ye Countrey by Order of ye Rt Honbie ye Lieut Govr and Councill.

May 12th 1691:

By order of ye Councill

W Edwards Cl Gen¹¹ Affembl

 W^m Cole Efq^{*} reports from y^e Conference held with fome of y^e house of Burgesses about y^e alteracons and amendments in y^e bill for Ports, y^e Severall parts of their Conference & amendm^{to} agreed to, and y^e same are approved of.

Thursday May 14th 1691

AJR Scarbourgh &c wait upon ye Councill in ye Councill Chamber and prefent ye bill for Ports, with their agreem to ye additions alteracons and amendments fent to them except one Clause now adhered to by ye Councill, It is therefore ordered that ye Clerk enter ye Assented by Ye Councill to ye Said Bill, which was accordingly done. And also pesented

A Bill for dividing New Kent County; wherein they had agreed to ye addition pro-

pofed thereto, and

A Bill for a free trade with ye Indians, to which they adhered with ye Severall additions, as also that they had agreed to ye amendments in

the Bill to prevent horses runing at large and barking ffruit trees

Also proposed that a Conference might be held about y^e amendments made in y^e bill for y^e more Effectual preventing y^e Severall Sinns and offences of Swearing &c and accordingly a conference was appointed, & Councellors nominated for y^e Same to be held in y^e Councill Chamber imediately after Sunfett this day.

M^e Christopher Robinson &c wait upon ye Councill in ye Councill Chamber and prefent ye foll Bills and desire their Concurrence thereto, vizi

A Bill declaring ye duty of Farmers Curriers and Shoemakers.

A Bill for dividing Lower Norfolk County.

A Bill enjoyning ye planting and dreffing of fflax and hemp.

A Bill providing for ye better defence of ye Country.

Mr Robert Bolling &c Wait upon ye L' Gov' and Councill in ye Councill Chamber and defire ye depositions of mr Thomas Hodges mr George Newton Cap' William Craford and mr Thomas But concerning ye complaint made against Cap' John Jenings might be taken

ffryday May 15th 1691

R Sec^e Cole reports what past in ye Conference about ye amendments in ye bill for ye more effectual preventing ye Severall Sins and offences of Swearing &c.

Mr Christopher Robinson &c wait upon ye Councill in ye Councill Chamber and present a bill for ye alteracon of ye time of processioning Lands, and desire their concurrence thereto.

And acquaint them that ye house of Burgesses had agreed that ye Land of mr Wm Buckner on ye South side York River was a fitt place for ye Erecting of a Colledge, and proposed that ye Rt Honbie ye Lt Govr and sour of ye Councill and sour of ye Clergy to be nominated by ye Councill, and ten more to be nominated by them were a fitt number of fons to be presented to their Mas to take their Royal grant for ye Erecting thereof.

Ordered that ye Clerk of ye Gen¹¹ Affembly carry ye following meffage to ye house of Burgesses and acquaint them that they approved of ye place for ye Colledge to Stand on and had nominated Wm Cole Esq Sec Ralph Wormley Esq William Byrd Esq and John

Lear



Lear Efq of ye Councill ye Reverend James Blair Cömiffary to ye Bifhop of London and ye Reverend John Banifter two of ye Clergy and defired them to nominate ye other two, of ye Clergy to be prefented with those that should be nominated by them to take their Mae Royal grant for ye Erecting of a Colledge in this Country.

Allo that ye depositions of ye Flons by them defired to be taken were taken and a Conference with some of their house desired in ye Councill Chamber imediately after

prayers tomorrow morning.

Ordered that ye Clerk of ye Gen^{II} Affembly carry ye following Bills with ye feverall answers thereto, to ye house of Burgesses

By yo honble their Mas Councill

M. Speaker

Having received from you five Bills to which you defired our Concurrence, do herewith return them, with ye following answers, viz^t

A Bill declaring ye duty of Farmers Curriers and Shoemakers is agreed to.

A Bill for dividing Lower Norfolk County is agreed to.

A Bill enjoyning ye planting and dreffing of fflax and hemp.

We propose that instead of ye preamble thereof, this following be inserted Vizi florasmuchas for some time past ye Inhabitants of this Country have Suffered great want of Linnen by reason of ye Warrs And to ye End ye same may be endeavred to be prevented, Bee it enacted &c as in ye 5th Line.

Also we propose that y^e words in y^e last line viz^t , and from thence to y^e End of y^e next Session of Assembly be left out these being done, y^e rest of y^e bill is agreed to.

A Bill providing for ye better defence of the Country.

Wee propose that an Additionall clause be made to this bill impowering $y^e R^e$ Honble $y^e L^e$ Gov and Councill to appoint Some Surveyor to mark out a Road from above y^e Inhabits of James River to Some place above y^e Inhabitants of $Rapp^a$ River, and to order men to clear y^e same at least twenty five foot wide, or that you now take care to order y^e doing thereof, and that y^e Charge be paid by y^e Country in y^e next Leavy, Also that no Surveyor presume to survey any Land above y^e said Road; for three years next to come, nor any \mathfrak{P} son Seat on any Land already surveyed within that time And we propose that y^e bounds between y^e English and Indians on y^e South side of James River be explain'd and ascertain'd, and that some measures be taken to know who ought to continue in Pamunky neck and who to be removed, these being done y^e bill is agreed to.

A Bill for ye alteracon of ye time of processioning Lands.

We propose that a Clause be added to this bill enjoyning y^* Pishon's of every Pish in this Colony to return an account of their proceedings in the processioning Lands in their precincts to y^* Severall vestryes in their Counties, and that y^* vestryes return an account thereof to y^* County Courts, and y^* County Courts to y^* Succeeding Aprill Gen" Court, under certain penalties to be imposed on y^* delinquents: This wee conceive will be a great means to cause y^* Act for processioning to be put in effectual execution, Settle y^* bounds of Lands and prevent Law Suites.

By order of Councill

May 15th 1691

W. Edwards Cl Gen¹ Affembl

Saturday May 16th 1691:

R Christop' Robinson &c wait on ye Councill in ye Councill Chamber and present ye bill enjoyning ye planting and dressing of fflax & Hemp, with ye amendment proposed agreed to by their house, also acquainted ye Councill their house desired an answer to ye proposal about allowance to Coll Ludwell.

Ordered that ye Clerk of ye Gen¹¹ Affembly carry ye following Aniwer to ye propofal about allowance to Coll *Ludwell* to ye house of Burgesses,

M' Speaker

Having reced a verball message [See J. of H. of B., p. 362.]

Mr Secry Cole reports what past in ye conference about ye Complaint made against Capt John Jennings

Monday



Monday May 18th 1691:

APT Jnº Smith &c wait upon ye Councill in ye Councill Chamber and prefent an answr to ye Claimes Sent to ye house of Burgesses Also a reply to ye answer Sent by them to ye proposall about allowance to Coll Phill Ludwell, And defired that ye Lieut Gov and Councill would Joyn with them in drawing up an address to their Mae Setting sforth ye accon of Cap: John Jenings in ye Court of Lower Norfolk County.

Tuesday May 19th 1691:

RDERED that ye Clerk of ye Gen¹¹ Affembly carry ye following meffages to ye house of Burgesses

By yo honde their Mas Councill

M' Speaker

Having confidered y^e returns of your house to y^e additions made to y^e Claimes, do here give You reasons besides those Sent with them to make appear they ought to be allowed Viz^i

Warwick County 1688

There is y^e fame reason that y^e poor men who were imprest to Sett Coll *Lear* over y^e River when he came for ye Countries Service about y^e Indians should be paid for carrying him home as well as setching him.

York County 1688.

As to ye Claimes of Nath Bacon Efqr for Sixty one pds ten shill and Six pence it appears by ye proceedings of ye last Assembly in an answer Sent by ye house of Burgesses to ye Councill dated May 11th 1688, that they had ye perticulars before them and allowed 321: 16: 00 of ye Article of 351: 10: 00d.

And ye article of 1611: 109: 00d; about ye messengers to New York &c the house answer'd they were willing to allow, what was really paid, and Coll Custis who is ye party

that paid it declares that he really and bond fide paid ye whole in money.

And ye particle [article] o311: 103: ood to Gawen Dunbar ye house regulated ye same to 21: 103 So as it appears ye house had all ye ticular accounts & examin'd them and therefore they ought to be allowed.

Surry County 1691

As to y^e Interpreters they were imployed by y^e Gov^r Councill and Burgesses, and there was necessity for them for y^e safety of y^e Country, And there is as much Justice in paying of them y^e allowance that was Setled as in paying them any thing, And they have by their often going to and looking after y^e Indians in this time of Warr, and coming to Town been at great trouble and Charge and therefore we propose they may have their full allowance.

And we conceive (efpecially in this time of warr) there canot be lefs then three interpret's, but we shall be willing to lessen ye Charge of ye Country as much as possible by finding methods that they shall be at less trouble and Charge, and therefore Wee propose that ye Interpreters that belong to all ye Indians on ye South side James River for ye time to come shall have 4000 pds of tobo & Cask Ann: ye Interpret to ye Indians on York River 2500 pds of tobo & Cask Ann ye Interpret to Rappo 2500 pds tobo & Cask Ann and ye Interpret to Rappo 2500 pds tobo & Cask

James Citty

As to ye addition to ye Allowance to W. Edwards for extraordinary Service by reason of ye wars &c his trouble and paines has been double what was usual, and therefore we think he ought to be consider'd for it.

And as we out of respect to your house do not dispute or question ye allowances ye house of Burgesses makes to their Officers, So it Seems to us as reasonable that his Hongy L. Gov and wee consider of fitt allowances for our Clerks.

As to Severall Allowances



To Meffengers paid by m ^r Audito ^r Byrd for y ^e Countries Service	12: 12: 00
To Severall Meffages for ye Countreys Service	18: 00: 00
To W ^m Cole Efq ^r pd for mellengre for ye Cos Service	01: 04: 00
To Richard Lee Efq pd to divers Meffeng to Maryland Patowneck &	
James Citty	11: 05: 00
To Mr Rob' Read pd to meffengers for ye Countreys Service	05: 00: 00
To Edward Rofs for Severall meffages for ye Countrys Service	
To Edw ^d Chalice A Melfage for ye Countre Service	1: 10: 00
To ffra: Bullivant for a melfage for ye Cos Service	00: 06: 00

The Gov^r & Councill never makeing any allowance of any Such thing, untill y^e fame have been Strictly examin'd by them, and they knowing all these Sent to be Just and due to y^e Sevrall Psons imployed by y^e Honble Gov^r &c they conceive they ought to be allowed, and It is y^e opinion of y^e Councill that their Examinacon is of equal creditt with any County Court, and as to y^e Psticular Services It canot be done unless his Hone Could remember, and should give an accor of y^e Contents of every Letter Sent to him and wrote by him which is not requisite, and therefore they insist that y^e same be allowed, as at first proposed, but for y^e sturre y^e Psticular receipts of every Pson, & whether Sent may be kept and produced on all occasions as to y^e charge of four pds to Alexander Boniman twenty shill to W^m Edwards, and sistem shill for a Law book Sent to England, all about reviving [revising] y^e Laws y^e same was by y^e Kings order to y^e Gov^e and Councill and ought to be allowed.

As to y^e Article of forty pds to y^e Meffenger now Sent to Penfilvania New York and New England, his name is John Perry who came from those parts to give an account to His Hon' y^e L^t Gov' of affaires there, and is imployed by y^e L^t Gov' & Councill as Coll Potter was, and carried Letters from y^e R^t Hon^{ble} y^e L^t Gov' to y^e Several Governm' that we might y^e better be enabled to take measures for y^e defence of this their Ma^s Governm', & y^e Inhabis thereof, & we hourly expect his return.

As to ye allowance to ye Drumer, It was ye Conftant and ufual way to give ye people notice of ye Sitting of ye Gen'l Court by beating ye drum, and was for ye onely Service of ye Country & allwayes allowed by ye publick.

And as Rofs was Juftly punished according to his defert, for his abuses to ye Speaker and Burgesses, So it is but Just he should be paid what is due to him for his Services, but as he hath not for Some time So he shall not be any more imployed in that Service.

We approve of ye Allowance you have raifed for ye Soldiers at ye heads of ye Rivers but defire that you will order care to be taken that ye fame be paid to them as near as possible to ye places they range in, It being a military maxime to pay well and punish well.

May 19th 1691:

By order of Councill

W. Edwards Cl Gen¹ Affembl

By yo honble their Ma' Councill

M' Speaker

As to ye Allowance made to Coll Phill Ludwell, altho' he was imployed without ye Affent of ye Councill, nor did they ever fee any Pticular accor of his expences, Yet to gratifie ye defires of Your house We did Affent to ye allowance of two hundred & fifty pds by you proposed, provided you allowed ye Pticulars to messengers and other Services which are really due for their Mas and ye Countrys Service, and were part of ye very charge that was allwayes paid by ye poll, and so within ye very Letter and intention of ye Law, & we still continue of opinions that ye allowances in ye paper herewth Sent be paid, otherwise ye whole be most humbly Submitted to ye determinacon of his most Sacred Mas

May 19th 1691.

By order of Councill

W. Edwards Cl Gen¹¹ Affembl

Ordered that ye Clerk of ye Gen¹¹ Affembly acquaint ye house of Burgesses, that if they will prepare an Address to their most Sacred Maes Setting forth ye Accou of Capt John



John Jennings in Lower Norfolk County Court, and Sending it to be confidered if ye Councill approve thereof, they will Joyn therein.

Some of ye house of Burgesses brought ye following message and address to be pre-

fented to their Ma*

By yo house of Burgesses

May 19th 1691

Ordered that ye Address to their Ma* be presented to ye honble Councill and that they be desired to Joyn with ye house in ye same, and that if they shall not be pleased So to do, that then they be desired to be a means to obtain leave from ye Honble ye Lt Gove for this house to appoint some sitting Pson to present ye id Address to their Ma* from this house, and in their behalves to Sollicite and obtain a faveable Answer to ye same and to imploy So much of ye money now in Bank from ye impossion of ye 3d P gall upon liquors as shall be Sufficient to desirally ye needfull charge thereof.

Teft Peter Beverley Clerk of ye house of Burgesses.

Ordered that y^e Clerk of y^e Gen¹¹ Affembly carry y^e following meffage to y^e house of Burgesses, & return y^e Address to them.

M' Speaker

As to y^e meffage Sent by y^e house of Burgesses desiring us to Joyn them in an humble Address to their Ma³ Wee have considered of y^e Address and herewith Send our Opinions, how farr y^e Address ought to extend.

And also in what points we are willing to Joyn with your House, humbly to peticon

their Mas for Such Matters as are for ye good of ye Country.

And we shall readily Joyn with your house to y^e R^t Hon^{ble} y^e Lieut Gov^t that a fitt person may be appointed humbly to present y^e address and peticon to their Ma^o that so much of y^e money in Bank as shall be thought fitt may be imployed in that Service.

May 19th 1691:

By order of y^e Councill

W. Edwards Cl Gen¹¹ Affembly

By yo honble their Mas Councill

M' Speaker

Wee haue taken ye Address Sent by yo' house into our Serious Consideracon and will most readily Joyn with you in any Address and peticon that becomes us, and will be for ye good of this their Mae Dominion

And wee propole that ye first part of ye Address Sent us being a congratulation of their Mas happy accession to ye Crown and or humble prayers to God Almighty to prosper their Mas undertakings & preserve their Royal Psons, and our humble & hearty thanks for maintaining & Setling ye Protestant Religion and Church of England as ye Same is Established by Law &c Ought to be in An Address by it Self for ye Re Honbie ye Le Gov' Councill and house of Burgesses.

And if your house please to appoint some of yr members there will some of ye Coun-

cill be appointed prefently affter prayers to finish that Address.

And as to y^e other matters menčon'd in Your Address, We are of Opinion that y^e proper way of humbly desiring any flav^r from their Ma^{*} ought to be by an humble petičon by it Self and we will Joyn in that petičon So far as is Suitable to our duties which is in y^e Pticulars following, viz^{*},

first The great want of Amunicon ye Country was in before their Ma® were graciously pleased to Send ye hundred barrells of Powder last year into ye Country and Set forth ye Poverty of ye Country & want of Armes and Amunicon and fortifications, humbly to beseech their Ma® to send in what armes and Amunicon they shall think fitt for ye desence of ye Country, And that their Ma® will be graciously pleased to appoint Some part of ye Revenue, as they in their princely wisdomes shall think fitt towards ye fortifying Such places as shall be most convenient for ye Secra of this their Ma® Country, and ye ships trading hither

2¹ That their Ma³ would be graciously pleased to confirm y^c Royal Charter granted to this their Ma³ Dominion by King Charles y^c Second of happy memory bearing date



ye 10th day of Odober in ye 28th year of his Reign, and all other Charters grants and priveledges granted before that time with Such further and other priviledges and Emolumis as their Mas in their Princely goodness shall think fitt to grant to ye Inhabitants of this their Mas Dominion, for ye incouragement of others to come and inhabit here.

3^{ty} That their Ma^o wou'd be pleafed to take into their Gracious confideracons ye Inhabit^o of ye Northern Neck, between Patoumack & Rapp^o Rivers, And in their Princely goodness take Such measures that ye Lands in that neck may be held as ye other Lands in this Dominion are, directly from their Ma^o, and that those poor inhabitants may not be deprived of ye Liberties priviledges and imunities ye other Inhabitants, enjoy under their Ma^o which will much incourage ye better Setling that part of ye Country, and yo better enable them to defend themselves from any forreign Enemy.

4'y That their Ma's would be pleafed to take into their gracious confideracon, ye Laws of this their Dominion, and be pleafed to confirm Such & fo many of them, as he in his princely goodness shall think fitt for ye good & well Settlemt of ye Governmt and prosperity of ye Inhabits here, and that for redressing any greivances or makeing any Laws that there shall be a necessity for, for ye better Governmt of this ye Ma's Country, that their Ma's would order & appoint that Gen!! Assembly's be held at least once in two years & oftener if necessity require

May 19th 1691:

By order of ye Councill

W Edwards C Gen¹¹ Affemb

Mr Christopher Robinson &c wait upon ye Councill in ye Councill Chamber and Present

A Bill for ye better defence of ye Country,

Wherein they adhered to part of ye amendments propofed, and ye Councill agreed ye Reft should be left out.

A Bill for altering ye time of proceffioning Lands

Agreed to without ye amendm's proposed; &

A bill for Suppressing out lying Slaves.

Ordered that ye Clerk of ye Gen" Affembly carry ye follo meffage to ye house of Burgesles.

By yo honbio their Mas Councill

M' Speaker

Wee propose that this Clause be inserted in ye bill for Suppressing out lying Slaves,

in ye 20th line imediately after ye words wayes w'foever, viz'

Provided that where any Negro or Mulatto Slave or Slaves shall be kill'd in ye purfuance of this Act, the owner or Owners of Such Negro or Mulatto Slave shall be pai'd for Such Negro or mulatto Slave 4000 pds of tobo by ye publick.

Also we propose that this following Addition may be made to ye Said Bill, And be it further enacted by ye Authority asores and It is hereby Enacted, that if any English woman being firee shall have a bastard Child by any Negro or Mulatto she shall pay ye Sum of sifteen pds Sterl within one moneth after Such bastard Child shall be born, to ye Church wardens of ye Wish where she shall be deliver'd of Such Child, and in default of Such payment she shall be taken into ye possession of ye Church wardens, and disposed of for five years, and ye said Sum of sisteen pds or we ever ye woman shall be disposed of for shall be paid one third part to their Mae for and towards ye Support of ye Governme and ye Contingent Charges thereof, one other third part to ye use of ye Wish where ye Offence is Comitted, and ye other third to ye Informer. And that Such Bastard child be bound out as a Servant by ye sid Church wardens untill he or shee shall attain ye age of 30: years, and in Case Such English woman that shall have Such bastard Child be a Servant, she shall be fold by ye said Church wardens (after her time is expired that she ought by Law to Serve her master) for five years, and ye money she Shall be fold for divided as is before Appointed, & ye Child to Serve as aforesd.

And forafmuch as great inconveniencys may happen to this Country by y* Setting of Negroes and Mulattoes ffree, either by entertaining Negro Slaves from their Maft** Service, or receiving Stolen goods, or being grown old bringing a Charge on y* Country



for prevention whereof Bee it enacted by y Authority aforcid and It is hereby enacted that no Negro or mulatto be after y End of this prient Selfion of Affembly Sett ffree by any Pions whatfoever unless Such Pions their heirs Exre or adm's pay for ye transportation of Such Negro or Negroes out of y Country within Six moneths after Such Setting them free, upon penalty of paying ten pds Sterl to y Church wardens of ye parish where Such Pion shall dwell with which money or So much thereof as shall be necessary y faid Churchwardens are to cause y faid Negro, or mulatto to be transported out of y Country;

and ye remainder of ye faid money to imploy to ye use of ye poor of ye parish.

May 19th 1691

By Order of Councill

W. Edwards Cl Gen¹¹ Affembl.

Wednesday May 20th 1691

R Hen Hartwell &c wait upon ye Councill in ye Councill Chamber & prefent a peticon and addrefs to their most Sacred Mas, and desire their Concurrence Ordered that ye Clerk of ye Gen" Assembly carry ye foll message to ye house of Burgesses.

By yo honble their Mas Councill

Mr Speaker

Wee have taken into our confideracons y^e peticon prepared to be prefented to their Ma' and β pose that y^e following alteracons be made therein. viz^e

In ye 5th line of ye first side instead of ye word (Sheweth) be inserted in all humility present.

In ye 6th line of ye Second fide inftead of ye word, many, be inferted, holding their Lands from ye Crown & enjoying ye—

In ye 30th Line of ye Same Side, inftead of ye words there not being, and fo to ye bottom of that fide be inferted, untill your Mae out of yor Princely goodness and Care of this your Dominion & ye Inhabitants hereof, were graciously pleased to order one hundred barls of powder to be Sent into this Country for which your Mae gracious favor according to our bounden duties, we return our most humble thanks and now most humbly beleech your Mae to give Your Royal Comands that such part of yor Mae Revenue in this Your Dominion be applyed &c as in ye first line of ye 3d Side.

And inftead of ye Last Sect: that ye following be inferted, We further most humbly beleech your Mae that Gen!! Assemblys be held at least once in two years, and oftener if occasion shall require to redress greivances and make laws for ye better Governme of this Dominion, and that your Mae would take ye Laws of this your Dominion into your Royal consideracons, and Such and so many of them to approve and confirm as in your princely goodness You shall think fitt, for ye good and well Settlement of this Governme and prosperity of ye Inhabitants thereof.

And wee propose that in ye address to be presented to their most gracious Ma*, ye following amendm' & addition be made, viz'

In ye 9th line ye words (the reft of) bee left out and that at ye End of ye fd Address be added Your Mae most entirely Devoted Subjects.

Also we propose that ye Address be Sign'd by ye Le Govr Councill and every Burgess of your house and that ye peticon be Sign'd, by mr Secr Cole on behalf of ye Councill, and by You on behalf of Your house

May 20th 1691:

By order of Councill

W. Edwards Cl Gen¹¹ Affembl

Mr Henry Hartwell &c wait upon ye Councill in ye Councill Chamber, with an humble Addrefs to be prefented to their most Sacred Ma[®] Setting forth ye Action of Capt John Jennings in Lower Norfolk County Court, & desire their concurrence.



M' Christopher Robinson &c wait upon ye Councill in ye Councill Chamber with an humble Address to be presented to their most Sacred Mae which followeth and desire their Concurrence, and also acquaint them that their house had made Choice of ye Reverd M' James Blair to go for England & mannage ye Same, & desired their Concurrence.

To their most Excellent Majuss William and Mary by y grace of God of England Scotland ffrance Ireland and Virginia King & Queen defendes of y ffaith &c

The humble Supplication of ye Genu Affembly of Virginia

Wee ye Lt Govern [See J. of H. of B., p. 368.]

Ordered that ye Clerk of ye Gen'l Affembly carry ye following messages to ye house of Burgesses, & acquaint them that m Ebourne and m Sclater have been before ye Rt Honble ye Lt Gov' & Council and acknowledged their Error in ye issuing ye warrant relateing to ye Ecclesiastical Court, & have received reproof, and also know of them if they desire any further proceedings.

By yo Honbio their Mas Councill

M. Speaker

In ye Address reced from Your house to be presented to their most Sacred Massetting forth ye Action of Capt John Jenings Comander of their Mass Ship Experiment in Lower Norfolk County Court ye 7th day of this Instant, Wee propose that You consider whether ye deposicons make appear ye Seamen had one or more axes as is Set forth and if they do not that those words be left out & yt instead of these words in ye 19th & 20th lines of ye 3d side (and desired to be Printed to go ashore) be put, And Capt Jenings not being on board his officers desired to deliver him, and that ye words (desperate and) in ye 26th line of ye aforesd Side be left out, ye word dangerous being of an extent as is Supposed large enough, Also in ye Close that instead of these words (receive Judgemt according to ye Laws of ye Land) be inserted be dealt withal as Your Mas in yor Princely wisdomes shall think fitt.

And ye humble Supplication to be prefented to their Ma® for their Royal grant and Charter to Erect a Colledge in this Colony is approved, as also Your Choice of ye Reverend m James Blair to present ye Same

May 20th 1691:

By order of ye Councill

W Edwards Cl Gen¹¹ Affembly

By yo honble their Mas Councill

M. Speaker

Wee propose that you agree with Some \$\pi\sin \text{fon to repair } y^e\text{ Gen}^{11}\text{ Court house, and to rail it in to keep it from those indecencies it is now exposed to & also that you Leavy & pay to mr Henry Gauler for Some Small matter done in ye Room where ye Gen^{11}\text{ Court is held by order of } y^e\text{ Rt honble } y^e\text{ L' Govern' and us, } y^e\text{ workmen being imployed by him & he having paid for } y^e\text{ plank and nailes with which } y^e\text{ fame was done, and-found } y^e\text{ workmen Diet.}

May 20th 1691

By order of Councill

W Edwards Cl Gen¹¹ Affembly

The Clerk of y* Gen¹¹ Affembly returns from y* house of Burgesses, and reports that they are well satisfied with y* proceedings ag* m* Ebourne & m* Sclater & humbly Submitt to y* same.

Mr Christopher Robinson &c wait upon ye Councill in ye Councill Chamber, and present a Bill for Lessening ye Leavy by ye pol, & laying an Imposition on Liquors.

A Bill appointing a Treafurer, & alfo ye following answ to ye proposall about ye repairing and railing in ye Gen" Court house.

By yo house of Burgesses

May it please yo' hon'.

The house having reced your Hon's proposal ffor them to agree with some Flon to repair ye Gen'l Court house, and to Rail it in, make answer: That ye house being now

upon



upon a conclusion of their business, and ye time too far Spent for them to make Such agreement humbly defire ye Rt Honble Ye Lt Gov & Yot Hons will please to do therein as your Hons shall think fitt, and ye house shall allow for ye Charge thereof.

May 20th 1691 Teft Peter Beverley Cl of ye House of Burgesses.

M' Christopher Robinson &c wait upon ye Councill in ye Councill Chamber & present a proposall for presenting ye R' Honble ye L' Gov' three hundred pds Sterl which was readily agreed to, and accordingly delivered his Hon, who answer'd that he gratefully reced ye good will of ye Councill and house of Burgesses, But could not testifie ye same by accepting their present without ye leave of their Ma. It being contrary to his Instructions in that Case.

Ordered that Will^m Edwards Clerk of ye Gen¹¹ Affembly carry ye following meffage to ye house of Burgesses

By yo Honble their Mas Councill

M' Speaker

Wee propose that ye following alteracons and additions be made in ye following Bills, viz',

In ye Bill for lessening ye Leavy by ye Poll & laying an Imposition on Liquores, In ye 10th line of ye first side imediately after ye words, Satisfied & paid, be inserted to their Mas their heirs & Successors to and for ye uses intents and purposes hereafter mencond, and to and for no other use intent or purpose whatsoever

In ye 14th line of ye Second fide instead of ye word, fame, be inserted gall every cask did contain.

In y^e Bill appointing a Treafurer, in y^e 17th & 18th lines of y^e first side y^e words, this their Ma^{*} Dominion of Virg^a, be left out, and y^e following inserted the revenue ariseing by y^e two before Specified acts, and that an additional clause be enterd declaring Who shall take y^e bond to be given by y^e aforesd Treasurer.

May 20th 1691

By order of ye Councill

W Edwards Cl Gen¹¹ Affembl

Thursday May 21: 1691

R W^m Lewis &c wait upon y^e Councill in y^e Councill Chamber, and acquaint them that their house had made Choice of Jeffrey Jeffreys Esq^t to present y^e humble Address and peticon to their most gratious Ma^e and desired their concurrence

Ordered that ye Clerk of ye Gen¹¹ Affembly go to ye house of Burgesses and acquaint them that ye Councill well approve of their Choice of Jestrey Jestreys Esq., and that they desire a conference with some members of their house in ye Councill Chamber, to find out some expedient for ye obtaining their Mas Leave for ye Li Gov to accept ye Sum of 300£ Sterl

M' Christop' Robinson &c wait upon y' Councill in y' Council Chamber and acquaint them their house had proposed that y' fum of two hundred pds Sterl be put into y' hands of y' Reverend James Blair towards his expences and Costs in procuring a Charter for y' Erecting of y' Colledge, and that y' Same be paid to him by m' Audit' Byrd out of y' moneys now in his hands, raised by y' imposition upon Liquors, and that y' sum of two hundred pds be paid to Jeffrey Jeffreys Esq' towards defraying y' Charge and expence of presenting y' Address and peticon to their Ma', and Solliciting and obtaining their Ma' gratious and favrable Answer, and desired their concurrence, Both which were readily agreed to.

M' Sect Cole reports from the Conference ye methods proposed to Supplicate their Mas to give liberty to present ye R' honbie ye L' Gov' with ye sum of three hundred pds fter

Some



Some of ye house of Burgesses wait upon ye Councill in ye Councill Chamber, and desire their concurrence in disposing of ye money raised from ye Imposition upon Liquors, in ye hands of me Audite Byrd, And ye late me Audite Bacon, for ye easing ye Leavy yoll, to which ye Councill gave their Assent. they also desired that ye house might have liberty to give me Edward Chilton Clerk of one of their Comittees sive pds for his extraordinary Services, out of it.

To which ye Councill Answer'd they would agree thereto provided their house would let Wm Edwards Clerk of ye Gen¹¹ Assembly have ye Like Sum who had well

deferved it.

Mr Christopr Robinson &c wait upon ye Councill in ye Councill Chamber and defired that mr Chilton Clerk of one of their Comittees for his extraordinary Services may be allowed five pds Sterl out of ye money raised by ye Imposition on Liquors to which ye Councill answer'd they Judged ye said Chilton had well deserved ye allowance of five pds Sterl, and so had Wm Edwards their Clerk, and they were willing ye said Chilton should be paid ye same provided their house would agree to pay ye said Edwards five pds for his extraordinary Service.

They also present ye following Addresses and peticon

To y' King & Queens most Excellent Ma'

The Humble Addrefs of Yo' Ma^{*} L' Gov' Councill & Burgeffes of y' Gen^{**} Affembly of Virginia

Wee your Mas most dutifull [See J. of H. of B., p. 370.]

Virga To their Moft Sacred Mas

Wee your Ma' most dutifull and Loyal Subjects Yo' L' Gov' Councill and Burgesses of this Gen" Assembly now Assembled,

most humbly present

That whereas Your Ma* [See J. of H. of B., pp. 367-8.]

To y' King and Queens most Excellent Ma'

May it please Yo' Mas

The great worth [See J. of H. of B., p. 373.]

To y' King & Queens Majiis

The humble peticon of Your Ma² Councill and y⁴ Burgeffes of y⁴ Gen¹¹ Affembly of Virginia In all Humility Setteth forth

That being fully Affured [See J. of H. of B., pp. 371-2.]

Ordered that W. Edwards Clerk of ye Gen¹¹ Affembly go to ye house of Burgesse and return them ye Severall Addresses and peticon to be presented to their most gracious Majes and acquaint them that they approve of them, Also, that Edward Hill Esqr who was appointed Treasurer of their Mas Revenue of this Country arising by Vertue of an Imposicon on Liquors Skins & ffurs had nominated Henry Whiting Esqr and William Randolph Gent Securities for his due & formance of ye said place or office which ye Councill approved and desired their approbation that bond might be taken accordingly.

And ye faid Edwards having Form'd ye fame return'd Answer that they well approved ye Sect presented by Coll Edward Hill, and desired that bond might be taken and Lodged in ye Sect Office. It is therefore Ordered by ye R' Honble ye L' Gov and Councill that W. Edwards Clerk of ye Councill prepare a bond to be fign'd in Councill and

register ye same in the Secre Office after Signing thereof.

Some of y^e House of Burgesses wait upon y^e Councill in y^e Councill Chamber and present, the Instructions to be given to y^e Reverend m^e James Blair for y^e Solliciting y^e buisness of y^e Colledge, and desired their Approbation.

Ordered that ye Clerk of ye Gen'l Affembly carry ye following meffage to ye house

of Burgesses



By yo honble their Mas Councill

Mr Speaker

Having confidered ye Instruccons to Mr James Blair Comissary &c.

We propose that ye third Instruction be Viz' You shall as soon as you arrive in England make your application to his Excell's firancis Lord Howard of Effingham their Mas Lieut & Gov' Gen' of Virginia is the bethere and acquaint his Lord's with ye Address, and desire his Lord's Afsistance in promoteing ye Same.

And that ye third Article be made ye fourth & fo on,

Also in ye 22d, and 23d articles his Excly ought to be named one of ye Plons

May 21: 1691: By order of Councill

W. Edwards Cl Gen¹ Affembly

ffryday May 22: 1691

R Robert Carter &c wait upon ye Councill in ye Councill Chamber and prefent a Letter and Instructions to be Sent to Jeffrey Jeffreys Esq' and desire their Concurrence,

Order'd that y^e Clerk of y^e Gen^{II} Affembly carry y^e following meffages to y^e house of Burgesses,

By yo Honble their Mas Councill

M' Speaker

Having confidered ye Letter to be Sent to Jeffrey Jeffreys Elq' propose ye following amendments Viz'

That ye 17th 18: 19: & 20: lines & ye words under you in ye 21th be left out and ye following inferted,—makeing use of ye best means to present to their Sacred Ma* One Congratulatory Address Sign'd by ye Rt Honbie their Ma* Lieut Gov and Councill and Burgesses of ye Gen! Assemble another Address sign'd as ye other about Capt Jennings Comand of their Ma* Ship Experiment, also an humble Address to their Ma* Sign'd by m Sect Cole by order of ye Councill and Coll Thomas Milner Speaker about ye Lt Gov and Humble Supplication of ye Councill and Burgesses Sign'd by m Sect Cole by order of ye Councill and Burgesses Sign'd by m Sect Cole by order of ye Councill and ye Speaker, which are herewith Sent you, as also that you wou'd by Your Self or Such Pson or Psons as you shall Imploy under you.

And that inftead of ye words (we promife & oblidge) in ye 22th line of ye Second Side and all ye reft of that Side, be inferted there is care taken by ye Affembly that upon ye first notice from you what money you shall So disburse more then ye two hundred pds shall be presently repaid you as appears by ye Included order of Affembly.

fhall be prefently repaid you as appears by ye Inclosed order of Affembly.

May 22th 1691:

By order of Councill

W. Edwards Cl Gen¹¹ Affemb:

By their Ma: Councill

M' Speaker

Having confider'd ye Instruccions to be Sent to Jeffrey Jeffreys Esqr Send you ye

following Answer, viz'

In ye 2^d Inftruccon inftead of ye words (ye humble Address and peticons of this Gen¹¹ Assembly) be inferted one congratulatory address Sign'd by ye Rt Honble their Mae Lieut Govr Councill and Burgesses of ye Gen¹¹ Assembly, Another Address sign'd as ye other about Capt Jennings Command of their Mae ship Experiment, Also an humble Address to their Mae Sign'd by me Secty Cole by order of ye Councill and Coll Thomas Milner Speaker about ye Lt Govr & an humble Supplication of ye Councill and Burgesses Sign'd by me Secty Cole by order of ye Councill and ye Speaker which are herewith Sent you,

The 5th 6, 7 & 9th Instruccions we canot Joyn in,

In ye IIth wee agree that he shall indeavor to get a Clause in ye Charter that ye Inhabitants of this Dominion shall have an Imediate dependance on ye Crown of England, but not mencon any thing of ye incorporating.



In ye 12th ye word Govern' being left out wee agree to ye Reft.

In ye 14th instead of ye words these and all other assairs that may concern this Dominion we propose may be put ye Addresses and peticons herewith Sent

May 22d 1601

By order of ye Councill

W. Edwards Cl Gen¹¹ Affembly

Mr Christopher Robinson &c wait upon ye Councill in ye Councill Chamber and prefent an accot of ye proportioning and ordering of ye money in ye hands of mr Audr Bacon and mr Auditor Byrd raised from ye Imposicon upon Liquors, and a bill for raising a publick Leavy, and defired their concurrence.

Ordered that ye Clerk of ye Genii Affembly go to ye house of Burgesses and acquaint

them that ye accout of ye proportioning and ordering of ye money &c

And ye bill for raifing a publick Leavy are agreed to.

Cap¹ Ball &c wait upon y² Councill in y² Councill Chamber and prefent a refolve of y² house for m² James Blair to be impowerd to take up moneys in England on Credit not exceeding two hundred pds Sterl.

Alfo a Refolve of their house for ye reimbursing Jeffrey Jeffreys Elqr Such Sum or Sums of money as he shall disburse in or about Solliciting Severall addresses and a peticon to their Mas &c out of ye moneys first arising from ye Imposicon laid upon Liquors this Assembly,

Order'd that ye Clerk of ye Gen'l Assembly return ye two afores'd resolves to ye

house of Burgesses-assented to

Ordered that ye Clerk of ye Gen¹¹ Affembly go to ye house of Burgesses and acquaint them that ye Rt Honble ye Lt Govt and Councill Comand their Attendance in ye Gen¹¹ Court house forthwith where they being Come ye Severall Laws made this assembly were published, and Sign'd by ye Rt Honble ye Lieut Governt and Speaker and ye Lt Govt prorogued ye Assembly to ye first day of Aprill next.

Copª Vera

Teft W. Edwards Cl Gen II Affby



ATT A

GENERALL ASSEMBLY

begun at James Citty Aprill the 16th in the third yeare of the Reigne of Our Soveraigne Lord and Lady William and Mary King and Queen of England Scotland France Ireland Virga. Defendrs of the Faith Annoq, Dom: 1691, and thence Prorogued to the first day of Aprill in the 4th yeare of the Reigne of Our Said Soveraigne Lord and Lady William and Mary King and Queene &c Annoq, Dom 1692



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1407, pp. 783-834.]

Att a Generall Affembly begun at James Citty Aprill the 16th in the third yeare of the Reigne of Our Soveraigne Lord and Lady William and Mary King and Queen of England Scotland France Ireland Virga Defendrs of the Faith Annoq, Dom: 1691, and thence Prorogued to the first day of Aprill in the 4th yeare of the Reigne of Our Said Soveraigne Lord and Lady William and Mary King and Queene &c Annoq, Dom 1692

[April 1ft, 1692]

HE Rt Honoble Francis Nicholfon Efqre their Mas Lievt Govt of Virginia, William Cole Efqre Sec., William Byrd Efqre, John Lear Efqre, Cr Wormeley Efqre, Henry Whiting Efqre, Edmund Jenings Efqre

Aprill 2d 1692

R Henry Hartwell &c. waite upon the Rt Honoble the Lievt Govr and Councill, and defire that Councill may be affigned to sweare the New-Elected Members of their House, and accordingly Wm Byrd Esque and Henry Whiting Esque were appointed and Comifsionated to Administer to the Members of the House of Burgesses who were not already Sworne, the Oaths by Law appointed to be taken, instead of the Oaths of Allegiance and Supremacy, and the Oath of a Burgess.

Aprill the 5th 1692

APT William Robinson &c waites on the Rt Honoble the Lievt Govr and acquaints him the House of Burgesser equests that he would issue out a New Writt for the Election of another Burgess for Elizabeth Citty County in the Roome and place of Mr Willis Wilson who was uncapable to Serve as a Member of this Assembly being under the Age of one and twenty yeares.

And accordingly a New Writt was iffued.

Aprill the 6th 1692

HE R' Honoble the Liev' Gov' thrô his Indisposition of Body being uncapable of Expressing himselfe to the House of Burgesses, It is resolved that M' Secret. Cole read his Hono' Speech to them in the Courthouse, And Ordered that the Clerke of the Gen' Assembly waite on the House of Burgesses and acquaint them that the Liev' Gov' required their Immediate Attendance on the Council in the Court-house, where the Council being come, and the House of Burgesses giveing their Attendance, M' Secret: Cole acquainted them, the reason of the R' Honoble the Liev' Gov' absence, and then read the following Speech Gent.

God by his Divine Providence [See J. of H. of B., 1659/60-93, p. 384.]



The Clerke of the Genⁱⁱ Affembly by the Comand of the Lievt Gov^r and Councill published a Comiffion from the R^t Hono^{ble} the Comiffion^{rs} of their Ma^s Customes appointing Edward Randolph Esq^{re} Survey^r Genⁱⁱ of their Ma^s Customes in the North part of America, and a letter from them to give him all Just and Needfull Affistance.

After which M^r Speaker moved that the R^t Hono^{ble} the Liev^t Gov^r would favour their House with a Copy of his Speech, and then the Councill returned to the Councill

Ordered that the Clerke of the Gen¹¹ Affembly Carry a Copy of the R^t Hono^{ble} the Liev^t Gov^{rs} Speech to the House of Burgesses, and an acco^t of the Stores and Powder sent into this Colony, by their Ma^s for the desence of the Countrey, that they may See how bountifull their Ma^s have been, as also that he deliver Cap^t Norringtons Letter about the same, and desire them to be as Expeditious in their Resolve about the Powder as possible, And also that he deliver to them his Most Sacred Ma^s Leave to the R^t Hono^{ble} the Liev^t Gov^t to accept the three hundred pounds he was presented with the last Gen¹¹ Assembly, and Jessey Esq^{te} his Letter relating to the transactions of the last Assembly

Aprill 8th 1692

IEV Coll Law: Smith &c waite upon the Councill and pfent the following Meffage
Aprill the 8th 1692

By the House of Burgesses

Refolved that it is the Duty [See J. of H. of B., p. 385.]

Ordered that the Clk of the $\mathsf{Gen^n}$ Affembly carry the following answer to the House of Burgesses

Aprill 8th 1692

By the Honoble their Mas Councill

Upon Reading a Message from the House of Burgesses, that the Councill would Joyn with them in an address to the Liev's Gov' to appoint a day for a publick thanksgiving in James Citty to return hearty and unseigned thanks to Almighty God for the preservation of their Ma's Most Sacred persons in the late eminent hazards and dangers thereof, and for the Success of his Ma's Armes against the Enemies of Our Nation and Religion, and also to make humble and sensible acknowledgm's of that Peace and Quietness this Country doth at prent enjoy throthe unspeakeable goodness and Mercy of God towards us in particular, and to appoint a Minister to preach before the Gen's Assembly, also to appoint another day to Solemnise the same throthe whole Country.

The Councill most readily Concurrs with the House of Burgesses in the said Address, and are ready to Joyn with such Members as shall be appointed by the House of Burgesses to waite on the R^t Honoble the Liev^t Gov^r to desire him to doe the same.

Teft W. Edwards Cl Gen¹¹ Aff^{by}

Some of the House of Burgesses waite upon the Councill and with them Joyn in Supplicating the R^t Honoble the Lie^t Gov^r to appoint the days for the publick thanksgiving, who accordingly Ordered that the same be performed by the Genth Assembly and Inhabitants of James Citty on thursday the 14th of this Instant, and by the whole Country on thursday the 28th day of this Moneth, and that Proclamations be accordingly prepared that publick Notice thereof may be given thrô the Country.

Aprill 9th 1692

APT Ifaac Townfend Comand of their Ma Ship Affureance and Comodore of the Fleete from London declaring he is Ordered to ftay but fixty days after his Arrivall, It is Ordered that the Clerke of the Generall Affembly acquaint the House of Burgesses therewith that they may prepare themselves both in respect of the Gen¹¹ Afsembly and their private affaires accordingly—

The



The Clerke of the Genⁿ Affembly returns with aufwere that the House of Burgesses returned their hearty thanks for this favour

M' C' Robinson &c waite upon the Councill and defire that they will Joyne with them in presenting the following Address to the R' Honoble the Liev' Gov' viz'

To the R' Honoble Francis Nicholson Esq' their Ma' Liev' Gov' of Virginia.

May it pleafe yo' Hono'

Wee being acquainted [See J. of H. of B., pp. 387-8.]

To which the Councill Answered they would Consider thereof, and return them an answere.

Aprill 11th 1692

RDERED that the Clerke of the Gen¹¹ Affembly Carry the following Answere to the R¹ Worp¹¹ the House of Burgesses

Aprill 11th 1692

By the Honoble their Mas Councill

M' Speaker

Having late on Saterday night received a Meffage from the House of Burgesses that wee would Joyn in presenting to the Rt Honoble their Mas Lievt Gov the Address sent us, that if possible a longer time may be appointed for the Fleetes Staying in this Country, And the same being for their Mas Service wee shall most readilye doe it, but Judge it very requisite the following reasons be added vist that the Fleete hath been three Weekes acomeing in, and are not all yet arrived, and Some of them that are not got to the places they are to Load at, that there is great Want of Sloopes, the great ones having been fitted and Sent for England with Tob, and those that belong to the Ships which were here two yeares agoe, are almost Spoiled, soe that it will be a Considerable time before they can be made Serviceable, and the Ships Rideing in Severall Rivers at great distance from one another, It is oftentimes a fortnight or longer before they can get to the place of makeing up the Fleete to Sayle, for that Severall Winds are required to carry them thither, And it is presumed in Maryland the like Inconveniencies are, if not Worse.

Signed by Order of their Mas Councill

W. Edwards Cl Gen'i Affir

Mr Cr Robinson &c waite upon the Councill, and acquaint them that the House of Burgesses having Entered the Address to be presented to the Rt Honobie the Lievt Govt to procure if possible a longer time for the Ships Staying in the Country in their Journall, and the particuler reasons mentioned by their Honor being in Gen terms contained in the said Address, moved that they would Joyn in presenting it, as it was, without the Addition proposed, to which the Councill Answered, that tho the Address were Entered in the Journall of the House of Burgesses, what was proposed was onely an Addition to the said Address, which was very usuall to be made, and were therefore of Opinion it was Necessary for the suller Manifestation of the reasons for the Ships stay that it should be added, to which the said Robinson Answered he would report the same to the House of Burgesses.

And then acquainted the Councill the House of Burgesse desired they would Joyn in with some Members of their House to Consider the best way to dispose of the Powder sent by their Ma³, and Cheapest way of Conveyance, to which the Councill Answered they would willingly doe it, and appointed tomorrow in the Evening for the doeing thereof.

And then further acquainted the Councill the House of Burgesses desired they would Joyn with some Members of their House to Consider An Amendment in the Writts for the meeting of the Burgesses upon Adjourned or Prorogued Assemblies, to be presented to the R^t Honoble the Liev^t Gov^r to which the Councill Answered they would readily Joyn in the Consideration thereof.

Aprill



Aprill 12th 1692

R C' Robinson &c waites upon the Councill and delivers them the Address with the Addition proposed to be presented to the Rt Honoble the Lievt Gov' about the Ships staying longer in the Country then the Comodore declared he had Ord's for, and the same being Signed, By Ord' of the Councill William Cole Sec: for the Burgesses Tho: Milner, was by the Councill and Burgesses who brought it presented to the Rt Honoble the Lievt Gov'; to which His Hono' answered that well knowing what was desired, was for their Ma' and this Countrys Service, he would doe what he could therein

Lionell Copley Efq'e Capt Gen" and Gov' in Chief of Maryland having defired the Rt Honoble their Ma^a Lievt Gov' to lend that Government fifty barrells of Powder, and there being noe Powder in this Colony but that Sent in by their Ma^a for the use of this Countrey, the disposeing whereof is recomended to the House of Burgesses.

It is Ordered that the Clerke of the Gen¹¹ Affembly Carry the faid Letter to them, and defire their Opinion what Quantity may conveniently be Spared.

Mr Cr Robinson &c. waite upon the Councill to Consider the Amendment proposed in the Writt for the meeting of the Burgesses upon Prorogued or Adjourned Assemblies, and proposeing that the Clause in the Writts comanding the Sheriss to cause to be Elected Burgesses in the places of those that should be dead absent or otherwaies incapacitated, should be left out, for by them the Sheriss were made Judges of the Capacity of persons to Serve in the said Assemblies, and the Councill having Considered the same were of Opinion that, that Clause was absolutely Necessary, for if it were Omitted then noe new Burgess could be Elected till the House of Burgesses mett and desired Writts for the doeing thereof, which would Occasion a very great delay of Business, and thereby put the Country to an Excessive Charge, nor was the Sherrisse Judge as was alleadged, for the Custome and practice of the Country all along hath been that if any person who was a Burgess at the Adjournm or Porogation of the Assembly should be dead out of the Country or made Sherisse another was to be Elected in his place, and the Sherisse was onely the Officer to See the same done, but when the House of Burgesses should Serve without pay, the Motion might be reasonable

Aprill 13th 1692

OHN CUSTIS Efq^{re} added.

M^r Benja: Harrifon &c waites upon the R^t Honoble the Liev^t Gov^r and Councill and acquaints them that the House of Burgesses agreed his Ex^{cy} Lionell Copley Efq^{re} Cap^t Gen^{II} and Gov^r in Chiefe of Maryland should be Supplyed with twenty five barrels of Powder provided he gives such Caution as the R^t Honoble the Liev^t Gov^r should think fitt, to return it in such time and at Such place as his Hono^r shall appoint, and defired that his Hono^r and the Honoble Councill would Joyn with them in proportioning the remainder of the Powder, and Considering the Cheapest way of Conveyance, which was accordingly done thus.

Aprill 13th 1692 owder Sent into this

An accot of the disposall of the two hundred barrells of Powder Sent into this Colony by their Most Gracious Mat vizt.

	arrll.
To his Ex ^{cy} Coll Copley to be returned	25
to Yorke Fort	6
to James Fort	6
to Nanhmond Fort	3
to Rapp ^a Fort	3
to Henrico County	6
to Charles Citty County	6
to Surry County	6
	to



Aprill 12th 1692

R C' Robinson &c waites upon the Councill and delivers them the Address with the Addition proposed to be presented to the R' Honoble the Liev' Gov' about the Ships staying longer in the Country then the Comodore declared he had Ord's for, and the same being Signed, By Ord' of the Councill William Cole Sec: for the Burgesses Tho: Milner, was by the Councill and Burgesses who brought it presented to the R' Honoble the Liev' Gov'; to which His Hono' answered that well knowing what was desired, was for their Ma' and this Countrys Service, he would doe what he could therein

Lionell Copley Efqre Capt Genth and Govr in Chief of Maryland having defired the Rt Honoble their Mas Lievt Govr to lend that Government fifty barrells of Powder, and there being noe Powder in this Colony but that Sent in by their Mas for the use of this Countrey, the disposeing whereof is recomended to the House of Burgesses.

It is Ordered that the Clerke of the Genn Assembly Carry the said Letter to them,

and defire their Opinion what Quantity may conveniently be Spared.

Mr Cr Robinson &c. waite upon the Councill to Confider the Amendment proposed in the Writt for the meeting of the Burgesses upon Prorogued or Adjourned Assemblies, and proposeing that the Clause in the Writts comanding the Sheriffs to cause to be Elected Burgesses in the places of those that should be dead absent or otherwaies incapacitated, should be left out, for by them the Sheriffs were made Judges of the Capacity of persons to Serve in the said Assemblies, and the Councill having Considered the same were of Opinion that, that Clause was absolutely Necessary, for if it were Omitted then noe new Burgess could be Elected till the House of Burgesses mett and desired Writts for the doeing thereof, which would Occasion a very great delay of Business, and thereby put the Country to an Excessive Charge, nor was the Sherrisse Judge as was alleadged, for the Custome and practice of the Country all along hath been that if any person who was a Burgess at the Adjournm' or Porogation of the Assembly should be dead out of the Country or made Sherisse another was to be Elected in his place, and the Sherisse was onely the Officer to See the same done, but when the House of Burgesses should Serve without pay, the Motion might be reasonable

Aprill 13th 1692

OHN CUSTIS Efqre added.

Mr Benja: Harrifon &c waites upon the Rt Honoble the Lievt Govr and Councill and acquaints them that the House of Burgesses agreed his Exry Lionell Copley Esqre Capt Genll and Govr in Chiefe of Maryland should be Supplyed with twenty five barrels of Powder provided he gives such Caution as the Rt Honoble the Lievt Govr should think fitt, to return it in such time and at Such place as his Honor shall appoint, and desired that his Honor and the Honoble Councill would Joyn with them in proportioning the remainder of the Powder, and Considering the Cheapest way of Conveyance, which was accordingly done thus.

Aprill 13th 1692 owder Sent into this

An accot of the difpofall of the two hundred barrells of Powder Sent into this Colony by their Moft Gracious Ma* viz*.

Colony by their Molt Gracious Ma° viz.	barriis
To his Ex ^{cy} Coll Copky to be returned	
to Yorke Fort	6
to James Fort	6
to Nanfimond Fort	3
to Rapp ^a Fort	_
to Henrico County	
to Charles Citty County	
to Surry County	0
	to



to James Citty County 4
to Ifle of wight County
to Nanfimond County
to Norfolk County 5
to Princefs Ann County
to Eliz ³ Citty County
to Warwick County 4
to Yorke County
to New Kent County
to King and Queene County.
to Glocefter County
to Midd* County 5
to Rappe County
to Lancafter County
to Northumberland County
A TIL CO. A LO. A
to Accomack County
to Northampton County
to the Rangers 20

200

And that four Sloopes fhould be Imployed to Carry the faid Powder unto the feverall places herein appointed viz^t one Sloope to each River

Ordered that the Clerke of the Gen¹¹ Affembly Carry the following Meffages to the R^t Worp¹¹ the House of Burgesses viz^s

By the R' Honoble the Liev' Gov' and Councill

M. Speaker

Takeing into Our Serious Confideration the Peace and Safety of this their Ma. Most Ancient Dominion of Virga, and the Eafiest and most likely way to maintaine the same with as little Charge as possible, and finding that besides the Continuance of some Men in Armes this enfueing yeare, it will be of very great Moment to have a true account of the Condition of Our Neighbouring Plantations especially New Yorke and New England, and whether there be any danger of their Ma' Enemies the French or Indians makeing any Confiderable Attacks upon those Governments, that Such Methods may be taken as shall be found most for their Ma[®] Service and Security of the Inhabitants of this Colony, and conceiveing the onely way to Effect the same will be by writing to those Governments by a Messenger to be Sent on purpose, that by him wee may not faile to receive Satisfaction as well by his observations, as lett¹⁸, doe therefore propole that the House of Burgesses will take the same into their Serious Consideration, and if they Concur in Judgment with us, Doe Nominate John Perry as a fitt person to be Imployed in the faid Service, he being a person well acquainted with the way, and will be Content to Itay at New Yorke or New England on Easie termes (which wee desire some of the House of Burgesses may be appointed with some of the Councill to agree with him for) untill the fall unless for their Ma' and this Countrys Service it shall by those Gov'ments or one of them be found fitt to fend him sooner.

Aprill 13th 1692

By Ordr of the Lieve Govr & Councill

W Edwards Cl Genii Affiy

By the R' Honoble the Liev' Gov'

M' Speaker

Having Omitted the Causeing the line to be Runn on the Southside of James River, and from James River to Rapp⁹ River as by an Act of the last Gen¹¹ Affembly was appointed, doe Signifye my reasons for the same vizi Rapp⁹ River being much higher Seated then Mattapany or Pomunky Rivers, and if a way should be made as was directed,



it must be an oblique one, and very ill Convenient to be done, and having great hopes their most Sacred Ma* will be graciously pleased to give liberty that the Lands in *Pomunky* Neck may be granted the Inhabitants of this Colony, am of Opinion that it is for their Ma* Service and good of this Country to forbeare makeing the said Way,

And for that I had some reason to believe, as I yet have, that their Mas will be graciously pleased to Order the line between this Government and that of North Carolina to be Ruñ, I Omitted the Causeing the lines on the South fide James River to be done least thereby I should seeme to Conclude our Clame to any further bounds, And to the End it might be known whereabouts the bounds of their Second Grant would be that if the same should be found to take away from this Government any Considerable quantity of Lands or Inhabitants, the best Methods possible may be taken to prevent and hinder the same, I have Imployed Coll Thomas Milner, who hath been at great trouble in findeing out thereof, and hath prepared a Draught which shall be Sent you, and for his soe doeing, it is most Just and reasonable that he be well rewarded,

And I Cannot forbeare acquainting you (it being for their Ma* and this Country's Service) that in my travells thrô the Country I have observed great quantityes of Lands have formerly been granted severall people at the heads of the Rivers, on which they have onely built some little Hovels not fitt to beare the Names of Houses, and made noe other Improvement thereon, whereby Many persons are hindered takeing up the same (and forced to leave the Country) who would live thereon, and thereby be some Security at least in time of Warr by giveing an account of any Skulking Indian Rogues or other Enemies, And as Since I came into this Country sindeing the ill conveniency that accrued thereby, I have Indeavoured to prevent the same, so I desire you to Consider (since many of those who hold the said great tracts of Land on the Frontiers have not Seated them with sour able hands as the Law directs) what will be best to be done therein for their Ma* and this Countrys Service,

And I further acquaint you that wee should have reced a very Gracious Answere about the *Northern Neck*, had not very great Oposition been made against what was proposed and their Most Sacred Mas have been Graciously pleased to transmitt to this Government an account of what hath been Offered against it, and I doubt not but myselfe and their Mas Councill shall give their Mas full Satisfaction therein, And if their Mas shall be pleased to take or procure the said Neck, then it will be Convenient to have a line Runn from Rapps to Potomack River.

Aprill 13th 1692

ffr. Nicholfon

Aprill 14th 1692

R William Lewis &c waite upon the Rt Honoble the Lievt Govr and Councill and present the following Answer to the Message Sent about John Perry.

To the Rt Honoble Francis Nicholson Esque their Mar Lievt Govr of Virga and to the Honoble Councill of State

May it please yo' Hono's

This House having received [See J. of H. of B., p. 393.]

Aprill 15th 1692

RDERED that the Clerke of the Gen^{II} Affembly Carry the following Meffage to the House of Burgesses.

By the R' Honoble the Liev' Gov' & Council

M' Speaker
Having taken into Confideration the extreame Wants and hardfhips many of the Inhabitants of this Colony fuffered the laft Winter for want of the ufuall Supply of goods from England which was Occasioned for that the Ships did not Saile at the ufuall time foe that the directions and Ordes for goods could not be Sent, and to the End the same for the future may be prevented and all transactions of Moment represented to their Most

Sacred



Sacred Ma*, It is Ordered that five Ships be permitted to Sayle for England by the 10th day of May next, which is hereby fignified to the R* Worp" the House of Burgesses, that the same being made publick all persons may Act therein as they shall see fitt

Aprill 15th 1692

By Order of the R* Honoble the Liev* Gov* and Councill

W Edwards Cl Gen" Affby

By the R' Honoble the Liev' Gov' and Councill

M' Speaker

Having received an answer [See J. of H. of B., p. 395.]

M' William Lewis &c waite upon the R' Honoble the Liev' Gov' & Councill, and acquaint them they are Ord'd by the House of Burgesses to return their Hono's the humble thanks of the whole House for the great Care taken in Sending Ships for England that the Inhabitants may have a Conveniency to Send for Goods, and for giveing their House a particular account thereof

Aprill 16th 1692

RALPH WORMELEY Efq. added.

Some of the House of Burgesses waite upon the Councill and present the Claimes made this Assembly for their Concurrence.

Aprill 18th 1692

AJOR Charles Scarburgh &c waite upon the Councill and prefents the following Meffage

By the House of Burgesses Aprill 16th 1692

The House takeing into Consideration [See J. of H. of B., p. 396.]

The Councill acquainted the Gentⁿ that brought this Message they would Consider thereof and give them their Answer thereto

Aprill 19th 1692

JNO CUSTIS Efqre absent
Ordered that the Clerke of the Gen¹¹ Assembly Carry the following Message to the House of Burgesses.

By the Honobia their Mar Councill

In reading the Allowance to William King, where it is faid for himselfe and Horse five days with Coll Tho Milner when makeing observation of the Limitts of the Province of Carolina on his Government (according to the latter Grant to the Lords Propriet¹⁸) by Order of the R¹ Honoble the Lievt Govt and Councill finde you are Mistaken, for the said Coll Milner was onely Imployed to discover where the line of the Propriet¹⁸ of North Carolina their pretended latter Grant would Run, but it not being known to us they have any Such Grant, propose that the Word pretended be put before the word Grant in the 3^d line of the Claime.

As to the Claim of m^t Henry Royall, for three Horses two days Imprest to Carry the R^t Hono^{ble} the Liev^t Gov^t to Coll Cole &c. by you not allowed, have enquired of his Hono^t about it, and he declares he hath alwaies paid for the Horses he hath made use of.

That part of the Claim of Geo: Anderson for two days Carrying Lett¹⁵ to Coll Rich: Johnson from the Honoble Ralph Wormeley Esque, conceived to be noe Country Charge by you, the said Ralph Wormeley Esque declaring it was to Carry Ordes about the Militia, is conceived to be a Country Charge and therefore ought to be allowed

Part of the Claim of William Byrd Efq^{re} viz Nine pds, that is fix pds paid m^r Loyd Prefident of Penfilvania was by the faid Loyd paid for the Redemption of An Appamatuck Indian, which by this Governm^t he was defired to doe, and to Send him, for

which



which the three pds to the Meffenger that brought him was paid, and by Order of the R' Honoble the Liev Gov and Councill was promifed should be paid, and the same being done to Secure the Peace of the Country, there is no question but it is a Country Charge, and therefore ought to be allowed, and the rest of the Claim being for Mony paid to Messengers, which not being proved as the late Act directs, wee propose that, that part of the Claime stand refferred for such proofse till the next Assembly.

The Claim of mr James Williams and Charles Moreland for drawing four hundred and four Corniffions for the Militia, for which noe allowance is made by you Wee again recomend to yo' Confideration with the following Reasons viz' that some time Since they were paid for by the Severall perfons who had them, for which reafon many Worthy Gent^a then refused them, and there was a Necessity of appointing others, perhaps not foe fittly quallified, which it is prefumed gave fome diffatisfaction as well to those who before bore Comand, as those Comanded, and the Rt Honoble the Lievt Govt Willing to Carry all things with that Evenness, that none might have reason to Complaine, Ordered the aforefaid persons who drew the Comissions, not to demand one penny of any Plon for any of them, not that ever wee heard, have they, and therefore the fame was refferred to the Rt Worp" House of Burgesses, And having Considered the Order of Assembly Sent, muft acquaint you that the difpofall of the two Shillings ? hhd at that time was in the Gen¹¹ Affembly, but is Since appropriated to their Ma² for other uses then this, and will not beare the Charge thereof, And for that this Service is for the publick good, Safety and Security of this Colony it is without any doubt a Country Charge, and therefore wee propose that it be paid by the publick.

Wee finde you are Mistaken in the Interpret salary, for in the last return made to the Claimes in Surry County, the last Gen¹¹ Assembly by the Councill, it was proposed that they fhould have their full allowance then, and that it was conceived (efpecially in this time of Warr) that there could not be lefs then three Interpret^{re}, but fhould be willing to lessen the Charge of the Country as much as possible, by findeing Methods that they fhould be at less trouble and Charge, and therefore proposed that the Interpretro that belong to all the Indians on the Southfide James River for the time to come, should have 400011 of Tobacco and Caske ₱ Annum, the Interpret to the Indians on Yorke River 250011 of Tobo and Caske, and the Interpret's on Rapp's River 250011 of Tobo and Caske Anum, and you having according to the faid return levied the Interpret's Salary, and made noe objection against the proposal of three, the Rt Honoble the Liev' Gov' and Councill Concluded you agreed to it, and findeing it for their Ma. and this Countrys Service that foe many fhould be Imployed, they were by the Rt Honoble the Liev' Gov' Comissionated accordingly, wee therefore propose that instead of the 4000" allowed to David Wickliffe he be allowed 2500" of tobo and Caske, and that William Stone the other Interpret be also allowed 2500 if of Tobo and Caske, these being the Sums they were acquainted they should have, and noe more

Aprill 19th 1692

By Order of the Honoble Councill

W Edwards Cl Gen11 Affby

By the R' Honoble the Liev! Gov' & Councill

Mr Speaker

Capt William Norrington Comand of the Ship Barnadifton in York River, having brought into this Colony two hundred barrells of Powder, and a Confiderable quantity of other Stores without pay, and the fame Since his Arrivall having Continued on board the faid Ship a great While, nor is not yet all taken away, It is proposed that a Suitable reward be made the said Norrington for the same, to encourage others to doe the like good Service for the Country.

Aprill 19th 1692

By Ord of the Rt Honoble the Liev Gov and Councill

W. Edwards Cl Gen! Aff's

Ordered that the Clerke of the Gen^{II} Affembly goe to the House of Burgesses and acquaint them, that the Councill desire some of the Members of their House may be appointed to Confer with them about their Resolve for requesting the R^t Honoble the Liev^t Gov^t to use his Authority in the encourageing and enjoyneing a full and Speedy putting the Law for Ports into Effectual Practice.

Aprill



Aprill 20th 1692

AJOR Charles Scarburgh &c waite upon the Councill to Confer about the Refolve of their House for desireing the R' Honoble the Liev' Gov' to use his Authority for putting the Law for Ports into Speedy Practice.

M' Secret. Cole Reports from the faid Conference that the Councill Confidering the Law for Ports lay before their Ma* and that their Ma* had not yet been pleafed to fignifye their pleafure about the fame, Judged it onely Neceffary to Joyn with the House of Burgesses to Request the R' Honoble the Liev' Gov' humbly to Supplicate their Ma* to fignifye their pleasure about the said Law.

Aprill 21th 1692

DWD HILL Efqre added

L' Coll Law: Smith &c. waite upon the Rt Honoble the Lievt Gov and prefents the following Meffage to him

Aprill 21st 1692

By the House of Burgesses

Ordered that Coll Law: Smith [See J. of H. of B., p. 401.]

Ordered that the Clerke of the Gen" Affembly Carry the following Meffage to the House of Burgesses

By the R. Honoble the Lieve Gove

M' Speaker

In Answere to the Message wherein you desire an account how long the Rangers appointed at the heads of the Rivers the last Session were in Actuall Service, and when discontinued, that the House of Burgesses might know how to proceede in raiseing their pay, and that I would Comunicate such directions as I shall think fitt, I hereby acquaint you that I Ordered the Liev¹⁹ of the Rangers to Send me particular accounts under their hands, which they have failed to doe, so that I Cannot return you that, but to prevent the like illconveniency for the future, I propose that the pay for the Rangers be Levied till the 15th 9^{5r} next, but not to be paid them till they have an Order from myselse and their Ma⁹ Hono^{5le} Councill, and then I shall be able to give an account what remaines, and will take Care that the remaines of this yeares Salary shall be known, that it may be brought to account the next Levy.

Aprill 21th 1692

ffr: Nicholfon

Major Charles Scarburgh &c. waite upon the Councill prefent the following bills, and defire their Concurrence thereto. viz'

A Bill for Confirmation of Lands

A Bill for Altering the day for Princefs Ann County Cort.

A Bill for the better defence of the Country

A Bill about Physitians and Chyrurgeons accots

A Bill for the more Speedy profecution of Slaves Comitting Capitall Crimes.

A Bill for the Deviding Rapp^o County

A Bill concerning Writts and returns

Aprill 25th 1692

Aprill 21th 1692

By the Houfe of Burgeffes

HE House takeing into Consideration M^{*} Treasurers accounts of the four pence Gallon and Imposition upon Skinns and Furrs, observed that Severall Collect* had not given in their acco* as the Act of Assembly for raiseing the said Imposition directs, Whereupon it was Ordered that the Memb* before appointed to take m* Treasurers account doe acquaint him that this House doth Expect each particular Collect* to give in his account upon Oath, and according to the forme



and Method prefcribed by the Law, if he hath not already done the fame, and that he accordingly Informe the Collect's thereof, and move the Lievt Gov' to appoint fome perfon to give the Oath.

Tefte Peter Beverley C1 of the House of Burgesses

4.3

By the R' Honoble the Liev' Gov'

M' Treasurer having [See J. of H. of B., pp. 402-3.]

By the Honoble their Mas Councill

Mr Speaker

Having received feven bills from the R^t Worpⁿ the House of Burgesses to which they desired Our Concurrence, doe herewith return them with the following Answers viz^t

A Bill for Altering the day for Princefs Ann County Court, is agreed to.

A Bill for the better defence of the Country

Wee propose that the following Clause be added viz¹ And Bee it further Enacted by the Authority afores¹ and it is hereby Enacted that for the future if any English or Indians shall bring any News, or give any Intelligence to any of their Ma® Officers Civill or Military that he or they bringing the same be kept in Custody till it may reasonably be known whether what they report be true or not, and if it prove true and be of use or Service to the Government, he or they shall be well rewarded, but if salce punished as the Crime shall deserve, and the Court of the County where such Intelligence shall be given together with the Militia Officers are hereby Impowered to Consider what reward any person shall deserve, and Certifye the same to the next Gen¹ Assembly for allowance, as also to cause to be Insticted such punishment as any persons Crime shall deserve.

A Bill about Phifitians and Chirurgeons accounts is agreed to

A Bill for the More Speedy profecution of Slaves Comitting Capitall Crimes, is agreed to.

A Bill for the Dividing Rappa County

Wee propose that the following Addition be made And be it further Enacted by the Authority aforesaid and it is hereby Enacted that the Records belonging to the County Court of $Rapp^a$ before this Division be kept in Effex County, that belonging wholly to their Ma*, and the other to the Propriet* of the Northern Neck.

A Bill Concerning Writts and returns

Wee propose that the following Clause be added And Bee it further Enacted by the Authority aforesaid and it is hereby Enacted that where one or both of the Burgesses who Serves at the Prorogation or Adjournmt of an Assembly shall be dead absent or otherwise Incapacitated to meete at the time appointed, the Sheriss of those Counties cause one or two Burgesses to be Elected as Occasion shall be according to the Direction of the Writt, observeing to make return thereof accordingly.

A Bill for Confirmation of Lands.

Wee propose the following Addition be made viz'

That Imediatly after the Words (as by Law enjoyned) in the thirteenth line be added, this Law nor anything herein Contained not prejudicing the Grants already made of any Lands which were Joyned with former Seated Dividends & were not themfelves Seated, but that the prefent Propriet enjoy the same according to the Grants made made them, provided they have or shall within the time limited by the said Grants Comply with the Condition of them.

And after the Word (notwith tanding) at the End of the faid Bill be added, provided the faid Marshes or Sunken ground be Exactly Surveyed, and their Ma* Quit

rents paid for the same.

These additions being made wee shall readilye give Our Concurrence to the aforefaid bills

Aprill 25th 1692

By Ordr of the Honoble Councill

W. Edwards Cl Genii Affby



 M^t Harrifon &c. waite upon the R^t Honoble the Liev Gov and prefented the following refolve

Aprill 25th 1692

By the House of Burgesses

The House according [See J. of H. of B., p. 402.]

After the reading whereof the R^t Hono^{ble} the Liev^t Gov^r appointed the Councill fhould Confer with the Members to be appointed by the R^t Worp^{ll} House of Burgesses about the Subject matter of what was proposed tomorrow in the afternoone.

Aprill 26th 1692

T COLL Law: Smith &c waite upon ye Councill in the Councill Chamber, and prefent an Answere to the return of the Claimes made the Rt Worp!! House of Burgesses, a resolue of that House about the disposall of the Tobo Levied for the Rangers, and the booke of Claimes with the Additions made by them since it was returned by the Councill, and the said Booke being Examined was agreed to, the House of Burgesses adding twenty five pds Sterl to mt William Sherwood for the Councill Chamber, which was Omitted to be Set down in the said Booke, And the Booke then returned the said Lievt Coll Smith, the other two papers follow vizt

Aprill 21th 1692

By the Houfe of Burgeffes

The House takeing into Confideration the Answere of yor Honors to the Booke of Claimes, have thereupon agreed and return as followeth

To the first paragraph about the allowance to William King, upon enquiry of the Mistake, and Satisfaction given by m^r Speaker, the House have Amended the same according to yo^r Hono^{r9} proposition.

To the Second about the Claim of m^r Henry Royall the House have received Satisfaction from yo' Hono^{rs}, that the Claim was Satisfied by the Liev' Gov' in that his Hono' hath declared, he hath alwaies paid for the Horses he hath made use of

To the third about the Claime of Geo: Anderfon for two days Carrying lett¹⁸ to Coll Richard Johnson from the Honoble Ralph Wormeley Esq¹⁸ which yo Hono¹⁸ conceive to be a Country Charge for that it was to Carry Ord¹⁹ about the Militia. The House are of Opinion the same is noe Country Charge, and ought not to be allowed, for that Coll Johnson is a Militia Officer under the Comand and within the District of Ralph Wormeley Esq¹⁸, and that if carrying Lett¹⁸, Orders or Instructions from Superior to inferior Officers within the same district should be once admitted a publick Charge, the same would be of evill Consequence and accumulate the Charge Equivalent to maintaining of the Eleven Souldiers at the heads of the Rivers, to which the allowing this Claime would be a leading President.

To the fourth about the Claim of William Byrd Efqre, the House have agreed as yo' Honor' propose, viz' to allow fix pds paid mr Loyd President of Pensilvania for the Redemption of an Appamatuck Indian, and three pds to the Messenger for bringing him. Conceiveing it to be done by the Liev' Gov' for Securing the Peace of the Country, and that the rest of the Claime Stand refferred to the next Assembly for proof according to Law.

To the 5th the House takeing into Consideration that the Liev^t Gov^r hath frequently laid his Comands upon m^t James Williams and Charles Moreland as his Servants and Attend^{to} to transcribe, doe, and performe Severall things for him, which have been employed to the Service of the Country, and that the faid persons have all along approved themselves very Active in writing, Attend^{to} and Severall other Services, the House have thought fitt to gratifye them with the Sume of Twenty pds Sterli for the same

 William Stone
 2500

 Tho: Blunt
 4000

The



The House having also received from the Rt Honoble the Lievt Gov' & yo' Hono's a proposition for a Suitable reward to be made Capt Norrington Comand' of the Barnadiston, who brought into this Countrey 200: barrells of Powder, and a Considerable quantity of other Stores, which after his Arrivall Continued a great while on board, and some yet are unremoved, And being willing to encourage all persons to undertake the Service of this Country, as Occasion may require, have thought fitt and accordingly presented the said Capt William Norrington with the Sume of Thirty pds Sterli, as a Gratuity for his trouble and Care in bringing in the said Powder and Stores, and keeping the same on board till Convenience Offers of setching it away.

Tefte Peter Beverley Clerke of the house of Burgesses

Aprill 26th 1692

By the House of Burgesses

Upon Reading the Report [See J. of H. of B., p. 403.]

Some of the House of Burgesses waites upon the Councill, and presents the following Message

Aprill 26th 1692

By the House of Burgesses

The House of Burgesses being Deepely [See J. of H. of B., p. 404.] And the Honoble Councill having Caused their Unanimous Concurrence to be written

By their Mas Councill

The House of Burgesses having requested the Councill to Joyn with them in desireing his Honor their Ma^o Liev^t Gov^r to accept of the sume of two hundred pds in M^r Treasurers hands as the same shall arise out of the Impost upon Liq^{ro}.

The Councill being very Sencible of the great deferts of the R^t Hono^{ble} their Ma^{*} Liev^t Gov^{*} in his Conftant and Earneft Endeavours to promote Religion and Learning, their Ma^{*} Service, the Peace Welfare and Security of this Country, and also his indefatigable paines and unwearied diligence in his personall Visiting every part of this Dominion, and Contriveing the best Expedients to preserve the same, Doe Unanimously Joyne with the House of Burgesses in desireing his Hono^{*} to accept of the said sume of two hundred pounds Sterli

William Cole Sec. Ralph Wormeley William Byrd John LearC^r Wormeley— Edw^d Hill— Henry Whiteing E. Jenings

Aprill 26th 1692

viz

And after the Subscribeing their Names together with the Burgesses (who desired their Concurrence) delivered it to his Honor, who answered that he kindly received the good Intention of the Councill and House of Burgesses, but could not manifest the same by accepting their present without the leave of their Ma*, it being Contrary to his Instructions so to doe.

William Cole Efqre Seč: reports from the Conference with the Members of the House of Burgesses thereto appointed the Subject Matter agreed on to be Writt to William Blathwaite Efqre, Jeffrey Jeffreys Efqre and mr James Blair Clk, all which was approved

Aprill 27th 1692

T COLL^o Law: Smith waites upon the Councill and prefents the booke of Claimes, which being Examined, and agreed to, was foe Attefted by the Clerke of the Genⁿ Affembly and by the Councill returned the faid Smith.

M^t Francis Mafon &c waites upon the Councill and defires their Concurrence to the following bills may be endorft on them by the Clerke of the Gen^{II} Affembly, the Houfe of Burgeffes having agreed to the Amendments proposed by the Councill,

And the fame was accordingly done and the faid Bills returned the faid Majon viz'



A Bill for Altering the day for Princefs Ann County Court.

A Bill for the better defence of the Country

A Bill about Phifitians and Chirurgeons accounts

A Bill for the more Speedy profecution of Slaves Comitting Capitall Crimes.

A Bill for dividing Rapp^a County.

A Bill for Confirmation of Lands.

Some of the House of Burgesses bring the following Resolve

Aprill 27th 1692

By the House of Burgesses

Refolved that the Sume of two hundred pds Sterli be put into the hands of mr Gawen Corbyn Marchant of London, to be paid to William Blathwaite Efqre as he shall have occasion to dispose of the same for the use of this Country.

Ordered that this Refolve be Carried to the Honoble Councill for their Concurrence.

Tefte Peter Beverley Clerk of the House of Burgesses

Ordered that the Clerke of the Gen¹¹ Affembly endorse the resolve of the R¹ Worp¹¹ the House of Burgesses for putting two hundred pounds Sterli into the hands of m¹ Gawen Corbyn Marchant &c Assented to, and return it to the House of Burgesses

Also Ordered that he defire the R^t Worp¹¹ the House of Burgesses to Joyn with the Councill in humbly petitioning their Ma* to give leave to the R^t Honoble the Liev^t Gov^t to accept of the sume of two hundred pounds Sterli

Some of the House of Burgesses waite upon the Councill, and present a Bill for raiseing a publick Levy, and defire the Councills Concurrence thereto.

Ordered that the Clerke of the Gen¹¹ Affembly endorfe the faid Bill affented to by the Councill, and return it to the R¹ Worp¹¹ the Houfe of Burgeffes.

Aprill 28th 1692

AJOR Charles Scarburgh &c waite upon the Councill and prefent a Refolve of the Rt Worp! the House of Burgesses that one hundred pounds Sterli be put into the hands of int Gawen Corbyn Marchant of London to be paid to m James Blair as he shall have Occasion to dispose of the same for the manageing the affair of the Free School and Colledge Comitted to him the last Session, and the same being affented to, was endorst by the Clerke of the Gen! Assembly and returned the said Scarburgh.

The faid Scarburgh then prefented an Address and petition to their Most Sacred Ma* a Letter to the R^t Reverend Father in God the Bishop of Salisbury, a letter and Memoriall to the Honoble William Blathwaite Esqre and a letter to the Reverend mr James Blair.

And then was delivered the faid *Scarburgh* a Letter to the Moft Reverend Father in God the Arch Bifhop of *Canterbury*, one to the R^t Reverend Father in God the Bifhop of *London*, one to the R^t Reverend Father in God the Bifhop of *Worcefter*, and one to the Honoble *Jeffrey Jeffreys* Efq^{te}, and tomorrow morning Seven a Clock is appointed to Conferr in the Councill Chamber with Such Members as shall be appointed by the R^t Worpⁿ the House of Burgesses about Such Alterations as shall be proposed either by the Councill or House of Burgesses.

Aprill 29th 1692

R Secretary Cole reports from the Conference with the Members of the House of Burgesses appointed thereto, the Severall Alterations proposed and agreed to be made in the Address and petition to their Most Sacred Mas and the Severall Letters &c. and the same are approved.

Aprill



Aprill 30th 1692

RDERED that the Clerke of the Genⁱⁱ Affembly goe to the Rⁱ Worpⁱⁱ the House of Burgesses, and acquaint them that the Rⁱ Honoble the Lievⁱ Govⁱ Comands their Attendance in the Genⁱⁱ Court house forthwith, where they being come, m^r Speaker made the following Speech vizⁱ

Yer Honors

perfeverance in doeing great and good things, and the Example you are alwaies giving to incite all Virtuous Inclinations to the practice of the fame Virtues you own, demonstrates Clearely to us the representatives of this once despairing Colony, yor Honors firm Resolution to accomplish what hath been (thô with little Success hitherto) so strenuously endeavoured to make this Countrey attains to some degree of happiness.

Which now upon these Considerations were have reason to believe is by the blessing of Almighty God approaching; and then there will be cause to celebrate the yeares of

& 92 for the first yeares of Virgas prospect of approaching prosperity.

And fuch refolutions of yor Honors grounded on foe good and noble principles wee are Sure will never cease their Operations till the cause shall cease, which we hope can never be till we shall cease to be (which wee never will by the Grace of Almighty God) Most Loyall, Most Zealous and Most humble Subjects and Servants of the Crown, and of Our Most Gracious King and Queene.

May it please yo' Hono'

Their Ma® Honoble Councill with the Burgeffes as the Juncture of affaires and time will ∜mitt, and as they have (with Submiffion) conceived for the good of the Countrey agreed upon fome Laws, to which they pray yor Affent and Signature, and they are Entituled

1: An AA for the better defence of the Country

2: An Ad for Confirmation of Lands

3: An AA for the more Speedy profecution of Slaves Comitting Capitall Crimes

4: An A& about Phificians & Chirurgeons accous

5: An A& for the deviding Rappa County

6: An A& for altering the day for Princess Ann County Court

7: An A& for Raifeing a Publique Levy.

And the faid Severall Laws being published and figned by the Rt Honoble the Lievt Govt and Speaker, The Address to their Most Gracious Mas Signed by the Rt Honoble the Lievt Govt, William Cole Secret. and Thomas Milner Speaker, the petition to their Most Sacred Mas Signed by William Cole Secretary and Thomas Milner Speaker, and all the Letters and memoriall Signed by the Rt Honble the Lievt Govt William Cole Secret. and Thomas Milner Speaker.

The Rt Honoble the Lievt Gov Expressed himselfe vizi

M' Speaker and Gent"

I return you thanks for the great care you have taken to Secure this their Ma* Dominion, and I doubt not but you will in yor Severall Counties be very vigilant and Carefull to preferve the Country in peace,

It hath been all along the Endeavours of my felfe and the Councill to put the Coun-

try to as little Charge as possible, and it still shall be Our Methods.

I hope there will be noe Occasion for yo r Speedy meeting unless I receive Ord r s out of England that require it.

And therefore I prorogue this Affembly to the 20th day of Aprill 1693 unless my felfe and the Councill shall think fitt to call you Sooner.

Copª Vera

Teft W. Edwards Cl Gen11 Affby



ATT A

GENLL ASSEMBLY

begun at James Citty the Second day of March Anno Dom: 1692 and in the fifth yeare of the Reign of our Sovereign Lord and Lady William and Mary by the Grace of God of England Scotland France Ireland and Virginia King and Queen Defenders of the Faith &c.



Att a Gen!! Affembly begun at James Citty the Second day of March Anno Dom: 1692 and in the fifth yeare of the Reign of our Sovereign Lord and Lady William and Mary by the Grace of God of England Scotland France Ireland and Virginia King and Queen Defenders of the Faith &c.

[March the 2nd, 1692.]

Prefent

IS Excy the Gov', Ralph Wormeley Sec., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efgr's

Ordered that William Edwards Clerke of the Gen" Affembly goe to the house of Burgesses and acquaint them that his Excy Comands their Imediate attendance in the Gen" Courthouse, where they being come his Excy thus Express

himfelfe.

Gent.

Their Ma® haveing been pleafed to Comand my fervice in this Government

I hope from Generall Assemblies all that may be, and your present Consideration of all proper and Necessary to the welfare defence and Honour of this their Ma* so Ancient and Considerable a Colony, which will be Effectually to do our Duties to God, their Ma* and Countrey.

Their Ma* are pleased out of their great care for the Welfare of their Subjects in this Colony to continue and grant them a Free trade with the Indians, preferring the particular benefitt of their people before any other advantage that might accrew unto them by reftraining said trade of which doubt not a due sence and suitable returns

Not to delay you from the good purpoles in yor Writts for this meeting, to which refer you

You Gent. of the house of Burgesses are now to return to your house, and make choice of a Speaker.

I have appointed Mr Peter Beverley to be yor Clerke

And I hope all heartily joyneing in Prayers and Supplications to Almighty God for the Continuance of his bleffings and Affiftance on this Occasion, which I have by Advice of the Councill appointed to be observed a Sunday next in this place, and a Sunday the 19th Instant in all other places of the Government

Major Samuel Swann &c waite upon his Exer in the Councill Chamber, and acquaint

him that the house of Burgesses had Elected a Speaker.

His Exey then Comanded that the whole house of Burgesses should waite upon him and the Councill in the Genu Co'rt house at three of the Clock in the afternoon.

Ordered that the Clerke of the Gen¹¹ Affembly goe to the house of Burgesses, and acquaint them his Ex^{cy} Comands their Attendance in the Gen¹¹ Court house

Coll Thomas Milner with the house of Burgesses waite upon his Excy in the Gen¹¹ Court house, and acquaints his Excy that the house of Burgesses had Elected him for their Speaker, who being approved by his Excy prayed they might injoy the Ancient priviledges of that house to which his Excy replyed

 M^r Speaker all the priviledges that have & ought to be granted are confirmed to you, he then prayed that those failers he should be guilty of in the management of the weighty Affaires of this Assembly should not be taken notice of, to which his Ex^{cy} said, he did not question his due performance of what should be Necessary.

Ordered



Ordered that the Clerke of the Gen¹¹ Affembly prepare a Comiffion for his Ex^{cy*} Signeing, appointing and Impowering William Byrd, C^{*} Wormeley & Edward Hill Efq^{**} or any two of them, to Administer to the Members of the house of Burgesses the Oaths prescribed by Law to be taken instead of the Oaths of Allegiance and Supremacy, and the Test, also the Oath of a Burgess for this present Assembly, as also to Administer the Oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Supremacy, and the Test, and the Oath of the Clerke of the house of Burgesses to Cap* Peter Beverley.

There being a Gen^{II} Affembly now met, his Ex^{cy} by Advice in Councill is pleafed to Order the Sheriffe of *James Citty* County to give his usuall Attendance on the house of Burgesses.

March the 3d 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Sec., William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq^{ts}

Capt Henry Duke &c waite upon his Excy in the Councill Chamber, and pray that fome perfons may be Commissionated to swear the Members of the house of Burgesses. Refferred to William Byrd Cr Wormeley and Edward Hill Esqueror any two of them as authorized thereto.

The Comiffion for Administring the Oaths to the Burgesses

By his Excy

S' Edmund Andros Knt their Ma® Lievt and Gov' Genli of Virginia, pursuant to the Authority to me given by their Ma® Letters Patents under the Great Seale of England, I doe hereby Nominate Order and appoint you William Byrd Esqi C' Wormeley Esqi and Edward Hill Esqi three of their Ma® Councill of State of this Colony, or any two of you to Administer the Oaths prescribed by Act of Parliament to be taken instead of the Oath of Allegience and Supremacy, and the Test, also the Oath of a Burgess this present Assembly to all the Members thereof, And I do hereby surther Order and appoint you or any two of you as aforesaid to Administer the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegience and Supremacy, and the Test, also the Oath of the Clerke of the house of Burgesses to Capt Peter Beverley, Given under my hand and the Seale of the Colony this third day of March Anno Dom: 1692/3

E. Andros

A Comiffion for the swearing the house of Burgesses & their Clk

Ralph Wormeley Sec.

M' William Leigh &c. waite upon his Excy in the Councill Chamber and acquaint him the house of Burgesses understood by the Sherisse he was Comanded to have an Officer to Attend them, but it haveing been the practice of the house to choose a Messenger, they had made a choice of M' W'' Drumond, but takeing it as a favour from his Excy, the house of Burgesses returned his Excy their humble thanks for the same.

to which his Ex^{cy} by the Advice of the Councill faid, he did not well understand the Message, but if the house of Burgesses thought fitt to send it in writing it should be Considered.

M' William Leigh &c waite upon his Excy in the Councill Chamber, and present the following Message.

By the house of Burgesses

May it please yor Excy

The house of Burgesses [See J. of H. of B., 1659/60-93, p. 414.]

M^r Danⁿ Parke &c. waite upon his Ex^{cy} in the Councill Chamber and acquaint him they are Ordered by the house of Burgesses to pray his Ex^{cy} that a New Writt may iffue for the Election of a Burgess in Henrico County to serve in the place of m^r John Pleasants, who by refuseing to take the Oaths appointed, is uncapable of Serveing.

and accordingly a Writt iffued



March the 6th 1692

Prefent

IS Exer the Gov^t, Ralph Wormeley Sec, William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq^{ts}

Major Samuel Swann &c waite upon his Exer in the Councill Chamber, and profess the following Address.

and prefent the following Address

May it please yo' Excy

Yor Excy haveing been pleafed [See J. of H. of B., p. 416.]

March the 7th 1692

Prefent

IS Excy the Gov, Ralph Wormeley Sec, William Byrd, Jno Lear, Co Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esque Capt Miles Cary &c waite upon his Excy & acquaint him they are Ordered by the house of Burgesses to pray his Excy that a New Writt may issue for the Election of a Burgess for King & Queen County to serve in the place of Capt Jno Lane, who it was resolved by the house was unduely Elected.

And a Writt accordingly iffued

Ordered that the Clerke of the Gen¹¹ Affembly carry the following answer to the Address of the house of Burgesses about chooseing their Clerke, to the said house

By his Excy

M. Speaker & Gent of the house of Burgesses

In Answere to yor Address [See J. of H. of B., pp. 417-18.]

March the 8th 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Sec., William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq^{co}
Cap^t Thomas Ballard &c. waite upon his Ex^{cy} in the Councill Chamber, and prefent the following Address

May it please yor Exer

Yo' Excy haveing upon [See J. of H. of B., pp. 418-9.]

Ordered that the Clerke of the Gen¹¹ Affembly carry the following Answer to the house of Burgesses.

By his Exes

M' Speaker and Gent. of the house of Burgesses

In yor reply [See J. of H. of B., p. 419.]

March the 9th 1692

Prefent

IS Excy the Gov, Ralph Wormeley Sec, William Byrd, John Lear, Cr Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq. Mr Arthur Spicer &c waite upon his Excy and acquaint him, they are Ordered by the house of Burgesses to pray his Excy that those Gent. his Excy had appointed might Swear the Clerke his Excy had Comissionated for their house, which his Excy gave direction in accordingly

March



March the 11th 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormcley Sec., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{ra}

Major Thomas Youel &c waite upon his Excy in the Councill Chamber and acquaint him, they are Comanded by the house of Burgesses humbly to request his Excy to favour them with a Copy of his Speech.

Ordered that the Clerke of the Genⁿ Assembly carry it to the house of Burgesses saying these words at the delivery thereof.

M' Speaker

His Ext did not expect you would have asked a Copy of his Speech, but hath defired

m' Secretary to fend it and I am Comanded to deliver it.

Ordered that the Clerke of the Gen¹¹ Affembly endorse the Petition of Peter Heyman Gent. relateing to a Post Office to be Erected in this Government; Refferred to the house of Burgesses with due regard to their Ma* Comand, and deliver it to the said house of Burgesses with a Copy of her Ma* Letter to his Exey in that concerne.

March the 14th 1692

Prefent

IS Ex^c the Gov^t, Ralph Wormeley Sec., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq^t

Coll^o Lemuell Mafon &c. waite upon his Ex^c and prefent the following Address

May it please yor Excy

The house of Burgesles haveing [See J. of H. of B., pp. 423-4.]

March the 16th 1692

Prefent

IS Excy the Gov^t, Ralph Wormeley Sec., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Eqc^{*}

M^t Danⁿ Parke &c waite upon his Excy in the Councill Chamber, and acquaint him they are Comanded by the house of Burgesses to signifye to his Excy that they had prepared an Address about the Revisall of the Laws to be presented by the whole house, and to pray his Excy to appoint a time and place for the receiveing thereof.

To which his Exer replyed the Councill were now with him in the Councill Chamber,

and appointed their present comeing to him there.

M' Speaker and the house of Burgesses waite upon his Ext in the Councill Chamber, and M' Speaker Said The house of Burgesses haveing under their Consideration the Revisall of the Laws of this Countrey had resolved upon an Address to his Ext, which as he was Comanded he now on their behalfs humbly presented, to which his Ext replyed, he was very glad they were upon soe good a Worke, and that he had Intimated it to the Councill as acceptable to their Ma', and the Councill had the same under Consideration and should be ready to do all proper for the performance thereof

The Address follows

To his Excy Sr Edmund Andros Kn' their Ma' Liev' and Gov' Gen'i of Virga

May it please your Excy

The house of Burgelles [See J. of H. of B., p. 425.]

Richard Lee Efgr added

Ordered



Ordered that the Clerke of the Gen¹ Affembly carry the following Answer to the Address about the Instruction for the Free trade with the Indians to the house of Burgesses As also the answer to the above Address

By his Exer

M' Speaker and Gent of the house of Burgesses

Haveing received yo' Address [See J. of H. of B., pp. 427-8.]

By his Excy

M' Speaker and Gent of the house of Burgesses

On reading yor Address [See also p. 428.]

March the 17th 1692

Prefent

IS Exes the Govt, Ralph Wormeley Sec, William Byrd, Ino Lear, Co Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efgro

Richard Lee, William Byrd, John Lear and Edward Hill Efqre are by the Councill nominated and appointed to meete in mr Geo: Marables brickhouse at three of the Clock this afternoon and Confer with such Members as shall be appointed by the house of Burgesses about the most proper methods for the Revisall of the Laws.

Cap^t William Kendall &c waite upon his Ex^{cy} in the Councill Chamber and prefent the following Meffage

May it please yo' Excy

The house of Burgesses haveing [See J. of H. of B., p. 428.]

March the 20th 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Sec, William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efq^{to}

Capt Miles Cary &c. waite upon his Excy and acquaint him they are Ordered by the house of Burgesses to pray his Excy that a New Writt may iffue for Election of a Burgess for King & Queen County to serve in the place of Capt Jno Lane, the Writt formerly Sent being returned by the late Sub-Sherisse of that County not executed, the Sherrisse dyeing before the day appointed for the Election

March the 21th 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Sec, William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efq^{cs}

Cap^t Miles Cary &c waite upon his Ex^{cy} and the Councill and acquaint them with two Meffages from the house of Burgesses, one relateing to the Rangers raised the last yeare, the other to twenty five barrells of Powder lent the Gov^r of Maryland.

Cap^t William Randolph &c waite upon his Ex^{cy} and the Councill and acquaint them with a Meffage from the house of Burgesses relateing to a Conference with some of the Councill.

which Messages not being well understood



It is Ordered that the Clerke of the Gen^{II} Affembly goe to the house of Burgesses and acquaint them therewith in the following Words

Mr Speaker

I am Comanded by his Exty and Councill to acquaint you that the Verball Meffages from yo' house this day delivered by Capt Miles Cary and Capt William Randolph not

being well understood, they defire they may be fent in writeing

The House of Burgesses haveing desired a New Writt may iffue for the Election of a Burgess for King and Queen County, and a Writt haveing already been Sent, mr Secto is desired to fend to his Office for it, that the return thereon made may be seen and Considered.

Cap' Miles Cary &c waite upon his Exq and the Councill and prefent the following Message.

May it please yo' Excy

The Meffage fent by the Comittee of Publique Claimes and delivered this morning to yor Exey and the Councill by Capt Cary, was to acquaint yor Exey with these two following resolves

March 20th 1692/3
Refolved that the Comittee for Publique Claimes make humble Application to his
Exes and the Councill for an account how long the Rangers at the heads of the Rivers
have been in Actuall Service, or discontinued, and how much of the Salary raised for
them the last Session remaines now in deposite unmade use of.

Refolved that the faid Comittee make humble Application to his Ex^{cy} and the Councill to take care that the twenty five barrells of Powder lent the Gov^r of Maryland laft Affembly, may be redelivered at fuch time and place within this Government, as was upon the Loan thereof fet and required.

By Order of the Burgeffes
Tho Milner Speaker

Capt William Randolph &c waite upon his Ext and the Councill and prefent the following Meffage.

May it please yor Excy

The Meffage Sent by feverall Members from this house and delivered by Capt William Randolph to yo' Exer and the Councill was to acquaint yo' Exer with this following Order

March 20th 1692/3
Ordered that Capt Randolph, Capt Field, Capt Scarlet Capt Outley, mt Sandford,
Capt Lear, Capt Ballard and Capt Clements defire a Conference with the honoble Councill
to Confult of the best waies and meanes for the prevention of divers great abuses Complained of from Stafford County to be Committed by Maryland and other Strange
Indians, according to the Resolve of the house on thursday last, and that they be impowered to manage the Conference accordingly.

March the 21th 1692/3

By Order of the Burgesses Tho. Milner Speaker

March the 22th 1692

Prefent

IS Exer the Gov^t, Ralph Wormeley Seč, William Byrd, John Lear, C^{*} Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efg^{*}

Mr Secretary haveing produced the Writt fent for the Election of A Bur-

gels for King and Queen County, on which being returned vizi

King and Queen County March 16th 1692/3

In Obedience to this within Writt I did not onely make publication, but appointed a day for the Election of A Burgefs, and being Credibly informed of the high Sheriffs Death, thought it not fitt to proceede to the Election

7 Nath: West Sub Sheriffe



C. Wormeley, Henry Whiteing Edmund Jenings and Henry Hartwell Efgre or any three of them are appointed at five of the Clock this afternoon in m. George Marables Brickhouse to meete and conferr with the Members of the house of Burgesses thereto appointed of the beft waies and meanes for the prevention of the abufes Complained of from Stafford County to be Comitted by Maryland and other Strange Indians.

Upon Application of the house of Burgesses for an account how long the Kangers at the heads of the Rivers have been in Actuall Service or discontinued, and how much of the Salary raifed for them the last Selfion remaines now in deposito, unmade use of

Refferred to mr Audit Byrd to examine the fame and make report thereof to this

Board

March the 23d 1692

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley See, William Byrd, John Lear, C^e Wermeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee

M. Dan" Parke &c waite upon the Councill and acquaint them the house of Burgeffes had paffed Six bills and Commanded them to defire their Concurrence

thereto, which bills he then delivered, and they are viz'

A Bill for Continueing the Ad for the better defence of the Countrey

A Bill for Suspending the Execution of the Ad for Ports &c.

A Bill concerneing Indians hoggs

A Bill for giveing Incouragement to Erect Fulling Mills

A Bill for Seating certaine Lands on the South fide James River and Pomunks Neck

A Bill for Advancement of Coines

Richard Lee Efq Reports from the Conferrence about the Revifeing and digetting the Laws that the propofealls given by the house of Burgesses to their Members were that twelve of the house of Burgesses or any five of them, to whom should be Cometal the Care and Charge thereof, should meete at James Citty the first day of 7th next, and Sit in the Affembly Roome in Order to their proceeding therein, and that they may have power to fend for Papers Records, and for fuch person or persons for their Affil' one as they shall think fitt and that they may be thereunto impowered by an Act of Alleredy

of which propofalls they had taken time to Confider and therefore defired direction

therein.

On Confideration whereof it is the Opinion of the Councill that this prefent Setting of the Assembly the time at the first proposed by the Councill is the best and first time for the Revifall of the Laws.

March the 24th 1692

Prefent

IS Excy the Gov[†], Ralph Wormeley Seč, William Byrd, John Lear, C^{*} Wormeley. Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee

M' Audit' Byrd haveing Stated the acco' of the time the Rangers at the heads of the Rivers were in Actuall Service, when discontinued, and what remainer is

deposits of the Salary raised the last Session of Assembly presented the same

Ordered that the Clerke of the Gen" Affembly in answer to the defire of the hours of Burgeffes about the Rangers Salary, deliver them the accor Stated by mr Audit Bord The following Answer to the Message from the house of Burgesies about the Powder

lent the Gov of Maryland being prepared by the Advice of the Councill

Orseras



 $\mathit{Ordered}$ that the Clerke of the Geu $^{\text{II}}$ Affembly carry the fame to the house of Burgessess $\mathit{viz^t}$

By his Exer

Mr Speaker and Gent. of the house of Burgesses

As to yor Address [See J. of H. of B., p. 438.]

Richard Lee Efq' &c Reports from the Conference about the Revifall of the Laws, that they, as they had done at their first meeting, had proposed that this present Sitting of the Assembly is the best and fittest time for the doeing thereof

to which the Members of the house of Burgesses appointed for this Conference

replyed they would acquaint the house therewith.

Cr Wormeley Efq^t &c reporting from the Conference about the Injuries Complained of by the Inhabitants of Stafford County, that Severall Injuries were Complained of in Generall termes to be done in the aforefaid County by Maryland and other Strange Indians.

It is Ordered that at their next meeting they defire to know who were the perfons that had received Injuries which by Law, and Officers Civil and Military could not be remidied there, the time and place of the Committing them, and who they were that did them.

A Bill for Continueing the A& for the better defence of the Countrey was read, and Ordered to be read a Second time tomorrow.

A Bill for Sufpending the Execution of the $A\mathcal{A}$ for Ports &c was read, and Ordered to be read a Second time tomorrow.

A Bill concerning Indian Hoggs was read and Ordered to be read a Second time.

A Bill for giveing Incouragement to Erect Fulling Mills was read, and Ordered to be read a Second time.

A Bill for Seating certaine Lands on the Southfide James River and Pomunky Neck was read, and Ordered to be read a Second time.

A Bill for Advancement of Coines was read, and Ordered to be read a Second time.

M^r Michael Sherman &c. waite upon the Councill and acquaint them, they are Ordered by the house of Burgesses to present the following Bills to them, and desire their Concurrence thereto, viz'

A Bill afcertaining the Price of Coafting Cocquetts, and requireing Officers Attendance

A Bill for Altering the first day of the Gen^{II} Court in some Cases, and also of County Courts

A Bill for the Incourageing the Erecting of a Post Office in this Countrey.

March the 25th 1693

Prefent

IS Ex^c the Gov^t, Ralph Wormeley Sec., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efg^c

A Bill for continueing the $A\mathcal{C}$ for the better defence of the Countrey was read a Second time, and the Attorney Gen¹¹ being Sent for, and heard thereupon, is Refferred to be further Confidered of on Munday morning, when the Attorney Gen¹¹ is to give his further Attendance.

A Bill for Sufpending the Execution of the Aâ for Ports &c was read a Second time, and the further Confideration thereof refferred till Munday.

 M^r Dan¹¹ Parke &c waite upon his Ex^{ey} , as also upon his Ex^{ey} and the Councill and present the following Messages viz^t

May it please yor Excy

Their Most Sacred Ma. [See J. of H. of B., pp. 439-40.]



May it please yo' Excy and yo' Honors

The Revifall [See J. of H. of B., p. 439.]

And the faid Address about a time for the Revisall of the Laws, refferred to be confidered accordingly.

March the 27th 1693

Prefent

IS Ex^{er} the Gov^e, William Byrd, C^e Wormcley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Efq^{es}

The Bill continueing the Aâ for the better defence of the Countrey, and
The Bill for Suspending the Execution of the Aâ for Ports &c refferred to
be Considered of, some of the Councill absent, and the Attorney Gen" not Attending,
refferred till tomorrow when the Attorney Gen" to give his Attendace.

A Bill afcertaining the price of Coafting Cocquetts and requireing Officers Attendance was read, and Ordered a Second reading.

A Bill for Altering the first day of the Gen¹¹ Court in some cases, and also of County Courts was read, and Ordered a Second reading.

A Bill for the Incourageing the Erecting of a Poft-Office in this Countrey was read, and Ordered a Second reading.

The Act for Advancement of Manufactures of the growth of this Countrey, and for the better and more Speedy payment of debts and Levies being proposed to be Considered, is reflerred to be taken into Consideration tomorrow, when the Attorney Gen¹¹ is to Attend

A Bill being proposed to ascertaine what persons are proper to Serve as Jurymen, It is refferred to be Considered tomorrow, when the Attorney Gen¹¹ is to Attend

Cap' Miles Cary &c waite upon the Councill and acquaint them, the house of Burgesses had Setled and agreed upon the Publick Claimes made to this Assembly, which they were Ordered by the house to deliver to them, and desire their Concurrence.

March the 28th 1693

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Sec:, William Byrd, John Lear, C^t Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efg^{to}

The Bill for Sufpending the Execution of the Aâ for Ports & being read and debated is agreed to with these Amendments viz' that Imediatly after the words of great Moment weight and Confequence in the preamble, be incerted these following words, and the said A& lyeing before their Ma', and their Ma' pleasure relateing thereto, not being yet Signified, and the rest of the preamble left out.

The Bill for giveing Incouragement to Erect Fulling Mills, refferred to be further Confidered

The Bill concerning Indians hoggs is agreed to, as Sent

The Bill for Seating certain Lands on the South-fide of *James* River, and *Pomunky* Neck, read a Second time, and refferred to be further Confidered of.

The Bill for Advancement of Coines, read the fecond time, and not agreed to. Cap' John Tayler &c waite upon the Councill and prefent the following Meffage.

March 28th 1693

By the house of Burgesses

Refolved that whatfoever Liquors [See J. of H. of B., p. 441.]

Ordered that this Vote be carried to the Honoble Councill for their Concurrence

Tefte Peter Beverley Clerke of the house of Burgesses.

March



March the 29th 1693

Prefent

IS Exes the Govt, Ralph Wormeley Sec., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efgra

The Bill for fuspending the Execution of the A& for Ports &c read, and

Ordered that the Clerke of the Gen¹¹ Affembly carry the fame to the house of Burgesses with the following Amendments viv

By the honoble their Mas Councill

M' Speaker and Gent. of the house of Burgeffes

The Bill received from you Entituled A Bill for Sufpending the Execution of the Aâ for Ports &c is agreed to with these Amendments viz' that Imediatly after the words of great Moment weight and Confequence in the preamble, be incerted these following Words, And the said A&t lyeing before their Ma*, and their Ma* pleasure relateing thereto not being yet Signified, and the rest of the preamble lest out.

By Order of the Councill

W. Edwards Cl Gen¹¹ Aff^{1y}

March 29th 1693

Ordered that the Clerke of the Gen¹¹ Affembly carry the Bill concerning Indians hoggs to the house of Burgesses endorst thus

Virga March the 29th 1693.

By the honoble their Mas Councill

This Bill is agreed to

By Order of the Councill
W. Edwards Cl Gen¹¹ Aff^{by}

The Bill for the better defence of the Countrey read the third time, and Ordered that the Clerke of the Gen^{II} Affembly carry the fame to the house of Burgesses with the following Amendments

By the honoble their Mas Council

Mr Speaker and Gent of the house of Burgesses

We agree with you in the bill for the better defence of the Countrey, with the Amendments as herewith fent Leaveing out the Clause repealeing the Act for the better defence of the Countrey in 1691

The Claufe continueing the fame Act in 1692

The Clause continueing the Souldiers raised and Setled, as already Setled, it being upon revivalls already made.

The Clause wherein the Soldiers are Comanded to Obey all ords &c from the Lievs Govs or Comander in Chiefe with the Advice of the Councill, it being repugnant to Statute Law, and their Mas Letters Patents under the Great Seale of England relateing to the Militia.

and leaveing out that clause directing the Court and Military Officers to imprison reward and punish such as bring News, in place and Stead of which last clause, a clause Impowering County Courts to perform the same.

By Order of the Councill

W. Edwards Cl Gen¹¹ Aff¹⁷

March the 29th 1693

Capt Francis Clements &c. waite upon the Councill & acquaint them, they are Ordered by the Foufe of Burgesses to present to them, a Bill Entituded a Bill appointing a Treasurer and desire their Concurrence.

The Bill for ascertaining the Price of Coasting Cocketts and requireing Officers Attendance read the Second time, and is agreed to with these Amendments viz'

That in the third line the word Coafting be put before the Word permitts, and left out before the word Cocquetts.

That instead of the &c in the 9th and all other lines be put, the words, or other Veffells
That the Word Coofting in the Eleventh line be put before the word permitt in the
10th line

That



That in the 11th line, after the words, Current Money, be put, except for the Enumerated Comodities according to Law,

That after the Word, Ships in the 26th line be put Sloopes or other Veffells.

That Instead of the words, upon all occasions in the last line, be put at all lawfull times.

A Bill Entituled, A Bill appointing A Treafurer was read, and Ordered to be read a Second time.

March the 30th 1693

Prefent

IS Ex^{cy} the Gov^t, Ralph Wormeley Seč., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Elq^{cs}

The Bill for giveing incouragement to Erect Fulling Mills read the Second time, and Ordered that the Clerke of the Generall Affembly carry the fame to the house of Burgesse endorst thus

Virga March the 30th 1603

By the honoble their Mas Councill

This Bill is agreed to

By Order of the Councill

W. Edwards Cl Gen¹¹ Aff^{by}

Ordered that the Clerke of the Gen¹¹ Affembly carry the Bili for afcertaining the price of Coafting Cocquetts and requireing Officers Attendance to the house of Burgesses with the following Amendments.

By the honoble their Mas Councill

M' Speaker and Gent of the house of Burgesses

The Bill for afcertaining the price of Coafting Cocquetts and requireing Officers Attendance is agreed to with these following Amendments viz'

That in the third line, the word Coafting be put before the word *permitts*, and left out before the word *Cocquetts*.

That instead of the $\mathcal{C}c$ in the 9th line and all other lines, be put the words, or other Vessells

That the word Coafting in the 11th line be put before the word permit in the 10th line

That in the 11th line after the Words Currant Money be put except for the Enumerated Comodities, according to Law.

That after the Word Ships in the 26th line, be put Sloops or other Veffells

That instead of the words upon all occasions in the last line, be put at all lawfull times.

March 30th 1693

By Order of the Councill

W Edwards Cl Gen¹¹ Aff^{1y}

The Bill for the Incourageing the Erecting of a Post Office in this Countrey read the Second time, and agreed to with these Amendments and Additions viz'

That inftead of the Words following the Words, that is to fay, in the Second line of the Second Sheete to the End of that Paragraph, the following words be inferted, for the port of every Letter not exceeding one Sheete to or from any place not exceeding fourfcore English Miles distance from the place where such Letter shall be received 3^d & for the like port of every Letter not exceeding two Sheetes six pence, and for the like port of every pacquet of Letters proportionably unto the said Rates, that is to say for every Sheete exceeding two Sheetes to advance three pence and no more and for the like Port of every pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the Port of every Letter not exceeding one Sheet above the distance of fourscore English Miles from the place where the same shall be received four pence halfe penny, and for the like port of a letter not exceeding two

Sheetes



Sheetes nine pence, and proportionably to the fame rates for the like port of all Pacq'ts of Letters that is to fay, for every Sheete exceeding two Sheetes to advance four pence halfe penny and no more, and for the like port of every Pacquett of Writts Deedes and other things after the rate of Eighteene pence for every ounce weight.

The Bill for Seateing certaine Lands on the South-fide James River and Pomunky

Neck, read the third time, and being taken into Confideration is not agreed to.

The Bill for Altering the first day of the Gen¹¹ Court in some cases, and also of County Courts read the Second time, and being taken into Consideration, is not agreed to.

March the 31th 1693

Prefent

IS Ex^{c7} the Gov^r, Ralph Wormeley Sec., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efq^{rs}
Ordered that the Clerke of the Genⁿ Affembly carry the Bill for Seating certaine Lands on the South-side James River and Pomunky Neck to the house of Burgesses endorst thus

By the honoble their Mas Councill

March the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen't Affly

Ordered that the Clerke of the Gen^{II} Affembly carry the Bill for Altering the first day of the Gen^{II} Court in some cases and also of County Courts to the house of Burgesse endorst thus

By the honoble their Mas Councill

March the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen¹¹ Aff¹³

Ordered that the Clerke of the Gen" Affembly carry the Bill for Advancement of Coines to the house of Burgesses endorst thus

By the honoble their Mas Councill

March the 28th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen¹¹ Aff^{by}

The Bill appointing a Treafurer read the fecond time, and Ordered that the Clerke of the Gen¹¹ Affembly carry the fame to the house of Burgesses endorst thus

By the honoble their Mas Councill

March the 31th 1603

This Bill is not agreed to.

By Order of the Councill

W Edwards Cl Gen¹¹ Aff¹⁵

Ordered that the Clerke of the Gen¹¹ Affembly carry the Bill for the Incourageing the Erecting of a Post Office in this Countrey to the house of Burgesses with the following Amendments

By the honoble their Mas Councill

M. Speaker and Gent of the house of Burgeffes

The Bill for the Incourageing the Erecting of a Post Office in this Countrey is agreed to with these Amendments and Additions viz'

That Inftead of the Words following the words, that is to fay in the Second line of the Second Sheete to the End of that Paragraph, the following Words be inferted, for the Port of every Letter not exceeding one Sheete to or from any place not exceeding fourfcore English Miles distance from the place where such letter shall be received three pence, and for the like port of every Letter not exceeding two Sheetes six pence, and for the



the like port of every pacquett of Letters proportionably unto the faid rates, that is to fay for every Sheete exceeding two Sheetes to advance three pence and no more, and for the like port of every Pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the port of every letter not exceeding one Sheete above the diffance of fourfcore English Miles from the place where the fame shall be received four pence halfe penny, and for the like port of a Letter not exceeding two Sheetes nine pence, and proportionable to the same rates for the like port of all Pacquetts of Letters that is to say for every Sheete exceeding two Sheetes to advance four pence halse penny and no more, and for the like Port of every Pacquett of Writts Deeds and other things after the rate of Eighteene pence for every ounce weight,

and that instead of the Words, in the Severall parts in the End of the third and beginning of the fourth line of the third Sheete be incerted, into the Severall Post Offices

in the respective Counties

March the 31th 1693

By Order of the Councill

W. Edwards Cl Gen¹¹ Aff¹⁷

Ordered that the Clerke of the Gen¹¹ Affembly carry the refolve about his Ex^{cy} the Gov^{co} Liquors &c. to the house of Burgesses endorst thus

By the honoble their Mas Councill

March the 31th 1693

This Refolve is not agreed to

By Order of the Councill

W. Edwards Cl Gen¹¹ Aff¹⁷

Major Thomas Youel &c waite upon the Councill and prefent a Bill for Continueing the Rangers at the heads of the four great Rivers, and defire their Concurrence.

Capt William Leigh &c. waite upon the Councill and acquaint them the house of Burgesses had agreed to their Amendments in the Bills entituled

A Bill for Suspending the Execution of the A& for Ports &c. and

A Bill for ascertaining the price of Coasting Cocq*** and requireing Officers Attendance, and then delivered the said Bills, and acquaint them the house had agreed to the first part of the Amendments in the Bill for Incourageing the Erecting of a Post Office in this Countrey, but did not agree to the last part of the Amendments, and therefore desired a free Conference with some of the Councill about that part, as also about the Bill for Advancement of Coines, the Bill for seating certaine Lands on the Southside James River and Pomunky Neck, and the Bill appointing a Treasurer returned not agreed to.

And Richard Lee, William Byrd, Edmund Jenings and Henry Hartwell Efqro were appointed to Conferr with them about the faid Bills

Aprill the 1st 1693

Prefent

IS Exer the Gov, Ralph Wormeley Sec., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Efge Richard Lee Efge &c. Reports from the Conference with the Members of the house of Burgesses thereto appointed that severall Arguments had been used upon some of the Bills, and desired that they might have some direction in the further management of the said Conference.

On Confideration whereof it is Refolved, that they have liberty to agree to the Words, in the Severall parts, in the End of the third and beginning of the fourth line of the third Sheete of the Bill for Incourageing the Erecting of a Post Office in this Countrey, without the last Amendment, the aforesaid Words being to the same purpose, thô not so plain as those proposed.

Richard Lee Efq. &c. Reports from the Conference that the Members of the house of Burgesses appointed to manage the said Conference had not given any Sufficient

Reasons



Reafons for Altering the Opinion of the Councill to the Bills, for Advancement of Coines for Seating certaine Lands on the Southfide *James River* and *Pomunky* Neck, nor the Bill appointing a Treafurer

and that it was agreed the Bill for Incourageing the Erecting of a Post Office in this

Countrey should pass without the last Amendment sent by the Councill.

Ordered that the Clerke of the Genⁿ Affembly return to the house of Burgesses the Bill for Suspending the Execution of the A& for Ports &c. and the Bill afcertaining the price of Coasting Cocquetts and requireing Officers Attendance, by the said House agreed to with the Amendments.

On reading the Claimes made this Affembly Ordered that the Clerke of the Gen¹¹ Affembly Enter in the Margin of the Booke against the proposition of the Comittee of Claimes about the Services of the persons appointed to looke out on the Seaboard Side of Northampton and Princess Ann Counties, this proposition not agreed to by the Councill, and against the allowance to William Drumond, the Word Messenger to be left out, and that he Enter mr Auditr Byrds Clause of twenty five pounds Sterli paid John Perry A Messenger Imployed to New York according to agreement, and then Attest the said Claimes thus.

By the Honoble their Mas Councill

Aprill the 1st 1693

Read and Approved with the Amendments

By Order of the Councill

W Edwards Cl Gen¹¹ Aff^{1y}

all which being accordingly done, Ordered that the Clerke of the Gen¹¹ Affembly return the booke of Claimes to the house of Burgesses.

The Bill for continueing the Rangers at the heads of the four great Rivers read, and *Ordered* that the Clerke of the Gen^{II} Affembly carry the fame to the house of Burgesses with the following Amendments

By the honoble their Ma' Councill

M. Speaker and Gent. of the house of Burgesses

The Bill for continueing the Rangers at the heads of the four great Rivers, is agreed to with the following Amendments viz'

That the preamble of the Bill be left out, and this inferted, Whereas it is very Necesfary and beneficiall for the defence of this their Ma^o Dominion, and the Inhabitants thereof, that the Rangers at the heads of the four great Rivers be Continued

that the word, faid, in the third line of the body of the faid Act be left out.

that the word, continued, be inferted after the word, be, in the fourth line.

that the words, Levied or, be inferted after the word, Souldier, in the Seventh line. and that the words, raifed or, be inferted in the fifth line of the Second Sheete after the word Forces

Aprill the 1st 1693

By Order of the Councill

W Edwards Cl Gen¹¹ Aff^{1y}

Capt John Stith &c waite upon the Councill and acquaint them, that the house of Burgesses agreed to the Amendments in the Bill for Continueing the Rangers at the heads of the four great Rivers.

Capt Francis Clements &c waite upon the Councill present the following Message

and defire their Concurrence

By the house of Burgesses

May it please yor Honors

The house of Burgesses [See J. of H. of B., p. 445.]

Capt William Baffett &c. waite upon the Councill and prefent the Treasurers accounts of four pence & Gallon on Liquors and desire their Concurrence thereto.

And the fame being read and approved, It is Ordered that the Clerke of the Genⁱⁱ Affembly fo Atteft them, and return them to the house of Burgesses.

Aprill



Aprill the 3d 1693

Prefent

IS Exer the Gov^r, Ralph Wormcley Sec., William Byrd, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Eig¹⁵

Capt Miles Cary &c. waite upon the Councill, prefent A Bill for raifeing a Publick Levy, and defire their Concurrence, also delivered the proportion

of the Levy for their Approbation.

Cap^t Miles Cary &c waite upon his Ex^{cy} and pray that he will Signifye his pleafure, whether the Ingroffed Bills fhall be fent him for his perufall before they be published or not, to which his Ex^{cy} replyed, he expected them.

Ordered that the Clerke of the Gen^{II} Affembly endors the Bill for raifeing a Publick Levy, and the proportions of the Levy, agreed to, and return them to the house of Bur-

geffes.

Cap' William Leigh &c waite upon his Excy the Gov' and the Councill, and deliver them the Bills made this Seffion of Affembly Ingroffed in Parchment, and the Bills from which they are Ingroffed, for their perufall, and the fame being examined, Ordered that the Clerke of the Gen^{II} Affembly return the Ingroffed bills to the house of Burgesses.

His Ex^{cy} proposed to the Councill if any thing more were to be Offerred to the house of Burgesses before their breakeing up and it was answered noething now remained to

be faid to them.

Ordered that the Clerk of the Gen¹¹ Affembly goe to the house of Burgesses and acquaint them, that his Ex^{cy} the Gov^r Comands their Attendance in the Gen¹¹ Court house, where they being come M^r Speaker said

May it please yo' Exer

The honoble Councill have been pleafed with the Burgeffes to agree upon feverall Acts which they have Judged Conducible to the Peace Defence and Welfare of this their Ma^s Dominion, and their Ma^s Loyall Subjects here refiding, which I here in the name of the Burgeffes prefent to yor Ex^{cy} Ingroffed in Parchment, and pray in their behalfe that they may receive yor Ex^{cys} Stamp towards their Authentication

1: An Ad for Sufpending the Execution of the Act for Ports &c

2: An Act concerning Indians hoggs

3: An Act for giveing Incouragement to Erect Fulling Mills

4: An AA for afcertaining the price of Coasting Cocquetts and requireing Officers Attendance

5: An Ad Incourageing the Ereding a Post Office in this Countrey.

- 6: An A& for continueing the Rangers at the heads of the four great Rivers
- 7: An Att for a Levy by the Pole, which is for the defraying of the publick Charge of the Countrey

All which the Clerk Attends to read if yo' Excy fo pleafe which being Ordered And the faid Severall Acts being read, the fame were affented to by his Excy and figned by his Excy and the Speaker, which done, his Excy disolved the Affembly

Copa Vera

Test W. Edwards Cl Gen II Assby



ATT A

GEN^{LL} ASSEMBLY

begun att James Citty the 10th day of Octor 1693, and on the ffifth year of the Reign of Our Sovereign Lord and Lady William and Mary by the Grace of God of England, Scotland, ffrance, Ireland and Virginia King and Queen Defenders of the ffaith &ca



Att a Gen!! Affembly begun att James Citty the 10th day of Octor 1693, and on the ffifth year of the Reign of Our Sovereign Lord and Lady William and Mary by the Grace of God of England, Scotland, ffrance, Ireland and Virginia King and Queen Defenders of the ffaith &ca

[October 10th, 1693.]

IS Exceller, Mr Sect Wormley, Edward Hill, Edmo Jenings, Hen: Hartwell Esq. Ordered that a Comiffion be prepared Appointing and Impowring Edward Hill Edmo Jenings and Hen: Hartwell Efqro or any two of them to Administer the Vieuall Oaths, to the members of the house of Burgesses and by reason of the thinnels of the Houle, they are to Acquaint them that they Adjorne themselves till the 12th Inftant.

Gen'll Courthouse Octor 12th 1693

IS Excell, Mr Sect Wormley, Edward Hill, Edmo Jenings, Hen: Hartwell Efq.

James Sherlock producing His Excelled Corniffication in the Control of the Contro and having taken the Oaths Appointed by Act of Par'lamt to be taken, Instead of the Oaths of Allegiance and Supreamacy & Subscribed the Test, was Sworne Clerk of the Gen¹¹ Affembly.

Ordred that the Clerk of the Gen'l Affembly goe to the House of Burgesses, and Acquaint them, that His Excell⁹ Comands their Imediate Attendance in the Gen¹¹ Court house

Where they being Come His Excelly thus Exprest himselfe Gent

I have received [See J. of H. of B., 1659/60-93, p. 450.]

A Meffage from the house by Coll flitzhugh & Acquainting his Excelly that they had Chofen a Speaker and prayed to know when they should present him to his Excelly His Excell Appointed 3 of the Clock in the Afternoone att the Gen Court house.

Gen | Court house [Post Meridiem].

IS Excell, Mr Sect Wormley, Edward Hill, Edmo Jenings, Hen: Hartwell Elq. Ordred that the Cl of the Gen" Affembley go to the house of Burgesses & Acquaint them His Excelly is come to the Gen¹¹ Court house to receive the prefentation of their Speaker.

Coll Thomas Milner wth the house of Burgesses waite upon his Excell, in the Gen! Court house, and Acquaints his Excelly that the house of Burgesses had chosen him for their Speaker, who being Approued by His Excelly pray'd that the Antient & useuall privilidges of that house might be Continued to them.

His



His Excelly Answerd what prinilidges they haue, or Ought to injoy is Confirmed to them.

A Meffage from the house by Capt William Leigh & praying a Copy of his Excelly.

Speech

Ordred that the Cl of the Gen^{II} Affembley Carye to the house of Burgesses A Copy of his Excell^{J®} Speech.

Octor ye 13th

Prefent

IS Excell, Mr Sec Wormley, Edward Hill, Edm. Jenings, Hen. Hartwell Equation A Meffage from the house by Cap William Lee & to Acquaint his Excell that mr Daniell Park being chosen for James Citty County and for the County of York Such Chose to Serve for Jame's Citty; York being therby Vacant. therefore pray his Excell that a Writt may Issue for Electing a Member for Yorke, & further pray His Excell to Comissionate Some persons to Swear their Clerk.

Ordred that a Writt doe Issue Accordingly, and that a Comission be prepared Impowring Edward Hill Edm³ Jenings & Hen: Hartwell Esq⁵ or any two of them to

Swear the Clerk of the house of Burgesses.

A Meffage from the house by Cap^t Will: Hardwich & praying his Excell^p to Comunicate to the house ye report of the Comissioners of their Maj^{ts} Customs, & other papers weth his Excell^p mentioned in his Speech yesterday.

Ordred that the Cl of the Gen¹¹ Affembley Carye the report of the Comiffioners of their Maj¹² Cuftoms & other papers to the house of Burgesses. Adjornd to Morrow 8 a Clock

Octor 14th 1693

Prefent

IS Excell, M' Sec' Wormley, Edward Hill, Edm' Jenings, Hen Hartwell Efq' An Address from the house by Cap' Anthony Armstead & May it Please yo' Excell

The house of Burgesses taking [See J. of H. of B., p. 452.]

Ordred that the Cl of the Gen¹¹ Affembley Carye this following Answer to the Address of the house of Burgesses about an officer to Attend the house

By His Excelly

M' Speaker

I have Confidered [See J. of H. of B., p. 453.]

Octor 18th 1693

Prefent

IS Excell, Mr Sec Wormley, Edward Hill, Edmd Jenings, Hen Hartwell Efq.

A Resolue of the house of Burgesses by Cap Armstead & May it Please yor Honr.

The house of Burgesses haue [See J. of H. of B., p. 458.]

Octor ye 19th 1693

Prefent

IS Excell, M. Sec. Wormly, Edw. Hill, Edm. Jenings, Hen: Hartwell Efq. Ordred that the Cl of the Gen. Affembley Carie to the House this following Answer to the resolue of yesterday.

By the Councill

M' Speaker

Wee received a resolue [See J. of H. of B., p. 459.]



Octor ye 23d 1693

Prefent

IS Excell¹⁹, M¹ Sec¹ Wormley, Edward Hill, Hen: Whiting, Edm⁰ Jenings, Hen: Hartwell, Rich³ Lec, Efq⁰

Mr William Edwards prefents from the house the following Acts we the house of Burgesses haue passed and desire the Concurance of the Councill

An Ad for Building Churches & Chapells read ye first tyme.

An AA for the laying Out Gleebs in Each parifh and for Afcertaining the Ministers Salary, read the first tyme.

An Act thowing how Ministers must be quallified, and by whome inducted. read the first tyme

An Ad Appointing the Litergy to be read & read the first tyme

An Ad Appointing Ministers to preach Weekly \mathcal{O} duly to Administer the Sacraments. read the first tyme.

An Ad for the Effeduall Surpreffing the prophanation of the Sabath day, Curfing, Swearing, & Drunkennefs, read the first tyme

An Ad Appointing Veftrys. read the first tyme

An All Appointing Church Wardens to keep the Church in repaire and to provide Books & Ornaments for ye Same. read ye first tyme

An Ad Appointing Registers to be kept by the Minister or reader in Each parish. read the first tyme.

An Act prohibiting private burialls, read the first tyme.

An All Appointing Mariages to be made by Ministers Only & to be authorifed by lycence or publishing the banes. read the first tyme.

An Ad declaring how lycences for Mariages shall Iffue read ye Ist tyme

An Act prohibiting Sereuants Mariages without Confent of their Mafters, read the first tyme

An Act against ffornication read the first tyme.

An AA declaring that Baptifm of Slaves doth not Manumitt or fett them ffree. read the first time

Octor 24th 1693

Prefent

IS Excell, M' Sec Wormley, Rich's Lee, Edw's Hill, Hen: Whiting, Edm's Jenings, Hen: Hartwell Efq's

Cap' Epps & Presents from the house the two following Acts wh the house of Burgesses haue passed and diffire ye Concurrence of the Councill

An Act for the Encouragment of the manifacture of Lyning Cloath, read the first tyme An Act for Continuing the Rangers att the heads of the four great Rivers, read the first tyme.

Octor 25th 1693

Prefent

IS Excell, M^r Sec^r Wormley, Rich^d Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen Hartwell Esq^r

An Ad for Building of Churches & Chappells. read a Second tyme An Ad for laying out Gleebes in each parish & for Affcertaining the Min-

ifters Salary. read the Second tyme.

An Ad Shewing how Ministers must be qualified & by whome inducted. read a second tyme

An A& Appointing the Liturgy to be read. read a Second tyme.



An A& Appointing Ministers to preach Weekly and ducly to Administer the Sacraments. read a Second tyme.

An Ad for the Effectual Surpreffing the prophanation of the Sabath day, Curfing Swearing & drunkenefs. read a Second tyme.

An Ad Appointing Veftry's read a Second tyme.

An AA Appointing Church Wardens to keep the Church in repaire & to provide books & Ornaments for you Same, read 2d tyme.

An AA Appointing Registers to be kept by the Minister or Reader in Each Parish. read a Second tyme.

An Ad Prohibiting private Burialls read a Second tyme.

An A& Appointing Mariages to be made by Ministers only, & to be Authorifed by lycence or publishing the Banes, read the Second tyme.

An A& declaring how lycences for Mariages shall Iffue, read the Second tyme.

An AA prohibiting Seruants Mariages without Confent of their Mafters. read the Second tyme.

An Act against fornication read the Second tyme.

An Ad declaring that Baptizme of Slaves doth not Manumit or Sett them ffree. read the Second tyme.

Octor 26th 1693

Prefent

IS Excell, Mr Sect Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edmo Jenings, Hen Hartwell Esq.

Capt Barber &ca Prefents from the house the following Acts web the house of Burgesses have passed & desire the Concurrence of the Councill.

An Ad Appointing the method of holding Courts. read ye first tyme

An Act Appointing the Courts to provide Law Books. read ye first tyme

An Act proportioning the Iffuing of Writts read ye first tyme.

An A& Afficertaining the tyme for filing Declarations in the Gen¹¹ Court. read ye first tyme

An Ad Appointing Adjornments in Gen¹¹ Courts to the two last dayes of the Court, for References, read ye first tyme

An A& declaring how & where Criminalls shall be tryed. read first tyme.

An Act declaring how Appeals shall be made, read ye first tyme

An Ad Appointing the Value Each Court shall have Jurisdiction off. read ye first tyme.

An A α Shewing when Subpenas & dedimus potestatem fhall Iffue. read the first tyme,

An Ad Appointing County Courts, read ye first tyme.

An AA Appointing how Adions are to be Entred at County Court and what tyme the Declaration is to be Entred. read the first tyme.

An A& Appointing the Declaration and Answer to be filed. read ye first tyme.

An Act prohibiting private Courts read ye first tyme

An Ad Appointing all Tryalls to be by Juries. read ye first tyme

An A& Appointing Grand Juries to prefent Ofenders. read ye first tyme.

An Ad Connanding Pilories Stocks, ducking Stooles to be Erected in Each County. read the first tyme.

An AA Appointing a Prison to be built in Each County and Affectaining their Rules. read y first tyme.

An AA for Supressing of Vagabonds & binding poore Children to Trades, read ye first tyme.

An Ast allowing Judgments Acknowledg'd before two Justices to be good. read the first tyme.

An Ad Appointing when & by whome a Supersedias shall be granted, read ye first tyme.



An Ad for the punishing of Euidences not Appearing upon Sumons, read the first tyme

An AA Shewing how a dedimus potestatem shall iffue, read in tyme

An Ad Impowring Justices to grant Attachments, read yo first tyme.

An Ad directing how Executions & Attachments upon an Order of the Gen" Court, must Iffue. read the first tyme.

An Ad Setting forth the Extention of Justices Warrants in the Apprehention of Run-away's, read ye first tyme.

An Ad Appointing Sheriffs. read ye first tyme.

An Act Imposing a penalty on Sheriffs not makeing Sufficient returnes, or makeing false returnes, read ye first tyme.

An Ad Appointing when the returne of Non Est Inventus shall be Allowed read ye first tyme.

An AA prohibiting Arrefts to be made, On Sundays Holy days att Gen" Mufters or att the Election of Burgeffes. read first tyme.

An Ad Appointing the tymes for demand & tenders of Tobacco read ye first tyme

An AA Appointing publick Leuies to be first paid. first tyme.

An AA Appointing how Appraisment of goods Seized by Execution shall be made, read y first tyme.

An Ad Impowering Perfons under Execution to redeeme their Bodys with their Estates. read y first tyme.

An Ad Imposing ffines on Sheriffs Concealing Tythables read ye first tyme.

An Ad Affertaining Sheriffs ffees read ye first tyme.

An Ad Appointing A Coroners ffee. read ye first tyme.

An Aâ prohibitting Sheriffs, Justices, Clerks, to be Attorny's in the Court where they Officiate. read ye first tyme.

Octor 31 ft 1693

Prefent

IS Excell, Mr Sect Wormley, Richard Lee, Edward Hill, Chr. Wormely, Edmo Jenings, Hen: Whiting, Hen. Hartwell Esqo

Capt William Lee prefents from the house the ffollowing Acts weh the house of Burgesses have passed & desire the Concurrence of the Councill

An A& Appointing how Writts for the Election of Burgeffes Ought to be published.

An A& Appointing the Secry to Convey the Writts for Burgeffes

An A& Afficertaining the Number of Burgeffes

An AA ffreeing Burgeffes & their Seruants from Arrefts and Affcertaining their Wages

An AA Appointing how publick Claimes shall be Certified, for allowance in the Assembley.

An A& Appointing how the lift of Tythables muft be taken

An AA declaring when Negros & Molatto's are tythable.

An AA Comanding English weights & measures to be provided in Each County

An Ad Impowering County Courts to grant probates of Wills and Administrations.

An Ad Establishing Widdow's Dowers.

An AA requiring the Courts to take Care of Orphans and their Estates.

An A& for preferring & Securing Orphans Lands.

An AA showing how rights are to be proued & differted land when to be granted.

An Ast relating to those that by mistake Seat upon other mens Lands.

An Ad prohibitting Shooting or ranging upon other mens Lands
An Ad declaring Land fine years in quiet poseffion to be a good Barr against all
pretenders.

An Ad Confirming Imperfed Patents.

An A& declaring what Seating is, & in what tyme it Ought to be made.

An Ad against ffraudulent Conneyances



An AA Comanding all Conneyances made in England to be recorded in the Secretarys Office

An Ad Impowering feme Couerts to make good Acknowledgments of the Sales of land

An Ad declaring the duty of Surveyors & Afficertaining their ffees.

An Ad Appointing Processioning

An A& declaring what ffences fhall be Sufficient

An Ad Impowring the Courts yearly to Appoint Surveyors for high wayes.

An AA to prevent the Cafting of Ballast into Rivers & Creeks

An A& declaring how longe Judgments Specialities & Accounts shall be pleadable.

An Ad Conferning fforeign Debts.

An Act declaring how farr Accompts & Noates are pleadable against Dead Mens Estates

An Ad Ordring how phifitians & Surgeons Accompts are to be made.

An Act allowing difcounts to be made in Court

An Ad Conferning priority of payment to Countrey Creditors & Entertainment of Perfons without Agreement.

An A& declaring that Marking Tobacco transferrs the property.

An Act Appointing Attorneys for floreigners to give Security to pay all Cofts and Damages.

An AA Allowing Fifteen & Cent Damages upon protested Bills of Exchange

An AA regulating the Sizes & tares of Tobacco hhds

An Address from ye house by Capt William Lee &c

To His Excelley

The humble Address of the house of Burgesses

Their Majts Dutifull [See J. of H. of B., pp. 470-1.]

Novem! 1st 1693

Prefent

IS Excell, mt Sect Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edmo Jenings, Hen: Hartwell Esq.

An Address from the house by Capt Randolph &c

To His Excell' S' Edmund Andros Kn' their May" Leiu' & Governor Gen' of Virginia

May it Pleafe yo' Excelly

It having been presented [See J. of H. of B., p. 474.]

An Att for Continuing the Rangers att the heads of the four greate Rivers read a Second tyme

An Ad for the incouragement of the Manifadure of Lyning Cloath, read a Second tyme. Capt William Randolph & prefents from the house the following Acts web the house

of Burgesses haue passed, and diffire the Concurrence of the Councill

An Act against divulgers of falce news.

An Act punishing Offenders for defaming y Gours Councellors and Other principall Officers.

An AA regulating Ordinary keepers

An AA declaring how long Servants shall Serve comeing in without Indentures

An Ad Prohibiting Mafters dealing with their Seruants

An A& Prohibiting Mafters Crewelty to their Seruants,

An AA against runaways, & laying a penalty upon those that shall Entertain them

An AA declaring Negros, Moores Molatto's & Indian Slaves

An A& to preuent the Infurection of Negros, & for Supprefing out lying Slaves.

An A& for the more Speedy profecution of Slaves Comitting Capitall Crymes.

An AA forbiding Tobacco planting after the last of June & prohibiting the tending of Seconds or Slipps

An



An All declaring how those that take up Stray horses Catle & boates & shall publish the Same.

An A& allowing Land for Ereding Grift Mills, ffulling Mills and Court houses.

An Act against Exacting Millers.

An Ad against hogstealing

An Ad Concerning the Granting off paffes to perfons departing the Countrey.

An AA Afcertaining the Secretary's, Clerk of County Courts & Clerk of the Affemblys flees.

An AA for Naturalization.

An Act for peices of Eight to pass for five Shillings.

An Ad for the better Supply of the Countrey with Armes Amunition & flurniture

An Ad giving reward for killing Wolves

An Act restraining the Impress of Timber, boats, &

An Act for raising a publick revenue for the better Support of the Government.

An Ad for Collectors ffees.

An Ad forbiding Maryland Veffells trading into this Countrey without makeing due Entrey.

An A& Concerning Indians.

These ffollowing Bills being read a third tyme, and Severall Amendments made therupon, *Ordred* that the Clerk of the Generall Assembley do Carie the said Bills to the house of Burgesses wth the Amendments.

An Ad for Building of Churches & Chappells

An Ad for the laying out Gleebes in Each Parish and for Afficertaining the Ministers Salary.

An Act showing how Ministers must be qualified and by whome Inducted.

An A& Appointing the Liturgy to be read

An Act Appointing Ministers to preach Weekly and duly to Administer the Sacraments.

An Act for the Effectuall Surpressing the Prophanation of the Saboth day, Curfing Swearing & drunkenness

An Ad Appointing Vestry's

An Act Appointing Church Wardens to keepe y Church in repaire, and to provide Books & ornaments for the Same

An Ad Appointing Registers to be kept by y' Minister or Reader in Each Parish.

An A& prohibiting private Burialls. laid aside

An AA Appointing Mariages to be made by Ministers only & to be Authorized by Lycence or publishing y banes.

An AA declaring how Lycences for Mariages shall Issue.

An Act prohibiting Seruants Mariages without Confent of their Mafters.

An Act against ffornication.

An A& declaring that Baptizm of Slaves doth not Manumitt or fett them ffree.

Novemr 2d 1693

Prefent

IS Excell, Mr Sect Wormley, Richard Lee, William Byrd, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell

Ordred that the Clerk of the Gen¹¹ Assembley Carie the following Answer to the Address of the house ye 31th of Odor

By His Excelly

M' Speaker

ffor Answer [See J. of H. of B., p. 477.]

Ordred that the Clerk of the Gen¹¹ Affembly goe to the house of Burgesse & Acquaint them that His Excell² Comands their Imediate Attendance in ye Councill Chamber where they being come His Excell² thus Express himselfe

M' Speaker & Gent of y' house of Burgesses

Hauing in Aprill last [See J. of H. of B., p. 482.]



Novemr 3d 1693

Prefent

IS Excell^r, m^r Sec^r Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^o

A Refolve of the house of Burgesses by Coll ffitzhugh &3

By the house of Burgesses

Refolued that His Excell be Addreft that he will be pleafed to Comunicate to the house in Writing ye Substance of his Speech this day deliuered to them in ye Councill Chamber, and that he will further fauor the house, with her Majis Letter or a Copie thereof relating to ye Same.

Nour 2d 1693

Teft Peter Beuerly Cl H. Burg

Ordred that the Clerk of the Gen¹¹ Affembley to Carye to the house of Burgesses, a Copy of His Excell^{cyo} Speech and the Queens Letter.

Nouem' 4th 1693

Prefent

IS Excell^{*}, M^{*} Sec^{*} Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^{*} Jenings, Hen: Hartwell Efq^{**}

Coll flitchugh & pray a Conference wth ye Councill upon the Amendments of Some of the Bills fent back to them Appointed, att fouer a Clock in the after Noone and mt Secretary Wormley Richard Lee Edward Hill, and Hen: Hartwell Efq* to manage the Conference

Mr Secret Wormley reports from the Conference. that Coll flitchugh and Capt Leigh two of the Conferees did Acquaint the Councill that the house of Burgesses had Agreed to ye 3. 4. 5. 6. 7. 11. 12. 13. & 14 Bills, and that the house could not agree to the Councills Amendments and Alterations, on the Other Bills, & that the Burgesses, because it was a Matter of very great Moment desired not to make any further progress, till they had reported to ye house the reasons & Answers of the Councill upon this debate, & agreed to have a Conference to Morrow in ye afternoone

Nouem' 5th 1693

R Sec^r Wormley Reports from the Conference that the Members of the house of Burgesses who were Appointed to Confer with the Councill upon the Subject Matter on the Amendments of the Seuerall Bills debated yesterday att the Conference, did Accquaint the Councill, that the Seuerall Amendments to the former Bills (Except the Bill, for laying out of Gleebs in Each parish & for Associationing the Ministers Salary) were agreed to. And that the Bill for Prohibiting private Burialls was agreed to be laid asside, as proposed by the Councill, and as to the Bill for laying Out Gleebes in Eurey parish and Associationing the Ministers Salary, the house did so far agree, that instead of 401 pole it might be 30 pole & after Severall Arguments the Gentlemen did Accquaint the Councill that the house of Burgesses would not receed from a Uote of their house made thereon, but that they were Impowered to Agree for the Allowance of 160001 of tobacco, and the Councill proposing, that the Same might be paid them without Charge, itt was Agreed that the Said Allowance of 160001 of tobacco, should be Collected & paid by the Church Wardens of the respective parishes, without Charge or defaulcation

Nouem



Nouemr 6th 1693

IS Excelly, Mr Sect Wormley, Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell Elqs

Ordred that the Clerk of the Gen¹¹ Affembley Carie the ffollowing Answer to the Address of the house of Burgesses of 30th of Odor past.

By the Councill

M' Speaker & Gent. of the house of Burgesses

His Excelly having upon the receipt [See J. of H. of B., pp. 480-1.]

Nouemr 7th 1693

IS Excelly, Mr Sect Wormley, Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell Efq*

> An Ad Appointing how Writts for the Election of Burgeffes ought to be published, read the first tyme.

An AA Appointing the Secretary to Conney the Writts for Burgeffes. read the first tyme.

An A& Afficertaining the Number of Burgeffes, read ye first tyme

An A& ffreeing Burgeffes & their Seruants from Arrefts and Affcertaining their Wages, read the first tyme,

An AA Appointing how publick Claimes shall be Certified for allowance in the Affembley, read the first tyme

An Act appointing how the lifts of tythables must be taken, read the first tyme.

An Act declaring when Negros, & Mallatto's are tythable read the first tyme.

An act Comanding English Weights & Measures to be provided in Each County, read the first tyme

An A& Impowering County Courts to grant probates of Wills & Administrations, read the first tyme.

An Act Establishing Widdows Dower's, read ye first tyme.

An Ad Requiring y Courts to take Care of Orphans and their Estates read the first tyme.

An Aâ for Preferuing & Securing of Orphans Lands, read the first tyme.

An Ad flowing how Rights are to be proued & deferted Land when to be Granted, read ye first tyme.

An At relating to those that by mistake seat upon other mens Lands, read ye first tyme.

An Ad prohibiting Shooting or Ranging upon other Men's Lands, read the first tyme. An Act declaring Land five years in quiett poffesion to be a good bar against all pre-

An Ad Confirming Imperfed Pattents, read ye first tyme

tenders, read the first tyme.

An A& declaring what Seating is & in what tyme itt Ought to be made, read ye first tyme.

An A& against ffraudulent Conueyances, read ye first tyme

An Ad Comanding all Conveyances made in England to be recorded in the Secretarys Office, read ye first tyme.

An AA Impowering fleame Couerts to make good Accknoledgments of the Sale of land, read the first tyme.

An Ad Declaring the Duty of Surveyors & Affeertaining their flees, read ye first tyme.

An Ad Appointing Processioning read the first tyme

An AA declaring what fences shall be Sufficient read ye first tyme.

An Ad Impowering the Courts yearly to Appoint Surveyors for high wayes, read the first tyme.

An AA to preuent the Cafting of Ballaft into Rivers and Creekes, read the first tyme. An Ad declaring how long Judgments Specialties & Accompts shall be pleadable, read the first tyme.



An Act Concerning floreign Debts, read ye first tyme

An AA Declaring how far Accompts & notes are pleadable against dead mens Estates, read the first tyme.

An Ad Ordering how Phisitians & Surgeons Accompts are to be made, read the first tyme

An A& Allowing difcounts to be made in Court. read ye first tyme

An Ad Concerning priority of payment to Countrey Creditors and Entertainment of perfons without Agreement, read you first tyme.

An A& declaring that Marking Tobacco transfer's the property, read the first tyme.

An AA Appointing Attorneys for fforeigners to give Security to pay all Cofts & Damages, read the first tyme.

An Ad Allowing fifteen & Cent damages upon protested Bills of Exchange, read the first tyme.

An Act Regulating the Sizes & tares of Tobacco hlids read 1th tyme

An All against dinulgers of salse Newes, read ye first tyme

An Act punishing Offenders for Defaming the Gow Councillers & other principall Officers, read ye first tyme.

Nouem! 8th 1693

Prefent

IS Excell, M. Sec. Wormley, Richard Lee, Edward Hill, Hen Whiting, Edm. Jenings, Hen Hartwell Esq.

The two ffollowing Bills being read a third tyme & Some Amendments made therupon. Ordred that the Clerk of the Gen¹¹ Affembley doe Carie the faid Bills to the house of Burgesses with the Amendments

An A& for the incouragment of the manifadure of lyning Cloath.

An Ad Appointing Rangiers att the ffrontiers of the fouer greate Rivers,

Signed by Order of the Councill

James Sherlock Cl G. Affem^y

Dat. ye 8th Nor 1693

Coll flitzhugh &c returne the two ffollowing Bills wth their Amendments. Agreed to by the house of Burgesses

A Bill for the Encouragment of the Manifacture of Lyning Cloath. Affented to by the Councill.

A Bill Appointing the Rangers att the ffrontiers of the fouer great Riuers. Affented to by the Councill,

The ffollowing Bills being read a third tyme and Seuerall Amendments made therupon. *Ordred* that the Clerk of the Generall Affembly doe Carie the Said Bills to the house of Burgesses, wth the Amendments.

An AA Appointing the Method of holding Courts.

An A& Appointing the Courts to provide Law bookes laid afide by the Councill

An Act declaring how & where Criminalls shall be tryed.

An AA declaring how Appeales shall be made.

An AA Appointing the Value each Court shall have Jurisdiction of.

An Act proportioning the Issuing of Writts

An AA Appointing Adjournments in Gen¹¹ Courts to the two last dayes of the Court for references, laid aside by the Councill.

Novem! 9th 1693

IS Excell⁹, M¹ Sec¹ Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm⁹ Jenings, Hen: Hartwell Esq⁹

Coll ffitzhugh & returnes the ffollowing Bills with their Amendments,

agreed to by the house of Burgesses.

An Act Appointing the method of holding Courts



An Ad Appointing the Courts to provide law bookes, the house of burgeises agree that itt be laid Aside

An Act proportioning the Iffuing of Writts

An Ad Appointing Adjornments in the Gen^a Court to the two last dayes of the Court for references, the house of Burgesses Agree that it be laid Aside. Assented to by the Councill.

An Act regulating Ordinary Keepers, read ye first tyme.

An Act declaring how long Servants shall Serve coming in without Indentures, read ye first tyme

An Ad prohibiting Masters dealing with their Servants read ye first tyme.

An Ad Prohibiting Mafters Crewelty to their Seruants. read ye first tyme.

An Ad against runawayes, & laying a penalty upon those that Shall Entertain them. read the first tyme.

An AA declaring Negroes, Moores, Molattos, & Indian Slaues, read ye first tyme

An Act to preuent the Infurccions of Negros & for Suppressing out lying Slaues, read the first tyme.

An Ad for the more Speedy profecution of Slaves Comitting Capitall Crimes, read the first tyme

An Att forbidding tobacco planting after the laft of June & prohibiting the tending of Seconds or Slipps, read ye in tyme

An Ad declaring how those that take up Stray horses Catle & Boates & shall publish the same, read y first tyme.

An address from the house by Capt Armstead &2

To his Excelly

The humble Address of the House of Burgesses

May it Pleafe yo' Excelly

Your Excelly being pleased [See J. of H. of B., pp. 482-3.]

An AA Appointing how Adions are to be Entered att County Courts and what tyme the declaration is to be filed, read the second tyme

An AA Appointing the Declarations & Answers to be filed read the Second tyme

An Act prohibiting private Courts, read the Second tyme,

An AA Appointing all tryalls to be by Juries, read ye Second tyme

An Act Appointing Grand Juries to prefent offenders, read the Second tyme

An Ad Comanding Pilorics, Stocks, Ducking ftooles, to be Ereded in Each County. read a Second tyme,

An Act Appointing a Prifon to be built in Each County and Afcertaining their Rules, read a Second tyme,

An Ad for Supressing of Vagabones & binding poore Children to trades, read a Second tyme

An A& allowing Judgments acknowledged before two Justices to be good. read the fecond tyme.

Nouem! 10th 1693

Prefent

IS Excell, Mr Sec Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm Jenings, Hen: Hartwell Efq These following Bills being read a third tyme & Seuerall Amendments

made therupon. Ordred that the Clerk of the Gen^{II} Affembley Carie the Said Bills to the house of Burgesses with the Amendments.

An AA Appointing how Actions are to be Entered att County Courts & what tyme the declaration is to be filed

An AA Appointing Declarations & Answers to be filed

An A& prohibiting private Courts



An Ad Appointing all tryalls to be by Juries

An Act Appointing Grand Juries to prefent Offendors

An A& Comanding Pilories, Stocks, Ducking Stooles to be Erected in each County.

An A& Appointing a Prifon to be built in each County and Affectaining their Rules.

An Act for Surpressing of Vagabones and binding poore Children to trades.

An A& allowing Judgments Acknowledged befor two Juftices to be good.

Ordred that the Clerk of the Gen¹¹ Affembly Carie ye ffollowing Meffage to the house of Burgesses.

By the Councill

M' Speaker & Gent of the house of Burgesses

Their Maj^{ts} having Comanded [See J. of H. of B., p. 485.]

Gen'll Court house

Prefent

IS Excelly, Mr Sect Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edmo

Jenings, Hen: Hartwell Esq.

Ordred that the Clerk of the Gen¹¹ Affembley fignifie to the house of Burgesses his Excell²² Comands to Attend him Imediatly in the Gen¹¹ Court house to pass the Ads Appointing Rangiers upon the strontiers of the four greate Rivers & An Ad for the Encouragment of y² Manifadure of Lyning Cloath.

The house being come, mr Speaker Accquaints His Excell that the House had received his Comands Imediatly to Attend him in the Gen^u Court house, to pass the A& Appointing Rangers upon the firentiers of the four great Rivers, And the A& ffor the incouragement of the Manisacture of Lyning Cloath, the Acts being read by ye Clerk the Same was Assented to, and Signed by His Excell and the Speaker.

A Meffage from the House by Coll flitchugh &* to know why they had not the Bill 24: Answered, that the Substance of that Bill will be in the 37th Bill

Nouem! 11th 1693

Prefent

IS Excell, M¹ Sec¹ Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm² Jenings, Hen: Hartwell Efq³

A Message from the House to His Excelly by Capt Ranson &a

May it Pleafe yo' Excelly

In Answer to yor Speech [See J. of H. of B., p. 487.]

A Meffage from the House to the Councill by Mr Edwards &

May it Pleafe yor Honrs

The House of Burgesses [See J. of H. of B., p. 488.]

Ordred that the Clerk of the Gen¹¹ Affembly Carie ye following Meffages to the House of Burgesses.

By the Councill

M' Speaker & Gent of y' house of Burgesses

His Excelly having laid [See J. of H. of B., pp. 488-9.]

By the Councill

M' Speaker & Gent of y' house of Burgesses

On the Sixth Instant [See J. of H. of B., p. 488.]

The following bills being read a third tyme & Seuerall Amendments made therupon. Ordred that the Clerk of the Gen¹¹ Affembley Carle the faid Bills to the house of Burgesses wth the Amendments

A Bill Appointing when & by whome a Superfedias shall be granted is agreed to,

A Bill for the punishment of Euidences not appearing upon Summons

A Bill Showing how a Dedimus Potestatem shall Issue.

Nouem'



Nouem' 14th 1693

Prefent

IS Excell, Mr Sect Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edmo Jenings, Hen: Hartwell Esqo

Capt Hodges prefents from the house the two ffollowing Bills

An Ad Afficertaining the Place for Eredling the Coledge of William & Mary, read the first tyme.

An Act laying an Imposition upon Skins & flurrs for the better Support of the Coledge of William & Mary, read 1st tyme

The following Acts were this day read ye first tyme

An Ad allowing Land for Ereding Grift Mills fulling Mills and Court houses.

An Ad against Exacting Millers

An Act against Hog stealing

An Act Concerning the granting of Paffes to Perfons departing the Countrey.

An AA for Affectaining the Secretaries Clerk of County Courts & Clerk of the Affemblies flees.

An A& for Naturalization

An Act for peices of Eight to pass for five Shillings

An Ad for the better Supply of the Countrey with Armes Amunition & ffurniture.

An Ad giveing reward for Killing of Woolves

An A& restraining the Impress of tymber, boates, &o

An AA for raifing a publick Revenue for the better Support of the Government

An Ad for Collectors ffees

An AA forbiding Maryland Veffells trading into this Countrey without making due

An Act concerning Indians

Capt Randolph & brings the two following Meffages from the house, and the Accompt of Claimes

By the House of Burgesses

May it please yo' Hon's

In Answer to yo' Hon's Message [See J. of H. of B., pp. 489-90.]

By the house of Burgeffes

May it please vor Hon's

Your Honrs Message relating [See J. of H. of B., p. 490.]

Nouem, ye 15th 1693

Prefent

IS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell Efq^{ro}

A Meffage from the House by Coll fitzhugh & diffiring a Conference wth the Councill upon the Amendments of an Act Entituled, An Act flowing how a dedimus Potestatem fhall Iffue. ye 24th & 37th Bills.

The Councill Appoint thre a Clock in the After Noone, and Richard Lee, Edward

Hill, Edmo Jenings & Henry Hartwell Efqo to Manage the Conference

Coll Lee reports from the Conference Concerning the 24th and the 37th Bills itt was moued that a Claufe should be Added to the Bill proposed by the Councill (Viz)

An Aâ for taking Affidauits in the Countrey to be made use of in the Genⁿ and all other Courts within this Dominion, instead of those two Bills, Impowering the Clerks of the Secretary's Office and County Courts to Issue out Subpenas for all Euidences, in any action depending in ye self Courts, and yt the first in Comission of Each Court have power to grant a Comission for taking Affidauits out of ye County where such Comission shall be granted, & after Seuer¹¹ Argum¹² thereon, ye Membro of ye house declared they had no power to agree, but would report to the house.

Ordered



Ordered that the Clerk of the Gen¹¹ Affembley Carie the Claimes wth the Amendments to the house of Burgesses

By the Councill

M' Speaker & Gent of the house of Burgesses

Vpon Confideration of the Claimes this day transmited from yo' House to Us, We Observe that the Claim of Cap' Sherman Sherist of James Citty County relating to the Imprisonment & of William Dolby & Edward Legg is dissallowed as being no Countrey Charge, we' we could not in the least have Expected Seeing by Law itt is Expressy provided that where a delinquent hath not an Estate, or not Sufficient to destray the Charges, Arising upon his prosecution the Publick should be then lyable to pay the Same. & we are in no wise Senceible, that the Said Dolby or Legg, had any Estate to make Sattisfaction, therefore Conceine the Countrey ought to pay the Charges thereof, & although the Said Dolby and Legg, are yett living, they differ much from being att large in the Countrey, for that itt was their Majte Comand, that they should be sent home, with all papers relating to their Tryall, & therefore We are of Opinion, that this Claim Ought to be Allowed.

The Claim of *Thomas Lun* for Work Nayles, one planke, done and made use off in and about the Gen¹¹ Court house, by Order of the Gen¹¹ Court, We find likewise dissallowed by yor house, as not being a Countrey Charge web Seems strange, for that that house was att first built, att the Charge of the Countrey, that all proceedings relating to the Governt in Gen¹¹ might there be transacted, att the Same Charge itt was rebuilt, And We Conceiue itt proper, that att the Same Charge itt should be Continued in repaire, being Extreamly decayed and rotten and therfore propose the allowance of you do Luns Claim

ffor the Same reason the Claim of *Tho. Beckett* Ought again to be Considered & Allowed by yor house, As likwise that of M^{*} Alice Goodrick, for building A partition before M^{*} Secretaries office doore, & for plank and tymber for doing the Same, & for the Plank used about the State house

We observe likwise that mr Secretary Wormleys Claim for 369 Military Comissions is dissallowed by yor house as being no Countrey Charge, weth We recomend to yor further Consideration, Seeing the Law Afsecrtaining the Secretaries stees has Expressly provided a free for such Services, & yor Selves have given reasons, why the pertickular Officer Ought not to be Charged.

We find also that you have Allowed m' Secretary Wormley for 25 Writts Only, web We Conceive to be a Mistake, Seing 26 have Issued Out of his Office, & therfore recomend to you the Allowance of the last.

The Pay for the Leiuten¹⁰, Souldiers, Indians and Owners of horses We find to be raised, for thre Months from the first day of *Decem^r* next to w^{ch} We propose that their pay may be & paid this present year till the last of *Aprill* next. Itt is likwise proposed, that pay may be raised, for the said Rangers to be paid the next year for the whole tyme, the Law of this present Assembly has Appointed their Continuance.

The Allowance to m^r Speaker of 5400ⁿ of Tobacco for his Extrordinary Care & trouble this Selfions, is more then useually allowed, & Confidering there is a Sufficient Gratuity presented to him before We Conceiue itt fitt to be rejected.

As to the 1080011 of Tobacco prefented to Coll *ffitzhugh*, for his great trouble, in Collecting & preparing the Laws in Order to a Reuifall, We think fitt that, that be likewife rejected, for if Coll *ffitzhugh* therby has meritted any thing from the Countrey ye reputation web he will Accquire therein, is a Sufficient & Ample Sattisfaction for his Seruices. the Clames Agreed to web the Aboue Amendments.

Signed by Order of the Councill Iames Sherlock Cl G. Affm⁹

Nouem' the 14th 1693

An At Affectaining the place for Erecting the Coledge of William & Mary in Virginia read a fecond tyme

An Act laying an Imposition upon Skins & furrs for the better Support of the Coledge of William & Mary in Virginia read a Second tyme.

The



The two following Bills being read a third tyme and fome Amendments made thereupon Ordred that the Clerk of the Gen¹¹ Affembly Carie the faid Bills to ye house of Burgesses with the Amendments

An Ad Affectaining the Place for Ereding the Coledge of William & Mary in Virginia
An Ad laying An Imposition On Skins & furrs for the better Support of the Colledge
of William & Mary in Virginia

Nouem! the 16th 1693

Prefent

IS Excell, M' Secr, Wormley, Richard Lee, Edward Hill, Edm, Jenings, Hen: Hartwell Esq.

Capt Barber &c returnes from the house the two ffollowing Bills Agreed

to wth their Amendments

An Ad Affectaining the Place for Eredting the Colledge of William & Mary in Virginia An Ad laying an Imposition on Skins & flurrs for the better Support of the Colledge of William & Mary in Virginia

Nouem! 17th 1693

Prefent

IS Excell, M' Sec Wormley, Richard Lee, Edward Hill, Edmo Jenings, Hen: Hartwell Efqo By the house of Burgesses

May it pleafe yor Honrs

The house of Burgesses having this day received from yo' Hon's the booke of Claimes will a written Message Conteyning what you are pleased to Object or propose Concerning Severall Artickles & parts of the Same on Consideration of the Subject Matter theros, have agreed to returne yo' Hon's this Answer to the partickulars (Viz) To that partickular wherin yo' Hon's are pleased to declare yo' Opinion that the Claime of Cap' Michaell Sherman Sherist of James Citty County for the Imprisonment of William Dolby and Edward Legg ought to be allowed the House Cannot Conceede for that the Said Shermans Claime Accrews for the keeping & menteyning the sid Legg & Dolby, upon a Repreiue a longe tyme after a Condemnation, & they Conceive the publick is only lyable for Such Charges as Arise upon ye prosecution of Criminalls, & for the Execution of them. So that were the Circumstances of the Said Dolby and Legg such, as they had not Sufficient to desray ye Same, how far So Euer the Countrey might be then lyable, in this Case itt Cannot be att all, being this is a Charge that could not possiblely have Accrewed, had Execution been made upon the Judgment, & they sayled of Obteyning the sauor & Mercy of a Repreiue.

The Claime of *Thos Lun* for Worke done, & Nayles and planke, made use of about the Gen¹¹ Court house by Order of the Gen¹¹ Court, the house still Conceiue to be no Countrey Charge, for that Notwithstanding they must Accknowledge, that, that house is, & Ought to be Continued, in Necessary repaire, att the Charge of the Countrey, yett they cannot Conceiue the Country lyable for the Cost of Changing the Same into a different fforme, or Ading of New Worke to itt, when there is no Need of present repaire

Vpon Confideration of the Claime of *Thomas Beckett*, the house haue allowed 140¹¹ of Tobacco for bricking up the Chimney and Whitewashing the Gen¹¹ Courthouse, the Same being a necessary repairation, butt the rest of his Claime, being for digging a Vault under the Powder house, is Conceived to be no Countrey Charge & therefore not allowed.

The Claime of M^{*} Alice Goodrick, for building a partition before M^{*} Secretarys Office doore and for Plank & tymber for itt, the House still Conceiue to be no Countrey Charge, because that is a new peice of worke, & no wayes for the repaire of the house where itt Stands

The



The Claim of mr Secretary Wormley for 369 Military Comiffions, being Submitted by the Comittee to the Confideration of the house wth Some reasons of theirs for not allowing of itt in ye Comittee was without any regard had to that pertickular reason of theirs, why the Officers Ought not to be Charged therwith Conceiued by the House to be no Countrey Charge and they hope itt will so Appeare to yor Honra, when you Confider that Euen this Assembly, they put that sie amoungst the Secretaries, as they found itt, in the Ould Law upon Consideration that the Same is to be paid, as Other Secretary's sies are

The Omiffion of allowing for one Writt to M' Secretary, was Occasioned by a Mistake,

& therfore the House have now Added the Allowance for itt to the Booke.

The House having Considered yo' Hon's proposition Concerning the Rangers pay att the heads of the Rivers, and being Willing this Assembly to raise the whole, to the End the Souldiers may not have itt Scattered, butt as near as may be togeather, we'n cannot possible be Essected if there should be no Other Leavey next year then what shall be now raised for them. Propose that by An Act of this Assembley the whole pay of the Rangers for 17 Months from the first of Decemb' next being the full tyme of their Continuance both by the Old & new Law, togeather we'n the present publick Charge of this Assembley be Added togeather, & Ordred to be paid the next Cropp we'n this House takes to be not Only Convenient for the Planter, being itt is late in the yeare, & there is already a present publick Leuy, butt far the best for the Souldiers, & other Creditors, Since by that meanes their Tobaccos will be the less Scatered, & may be Ordred far more Convenient, then itt can possible be, by part raised this year & part next.

The Seuerall allowances to Mr Speaker of 540011 of Tobacco & of 1080011 to Coll flitzhugh were made by the House upon a due Sence & Consideration of their Respective Services in the greate worke Vndertaken this Assembley, we'being offered as a toaken of their Gratitude & Acknoledgment to them & not as a Mercinary or Equivalent reward, they hope itt will meete with yor Honra Concurrence, & tend to ye further Incouragment of Others to ingage their Labours and inginuity for the good of this Countrey, & therfor

Cannot butt press itt to yo' Hon's to allow of ye Same.

Signed by Order of ye House of Burgesses

Nour 16th 1693.

Peter Beauerly Cl H. Burg.

Ordred that the Clerk of the Gen^{II} Affembley Carie the following Meffage to the house of Burgesses

By the Councill

M' Speaker & Gent of the house of Burgesses.

This day we received a Meffage from yo' house relating to the Claimes, Wherein we find you Continue in Opinion that the Claim of Tho. Lun is not a Countrey Charge. We are Sattisfied that the Worke done by Lun by Order of the Gen¹¹ Court, was for the necessary repairation of the Court house being Extreamly rotten & decayed, & therfore Ought to be paid, we Claime being Allowed, We Agree to the others & the Proposition for the Rangers pay, and all other Charges Accrewing this Assembley to be paid the next year

Signed by Order of the Councill

Dat 17th Nour 1693

James Sherlock Cl. G. Assm

An Addrefs from the House by Capt Randolph & May it Please yor Excelly & Honra

The House of Burgesses having [See J. of H. of B., p. 493.]

A Meffage from the house by Cap¹ Randolph & to Acquaint the Councill they had allowed Lun's Claime and will pay itt in Tobacco att 10^d P Cent. the Councill do not Agree to itt.

A Meffage from the House by Cap' Randolph & that they had Agreed to Lun's Claime & to be paid in Money.

Nouem



Nouem, ye 18th 1693

Prefent

IS Excell, M^r See^t Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell Efq^o

A Message from the House by Capt Randolph & with the Book of proportions, and An Aâ for raising A publick Leur to be paid in the year 1684 att 211 Propose agreed to.

Ordred that the Clerk of the Gen¹¹ Affembley Carie the ffollowing Meffage to the House

By the Councill

M' Speaker & Gent of the house of Burgesses

The Artickle you Charge Coll *Hill* wth of Exchange returned protefted of fifty two pounds Eleuen Shill and 3^d wth the damages and Cofts for the Same, He Auerrs he hath no protefted Bill of Exch^a returned butt hath paid his money into the hands of Coll: *William Cole* According to the Order of the Gen¹¹ Affembly, and hath receipt for the Same

Signed by Order of the Councill

No: ye 18th 1693

James Sherlock Cl G. Assmy

A Meffage from the House by Cap^t Randolph & with the money Account, the fifty two pounds Eleauen shill and 3^d being placed to the Accompt of Coll William Cole. The Councill Agree to the money Accompt.

Ordred yt the Clark of yt Gen¹¹ Affembley Carie the ffollowing Answer to the House of Burgesses

By the Councill

M' Speaker & Gent of the house of Burgesses

In Answer to yor Address [See J. of H. of B., p. 494.]

Gen^{II} Court house

Prefent

IS Excell, M^t Sec^t Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell Efq^o

Ordred that the Clerk of the Gen^{II} Affembley doe Signifie to the House of Burgesses His Excell^{ys} Comands to attend him Imediatly in the Gen^{II} Court house. Mr Speaker and the House Attends & Mr Speaker Acquaints his Excell^y that he is Comanded by the House to pray his Excell^{ys} Assent to, An Att for Assertaining the Place for Ereding the Colledge of William & Mary in Virginia

An Act laying an Imposition on Skins & furrs for the better Support of the Colledge of William & Mary in Virginia. And An Act for raising a publick Leuy to be paid in the year 1694 att 21¹¹ & pole, w^{ch} Acts being read by the Clerk His Excell Signed them and the Speaker. then His Excell dissoluted y^c Assembly

James Sherlock Clerk of the Gen¹¹ Affembly



AT A

GENERALL ASSEMBLY

begun at James City the Eighteenth day of April 1695 and in the Seventh Year of the Reign of our Soveraign Lord & Lady William & Mary by the Grace of God of England, Scotland France, Ireland & Virginia King & Queen Defenders of the Faith &c.



At a Generall Affembly begun at James City the Eighteenth day of April 1695 and in the Seventh Year of the Reign of our Soveraign Lord & Lady William & Mary by the Grace of God of England, Scotland France, Ireland & Virginia King & Queen Defenders of the Faith &c.

[April the 18th 1695.]

Prefent

IS Excellency, M^r Secre^y Wormley, W^m Byrd, Chr: Wormley, Edw^d Hill, Edm^d Jennings, Hen: Hartwell Efq^{rs}

Ordered that a Comiffion be prepared appointing & Impowering W^m Byrd Edw^d Hill & Edm^d Jennings Efq^{re} or any two of them to administer to the Burgesses the Oaths appointed by act of Parliam^t to be taken instead of the Oaths of Allegiance & Supremacy the Test & the Oath of a Burgess.

W^m Byrd, Edw^d Hill & Edm^d Jennings Efq^r purfuant to his Excellencys Comiffion went to the State house & Administred the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy the Test & the Oath of a Burgess to the Burgesser return'd by Writt.

The Clk of the Gen¹¹ Aff^{bly} acquaints his Excellency that the Burgesses had adjourn'd themselves, till to Morrow morning 8 a Clock

Aprill the 19th 1695

Prefent

IS Excellency, M¹ Sec³ Wormley, W^m Byrd, Chr: Wormley, Edw³ Hill, Edm⁴ Jennings, Hen: Hartwell, James Blair Eíq¹⁹

A meffage from the Members of the House of Burgeffes by Capt Randolph &c to acquainte his Excellency that the members were met & attended his Excellencyes Comands.

Generall Court house.

Ordered that the Clk of the Gen¹¹ Affbly go to the members of the house of Burgesse & acquainte them that his Excellency Comands their Imediate Attendance in the Gen¹¹ Courte house, where they being come

His Excell^{cy} told them he was glad to See So full an Appearance of the Gentlemen of the House of Burgesses & that they were to repair to their house & make Choice of a Speaker.

A Meffage from the House of Burgesses by Mr Carter acquainting his Excellency that they had made Choice of a Speaker

Ordered that the Clerk of the Gen¹¹ Aff^{bly} go to the house of Burgesses & acquainte them that his Excellency Comands their Attendance at three a Clock in the Afsternoone in the Gen¹¹ Courthouse.

Gen^{ll}



Gen^{II} Courthouse

Prefent

IS Excellency, M¹ Secret^y Wormley, W^m Byrd, Chr Wormley, Edw⁴ Hill, Edm⁴
Jennings, Hen: Hartwell, James Blair Efq¹

Colle Ludwell with the house of Burgesses Attending his Exceller And Colle Ludwell acquaints his Excellency that the House of Burgesses had Chosen him for their Speaker, who being Approved by his Excellency prayed the Continuance of the Priveledges of that house, His Excellency Answered what Priveledges they have or Ought to Enjoy is Confirmed to them.

Then his Excellency thus Exprest himselfe

Gentlemen

I have Received [See J. of H. of B., 1695-1702, pp. 4-5.]

Aprill 20th 1695

Prefent

R Sec^s Wormley, Richard Lee, William Byrd, Ch: Wormley, Edward Hill, Edm^o Jenings, Hen Hartwell Esq^o

A Message from the house of Burgesses to his Excellency by Mr Carter

&c" praying a Copy of his Excell" Speech.

Ordered that the Clerk of the Gen¹¹ Affembly doe Carry a Copy of his Excell^{7*} Speech to the house of Burgesses.

Aprill 23d 1695

Prefent

IS Excell^r, M^r Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen Hartwell Efq^s

An Address from the house to his Excelly by Capt Story &c.

May it please yo' Excelly

The house of Burgesses [See J. of H. of B., p. 8.]

Ordred that the Clerk of the Gener" Affembley do Carry to the house of Burgesses Their May^{ties} Letters & the Lett^r from the Lords of the Treasury.

ffor the Affiftance of New York

ffor the Encouragment & ffurtherance of the Colledge.

ffor Ministers Salary & allowances

ffor a Small Veffell to Cruife on the Coast to preuent Illegall Traders.

The Peticon of Capt George Majon for the payment of Eighteen Rangers and himfelfe their Captain Entered into the Seruice the 23^d of June & haue euer fince Continued in the Same

Refferred to the House of Burgesses

Ap! 25th 1695

Prefent

R Sec Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edmo Jenings, Hen. Hartwell Esq.

The Petičon of Cap^t Miles Sherman Sheriff of James Citty County for Allowance for Attending the Gen¹¹ Courts

Refer'd to the house of Burgesses

The Petičon of m^r William Sherwood ffor 50^n Sterl for two year's rent for the Councill Chamber

Refer'd to the house of Burgesses



Apr!! the 30th 1695

Prefent

IS Excell, M' Sec Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Esq.

An Address from the house of Burgesses to his Excelly by Capt Robinson

The humble Addres of the house of Burgesses

May it pleafe yo' Excelly

Their Majties Loyall and Dutifull [See J. of H. of B., pp. 15-17.]

His Excel^{cy} Recomends y^e Address of the house of Burgesses in answer to his Speech to y^e Consideracon of y^e Councill.

May the 1st

Prefent

R Sect Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Esq.

A Message from the house by Mr Robert Carter &c. Accquainting the

Councill that they were Appointed by the house of Burgesses to Confer wth the Councill, to Consider the best wayes & Methods for the Reuiseall of the Law's and desired that a tyme & place might be Appointed. the Councill told them they would Consider of their Message and give them an Answer

Ordred that the Clerk of the Gen¹¹ Assemby do returne this Answer

That upon Confideracon of a Mcffage this day from the house of Burgesse desiring the Councill to Joyne wth them att a Conference for the Reviseall of the Laws of this Countrey, the Councill are of Opinion, in a Matter of So great Moment, and nothing having been Moued this Session relating therto that the Effect of that Message be sent to them in writing

Capt William Taylo &c prefents to the Councill the two following Bills wth the House of Burgesses have passed & desire the Concurrence of the Councill.

An Act for Inlarging the bounds of Princels Ann County.

An AA Appointing how Probates and Administrations shall be signed for the suture

May the 2d 1695

Prefent

R Sec^e Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Efq^{*}

His Ex^r having yesterday laid before this Board the Address of the house of Burgesses whereof the New York affair was the first thing this day Considered the Councill are humbley of Opinion, that their reasons in the said Address denying all Aid of Men or Money to New York tho Comanded by her May^{tie} peremptorily, are not Sattisfactory, propose a Conserence of Some of them wth Such Members of the house of Burgesses as the house shall think fitt.

Ordred that the Clerk of the Gen¹¹ Affembley do Carry the following Meffage to

the house of Burgesses.

By the Councill

M' Speaker & Gent of the house of Burgesses

His Excell having laid [See J. of H. of B., p. 21.]



May the 2d 1695

Prefent

R Sec Wormley, Richard Lee, William Byrd, Chr Wormley, Edward Hill, Edmo Jenings, Hen Hartwell Esq.

A Meffage from the house by Capt Kener &ca

May it please yor Honrs
The House of Burgesses being

The House of Burgesses being [See J. of H. of B., pp. 20-21.]

May 3d 1695

Prefent

R Sec Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings Hen: Hartwell, Chr: Wormley Efg^a

A Meffage from the house by Cap' Oufeley &ca desiring to know how many of the Councill will meet att the Conference relating to the affistance of New York and the tyme & place for the faid Meeting. The Councill returned answer that fouer of them would meet att Nine a Clock to morow Morning in the great Hall

By the Councill

Refolued

That a Conference be defired & held wth Such of the house of Burgesses as shall be Appointed upon the Subject Matter of that part of the Address of the Said house of Burgesses in Answer to his Exys Speech as relates to their Mayttes Comands for Assistance of New York, and to the End the Managers who shall be Appointed by the Councill for the Said Conference may be fully instructed from this Board in those Seuerall perticulars they may have Occasion to make use of att the said Conference, It is Ordered.

That to the first reason laid down by the Said house of Burgesses wherin they Say, that by the tax or Imposition on tobacco this Countrey is made uncapable of giuing

Affiftance

It be Confidered by the Managers that the tax on tobacco was Imposed by A& of Parlament and not in this Case proper to be Complained of or Urged as a reason for not Complying wth their May^{ties} Comands.

That to the Second reason of the said House of Burgesses relating to the Charge

the Countrey hath been att in Menteyning Rangers.

It be Answered by the faid Managers that the Charge is Inconsiderable to what the Neighbouring Plantations New England and New York have Expended this Warr, the first above a hundred thousand pound & the other above thirty thousand pound, whilst Providence hath been pleased to keep us free from any Show of hostillity, Except that we for the discoverey of an Enemy in Seasonable tyme thought itt necessary to keep Eleauen Rangers & an Officer & two Indians att the heads of Each River and some tymes upon an Alarm to raise a few Additionall forces for a while.

That to the Other reason laid down by the standard of Burgesses, Setting forth that the Countrey has alway's born its own Charge and that forces placed att New York can no Way tend to the Advantage or better Security of this Gouernt the Indians that

Infest itt being Nearer Virginia then New York.

It be Answered by the Managers, that it is forgot Since the King was aboue Sixty thousand pound Charge to Assist the Countrey in the Year 1676 & that there is no question but he will perticularily direct from the Adjacent Plantacons Aid to this Gouerment as there is Occasion and not be Sparing out of his Treasury to protect itt and whether it be Aduantagiouse or not to Virginia to have forces in New York According to the Quota Sett, Sure itt is that the Province of New York being under distress and to stollar Insupportable a Charge, moved their Mayties who being possess with their Condition, directed a Quota to be Setled by Consissioners from the Adjacent Colonys, of web the last Assembley had an Account, and because nothing was therin don as Sure itt is, that

their



their Mayttes have Setled a Quota themselves and Comanded our Obedience, and what Answer can be made to Euade performing the Royall Comand If the low Circumstances of the Countrey be pleaded, It is the only way to be obedient to the Utmost of Our Abillity therby to make their Mayties Sencible of the true State of Virginia and to be Accquitted wth their Mayties good liking from performing the reft who no doubt having that testemony of Our Loyalty and Obedience, will be the more Graciously Inclined towards Us. If it be thought not to Concerne Virginia as having no Interest Joyned win New York it is a mistake for this Assistance is not wanted for the Supporting or Carving on fome perticular defignes of the Inhabitants of New York, but for the Safety, Defence and Protection of one of their Maytles Prouinces from being taken by the ffrench & Canada and Other Indians in Amity wth them, declared & powerfull Enemy's to the Crowne of England, and that Warr being Nationall all the Plantacons their Mayties haue in this part of the World Stand Mutually Obleiged to the Defence and protection one of Another, as one County of England does to another, And this Countrey would think it hard to be detfroy'd by denyall of a litle help from the next Gouerment, And Whereas it is faid that the Northern Indians lyes nearer Virginia then New York, the Councill defire to be Informed, if a late discouerey therof, web would be of great Seruice in that upon any Mischeise don they might be directly perfued.

Wherfore upon Confideracon of the whole Cafe and the Danger Virginia will Ineuitabley be Exposed to by the loss of New York (web God preuent) the french Coming So much Nearer us and having a good Port to Issue out Privateers to pick up our

Marchant Men.

The faid Managers are directed to Accquaint the Burgeffes who shall be Appointed and meet to Confer

That it is the Opinion of the Councill that as their May^{ties} Comands & Significations of the diftrefs of *New York* is positive, a ready Complyance will be feruiceable to the Countrey both in demonstrating Our Loyalty & Ingaging the Assistance of *New York* & other Colony's as Comanded when the Countrey shall have like Occasion, and further that it may reasonabley be hoped that upon the Obedience of this Countrey in this Assir, and an Address to their May^{ties} Setting forth the true State of *Virginia* this years Assistance may be Sattissactory, and on more required and therfore its proposed, that for the Complyance of this Countrey, Either a Leuy be raised by the Poll, or an Imposition laid upon Liquors, wth Such limitations, restrictions & proviso's as shall be Judged Necessary by the Gener¹¹ Assembley for Securing the Same to this purpos if required, and if not to Such other Uses only as the Gen¹¹ Assembley shall think fitt from tyme to tyme to apply the Same

Signed by Order

Dat. May 3d 1695

James Sherlock Cl Gen Affr

Vpon Confideracon of the Address of the House of Burgesses in Answer to the Second Paragraph of his Exrs Speech for Setting forth a Vessell or Vessells to Cruise on the Coast to preuent Illegall traders. The Collect of the Seuerall Rivers within this Colony are to make report to this Board persuant to an Ord of Councill of the 6th of March last and further Orders to be taken therin Accordingly

The Confideracon of the third Paragraph Concerning the Maintenance of the Clergy, is refer'd to a Conference when the buileness relating to New York is Ouer.

Vpon Reading the fourth Paragraph for the Incouragment and furtherence of the Colledge nothing to be don att prefent; Refered to further Confideracon.

Vpon Confideracon of the fifth Paragraph Concerning the Rangers; is refer'd till a Bill be prefented from the house

Vpon Consideracon of the last Paragraph for lessening the Levy by y Poll by laying an Imposition on Liquors Imported; refer'd till a Bill be presented from the house.

An AA Appointing how probates and Administrations shall be signed for the future read the first tyme.

An A& for Inlarging the bounds of Princels Ann County read the first tyme



May the 4th 1695

Prefent

R Sec Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edme Jenings, Hen: Hartwell Esq.

William Byrd. Edward Hill. Edm^o Jenings and Hen: Hartwell Efq^a are
Appointed to Manage the Conference relating to the Affiftance of New
Velocity the Property of the Prope

York wth the Burgesses

The Conference referd till tuefday 9 a Clock

Capt Majon &c* prefent from the house the following Bills weh they have passed & desire the Concurence of the Councill

An A& Appointing Rangers at the heads of the four great Rivers.

An Act for Reviveing the 7th Act of Affembley made att James Citty the 16th day of Aprill 1691 and for the Affeertaining the Size of Tobacco hogheads.

May 6th 1695

Prefent

R Sec^e Wormley, Rich^a Lee, William Byrd, Chr: Wormley, Edward Hill, Edm^a Jenings, Hen: Hartwell Esq^a

Capt William Randolph &ca prefents to the Councill the Book of Claimes

& defire the Concurence of the Councill

M' William Sherwood &c^ prefents the ffollowing Bills w^{ch} the house haue passed & defire the Concurence of the Councill

An Ad Impowering James Citty County Court to make by Law's for restraining hogs running att large in James Citty

May 7th 1695

Prefent

IS Excell, Mr Sec. Wormley, Richard Lee, William Byrd, Chr.: Wormley, Edward Hill, Edm. Jennings, Hen: Hartwell Esq.

An Address from the house of Burgesses by Capt Batt &c* to his Ex' and the Councill

May it Please yo' Exy and Hon"

It having been represented [See J. of H. of B., pp. 23-24.]

Mr Auditor Byrd Reports from the Conference relating to the Affaires of New York that they met the Gent Appointed by the house of Burgesses to Confer on that Subject, where having fully debated the Matter According to the directions of the Councill they promissed to make a true report therof to the house.

An Ad Appointing Rangers att the heads of the fouer great Rivers read the first tyme An Ad for Reviveing the 7th Ad of Affembley made att James Citty the 16th day of Api 1691 & for the Affectaining the Size of tobacco hogheads read the first tyme

An Ad Impowring James Citty County Court to make by Laws for reftraining hogs runing att large in James Citty read the first tyme

May 8th 1695

Present

R Sec Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edm^o Jenings Eíq^o

Capt Soan &c* prefents from the house the two following Bills web they have passed and defire the Concurence of the Councill

An AA for leffening the Leuy by the poll and laying an Imposition upon Liquors.
An AA for dividing of King & Queen County

Capt



Cap¹ Cuftis &c² Presents the following Bills from the house web they have passed and desire the Concurence of the Councill

An All Impowring the County Courts of Acconsack & Northampton to make by Laws for the better reftraint of unruly horfes.

An A& for Inlarging the bounds of Princels Ann Country read the Second tyme

An Act for leffcning the Leuy by the Poll and laying an Imposition upon Liquors read the first tyme.

May 9th 1695

Prefent

R Sec^e Wormley, Richard Lec, William Byrd, Ch. Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Elq^o

A Bill for Inlarging the bounds of Princefs Ann County read the third

tyme and Affented to by the Councill

A Bill for leffening the Leuy by the Poll and laying an Imposition upon Liquors read the Second tyme and Amended.

Ordred that the Clerk of the Gen¹¹ Affembley do Cary the aboue bills wth the Amend-

ment to the house of Burgesses.

Cap¹ Story &c² prefents to the Councill a Message from the house & returnes the Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors.

By the House of Burgesses

May it pleafe yo' Hon's

The House of Burgesses this day taking into Consideracon the Amendments proposed by yo' Hon's to the Bill Entituled a Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors, have Agreed to make the Duty of two pence sour pence and to incert Wales & the town of Barwick upon Tweed according to yo' Hon's proposition, but Canot agree to Extend the tyme any longer for the Said Imposition to be in force then their Bill Expresses, and therfore desire yo' Hon's will please to give yo' Affent to the Bill when Amended, as is hereby proposed and Agreed upon by the House

By Ordr of the house of Burgesses

Peter Beauerly Clk of the house of Burgesses

May the 9th 1695

May 10th 1695

Prefent

R Sec^{*} Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^o

Ordred that the Clerk of the Gen¹¹ Affembley do Carry the following Bills to the house of Burgesses.

A Bill Appointing Rangers att the head of the fouer great Riuers, Affented to by the Councill.

A Bill for Reuiveing the 7th Act of Affembley for Affectaining the Size of tobacco hogheads with Amendments

A Bill Impowring James Citty County Court to make by Law's for reftraining hogs runing att large in James Citty not Agreed to by the Councill

A Bill for leffening the Leuy by the Poll and laying an Imposition upon Liquors Affented to by the Councill, to the Agreed Amendments of the house of Burgesses

A Bill for dividing King and Queen County. Not Agreed to by the Councill

A Bill Impowring the County Courts of Accomack and Northampton to Make by Law's for the better reftraint of Unruly Horses. Not Agreed to by the Councill



May 11th 1695

Prefent

R Sec^s Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings Hen Hartwell Efq^o

A Meffage from the House by Capt Batts &ca to the Councill wth two Addresses to their Mayties and a Copy of a Charter in 1675.

May it please yo' Hon"

The House of Burgesses having Agreed [See J. of H. of B., p. 31.]

A Meffage from the house by Majr Diggs &ca wth the two following Bills to the Councill

May itt pleafe yer Hones

The house of Burgesses having Considered [See J. of H. of B., p. 32.]

A Bill for Reviueing the 7th Act of Affembley for the Affertaining the fize of tobacco hogheads

An Act Impowering the Gouer with the Aduice of the Councill to Apply five hundred Pound Sterl out of the Imposition upon Liquors raised this Affembley to the Affstance and preservation of New York if found Necoffary.

By the Councill

M' Speaker & Gent of the house of Burgesses

Vpon Confideracon of yor Written Meffage [See J. of H. of B., p. 33.]

By the Councill

M' Speaker & Gent of the house of Burgesses

Vpon Confideracon of the third Paragraph [See J. of H. of B., p. 32.]

A Meffage from the house by Cap^t Custis &ca to know how many of the Councill will meet att the Conferences, Upon the Reuisall of the Law's and for the Maintenance of the Clergy, the tyme and place for the Said Meeting. the Councill returned Answer that fower of them would meet att 9 a Clock Tuesday Morning in the great Hall.

M^r Sec^r Wormley Edward Hill Edm⁹ Jenings and Hen Hartwell Efq⁸ are Appointed to manage the Conference, relating to the Reuifall of the Laws and the Maintenance of the Clergy.

May 14th 1695

Prefent

R Sect Wormley, Edward Hill, Edm³ Jenings, Hen Hartwell Efq⁴

M' Sect Wormley reports from the Conference appointed on the Meffage of the house of Burgesses for the Reuisall of the Laws, that having disagreed to the fifth proposition made by the house of Burgesses of the Persons Appointed for the Said Reuisall, be Considered & rewarded according to the discretion of the next Succeeding Affembley, they proposed that the Allowance be now Affectained to the said Gent and that the Gent Appointed Conferees by the house of Burgesses made Answer, that they were not Impouered by the house to Agree but that they would make report therof to the house.

M^r Sec Wormley reports from the Conference held wth the Burgesses Appointed to Confer on the third Paragraph in the Address of the House of Burgesses to his Ex**

Speech for the better maintenance & incouragment of the Clergy.

That their Mayties Letter & Law of the Countrey were laid before the Conferrees wth Seuerall reasons Urged and Strengthened and propositions made that there might be Allowance Either by Poll or a Certain Summ of tobacco & Ann for their Encouragment, but that they came to no resolution, for that the Conferrees Appointed by the house had no directions therin butt promissed to report it to the House



May 15th 1695

Prefent

IS Excell^r, M^r Sec^r Wormley, William Byrd, Edm^o Jennings, Hen Hartwell, Edward Hill Efq^{*}

A Message from the house by m' Sherwood &c to the Councill &c

May it please yo' Hon"

The House of Burgesses [See J. of H. of B., p. 35.]

Ordred that the Clerk of the Gen^{II} Affembley do Carry the following Bills & Meffages to the House of Burgesses

A Bill Appointing how probates & Administrations shall be figned for the future, not Agreed to by the Councill

A Bill for Reuiuing the 7th Act of Affembley for Affectaining the Size of tobacco

hogs heads. Agreed to by the Councill.

A Bill Impowering the Gour wth the Aduice of the Councill to apply fiue hundred pound *Sterl* out of the Imposition upon Liquors raised this Assembley to the Assistance and preservation of *New York*, if Necessary. Assented to by the Councill

By the Councill

M' Speaker & Gent of the house of Burgesses

Vpon a Bill [See J. of H. of B., p. 36.]

By His Exy and Councill

M. Speaker & Gent of the house of Burgesses

In Answer to [See J. of H. of B., p. 36.]

This day the Book of Claimes being read att the Board.

Ordered that the Clerk of the Gen¹¹ Affembley do Carry back the Book of Claimes and the following Meffage to the House of Burgesses.

By the Councill

M' Speaker & Gent of the house of Burgesses

The Book of Claimes being Confidered Wee do Agree to the fame wth those Additions (Viz) that there be Allowed to Mr Secretary Wormley for twenty five Writts for Election of Burgesses this Assembley According to Law

And pay for the prefent Rangers According to Act of Affembley

By Ordr of the Councill

May 15th 1695

James Sherlock Cik Genii Affmy

A Meffage from the House by Capt Custis &ca wth the Book of Claimes and the Additions made Agreed to by the Councill

By the House of Burgesses

Wheras m William Sherwood is allowed by this Affembley thirty Seauen pound & ten fhillings Sterl for the Councill Chambers, One year & an halfe Ending the 15th day of Aprill

Refolued and Accordingly Ordered

That the Said Summ of thirty Seauen pound and ten fhillings fterl be paid unto the faid William Sherwood out of the Money that shall next Arise from the Imposition upon Liquors, laid this Assembley, after the fine hundred pound Sterl Appointed for the Supply of New York shall be raised.

Ordred that this Refolue be Caryed to the Councill for their Concurence

Teft Petr Beuerly Cl. H. of Burgesses



May 16th 1695

Prefent

IS Excell⁹, M¹ Sec¹ Wormley, Richard Lee, William Byrd, Edward Hill, Edm² Jennings, Hen. Hartwell Efq²

Mr Chamberlain &c* prefent from the House the following Bill wth the house of Burgesses have passed and desire the Concurence of the Councill

An Ad for the Maintenence & Support of Ministers.

Ordred that the Clerk of the Gen^{II} Affembley do Cary to the house of Burgesses the Resolue of the house of yesterday for paying M^I William Sherwood thirty seauen pounds ten shillings Sterl for rent of the Councill Chamber Agreed to by the Councill. And the Bill for the Maintenance & Support of Ministers wth the Amendments. And the following Message.

By the Councill

M' Speaker & Gent of the house of Burgesses

The Book of Claimes (returned [See J. of H. of B., p. 37.]

A Refolue from the house by m^r Sherwood &c* wth the Bill for the Maintenance & Support of Ministers & an Address to their May^{tles}

May itt Pleafe yo' Hon's

The House of Burgesses [See J. of H. of B., p. 37.]

By the Houfe of Burgeffes

May 16th 1695

Refolued & Accordingly Ordred

That M^r Cope Doyly for his Attendance and reading prayers this Affembley be paid the Summ of five pounds pounds Sterl as it shall arise from the Imposition upon Liquors laid this Affembley after the Money ordred m^r William Sherwood is raised and paid

Refolued & Accordingly Ordred

That M^r Samuell Eborn Clk. for his Attendance and reading Prayers this Affembley, be paid the Summ of fiue pounds Sterl as itt shall Arise from the Imposition upon Liquors laid this Affembley after the Money Ordred m^r William Sherwood is raised & paid

1 ej

Pet: Beuerly Cl. Ho: Burgeffes,

Ordred

that the Said Refolues be Caryed to the Councill for their Concurence

Teft. Petr Beuerly Clk. House of Burgesses

A Meffage from the house by Capt Randolph &ca May it please yo' Hon's

The House of Burgesses Considering [See J. of H. of B., p. 39.]

By the Councill

May 16th 1695

M' Speaker & Gent of the house of Burgesses

In Answer [See J. of H. of B., p. 39.]

May 17th 1695

Prefent

R Sect Wormley, Richard Lee, William Byrd, Edward Hill, Edm. Jenings, Hen: Hartwell Esq.

A Meffage from the house by mr Walters &c.

May it please yo' Hon"

Vpon Confideracon of yor Honra Meffage [See J. of H. of B., p. 39.]

Ordred that the Clerk of the Generall Affembley do Carry the Refolues of yesterday to the house of Burgesses.

That



That M' Cope Doyly for his Attendance and reading prayers this Affembly be paid fine pounds Sterl.

And M. Samuell Eborn for his Attendance and reading prayers flue pounds Sterl-

Affented to by the Councill

and the Bill for the Maintenance and Support of Ministers. Not agreed to by the Councill, Except their Amendments be Added.

Gen¹¹ Courthouse

Prefent

IS Excelly, Mr Sect Wormley, Richard Lee, William Byrd, Edward Hill, Edme Jenings, Hen: Hartwell Efgs

Ordred that the Clerk of the Gen^{II} Affembley do Acquaint the house of Burgesses that His Exy Comands their Imediate Attendance in the Gen'll Court house to pass the Ingross'd Bills

ffor the Rangers. ffor inlarging Princefs Ann County. for the Imposition of fouer pence & Gallon upon Liquors.

The fiue hundred pound Bill for the Affiftance of New York &c the Bill for the tare and fize of tobacco hogs heads

A Message from the house by Mr Park &ca Accquainting his Excelly that the Bills were Examining, and that the house will waite on his Excelly Imediately

Ordred that the Clerk of the Gen¹¹ Affembly do Accquaint the house of Burgesses, that they fend the Ingrofs'd Bills down to the Councill

Capt Cuftis &ca brings the Ingroft Bills to the Councill web being Examined by them Ordred that the Clerk of the Gen¹¹ Affembley do Carry back the Ingroft Bills to the house and Acquaint them that his Exy Comands their Imediate Attendance in the Gen!! Court house to pass the said Bills.

M' Speaker and the house Attend His Ex' M' Speaker Accquaints his Ex' that According to his Comands they had brought the following Bills for his Excelly passing

A Bill for Rangers att the heads of the fouer great Riuers. A Bill for Inlarging Princess Ann County. A Bill for the Imposition of four pence 🔁 Gallon upon Liquors a Bill for five hundred pounds for the Affiftance of New York.

a Bill Affectaining the tare & Sizes of tobacco hogfheads, web bills being read His

Excelly was pleafed to pass. and figned the said Bills & then the Speaker

After the passing of the said Bills. His Exy did recomend to the house of Burgesses what further Necessary for their Maytics Seruice and the good of this their Colony & dominion of weh hoped their Suiteable regard in all respects.

Ordred that the Clerk of the Gen" Affembly do Carry the ffollowing Message to the

House of Burgesses.

By the Councill

M' Speaker & Gent of the house of Burgesses

To yor Meffage [See J. of H. of B., p. 40.]

May 18th 1695

Prefent

R Sect Wormley, Richard Lee, William Byrd, Edward Hill, Edm. Jenings, Hen Hartwell Efq.

A Message from the house by Capt Custis &ca

By the house of Burgesses

May it please yor Honrs

Vpon Consideracon of yor [See J. of H. of B., pp. 40-41.]

Ordred



Ordred that the Clk of the Gen¹¹ Affem, do Carry the following Answer to the Message of the house of this day

By the Councill

M' Speaker & Gent of the House of Burgesses

In Answer to yor Message [See J. of H. of B., p. 41.]

Ordred that the Clk of the Gen¹¹ Affembley do Carry back the Addresses wth the following Message to the House of Burgesses

By the Councill

M' Speaker & Gent of the house of Burgesses

In Answer to your last Message [See J. of H. of B., p. 41.]

By the Councill

M' Speaker & Gent of the house of Burgesses

Wee haue Confidered '. [See J. of H. of B., pp. 41-42.]

Capt Craford &c brings the Book of proportions to the Councill

 $\it Ordred$ that the Clerk of the Gen¹¹ Affembley do returne the Book of proportions to the House Affented to by the Councill.

Capt Cuftis &ca brings the following Bill from the House

An Ast for Raifing a publick Leuy, and Acquaints the Councill they had nothing more before them.

Ordred that the Clerk of the Gen^{II} Affembley do Carry the following Bill to the house of Burgesses and defire an Answer to the Messages, for the Reuisall of the Law's & the Addresses to their May^{tles}

An Ad for Raifeing a publick Levy affelted to by ye Councill.

A Message from the House by Capt Armestead &ca

May it please yo' Hon"

The House of Burgesses having taken [See J. of H. of B., p. 42.]

Gen^{II} Court house

Prefent

IS Excell, M¹ Sec¹ Wormley, Richard Lee, William Byrd, Edward Hill, Edm¹ Jenings, Hen: Hartwell Efq¹

Ordred that the Clerk of the Gen¹¹ Affembley do fignifie to the House of Burgesses His Exys Comands that they Imediately Attend him in the Gen¹¹ Court house to pass such Bills as Depend.

 M^r Speaker and the House Attend and M^r Speaker presents the Bill for raising the publick Leuy w^{ch} his Ex^y was pleased to pass—and Signed the said Bill, then the Speaker.

His Ext did then prorogue the Affembley to the last of Odor next

James Sherlock Clerk of the Gen¹¹ Affembley



AT A

GENERALL ASSEMBLY

begun at James City the 18th day of Aprill 1695 & thence continued by two Prorogations to the 23d of Aprill in ye eighth yeare of the Reigne of or Soveraigne Lord William by ye Grace of God King of England, Scotland, France, Ireland & Virginia Defender of the ffaith &c. Annoq, Dom: 1696



At a Generall Affembly begun at James City the 18th day of Aprill 1695 & thence continued by two Prorogations to the 23th of Aprill in ye eighth years of the Reigne of of Soveraigne Lord William by ye Grace of God King of England, Scotland, France, Ireland & Virginia Defender of the ffaith &c. Annog, Dom: 1696

Aprill the 24th 1696

Prefent

IS Excellency, M^r Secretary Wormley, Coll¹ Rich⁴ Lee, Coll¹ W^m Byrd, Coll¹ Chr Wormley, Coll¹ Edw^d Hill, Coll¹ Edm^d Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich^d Johnfon, Coll¹ Charles Scarburgh.

A Message from the house of Burgesses by mr Carter &c. Acquainting

his Excellency that the house was met & attended his Excellencys Comands:

Ordered that a Comiffion be Prepared Appointing & Impowering Coll¹ Christopher Wormley Coll¹ Park & Coll¹ Scarburgh to Administer the Severall Oaths to the new members of the house of Burgesses.

Purfuant to his Excellencys Comiffion Coll¹ Chriftor Wormley Coll¹ Dan¹¹ Park & Coll¹ Charles Scarburgh went to the Gen¹¹ Courte house & Administred the Oaths appointed by Act of Parliam¹ to be taken instead of the Oathes of Allegiance & Supremacy (the Test) & the Oath of a Burgess to Jo: Foster of New Kent County & Charles Goodrich of Charles City County Math¹¹ Watts of Eliz¹ City County & to Rich² Whitaker of Warwick County.

His Excellency was Pleafed to Comunicate his Speech to the Gentlem^a of the Councili & defired their Opinions therein w^{ch} they Unanimously approved of findeing

nothing Wanting therein.

Gen¹¹ Courthouse

Present

IS Excellency, Mr Secrety Wormley, Coll¹ Rich³ Lee, Coll¹ W^a Byrd, Coll¹ Xpr Wormley, Coll¹ Edw³ Hill, Coll¹ Edm³ Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich³ Johnson, Coll¹ Charles Scarburgh.

Ordered that the Clerk of the Gen¹¹ Affembly do Signifie to the house of Burgesses his Excellencys Comands Imediately to Attend him in the Generall Court-

house where being come. His Excellency thus Exprest himselfe. Gentlemen.

I doe not doubt all here, being very Sencible of Gods Continued Bleffings to his Ma^{ty} & Tranquility of this his Dominion.

I have nothing now, or other to Say, or Offer to you then at out Last meeting, when his Ma^{1ya} Comands & all elce necessary was recommended to you Since which the Govern' of *New Yorke* has demanded the Quota of Affistance comanded by his Ma^{1y}.

But I must againe recomend to you Gentlemen of the house of Burgesses the present & effectuall Consideracon, of what is yet Wanting So recommended before, or his [is] necessary for his Mattes Service & Continued Welfare, Safety & Honor of this his Dominion & due regard to the Church & Colledge.

And



And hope all heartily joyning in our duty to God Almighty for his Bleffings as by a Late Proclamacon in this his Ma¹⁴ Colony & Dominion.

James City Aprill 24th 1696

A Mellage from the house of Burgesses by m^r Sherwood & praying a Copy of his Excellencys Speech.

Ordered that the Clerk of the Gen¹¹ Aff^{bly} do Carry a Copy of his Excellencys Speech to the house of Burgesses,

Aprill the 26th 1696

Prefent

IS Excellency, M¹ Sec⁷ Wormley, Coll¹ Rich⁴ Lee, Coll¹ W^m Byrd, Coll¹ Xp^r Wormley, Coll¹ Edw⁴ Hill, Coll¹ Edm⁴ Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich⁴ Johnfon, Coll¹ Charles Scarburgh.

A Meffage from the house by Capt Randolph &c.

Fryday Aprill 24th 1696

By the house of Burgesses

Ordered that M^r Randolph M^r Diggs M^r Story & m^r Chamberlaine at Some Convenient time waite upon his Excellency & pray his Excellency to Iffue out a new Writt for the Election of Burgeffes in Ifle of Wight County in the Roome of M^r Joⁿ Goodrick dec^d A new Writt for the Election of a Burgefs in Norffolk County in the Roome of M^r W^m Robinfon dec^d & a New Writt for the Election of a Burgefs in Stafford County in the Roome of M^r Martin Scarlett deceased who Since the Election made of him in y^e roome of Cap^t Tho Owsley now Sherst of y^e County of Staffst is dece^d

Ordered that the Writts do iffue accordingly for ye Election of Burgesses for the Isle of Wight County for Norsfolk County & for Stasford County.

Aprill the 28th 1696

Prefent

IS Excellency, M^{*} Sec^{*} Wormley, Coll¹ Rich^{*} Lee, Coll¹ W^{**} Byrd, Coll¹ Xp^{*} Wormley, Coll¹ Edw^{*} Hill, Coll¹ Edm^{*} Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich^{*} Johnfon, Coll¹ Charles Scarburgh

A meffage from the House to his Excellency by m^r Sherwood &c begging leave of his Excellency to know when the house may Wait upon his Excellency, his Excellency appointed 3 a Clock in the Afternoone.

An Address to his Excellency by ye Speaker & the Whole house.

To his Excellency S^r Edm⁴ Andros Kn^t his Ma^{tt} Leiu^t & Governor Generall of Virginia.

The humble Addrefs of the houfe of Burgeffes.

May it Please vo Excellency.

Wee his Mate most dutifull [See J. of H. of B., 1695-1702, pp. 49-50.]

Aprill the 29th 1696

Prefent

IS Excellency, M^r Secretary Wormley, Coll¹ Rich⁴ Lee, Coll¹ W^m Byrd, Coll¹ Xpr Wormley, Coll¹ Edw⁴ Hill, Coll¹ Edm⁶ Jennings, Coll¹ Dan¹¹ Parke, Coll¹ Rich⁴ Johnfon, Coll¹ Charles Scarburgh.

Ordered that the Clerk of the Generall Affembly do Carry his Excellencys Answer to the address of the house of Burgesses of Yesterday.

By his Excellency.

Mr Speaker & Gentlemen of the House of Burgesses

I have Comunicated [See J. of H. of B., pp. 50-51.]



An Address of the house of Burgesses to his Excellency by mr Carter &c

By yo Houfe of Burgeffes

May it please yo' Excellency,

His May dutyfull & Loyall Subjects [See J. of H. of B., p. 51.]

The Address of the House of Burgesses to his Excellency of this day his Excellency recommended to the Councill for their Confideracon & Advised [Advice] thereon

Aprill the XXXth 1696

Prefent

IS Excellency, Mr Secry Wormley, Coll¹ Rich⁴ Lee, Coll¹ W^m Byrd, Coll¹ Xpr Wormley, Coll¹ Edm⁵ Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich⁴ Johnfon, Coll¹ Charles Scarburgh

Ordered that the Clk of the Gen¹¹ Aff^{bly} do carry his Excellencys answer to the Reply of y^e House of Burgesses of Yesterday.

By his Excellency

M' Speaker & Gentlemen of the house of Burgesses

His Excellency yesterday Laid [See J. of H. of B., p. 52.]

An Address from the house of Burgesses by Capt Randolph &c

By the house of Burgesses.

May it Please yor Excellency

Wee his Maties most dutyfull [See J. of H. of B., p. 52.]

His Excellency laid the Address of the house of this day before the Councill & defired their Advice Thereupon who upon Consideracon of the Whole Matter are of Opinion that a Recess be Granted.

May the 1st 1696

Prefent

IS Excellency, M¹ Sec^y Wormley, Coll¹ Rich⁴ Lee, Coll¹ W^m Byrd, Coll¹ Xp^r Wormley, Coll¹ Edm⁴ Jennings, Coll¹ Dan¹¹ Park, Coll¹ Rich⁴ Johnson, Coll¹ Charles Scarburgh.

Ordered that the Clerk of the Gen^{II} Aff^{bly} Signifie His Excellency Comands to the house of Burgesses that they Imediately attend His Excellency in the great Brick-house, Where being come his Excellency thus Said Gentlemen

Finding the Diftemper of the Small Pox is much feared & no other business necessary to be dispatched at this time, I doe Prorogue this Generall Affembly to the XXIXth day of Odober next.

James Sherlock Cl. Gen11 Affem7



AT A

GENERALL ASSEMBLY

begun at James City the 24th day of September in the Eighth year of the Reign of our Sovereign Lord William the third of England Scotland ffrance Ireland &c King defender of the ffaith, Annoq, Dom 1696



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1411, pp. 12-39.]

At a Generall Affembly begun at James City the 24th day of September in the Eighth year of the Reign of our Sovereign Lord William the third of England Scotland ffrance Ireland &c King defender of the ffaith, Annog, Dom 1696

[September 24th 1696.]

Prefent

IS Excellency S^t Edmond Andros Kn^t Governor &c, Ralph Wormeley, William Byrd, Christop Wormeley, Edmond Jenings Efq^{ts}
Ordered that a Comission be prepared to impower William Byrd, Christopher Wormeley & Daniel Parke Efq^{ts} or any two of them to administer the oaths & Test to the Elected members of the House of Burgesses as Usual

Post Meridiem

Prefent

IS Excellency S^r Edmond Andros Kn^t Governor &c, Ralph Wormeley, William Byrd, Chriftop Wormeley, Edmond Jenings Elq^{rs}
Ordered that the Clerke of the General Affembly go to the House of Burgesses and Acquaint them that his Excellency Comands their imediate Attendance in the Court House where they being come,

His Excellency told them, he was verry glad to See fo good an Appearance this first day of the Assembly and Comanded them to go back to their House and make Choice of their Speaker

September 25th 1696

Prefent

IS Excellency S^r Edmond Andros Kn^t Governor &c, Ralph Wormeley, William Byrd, Christop Wormeley, Edmund Jenings Elq^{to}

A Message from the House of Burgesses by m^t Benj^{to} Harrison &c Acquainting his Excellency that in Obedience to his Excellency's Comands the House of Burgesses had made choice of their Speaker

Generall Court House

Prefent

IS Excellency S' Edmond Andros Knt Governor &c., Ralph Wormeley, William Byrd, Christop' Wormeley, Edmond Jenings, Daniel Parke Esqts

Ordered that the Clerke of the Generall Assembly go to the House of Burgesses and Acquaint them his Excellency Comands their Attendance in the Generall Court House.

The House of Burgesses wait upon his Excellency in the Court House and M' Robert Carter Acquaints his Excellency that the House of Burgesses had made choice

of



of him for their Speaker, and haveing made a Speech difableing himfelfe, was confirm'd by his Excellency, and then prayed that what priveledges that House have usually had or Ought to injoy might be continued and Confirmed to them, which his Excellency Accordingly granted and then made a Speech and is as as ffolloweth.

Gent.

I do not doubt [See J. of H. of B., 1695-1702, p. 59.]

September 28th 1696

Prefent

IS Excellency St Edmond Andros Knt Governor &c., Ralph Wormeley, William Byrd, Christop Wormeley, Edmond Jenings, Daniel Parke Efqre

A meffage from the House of Burgesses by Mr John Taylor &c praying his Excellency to Appoint a messinger to Attend the House of Burgesses

Ordered that a Comiffion be prepared Appointing m^r John Chiles his Majesties Messinger to attend the House of Burgesses A message

ffrom the House of Burgesses by Coll^o Isaac Allerton &c presenting an Address to his Excellency in these words

To his Excellency [See J. of H. of B., pp. 63-64.]

Ordered

That the Clerke of the Generall Affembly carry the ffollowing answer to the address of the House of Burgesses, and the Account of Amunition and Stores of warr, with the Kings and Councills Letters defired

By his Excellency

M' Speaker & Gent of the House of Burgesses

Upon your address of this day I have by advice in Councill Appointed *Tuefday* next for a Day of thanksgiving and prayers to be kept by this Generall Assembly

Sign'd E Andros

29th Septembr 1696

October 2d 1696

Prefent

IS Excellency S^t Edmond Andros Kn^t Governor &c, Ralph Wormeley, William Byrd, Christop Wormeley, Edmund Jenings, Daniell Parke Efq^{to}
A message to the Councill

ffrom the House of Burgesses by M^r John Withers &c desireing a conference with Some of the Councill about that part of his Excellencys Speech which relates to the Secureing of Amunition and Stores of warr on the ffrontiers Sea & Land for the better defence of the Countrey, and that the Councill please to appoint a time and place.

Ordered

That the Clerk of the Generall Assembly go to the House of Burgesse and Acquaint them that they have Considered their Message for a Conscrence upon that part of his Excellers Speech which relates to Secureing the Amunition &c and defence of the firontiers, and that in answer thereto they have Appointed three of them to conferr with Such of the House as shall be Appointed to meet them in the great Hall on Monday next four a Clock in the afternoon

Edward Hill, Edmund Jenings, and Daniel Parke Efqr are Appointed to Mañage the Conference Appointed to be had with Some members of the House of Burgesses on Monday Next.

Monday



Monday October 5th 1696

Present

IS Excellency St Edmond Andros Knt Governor &c., Ralph Wormeley, William Byrd, Christop Wormeley, Edmond Jenings, Daniel Parke Efqto A Message

ffrom the House of Burgesses by Colle Isaac Allerton &c presenting the ffollowing bills which they had passed, and desireing the Concurrence of the Councill Vivi

A Bill for repealing the prohibition of planting tobacco after the laft day of June Annually.

A bill for altering the Court day's in Accomack County

A bill giveing a reward to Indians for Killing of Wolves

A bill for Ascertaining the rate & vallue which money Shall pass at

A meffage to his Excellency & Councill by Mr John Giles [Chiles or Childs] &c prefenting an Addrefs Viz'

To his Excellency Sr Edmond Andros Knt his Maj's Lieut and Governor Generall of Virginia, and the Honeble Councill of State.

The humble Address of the House of Burgesses.

May it pleafe yr Excy & Honors

Whereas it is reprefented [See J. of H. of B., p. 71.]

October 7th 1696

Prefent

IS Excellency S^t Edmond Andros Kn^t Governor &c, William Byrd, Christop Wormeley, Edward Hill, Edmund Jenings, Esq^{to} M^t Comissary Blair.

Ordered

That the Clerk of the Generall Affembly carry the ffollowing answer to the House of Burgesses address concerning the taking up of Land on the South Side the Blackwater Swamp. Vizi

By his Excellency & Councill

M' Speaker & Gent of the House of Burgesses

In answer to your Message relating to takeing vp Lands on the South Side of Blackwater Swamp, all due regard will be had therein as occasion

(Sign'd) By ordr of His Excy & Councill

7th October 1696

R. Beverley Cl. Gen Affembly

Post Meridiem

Prefent

ILLIAM BYRD, Christop Wormeley, Edward Hill, Edmond Jeñings Esq., James Blair Comissary

A bill for repealing the prohibition of planting tobacco after the laft day of *June* Annually, read the first time, & ordered A Second reading A bill for altering the Court days in *Accomack* County, read the first time, and Ordered a Second reading

A bill giveing reward to Indians for Killing of wolves read the first time, and Ordered a Second reading.

A bill for Afcertaining the rate & vallue which money Shall pass at, read the first time & Ordered a Second reading

Coll^o Hill &c reports from the Conference that he had Acquainted the Conferees from the House of Burgesses of his Excellencys desires concerning the firontiers and that they were verry well Satisfied therewith and Said they would report the Same to the House.

October



October 8th 1696

ILLIAM BYRD, Chriftop Wormeley, Edward Hill, Edmund Jenings Efgre, James Blair Comissary, Dan! Parke Esq.

A bill for repealing the prohibition of planting tobacco after the last day of June Annually read the Second time, and Ordered to be read the third

A bill for altering the Court days in Accomack County read the Second time, & Ordered a third reading.

A bill giveing reward to Indians for killing of wolves read the Second time, &

Ordered a third reading.

A bill for Ascertaing the rate and vallue which money shall pass at, read the Second time, and Ordered a third reading.

October 9th 1696

Prefent.

"ILLIAM BYRD, Chriftop Wormeley, Edward Hill, Edmund Jenings Efgra, James Blair Comissary, Daniel Parke Esq. A bill for repealing the prohibition of planting tobacco after the laft

day of June Annually read the third time and with Some Amendments Affented to.

A bill for altering the Court days in Accomack County read the third time and Affented to.

A bill giveing reward to Indians for killing Wolves read the third time and with Some Amendments Affented it.

Ordered

That the Clerk of the Generall Affembly carry the Said bills with the Amendments to the House of Burgesses

A bill for punishment of fornication & Severall other Sins and offences read the first time, & Ordered a Second reading

A bill for divideing King and Queen County read the first time, and Ordered a Second reading.

A bill for the Support and Maintenance of the Clergy, read the first time, and Ordered a Second reading.

October 10th 1696

Prefent

ILLIAM BYRD, Chriftop Wormeley, Edward Hill, Edmund Jenings Efq., James Blair Comissary.

His Excellency laid before the Councill a paper given him late last night by Mr Comiffary entitulled an A&t for facilitating the payment of the Donations already made to the Colledge of William and Mary in Virginia which being Confidered by the Councill, they find it not regular, nor According to the Ulual proceedings, It is therefore referred till Monday next, for Mr Benjamin Harrifon Jun' to appear who is alledg'd by Mr Comiffary to be the drawer thereof and by him defired to be heard therein.

A bill for punishment of fornication and Severall other Sins and Offences read the Second time

A bill for Divideing King and Queen County read the Second time

A bill for the Support & Maintenance of the Clergy read the Second time

A Meffage from the House of Burgesles by William Byrd Junt Elqt &c presenting the two ffollowing Bills which they had pais'd and defired the Concurrence of the Councill in Vize



A bill for Afcertaining the place where the Court of York County Shall be kept.

A bill for Afcertaining the Gage of Pork tarr & other Barrills.

A meffage from the House of Burgesses by W^m Byrd Jun' Esq' &c presenting for the Councills view the two following bills with the Amendments made by the Councill agreed to by the House of Burgesses, and made in the Said bills Viz'

A bill for repealing the prohibition of planting tobacco after the last day of June

Annually.

A bill giveing a reward to Indians for killing of Wolves.

October 12th 1696

Prefent

RICHARD LEE, William Byrd, Chriftopher Wormeley, Edward Hill Efqra A Mcffage from the House of Burgesses by William Byrd Juna Esqra &c. presenting the stollowing bills which they had pass'd and desire the concurrence of the Councill in Vizi

A byll for imposeing penalties vpon the non appearance of evidences

A byll declaring how long Judgements & Specialties shall be pleadable.

A bill for alteration of inconvenient roads

A bill for Afcertaining damages upon Appeales

October 13th 1696

Prefent

PICHARD LEE, William Byrd, Christop Wormelcy, Edward Hill, Edmund Jenings, Daniell Parke Esq.

The following bills were read the first time Viz'

A bill for Afcertaining the place where the Court of York County Shall

be kept

A bill for Ascertaining the Gage of Pork Tarr, & other bills [barrels]

A bill for imposeing penalties upon the non Appearance of evidences.

A bill declaring how long Judgements and Specialties Shall be pleadable

A bill for the alteration of inconvenient Roads, &

A bill for Afcertaining damages vpon Appeales,

The paper entituled an A& for facilitating the payment of the Donations already made to the Colledge of William & Mary in Virginia, being referred from Saturday till Monday that M^r Benj^s Harrifon Jun^r might be here, and M^r Comiffary Blair who prefented the Same nor the Said Harrifon not being in town, It was not then called & being now again read, It is further referred that the Said Harrifon may be heard or till M^r Comiffary come.

The bill for Afcertaining the rate and vallue which Money Shall pass at being read the third time is not Afsented to.

The bill for divideing King and Queen County being read the third time, is not Affented to.

The bill for repealing the prohibition of planting tobacco after the last day of June Annually, and the Bill giveing reward to Indians for Killing Wolves being return'd Amended and affented to by the House of Burgesses According to the Amendments in Councill

Ordered

That the Clerk carry the Said four bills to the House of Burgesses

The bill for punishment of ffornication and Severall other Sins and offences, &

The bill for the Support and Maintenance of the Clergy M^r Comiffary Blair not being here are referred.

October



October 14th 1696

Prefent

ICHARD Lee, W. Byrd, Chriftop Wormeley, Edward Hill, Edmund Jenings Efq., James Blair Comiffary, Dan! Parke, Charles Scarburgh Efq.

Mr Comissary Blair desires to withdraw the paper which he put in on ffryday night last Entitulled an A& for facilitateing the payment of the donations already made to the Colledge of William and Mary in Virginia Which is Accordingly granted.

Upon the petition of Benjamin Harrison and William Randolph two of the trustees for the College of William & Mary in Virginia, leave is given them to bring in a bill for facilitating the payment of the donations already made to the Said College.

October 15th 1696

Prefent

PICHARD Lee, Christop Wormeley, Edward Hill, Edmund Jenings Esq., James Blair Comissary, Daniel Parke, Charles Scarburgh Esq.

The Six following bills were read the Second time Viz'

A bill for Afcertaining the place where the Court for York County Shall

be kept

A bill for Afcertaining the Gage of Pork tarr & other barrills

A bill for imposeing penalties Vpon the non appearance of Evidences A bill declaring how long Judgements & Specialties shall be pleadable

A bill for the Alteration of inconvenient Roads &

A bill for Afcertaining of Damages Vpon appeal's, and Ordered to be read a third time

William Randolph and Benjamin Harrison two of the trustees for the College of William and Mary in Virginia According to leave given them yesterday presented a bill for payment of the Donations already made to the Said College which was read the first time & Ordered a Second reading.

A Meffage from the House of Burgesses by M^r John Taylor &c presenting two bills which the house had passed, and defired the Concurrence of the Councill in Viz^t

A bill for prevention of Clandestine Marriages &

A bill for Afcertaining what Shall be Sufficient proof to Letters of Attorney.

A Message from the House of Burgesses by William Byrd Jun Esq &c presenting two bills which the house had passed and desire the Concurrence of the Councill in Viz.

A byll for Erecting and building of pounds in the Counties of Accomack and Northampton &

A bill for the better Supply of the Country with Armes and Amunition

October 16th 1696

Prefent

PICHARD LEE, W. Byrd, Chriftop: Wormeley, Edward Hill, Edmund Jenings Esq., James Blair Comissry, Dan't Parke, Char: Scarburgh Esq.

The bill for prevention of Clandeftine Marriages read the first time and

Ordered a Second reading

The bill for Afcertaining what shall be Sufficient proofe to Letters of Attorney read the first time and Ordered a Second reading.

The bill for Erecting & building of Pounds in Accomack and Northampton read the

first time & Ordered a Second reading

The bill for the better Supply of the Country with Arm's and Amunition, read the first time and Ordered a Second reading.

The



The bill for punishment of ffornication and Severall other Sius and offences read the third time & with Some Amendments Agreed to

The bill for the Support and Maintenance of the Clergy read the third time and with Some Amendments agreed to.

The bill for Afcertaining the place where the Court of York County shall be kept read the third time & agreed to.

Ordered that the Clerke of the Generall Affembly carry the Said three bills, with the amendments to the House of Burgesses.

A bill for facilitating the payment of the Donations to the College of William and Mary in Virginia, read the Second time, and Ordered to be read the third time.

The bill for Afcertaining the Gage of Pork Tarr and other Barriells, read the third time and Severall Amendments Ordered to be made in the Said bill.

October 17th 1696

Prefent

ICHARD LEE, William Byrd, Chriftop Wormeley, Edward Hill, Edmund Jenings Elqr, James Blair Comiffary, Dan Parke, Charles Scarburgh Elqr The Amendments made by Order of Yesterday to the bill Ascertaining the Gage of Porke Tarr and other barrells, were read and the Said bill agreed to with the Said Amendments.

The bill for imposeing penalties Vpon the Non-appearance of Evidences, was read the third time and Agreed to.

The bill declaring how long Judgements and Specialties shall be pleadable, read the third time and Agreed to.

The bill for the alteration of inconvenient roads, was read the third time, & rejected The bill for Afcertaining of Damages Vpon appeales was read the third time and Agreed to.

Ordered

That the Clerk of the Generall Affembly carry the Said five bills with the Amendments to the House of Burgesses

A Meliage from the House of Burgesses by Mr William Leigh &c presenting the bill for punishment of fornication and Severall other Sins and Offences with the amendments proposed by the Councill inserted in the Said bill by the House, which being viewed by the Councill the Said bill with Said Amendments was agreed to.

Ordered

That the Clerk of the Generall Affembly return the Said bill to the House of Burgesses

A bill for prevention of Clandestine Marriages read the Second time and Ordered a third reading.

A bill for Afcertaining what Shall be Sufficient proofe to Letters of Attorney read the Second time and Ordered A third reading

A bill for Erecting and building of Pounds in the Counties of Accomack and Northampton read the Second time and Ordered a third reading

A bill for the better Supply of the Country with Armes & Amunition read y* Second time & ordered a third reading

A bill for facilitating the payment of the Donations to the College of *William* and *Mary* is referred to be read the third time on *Monday*, M^r *Comiffary* not haveing Shewed the breiffs or Charter as defired before now.

A meffage to his Excellency by M^r William Leigh &c prefenting an Address from the House of Burgesses

A meffage to the Councill by M^r William Randolph &c prefenting two bills which the House of Burgesses had passed and defire the concurrence of the Councill in Viz^s

A bill appointing Rangers at the heads of the great Rivers &



A bill for prevention of Mischies from the Maryland Indians hunting in Virginia. A meffage to the Councill by William Randolph Efgr &c defiring a Conference with Some of the Councill vpon the Amendments proposed to the bill for the Support and Maintenance of the Clergy Ordered

That in answer thereto, the Clerk of the Generall Assembly go to the House of Burgeffes and Acquaint them that three of the Councill are Appointed to meet Such as Shall be Appointed by the Houle of Burgeffes to conferr with them as aforefaid on Monday next four a Clock in the afternoon in the great Hall.

Monday October 19th 1696

Prefeut

ICHARD LEE, William Byrd, Christop Wormeley, Edmund Jenings, Cha: Scarburgh Elq"

Richard Lee, Edmund Jenings & Charles Scarburgh Efgra are Appointed to Manage the Conference Appointed this afternoon Vpon the Amendments

proposed to the bill for the Support and Maintenance of the Clergy

A message from the House of Burgesses by Coll Isaac Allerton &c Presenting a bill for regulateing and afcertaining County Court Clerks fees, which the House had passed and defire the Concurrence of the Councill in

Tuesday October 20th 1696

Prefent

ICHARD LEE, William Byrd, Chriftop Wormeley, Edward Hill, Edmund Jenings Efqrs, James Blair Comiffry, Dan! Parke, Charles Scarburgh Efqrs

The bill for facilitating the payment of the Donations to the College of William and Mary in Virginia being read the third time and the question put whether it Should pass as it is, it passed in the Negative & the question being put whether it Should be Amended it passed also in the Negative

A bill for prevention of Clandestine Marriages read the third time and with Some Amendments agreed to.

A bill for Ascertaining what Shall be Sufficient proofe to Letters of Attorney read the third time and with Some Amendments agreed to.

A bill for Erecting and building of pounds in the Counties of Accomack and Northampton, read the third time and with Some Amendments Agreed to. Ordered

That the Clerk Carry the Said three bills to the House of Burgesses

A bill for the better Supply of the Country with Arm's and Amunition read the third time and referred again to be again confidered to Morrow Morning

A bill for Ascertaining the Gage of pork tarr and other barrells, with the Amendments proposed by the Councill inserted in the Said bill and Agreed to by the House of Burgesses being Viewed by the Councill, the Said bill with the Said Amendments are Affented to, & Ordered that the Clerk return the Said bill to the House of Burgesses

A bill appointing Rangers, at ye heads of ye four great Rivers, read ye first time & ordrd a 2d reading.

A bill for prevention of Mischeifs from the Maryland Indians hunting in Virginia, read the first time and Ordered a Second reading

A bill for regulateing and Afcertaining County Court Clk's fees read the first time and Ordered a Second reading.

October



October 21th 1696

Prefent

RICHARD LEE, William Byrd, Chr: Wormeley, Edward Hill, Edmund Jenings Efq¹⁵, James Blair Comiff¹⁶, Dan¹ Parke, Charles Scarburgh Efq¹⁵

A Meffage from the House of Burgesses by Isaac Allerton &c presenting the book of publick claimes which they had passed and defired the Concurrence

of the Councill &

A bill for prevention of Clandestine Marriages with the Amendments proposed by the Councill inserted in the Said bill and Agreed to by the House of Burgesses.

Refolved that a meffage be Sent to the House of Burgesses on the Subject matter of Amendments proposed to the bill for Support and Maintenance of the Clergy and Ordered that Edward Hill and Edmund Jenings Esq. prepare the Same.

October 23th 1696

Prefent

PICHARD LEE, William Byrd, Chris Wormeley, Edward Hill, Edmund Jenings Efq¹³, James Blair Comiff¹⁹, Dan! Parke, Char: Scarburgh Efq¹³

A Message from the House of Burgesses by Isaac Allerton Esq. &c returning the bill for the Support and Maintenance of the Clergy with the Amendments, to which the House of Burgesses have Agreed, Except the word [Sixteen] instead of the word [fourteen] In which they do adhere to the former vote of their House.

Edward Hill and Edmund Jenings Efq" having prepared a Meffage to the House of Burgesses on the Amendments proposed to the bill for Support and Maintenance of the Clergy which being read and approved of Ordered

That the Clerk of the General Affembly carry the Said bill to the House of Burgesses and the Said Message which is as stolloweth.

By the Councill

M' Speaker & Gent. of the House of Burgesses.

His Excellency having been pleafed [See J. of H. of B., p. 93.]

A bill for the better Supply of the Country with Armes and Amunition is Comitted to Christopher Wormeley & Daniel Parke Efq. to confider of fit amendments to be made thereon, and report tomorrow Morning.

A bill Appointing Rangers at the heads of the flour great Rivers read the Second time & Ordered a third reading.

A bill for prevention of Mischies from the Maryland Indians hunting in Virginia, read the Second time & Ejected

A bill for regulateing and Afcertaining County Court Clerks fees read the Second time & Ordered a third reading

A meffage from the House of Burgesses by William Randolph Esqr &c presenting the bill for the Support & Maintenance of the Clergy with the Amendments as proposed at the conference inserted in the Said bill by the House of Burgesses, which being Viewed by the Councill is agreed to.

October 24th 1696

Prefent

ILLIAM BYRD, Chriftop Wormeley, Edward Hill, Edmond Jenings Efq., James Blair Comiff, Daniel Parke, Charles Scarburgh Efq. Chriftopher Wormeley & Daniel Park Efq. report the bill for the better

Supply of the Country with Arm's & Amunition with Severali Amendments to be made hereto, which being read, are agreed to.

A bill Appointing Rangers at the heads of the four great Rivers being read the third time is agreed to with Some Amendments.



A bill for prevention of Clandeftine Marriages with the Amendments propofed by the Councill inferted and Agreed to by the Houfe of Burgeffes, is Affented to Ordered

That the Clerk of the Generall Affembly carry the Said three bills with the Amendments, and the bill for the better Support and Maintenance of the Clergy, and the bill for the prevention of Mifchiefs from the Mary Land Indians hunting in Virginia to the Houfe of Burgeffes.

A bill for regulateing and Ascertaining County Court Clerks sees is Comitted to Edward Hill and Charles Scarburgh Esq. to confider of fitt Amendments to be made thereto & report on Monday Morning.

October 26th 1696

Prefent

ILLIAM BYRD, Chriftop Wormcley, Edward Hill, Edmund Jenings Efq., James Blair Comiff, Daniel Parke, Charles Scarburgh Efq. A Meffage from the House of Burgesses by M. W. Baffett &c presenting

the bill for Appointing Rangers at the heads of the four great Rivers, and Saying that the House do Adhere to the Said bill as it was before passed in the House & pray the concurrence of the Councill

October 27th 1696

Prefent

ILLIAM BYRD, Christop' Wormcley, Edward Hill Esq¹⁸, James Blair Comissey, Dan! Parke, Charl: Scarburgh Esq¹⁸

A Bill for regulateing and Afcertaining County Courts Clerks fees, is Agreed to.

The Book of publick claimes being read, Some Amendments and Additions were made, & Ordered

That the Clerk of Generall Affembly carry the Said Bill, and Book of Claimes with the Amendments to the House of Burgesses.

A Meffage from the House of Burgesses by William Randolph Esq &c presenting the Book of Claimes with Severall Additions made thereto, by the House & prayed the concurrence of the Councill, which being Considered, and one of the Said additions not thought Sufficient, the following Message was written

By the Councill

M' Speaker & Gent of the House of Burgesses.

Upon confideration of your allowance [See J. of H. of B., p. 96.]

A bill for Appointing Rangers at the heads of the four great Rivers is Agreed to.

Ordered

That the Clerk of the Generall Affembly carry the Said Written Meffage with the Book of Claimes, & the Said Bill to the House of Burgesses

October 28th 1696

Prefent

RICHARD LEE, William Byrd, Chr.: Wormeley, Edward Hill, Edmund Jenings Elqto, James Blair Comiffro, Dan! Park, Char: Scarburgh Elqto

A Meffage from the House of Burgesses by M^r John Thompson &c bringing the Book of Claimes again with a written resolve of the House in these words

May it pleafe yo' Hono's

The House of Burgesses [See J. of H. of B., p. 96.]



And further acquainting the Councill that there was Nothing now lay before the House

The Said Meffage being Confidered

Ordered

That the Clerk of the Generall Affembly return the Book of Claimes, with the ffollowing Message.

By the Councill

M' Speaker & Gent of the House of Burgesses

We have confidered [See J. of H. of B., p. 96.]

A Message from the House of Burgesses by Capt Michael Sherman &c presenting again the Book of Claimes with A written Message in these words

May it please yor Honor:

The House of Burgesses [See J. of H. of B., pp. 96-97.]

Which Meffage being confider'd, & the Said Amendment of twenty pounds made in the Book of Claimes it is a Agreed to.

Ordered

That the Clerk of the Gen^{II} Affembly return the Book of Claimes to the House of Burgesses and Acquaint them the Councill expects they Send them the roll of bills which are past for their perusall

October 29th 1696

Prefent

PICHARD LEE, William Byrd, Christop Wormeley, Edward Hill, Edmund Jenings Esq., James Blair Comission, Charles Scarburgh Esq.

A Meffage from the House of Burgesses by M^r William Leigh &c presenting the Roll of Bills which were past, for the Councills View.

October 30th 1696

Prefent

RICHARD LEE, William Byrd, Chr Wormeley, Edward Hill, Edmund Jenings Efqre,
James Blair Comiffre, Charles Scarburgh Efqre
A Message from the House of Burgesses presenting the Book of proportions

of publick dues in tobacco.

The Account of money due vpon the four pence \mathfrak{P} gall; and the proportion thereof & A bill for raifing a publick Levie to all which they pray the Councills concurrence. The book of proportions of publick dues in tobacco

The Account of money due vpon the 4d & gall: and the proportion thereof &

A bill for raifing a publick Levie

being read are Agreed to and Ordered that the Clerke of the Generall Affembly carry the Same to the House of Burgesses, together with the roll of Bills which they had sent

The Councill in Confideration of the Clergys Address haveing Ordered a Copy thereof for the House of Burgesses as concerned therein; Ordered that the Clerk of the Generall Assembly Acquaint the House of Burgesses therewith and carry them the Said Copy.

October 31th 1696

Prefent

IS Excellency S^r Edmond Andros Knt Governor &c., Richard Lee, William Byrd, Edward Hill, Edmund Jenings Esq¹⁸, James Blair Comiss¹⁹, Dan¹ Parke, Charles Scarburgh Esq¹⁸

A Melfage from the House of Burgesses by Coll Isaac Allerton &c prefenting an address to his Excellency, in answ to ye Clergys Address

Ordered



Ordered that the Clerk of the Generall Affembly Acquaint the House of Burgesses that his Excellency Comands their Attendance in the Generall Court House forthwith

And the Said House of Burgesses being thither come, his Excellency was pleased to Sign the Severall Law's hereaster mention'd, which were presented by M^t Speaker Viz^t

An A& for prevention of fornication & Severall other Sins and Offences

An Ad for altering the Court days in Accomack County.

An AA for giveing a reward to Indians for killing of Wolves.

An A& for repealing the prohibition of planting tobacco after the laft day of June Annually.

An Ad for Afcertaining Dumages vpon Appeales

An Ad for imposeing penalties upon the Nonappearance of evidences.

An Ad declaring how long Judgements & Specialties Shall be pleadable.

An A& for Afcertaining the place where the Court for York County Shall be kept.

An A& for Afcertaining the Gage of Pork Tarr and other barrells.

An Ad for prevention of Clandestine Marriages.

An Act for the better Support & Maintenance of the Clergy

An A& for Afcertaining County Court Clks fees

An A& Appointing Rangers at the heads of the four great Rivers

An Act for Raifing a publick Levie

And then

His Excellency Ordered the Said House to return and adjourn themselves to Thurfday the 29^{th} day of Aprill next.

A true Copy

Test R Beverley Cl Gen! Affbly



ATT A

GENELL ASSEMBLY

begunn att James City ye 18th day of Aprill 1695 & Continued by prorogation & adjournmt to ye 21st day of Octor in ye ninth year of ye Reigne of our Sovereigne Lord William by ye Grace of God of England Scotland france Ireland & Virginia Defends of the faith &c Annoq Domini 1697.

[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1411, pp. 40-57.]

Att a Genell Assembly begunn att James City ye 18th day of Aprill 1695 & Continued by prorogation & adjournmt to ye 21st day of Octor in ye ninth year of ye Reigne of our Sovereigne Lord William by ye Grace of God of England Scotland france Ireland & Virginia Defende of the &c Annoq Domini 1697,

[October 21ft 1697.]

Prefent.

IS Excelly, Wm Byrd, Chr. Wormeley, Edward Hill, Edmo Jenings, Richd Jnofon, Chr. Scarburgh Ino Lightfoot Efq" A melfuage from ye house of Burgesses by Capt Wm Randalph &c acquainting his Exy yt ye house was mett & waited his Exys Commands his Exy told them they were an adjourned house & might proceed on theire Business

Genll Court house ye 23d Octor 1697

Prefent

II IS Ex, Wm Byrd, Chr Wormeley, Edward Hill, Edmo Jenings, Richo Jnoson, Ch: Scarburgh, Ino Lightfoot Elgra Ordrd that ye Clerk of the Gen'l Assembly doe Signifie to ye house of Burgeffes his Exys Comands Imediatly to attend him in ye Gen'l Court house where being Come his Exy thus Exprest himselfe Gent.

Soon after yo' adjournment [See J. of H. of B., pp. 105-106.]

Coll Chr Wormley & Coll Edmo Jenings are appointed to Administ the Vsuall Oaths ye test to the New Elected Members of ye house of Burgesses

Coll Chr Wormley & Coll Edmo Jenings went to the Gen" Court house & Administrd ye Oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Sup'macy the test to Mr Phill Ludwell Junit in the Room of Mr Wm Sherwood for James City decd to Mr James Cock for Henrico County in the room of Mr Wm Byrd gone for England to M' Rob' Hubbard in ye Roome of M' Rich' Whitaker Sheriff for Warwick County.

Octo 26th 1697

ICHD LEE, W. Byrd, Chr Wormley, Edward Hill, Edmo Jenings, Richd Jnofon, Chr Scarburgh Efq" A Melfuage from ye house of Burgesses to ye Councill by Cap' Withers &c

defireing a Conference with the Councill abt that part of his Exy speech relating to Indians

Coll Rich's Lee Coll Wm Byrd and Coll Ed Jening' are appointed to Manage the Conference

Ord'd



Ord'd y^t y^e Clerk of y^e Gen^{II} Affembly doe Acquaint y^e house of Burgesses y^t three of the Gent of the Councill will Meet Such Members of the house of Burgesses as they shall appoint to Conserr ab^t that part of his Exy^e Speech relateing to Indians att 5 a Clock in the Astr Noon in the great Hall

Octor 29th [27th] 1697

IS Ex^y, Rich^d Lee, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^ofon, Chr: Scarburgh Esq^{to}

An Address from ye house of Burgesses to his Exy by Capt Wm Leigh &c

To his Ex^y S^r Edm^o Andros Kn^t his Maj^{us} Lev^t & Governour Gen^u of Virginia the humble addrefs of the house of Burgesses May itt please your Exc^y

Wee his Majtie Loyall [See J. of H. of B., p. 109.]

Octor 28th 1697.

Prefe!

IS Ex, Rich^a Lee, Wm Byrd, Chr. Wormley, Edward Hill, Edm^o Jenings, Rich^a Jn^ofon, Chr. Scarburgh Elq^o

Coll Lee reports from the Conference with the Members appointed by the house of Burgesses that ye Gent Acquainted them they were not soe Much for a Conference as to Advise what May be for ye good of this Country & ye best ways & Methods for bett Secureing itt yt they Conceived the laws were Sufficient but defired the Councill to propose any other means or Methods the Gent of the Councill not being directed So to do told them they would report the Same to ye board

Upon Confid^rtion of the Address of the house of Burgesses to his Ex^y of yesterday w^{ch} his Ex^y was pleased to lay before the Councill, the Councill doe desire Conference with the house of Burgesses

Coll Rich^d Lee Coll Wm Byrd & Coll Ed Jenings are Appointed to Manage the Conference

Ord'd that the Clerk of the Gen¹¹ Affembly doe Signifie to y* house of Burgesses that y* Councill desire a Conference with the house of Burgesses & that three of the Councill will meet Such Members as the house shall appoint to Conferr abt the Subject Matter of his Exys Speech Relateing to Indians & the Militia att 9 a Clock a Clock to Morrow Morning in the Great Hall

Octor 29th 1697

Prefent

RICH^D LEE, Wm Byrd, Chr. Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^ofon, Chr Scarburgh Efq¹⁸

Coll Lee reports from the Conference defi'd by the Councill that they mett the Gent—appointed by the house & did acquaint them that they were to Conferr on the Subject Matt' of the Address of the house of Burgesses to his Ex's Speech relateing to the Indians & the Militia that to the first they thought ye Same was not fully and plainly Express'd & desired the Advice of the house whether the Piscataway Indians ought to be removed or what fitt to be done & the Indian prisoners to be released or Continued & that relateing to the Militia his Ex's did Mention to the house of Burgesses on the Representation of the Councill & the Severall Comd's in Chiefe that they thought



thought the laws were wanting and Vncertain being Variously and dubiously Expounded & Executed theirfore the Gent of the Councill thought itt proper & fitt for theire Confidation all web being fully discoursed the Member[s] Said they would faithfully report itt to the house—

Capt Michaell Sherman &c bring from ye house of Burgesses the booke of Claimes

Octor 30th 1697

Prfent

RICHD LEE, Win Byrd, Chr Wo'mley, Edward Hill, Edino Jenings, Richd Jnofon, Chr Scarburgh Elqto

A Messuage from the house of Burgesses by Mr Haney Clk to the Councill

By the house of Burgesses

May itt pleafe yo' Hon'

A Report being Made [See J. of H. of B., pp. 112-113.]

Novem! 11 1697

Prefent

RICH^D LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^ofon, Ch Scarburgh, Jn^o Lightfoot Efq^{co}

the booke of Claiemes being this day read & Confided, Ord'd that the Clerk of the Gen'i Affembly doe Carry the following Message & the Booke of Claimes with ye Amendments to the house of Burgesses.

By the Councill

M' Speaker & Gen' of the house of Burgesses

The Councill haveing Confided [See J. of H. of B., pp. 114-115.]

Nor 2d 1697

Prefen^t

PICHD LEE, Wm Byrd, Chr Wormley, Edward Hill, Edmo Jenings, Richd Juofon, Chr Scarburgh, Juo Lightfoot Elqto

A Meffage from the house of Burgesses by Capt Michaell Sherman &c wth the booke of Claimes the Amendments Additions being agreed to by the house the booke of Claimes returnd to the house by Capt Sherman &c.

Affented to by the Councill Signd by Ord^r of y^e Councill

James Sherlock Cl Gen¹¹ Affembly

Nov' 3d 1697

Prient

RICHD LEE, Wm Byrd, Chr Wormley, Edward Hill, Edmo Jenings, Richd Jnofon Chr Scarburgh Efqts

Ameffuage from the house by Cap' Baffett &c with the booke of proportions
M' Treasurer Byrds Account Ord' of the house to m' Treasurer Byrd to pay
Severall Sums of Money & a bill for Raiseing a publick Levie

The Bill for Raifeing a Publick Levie read and Affented to by the Councill

Signd by Ordr of the Councill

James Sherlock Cl Gen¹¹ Affenibly

Ord'd



Ord'd that the Clerk of the Gen^{:1} Affembly doe Carry the booke of proportions m^t Treafurer Byrds Account and the Ord' of the house & the bill for Raiseing a publick Levie to the house of Burgesses

Affented to by the Councill Signed by Ord^r of the Councill

James Sherlock Cl Gen¹¹ Affembly

A meffuage from the house by Capt Leigh &c Acquainting his Exy that the house had Nothing more lay before them only waite his Exys Comands

Gen^{II} Court house

Prfent

IS Excellency, Rich⁴ Lee, Will Byrd, Chr Wormley, Edward Hill, Edm⁵ Jenings, Rich⁴ In⁵fon, Char Scarburgh Elq⁵

Ord'd that the Cl of the Gen" Affembly doe Signific his Exre Comands to the house of Burgesses Imediately to Attend him in the Gen" Court house to pass ye Bill for raiseing a publick Levie, The hous Attend the Cl of the house of Burgesses read ye Bill for Raiseing a publick Levie his Exre was pleased to Sign the Same and then

the Speaker, His Exy then diffolved the Gen" Affembly.

Iames Sherlock Cl Gen" Affemy



ATT A

GENERALL ASSEMBLY

begun at James City the 28th day of September in the tenth yeare of the Reign of our Soveraign Lord William the third by the Grace of God of England Scotland france Ireland &c King Defender of ye ffaith Annog, Dom. 1698

[Prom the Public Record Office, London, Colonial Office, Class 5, Vol. 1411, pp. 60-65.]

Att Generall Assembly begun at James City the 28th day of September in the tenth years of the Reign of our Soveraign Lord William the third by the Grace of God of England Scotland france Ireland &c King Defender of ye ffaith Annoq, Dom. 1698

[September the 28th 1698.]

Present

IS Excy S^r Edm^d Andros Kn^t Governo^r &c, M^r Audito^r Byrd, Coll^o Edm^d Hill, Coll^o Edm^d Jenings, John Lightfoot Efq^r
His Excy was pleafed to Comiffionate Coll^o W^m Byrd Coll^o Edm^d Hill &

Coll^o Edmund Jenings or any two of them to administer y^e Oathes appointed to be taken in Stead of y^e Oathes of Allegiance & Supremacy the test & the Oath of a Burgess to the Burgesses Elected & returned to Serve in the Gen¹¹ Assembly. And Likewise Comissionated the selected & returned to Serve in the Gen¹¹ Assembly. And Likewise Comissionated the selected & supremacy the test & the oath of Clerk. of the House of Burgesses unto Peter Beverley Gentleman.

In the Gen¹¹ Courthouse Septembr 29h 1698

Prefent

IS Excellency, William Byrd, Edward Hill, Edm² Jenings, John Lightfoot Efq²
His Excy Ordered m² Thacker to go up to y² House of Burgesse and Acquaint them that he Comands their Immediate attendance upon him in the Generall Courthouse and they being come down, Ordered them to return to their house & make Choyce of a Speaker.

September ye 30th 1698.

Prefent

IS Excellency, W^m Byrd, Edward Hill, Edm^d Jenings, John Lightfoot Efq^r
M^r Robert Carter & Severall of y^e members of the House of Burgesses waited on his Excy to acquaint him that in obedience to his Excys Comands the House of Burgesses had made Choyce of their Speaker & defired to know when they Should wait on his Excy to present him.

Ordered that mr Thacker go to the House of Burgesses & acquaint them that his Excy Comands their immediate attendance upon him in the Gen¹¹ Courthouse.

And accordingly the House of Burgesses attended his Excy in the Gen¹¹ Courthouse, and Cap¹ William Randolph Acquainted his Excy that the House of Burgesses had made Choyce of him for their Speaker and haveing made a Speech Disableing himselse was Confirmed by his Excy, and then prayed that what priviledges that house have usually had or ought to Enjoy might be Continued & Confirmed to them which his Exceller Accordingly Granted and was pleased to make the following Speech.

Gentlemen

Great Complaints [See J. of H. of B., 1695-1702, p. 121.]



In the Gen'll Courthouse ye 6th of October 1698.

Prefent

IS Excellency, Richard Lee, William Byrd, Edward Hill, Edm^d Jenings, John Lightfoot Elq¹⁹

Ordered, that Cap' ffrancis Clements go to the House of Burgesse & acquaint them that his Exēy Coñands their Immediate Attendance upon him in the Gen" Court house, and they being accordingly come down, his Excy was pleased to acquaint them that haveing had frequent Assemblies most of them here knew how desireous he has been for Improveing those oppertunities for his Majules & this Countrys Service, and that he is now Concerned at the occasion on account of an act of Parliament to Say that he did Desolve This Gen" Assembly and this Generall Assembly is Desolved.

Cop E. Jenings Depty Sect



AT A

GENERALL ASSEMBLY

began at James City the twenty Seventh day of Aprill 1699.

And in the Eleventh year of the Reigne of our Soveraigne
Lord William by the Grace of God of England Scotland, France
& Ireland King Defender of the ffaith &ca



At a Generall Assembly began at James City the twenty Seventh day of Aprill 1699. And in the Eleventh year of the Reigne of our Soveraigne Lord William by the Grace of God of England Scotland, France & Ireland King Defender of the ffaith &ca

[Aprill the 27th 1699.]

IS Excellency francis Nicholfon Elq^t his Maj^{tyee} Leiv^t and Governour Gen¹¹ of this his Maj^{tyee} Colony and Dominion of Virginia, Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, John Lightsoot, Math: Page, Benj^e Harrison Esq^{ee}

His Excellency haveing been pleafed by his Comicon under the Seale of the Colony to Conftitute, *Benjamin Harrifon* of the County of *James City* Clerke of the Gen¹¹ Affembly, he did Accordingly take the Oaths Appointed by Act of Parliament to be taken inftead of the Oaths of Supremacy and Allegiance and Subfcribed the Teft and the Affociation appointed by Act of Parliament and did take the Oath of Clerke of the Gen¹¹ Affembly and was Ordered to Attend Accordingly.

Ordered that the Clerke of the Gen^{II} Affembly doe goe to all Such of the Gentlemen of the House of Burgesses as are in Town and Comand their Imediate Attendance upon his Excellency and the Councill in the Great Hall; which (by reason that the State house by an vnhappy Accident was lately burnt down) is the place Appointed for his Excellency & the Councill to Sitt, in during This Generall Assembly.

The Gentlemen of the House of Burgesses Attend his Excellency and the Councill in the Great Hall, And His Excellency was pleased to Acquaint them, that Since the State House of this His Majesty's Colony and Dominion was lately by an vnhappy Accident burnt down, He, by and with the Advice of the Councill had Caused a House to be fitted up for the Gentlemen, of the House of Burgesses to sett in, dureing this Generall Assembly, And that he had Comiconated some Gentlemen of the Councill to Administer the Oaths, Test and Association unto them who would Show them the place they were to sitt in, but if they Knew of any better and more Convenient Place in all respects for their Reception, His Excellency was well Satissyed they should Make Choice of it.

His Excellency was also pleased to Acquaint the Gentlemen, That he had Comiconated William Randolph Gentleman to be their Clerke who would Attend them Accordingly And that he had Appointed the Gentlemen of the Councill to Administer the Oaths Test and Association to him.

The Councill Adjourn'd till to Morrow Morning ten of the Clock.

Friday Aprill the 28th 1699;

Prefent

IS Excellency, Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, John Lightsoot, Math: Page, Benj^a Harrison Esq^e

A Message from the Burgesses by Coll Ludwell, who Acquaints His

Excellency that the Burgeffes were in the place Appointed for them to fit in and that there was a full House and did waite His Excellency's Comands.

Ordered.



Ordered. That the Clerke of the Gen^{II} Affembly doe goe to the Houfe of Burgeffes and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall,

The Gentlemen of the House of Burgesses being come into the Great Hall, His Exceller was pleased to Express his Comands to them in this Manner Gentlemen.

I am Glad to fee foe very great an Appearance and of perfons foe well Qualifyed in all Refpects for the Service both of His Maj's and of this His Colony & Dominion and that you have foe many Natives of your own Country Capable of ferving their Country all that I fhall recomend to you at prefent is that you repair to your Houfe and Make Choice of yor Speaker, and then I Shall Comunicate to you the Severall Matters of Import for his Maj's & this Country's Service for which you are Convened at this Time.

The Councill Adjourned till the Afternoon.

Post Meridiem

HE House of Burgesses not haveing yet made Choice of their Speaker, The Councill Adjourned till to Morrow Morning ten of the Clock.

Saterday Aprill the 29th 1699

Prefent

IS Excellency, Rich⁴ Lee, W^m Byrd, Edw⁴ Hill, Edm⁴ Jenings, Rich⁴ Johnson, John Lightsoot, Math: Page, Benj⁵ Harrison Esq¹⁰

His Exceller haveing Yesterday Comanded the House of Burgesses to make Choice of a Speaker, which they not haveing yet proceeded to doe, for as much therefore as it is very Chargeable to the Country that the Gen'i Assembly should Continue long and noe buisness for the service of his Maj's or the Country can be Entred vpon until a Speaker of the House of Burgesses be Chosen.

Ordered. That the Clerk of the Generall Affembly doe goe to the House of Burgesses with this following Message

Gentlemen.

His Excellency and the Councill have for these Two dayes Expected that you would make Choice of a Speaker, which you not haveing yet done, I am Comanded by his Excellency in Councill to acquaint you that it is for the service of his Majesty and this Government that you doe forthwith proceed to make Choice of a Speaker, Therefore his Excellency Comands you in his Majester Name that you doe not any more depart from your House till you have made Such Choice,

Post Merediem.

MESSAGE from the House of Burgesses by mr Leigh who Acquaints his Excellency that in Obedience to his Comands they put the Question in the House between two Gentlemen of their House who stood Candidates for Speaker, and the votes were Equall being twenty on Each side, And this afternoon they had again put the Same Question and were Equally devided as before, therefore they could not Chose a Speaker till the rest of the Members of their House came to Town.

Ordered that the Clerk of the Generall Affembly doe goe to the House of Burgesses and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall.

The



The Burgeffes Attending, his Excellency was pleafed to Express hunfelf in Manner following.

Gentlemen

I am Sorry you have Spent foe much time and Cannot agree vpon a Speaker, but Since it hath foe happened, I defire your Company on Monday Next at the Colledge of William and Mary in Virginia, and recomend it to you to Adjourne Accordingly

The Councill Adjourned till Tuefday Morning ten of the Clock.

Tuesday May the 2d 1699

Prefent

IS Excellency, Rich^d Lee, W^m Bird, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, John Lightsoot, Math: Page, Benj^a Harrison Esq^{es}

A Message from the Burgesses by m^e Cary.

May it please yo' Excellency.

I am Comanded by the House of Burgesses to Acquaint yor Excellency that they have proceeded to the Choice of a Speaker and they pray that yor Excellency will be pleased to Appoint a time when they shall present him.

Ordered That the Clerk of the Gen^{II} Affembly doe goe to the House of Burgesses & Comand their Imediate Attendance vpon his Exceller in Councill in the Great Hall.

The Burgeffes Attend his Excellency and Prefent Robert Carter of the County of Lancafter Efq' as their Speaker who is Approved and Confirmed by his Excellency.

Then m^r Speaker in behalf of the House of Burgesses and of all the Comonalty of virginia did pray that they might Injoy their Ancient Priviledges of ffree Access to his Excellency at such times as he should be pleased to Appoint, freedome of Debate in their House, and the Priviledge of the Members, their Servants & Goods being free from Arrests; which were all Granted.

Then his Exceller was pleased to make the ffollowing Speech.

Honourable Gentlemen.

Before I speake [See J. of H. of B., p. 135.]

The Councill Adjourned till to Morrow Morning ten of the Clock

Wednesday May ye 3d 1699

Prefent

IS Excellency, Rich⁴ Lee, Edw⁴ Hill, Rich⁴ Johnson, John Lightsoot, Mathew Page, Benj^a Harrison Esq¹⁵

A Meffage from the Burgelles by mr Cary &ca

May it please vor Excellency.

We waite vpon yo' Excelles by Comand of the House of Burgesses, to pray that yo' Excelles will please to favour them with a Copy of yo' Speech to them—at the Opening this Session of the Gen'l Assembly.

Ordered

That the Clerk of the Gen¹¹ Affembly doe Carry a Coppy of his Excell^{cy*} Speech to the House of Burgeises.

The Councill Adjourned till to Morrow Morning ten of the Clock

Thursday May ye 4th 1699

Prefent

IS Excellency, Rich⁴ Lee, W^m Byrd, Edw⁴ Hill, Rich⁴ Johnfon, Char: Scarburgh, John Lightfoot, Math: Page, Benj⁵ Harrifon Elqt⁵

The Grievances of the Inhabitants of the vpper parts of Yorke County being read,

Ordered

That the Confideracon thereof be refferred to the House of Burgesses.

The



The Peticon of Some of the Inhabitants of Wilmington and Walingford parifhes being read, reprefenting the inconvenient Scituacon & Devision of their parifhes, &

praying that they may be taken into James City parish.

Ordered That the Confideracon of the Said Peticon be referred to the House of Burgesses and that it be reconnended to them to Consider of and Provide for the more Convenient and Equal Regulacon & Devision of the Other Countyes & Parishes within this Dominion.

A Meffage from the Burgeffes by Capt Duke

May it please yo' Exceller

I am Comanded by the House of Burgesses to pray yor Exceller that a New writt may Issue for the Eleccon of a Burgess for *Henrico* County instead of Capt Wm Randolph the Present Clerk of our House.

A Meffage from the Burgeffes by mr Corbin.

May it please yor Excelley

I am Comanded by the House of Burgesses to pray yor Exceller that a New Writt may Issue for the Election of a Burgess for Stafford County instead of mr John Wangh.

A Comittee to Confider & Setle the Disputes and Controversies concerning Claimes & Titles to Lands in Pamunky Neck and on the South fide of the Black Water Swamp Richa Lee, Willm Byrd & Char: Scarburgh Esq.*

Ordered—That the Clerke of the Generall Affembly doe Carry the following Meffage in writing to the House of Burgesses.

Whereas Severall Controversies [See J. of H. of B., p. 143.]

A Meffage from the Burgeffes by mr Robinfon

May it please yor Excelley

I am Comanded by the House of Burgesses to pray yor Exceller that a New Writt may Issue for the Eleccon of a Burgess for Nansemund County instead of mr Thomas Godwin who was unduely returned.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Friday ye 5th of May 1699.

Prefent

IS Excell^s, Richard Lee, William Byrd, Edward Hill, Rich^d Johnfon, Charles Scarburgh, John Lightfoot, Benj³ Harrifon Elq^{r,5} A Meffage from the Burgeffes by m^r Buckner

May it please yor Excelley

I am Comanded by the House of Burgesses to waite vpon yor Excellency to returne their humble thanks for yor last Message to them concerning the Settlement of Titles to lands in Panunky neck and on the South side of the black water Swamp, to Acquaint yor Exceller that they have Appointed Six Members of their House, not concerned in Interest to be joyned with the Comittee of the Councill for the settling of those Titles.

The Councill Adjourned till Monday Morning ten of the Clock.

Monday May the 8th 1699

Prefent

IS Excellency, Edmond Jonings, Richard Johnson, Charles Scarburgh, John Lightsoot Esq. 5

The Peticon of the Inhabitants of Norfolk County being read and thô it doth not Appear to be presented in the County Court According to Law, Yet Nevertheless the Consideracon thereof is referred to the House of Burgesses, And it is also recomended to them to propose Some Effectual Methods to prevent practices of the like Nature, for the future.

The



The Grievances of the Inhabitants of *Charles City* County read & Referred to the Confideracon of the House of Burgesses.

The Petičon of Sundry the Inhabitants of Norfolk County read & referred to the Confideracon of the House of Burgesles.

Ordered.

That the Clerk of the Genⁿ Affembly doe Carry all papers Concerning the Rangers, Indians & their trade to the House of Burgesses.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Tuefday May ye 9th 1699.

Prefent

IS Exceller, William Byrd, Edwd Hill, Edmond Jenings, Richd Johnson, Cha: Scarburgh, Jno Lightfoot, Math Page, Benja Harrison Esqua

The Petičon of Dionifius Wright praying to be Admitted Clerk to the Joynt Comittee of the Councill & Burgesses Appointed to Consider, and Settle the Disputes and Controversies concerning Claimes and Titles to land in Pamunky neck & on the South side of Black water Swamp was read, and the said Wright being Esteemed a Capable person for that Service the said Petičon is referred to the Burgesses for their Approbacon of him.

Ordered That the Complaints of the Queen of Pamunky and the feverall other Nations of Indians be referred to the Confideracon of the Comittee Appointed to Confider and Settle the Diffutes and Controversies Concerning Claimes & Titles to land in Pamunky Neck & on the South side of the blackwater Swamp and that they doe report their Opinion therevoon.

The Councill Adjourned till to Morrow Morning ten of the Clock

Wedn'sday May ye 10th 1699.

Prefent

IS Excellency, Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, Cha: Scarburgh, John Lightsoot, Math: Page, Benj³ Harrison Esq¹³

Whereas there are many Matters now lying and hereafter to be laid before the House of Burgesses which are of great Moment, and likely to take vp a great deale of time, His Exceller proposed the Recomending the Reviseall of the Lawes to the House of Burgesses, which Reviseall would Answer the Intent of many things now laid before them, and the Other buisness which is of Absolute Necessity to be done at this time may be dispatched in a Short time.

Refolved That It is the Opinion of this board that it is for the Service of his Maj¹⁷ and the Interest of this his Antient and great Colony & Dominion that his Excelled doe recomend the Reviseall of the Lawes to the House of Burgesses and that a Comittee of the Councill be Appointed to Joyne with A Convenient Number of the House of Burgesses to Consider and Agree vpon the most proper Methods to Revise the Laws, dureing the Intervalls between the Sessions.

A Comittee to Confider of the most proper Methods for Reviseing the Lawes.

Edwd Hill Richd Johnson Benjamin Harrison Edmd Jenings Math. Page Esq.

Ordered that the Clerke of the Gen¹¹ Affembly doe goe to the House of Burgesses, And Comand their Imediate Attendance vpon his Exceller in Councill in the Great Hall,

M^r Speaker and the House of Burgesses being come into the Great Hall, His Excell^{cr} was pleased to make the following Speech to them

M' Speaker & Gentlemen of the House of Burgesses

There are already [See J. of H. of B., p. 153.]

The Councill Adjourned till ten of the Clock to morrow Morning.

Thurfday



Thursday May ye 11th 1699

Prefent

IS Excellency, Richd Lee, Willm Byrd, Edwd Hill, Edmd Jenings, Richd Johnson, Cha: Scarburgh, John Lightsoot, Math: Page, Benjo Harrison Esqua

The Severall Petičons of Peter Beverly and Robert Beverly, reprefenting their Services in Methodizeing the papers & Records belonging to the Affembly, Gen¹¹ Court & Secretary's Office and lodging of them in their Respective offices after they had been disordered by the burning of the Statehouse, And praying that they may be considered for their Said Services were Read, and the Consideracon thereof referred to the House of Burgesses.

The Petičon of *Chichly Corbin Thacker*, Clerke of the Secretaryes Office, Setting forth the Number of New writts Iffued for the Elections of Burgesses and praying allowance for the Same According to law, read & referred to the House of Burgesses.

The peticon of *Thomas Davis*, praying Allowance for the bringing feverall Indians & their Interpreter over *James* River, read and referred to the Confideracon of the House of Burgesses.

The Peticon of *John Tullit* Setting forth the Charge he hath been at in fitting up the House for the Burgesses to Sit in, pursuant to an Order of his Excelley in Councill, and praying an Allowance for the Same, read & referred to the Consideracon of the House of Burgesses.

The Peticon of George Ivie & others, for the Repeale of the Act of Assembly, Against English people's Marrying with Negroes Indians or Mullattoes, read, & referred to the Consideracon of the house of Burgesses.

The Petičon of Robert Beverly Setting forth that he being late Clerke of the Secretaryes Office did Iffue feverall Comicons of Oyer and Terminer for the Tryalls of Negro Criminalls purfuant to a late Act of Affembly, for which he had never been paid & praying Allowance for the Same, Read & Referred to the Confideracon of the House of Burgesses.

Whereas by Order of Councill dated Odober the 21th 1698, it was directed that Peter Beverly & Robert Beverly should lift the Records & Papers belonging to the Assembly, Secretaryes Office, & Generall Court, and lodge them in their Severall Offices & returne an Account of their proceedings therein, which they haveing performed & laid their Claime for that Service before this present Gen¹¹ Assembly.

Refolved. That it be recomended to the Gentlemen of the House of Burgesses to Appoint a Comittee to inspect the said Offices and view the Said Records & Papers and Examine the Said Account of them, returned as afforesaid.

A Meffage from the Burgeffes to the Councill by mr Leigh, who acquaints their Honour's that the Burgeffes had under their Confideracon the Grievances of Stafford County and Other papers relateing to the Indians, and Pticularly to the Murders and Other Crimes comitted by the Indian called Squire Tom, and finding the Same to be of great Confequence to this His Majefty's Governmt, they thought it not Convenient to proceed therein without a Conference with their Honours, therefore they defire them to agree to a Conference with the Burgeffes, upon the Subject Matter of this Meffage, & that they will be pleafed to Appoint the time and Place for holding the Said Conference.

The Councill Adjourned till ten of the Clock to Morrow Morning.

Friday May ye 12th 1699

Prefent

IS Excellency, Rich⁴ Lee, William Byrd, Edw⁴ Hill, Edmond Jenings, Rich⁴ Johnfon, Char: Scarburgh, John Lightfoot, Math: Page, Benj⁵ Harrifon Efq⁵ Whereas the Comittee Appointed to Confider & fettle the Claimes & Titles to lands in Pamunky neck and on the fouth fide of the black water Swamp, doe report that the Queen of Pamunky hath Complained that feverall English have Encroached vpon the Libertyes of her people, Contrary to the Articles of Peace, and



and Severall Orders of the Gen^{II} Court, And whereas the faid Conittee doe request his Excellency that an Express be dispatched to Cause two or three of the great men, of the Panunky Indians and their Interpreter to Attend them as Soon as possible, to produce the said Articles of Peace & Orders of Court wherevoon they ground their Complaint.—Therefore Ordered. That a Warrant be prepared requireing m¹ Robert Peasely the Indian Interpreter in New Kent County to Cause three of the great men of the Panunky Indians with all possible Expedition to repair to James Citty to prosecute their Said Complaint, and also that he the said Peaseley should Appear with them,

Refolved That According to the Meffage from the Burgeffes of Yesterday a Conference be Agreed to vpon the Subject Matter of the said Message, and that the said

Conference be held imediatly in the Great Hall, and Accordingly,

Ordered That the Clerk of the Generall Affembly doe goe to the Burgesses and Acquaint them, that the Members of the Councill Appointed to manage the Said Conference are ready to Confer with them in the Great Hall,

Rich's Lee, William Byrd & Benjamin Harrifon Elqt are Appointed to Manage the

faid Conference.

A Meffage from the Burgeffes by m^r Leigh, that they had Appointed a Comittee of ten Members of their House to be Joyned with the Comittee of the Councill Appointed to Consider the most proper Methods for Reviseing the Lawes, and that they were Ready to meet for that purpose at Such time and Place as the Councill should appoint,

Ordered. That the Clerke of the Generall Affembly doe goe to the Burgesses & Acquaint them that the Councill, have Appointed Tuesday next in the Roome over the Great Hall for the Meeting of the Comittee to Consider of the most proper Methods for

Reviseing the Laws

A Meffage from the Burgeffes by m^r Cary who prefents to his Excell^{cy} the following Addrefs.

May it please yo' Exceller

Wee his Maj^{tyes} [See J. of H. of B., pp. 161-2.]

Informacon being given to his Excell^{cy} and the Councill, that the Burgesses had Adjourned till *Monday* next.

The Councill Adjourned till twelve of the Clock on Monday Next.

Monday May the 15th 1699

Prefent

IS Excell^{cy}, Rich^d Lee, William Byrd, Edw^d Hill, Charles Scarburgh, John Lightfoot, Mathew Page Eiq^{cs}

The rest of the Gentlemen of the Councill not being yet come to Town &

Nothing being Offerred from the House of Burgesses.

The Councill Adjourned till to Morrow morning ten of the Clock.

Tuesday May the 16th 1699

Prefent

IS Exceller, Edw^d Hill, Edm^d Jenings, John Lightfoot, Mathew Page, Benj^e Harrifon Efq^{ra}
Whereas Richard Johnson Efq^r is Appointed one of the Comittee to Confider of the most proper Methods, for Reviseing the Lawes and at present he

is not in Town Therefore.

Ordered That John Lightfoot Efq be Added to the faid Comittee instead of the Said

Johnson, untill he shall come to Towne,

Prefent

Richa Lee, Wm Byrd, Charles Scarburgh Efqre

The peticon of William Broadrib & Edward Travis, Church Wardens of James City parish, pray that the Gen¹¹ Assembly would Contribute towards the paying for the Steeple



Steeple of their Church, and towards the Repairing of the Church Read, and the Con-

fideration thereof referred to the House of Burgesses.

Richard Lev Efqr from the Conference with the Burgeffes had reprefented the great damage that the English had Sufferred by the Indian Called Squire Tom, and that he is harboured by the Piscatoway Indians therefore they defired that the Councill will propose some method to bring the said Indian to Justice for the Severall Crimes whereof he is Guilty.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Wedn'sday May ye 17th 1699.

Prefent

IS Excellency, Rich's Lee, W. Byrd, Edw's Hill, Edm's Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benjo Harrison Esqu's

The Giveing an Answer to the Burgesses vpon the Subject Matter of the

last Conference, with them, is referred for further Consideration.

Then the Councill tooke into their Confideracon the Appointing of Certaine of their Members to be joyned with a Confittee of the Burgesses for the Reviseall of the Lawes, wherevpon Richard Lee Esq[†] desired that he might be Excused from Attending vpon that Service, by reason that his habitation is soe very far distant from James City, and over two great Rivers;—and Charles Scarburgh Esq[†] also desired to be Excused for that (his habitacon lying on the Eastside of the Great bay of Chisopeake) he could not possibly Attend, And for as much as William Byrd Esq[†] is his Majives Auditor Gen¹¹ of the Revenues, and Edmond Jenings Esq[†] hath at present the Charge of the Secretary's Office, and therefore they will be Obleiged to Attend those Severall Offices and cannot well be vpon the said Reviseall, they are also Excused from that Service; the Members Appointed for the Said Comittee are Edw^d Hill Esq[†] Mathew Page Esq[†] & Benj^a Harrison Esq[†]

The Councill Adjourned till to Morrow Morning ten of the Clock.

Thursday May ye 18th 1699.

Prefent

IS Exceller, Richa Lee, W. Byrd, Edwa Hill, Edma Jenings, Cha: Scarburgh, John Lightfoot, Math. Page, Benja Harrifon Elqrs

His Exceller laid before the Councill the Answer he Intended to make in Writeing to the Address of the House of Burgesses which they had presented to him; which (Answer) was read in these words.

M' Speaker & Gentlemen of the House of Burgesses.

From fome of the [See J. of H. of B., pp. 166-7.]

A Meffage from the Burgeffes by mr Cuftis to the Councill, who Acquaints their Honours that vpon debate their house had resolved that the state house be built at the Middle plantacon to which they desire their Honours Concurrence.

Edward Hill Efqr from the Comittee to Confider of the most proper Methods for Reviseing the Lawes Reports that they had come to Certain Resolutions, which were read,

and Ordered that they lye upon the Table.

An Engroffed bill from the Burgeffes Intituled a Bill for the more Effectuall suppressing, of Blasphemy, Swearing Cursing Drunkeness and Sabbath breaking, was by m Taylor brought to the Councill for their Honours Concurrence.

Ordered That the Said Bill be read the first time tomorrow Morning.

An Engroffed Bill from the Burgeffes Intituled a Bill for Prevention of Undue Elections of Burgeffes was by in Taylor brought to the Councill for their Concurrence.

Ordered that the faid Bill shall be read the first time to morrow Morning.

The Councill Adjourned till ten of the Clock to morrow morning.—

Friday



Friday May ye 19th 1699.

Prefent

RICHD LEE, Edwd Hill, Edmd Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benjo Harrifon Esquo

An Engroffed bill from the Burgeffes Intituled a bill for the more Effectuall Suppressing of Blasphemy, Swearing Curfeing Drunkeñess and Sabbath breaking, read the first time, & Ordered a Second reading.

An Engroffed bill from the Burgeffes Intituled a bill for prevention of undue

Eleccons of Burgesses, read the first time, and Ordered a Second reading,

The Councill haveing taken into their Confideracon the last written Message from the Burgesses, Acquainting their Honours that the House upon debate had resolved that the Statehouse be built at the Middle plantacon, to which they desired their Honours Concurrence,

Refolved

Nemine Contradicente that the Councill doe Concurr with the faid Refolucon Of the Burgesses & Accordingly

Ordered

That the Clerk of the Generall Affembly doe goe to the House of Burgesses and Acquaint them therewith.

The Councill Adjourned till ten of the Clock to Morrow Morning-

Saterday May ye 20th 1699

Prefent

PICH^D LEE, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^e Harrifon Elgr^e

An Engroffed bill from the Burgeffes Intituled A bill for the more Effectuall Suppressing of Blasphemy Swearing, Curseing Drunkeñess & Sabbath breakeing, read the Second time, & Comitted for Amendm¹³ to Rich⁴ Lee and Charles Scarburgh Efgr³

An Engroffed bill from the Burgesses Intituled a bill for Prevention of Undue Elections Of Burgesses read the Second time, and Comitted for Amendments to Rich's Lee & Charles Scarburgh Esquare

The Councill Adjourned till Monday Morning ten of the Clock.

Monday May ye 22th 1699.

Prefent

RICHD LEE, Edwd Hill, Edmd Jenings, Cha: Scarburgh, Math: Page, Benjo Harrifon Efqra

An Engrossed bill from the Burgesses by m^r Wilson, A bill for Restraining & Punishing Pirats and Privateers, read the first time, and Ordered a Second

reading .-

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill prohibitting the Exportacon of Corne, Wheat, Meal or Bifcuit till the twenty fifth day of December 1700, read the first time, and Ordered a Second reading.

An Engroffed bill from the Burgesses by m^r Wilfon, Intituled, a bill to prevent the Discontinuance of Courts & process, read the first time, & Ordered a Second reading

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill prohibitting the Vnfeafonable Killing of Deer, read the first time, and Ordered a Second reading

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill for Regulateing of Juries, read the first time, & Ordered a Second reading,

An



An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a Bill for the Punithment of Slaves for the first and Second Offence of Hog-stealing, read the first time, & Ordered a Second reading;

An Engroffed bill from the Burgeffes by m' Wilfen, Intituled a Bill reftraining the Strikeing & Killing of Whales, read the first time, and Ordered a Second reading—

An Engroffed bill from the Burgeffes by mr Wilfon, Intituled a bill for Afcertaining the rate & value money shall pass at, Read the first time, & Ordered a Second Reading.

The Councill Adjourned till Wednefday Morning at ten of the Clock.

Wednsday May ye 24th 1699

Prefent

RICHD LEE, Wm Byrd, Edwd Hill, Edmd Jenings, Char. Scarburgh, John Lightfoot, Math: Page, Benjo Harrifon Efqts

A Meffage from the Burgeffes by mt Taylor

May it please yo' Honours

The Burgesses haveing resolved vpon a place for the building of the Statehouse, & your Honours haveing Concurred with them therein, I am Comanded to Acquaint you that they desire a Conference with your Honours, to Consider of a Modell for the Statehouse, and what quantity of land will Necessarily be required for that purpose, and also what will be the most proper Methods of Carrying on the Said building, And if it may Stand with Your Honours Conveniency they desire you will please to Conferr with them herevpon, this Afternoon, or as Soon as yor Other Assairs will permitt.

Refolved.

That an Imediate Conference be held with the Burgeffes in the Great Hall vpon the Subject Matter of the last Message,

Managers Appointed for the Said Conference, Richard Lee, William Byrd, Charles Scarburgh Efqrs And Accordingly

Ordered

That the Clerk of the Generall Affembly doe goe to the House of Burgesses, and Acquaint them that the Councill (according to their desire) doe Agree to an Imediate Conference with them in the Great Hall;

Richard Lee Efq from the Comittee to whom an Engroffed bill, from the Burgeffes Intituled a bill, ffor the more Effectuall Suppreffing of Blasphemy, Swearing Cursing Drunkeness and Sabbath breaking was Comitted for Amendments, Reports Severall Amendments by them made to the said Bill, which were Agreed to by the Councill, And the bill being read the third Time with the Amendments.

Refolved

That the Said Bill with the Amendments is Agreed to by the Councill and Accordingly,

Ordered

That the Clerke of the Genⁿ Affembly doe Carry the Said Bill and the Amendments, to the Burgeffes and Acquaint them, that the Councill have Agreed thereto with Amendments.

Richard Lee Efq' from the Comittee to whom an Engroffed bill from the Burgeffes Entituled a bill, for prevention of Undue Eleccons of Burgeffes, was Comitted for Amendments, Reports Severall Amendment by them made to the faid Bill which were read & Agreed to by the Councill. and The bill being read the third time with the Amendments

Refolved That the faid Bill is by the Councill Agreed to, with the Amendm¹⁸ and Accordingly

Ordered

That the Clerk of the Generall Affembly doe Carry the faid Bill and the Amendments to the House of Burgesses, and Acquaint them, that the Councill have Agreed thereto with the said Amendments.



An Engroffed bill from the Burgeffes, Intituled, a bill for Reftraining and Punifhing Pyratts & Privateers, read the Second time, and Ordered a third Reading.

An Engroffed bill from the Burgeffes—Intituled, a Bill prohibitting the Exportacon of Corne, Wheat, Meale, or Bifcuit, till the 25th day of *December* 1700, read the Second time & Comitted for Amendants to *Rich's Lee* & William Byrd Efgrs

An Engroffed bill from the Burgeffes, Intituled, a bill to prevent the Discontinuance

of Courts and process, read the Second time & Ordered a Third Reading.

An Engroffed bill from the Burgeffes, Intituled, a bill prohibiting the Vnfeafonable Killing of deer, read the Second. & Comitted for Amendments to Charles Scarburgh and Benjamin Harrifon Efq¹⁸

An Engroffed bill from the Burgeffes, Intituled, a bill for Regulateing of Juryes, read the Second time, & Comitted for Amendments to Charles Scarburgh & Benjo Harrifon Efgro

An Engroffed bill from the Burgeffes, Intituled, a bill for the Punishment of Slaves for the first & Second Offence of Hog stealing, read the second time & Comitted for Amendments, to Edw⁴ Hill & Mathew Page Esq¹⁵

An Engroffed bill from the Burgeffes, Intituled, a bill reftraining the Striking & Killing of Whales, read the Second time, and Comitted for Amendments, to Rich⁴ Lee

& Edward Hill Efgra

An Engroffed bill from the Burgeffes, Intituled, a bill for the Affectaining the Rate & value money shall pass at, read the Second time, & Comitted for Amendments, to Rich's Lee, William Byrd & Mathew Page Esqrs

The Councill Adjourned till tomorrow Morning ten of the Clock

Thursday May ye 25th 1699

Prefent

PICHARD LEE, William Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^o Harrifon Efq^{to}

A Meffage from the Burgeffes by m^r Leigh who brought up two Engroffed bills whereto the Councill had Agreed with Amendm^{ts} Intituled as followeth.

A Bill for the more Effectuall Suppressing of Blasphemy Swearing, Curleing, Drunkeness and Sabbath breaking;

A bill for prevention of undue Eleccons of Burgeffes.

And Acquaints their Honours that the House of Burgesses had agreed to Severall of their Honours Amendm^{t3} to the Said Bills, and had Amended them Accordingly, but to Some Others of their Honours Amendments, the House could not Agree; therefore they prayed their Honours Concurrence to the said Bills as they are Amended

The Councill Adjourned till to morrow morning ten of the Clock.

Friday May ye 26th 1699

Prefent

RICH^D LEE, William Bynd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^o Harrifon Esq^o

The Councill Entered upon the debate of the Amendments made by the Burgeffes unto two Engroffed Bills, which they did Yefterday Send up to the Councill, with feverall Rafures and Interlineations in the faid Bills, in those places thereof where the Councill had proposed Some Amendments thereto, and Other of the Amendments to the faid Bill proposed by their Honours were Altered & Some Intirely disagreed to by the Burgesses, Which said Rasures, Amendments, and Interlineations being made (after the faid bill had passed the House of Burgesses) & without the Assent And Agreement of the Councill. Therefore.

Refolved

That a Conference be defired with the Burgesses, upon the Subject Matter of the Said Amendments, and the manner of makeing the Same, and Accordingly.

Ordered.



Ordered. That the Clerk of the Gen^{II} Affembly doe goe to the House of Burgesses and desire a Conference therevpon.

Managers Appointed for the faid Conference, Edward Hill, Edmond Jenings,

Mathew Page Benjamin Harrison Efqra

Richard Lee Efqr from the Comittee appointed to Amend an Engroffed bill from the Burgeffes, Intituled, A bill reftraining Striking and Killing of Whales, Reports Severall Amendm's by them made to the faid Bill, which were read, and the faid Bill being read the third time,

Refolved

That the faid Bill is not Agreed to, By the Councill, they being of Opinion that it doth to nearly Encroach upon his Moft Sacred Majeftyes Royall prerogative. But forafmuch as the Killing of Whales within the Capes of this His Majeftys Colony and Dominion, is by the House of Burgesles thought, to be prejudiciall to the Inhabitants thereof. Therefore,

Ordered, That the Clerke of the Generall Affembly doe goe to the House of Burgesses, & Acquaint them that the Councill are ready to Joyne in An Address to his Excellency for Restraining thereof, when Ever they shall be desired so to doe by the

Burgesses.

An Engrossed bill from the Burgesses, Entituled, a bill for Restraining & punishing Pyrats & Privateers, read the third time, and Some Amendments being made thereto by the Councill.

Refolved That the faid Bill is Agreed to, with Amendments, And Accordingly.

Ordered.

That the Clerk of the Generall Affembly doe Carry the Said Bill & the Amendments to the House of Burgesses, and Acquaint them that the Councill have Agreed to the said bill with the said Amendments.

An Engroffed bill from the Burgeffes Intituled a bill to prevent the discontinuance of Courts & Process, read the third time, and Some Amendments [made] thereto by the Councill—

Refolved

That the faid bill is Agreed to with Amendments, & Accordingly

Ordered

That the Clerke of the Generall Affembly doe Carry the faid Bill and the Amendments to the House of Burgesses and Acquaint them that the Councill have Agreed to

the faid Bill, with the faid Amendments.

Edward Hill Efq' from the Comittee to whom an Engroffed bill from the Burgeffes, Intituled, a bill for the punishment of Slaves for the first and Second Offence of Hog stealing, was Comitted for Amendments, Reports Severall Amendments by them made to the said Bill which were read & Agreed to by the Councill and the said Bill, being read the third time with the Amendments.

Refolved That the faid Bill is Agreed to by the Councill with the Amendments and

Accordingly

Ordered That the Clerk of the Gen¹¹ Affembly doe Carry the faid Bill with the Amendments to the House of Burgesses and Acquaint them that the Councill have

Agreed Thereto,

Charles Scarburgh Efq^r, from the Comittee to whome an Engroffed Bill from the Burgeffes, Intituled, a bill for Regulateing of Juryes, was Comitted for Amendments, Reports Severall Amendments by them made to the faid Bill, which were read and Agreed to by the Councill, and the faid bill with the Amendments being read the third time.

Refolved That the faid Bill be Agreed to with the Amendments and Accordingly
Ordered That the Clerk of the Gen¹¹ Affembly doe Carry the faid Bill with the
Amendm¹³ to the House of Burgesses and Acquaint them that the Councill have Agreed
thereto.

Charles



Charles Scarburgh Efqt from the Comittee to whome an Engroffed bill from the Burgeffes, Intituled, a Bill prohibitting the vnfeafonable Killing of Deer was Comitted for Amendments, Reports feverall amendments by them made to the faid Bill which were Read and Agreed to by the Councill, And the Said Bill with the Amendments being read the third time,

Refolved That the faid Bill be Agreed to with the Amendments, and Accordingly Ordered That the Clerk of the Gen^{II} Affembly doe Carry the faid Bill with the Amendments to the House of Burgesses and Acquaint them that the Councill have Agreed thereto,

A Meffage from the Burgeffes by m^r Wilfon who Acquaints their Honours that According to their defire the House had Agreed to a Conference, and had Appointed Eight of their Members to Manage the Said Conference and defires their Honours will be pleased to Appoint the time and Place for their Meeting, who Appointed Six of the Clock this Afternoon in the great Hall.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saterday May ye 27th 1699

Prefent

IS Excellency, Rich^d Lee, William Byrd, Edw^d Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrifon Efq^{ts}

Mr Humphry Higinfon's Proposition of the Manufature of Linnen, Cotton &ca is referred to the Consideracon of the House of Burgesses.

The Councill Adjourned till Tuefday Morning ten of the Clock.

Tuesday May the 30th 1699.

Prefent

RICH^D LEE, Will^m Byrd, Edw^d Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benj^a Harrifon Efq^{ts}

A Meffage from the Burgeffes by m^r Cary who brought up two Engroffed bills, whereto the Councill had Agreed, With feveral! Amendments, Intituled,

A Bill for the more Effectuall Suppressing of Blasphemy, Swearing Curleing Drunkenness and Sabbath breakeing,

A Bill for Prevention of Undue Elections of Burgesses

and Acquaints their Honours that the Burgeffes had Agreed to feverall of their Amendments, and to Others of the faid Amendments they could not Agree, Therefore they pray their Honours Concurrence to the faid Bill as it now is Agreed to, by the Burgeffes without any further Amendments.

Refolved That the Councill doe not Infift upon their Other Amendm^{to}

Refolved, That the Bill do pass as it is now Agreed to by the Burgesses, without any further Amendments,

A Meffage from the Burgeffes by m^r Cary who brought up feverall Engroffed Bills from the Burgeffes, which they had Agreed to, and defired their Honours Concurrence (viz')

An Act for laying an Imposicon vpon Servants & Slaves Imported into this Country towards the building the Capitoll.

An Ad for leffening the Levy by the Poll and laying an Imposizon upon Liquors for and towards the building of a Capitoll and Other Publick Vses.

An Ad Appointing a Treafurer.

An Act Appointing a Comittee for the Revifeall of the whole body of the Laws in this His Majefty's Colony & Dominion

An Ad for Confirming Titles to Town Lands.

All which bills were read the first time and Ordered a Second reading.

The Councill Adjourned till to morrow morning ten of the Clock.

Wedn'sday



Wedn'sday May ye 31th 1699

Prefent

ICH^D LEE, Edw^d Hill, Edm^d Jenings, Charles Scarburgh, John Lightfoot, Mathew Page, Benja Harrifon Efqts

An Engroffed bill from the Burgeffes, Intituled, An Ad for laying an Imposicion upon Servants & Slaves imported into this Country towards building the Capitoll, read the Second time, and Ordered to lye vpon the Table for a third Reading

An Engroffed Bill from the Burgeffes, Intituled, An Ad for leffening the Levy By the poll and laying an Imposicon vpon Liquors for and Towards the Building a Capitoll and Other publick Vies, read the Second time, and Ordered to lye upon the Table for a Third Reading.

An Engroffed Bill from the Burgeffes, Intituled, an Ad Appointing a Treasurer, read the Second time, and Ordered to lye upon the Table for a Third Reading;

An Engroffed bill from the Burgeffes, Intituled, an Ad Appointing a Comittee for the Revifeall of the whole body of the Lawes in this His Majefty's Colony and Dominion, was read the fecond time, and Ordered a third reading.

An Engroffed bill from the Burgeffes, Intituled, An Ad for Confirming Titles to Town Lands, was read the fecond, time & Ordered a Third Reading;

A Message from the Burgesses by mr Mason who brought up the booke of Claimes, and defired their Honours Concurrence thereto.

The Councill Adjourned till To morrow Morning ten of the Clock.

Thursday June ye 1st 1699

IS Excellency, Richa Lee, William Byrd, Edwa Hill, Edma Jenings, Cha: Scarburgh, John Lightfoot, Mathew Page, Benja Harrison Esqua

The Booke of Publick Claimes Sent from the House of Burgesses, read over, and Agreed to with an Amendment

Ordered

That the Clerke of the Gen¹¹ Affembly doe Carry the faid Book of Claimes, to the House of Burgesses, and Acquaint them that the Councill have Agreed thereto with an Amendment, to which, their Honours defire the Concurrence of the House.

Richard Lee Efqr from the Comittee to whome an Engroffed bill from the Burgeffes, Entituled, a Bill prohibitting the Exportacon of Corne, Wheat, Meale or Bifcuit till the 25th day of December 1700, was Comitted for Amendments, Reported feverall Amendments by them made to the Said Bill, which were read, and Agreed to by the Councill, and the faid Bill with the Amendments being read the third Time;

Refolved That the faid Bill & Amendments be Agreed to,

Ordered, That the Clerk of the Gen" Affembly, doe Carry the Bill and the Amend-

ments to the Burgesses and desire their Concurrence thereunto,

Rich's Lee Esq' from the Comittee to whom an Engrossed bill from the Burgesles, Intituled, a bill for Afcertaining the rate and Value money shall pass at, was Comitted for Amendments, Reported certain Amendments by them made to the faid Bill, which were Read,

And the Councill Entered upon the Confideracon and debate of the faid Bill, the Subject Matter whereof being of very great Importance to this His Majestys Colony & Dominion, & the Ascertaining the Standard and Value of Coin in all Nations & Country's being alwayes Esteemed as the greatest and most Intricate Difficultyes of their States & Governments, and Requireing the most deliberate Consideracon and the best Advice & Affiftance that can poffibly be procured, therefore they Are of Opinion that it may be better and more Advantageously performed by the Comittee Appointed for the Revifeall of the Lawes, whereupon;

Refolved That the faid bill is not Agreed to;



Refolved That an Instrucción be given to the Comittee Appointed for the Reviseall of the Lawes, that they Confider of the Sasest, and most Expedient, Advantageous, & Equall wayes, and Means for the Makeing of money more Currant and passable in this His Majesty's Colony and Dominion, and prepare a bill Accordingly

Ordered

That the Clerk of the Genⁿ Affembly, doe goe to the House of Burgesses, and Comand their Imediate Attendance vpon his Excellency in Councill in the Great Hall.

The Burgeffes being come into the Great Hall His Exceller delivered to the Speaker, Some of his Majeftyes Royall Inftruccions to him, relateing to the Collectors & Navall Officers and the Trade of this his Majer Colony & Dominion, And Since by the Said Inftruccions his Majer had been pleafed to Comand him to put those Different Offices into the Charge of Severall persons which before were usually Comitted to me, He recomended it to the House of Burgesses, that they would Ascertain Such reasonable steeps as they shall think Necessary to be taken by the Said Officers, and that they prepare a bill to pass this Session Accordingly.

Then His Exceller was pleafed to Express himself as followeth.

M' Speaker & Gentlemen of the House of Burgesses

From Some of the worthy [See J. of H. of B., p. 190.]

A Meffage from the Burgeffes by M^r Cary that they pray his Excellency will be pleafed to Signify his Comands, relateing to the buifnefs of Nanfemund, unto them in Writeing.

Ordered

That the Clerke of the Gen¹¹ Affembly doe Carry to the Burgeffes a True Copy of his Excell¹⁷³ Speech to them relateing to the Builness of *Nanfemund*.

The Councill Adjourned till to Morrow Morning Ten of the Clock.

Friday June ye 2d 1699

Prefent

IS Excellency, Richd Lee, Wm Byrd, Edwd Hill, Edmd Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benjd Harrison Esqua

An Engrossed bill from the Burgesses Intituled An Act Appointing A Committee for the Reviscall of the whole body of the Laws in this his Majiva Colony & Dominion, was read the third time, and Some Amendments made thereto by the Councill.

Refolved

That the Said Bill with the Amendments be Agreed to,

An Engroffed bill from the Burgelles, Intituled, An Act for Confirming Titles to Town lands, was read the Third time, and Severall Amendments made thereto by the Councill;

Refolved

That the faid Bill with the Amendments is Agreed to,

A Message in Writeing by m^r Cary from the House of Burgesses, to his Excell^{cr} as followeth

May it pleafe yo' Excelles

Yor Exceller haveing been pleafed [See J. of H. of B., p. 190.]

Ordered

That the Clerk of the Gen^u Affembly doe Carry the following bills to the House of Burgesses, and Acquaint them that the Councill have Agreed to the Same, with Some Amendments, to which Amendments their Honours desire their Concurrence to Witt.

An AA Appointing a Comittee for the Revifeall of the whole body of the Lawes in this Majus Colony & Dominion,

An Ad for Confirmeing Titles to Town lands.



Rich's Lee Efq' from the Comittee Appointed to Confider & Settle the Difputes & Controversies Concerning Claimes & Titles to Lands in Pamunky Neck, and on the Southfide of the Black water Swamp, Reported Severall Resolutions that the Said Comittee had Agreed upon, which were read, & Agreed to by the Councill and,

Ordered

That the Clerke of the Gen¹¹ Affembly doe Carry the Said report to the House of Burgesses & desire their Concurrence thereunto.

The Councill Entred into Debate vpon the Subject Matter of the Conferrence with the Burgesses, concerning Severall Offences & Crimes, Comitted by the Indian Called Squire Tom, and forasmuch as it is not Certainly known where the Said Indian is to be found, or whether he is within this Governme or not; And by the Informacon of the persons Appointed to goe to the Piscatoway Indians to Inquire for the said Indian Tom, it appears that the said Piscatoway Indians are Setled in an Island in Potomeck River, About Seventy Miles above any English Inhabitants, and by the Informacon of Such persons as Inhabit and are most Knowing & best Acquainted with the Affairs of that part of the Country, It is Manisest that the Islands in Potomeck are reputed to belong to the Province of Maryland, therefore the Councill are of Opinion, that it is not Convenient to send to the Piscatoway Indians to demand the Said Indian Tom, (especially Since it is not certainly Apparent that he is harboured by them), but forasmuch as it is of great Import to the peace & Quiet of this his Majesty's Government that the said Indian be brought to Condigne punishment for those Notorious Crimes whereof he is Guilty

Refolved

That it is for the Service of his Maj^{ty} & of this his Colony & Dominion that a proclamacon requireing all persons whatsoever to apprehend the said Indian *Tom*, if he shall at any time be found within this Government, and the better to Encourage all persons to doe their duty herein, that a Reward of ten pound *Ster*, be given unto any such person or persons Christians or Heathens as Shall Apprehend the Said Indian *Tom*, and bring him or Cause him to be brought before any of his Maj^{ties} Justices of the peace in this his Colony and Dominion that he may be proceeded against According to Law and,

Ordered

That a proclamacon be prepared Accordingly

Refolved

That it is for the Service of his Maj^{ty} & of this his Colony and Dominion, that Intimacon of the Notorious Crimes Comitted by the faid Indian *Tom*, be given to his Majeftyes Cap^t Generall and Govern^t in Cheife of his Province of Maryland, and that he be requested and defired to take Such Lawfull Methods, as to him shall be thought requisite for the Apprehending of the Said Indian *Tom*, if he is or Shall be within that Government and if he shall be found there, that he may be delivered up to the Governm^t of this His Maj^{ties} Colony & Dominion, in Order to his being brought to Justice, and Punished According to the Demerits of his Crimes.

A Message from the Burgesses by m^r Mason that they had agreed to the Amendments proposed by the Councill to the book of publick Claimes and to the following bills to

Witt.

An Act appointing a Comittee for the Reviseall of the whole body of the Lawes in this his Majestyes Colony and Dominion,

An Ad Confirmeing Titles to Town lands, and that they have amended them Accordingly.

His Exceller haveing received an Address from the Burgesses by mr Custis was pleased to Comunicate the Same to the Councill which is in these words

To His Excell' Prancis Nicholfon Efq' his Majeftyes L' & Govern' Gen' of Virginia
The humble Address of the House of Burgesses

May it please yo' Excelles

Wee His Maj'yes most Loyall [See J. of H. of B., pp. 186-189.]

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saturday



Saturday June ye 3d 1699

Prefent

ICHARD LEE, William Byrd, Edward Hill, Edmd Jenings, Cha: Scarburgh, Math: Page, Benjo Harrison Esqua A Meffage from the Burgeffes by M' Wilfon that they had Agreed to an

Engrossed Bill Intituled An Ad for Confirming titles to Town Lands—with the Amendments thereto proposed by the Councill

The Councill Adjourned till Monday Morning ten of the Clock.

Monday June ye 5th 1699.

IS Excellency, Rich's Lee, Will" Byrd, Edw's Hill, Cha: Scarburgh, Math: Page, Benja Harrison Elgra

His Exceller was pleafed to Comunicate to the Councill an Address he had received from the House of Burgesses by Mr Leigh which was read in these Words to Witt.

To his Exceller Francis Nicholson Efqr his Majiii Leiu! & Govern' Gen!! of Virginia.

May it please yo' Exceller

The House of Burgesses [See J. of H. of B., p. 193.]

Whereupon Ordered, That mr Attorney Generall doe profecute the Said Majr Thomas Godwin & Andrew Rofs as the Law directs

Post Merediem.

RESENT as afore & John Lightfoot Efqt A Message from the Burgesses by mr Harrison that they doe Concurr with the Councill, in their Agreeing to the Report of the Comittee, Appointed to Confider & Settle disputes & Controversies concerning Claimes & Titles to Lands in Pamunky Neck and on the South fide of black water Swamp.

The Councill Adjourned till to morrow Morning ten of the Clock.

Tuesday June ye 6th 1699.

Prefent

IS Excellency, Richa Lee, Edwa Hill, Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harrifon Efq18

A Message from the Burgesses by mr Cuftis that they had agreed upon an Address to his Exceller for restraining the Striking and Killing of whales within the Capes of Virginia to which they defired their Honours Concurrence which being read, & Some Amendments being proposed thereto, that the Same may be dispatched with the greater Expedition

Ordered that the Clerk of the Gen¹¹ Affembly doe goe to the House of Burgesses and defire them to Appoint two of their Members to be joyned with one of the Councill to prepare the faid addrefs—Charles Scarburgh Efq is Accordingly Appointed to be Joyned with the Said Two Members of the House of Burgesles to Agree upon the Said Address.

A Meliage from the Burgefles by Coll Ludwell that they had Agreed to the following bills whereto they defired their Honours Concurrence (to Wit)

An Act directing the building the Capitoll and the City of Williamsburgh &ca

An Act Ascertaining Collectors and Navall Officers ffees.

An Act for raifing a Publick Levy which Said Bills were Read the first time, and Ordered a Second reading.

A



A Meffage from the Burgeffes by Coll. Ludwell, that they had Agreed to the proportions of the publick Claimes to web they defired their Honours Concurrence web proportions being read were Agreed to by the Councill

An Engrossed bill from the Burgesses Intituled, an AA for lessening the Levy by the Poll and laying an Imposicon vpon Liquors for and towards the building the Capitoll, and

Other Publick, vfes was read the third time, and Refolved

That the faid bill doe pass.

Ordered that the Clerk of the Gen" Affembly doe Carry the Said Bill to the Bur-

geffes and Acquaint them that the Council have Agreed thereto.

An Engroffed bill from the Burgeffes Intituled, an Act Appointing a Treafurer, being read, and Some Amendments made thereto by the Councill the Bill with the Amendments was read the third time and—

Refolved

That the Bill with the Amendments doe pass.

Ordered that the Clerk of the Gen¹¹ Affembly, doe Carry the bill with the Amendments to the House of Burgesses & Acquaint them that the Councill have Agreed thereto with the Said Amendments whereto their Honours desire their Concurrence.

Ordered.

That the Clerk of the Generall Affembly doe goe to the House of Burgesses and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall.

And Accordingly the Burgesses Attend his Excellency in Councill who recomends to them the Raiseing more money than they have Already done, and proposes to them that a Greater Imposicon may be laid vpon Servants and Slaves than what they have already agreed vpon. And Assures them that whatsoever money they raise, it Shall be truly Applyed to the uses whereto it Shall be Appropriated; His Exceller also recomends to them to draw Such bonds as are proper to be Entred into by the Treasurer, & Receiver of the Virginia dutyes, pursuant to the Acts made this present Session for those purposes.

An Engroffed bill from the Burgesses Intituled, an A& for laying an Imposion vpon Servants & Slaves imported into this Country towards Building the Capitoll, was read, and Some Amendm¹³ made thereto, by the Councill, the bill was read the third time

with the Amendmts and

Refolved

That the Bill doe pass.

Ordered

That the Clerk of the Generall Affembly doe Carry the Bill with the Amendments to the House of Burgesses, and Acquaint them that the Councill have Agreed thereto, with the said Amendments, whereto their Honours desire their Concurrence.

An Engroffed bill from the Burgesses—Intituled, an Ad directing the building the Capitoll and the City of Williamsburgh was read the Second time & Ordered to be read

the third time,

An Engrofied bill from the Burgesses, Intituled, An Ast Ascertaining Collectors and Navall Officers stees, was read the Second time,—and Ordered to be read the third time

The Councill Adjourned till to-Morrow Morning ten of the Clock-

Wednesday June ye 7th 1698 [1699]

Prefent

IS Excellency, Rich^d Lee, Edw^d Hill, Edm^d Jenings, Char: Scarburgh, John Lightfoot, Math. Page, Benj^o Harrifon Esq^e

A Meffage from the Burgesses by m^t Leigh That they had Agreed to an Engrossed bill Intituled, an Act for laying an Imposition upon Servants & Slaves Imported into this Country, towards the building the Capitoll, with the Amendments, thereto, proposed by the Councill and had Amended the bill Accordingly.

A



A Meffage from the Burgeffes by m^t Leigh that they had Agreed to an Engroffed bill, Intituled an AA Appointing a Treafurer, with all the Councills Amendments only in the Claufe proposed by the Councill to be Added to the Said bill, the Burgeffes had made Some Amendments—whereto they defired their Honours Concurrence; then the Bill & the Amendments together with the Amendments proposed by the Burgeffes—were read & agreed to, and

Ordered that the Clerke of the Gen¹¹ Affembly doe Carry the faid Bill with the Amendments to the Burgeffes & Acquaint them that they had Agreed thereto with the

Amendm's as the Burgesses proposed.

Ordered That it be given as an Inftruccon to the Comittee Appointed to Revife the whole body of the Laws that they Confider of the most proper Method of prepareing and Iffueing Comicons for the Officers of the Militia and all Other Officers, & of the most Equal way to defray the Charge thereof—

An Engroffed bill from the Burgeffes Intituled an A ∂ directing the building the Capitoll and the City of Williamsburgh $\mathcal{C}c^2$ being read and Some Amendments made thereto by the Councill the bill with the Amendments was read the third time and,

Refolved, that the Bill with the Amendm's doe pass.

Ordered, That the Clerk of the Generall Affembly doe Carry the faid Bill with the Amendments to the House of Burgesses and Acquaint them that the Councill, have Agreed thereto with the Said Amendments, whereto their Honours desire their Concurrence.

An Engroffed bill from the Burgeffes Intituled, An AA Afcertaining Collectors & Navall Officers ffees, was read the third time, and

Refolved

That the Bill doe pafs.

Ordered, That the Clerk of the Gen¹¹ Affembly doe Carry the faid bill to the Burgeffes & Acquaint them that their Honours have agreed thereto without any Amendments.

An Engroffed bill from the Burgeffes Intituled an Act for Raifing a Publick Levy was read the third time &-

Refolved

That the Bill doe pass

Ordered That the Clerk of the Generall Affembly doe Carry the faid Bill to the Burgesses and Acquaint them that their Honours have Agreed thereto, without any Amendment.

Ordered That the Clerk of the Generall Affembly doe lay before the House of Burgesses, the proceedings of the Councill, upon an Engrossed bill, Intituled a Bill for Ascertaining the Rate and value of money shall pass at.

William Byrd Efqr Prefent

The House of Burgesses haveing Agreed vpon Orders for the paymt of Severall Sumes of money due from the Publick, laid the Same before the Councill, which were Accordingly read & Agreed to by the Councill.

Ordered: That the Clerk of the Gen¹¹ Affembly doe Carry the faid Orders to the

House of Burgesses, & Acquaint them the Councill have Agreed thereto

A Meffage to his Excellency from the Burgesses by Mr Cary that they had prepared an humble Address to his Majesty, and defired to Know when they might waite vpon his Excellency to present the Same to him, that it may be laid before his Majesty Wherevpon his Excellency Appointed this Afternoon After Evening Prayers

Post Merediem

CCORDING to his Excellencyes Appointmt this day, mr Speaker & the House of Burgesses waited upon his Excellency in Councill, and presented an Humble Address to his Majesty which they had prepared, and prayed that his Exceller would be pleased to vie his Interest that the Same might be laid before his most Sacred Majesty.

A



A Message from the Burgesses by Mr Buckner that [they] had Agreed to an Engroffed bill, Intituled, an A& directing the building the Capitoll & the City of Williamsburgh &co with the Amendment thereto proposed by their Honours and had Amended the Bill Accordingly.

The Councill Adjourned Till to Morrow Morning ten of the Clock.

Thursday June the 8th 1699.

IS Excellency, Richard Lee, William Byrd, Edwd Hill, Edmd Jenings. Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harrifon Efqra

A Meffage to his Exceller from the Burgeffes by mr Cary that they had dispatched Everything that had been recomended to them by his Exceller this Selfion, that at prefent they had Nothing lying before them to be proceeded upon, and therefore they Waited his Excelleneves further Comands.-

Ordered That the Clerk of the Generall Affembly doe goe to the House of Burgesses and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall, and that they bring with them All Such Bills as have been Agreed upon this Selfion.

Accordingly mr Speaker and the House of Burgesses being come into the Great Hall, His Excellency caused the New Seale which his Majiy had been pleased to bestow upon this his Colony and Dominion of Virginia to be produced & publicacon was made of the Order for vieing the Same in all the publick Affairs of the Governmt and that the Other Seale should be broken or defaced, And his Excellency in the presence of the Councill & Burgesses Affixed the said new Seale to a proclamacon, which they had agreed to Appointing a Solemn day of thankfgiveing to Almighty God for his great Mercy and bleffings beftowed upon his Majefty's Sacred & Royall person & vpon this his Colony and Dominion.

Then His Excellency gave his Affent to the following Bills to Witt:

An Ad for the more Effeduall Suppressing of Blasphemy, Swearing, Curfeing, Drunkeñefs & Sabbath breaking.

An Act for Prevention of Undue Eleccons of Burgeffes.

An Ad to prevent the Difcontinuance of Courts & process.

An Ad for Regulateing of Juries.

An Act for Reftraining & Punishing of of Pyratts & Privateers

An A& for the Punishment of Slaves for the first & Second Offence of Hogstealing.

An AA Appointing a Comittee for the Revifeall of the whole body of the Lawes of this his Majesty's Colony and Dominion.

An AA prohibitting the Exportacon of Indian Corne till the 25th of December 1700.

An A& for Confirming titles to Town Lands.

An Act for Leffning the Levy by the Poll and laying an Imposizon upon Liquors for and Towards the building a Capitoll and Other publick uses.

An A& Afcertaining Collectors and Navall Officers ffees.

An A& directing the building the Capitoll, and the City of Williamsburgh &c.

An Act Appointing a Treasurer.

An Ad for Raifeing a publick Levy.

Then His Excellency was pleafed to prorogue this Generall Affembly till the 9th day of November Next.

Examinat: et Concord cum Original

Test: Benjā: Harrison, Cl: Gen: Asseml:



AT A

GENERLL ASSEMBLY

begun at his Maj^{ts} Roy^{ll} College of W^m & Mary adjoyning to y^e City of Williamsburgh upon Thursday the fifth of Decemb!

1700 and in the twelfth year of the Reigne of our Sovereigne Lord William the third by the Grace of God of England Scotland strance & Ireland and Virginia King Desend! of y^e ffaith et^a.



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1409, pp. 309-341.]

At a Gener!! Affembly begun at his Majts Roy!! College of Wm & Mary adjoyning to ye City of Williamsburgh upon Thursday the fifth of Decemb! 1700 and in the twelfth year of the Reigne of our Sovereigne Lord William the third by the Grace of God of England Scotland strance & Ireland and Virginia King Defend! of ye ffaith eta!

[December 5th 1700]

Prefent

IS Excellency francis Nicholfon Efqr his Maj L & Govern Gen of this his Maj moft ancient & great Colony & Dominion of Virginia—Edm Jenings, John Lightfoot Rob Carter Efqr

His Excellency haveing been pleafed by his Comiffion under ye Seale of ye Colony to Conftitute Dionifius Wright of ye County of James City Clerke of ye Gener'l Affembly, he did accordingly take ye Oaths appointed by act of Parliament to be taken inftead of ye Oaths of allegiance & Supremacy and haveing fubfcribed ye Affociation & teft appointed by act of Parliame did take ye Oath of Clerke of ye Gener'l Affembly and was orded to attend accordingly—

A Comiffion Impowering Edm³ Jenings Efq¹ John Lightfoot Efq¹ & Rob¹ Carter Efq¹ or any two of them to administer y² Oaths Association & Test & y² Oath of Burgess to y² Gent. of y² house of Burgesses was read in y² Gent! Court house in y² Audience of severall Burgesses who to y² number of thirty three were then sworne.

His Excellency haveing by his Comiffion und the Seale of ye Colony Conftituted Wm Randolph of ye County of Henrico Gent. Cierke of the house of Burgesses he took ye Oaths appointed by act of parliam to be taken instead of ye Oaths of Allegiance and Supremacy & then haveing subscribed ye Association & test took ye Oath of Cierke of the house of Burgesses.

the Councill adjourn'd till tomorrow morning ten of ye Clock.

Friday Decembr 6th 1700

MESSUAGE from y Burgesses by Miles Cary Gent: who acquainted his Excellency that the Burgesses were mett and waited to know his Excellencies Comands—

Ords that y Clerke of the Gener Affembly go to y house of Burgesses & Comand their Imediate attendance upon his Excellency in Councill in his Excellencies Bed Chamber—

The Gent: of ye house of Burgesses being come into his Excellencies Bed Chambr his Exc. Comand them to Assemble in their house and to choose one of their members to be their Speaker—

Councill adjourn'd till to morrow morning Nine of the Clock-

Saterday



Saterday Decembr. 7th

I IGHTFOOT absent

A Meffuage from the house by Miles Cary Gent-

May it pleafe yo' Excellency.

I am Comand^d by the house of Burgesses to acquaint yo' Excellency that they have proceed^d to the Choice of a Speaker, and they waite to know yo' Excellencyes pleasure to appoint a time when they shall present him—

His Excellency Difmift ye melfuage with this answer that he would Signify his pleafure

therein by a Messuage to ye house-

Ords that ye Clerke of ye Gen'll Affembly go to ye house of Burgesses and acquaint them that considering there are at present but sew of his Majts Honble Councill in town. And that it is late of Saturday in ye afternoone that therefore he refers ye time for ye house to present their Speaker untill monday morning next.

Councill adjour'nd till monday morning ten of ye Clock-

Monday Decembr. 9th 1700

Prefent

IS Excellency, Edm⁴ Jenings, John Lightfoot, Rob' Carter Efq⁴⁸

Ord⁴ that y² Clerk of y² Gen¹¹ Affembly go to the house of Burgesse & Comand their Imediate attendance upon his Excellency in Councill in his Excellences Bed Chamber—

The Burgesses attend his Excy & wth low obeisance Present Peter Beverley of the

County of Glocester Gent as their Speaker-

Peter Beverley Gent. being presented by ye house of Burgesses as their Speaker

humbly Excufeth himfelf to his Excellency & prays-

That in Confideration of y^e great & weighty affaires that may ly under the Confideration of y^e house this Selfions y^e honour of y^e house & his own personal disabilities his Excellency will be pleased to Comand y^e house to proceed to y^e Election of some other for their Speaker—

His Ex^{cy} answered that he did not doubt but y^t y^c house was very well satisfied w^{th} his Sufficiency & abilities that therefore he approved the Burgesses Choice and Would

not allow of his Excufe.

Whereupon M^r Speaker humbly prayed his Exceller that in whatfoever he faid his perfonal faileings thro inadvertincy might not redound to ye prejudice of the house of

Burgesses or any member thereof but might be amended-

Then M^r Speaker in behalf of y^e house of Burgesses and of all y^e Coñalty of Virge prayed that y^e house might Enjoy all their ancient privilidges, have at all times when occation required, and his Excellency pleased to appoint free access unto his Except that y^e whole house and Every perticular member thereof, their Servants, & estates might be free from arrests and that in all their Conferences & Consultacons in y^e house they might Enjoy y^e freedom & privilidge of Debate

M. Speaker haveing endd his Oration his Excy Expressed himself to this Effect-

That he had always in his care that he granted their requests for access to himself and for their Liberty & privilidge in as ample manner as they have formerly Enjoyed them that he would not in y* Least indeavour to lessen or Diminish them, but rather as much as in him lay to Augmt and Advance them—

Then his Excellency was pleafed to make ye following Speech-

Gent.

I am very Sorry [See J. of H. of B., 1695-1702, pp. 208-9.]

A Peticon prefented by Edw⁴ Rofs that he might be Comillionated to Carry the Mace before ye Speaker was read and ye Same referred to ye Confidential of ye house of Burgestes—

Councill adjournd till tomorrow morning nine a Clock-



Tuesday December 10th 1700-

Prefent

IS Excellency—We Byrd. John Lightfoot. Edm⁴ Jenings, Rob¹ Carter Efq⁶

A Meffuege from ye house of Burgesses by Miles Cary Gent. who presented his Exceller with the following address, was read—

To his Exer Fra: Nicholfon Efqr his Maji Leiv' & Govern' Gen'' of Virg*— The humble address of y' house of Burgesses

May it please yo' Exer

The house of Burgesses haveing [See J. of H. of B., p. 208.]

Ord^d y^t y^e Kings Lre Concern^g the Marquess de La Muce & y^e settlem^t of y^e french refugees dated 18 Mar: 1700 & y^e ord^t of Councill thereupon Monst De Saillees Lre of y^e 26: ollob^t 1700 the Ord^t of Councill dated at Westopher Novemb^t 14: 1700 about Saillee the Marquiss de La Muce his Lre dated y^e 3: Xbr 1700 and the Supplication of sever¹¹ of the firench Refugees be refer'd to y^e Consideracon of y^e house of Burgesses—

Edm⁴ Jenings Efq^t his peticon praying that it may be declared how and by whom y^e fifty po⁴⁰ of Tob^o afcertained by Law to be paid for each Comifcon for y^e militia shall

be paid is referred to ye house of Burgelles-

Ords that all papers relateing to ye apprehending & tryall of ye pyrates & his Majts Lre of ye 10th of Novembr 1699 & of ye 10th of ffebrs 1699 relateing to yt subject & all ords of Councill Concerning the Same matter be with all Speed prepared in a readiness & laid before ye house of Burgesses.

Councill adjourn'd till tomorrow morning ten of ye Clock-

Wednesday December 11th 1700

MESSAGE from ye house of Burgesses by Miles Cary Gent. who presented his Exey with this following resolve of ye house.

By the house of Burgesses.

Refolved. That y* house is inclinable to proceed upon no matters but what upon Consideration shall be found absolutely necessary to be proceed upon this Session Ordered.

That A Messuage be forthwith sent to his Ex^{cy} & y^e Hon^{ble} Councill to acquaint them with this Resolve— W^m Randolph Cl ho: Burg:

Ordered that ye Clerke of the Gen¹¹ Affembly go to the house of Burgesse & acquaint them that his Exes is very well satisfied with ye resolve of ye house vize that they will proceed upon nothing this Session but is absolutely necessary one of web that comes under that notion and circumstance his Exes conceives to be ye matter concerning the french Refugees all web is orded to be laid before ye house and also to defire ye house to take into their Consideration ye proceedings of ye Comittee appointed to Revise ye Laws. in respect to ye merits of ye Claimes thereupon, and lastly to acquaint the house that all ye papers relateing to ye Pyrates the Rangers in Stassord County & all other Claimes shall with all Convenient Speed be drawn out & laid before ye house.—

Councill adjourn'd till to morrow morning nine of ye Clock-

Thursday Decembr 12th 1700.

Present

IS Excellency—W^m Byrd, Edm^d Jenings, John Lightfoot, Robert Carter Efq¹⁶
Ord^d that y^e Clerke of y^e Councill prepare in readinefs all y^e fever¹¹
petitions propositions & agreviances this day read in Councill & refered to y^e
Consideracon of y^e house of Burgesses as also y^e Gen¹¹ List of y^e tithables, and
untithables & y^e muster rolls of y^e Severall Counties in this his Maj¹⁶ Colony & Dominion
of Virg¹⁶ that y¹⁶ Same may be sent to the house of Burgesses—

The Councill adjourn'd till to morrow morning ten of ye Clock-



Friday Decemb: 13th 1700

HE Clerke of the Councill haveing prepared all ye papers according to ye ordered of yesterday Ordered that ye Same together with all ye Claimes & papers belonging to ye Pyrates & to ye Range in Stafford County be now laid before ye house of Burgesses ye ye Clerke of ye Gen!! Assembly acquaint ye house that ye Originall List of tithables and untithables & ye Muster rolls of each respective County is to remaine here upon record in ye Secretaries office & two saire Copies thereof to be transmitted for England.

The Councill adjourn'd till monday morns nine of ye Clock.

Monday Decemby 16th 1700

Prefent

IS Excellency. Edm^d Jenings, Matt: Page, Benj^a Harrifon, Robⁱ Carter Efq^{ia}

Ord^d that y^e Clerke of y^e Generⁱⁱ Affembly do go to y^e house of Burgesses and Comand their Imediate attendance upon his Ex^{cy} in Councill in y^e

Genⁱⁱ Court house—

The Burgeffes attending his Excy was pleafed to Express himself thus— Honble Gent.

I thank God [See J. of H. of B., pp. 220-1.]

The Council adjourn'd till Wednefday morning nine of ye Clock.

Wednesday December 18th 1700-

Prefent

IS Excellency, Wm Byrd, Edm^d Jennings, John Lightfoot, Matt: Page, Ben: Harrifon, Rob^t Carter, Elq^{re}

A melluage from ye house of Burgesses by Wm Leigh Gent. who presents his Excellency with a resolve of ye house dated Tuesday Decemb 17th 1700 in

Decembe 17th 1700

Refolved

ye following words-

that a Meffuage be fent to give his Exceller the thanks of ye house for ye favour of his Speech yesterday, and ye Communicating ye Lre mentioned in ye seech

the following refolves were then also presented viz'

College of Wm & Mary fs

By the house of Burgesses

Tuesday December 17th 1700

Refolved.

that ye Records of this Governmt web still remaine at James City be with all Convenient Expedition removed from thence to ye place appointed for keeping the Secretaries office in his Majts Royall College of William & Mary adjacient to ye City of Williamsburgh According to ye peticon of Edm¹ Jenings Esqr Deputy Secret made to his Exes & ye Honble Councill in ye respect

Refolved

That ye records & papers belonging to this house & now lodged at James City be with all convenient Expedicon removed from thence & placed in ye Chamber appointed for ye Clerke of this house in his Majes Roy^{II} College of Wm & Mary adjacient to ye City of Williamsburgh—

Ordered.

that a Meffuage be fent to ye Councill to defire their Concurrence to ye refolves of this house touching ye removall of ye records belonging to ye Secrety Office & to this house.

Teft W" Randolph C1: H: Burg.



His Excellency and y' Councill concurr wtb y' house in y' precedent resolves & y'
Honble Edm' Jenings Esq' is requested to cause y' Same to be done with all convenient
Speed—

Ordered

That ye Clerk of ye Gener'l Affembly do go to the house of Burgesses and acquaint them that his Exer & his Majeles House Councill concurrs we them in their resolves of removeing ye records mentioned in ye selected and that ye same shall be done with all convenient expedition & placed in the places appointed for them in his Majes Roy'l College of William and Mary.

The Councill adjourn'd till Saterday morning ten of ye Clock-

Saterday Decembr 21st 1700

Prefent

IS Excellency, Wm Byrd, Edm³ Jenings, Jn^o Lightfoot, Matt: Page, Ben: Harrifon, Rob' Carter, Efq^{1*}

An Engrossed bill from the Burgesses entituled a Bill makeing ye french refugees inhabiting at ye Manakin town & ye parts adjacent a distinct parish by themselves exempting them from ye payme of publick and County Levy's for Seven yeares was read ye first time & ordered to Ly upon ye table for a Second reading—upon reading thereof

Ordered.

That ye Clerke of ye Gener" Affembly go to ye house of Burgesses and acquaint them that upon reading the afores bill the Councill desires a free Conference Immediately to be held in ye Gen" Court house by three of their Number to Confer with such a number of that house as they shall appoint on ye subject matter of that byll—

The Honble W^m Byrd Efq^r Ben: Harrifon & Robi Carter Efq^r are appointed to manage ye Conference upon this following fubject that they have hitherto fublified upon ye Charity of ye people in those parts, & without some Continuacon of such Charitable act are not likely to subsist without that ye bill now prepared can be of small advantage

An Engroffed byll from ye Burgeffes Entituled a byll for Continuing ye act prohibiting the Exportacon of Indian Corne read ye first time and orded a Second reading—

The Councill adjourn'd till three of ye Clock in ye afternoon

Post Meridiem

HE Honbie Wm Byrd Efq' Benj: Harrifon Efq' & Rob' Carter Efq' being appointed to manage a Conference with fome of ye members of ye house of Burgesses concerning an Engrossed byll Entituded a byll makeing the firench Resugess Inhabiting at ye Manakin towns and parts adjacent a distinct parish by themselves and Exempting them from ye payme of publick & County Levies for Seven yeares. Report ye according to order they have had a Conference in the general court house with Six members of the house of Burgesses upon ye subject matter of that byll and ye ye Burgesses will report the subject matter of ye Conference to ye house and returns their answer—

An Engroffed byll from ye Burgeffes Entituled a bill for Continuing ye act prohibiting the Exportacon of Indian Corne was read ye Second time & ordered a third reading—

The Councill adjourn'd till five a Clock

Five



Five of yo Clock

LRE from Capta Paffenger Comand of his Majts Shipp Shoreham dated this Inftant Decembr 21th referred to ye house of Burgesses.

An Engroffed byll from the Burgeffes Entituled a bill Continuing yeact prohibiting the Exportacon of Indian Corne was read the third time

Refolved that the bill do pass

Ordered

That ye Clerke of ye Gener'll Affembly do Carry ye faid byll to ye house of Bur gesses & acquaint them that ye Councill have affented thereunto.

The Honble W^m Byrd Efqr Benj. Harrifon Efqr & Robert Carter Efqr do report that y^e Gent of y^e house of Burgesses appointed to Conserr with them Concerning y^e byll for makeing the french Resugeses inhabiting at y^e Manakin towne & parts adjacient a distinct parish by themselves et^a reported to them that y^e house of Burgesses had resolved not to raise any thing upon y^e publick for y^e reliefe of y^e afores french Resuges.

The Councill adjourn'd till Monday morning ten of ye Clock

Monday Decemb! 23: 1700

Prefent

IS Excellency, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt: Page, Ben: Harrifon, Rob^t Carter, Efq^e
Ordered

That ye Clerke of ye Gen" Affembly go to the house of Burgesses and Comand their Imediate attendance upon his Excellency in Councill in the Gen" Court house—

The Burgeffes being come into y^e Gen¹¹ Court house his Ex^{ey} was pleased to Express himselfe thus.

I have made a ftrict and diligent Enquiry into ye ftate and Condition of ye ffrench protestants Resugees & find that they have no fund to Supply their wants and have ever since their arrivall hitherto been Supported by the Charity of Sever piouse Gent. I find their Condition so deplorable that without a Continuance of such Charity at Least till they may reap this next Cropp they must inevitably perish and therefore have Caused a briefe to be prepared wherein I have appointed two of his Majis Honble Councill to receive such Charitable donations as shall be given for ye reliefe of ye afores Refugees & to those of ye Councill the house may joyne such of their own members as to them shall seem meet, and when I see your returne upon this his Majis Honble Councill

will Confider upon your bill made in behalf of ye fd Refugees & returne it—
And thereupon his Exey prefented them with ye Briefe wch was in ye following words—

Virgo fs. To all Chriftian people to whom these Stents shall come I firancis Nicholson Esqr his Maji Li and Govern Genii of Virgo send greeting—

whereas feverall french protestant refugees have lately arrived in this his Maj^{to} Colony & Dominion of Virg^a Imported hither by the bounty & pious Charity of his Most Sacred Majesty. & Concerning whom his most Sacred Majesty by his most gracious Lee to me directed bearing date at Kensington the 18th day of March $1\frac{699}{700}$ hath Signified his Royall will and pleasure that all possible Encouragemt should be given them upon their arrivall In ord^a to their Settlemt and whereas the right Honble ye Lords Comission of trade & plantacons by their Lee of Aprill 12th 1700 have also recomended them to my flavourable assistance Pursuant whereunto they are now seated at a place called or known by ye name of ye Manikin towns above ye falls of James river by virtue of an orde



of Councill dated at James City ye 8th day of August in ye twelfth year of his Majto reigne annoq Dom 1700. but for as much as ye for refugees haveing nothing at their arrivall here wherewth to subfift they have hitherto been supported by ye Contributacon of fev" pious & Charitable Gent: in those parts & whereas it is manifest & apparent that unless ye same Charitable & Christian like act be Continued for their reliefe untill such time as they may reap & receive the fruits of their own Labour by ye next enfuing Crop they must inevitably perish for want of food-therefore I ye said ffrancis Nicholfon Elge by and with ye advice & Confent of his Majte Honble Councill do hereby recomend ye fad & deplorable Condicon of ye aforefa french refugees to ye Confideracon of all pious Charitable & well disposed persons within this his Majts Colony & Dominion of Virge defireing that they will Express by supscribcons to this breife what benevolences or gifts they in their Charity shall think fitt to bestow either in mony Corne or any other thing for ye support & releife of those our poor distressed Christian brethren & I do hereby Impower & Authorize ye Honble Wm Byrd Efqr & Benja Harrifon Efqr two of his Majte Honbie Councill of state of this his Majis Colony & Dominion of Virga to receive & distribute amongst ye so refugees such & so many benevolences & gifts as ye respective benefactors shall be willing to bestow for ye promoteing And forwarding of this Charitable work Given und my hand & Seale of the Colony at his Maj Roy" College of W" & Mary this 23d day of December in ye 12th year of his Majts reigne annog Don 1700.

A Message from ye house of Burgesses by Miles Cary Gent who presents his Exer

& ye Councill wth an order of ye house in these words-

Monday Decemb 23d 1700

By yo houfe of Burgeffes-

Ords That a mellage be forthwib lent to his Excy and ye Councill to acquaint them the house is well satisfied from his Excy's informacon of ye present necessity of ye french resuges with out any further Enquiry that sever's of ye members have subscribed to ye breise what they think fitt to bestow towards their releise that ye house is of opinion ye ye Honbie persons his Excy has been pleased to impower to receive ye Donations are sufficient & therefore they have aded no more & that ye house doth hope that for ye suture benefitt of ye set resuges the Councill will be pleased to affent to their byll in that behals—

Ordered-

That ye Comittee of Claimes do Carry ye fd Message.

An Engroffed byll from ye Burgeffes Entituled a bill makeing ye french Refugees inhabiting at ye Mannikin town & ye parts adjacent a diffinct parifh by themfelves, & exempting them from paymt of publick and County Levys for Seven yeares was read ye Second time & Comitted for amendmt.

The Councill adjourn'd till three of ye Clocke afternoone

Post Meridiem

N Engroffed bill from ye Burgeffes Entituled a byll makeing ye french refugees
Inhabiting at Manikin town & ye parts adjacient a diftinct parifh by
themfelves et was read & fome amendment made thereto by ye Councill the
byll web ye amendment was read the third time and refolved that ye byll with
ye amendment do pass—

Ords that ye Clerke of ye Gener Assembly do Carry the st byll with ye amendmis to ye house of Burgesses & acquaint them that ye Councill have assented thereto with ye

fd amendmt whereto their Hon defire their Concurrance-

The Councill adjourns till tomorrow morning Eight of ye Clock.

Tuesday



Tuesday Decembr 24th 1700

Prefent

IS Excellency, W. Byrd, Edmo Jenings, Jno Lightfoot, Matt: Page, Benjo Harrifon, Robi Carter Efqro

A meffage from ye house by Miles Cary Gent, that they had agreed to an Engrossed byll Entituded a byll makeing the french refugees Inhabiting at ye Manikin town & ye parts adjacent a distinct parish by themselves & Exempting them from ye payme of publick & County Levy for Seven years, with the amendment thereto proposed by ye Councill, & had amended ye byll accordingly.

The Book of publick Claimes fent from ye house of Burgesles was read over & orde

to be laid upon ye table-

Alfo ye Claime due to ye Comittee appointed to revife ye Lawes, wherein fever" matters being omitted & fever" amendm's to be made before any further proceeding be thereupon had—

Ordered that ye Clerke of ye Gener' Affembly do go to the house of Burgesse & Comand their Imediate attendance upon his Excellency in Council in ye Gen' Court house—

The Burgelles attending in the Gener $^{\rm II}$ Court house His Excellency was pleased to Express himself thus.

Gent
I thank you [See J. of H. of B., p. 235.]

A meffage to his $\operatorname{Ex^{cy}}$ from y^e whole house of Burgesses by W^m Leigh Gent. & others that they were preparing an humble address to his $\operatorname{Ex^{cy}}$ & desired to know when they might waite upon his Excellency to present y^e Same whereupon his Excellency appointed this afternoon in y^e Gen¹¹ Court house.

Post Meridiem

CCORDING to his Excellency's appointmt this day Mr Speaker & ythouse of Burgesses waited upon his Excellency in Councill in ythe Gen'l Courthouse—And presented an humble address to his Excellency web was in ythe following

To his Exceller firancis Nicholfon Efqr his Maj" L' and Govern' Gen" of Virg— The humble address of y' house of Burgesses—

May it pleafe yo' Excellency.

Wee his Majts [See J. of H. of B., pp. 233-4.]

To web his Excellency Expressed himself to this Effect—Gent.

I thank you for yo' Concurrence wth me in giveing all fuitable Encouragem' to y' Marquels De La Muce & y' fettlem' of y' french refugees at y' Manikin towne I shall Gent, never endeavour to Impose anything upon you y' may seem either burthensome or chargable & as to y' matter of y' Pyrates what you Gent. are pleased to attribute to my valour & Conduct I for my part shall only ascribe to y' great God who rules and Governs all sublunary actions for I am sully perswaded y' y' hand of providence was very discernable in that whole action even from the very first step to y' Last—

Gent. As to what you Say of my Expofeing my person in that action to so much danger. I must tell you, that so long as I am in this stacon I am ready to Expose not only my small fortunes but even my life also for ye hon of his most Sacred Maj's & ye Interest of this his Colony & Dominion & look upon it as a duty incumbent upon mee

so to doe.

Gent. As to ye matter of ye Rangers you may be well affur'd that as I & his Majte Honble Councill shall never raise any forces but upon Emergent Occasion so shall take



all possible care to disband them when once ye prospect of ye danger or Cause for we's they were first rais'd ceaseth— Lastly Gent—As I cannot but returne you my hearty thanks for your well wishes in Congratulateing my recovery so I must needs joyne with you in rendring my humble thanks to that God who alone hath been ye great restorer of my health—

The Councill adjourned till thurfday morning ten of ye Clock-

Thursday Decbr 26th 1700

Prefent

IS Excellency. Wⁿ Byrd, Edm⁴ Jenings, Matt: Page, Ben: Harrifon, Rob' Carter Efq^{**}

A Message from ye Burgesses by Mr Corbin wherein is laid before his Excellency & ye Honbie Councill that ye fort Duties of three severall vessells Ente in ye Lower district of James river were never paid or accounted for to ye Auditor altho ye Naval officer of ye id district had accounted for all those times ye id vessells are reported to be Ente to Mr Auditor & proposeing to his Exey & ye Councill that ye id Errours may be rectified thereupon

Ordered-

that a Copy of ye id Meifage be delivered to L: Collo Wm William Navall officer of ye id diffrict & ythe answer make to ye fame in writing tomorrow morning—

A Mcfage to ye Councill from ye Burgefles by Mr Miles Cary who prefented them with this following refolve—

thurfday Decr 26: 1700.

By yo house of Burgesses

Refolved.

that his Maj' be presented [See J. of H. of B., p. 235.]

Mr Barth: flowler prefented a peticon to ye Burgesses dated Decr 24th 1700 for an allowance for his attendance ye Last Assembly & an order of ye house thereupon that he should be allowed for ye Same two thousand pounds of tobacco and Cask being sent to ye Councill for their Concurrence

Refolved.

That ye fame is affented to by ye Counfell.

The Book of publick Claimes fent from y° house of Burgesses read over & assented to wth some additions & amendments—

Ordered-

That ye Clerke of ye Gener's Affembly do carry ye fd book of Claimes to ye house of Burgesses & acquaint them that ye Councill have affented thereto with some additions & amendmts to we their Hongs desire ye Concurrence of ye house.

Refolved that ye fever" refolves of ye house of Burgesses of Decr 20th 1700. sent from ye Burgesses concerning ye sever" allowances to ye Comittee appointed to revise ye Lawes be affented to we an amendment

Ordered

That ye Clerke of ye Gener! Affembly do Carry ye 1d refolves to ye house of Burgesse & acquaint them ye ye Council have assented thereto we an addition to we their Hones desire the Concurrence of the house—

Ordered.

that y° Clerke of y° Gener¹¹ Affembly do Carry to the house of Burgesses y° Engrossed byll makeing y° french resugees Inhabiting at Manikin towne & parts adjacent a distinct parish of themselves et° & acquaint them that y° Council have affented thereto wth y° amendm¹

By his Excellency. Dec 26th 1700-

Whereas the Hon^{ble} Edward Hill Efq^r who was appointed by act of affembly one of y^e Comittee to revife y^e Lawes is lately dead y^e Hon^{ble} Edm^d Jenings Efq^r is appointed by his Excellency to be joyned to that Comittee in his ftead.

By



By his Exceller and yo Honole Councill-

Whereas it is found yt ye Comittee appointed by act to revife ye whole body of ye Lawes have been often obstructed therein we is conceived to be occasioned by a sufficient number of ye membro of ye Comittee not meeting at ye time appointed for ye preventing & remedying whereof for ye suture & to advance ye so work with all diligence they not haveing any coordive or determinative power of themselves, It is proposed by his Exec. & his Majto Honble Councill to find out some expedient to act with a lesser number we is thought may very well be done by an ordinance of Assembly.

Ordered

that ye Clerke of ye Gener' Assembly do go to ye house of Burgesses & Carry ye above proposicions to be by them Considered.

A meffage from ye house of Burgesses by Mr Corbin who presents an accot currant of Mr Treasur web account is assented to by his Exer & ye Honble Council—

Ordered

that ye Clerke of ye Gen'i Assembly do Carry ye sd accot to ye house of Burgesses &

acquaint them that his Excellency & ye Council have affented thereto

A Message from ye Burgesses by Miles Cary Gent who informs his Exey & ye Councill yt ye house hath agreed to ye additions & amendmts proposed by their Hones to ye book of publick Claimes as also to ye amendmt proposed by their Hones to ye resolves of ye house concerning ye Comittee appointed to revise ye Lawes to both we his Exey & ye Hones Council assent

Ordered.

that ye Clerke of ye Gen¹¹ Affembly returne ye id book of publick Claimes & ye aforeid Reiolves to ye house of Burgeises & acquaint them therewith—

The Councill adjourns till five of ye Clock in ye afternoone-

Post Meridiem-

HE Refolve from y house of Burgesses that his Maj be presented with four hund & twenty pounds for & towards y paym of y Charge accruing by y Pyrates et being read y same is assented to by the Council—

The Council being inform'd that ye house of Burgesses are adjourn'd till

tomorrow morning

Ords that ye Clerke of ye Gener!! Affembly return ye fame to ye house of Burgessearly tomorrow morning & acquaint them that ye Council have affented thereto—

The Council adjourns till tomorrow morne Eight of ye Clock-

Friday Dec. 27: 1700-

Prefent

M BYRD, Edm⁴ Jenings, Matt: Page, Ben: Harrison, Rob' Carter Esq.

L' Collo Wm Wilson Navall officer of ye Lower district of James river this day put in his answ in writeing to ye report of Comittee as by ord of yesterday and as to ye first (viz')

The Shipp Hopewell John Nyles Master he saith that he never rec^d any fort duties for her because she only touch't here, had only a permitt to unlode some small matter that she took nothing in & was Imediately bound up the Bay. Upon Consideration whereof It is y^e opinion of y^e Councill that in such Case that neither Govern¹⁰ slees nor fort duties ought to be paid—As to the Second (viz')

The Sloop George Joseph florest Master he Saith that ye sloop was one of those who were taken by ye Pyrates, who were taken by his Majts Shipp ye Shoreham and that what done in relation to her was by his Excy's directions In web Case it is ye opinion of ye Council

that no fort duties ought to be paid.



As to ye third (viz')

The Sloop called the Beavour of Penfilvania And Lock Master he saith y reason of her not being accounted for was by pure mistake & inadvertincy & not any designe-

Upon Confideracon of ye whole matter It is ye opinion of ye Council that ye third being Error he must account for it and make Oath that he never rece any fort duties for ye first nor second

to weh he accordingly made Oath-

A Meffage from y^e house of Burgesses by W^m Leigh Gent & others who present his Maj^{tlee} Hon^{tlee} Council with an address to his most Sacred Majesty and their to pray their Hon^{tlee} Concurrence—

Refolved

That ye fame be affented to with fome additions & amendments-

Ordered

That ye Clerke of ye Gen¹¹ Affembly do Carry the fd Address to ye house of Burgesses & acquaint them that ye Council have assented thereto with severall amendmin to we their Hones desire the Concurrence of ye house.

the Book of Publick proportions from ye house of Burgesses read & affented to by

the Council-

Ords that ye Clerke of the Gen!! Affembly do returne ye book of publick proporcons to ye house of Burgesses & acquaint them that their Hons have affented thereto. As also to Carry to the house the ords of Council to Lt Colls Geo. Mason to disband the Rangers in Stafford County

A Bill from ye Burgesses Entituled a bill for ye more effectuall & speedy Carrying

on ye Revifall of ye Lawes read ye first time & orde a Second reading

A Bill from y Burgeffes Entituled a bill for raifeing a publick Levy read y first time & ordered a Second reading—

The Council adjourn'd till two of ye Clock in ye afternoone-

Post Meridiem-

BILL from ye Burgesses Entituled a bill for ye more effectuall and Speedy carrying on ye revisii of ye Lawes read ye Second time & Comitted for amendments.

A Bill from ye Burgeffes Entituled a bill for raifing a publick Levy read ye Second time & ordered a third reading.

The Councill adjourn'd till four of ye Clock

four of ve Clock afternoon-

A

BILL from ye Burgeffes Entituled a bill for ye more effectuall & Speedy Carrying on ye revifall of ye Lawes read ye third time with ye amendme

Refolved that ve bill do pais-

A Bill from ye Burgeffes Entituled a bill for raifeing a publick Levy read ye third time & affented to without any amendment—

Ordered.

That ye Clerke of ye Gen¹¹ Affembly do return ye fd bills to ye house of Burgesse & acquaint them ye ye Council have affented thereto—

A meffage from the Burgeffes by W^m Leigh Gent. & others who prefent the Councill with four Engroffed bills (viz^i)

An Ad for continuing y ad for prohibiting y Exportacon of Indian Corne-

An Ad makeing y french refugees Inhabiting at y Manikin towne & y parts adjacent a diftind parish of themselves & Exempting them from y paym of publick & County Levies for Seven yeares.

An



An Ad for yo more Effeduall & speedy Carrying on yo Revifall of yo Lawes

An Ad for Raifing a Publick Levy-

Ords

That ye Clerke of the Gen'l Assembly do go to ye house of Burgesses and returne ye

Engrossed bills to ye house-

A Meffage from y* house of Burgesses by W** Leigh Gent. & others who present y* Council with an Address to his most Sacred Majesty & acquaint them that y* house have made y* amendm** thereto proposed by their Hon** & pray that their Hon** will please to signe it—

the Same being read with ye amendments is Signed by the Honble Wm Byrd Elqr in

behalf of ye Councill & returned to the house

they also present to y' Honble Council y' ord' of Council of this Instant directed to L' Coll' Geo Mason for disbanding the Rangers in Stafford County & acquaint them that y' house is very well satisfied therewith

An Address to his most Sacred Maj^{iy} being prepared was read in ye following words

To the Kings most Excell Majir-

Most Dread Sovereigne.

We the Govern' Council & [See J. of H. of B., p. 240.]

web being read & approved was Signed by his Excellency & ye Honble Council-Ordered

that ye Clerke of ye Gen¹¹ Affembly Carry ye faid Address to ye house of Burgesse and desire that ye Same may be Signed by Every Individual member each in his proper place according to their Counties—

His Excellency was pleafed to recomend it to ye Honble Council for their advice whether any thing further was necessary to be done at present by ye Gen'l Assembly or

whether they should now Conclude ye Session-

Whereupon the Council are of opinion y' Confidering the Cold and winter Season of y' year & y' great throng that is now by reason of y' shipps being arrived in y' Country that therefore it is for his Maj' Service & y' Interest of this his Maj' Colony & Dominion that y' Gener! Affembly be prorogued till y' twenty fourth day of Aprill next—

Ordered that ye Clerke of ye Gen" Affembly do go to ye house of Burgesses & Comand ye whole house Imediately to give their attendance upon his Excellency in Councill in ye Gener" Court house and also to Comand them to bring what bills they have agreed to & past this Session to present them to his Excellency that they may receive all due approbation—

Mr Speaker and ye house of Burgesses being Come into ye Gen Court house

Mr Speaker in ye name of the whole house Expressed himself thus-

May it please your Excellency

We his Majis moft Loyall and Dutifull fubjects the Burgeffes in obedience to yo' Excellency's Comands do now attend your Excy wth ye fruits of our Serious Confideracons at this Seffion Severally affented to by ye Honbie members of his Majis Council for this his most ancient Colony & Dominion in ord to submit them & every of them to your Excellency's prudence & wisdom for approbation & for ye powerfull stamp yet wanting to give them due life Vigour & Authority to Effect ye sevil purposes they are design'd for—

We have had many Important Confideracons to Induce us to proceed upon nothing this Seffion but what abfolute necessify required & we have great reason to render ye highest acknowledgming to divine providence for so favourable a Season even in ye heart of a winter, remarkable for it's long continuance, And that admirable warmth yesterday wherein some of our latest fruite ripened & came to perfection that I hope I may without Vanity Construe An happy Omen of ye acceptableness of or Endeaves to his most Sacred Majes whom God long prierve & to yo Excellency now recovered from your late Indisposition & Sickness to ye great satisfaction and joy of us all. A savourable acceptance we are sure cannot miss of an advantagious Consequence to this Colony but will be a means



to continue his Maj's gracious inclinations towards us & that ardent zeale web yo' Exceedayly difcov's dwelling in you for ye prosperity of every Individual Inhabitant of this Government—

It is an Eafy matter to Compile a long difcourse & a true one too of yo' Exco Bounty on all occations yo' Charity yo' piety yo' unwearied Endeavours for ye advancem of Religion & Learning your undaunted resolution & Conduct for our desence & Security yo' plainess & Sincerity wh us & your great prudence & wisdom in ye discharge of that high and Honble trust his Maj' hath been pleased to Comitt to you, but those qualifications being so perspicuous in yo' Exco's person no man that knows your Exco can p'tend to be ignorant, And therefore I pass to ye repetition of ye titles of those sew acts web I am now appointed to present to your Excellency.

And they are

1. An Ad for Continuing y' ad for prohibiting y' Exportacon of Indian Corne—

2. An Ad makeing the french Refugees Inhabiting at y Manikin town & y parts adjacent a diftind parish of themselves & Exempting them from y paym of publick and County Levys for Seven yeares—

3. An Ad for y' more Effeduall & Speedy Carrying on y' revifall of y' Lawes—

4. An Ad for Raifeing a Publick Levy—

These May it please yo' Excellency

Are fuch acts as ye Honble Councill & ye Burgesses now before you deem to be for the good and wellfare of this his Majts most ancient & great Colony and Dominion of Virga and such as there is present occation for. Many other matters thô of weight & moment that would admitt of a reference are put to a further time when it shall please your Excellency to give this or another Assembly the oppertunity to Consider them and now may it please your Excellency we do not in the Least doubt your Excellency's Condescension to Joyne with us in the passing this Roll of Bills and that your Excellency will be pleased to favour us with your assistance & Endeavours to obtaine his Majts Gracious answer to our address—



AT A

GENERALL ASSEMBLY

begun at his Maj^{ties} Royall Colledge of William and Mary: 5th Decemb^r 1700 and thence continued by sev^{II} Prorogacons untill Wednesday ye Sixth of Augst 1701 &ct

[Prom the Public Record Office, London, Colonial Office, Class 5, Vol. 1409, pp. 463-560.]

At a Generall Assembly begun at his Majties Royall Colledge of William and Mary: 5th Decemb. 1700 and thence continued by sev!! Prorogacons until Wednesday ye Sixth of Aug.!! 1701 &ct

[Wednesday, August 6th, 1701.]

Prefent

IS Excellency, W^m Byrd, Edm^d Jenings, John Lightfoott, Benj: Harrifon and John Cuftis Efq¹⁰

L' Coll Geo. Majon haveing first taken ye Oaths Appointed by Act of Parliam' to be taken instead of ye Oathes of Allegiance & Supremacy Subscribed ye Test & Association took ye Oath of Burgess of this present Gen¹¹ Assembly.

The Occasion of calling ye Affembly and whi his Excy hath therevpon to deliver to ye house of Burgesses for their Consideration is referred till tomorrow morning in hopes there will be a fuller Council.

Council adjourned till to Morrow Morning Seven of ye Clock.

Thursday August 7th 1701

Prefent

IS Excellency, W. Byrd, Edma Jenings, John Lightfoott, Benj: Harrifon and John Cuftis Efq^{ta}

Whereas by fev" advices from England a Gen" warr is Threatned wherein his Majtie of most dread Sov and his Kingdomes & Dominions are likely to be deeply Engaged and ye Gen" Assembly of this his Majties Colony being now mett and Assembled together to Advise and Consult whit may best tend to ye advancem of Religion & Picty ye Intrest of his most Sacred Majtie and ye desence Safety & Security of this his Majties Dominion and Subjects here Inhabitting.

Therefore Ordered y' a Proclamacon be drawn enjoyning a day of fasting & Humiliacon to be kept and Observed by this fisent Gen¹¹ Assembly y' Inhabitance of y' City of Williamsburgh & parts adjacent vpon Wednesday y' Thirteenth of this inst Augs' and vpon Wednesday y' Twenty Seventh of this inst Augs' in all & every Parish & Fishs with this his Majiies Colony and Dominion to Implore y' Blessing of Almighty God for y' preservacon of y' Protestant Religion his Majiie Royall Person a prosperous success vpon y' Consultacon of this fishent Gen¹¹ Assembly and y' Peace & Quiet of this Colony.

Ordered yt yt Clrk of yt Gen" Affembly do go to yt house of Burgesses and Comand their imediate attendance upon his Excellency in Council in yt great Roome where yt Comtte for Revisall of yt Lawes usually Satt.

The Burgeffes attending, his Excy was pleafed to Express himselfe thus Hones Gent.

His Majties Royall Comands [See J. of H. of B., pp. 245-246.]

A Meffage from y^e house of Burgesses by W^m Leigh Gent. & others who presented y^e following resolve

Thursday Aug' 7th 1701

Refolved

That ye House doth agree to ye time appointed by his Exer & ye Council for laying ye foundacon of ye Capitol and also to his Exer proposition ye a Come of this house be appointed



appointed to Joyne wth a Comtee of ye Council to Confider of measures for ye better docing thereof and whi soever shall be proposed for regulateing ye set building & workmen Employed in it.

Wie Randolph Clk H: Burg

And then he added

I am further Comanded to acquaint y' Hon's that the House have Appointed Six of their Memb's to attend wh Number of the Council y' Excy & Hon's shall think fitt and that they are ready to waite vpon y' Hon's when you shall Appoint time and place.

The Honble Wm Byrd Efqr Ino Lightfoot Efqr & John Cuftis Efqr are apointed fortwine to Joyn in a Comtee wth Six of ye Members of ye House of Burgesses to consider of ye Measures to be taken for laying ye soundation of the Capitoll and whisever shall be thought necessary for regulating ye so building and workmen Employed in it, and ye Comtee to be held in ye great Room where ye Comittee for revisall usually satt.

Ordered yt ye Clk of ye Gen'i Affembly do go to ye house of Burgesses and acquaint

ym wtb this Order.

The Council adjourned till to Morrow morning Eight Clock

Fryday 8th Augst 1701

Prefent.

IS Exer, W. Byrd, Edma Jenings, Jn. Lightfoot, Benj. Harrifon, Efq. Tho: Holt by his peticon Setting forth yt yt Clks place for yt Comittee of propositions & Grievances being vacant he is very desireous to serve in yt Places.

It being Confidered by his Ex^{cy} & y^e Council y^t y^e f^d Holt being Sheriff of y^e County of Surry and not knowing how long y^e Affembly may fitt it is not for his Maj^{tie} Service y^t

he fhould be Absent from his County he being the Chief Officer therein.

The Honble W^m Byrd Efq^r Jn^o Lightfoot Efq^r and Jn^o Cuftis Efq^r being apointed to Joyn in a Comtee wth Six of y^e Membro of y^e House of Burgesses to Consider the measures to be taken for laying y^e soundacon of the Capitoll & whoever shall be thought necessary for Regulateing y^e so building and workmen Employed in it.

Returne ye reporpt in these following words

Memorandum

Proposed

That an Ord' of Affembly be made and published for ye better managemt of Workmen & Laborers yt are and shall be Employed about ye building ye Capitol prohibiting all Ordinary keepers from Entertaining any of ym or selling ym any drink wthout leave or Lycense of his Excy, the Comittee for Overseeing ye building appointed by Law or ye Overseer upon penalty of being putt down by ye next Justice of ye Peace from keeping Ordinary and being also fined according to Law for dealeing wth other peoples Servants.

That no other Person whisoever entertaine Employ or deale with any of ye so workmen

&et whout ye like leave und penalty of being fined according to ye fd Law.

That y Overfeer have power to Comence fuite on these Occasions.

And they further reported thus

Wee find M. Henry Cary to have been Imployed by y. Com'ee as overfeer of y. building and workmen, and know not of a fitter person or better method.

And y foure of y workmen being called before us Seemed very ready & willing to go on w diligence in y f d worke.

John Cuftis Efqr added

Ordered

That ye Clk of ye Gen" Affembly do earry the reprefentacon of ye Comee for revifall of ye Lawes concerning an Affetant together wth there reprefentacon to ye Honble Gen" Affembly, & lay ym before ye house of Burgesses to be by ym considered.

Ordered

That ye Clk of ye Gen" Affembly do go to ye house of Burg. & acqt ym yt his Extr Comdo there imediate attendance upon him in Council in ye great roome where yo Comittee for Revisall of ye Laws usually Satt.



The Burgesses Attending, his Excy was pleased to Express himselfe thus Honble Gent.

I have fent [See J. of H. of B., p. 248.]

Councill adjourned till to Morrow morning Nine of ye Clock.

Saturday 9th Augst 1701

Prſt

IS Exer, Wm B3rd, Edm'd Jenings, Jno Lightfoot, Benj: Harrifon and Jno Cuftis Efqro

The Clk of ye Gen¹¹ Affembly informeing his Exep ye House of Burgesses had adjourned ymselves till Munday morning Nine of ye Clock.

Orda That ye Council adjourne till Munday morning Nine of ye Clock.

Munday 11th Augst 1701

Prft

IS Excellency, W^m Byrd, Jn^o Lightfoott, Benj: Harrifon, Jn^o Cuftis—Efq^{ro}
M^t W^m Jones Peticon fetting forth y^t he is by y^e Worshipfull house of
Burgesses appointed Clk of y^e Com^{ttee} of proposicons & grievances & praying
y^t he may be sworn & admitted thereunto

Orde

That a Comicon be prepared empowering W^m Byrd Efq^r Benj: Harrifon Efq^r & In^o Cuftis Efq^r or any Two of y^m to adminift^r y^e Oaths Appointed by act of Parliam^t to be taken inftead of y^e Oaths of Allegiance & Supremacy y^e Teft & the Affociation together wth y^e Oathe of a Com^{ttee} Clk unto y^e aforef^d W^m Jones Gent. Clk of y^e Com^{ttee} of propoficons and grievances

W^m Byrd Efq^t Benj: Harrifon & John Cuftis Efq^t pursuant to y^e afores Comicon administred y^e aboves Oaths unto y^e afores W^m Jones Gent. who haveing taken y^e same & Subscribed y^e Afsociacon & Test is admitted Clk of y^e afores Comittee.

Ordered.

That ye Councill be adjourned till tomorrow Morning Nine of the Clock

Tuefday 12th Augst 1701

 $\Pr[$

IS Exey, Wm Byrd, Jno Lyghtfoot, Benj: Harrifon, Rob Carter and Jno Cuftis Efque Ordered yt you Clk of you Gen!! Affembly do carry his Majties Royall Lette of 9th of May 1701 recomending dive french Protestants now lately arrived to you fave & protections of his Exey & sev!! other Lette & papes Relateing to you Affaire unto you House of Burgesses for their Consideration therevoon and desireing their Speedy advice whi is best to be done & how these filent french Protestants shall be disposed off.

Ordered

That y* Clk of y* Gen¹¹ Affembly do carry & lay before y* House of Burgesses Dan¹¹ Cox Esq¹ his Lett' to his Ex²⁷ dated y* 8th April 1701 and y* grant for certaine Lands therein menconed together wth M¹ Micaja Perrys Lett' vpon y* Same Subject y* they take y* same into their Consideracon.



A Meffage from ye House of Burgesses by Coll Miles Cary and others who filt ye following Ords

Tuefday Augs 12th 1701

By yo House of Burgesses

May it please Y' Exty and Hon's

Y' message of this day [See J. of H. of B., p. 251.]

His Exey & ye Honble Council concurr with ye Opinion of ye house of Burgesses as concerning ye ffrench Protestants lately Arrived.

Ordered

That Mr Jamart ye ffrench Gent. be fent for and acquainted wth ye fame.

Councill adjourned till Thurfday Morning Nine a Clock

Thursday 14th Augst 1701

Prft

IS Excellency, W^m Byrd, Edm^d Jenings, John Lightfoot, Benj^d Harrison, Rob^d Carter, John Custis Esq^{es}

Sev^{II} Proposicions of y^e Inhabitants of Charles City County on y^e North Side James Riv^e being read.

Side James Riv being read.

Ordered The same be refferred to ye Consideracon of the house of Burgesses.

The Peticon of ye Inhabitants of Briftoll Th in Charles City County Read and Ordered The Same be refferred to ye house of Burgesses

Tho: Blunt Int'pret' to ye Nottoway & Nanfemond Indians his Peticon for his Sallary Read and

Ordered To be Refferred to ye House of Burgesses.

The Inhabitants of ye vppr Fish of Isle of Wight County peticoning ye fome of ye

Inhabitants of ye Lower Pfhs of ye aforefd County may be added to ym

Ordered The Same be referred to ye Confideracon of ye house of Burg³ Sev¹¹ Aggrievances of ye Inhabitants of Northampton County Read & Referred to ye Confideracon of ye house of Burgesses.

Ordered

That ye Clk of ye Gen" Affembly doe carry ye above menconed papes & Lay ymbefore ye house of Burgesses for their Consideracon therevpon to be had.

Councill adjourned till to Morrow Morning Nine of ye Clock.

Fryday 15th Augst 1701

Pr(t

IS Ex^{cy}, W^m Byrd, Edm^d Jenings, John Lightfoot, Benj^a Harrison, Robⁱ Carter, Jn^a Custis Esq^{ia} Resolved

That y^{ϵ} Decedings of his $Ex^{\epsilon_{\gamma}}$ & y^{ϵ} Council heretofore had concerning fortificacons & y^{ϵ} Securety & Defence of this his Maj^{vie} Colony be laid before y^{ϵ} House of Burgesses.

And y' they confider y' Bufyness of y' Rang'' vpon y' Frontiers at y' heads of y' Riv'' & whether it may not be prop' (vpon any Emerg' Occasion) y' same [be] Vested in his Ex'' & y' Council now in y' time of Imin' danger.

Three Petičons from M^r Chickeley Corbin Thacker One for Publick S^rvices another for removeing y^e Records & y^e Third for One hundred & fourty pounds of Tobacco read and referred to y^e Confideracon of y^e house of Burgesses

Councill adjourned till tomorrow morning Nine of ye Clock.

Saturday



Saturday ye 16th Augst 1701

 $\Pr[$

IS Exer, W. Byrd, Edm4 Jenings. Rob' Cartar, John Cuftis Efq10 His Exer laid before ye Council a Message sent to his Exer from ye house of Burgesses in these following words

ffryday 15th Augs 1701

By yo House of Burgesses

Ordered.

That a Meffage be fent to his Exty yt he will pleafe to Caufe yt Accts of yt Publick revenue be laid before this house. Mr Corbin, Mr Walters, Mr ffitzhugh, Mr Thacker, Mr Butt, and Mr Armestead are defired forthwth to cary the st message.

Wm Randolph Clk H Burg-

Ordered

That y' Honble M' Audit' Byrd prepare y' fame w'h all Expedicon y' it may be laid before y' House.

Council adjourned till Tuefday morning Nine of ye Clock.

Tuesday. 19th Augst 1701

IS Excellency, W^m Byrd, Edind Jenings, Char: Scarburgh, John Lyghtfoot, Benj^a Harrifon, John Cuftis and James Blair Elq^{to}

Whereas it is thought very convenient in this time of dang' y' fome certaine method should be taken for the better strengthening of o' ffrontiers both by Sea & Land and discovering y' approaches of an Enemy.

Ordered

That ye Honble Wm Byrd Efqt Benjo Harrifon Efqt and John Cuftis Efqt be appointed as a Comittee to Confidt how ye fame shall be Effected and yt his Excy and ye Council do recomend it to ye house of Burgesses to appoint a Convenient Numbt of their house to joyne wth ye so Council to Consider of ye propt wayes & meanes to do ye same with all Expedition—

Ordered

That ye Honble Charles Scarburgh Efqr Rob' Carter Efqr and James Blaire Efqr three of ye members of his Majtles Honble Councill be appointed as a Comtuse and his Excr and ye Council do recomend it to ye Burgeffes to appoint a Convenient Numbr of theire house to Joyne wth ye do Comtuse of ye Council to Confidr and inspect ye whole proceedings of ye Comrs appointed to Examine ye Claimes and Tytles to Land in Pamonkey Neck and on ye South-Side of Blackwatr swamp in their Sevil Courts, ye same may be now with all expedition Compleated Perfected and Ended.

Ordered

That ye Clk of ye Gen¹¹ Affembly do carry ye abovef^d Order to ye House of Burgesses. The Honble Mr Auditor Byrd pursuant to ye Order of 16th Inst laid before his Exer & ye Council ye State of his Majties Revenue vpon ye Quitt rents Anno 1700 And also a State of his Majties Revenue vpon ye Two shillings had &ct from 25th Odobr 1700 to ye 10th June 1701 weh he had prepared.

Pursuant to a Message from ye House of Burgesses to his Excy of ye 15th Inst

Ordered

That ye Clk of ye Gen'l Affembly do carry ye fame and lay it before ye House of Burgesses.

M^t Chicheley Corbin Thacker Clk of y^e Secretaryes Office Representing to this house that there are Two Bookes of Patents So very old and decayed y^t unless they be Speedly Renewed by Transcribeing they will be utterly useless and praying directions therein may be given

The same is referred to ye House of Burgesses.



Charles Scarburgh John Custis James Blaire Esq. absent.

A message from the House by M. Riche Bland and Others.

May it Please y' Excy

Wee are Comanded by ye House of Burgesses to Acquaint ye Excy and Hones that the House have appointed Two Sevil Comttees according to ye Excy and Hones proposall one to Consider of ye most proper way and meanes to Strengthen of frontiers by Sea and Land the other to Examine ye Claimes and Tytle to Land in *Pomonkey* Neck and on ye South-side of *Black-wate* Swamp in their sevil Courts when and where ye Hones shall appoint.

Ordered

That ye Clk of ye Gen'l Affembly do acquaint the House of Burgesses that ye Honbie Membre of his Majtice Council appointed to Joyne wth a Comittee of ye house are ready now to fitt in ye Council Chamber, or at any other time when ye house shall think fitt to Consider of ye most proper way and meanes to Strengthen the firontiers both by Sea and Land.

And yt other Comttee appointed to Confidt and infpect yt whole proceedings of yt Comte appointed. to Examine yt Claimes & Tytles to Land in *Pomonkey* Neck and on yt South fide of *Black water* Swamp in their fev¹¹ Courts will be ready to fitt to Morrow morning Tenn of yt Clock in yt Councill Office.

The Council adjourned till to Morrow Morning Nine a Clock.

Wednesday 20th Augst 1701

Prf

IS Ex^{c7}, W^m Byrd, Edm^d Jenings, Char. Scarburgh, John Lightfloot, Matthew Page, Benj^e Harrifon, Rob^t Carter, John Cuftis and James Blair Efq^{ra}
Ordered

That ye Clk of ye Gen" Affembly acquaint ye house of Burgesses ye ye Honble Edmd Jenings Esqr John Lightsoot Esqr and Matt Page Esqr are appointed as a Comette to Consider of sev" Propositions laid down for and concerning the Building the Capitoll

And y' his Ex'y & y' Council do recomend it to the Burgeffes to appoint a Convenent Number of their House to Joyne w'h y' sta Comittee of y' Council to Consid' y' Same and that the state of the Comittee forthwith Sitt in the Secretaryes Office.

Councill adjourned till to Morrow Morning Nine a Clock.

Thursday 21st Augst 1701

Prf

IS Excellency, W^m Byrd, Edm⁴ Jenings, Ch Scarburgh, John Lightfoot, Matt: Page, Rob⁴ Carter Efq⁷⁴

The Com^{tee} appointed to Confid^r of fev¹¹ Propositions laid down concerning ye building ye Capitall this day returned their report.

Council adjourned till to Morrow morning Nine Clock.

Fryday 22d Augst 1701

 \Pr [${\mathfrak t}$

IS Exes, Wa Byrd, Edma Jenings, Char. Scarburgh, John Lighfoot, Benja Harrison, Matt Page and John Custis Esqua The report of ye Comtiee appointed to Consider of the way and meanes to

Strengthen ye firontiers by Sea and Land Read and Ordered to lye vpon ye Table
The Report of ye Comitee appointed to Confide & inspect ye whole proceedings of ye
Comite appointed to Examine ye Claimes & Tytles to Land in Pomonkey Neck and on
ye Southside of Black-wate Swamp in their sevil Courts. Read ye first time & Ordered
a Second reading—

Α



A Meffage from y* house by M* Waters & others about an Ordnance of Assembly prohibitting the Ordnary Keep's to Entertaine y* workmen employed for Building y* Capitoll and praying their Hen's concurrence thereto was tead y* first time and Ordered a Second reading—

Council adjourned till to Morrow Morning Nine Clock

Saturday 23d Augst 1701

IS Exer, W. Byrd, Edme Jenings, Char: Scarburgh, John Lightfoott, Matt: Page, Benje Harrifon and John Cuftis Elque

The report of ye Comttee appointed to Confider & Inspect the whole proceedings of ye Comte appointed to Examine the Claimes and Tytles to Land in Pomonkey Neck and on ye Southside of Blackwat Swamp read ye Second time And vpon ye see the report Concerning some Surveys returned for Pattents to Issue.

The Honble Edm^d Jenings Elq^r entred a Caveat & prayed no Patent might Iffue to Benj^o Arnold for Two Thousand one hundred Acres of Land Reported by y^o Com^{ttee} untill he was fully heard in y^o matt^r he Suggesting y^o some of y^o same was whin his Grant.

He also prayed y' no Pattent might Issue to John Hunt for five hundred forty Six

acres of Land Reported by ye Comittee untill he was heard in ye premiffes

Upon proceeding forward in reading ye aforeid Report concerning fev¹¹ Claimes to Land in *Pomonkey* Neck Returned to be wthin ye bounds of ye Land affigned to ye *Pomonkey* Indians, It is ye Opinion of his Excy & ye Council ye for advancement of his Majtie Intrest & maintaining Peace & Quiet a Conference be held with ye house of Burgesses for fettling all Indian Matters

Ordered

That ye Clk of ye Gen¹¹ Affembly do carry to ye house of Burgesses this following writeing

Saturday 23th Augst 1701

By yo Honble Council

Upon reading ye Report of ye Comttee appointed to confide and Inspect ye whole proceedings of ye Comte appointed to examine ye Claimes and Tytles to Land in Pomonkey Neck and on ye South-fide of Blackwater Swamp in their sevil Courts ye fame be now with all expedition Compleated perfected & Ended and a Peticon from Some of ye Pomonkey Indians praying for a Patent to be to ye granted ye Council finding sevil Difficulties in Settling ye Indian Affaires desire a free Conference to be held on Wednesday next in ye Council Chambe by five of their Member with such a Convenient Number of Burgesses as ye House shall think fitt to Conside ye best & properest methods to Settle all matter relateing to Indian affaires, and Concludeing all Busyness relateing to Pomonkey Neck & Blackwater Lands.

The Ordinance of Affembly prohibitting Ordinary keepers to Entertaine ye Workmen Employed for Building ye Capitoll was read ye fecond time to we's ye Council Con-

fents wth fome amendmts

Ordered

That ye Clk of ye Gen¹¹ Affembly do carry ye aforefd Ordinance of Affembly wth y Amendm¹⁴ to ye house of Burgesses & acqt ym yt ye Councel have consented thereto wth these Amendm¹⁴

A Message from ye House by Coll Cary and others.

May it Please y' Hon's

Wee are Comanded by ye house of Burgesses to Acq' y' house y' in Answ' to y' House message to ye house concerning a free Conference they have Appointed Tenn of their Membr's to Attend on Wednesday next at ye Place Appointed.

The Honble W. Byrd Efqt, Ch.: Scarburgh Efqt, Matt Page Efqt, Benje Harrison

Efq', & Rob' Carter Efq', are appointed on ye Council pt to Manage yt conference

Council adjourned till Munday morning Nine Clock

Munday



Munday 25th Augst 1701

Prft

IS Exes, W. Byrd, Edm' Jenings, Char: Scarburgh, John Lightfoot, Matt: Page, Benjo Harrifon and John Cuftis Elq"

The Report of yo Comittee for Strengthening yo firontiers by Sea & Land

read ye fecond time & fevil Amendmes

Ordered

That y^e Amendm^{ta} be fairly drawn ag^{tt} tomorrow morning.

Council adjourned till to Morrow Morning Nine of y^e Clock.

Tuefday 26th Augst 1701

Prefent

M BYRD, Edm³ Jenings, Char: Scarburgh, John Lightfoot, Matthew Page, Benj³ Harrifon, John Cuftis Elq¹⁵

A Meffage from ye House by Mr Milner & others ye ye house had agreed to ye Amendme proposed to be made to ye Ordinance of Assembly prohibitting ye Ordinary Keepers to Entertaine &c ye workmen Employed for Building ye Capitol web being read

Ordered

That y° Cik of y° Gen¹¹ Affembly do return y° Ordinance of Affembly prohibitting y° Ordinary keepers [to] Entertaine &c¹ y° workmen Employed to build y° Capitol and acq¹ y° House of Burgesses y¹ y° Council have Consented thereunto as it is amended.

Ordered

That y^* Clk of y^* Gen¹¹ Affembly do carry to y^* house of Burgesses The following Message in writing.

By y^* Council

M' Speaker

His Exer intended to have Spoke to you himfelve but being indisposed at Prst hath defired us to Comunicate to you the sev" Propositions now sent for yr Consideracon which are as followeth.

Honbie Gentlemen

According to my Promife [See J. of H. of B., pp. 268-270.] Councill Adjourn'd till to Morrow Morning Nine of the Clock.

Wednesday 27th Augst 1701.

Pref

M BYRD, Edm⁴ Jenings, Cha: Scarburgh, Jn⁹ Lightfoot, Matt Page, Benj: Harrifon and Jn⁹ Cuftis Elq¹⁸

The Conferance Appointed to be held this day by ffive Members of ye Council wth a certaine Number of ye house Burgesses to consider the best and Properest Methods to Settle all Matters relateing to ye Indian Affaires, and concludeing all business Relateing to Pomonky Neck and Black Water Land & their Courts Comeing now under Consideration ye Honble Robi Carter Esq. being one of ye Members of Council Appoynted to Manage that conferance, He being now Absent, ye Honble John Custis Esq. is by ye Honble Council Appoynted in his Stead.

Dionifius Wright is Appoynted to Assist as Clerk at ye Conferance.

Council Adjourn'd till Tuefday next Nine of ye Clock

Tuefday



Tuesday 2d 7ber 1701.

Preft

M BYRD, Edm² Jenings, Cha: Scarburgh, Rob¹ Carter Efq¹⁰
A Melfage from y² Burgeffes by M² Macon and Others, whoe brought to
y² Councill for their Hon¹⁰ Concurrence

An Ordinance of Assembly for Settleing ye Bounds of Isle of Wight,

Surry and Charles City Counties-

Ordered

That it ly upon ye Table to be Read in a fuller Council

A Bill from ye Burgesses entituled an Act concerning ye Militia.

Ordered

That it lie upon ye Table to be Read in a fuller Council

John Lightfoot Efq. Added

Council Adjournes till to Morrow Morning Nine of the Clock

Wednesday 3d Sept: 1701.

Pref

IS Exc^{c7}, W^a Byrd, Edm^d Jenings, Cha: Scarburgh, John Lightfoot Efq^{t0}
Ordered

That the Clerke of ye Gen¹¹ Affembly do Carry to ye House of Burgesses this following Message in writing.

M' Speaker

Whereas his Excer [See J. of H. of B., p. 278.]

The Petičon of Thomas Parker and Thomas Mackyehey for Lands Leafed by the Pomonky Indians.

Ordered

To be refferd to ye Confiderate of ye house of Burgesses

John Tullitts Peticon for Apprehending an Out Lying Negroe Called Billy,

Ordered

To be reffered to ye Consideracon of ye House of Burgesses

A Message from ye Burge by Mr Foster & Others.

May it please yo' Excelled & Hone's

I am Comanded by ye House to deliver this Message to your Exc, and Hone

Wednefday Sept 3d 1701.

By y. House of Burgesses

May it Please yo' Exes and Hones

In Answer to yor Message [See J. of H. of B., p. 278.]

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Thurfday 4th 7ber 1701

Prefent.

M BYRD, Edm^a Jenings, Cha: Scarburgh, John Lightfoot and Benj^a Harrifon Efq^{ra}

The Petičon of Edw⁴ Bell, Edw⁴ Huckstep, Philip Williams, Thomas Mackgehay, George Shillin and James Johnson for Land within ye Bounds of ye Land Laid out for ye Pomonkie Indians, and leased to them by the Afores Indians.

Ordered to be reffer'd to the Consideracon of ye house of Burgesses how (the Indians haveing a Pattent for the Whole) these Mens petičons can be Answered.

Jie Rem Peticon for allowance as door keeper to his Ex^{cy} & the Council this Selfion

of Affembly

That



That ye Same be recomended to ye Confideraçon of the house of Burgesses.

A Bill from ye Burg Entituled an A& concerning the Militia, Read the first time, and Ordered a Second Reading

An Ordinance of Affembly for Settleing ye Bounds of Isl-Wight, Surry and Charles City Counties, Read the first time and Ordered a Second Reading.

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Fryday 5th Sept 1701

Prefent

IS Excy, Wm Byrd, Cha: Scarburgh, John Lightfoot, Benjo Harrifon and Rob' Carter Efq.

His Ex^{cy} Laying before the Councill a Letter from Maj' Peter Feild, dated ye 3^d Sep' Instant Concerning two Strange Indians, taken upon Swift Creek and

brought heither Prifoners.

Ordered That ye Clerk of ye Gen¹¹ Affembly carry ye Aforese Letter & Lay it before the House of Burg And desire them to send some of theire Member forthwith to hear ye Se Indians Examined before his Exey and the Council

James Blair Comiff Added

The House Appointed Eight of their Members (Viz') Miles Cary, W^m Tayloe, Riche Bland, Rob' Beverly, W^m Gough, Tully Robinson, Thomas Edmondson and Joshua Wynn Burg: to Attend at y^e Examinacon.

The Aforese Indians being fully Examined & heard were for ye prient sent back

Under a keeper.

Edmund Jenings Efqr Added

Upon due & Serious confideracon had of w^t fhall be done with the two Indians. Ordered

That the Clerk of y° Gen" Affembly Acquaint the House of Burg: that y° two Strange Indians Sent heither Prisoners by Maj^r Peter fleid [fleid] haveing been Examin'd before his Ex^{cy} & Council in the presence of Eight of y° Members of y° house of Burgesses.

His Exey & ye Honble Council conceiveing the whole Country to be therein concern'd

Defire ye Advice of ye house, what is best to be done win ye Afores' Indians.

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Saturday 6th Sept 1701

Prefent

M BYRD, Edm⁴ Jenings, Cha Scarburgh, John Lightfoot, Benj⁴ Harrifon, Rob⁴ Carter and James Blair Efq⁴

A Meffage from y⁴ Burgesses by Coll: Miles Cary and Others.

By the House of Burg:

Sep: 6th 1701

Refolved

That a Conferance be defired wth the Council, the better to enable this house to give a Suteable Answear to y^e Message of his Ex^{cy} & y^e Council Yesterday Concerning the Two Strange Indians

W™ Randolph Cl H Burg d John Lightfoot Elqr Appointed

The Honble We Byrd Elqr Benje Harrison Elqr and John Lightsoot Elqr Appointed to Manage ye Conferance.

Ordered

That ye Clerk of ye Gen'l Affembly Acquaint ye House of Burg: that ye Council have Appoynt'd three of their Members, to confer we a Convenient Number of ye house of Burg: to consult a Suteable Answer to ye Message Concerning two Strange Indians.

The



The Honble W^m Byrd Efq^t Edm^d Jenings Efq^t Charles Scarburgh Efq^t Benj^a Harrifon & Rob^t Carter Efq^{ta} Appointed to Manage a Conference wth the Burg: about the bill Intituled an Ad Concerning the Militia

Ordered

That a free Conference be defired to be held on Monday Next in ye Council Chambers About one of the Clock Afternoon by five Members of ye Council we a Convenient Number of ye Burg: as the House shall think fitt to confider upon ye Subject Matter of the bill Intituled an A& concerning the Militia.

An Ordinence of Affembly for Settleing ye bounds of Isle-Wight, Surry & Charles

Citty Counties, Read the Second time, & Ordered a Third Reading.

An Ordinence of the Affembly for Settleing ye Bounds of Isle-Wight, Surry & Charles Citty Counties read the Third time and Agreed to by ye Council.

Refolved

That it pass

Ordered

That ye Clerke of ye Gen¹¹ Affembly doe carry ye S⁴ Ordinance to ye House of Burg: and Acqt them that ye Council have Agreed thereto.

A Meffage from ye Burg by Mr Beveley and Others, who prefent ye House wth ye following Refolve.

By y' House of Burgesses Resolved

Sept 6th 1701.

That this House will not Agree to a Conference wth the Council upon ye Subject Matter of the bill Entituled An Ad concerning the Militia, untill ye Sd bill be Return'd to the House.

Prefent His Excy

A Meffage from ye Burg: to his Excellency and the Council by Coll: Miles Cary and Others, Who pefent the following Refolve.

By yo House of Burg

Sep' 6th 1701.

Refolved

That it is y Opinion of this House that y Two Strange Indians Sent heither by Maj Peter Feild are Enimies to y Governm & that they be therefore transported to Barbados,

Refolved

That his Excy & ye Council concurr wth ye Opinion and refolve of ye House, concerning ye two Strange Indians And Accordingly

Ordered

That ye Honble Wm Byrd Efqr take Care for Transportation, and that an Instrument be drawne for that purpose, and that ye Sheriff of James City County in mean time, keep & Secure them Under a Strong Guard, Untill they shall be delivered to ye Master of ye Sloop Westover, In Order to their Transportation.

His Excy Abfent

A Bill from y* Burgeffes, Entituled an Ad Concerning the Militia Ordered to be Comitted for Amendments Scarburgh, Harriffon, Carter, to Confider Upon y* paticular heads of Amendments

Council Adjourn'd till Monday Morning Nine of the Clock.

Munday Sep! 8th 1701

Prefent

M BYRD, Edm⁴ Jenings, Benj⁵ Harrifon, Rob^t Carter and James Blair Efq¹⁶
A Meffage from y^e Burg: by M^r Beverley and Others, Whoe p'fent y^e following bills, & pray their Hon¹⁵ Concurrence.

A Bill Entituled An Act for divideing King & Queen County read ye it

time and Ordered a 2d Reading.

A Bill Entituled an Act giveing power to y' Sherriff Attending y' Gen" Courts to Sumon Jurors & Evidences within y' City of Williamiburgh Read the first time and Ordered a Second Reading

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Tuesday



Tuefday 9th Sept 1701.

Prefent

M BYRD, Edm^a Jenings, Charles Scarburgh, Matt Page, Benj^a Harriffon, Robert Carter, James Blair Efq^r

Charles Scarburgh Eqr from ye Committee to confider Upon ye Amendments to ye Bill, Entituled an Ad Concerning ye Militia, Reports that they

have refolved Upon Sevil Amendmia and Ordered to ly Upon the Table

John Lightfoot Efqt Added

A Meffage from ye Burg: by Mr Macon and Others, Whoe prefent to ye Councill ye following bills and Pray their Honre Concurrence,

A Bill Entuled and AA for better Strengthening the frontiers and difcovering y

Approaches of an Enimie.

A bill Entituled an AA for y More Effectually Apprehending an Out Lying Negroe, whoe hath comitted divers Robberies and Offences.

A bill for Quieting ye poffetcon of Sev¹¹ perfons Seated Within ye bounds of ye Land laid out for ye *Pomonky* Indians.

Ordered That ye St bills be read the first time to Morrow Morning.

Council Adjournd till to Morrow Morning Nine of ye Clock

Wednesday 10th Sept 1701.

Prefent

IS Ex^{cy}, W^m Byrd, Cha: Scarburgh, John Lightfoot, Matt Page, Benj^a Harrifon, Rob^t Carter and James Blair Efq^{ts}

That y^e Clerke of y^e Genⁿ Affembly doe Carry y^e proceedings had Ag^{tt} y^e Two Strange Indians Prifoners and all papers and Charges thereunto relateing to the House of Burg: for their Considerat: thereupon & how the Charge shall be paid.

His Excy Abfent

A Bill Entituled an AA for divideing King & Queen County Read the Second time and Committed to Edm^d Jenings Efq^t for Amendments.

A bill Entitued An Act Giveing Power to y Sheriff for Attending y Gen'l Courts to Sumons Jurors and Evidences whin the City of Williamsburgh, read y Second time and Comitted for Amendmts to Benja Harrison Esq.

A Bill Entituled an A& for y' better Strengthening the frontiers & difcovering the Approaches of an Enemy. Read y' first time, and Order'd a Second Reading—

A Bill, Entuled an Act for the More Effectual Apprehending an Outlying Negroe, we hath comitted divers Robberies and Offences, Read the first time and Ordered a Second Reading

A Bill Entituled an Act for Quieting the Poffeton of Sev¹¹ perfons Seated w¹⁴ in y² bounds of y² Land, Laid out for y² Pomononkey Indians Read y² first time and Ordered a Second Reading.

Edm^d Jenings Efq^r Added.

A Meffage from ye Burg by Coll: Miles Cary and Others

That they had brought to the Council the Report of the Comittee for Publick Claimes, and Prayed their Hon's Concurrence.

Alfoe Refolved [Refolves] of the House Concerning Allowances to the Revifal,

And prayed their Honrs Concurrence.

Ordered That ye Clerk of ye Gen!! Affembly returne to ye House of Burg: the Bill Entituled an Ast concerning the Militia and Acquaint ye House that ye Council have Made Sev!! Amendm! thereto and Agree to the Bill with these Amendm! and desire ye Concurrence of the House.

Council Adjourned till to Morrow Morning Nine of the Clock



Thursday 11th Sept 1701.

Prefent

M BYRD, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Matt: Page, Benj^a Harrifon, James Blair Efq^{ro}

A Meffage from ye Burg: to the Council by Mr Thomas Barber and Others,

May it Pleafe Your Hones

I am directed by the House of Burgesses, to pfent to your Hon's ye Resolves of ye House Concerning *Pomonky* Neck and *Black Water* Land and pray yor Hon's Concurrence.

Ordered

That it Ly Upon the Table.

Prefent His Excy

Whereas Sev^{II} difputes have heretofore And Daily do Arife, what Shall be Accounted a Charge to be laid upon and paid by y^e Publick, and what is to be paid Expreffly out of and by his Maj^{ties} Revenue, for prevencion whereof for y^e future

Ordered-

That it be preposed to, & laid before the House of Burg: that a Law be Made to distinguish what Shall be Accounted a Countrey Charge, and what Shall be paid Out of ye Kings Revenue,

His Excy Abfent

A Bill Entituled an $A\mathcal{A}$ for devideing King & Queen County Read the third time wth the Amendm^{to}

Refolved

That ye bill wth ye Amendmts pafs.

Ordered

That the Clerk of y^e Gen¹¹ Affembly returns the Said bill to y^e House of Burg: and Acq^t them that y^e Council Agree thereto wth y^e Amendm^{ts} and defire the Concurrence of the House.

A Bill entituled An AA giveing power for attending y^* Gen'll Court to Sum[m]on Jurors and Evidences w^{th} in y^* City of W^{m} burgh read y^* 3d time w^{th} y^* amendm ts

Refolved. That ye Bill wth ye amendmts do pass

Ordered That ye Clk of ye Genll Affembly return ye id Bill to ye House of Burg. & acqt ym yt ye Council agree thereto with ye amendmte and defire ye Concurence of ye House

Robert Carter Efqr Added

A Bill Entituled an Ad, for y better Strenghening the ffronters, & Difcovering the Approaches of an Enimie Read y Second time and Comitted for Amendmto

A Melfage from ye Burgelles by Mr Edwin Thacker and Others.

May it Please Your Hones

Wee are Comanded to Acq^t Yo^r Hon^{ro} that the Burgesses have Agreed to y^e Amendm^{to} made by y^e Council to the bill for Divideing King & Queen County Alsoe to y^e Amendm^{to} Made to y^e bill Giveing power to y^e Sheriffs Attending y^e Gen¹¹ Courts to Sumons Jurors and Evidences wthin y^e City of Williamsburgh.

A Bill Entituled an AA for y' More Effectual Aprhending an Outlying Negroe whoe hath comitted divers Robberies and Offences Read the Second time and Ordered a third

Reading.

Council Adjourned till to Morrow Morning Nine of ye Clock.

Fryday



Fryday 12th Sep! 1701.

Prefent

M BYRD, Cha: Scarburgh, John Lightfoot, Matt: Page, Benje Harrifon, James Blair Efq**

A Meffage from the Burgeffes by Coll Wm Leigh and Others.

May it please Yor Hones

Wee are Comanded by ye house of Burgesses to Acqut Yor Hone ye house desires a Conference with some of ye Members of ye Honble Council concerning some Amendmum made to ye bill Entituded An Ad Concerning y' Militia.

Edma Jenings Robs Carter Efqrs Added

Refolved.

That a Conference be Agreed to. And Edm^d Jenings Efq^r Jn^o Lightfoot Efq^r Matt Page Efq^r be Appointed to Manage the Conference

Ordered

That ye Clerke of ye Gen¹¹ Affembly Acqt the House of Burg: that ye Council have Agreed that three of their Members, Shall forthwth Conferr wth a Convenient Number of ye Burg: upon some Amendate Made by ye Council, to ye Bill Entituded an Ad concerning ye Militia, & this Conferance to be in the Council Office.

A Bill Entituled an Ad for y' bett' Strengthening y' ffronters, & discovering y'

Approaches of the Enimy Read ye third time wth Amendmto

Refolved

That ye bill wth ye Amendmts do país

Ordered

That ye Clerk of ye Gen¹¹ Affembly returne ye S^d bill to ye Burgeffes, and Acqt them that ye Council have Agreed thereto wth the Amendments and defire the concurrence of the House.

A Bill Entituled an AA for y more Effeduall Apprehending an Outlying Negroe who hath comitted divers Robberies & Offences read y third time,

Refolved

That the bill doe pass.

Ordered-

That the Clerk of ye Gen' Affembly do returne the S⁴ bill to ye Burg: and Acqt them that ye Council have Agreed thereto we any Amendmes

Charles Scarburgh Efgr Abfent

A Meffage from ye Burg: by Coll: Wm Leigh and Others.

May it Pleafe yo' Hon's

Wee are Comanded by the House of Burg: to Acq^t Yo^t Hon^{ts} that the Burg: doe Agree to all y^e Amendm^{ts} Made by yo^t Hon^{ts} to y^e Bill Entituded an Ad for the better Strengthening the ffrontiers, and discovering y^e Approaches of an Enimie, Save only this one, where it is Said y^e Lookouts Shall be paid by the Publick—(According to Agreem') Instead whereof they pray it may be Said (after the rate of two hundred pounds of Tob^o Amonth) and thereto they pray yo^t Hon^{ts} Concurrence.

Refolved

That ye Council doe not infift upon that One Amendmt-But

Refolved

That ye Bill doe pass as it is now Agreed to by the Burgesses,

Ordered

That the Clerke of ye Gen¹¹ Affembly doe returne ye S⁴ bill web ye Aforefe Amendmento ye Houfe of Burgeffes

Conferrees about the militia Bill Return that they had come to a Resolution of

feveral amendments thereto to be made which were diffinctly read

A Bill Entituled an Act for Quieting the Poffeston of Sevil persons seated within you Bounds of you Land laid out for you Pomonkey Indians, Read the Second time and Ordered a Third Reading.

Council Adjourned till to Morrow Morning Nine of the Clock



Saturday 13th Sept 1701.

Prefent

M BYRD, Edma Jenings, John Lightfoot, Matt Page, Robs Carter Efgra A Meffage from the Burg: by Coll: W'm Leigh and Others May it please yo' Hones

Wee are Comanded by the House of Burgesses to returne to your Hones a Bill Entituled an Ad for y better Strengthening y Frontiers & discovering the Approaches of an Enniny, and to Acquaint yor Honro that the Burg: have Agreed, to ye Sevii Amendmie propofed by yor Honro and Alfoe the Additional Claufe and Accordingly have Amended the Same and pray yor Honrs Concurrence

Wee are Alfoe Comanded to p'fent your Hon's wth an Address to his Exty to lay Open the Land Upon Black Water Swamp, and in Pomonkey Neck. Ordered that it lyes Upon The Table

Ordered

That the Bill be Agreed to as it is now Amended.

Council Adjourned till Munday Morning Nine of the Clock.

Munday 15th Sept 1701.

IS Excy, Wm Byrd, Edma Jenings, Matt: Page, James Blair Esqua His Excy being Made Acquainted that ye House of Burgesses was Adjourned.

Council Adjourned till to Morrow Morning Nine of the Clock.

Tuesday 16th Sep! 1701.

M BYRD, Matt: Page. James Blair Esqro A Meffage from the Burgesses by Collo Miles Cary and Others, Who present the following Resolve Sep' 16th 1701

By yo House of Burgesses

Refolved and Accordingly Ordered

That ye Sum of Two hundred Eighty Three Pounds five shillings Sterling be put into ye Hands of the Trustees of the City of Williamsburgh for payme of the Severall proprietories concerned in the Land taken for ye faid City

Council adjourned till to Morrow morning Nine of ye Clock

Wednesday 17th Sept 1701

M BYRD, Edm^a Jenings, John Lightfoot, Matt: Page, James Blair Efq^{ro} Address from the House of Burgesses to his Excy to lay Open the Lands in Black water Swamp and in Pamonkey Neck that Patents may iffue to which they pray the Concurrence of the Council the Same being read.

That the Council do agree and concurr wth the House in this Address.

Ordered

That the Clk of the Generall Affembly carry the faid Address to the House and acquaint them that their Honors have agreed thereto

His



His Excy Present

A Message from the Burgesses to his Exer by Coll William Leigh & others

May it Pleafe y' Excy

Wee are Comanded by y^e House of Burgesses to acquaint y^r Ex^{cy} that the House have prepared an address to y^r Ex^{cy} in Answer to y^r Ex^{cy} Speech and y^e sev^u Messages Sent by y^r Ex^{cy} to y^e House.

And pray that y' Exty will be pleased to appoint a time to Receive the House and their Speaker to Present the Same.

To web his Exey replyed

 S^r

Acquaint the House that I expected to have received this message some time agoe, and the sooner the better.

The Speaker and the House of Burgesses attending M^r Speaker expressed himselve thus

May it Please y' Excy

Wee his Majties Loyall [See J. of H. of B., pp. 298-9.]

May it Pleafe Y' Excellency

Since prepareing [See J. of H. of B., p. 300.]

The Refolve of yesterday that the Sum of Two hundred Eighty Three Pounds five shillings &c $^{\rm t}$ being read

Refolved

That the Council Concurs w^{th} y^{e} House in the aforesaid, And that it be returned to y^{e} House.

A Message from ye Burgesses by Coll Miles Cary and others who present this following resolve.

By yo House of Burgesses

The House haveing taken into Consideracon a proposition from his Exty and the Council Yesterday

Refolved

That it is the Opinion of this House

That it is necessary a Law be made directing what Charges shall be paid by ye Publick and what shall be paid out of his Majties Revenue

Ord'd That it be referred to ye Comittee for revifall of the Lawes to confider the faid matter and prepare a Bill concerning the Same.

Wm Randolph Cl H Burg.

7 br ye 12th 1701

His Excy acquainting [See J. of H. of B., p. 301.]

A Message from the Burgesses to his Ex^{ey} and the Council by Coll W^m Leigh and others who brought the following resolve in answ to y^e aforesaid proposition

Wednesday 7br 17th 1701

By the House of Burgesses

Refolved

That it is the Opinion of this House

That it will be for his Maj^{tles} Service and ye Interest of this Colony that his Maj^{tles} Ship ye *Lyncoln* and his Maj^{tles} Ship the *Shoreham* be joyned together and to go in One ffleet.

Refolved. That it is the Opinion of this House

That it is proper to lay an Embargoe vpon all Ships Outward bound to Stay, and take Convoy under the aforesaid Ships

Wm Randolph Cl H: Burg.

Refolved

That his $\operatorname{Ex}^{\operatorname{cy}}$ and $\operatorname{y}^{\operatorname{e}}$ Council Concurr $\operatorname{w}^{\operatorname{th}}$ the House in $\operatorname{y}^{\operatorname{e}}$ above resolve, and that an Ord be drawn for that purpose to Stop the Ships & Vessels bound for $\operatorname{England}$ untill $\operatorname{y}^{\operatorname{e}}$ fifteenth of Odober next.

Councill adjourned till to Morrow Morning Nine of the Clock.

Thursday



Thursday 18th Sept 1701

Prefent

M BYRD, Edm^d Jenings, John Lightfoot, Robert Carter, James Blair Efq^{**}
A Meffage from the Burgeffes by Coll W^{**} Leigh and others.

May it Pleafe y^{*} Hon^{**}

Wee are comanded by the House to waite vpon y' Hon' and to present an Address drawn by the House to His Most Sacred Majie concerning ye matter relateing to New York, and they thereto pray y' Hon' concurrence.

Matt: Page Efqr added

The Address to his most Sacred Maj^{tie} read the first time and Ordered a Second reading.

A Meffage from the Burgeffes by Coll W" Leigh and Others

May it Pleafe Y' Hon's

Wee are Comanded by ye House of Burgesses to waite upon ye House and to present an Address made by ye House to his Most Sacred Majiie wherein they represent to his Majiie that they have Appointed M. W. Byrd Jun. their Agent and they pray ye House Concurrence thereto.

Council adjourned till to Morrow Morning Nine of ye Clock

Fryday ye 19th Sept 1701

Prefent

IS Ex^{cy}, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt: Page, Robert Carter, James Blair Efq^{to}

A Meffage from ye Burgeffes by Mr Rob' Beverley and Others.

May it Please y' Exty & Hon's

Wee are Comanded by the House of Burgesses to lay before y' Excy & Hon's Mr Treasurers Accis and pray y' Excy & Hon's Concurrence

His Exty Abfent

A Melfage from ye Burgelles by Coll Miles Cary and Others.

Wee are Comanded by the House of Burgesses to waite vpon yr Honro and to lay before you a Bill Entituled An Ad giveing further directors in building yr Capitoll and for building a Publick Prison. Also a Bill continueing yr Acts Laying Impositions upon Liquors Servio and Slaves untill yr 25th Decembr 1703 to both which Bills they pray yr Honro Concurrence

Wee are further Comanded to Acquaint y' Hon's that the House have nothing more that now lies before them

Ordered

That ye Clk of ye Gen¹¹ Affembly carry to the House of Burgesses this following Message in writing

By the Council

M' Speaker & Gent. of y' House of Burgesses

The Council have [See J. of H. of B., p. 303.]

His Excy Prefent

Ordered

That the Proceedings of his Ex^{cy} and the Council heretofore had concerning fortificacons and the Securety and defence of this his Maj^{ties} Colony be laid before y^e House of Burgesses and that they deliver their Opinion therevpon.

And also to acquaint the House that his Excy does not find that the House have made any direct Answ to ye Proposition concerning an Address to be made to his Majtie that two Engeneers, or Fire Mastre well Skilled in Manageing Mortar Pieces Granades and all fire workes for Shipps in Warr may be sent hither, and all materials for that purpose, we Granadeer & Dragoon Armes which his Excy Expects

His



His Excy Ablent .

A Meffage from y^e Burgesses by L^t Coll W^m Gough. An Answer to y^e Council Message as followeth

Fryday 7br 19th 1701

May it Pleafe y' Hon"

In answer to y' Hon's Message [See J. of H. of B., p. 303.]

By the House of Burgesses

By the House of Burgesses

Refolved

That it is the Opinion of this House that this Country is not of ability to build any fortificacons and that if it were the benefit would not countervaile ye Charge.

W" Randolph Cl H Burg.

Wednesday 7br 3d 1701

By ye House of Burg.

Resolved

That it is ye Opinion of this House vpon his Excy fifth proposition yt this Countrey is not Able to pay the Charge of Engeeneers and fire Mastro, or the materials Suitable fore fire workes and fire Ships

Wm Randolph Cl H: Burg.

Sepi ye 19th 1701

By the House of Burgesses

Ordered

That a Copy of ye Refolve of this House vpon his Excy fifth proposition be sent as an answ to his Excy message this day and that his Excy be acquainted that the Subject matter thereof was not willfully Omitted in of Address

W^m Randolph Cl H Burg.

A Bill Entituled an Act giveing further directions in building the Capitoll and for building a Publick Prifon read the first time and Ordered a Second reading.

A Bill Continueing ye Acts laying impositions vpon Liquors Servants, & Slaves untill ye 25th of *Decembr* 1703 read the first time and Ordered a Second Reading.

Council adjourned till to Morrow Morning Nine of the Clock

Saturday Sept 20th 1701

Prefent

IS Excy, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt Page, Robert Carter, James Blaire Esq^{to}

Ordered

That the Clk of ye Gen¹¹ Affembly doe acquaint the House of Burgess. That the Resolve of ye House sent Yesterday (wherein they say, that this Country is not of Ability to build any fortificacons, and that if it were the benefit would not countervaile the Charge) is not a full Answ to the Message sent from his Exc and the Council, which requires the Opinion of ye House Concerning a Naval force. Whether that is any Securety and defence to this Country as well as concerning Land fortificacons both which were contained in the Paper then sent to the House.

And also acquaint the House that the Ords of the House Yesterday concerning his Exeys fifth proposition is not fully Answered, for that proposition never intended that they should come in at ye Country Charge. But that the House might Joyne in an Humble Address to his Majtie That two Engeneers or fire Mastrs for warr may be sent hither, with all Materialls for that purpose wth Granadeer Armes. And as in another Paper laid before the House Hand Mortars and Granadees suitable and fitt for them wth pistoll powder and pistoll bullets all which is by his Exey and the Council thought to be much for his Majties Service and Interest and the Sasety and Securety of this Country—

Council Adjourned till Munday Morning Nine of the Clock.

Munday



Munday Sept 22d 1701

Present

M BYRD, Edm⁴ Jenings, Robert Carter, James Blair Esq¹
Ordered

That y' Clk of y' Gen'! Affembly do go to y' House of Burgesses and Comand their attendance vpon his Ex' in Council

Burgeffes Attend

His Excy Expressed himselve thus

M' Speaker and Gentlemen of y' House of Burg

Y' Refolve of y' 17th inft [See J. of H. of B., pp. 304-6.]

Ordered

That the Message prepared on Saturday last be sent to ye House of Burgesses, be delivered into ye House to Morrow Morning

Council Adjourned till to Morrow Morning Nine of the Clock

Tuesday 23d Sept 1701

Prefent

M BYRD, Edm³ Jenings, Robert Carter, James Blair Efqr³
A Bill Entituled an Act giveing further directions in building the Capitoll & for building a Publick Prifon read y Second time & Comitted for Amendments.

A Bill Continueing ye Acts laying imposition upon Liquors Servants and Slaves untill the 25th December 1703 read the Second time and Ordered a third Reading.

A Bill Entituled An Ad for Quieting y Possession of severall Persons seated whin y bounds of y Land Laid out for y Pamunkey Indians agreed to by the Council and Ordered that the Bill do Pass.

Council adjourned till to Morrow Morning Nine of the Clock

Wednesday 24th Sept 1701

Prfen:

IS Ex^{cy}, W^m Byrd, Edm^d Jenings, Robert Carter, James Blair Efq^{ce}

A Meffage from the House of Burgesses by Coll Miles Cary and Others.

May it Please Y^e Ex^{cy}

Wee are Comanded by y^e House to waite vpon y^r Ex^{ey} & to acquaint y^r Ex^{ey} y^t y^e house have prepared an Address and defire to know when y^r Ex^{ey} will please to Appoint a time to have the Same presented.

To weh his Exey replyed, now if they pleafe

The Speaker and the House of Burg. attending vpon his Exey & ye Council in ye Council Chamber.

The Speaker Expressed himselve thus

May it Pleafe Y' Excy

Wee his Majtles [See J. of H. of B., pp. 307-8.]

To weh his Exey expressed himselfe Thus.

Gentlemen

You have in ye Latter part of yo' Address tyed me Up from Answearing to ye premises till I see ye Bill therein Menconed, web you say shall be dispatched web all Expedicon But you must give me leave to make this Observacion that as concerning the Character you give of my Valour & Conduct as you are pleased to terme it, I shall By Gods Assistance) as Long as I continue in this Station, make it my Study and Endeavours to Merrit that High Character.

And



And perceiveing that noe Arguements or reasons will convince you but Ocular demonstracons, I hope if Such a thing Should happen that this Country (web God forbid) Should be Invaded by ye french I shall have ye Hon to sight in the Head of You.

24th Sept 1701

A Bill Continueing ye Acts laying Imposition Upon Liquors, Servants and Slaves, Untill ye 25th of *December* 1703. Read the Third Time and Agreed to by the Council.

Refolved That ye bill doe Pass.

Ordered

That ye Clerk of ye Gen'i Affembly doe Carry ye Said bill to ye House of Burgesses and Acquaint them that ye Council have confented thereto whout Any Amendment.

A Bill Entituled an Ad Giveing further directions in Building y Capitoll and for building a Publick Prifon Read the third time wth ye Amendmis

Refolved

That ye Bill wth ye Amendmts doe Pass

Ordered

That y^e Clerk of y^e Gen¹¹ Affembly doe Carry y^e S⁴ Bills to y^e House of Burgesses and Acq^e them that y^e Council have Agreed thereto wth some Amendm^{to} which they herewith Send and desire the Concurrence of the House.

Ordered. That ye Clerk of the Gen¹¹ Affembly carry to the House of Burgesses ye Bill Entituled An Ad For Quietting ye Possesson of Sev¹¹ persons Seated whin the bounds of ye Land laid out for ye Pomonkey Indians, and Acqt them that ye Council have Agreed thereto whout Any Amendments.

Coll: Carters Accoust Affented to by his Excy And the Council.

Ordered

That ye Clerk of the Gen¹¹ Affembly doe Carry to the House of Burgesses (Viz*)

That ye Council have now Under their Confideration the two Addresses Made by the House of Burgesses to his Most Sacred Majtie Dated the 18th Instant both web they Pray ye Councils Concurrence.

The Council defired an Imediate Free Conference may be thereupon had by three of their Members, wth Such a Convenient Number of ye Burgeffes as the House Shall think fit to be held in the Council Chamber it being in their Apprehence the Shortest Way to come to a Conclusion in those Affaires

Ordered

That Edm^d Jenings Efq^r Robert Carter Efq^r & the Reverend James Blair Efq^r Manage the Conference.

A Meffage by Coll: Leigh and Others from ve House of Burgesses.

Jonathan Gladman and Henry Forty their petition laid before ye House of Burgesses. The Clause of Govern Blackistone Lett reffered by his Excy to ye House of Burgesses.

A Meffage from ye House of Burgesses by Coll: Wm Leigh and Others.

Wee are Comanded by ye Houle to waite Upon Your Hon¹⁰ & to prefent a Bill Entituled an Ad for Levying And Armeing an Effectual force in time of Danger, And thereto pray yo¹ Hon¹⁰ Concurrence.

Read the first time and Ordered a Second Reading

Wee are further Comanded to Acqt Yor Honrs that wee have Comunicated to ye House what yor Honrs were pleased to say Unto us in ye Conference concerning ye Addresses to his Most Sacred Majtie and Are Comanded to Acqt Yor Honrs that ye former Resolve of ye House being that ye Address to his Majtie Should Containe all Necessary Matter the House cannot reside [recede] from it

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Thursday



Thurfday 25th Sept 1701

Prefent

M BYRD, Edm^d Jenings, Robert Carter, James Blair Efq^{to}
A Bill Entituled an Ad giveing further directions in Building yo Capitol
and for Building a Publick Prifon Agreed to wth yo Amendm^{to}
Ordered

That ye Clerk of ye Gen'' Affembly returns ye Sd bill to ye House of Burgesses and Acot them therewith.

His Excy Prefent

A Mcffage from y^e House of Burgesses to his Ex^{ey} and the Council by Cap^t Harrison and others

May it please Yor Excy

I am Comanded by ye House to waite Upon Yor Excy and to present yor Excy with a Message with a resolve of ye House in Answear to yor Excys Speech, concerning yor Excys sifth proposition.

I am also Comanded to prefent yor Excy win a Resolve of ye House in Answear to yor

Exess Message concerning a Navall force.

Ordered

That ye Clerk of ye Gen¹¹ Affembly Acq¹ the House of Burgesses that ye Gentlemen of ye Council who Yesterday held a Conference wth some of ye Members of ye House of Burgesses, desire that ye Conference may be now forthwith continued upon ye Same Subject in ye Same place.

His Excy Abfent

Edm^e Jenings Efq^r from y^e Conferrence wth the Burgesses mad report that Upon Conference wth the Burgesses Upon y^e Address to y^e King, they had come to a resolucion of Makeing Sev^{tt} Amendm^{ts} and y^e Same were comitted to be drawne against to Morrow Morning, According to y^e Resolve by y^e Hon^{ble} Rob^t Carter Esq^r and y^e Rev^d James Blair Esq^r

And He further Made report that ye Council had Agreed to ye Address concerning

y Agent.

Council Adjourned till to Morrow Morning Nine of ye Clock.

Fryday ye 26th Sept 1701

M BYRD, Edm² Jening, Robert Carter, James Blair Efq**
A Message from ye house of Burgesses by Capt Jos: floster and Others who present ye following Message

ffryday 26th Sept 1701

By vº House of Burgesses

May it please Yor Honrs

Wee have noe Manner [See J. of H. of B., p. 311.]

A Bill Entituled an AA for y' Leavying and Arming an Effectual force in time of danger Read the Second time and Comitted for Amendments to Edmund Jening Efq'

That y Clerk of y Gen¹¹ Assembly Acq¹ y House of Burgesses, that y Council have now y Book of Claimes and [after] their consideracon desires y House to Send them all y papers relateing to y Claimes of W Holt, Richard Fassacr & Sam¹¹ Todd of Stassord County

Ordered

That ye Clerk of ye Gen" Assembly carry this following resolve to ye House of Burgesses

Refolved

That y Sev¹¹ proceedings of y House of Burgesses concerning Black Water & Pomonkey Neck Lands be Agreed to Except only the last Clause in Page y Sixth and y Resolve thereupon



thereupon in Page Seaventh we wee take to be a division in Matter of Right and not heareing any of ye Arguemte Ufed and laid downe cannot determine that Poynt, and therefore propose that they be Expunged.

Ordered

That ye Clerk of ye Gen" Affembly acqt The House of Burgesses that ye Council Affent to ye Book of Claimes, Provided the Sum of One hundred forty Six pound Eight Shillings and three pence Sterl: formerly laid before the House, Paid by Mr Auditer for Sevil Difburfmts and the Sum of Sixty three pounds Sterl: paid to Mt Henry Tyler, for Sixty Three Acre of Land Adjoyneing to ye City of Williamsburgh to ye Lots Assigned for the Govern's House to be thereunto added.

Ordered

That ye Clerk of ye Genti Affembly Acqt ye House of Burgesses that ye Resolve of ye House of ye Third, fifth & Ninth of Sep' 1701. Relateing to ye Revisal of ye Lawes Are Agreed to wth this Addition that in Case either of ye Assistants or Clerk Should happen to dye, or be uncapable to perform And finish ye Same, that then he be considered & paid proporconably for ye Service he has done & yt Whofoever Shall funish ye Same shall be Allowed and paid ye Remainder.

The Council being very Sencably that Robert Pasley is not Capable nor Able to discharge ye Office of Interpreter to ye Pomonkey Indians, And they not knowing Any fit for that Service, propoles ve Houle of Burgeffes to Nominate one weh they think fit to performe it, if they think there is any Necessaty for Such a One.

A Message by Capt Harrison from ye House of Burgesses

May it please Yo' Hon's

I Am Comanded by yo House to Acqt Yor House that yo House have Agree'd to yor Honrs Addition made to ye Refolve of ye House concerning Allowances to ye Revisall and Accordingly Added ye Same.

Ordered

That ye fame be Agree'd to by ye Council and returne to ye House of Burgesses.

I am Alfo Comanded by ye House to Acqt Yor Honrs that ye House cannot Agree to ye two Artickles proposed by yor Hones of One hundred forty Six pounds Eight Shillings & three pence, and Sixty three pounds and pray that yo' Hon's will please to pass Without

Council Adjourned till to Morrow Morning Nine of ye Clock.

Satterday 27th Sept 1701.

M BYRD, Edma Jenings, Rob Carter, James Blair Efgra A Meffage to ye Council by Coll Wm Leigh and Others from ye Hous of Burgesses.

Who present ve following Resolve

Sep! 27th 1701.

By yo House of Burgesses

In Answear to yor Honra Message [See J. of H. of B., pp. 316-7.]

A Message to ye Council by L. Coll: Miles Cary & Others from ye House of Burgesses. May it Please Yor Hones

Wee are Comanded by ye Houfe of Burgesses to Acq! Yo! Hon! that ye House have Agreed to ye Amendmis made by yor Hones to ye Address to his Sacred Majite Concerning ye Builfinels of New York, and have Ordered ye Same to be drawn ffaire.

Saturday Sept 27th 1701.

By yo House of Burgesses

Refolved and Accordingly Ordered

That M' Treasurer out of ye Monys in his hands for ye Impositions of Liquors by ye first Conveniency remitt unto M. W. Byrd our Agent in England ye Sum of Three hundred

pound



pound Sterl: to be Imployed and made Use of as Occasion requires in Solifiting our Address to his Majrie and in Carrying on the builfiness of ye Agency Comitted to his Charge

Wm Randolph Cl H Burg:

Ordered

That y' Clerk of y' Gen" Affembly carry this Message to y' House of Burgesses (Viz')

By the Council 27th Sept 1701.

M' Speaker and Gentlemen of y' House of Burgesses

Wee have yor Answear [See J. of H. of B., pp. 321-2.]

Saturday 27th Septem 1701.

By y' House of Burgesses

Refolved

That this House doth adhere to ye last of their Resolves Concerning Black Water and Pomonkey Neck Lands, for ye dividing Six Thousand one hundred Sixty Acres of Land between John Buckner and Chichely Corbin Thacker.

Ordered

That a Copy of this Refolve be carryed to ye Council and their Honre be defired to país all the Refolves Relateing to *Black Water* and *Pomonkey* Neck Land webout Any further refference.

W" Randolph Cl: H Burg:

Ordered That ye Clerke of ye Gen¹¹ Affembly goe to ye House of Burgesses and Acqt that his Excy Comands the Imediate Attendance of the House.

The House Attending.

His Exey Expressed himselfe Thus.

Gentlemen

I am heartily Sorry [See J. of H. of B., pp. 318-21.]

His Excy Abfent

Ordered

That ye Clerk of ye Gen" Affembly Acq ye House of Burgesses That,

Whereas a Bill hath been prepared this Seffion of Affembly, Entituded an Aâ for yomore Effectuall Apprehending and Outlying Negroe who hath Comitted divers Robberies and Offences, we'n Negroe is Since come in and Surrendered himselfe and is now here in your Cultody of you Sheriff of James City County,

The Same is recomended to ye house of Burgesses for their Opinion what is to be

done wth him.

A Meffage from ye house of Burgesses to his Exey and ye Council by Mr Gideon Macon & Others.

May it please Yor Exty and Honrs

Wee are Comanded by ye house to returne this Answear to yor Exer and Hones Message concerning the Negroe

Saturday 7ber 27th 1701.

By the House of Burgesses

Refolved

That it is ye Opinion of this House that if one bill web hath passed ye Council and Burgesses this Session, Entituled an Aâ for ye More Esseduall Apprehending an Outlying Negroe who hath Comitted divers Robberies & Ossenes, be Assented to by his Exer it doth Sufficiently provide & direct what Shall be done web ye Se Negroe.

Council Adjourn'd till Munday Morning Nine of ye Clock.

Munday



Munday 29th Sept 1701

Prefeut

IS Exer, Wm Byrd, Edmd Jenings, Robb Carter, James Blair Efq. Ordered

That ye Clerke of ye Gen'l Affembly Acquithe House of Burgesses that his Excy Comands ye Imediate Attendance of ye Whole House Upon his Excy in the Council Chamber, and to bring with them wt Bills they have ready prepared for his Excy to pass.

A Meffage from ye House of Burgesses by Mr Westcomb and Others Who broughtt to ve Council,

An Engroffed Bill Entituled An Act for yo More Apprehending an Outlying Negroe who hath Comitted Divers Robberies and Offences.

An Engroffed Bill Entituled an Ad giveing power to yo Sheriffs Attending yo Gen! Courts to Sumon Jurors & Evidences within ye City of Williams Bourgh and halfe a Mile Round y' Same.

An Engrossed Bill Entituled an A& for yo better Strengthening the ffrontiers, and discovering ve Approaches of an Enimy.

Which were all Read and Compared wth ye Originalls and found Agreeable thereunto.

The House of Burgesses Attending his Excy-

Mr Speaker Expressed himselfe Thus

May it please Yor Exer

Wee his Majtles Moft Loyall and Dutifull Subjects The Burgeffes, In Obedience to yo' Excys Command do now Attend Yo' Excy and Prefent to yo' Excy Three Bills Affented to by his Majiles Honble Council this Session of Assembly, And to Submit to yor Excys prudence for Approbation and they are.

(1) An Ad for y' better Strengthening y' ffrontiers and discovering y' Approaches

of an Enimy,

(2) An Ad for yo more Effedual Apprehending an Outlying Negroe, Who hath comitted divers Robberies and Offences,

(3) An A& Giveing Power to yo Sheriffs Attending the Gen" Courts to Sumons Jurors and Evidences wihin the City of Williamsburgh, and a half a Mile Round y' Same

To all weh Aforefa Acts his Exey was Pleafed to give his Affent, And ye Same were Signed by his Excy and Mr Speaker.

After weh His Exey Expressed himselfe to ye House of Burgesses Thus.

Gentlemen

I hope in God [See J. of H. of B., p. 323.]

A Message from ye Burgesses to his Excy by Mr Miles Cary and Others.

May it please yo' Exer

Wee are Comanded by ye House of Burgesses to Acqt yor Excy that ye House have prepared an Address to yor Exer And pray to know the time when ye House with their Speaker may Attend yor Excy to Present it.

His Excy Answeared, now if they Please

The House attending Mr Speaker Expressed himselfe Thus

May it Pleafe Yo' Excy

Wee his Majties Most Loyall [See J. of H. of B., pp. 324-5.]

Meffage by Mr Bererly and Others who pfent ye following Refolve, concerning ye Bill for Levying & Arming an Effectual force in time of Danger.

By the House of Burgesses.

Munday Sept 20th 1701.

In Answer to yor Honra Message [See J. of H. of B., pp. 323-4.]

By the House of Burgesses

Refolved

That ye House doth Agree to joyne win a Comittee of ye Council to see what hath been done with his Majties Governme of New Yorke and the five Nations of Indians.

W" Randolph C1: Ho: Burg:



Edm' Jenings Efq' Rob' Carter Efq' and the Rev'd James Blair to Manage yo Comittee. Ordered.

That ye Clerk of ye Gen" Affembly acqt ye House of Burgesses, that Three of ye Honble Council are Appointed to joyne in a Comittee win a Convenient Number of you House of Burgesses to make Search and Inquiry what hath been done in his Majties Governme of New York and the five Nations of Indians Imediately in ye Council Chamber.

And Alfo that ye Council defire a Conferrence Upon ye Subject Matter of ye Bill Entituled An A& for Levying and Arming an Effectual force in time of danger, Upon their Amendments Made thereto; and yor Answear thereupon, by three of ye Council wth a Convenient Number Of the Burgeffes forthwin in ye Council Chamber

Alfo a Conference upon ye Book of Claimes.

Message to the Council by M. Cary & Others, to Acqt their Hon's that they were Appointed by the Houle of Burgefles in Answear to yor Hon's Message to Conffer with their Hon¹⁶ About ye Book of Claimes.

Melfage to ye Council by Mr Beverly and Others to Acqt their Honre that they were appoynted by the House of Burgesses pursuant to their Hon's Message to joyne in a Comittee to Serch and Inquire what hath been done in his Majtles Governmt of New York and wth the ffive Nation of Indians.

Message to ye Council by Mr Bland and Others to acqt their Hones that they were Appointed by ye House of Burgesses, pursuant to their Honre Message to joyn in a Confference About a Bill Entituled an A& for Levying and Arming an Effectuall force in time of Danger.

Tuesday Ult: Sept 1701.

Prefent

M BYRD, Edm^d Jenings, Robert Carter, James Blair Efq^{ra} The Honble Edmd Jenings Esqt from ye Committee Acqt ye House that they had Acquainted the Gentlma of ye House of Burgesses, wth all ye Matters

relateing to ye Artickles of Agreemt Made wth the five Nations of Indians at Albany, with the proceedings of Govern' ffletcher the Lords Justices Instructions thereto relateing, And that they replyed they would Acqt ye House wth it.

And from ye Conferrance Upon ye Bill Entituled an Act for Levying and Armeing an Effectual force In time of danger, that they had laid downe all the Arguements and reasons they could for Expungeing the Clause as menconed in ye Amendmis: they Answeared, they had Only Comicon to hear our reasons for ye Expungeing of it, and would report it to ye House.

And from ye Conference Upon ye Claimes, that they had given all ye reasons they could frame to Induce ye Burgeffes, to Allow the two Articles, they Answered the House had refolved it was no Country Charge, that they were of Oppinion it was time Enough to purchase Land Adjoyneing, when they went About Building ye House, that when ye Towne was Built, they might find Land in ye Town.

About ye Charge to ye Pyrates, fome was for Other Uses, and Upon the Whole they thought it noe Country Charge.

By His Exey

Ordered

That ye Clerk of ye Gen!! Affembly Acqt ye House of Burgesses, wt his Exer recomends to ye House to Send forthwith to his Excy and the Council the Order (mentioned in their Address of Yesterday) y' y' Trustees of y' City of Williams Burgh doe wth all Expedicon Make a Tender of ye Mony due to Each proprietor concerned in ye Sd Land taken Up for ye So City &ct that it may pals by his Excy and the Council,

Refolved

Upon further Confideracon had of ye Two laft Claufes of ye refolves of ye House of Burgeffes Page Six & Seven concerning Black Water & Pornonkey Neck Lands, and ye proceeding



proceeding of ye Affembly Ano 1699 thereto relateing and finding ye Sd Affembly had Adjudged Two Thousand Acres to ye Sd Mallory and Three Thousand Five hundred to Chickly Corbin Thacker, The Council Consents & Concurrs to ye Sd Resolves, this Clause being Added to ye End of ye Sd Resolve.

Ordered That ye Clerk of ye Gen't Assembly acqt the House of Burgesses win this

Refolve.

Ordered

That the Clerk of ye Gen¹¹ Affembly acq¹ ye House of Burgesses, that his Exer cannot be of their Opinion that ye Sum of Sixty three pounds for ye purchase of Sixty three Acres of Land &ct and the Sum of One hundred forty Six Pounds five Shillings & three pence Paid by Mr Auditor Byrd for Sev¹¹ disbursmts &ct for it is his Exer Opinion ye same is as much a Country Charge as any within the Book of Claimes, and therefore infists that these be some way or other Sattissied by the Publick & if he did not doe soe, should Judge himselfe Guilty of Unfaithfullness to his most Sacred Majestie.

By the Council

M' Speaker & Genth of y' House of Burgesses

Wee have before us . . . [See J. of H. of B., p. 327, line 28.]

By yo Honble Council

M' Speaker & Gentl of y' House of Burgesses

Wee hope for ye reasons [See J. of H. of B., p. 327, line 15.]

Ordered

That ye Clerk of ye Gen'l Assembly acqt ye House wth this Message.

By His Exer

Ordered

That ye Clerk of ye Gen'il Affembly acqt the House of Burgesses that his Exey thinks [See J. of H. of B., p. 327, line 37.]

A Meffage to his Exer by Mr Beverly and Others

May it please yor Excy

a Lettr to ye Agent

Wee are Comanded by ye house of Burgesses to return an Answear to yo' Extra Message, concerning joyning in a Comittee wth ye Council to Consider wt is proper to be write to ye Govern of New Yorke and to present this resolve in Answear.

Tuesday Sept 30th 1701.

By y' House of Burgesses

Refolved Nemine Contra dicente

That it is ye Opinion of this House

That it is noe Concerne of this house to Comunicate their proceedings to ye Governm of New Yorke upon his Majtles Royall Letter of ye 19th Jan's 1701. and therefore they Humbly desire to be Excused that they Cannot Agree to joyne in a Committee why ye Council According to his Excys proposalls for Consi-ring [considering] what is proper to be writt to that Governm

Peter Beverly Speaker

Also he presented an Order About ye Money to be paid to ye Propriets of ye Land taken Up for ye City of Williamsburgh

Tuefday Sepi 30th 1701.

By yo House of Burgesses

Ordered

That a Conference be defired wth y^e Council concerning Suitable Instructions on

Wm Randolph Cl: H Burg:

By his Excy

Upon which his Ex^{cy} Comanded y^e Clerk of y^e Gen^H Affembly to write downe that Since his Ex^{cy} had Sent to y^e House a Message to desire them to joyne in a Comittee wth y^e Council to Consider what is proper to be write to y^e Governer of New Yorke in relacon



of his Maj^{tles} Lett^r of y^e 19th Jan^{ey} 1701. Concerning the Nine hundred pounds and a Quota of Men &ct w^{ch} Comittee they refuse^g his Ex^{cy} therefore thinks it not for his Maj^{tles} Service and Interest for y^e Council to joyn in a Conference wth y^e Burgesse concerning Suitable Instructions and a Letter to their Agent but y^e Quite Contrary haveing Already Agree'd to an Address.

Tuefday Sep' 30th 1701.

By the House of Burgesses

Refolved

That ye House do not Agree to Any of ye Propositions of ye Council at ye Conference to ye Amendmes of ye Bill Entituled An Ast for Levying and Arming an Effectual force in time of danger.

Wm Randolph Cl: H Burgeffes

Ordered

That a Copie of y^e S^d Refolve be Sent to y^e Council and y^t their Honre be defired to pass y^e bill w^{th} Such Amendments, Only as y^e House hath Agreed to.

Wm Randolph Cl: H Burg:

By the Honble Council

Refolved

The Council doe infift upon their Amendmis Made to ye Bill Entituled An Aâ for Levying and Arming An Effectual force in time of Danger, and defire ye House to Agree thereunto.

The Council Confents to ye Order of ye House of Burgesses About ye Mony to be paid to ye Proprietors of ye Land taken Up for ye City of WilliamBurgh.

Meffage from ye House of Burgesses by Mr Beverley & Others to desire ye Councils Consent to ye Resolves of ye House of Burgesses concerning Blackwater and Pomonkey Neck Lands.

Refolves of y* House of Burgesses concerning Black Water & Pomonkey Neck Lands Agreed to by y* Council, and Ordered to be remitted to y* House;

To his Ex*9 Francis Nicholson Efq* his Maj*** L* and Governer Gen** of Virginia.

May it Please Yo* Ex*9

Haveing now before us y* Meffage of ye House of Burg: of this day wherein they desire a Conference wth us concerning Suitable Instructions & a Letter to ye Agent And yo' Exey haveing Caused an Entry to be made on ye Journall, wherein yo' Exey Signifies yt Since yo' Exey had Sent to ye House a Message, to desire them to joyne in a Committee wth ye Council to Consider what is proper to be writt to ye Govern' of New York in relation to his Majties Lettr of ye 19th Janey 1701. Concerning ye Nine hundred pounds and a Quota of Men &ct weh Committee they resuleing Yo' Exey therefore thinks it not for his Majties Service and Interest, for ye Council to joyne in a Conference wth the Burgesses, concerning Suitable Instructions, & a Letter to their Agent, but ye Quite Contrary, the Council haveing Already Agreed to an Address.

Upon Confideracon whereof wee humbly begg Leave to reprefent to yor Exes That we are Already foe farr Engaged in ye Said Affaire of ye Agent, with ye House of Burgesses that wee have not Only Agreed to ye Nomination of him and to an Address to his Most Sacred Majtie For ye Admitting him as Such, And to Another Address to be by him presented to his Majtie in answear to his Majties Letter concerning ye Affaire of New York but Alsoe have promised in Conference to joyne with the House of Burgesses in drawing Instruction for ye S4 Agent, & therefore cannot Conceive how we can now reced without transgressing ye Rules of Assemblyes and so hazarding a Breach with ye House of Burgesses, we week humbly conceive would be both to his Majties Your Exess and ye Countryes Diservice.

And therefore humbly pray Yor Excy to Entertaine a favourable Opinion of us if wee proceed to Comply wth our former Refolves & promifes to ye House of Burgesses in that Matter Affureing yor Excy that wee will take Speciall Care to Admitt of no Instruction to ye Said Agent, that may in ye least derogate from his Majties Service or Interest, and the due respects wee Owe to yor Excyes Person & Charter [Character?]

Sept ye 30th 1701.

By Order of ye Council

Dionifius Wright: Cl: Gen" Affembly

Wednesday



Wednesday Prymo October 1701.

Prefent

M BYRD, Edmo Jenings, Robert Carter, James Blair Elgro

The Refolve of y^e House of Burgesses of y^e 17th of Sep^t last past in their Address to his Ex^x, on y^e back Side of y^e Address of y^e 16th Sep^t last past Agreed to by y^e Council and Ordered to be returned to y^e House,

Message from ye House of Burgesses to ye Council by L. Coll Miles Cary and Others.

May it pleafe yo' Hon"

Wee are Comanded by ye House to deliver to yor Honre this Message

By the House of Burgesses

May it Please yo' Hon"

Haveing Spent [See J. of H. of B., p. 328.]

By his Exey

Upon that part [See J. of H. of B., p. 329.]

Ordered That ye Clerk of ye Gen¹¹ Affembly Acqt ye House of Burgesses that his Exe⁷ comands them to send all ye Resolves & Ordinances of Assembly that hath passed ye Council & ye House of Burgesses this Session that they may receive ye Assent of his Exe⁷:

His Ex^{cy} hath Alfo fent to y^e House of Burgesses for their perusual of his Ex^{cy}. Comands, to y^e Hon^{ble} W^m Byrd Esq^e Colonel & Comander in Cheise of all y^e Militia Horse & Foot in y^e Counties of Hnrico & Charles Citty w^{ch} his Ex^{cy} Intends,

Alfoe to fend to ye fev" Colonels & Comanders in Cheif of ye Respective Counties in this Colony.

By his Ex^{cy}

That ye Clerke of ye Gen!! Affembly acqt ye house of Burgesses that Upon Consideration of their Address of ye 29th Sep! last past relateing to ye alterate of Counties & Parrishes, His Excy is absolutely of ye Opinion that if some speedy Method be not taken that Each parrish may be Able to Maintaine a Minister themselves, it will be a very great Encouragemt to Irreligion, Profanes, if not Atheism, And as to ye Counties his Excy Supposes ye Small ones will find it an Aggrievance by this Years Counties Levy, & that

this Neck betwixt James River and York River.

By His Exer

ye House Cannot be Unsencable how, unequall & Unproportionall ye Counties are in

Ordered

That y* Clerk of y* Gen¹ Affembly Acq¹ the House of Burgesses. That his Excy is very willing and desireous that y* Book of Claimes should pass and Every one to be fully Sattissed but in respect y¹ his Excy finds y¹ his Message of Yesterday to y* House of Burgesses (wherein he delivers his Opinion y¹ y* Sum of Sixty three pounds Sterl: and y* Sum of One hundred forty Six pounds Eight Shillings and three pence Sterl: menconed in y* S¹ Message is as much a Country Charge as Any w¹hin y* Book of Claimes) is not yett Answeared by the House, he cannot in Duty to his Most Sacred Maj¹ie pass y* Levy Act but proposes this Expedient, that Since it is y* Opinion of y* House that y* Same is not a Country Charge, & the Opinion of his Excy & y* Council that it is a Country Charge the mony be now disposited in y* hands of M* Treasurer and his Maj¹ie to determine y* Poynt in Question w*h Expedient being Agreed to y* Book of Claimes shall Imediately be returned.

Message to his Excy by Mr Harrison & Others

May it please yo' Excy

Wee are Comanded by ye House of Burgesses to prient to yor Excy Sevil resolves &

Ordinances of ye House for yor Excys Approbacon.

Whereupon his Ex^{ey} figned & affented to (Viz') An Order of y^e House of Burgesles of Two hundred Eighty three pounds five Shill to y^e Trustees of y^e Citty of Williamsburgh dated y^e 16th Sep' 1701.

Refolves



Refolves of ye House concerning allowance to ye Revifall.

An Ordinance of Affembly for Setleing ye Bounds of Ifle of Wight, Surry, & Charles City Counties on ye South Side Black Water Swamp.

An Ordinance of Affembly, prohibiting ye Ordinary keepers to Entertaine &ct ye Workemen Imployed for building ye Capitoll.

Refolves Concerning Black Water & Pomonkey Neck Lands

Order for Tendering ye Proprietors concerned in ye Land taken Up for ye City of Williamsburgh.

Meffage to his Ex^{cy} by Cap^t Harriffon & Others in Answer to his Ex^{cy} Meffage of this day Upon ye Book of Claimes, concerning ye Sixty three Pounds, and One hundred fforty Six pounds Eight Shill* & three pence &c^t

Wednesday October ye 1st 1701.

By y. House of Burgesses

May it pleafe yo' Excy

In Answer to yor Exeys Message [See J. of H. of B., p. 330.]

Meffage to ye Council by Capt Harrison & Others

By y. House of Burgesses-

May it please yo' Hon's

By yor [our] Meffage in writeing [See J. of H. of B., p. 330.]

By his Excy

Ordered

That ye Clerk of ye Gen¹¹ Affembly carry this Meflage in writeing to ye house of Burgesses; that his Exey is very well Sattisfied, that he hath Sufficiently declared his Minde to ye House, & discharged his Duty to his Majtie in his Message to ye House concerning the Book of Claimes, & Since ye House refuse to have his Most Sacred Majtie to determine the Poynt, his Exey must Stand by it and Cannot pass ye Claimes.

By his Exes

Ordered.

That ye Clerk of ye Gen¹¹ Affembly carry this following Meffage in writeing to ye house of Burg:

That upon Confideracon of that part of their Address of $y^e 29^{th} Sep^t$ last past, wherein they say they humbly hope those Methods they have taken to Answear his Maj^{tles} Royall Comands by an humble Address Agreed Upon between y^e Honble Council of this Colony & their House will be Graciously recd: in y^e Room of a direct complyance in Specie, and y^e resolve of y^e House of y^e $19^{th} Sep^t$ last past in y^e Answear to y^e Council Message y^e Same day

That Upon Second Confideracon they Altered their first intencon of Seperateing ye Instructions from ye Address & Voted ye Address should Containe all Necessary Matters, His Excy thereupon Conceives that Affaire is now funished, and hopes the Lawes Agreed Upon by his Maj^{ties} Hon^{hle} Council and themselves are now ready for his Excy to Signe, soe that an End may be put to this Session.

By His Excys Comand

Dionifius Wright Cl Gen'l Affembly

By the Honble Council

M' Speaker & Gentl of y' House of Burgesses

His Exeys concurrence [See J. of H. of B., p. 330.]

Meffage to y^e Council by M^r Bland & Others concerning returning y^e Book of Claimes.

Wednesday Octobr ye 11 1701

By yo House of Burgesses

In Answer to yo' Hon's Message [See J. of H. of B., p. 331.]



By yo Councill-

Ordered

That ye Clerk of ye Gen¹¹ Affembly acqt ye House of Burgesses, that their Hones defire to see ye Originall Book of Claimes ye last Session of Assembly.

Meffage to ye Council by L' Coll Miles Cary & Others

Wee are Comanded by y^e House of Burgesses to yo' Hon'' Message, to present y^e Book of Claimes of y^e Last Session of Assembly

Meffage to ye Council by Le Coll Miles Cary & Others

Wee are Comanded by the House of Burgesses to present to yor Hone ye Journalls of our House ye last Session of Assembly whereby it may appear that our Message then Upon ye Book of Claimes was only to desire ye Concurrence of ye Council & alsoe the Book of Claimes

By yo Council

M' Speaker & Gent: of y' House of Burg:

In Answear to one part [See J. of H. of B., p. 331, foot of page.]

I am also Comanded to defire this House to Send to ye Council the Role of Bills that you have prepared for their House to Found & Assent to ye Same.

A Message to ye Council by Mr Westcomb & Others Who Brought in a Role of Bills (Viz')

A Bill for divideing King & Queen County

An Ad continuing Imposicon upon Liquors, Servi & Slaves untill y' 25th December 1703.

An Ad giveing further directions in Building y Capitoll and for building a publick prison.

A Bill Entituled an AA for Quieting yo Poffesons of Sevil Persons Seated within yo Bounds of yo Land laid out for yo Pomonky Indians.

All weh were compared weh ye originalls & returned to ye House

Message from ye Burgesses to ye Council by Mr Beverly and Others

May it please yo' Hon's

Wee are Ordered by y^e House to prient to yo' Hon's and Order of y^e House to M^t Treasurer, to pay y^e Sev^{tt} Alowances made this Session of Assembly, to y^e Members Assistance & Clerk of y^e Comittee for Revisall of y^e Lawes & y^e Allowances Made to John Revington, for his attendance Upon y^e Said Comittee out of y^e Monyes in his hands Upon y^e Imposicon Upon Liquors.

Affented to by ye Council

Alfo an Address to his most Sacred Maj^{tie} Concerning ye Affaires of *New York* Compared & Agreed to and Signed by ye Council.

Addrefs to his Ex^{cy} to lay Open *Blackwater & Pomonkey* Neck Lands Agreed to by y* Council and his Ex^{cy} Reffers y* time for laying y* Same Open till a fuller Council

Address to ye King About ye Agent Agreed to and Signed by ye Council

Ordered-to return all ye Above Bills and Addresses to the House

His Exer Proposed to ye Council whether there is any thing further to be by his Exer Offerred to ye House of Burgesses, concerning his Majties Lett relateing to ye affaires of N. York or any thing relateing to ye Sasety & Security of this his Majties Colony.

Upon Confideracon whereof ye Council are of Opinion that his Excy hath done we is proper & that it is not for his Majiies Service to Urge it any further at this time.

His Ex^{ey} Asking of y^e Council, to what time the Affembly may be prorogued, proprofes y^e 12th November Next to w^{ch} y^e Council Agrees.

By his Excy

Ordered

That ye Clerke of ye Gen¹¹ Affembly Acq¹ ye House of Burgesses, that if they have any thing surther to Offer to his Exes for his Maj^{11e} Service, they doe now doe it, if not, then his Exes in his Maj^{11e} Name Comand ye Whole House Imediately to Attend upon his



his Ex^{cy} in Councill in y^c Council Chamber and to bring y^c Bills & Roles of Acts they have ready prepared for his Ex^{cy} to Affent to and Sign

About Eleaven a Clock at night

Message from ye Burgesses by Mr Beverley & Others to his Excy

May it pleafe your Exey

Wee are Comanded by ye House to Acqt your Excy yt ye House haveing Buissiness to doe for ye Countries Service web they cannot funish too Night, prays yor Excye Continueance till to Morrow.

Thursday ye 2d October 1701.

Prefent

IS Ex^{cy}, W^m Byrd, Edm^d Jenings, Rob^t Carter, James Blair Efq^{re}

A Meffage from y^e Houfe of Burgesses to his Ex^{cy} by M^r Beverly and Others

By the House of Burgesses

May it please yo' Excr

In Answear to yo' Exero Messages [See J. of H. of B., p. 333, line 8.]

A Message to ye Council from ye House of Burgesses by M' Beverly and Others

Thurfday 8ber 24 1701.

By yo House of Burgesses

May it please yo' Hon"

Haveing defired [See J. of H. of B., p. 333, lines 3-6.]

Ordered That ye Clerk of ye Gen¹¹ Affembly Carry this Meffage to ye House of Burgesles $By\ his\ Ex^{ep}$

M' Speaker & Genth of y' House of Burgesses

In Answear to yo' Message [See J. of H. of B., pp. 333-4.]

The House of Burgesses Attending His $\operatorname{Ex^{cy}}$ was pleased to Signe these following Acts $\operatorname{Viz^i}$

An All Continueing Impositions Upon Liquors Servants & Slaves untill y 25th Decemb 1703.

An Act giveing further directions in building y Cappitol and for building a Publick Prison

An Act for divideing King & Queen County

But.

An Ad for Quieting y' poffescon of fev" persons Seated whin y' Bounds of y' Land laid out for y' Pomonkey Indians being Also presented.

His Excy Expressed himselfe thus

Gente

I formerly hinted unto you that I could not pass This Act, & must now Againe tell you, that I am very Sorry that any Act consented to by his Majties Honbie Council Should not pass, but I find this so very Contrary to ye Articles of peace made wtb ye Indians, to all ye Rules Orders & proceedings of the Assemblies here, and more perticularly & Expressly Contrary to ye Instructions I reed: from ye Rt Honbie ye Lds Comiconers of Trade & Plantacon Relateing to that Subject, and to web I also fent & Laid before yot House that I cannot Assemble to it.

Then y* Sev" Orders to y* Colonells & Comanders in Cheif of y* Refpective Counties, in this Colony to New frame & Model y* Militia w* a Specimen directing how to returne y* Mufter Roll, lying Upon y* Table—

His Excy delivered them as followeth.

Princefs Anne. To M^t Mofely Norfolk. To M^t Butt



Nanzemond	. To Cap' Miller, Cap' Dan" Sullivant				
Isle-Wight					
Surry					
Charles City Henrico	10 ye nonee we Byra Elq.				
New Kent					
James City					
York County					
Warwick					
Eliza City					
King & Queen					
Glocefter					
Middle Sex					
Effex					
Richmond					
Stafford					
Westmoreland					
Northumberland Lancafter	10 ye Hone Koo Carter Eld				
BT and and beauty					
Accomack	To Mr I ully Kobbinjon				
•					

The Comicon to John Lightfoot Efq^r is thus—Coll: & Comander in Cheif of all y^{*} Militia Horfe and Foot in y^{*} County of New Kent (except y^t Troop of Horfe Comanded by L^t Coll: W^m Baffett.)

Virgo fs'

In his Maj^{tles} Name I will & require you W^m Byrd Efq^r One of his Maj^{tles} Hon^{ble} Council of this his Maj^{tles} most Ancient and great Colony & Dominion of Virg^o and Coll and Comand^r in Cheif of all the Militia horse and foot in y^e Counties of Henrico and Charles City that so soon as possable you cause a Gen¹¹ Must^r to be made of y^m and if you then find that all men who ought by Law to be listed are not so that imediately cause them to be see except x^tan Servants who are not to appeare in arms for their own Masters or any Other.

The Militia und' y' Comand are to be Horfe and Dragoons and as few foot as possable each Troop of Horse to Consist of a Cap' a Liev' Cornet and a Quart' Mast' Three Corporalls Thirty Troopers and a Trumpet' each Troop of Dragoons web are to be armed as soot to Consist of a Cap' Liev' Cornet Three Serjants Three Corporalls forty Dragoons and Two Drummers, a Foot Company to Consist of a Cap' Liev' Ensigne, and fity private Sentinalls and Two Drummers, These Numbers in each Troops and Companys are to be mustered where it is practicable If you find that there will be more Troopes & Companies (web I sopose there will) then are at Present in y' Militia I doe hereby in his Majties Name Impower you to appoint Officers for each Troop & Companie web Offic's are to take Charge of ye so Troopes & Companies but you are forthwith to send mee the Names of ye so Offic's that soe they may have Suitable Comissions from mee.

And you are to take Care that y° faid Militia undr yr Comand be provided with armes and Amunicon according to Law (and to acqt them that his Majties Ship ye Lyncoln and Shorcham defignes (God Willing) from Kiquotan to England about ye Middle of this Month) and that they who are not foe be profecuted according to Law. As foon as you have formed ye Militia undr yr Comand into Such Troops and Companies you are to fend mee Three Lifts of them with Collums expressing how they are aremed, ye Lifts must be Signed by y'selfe and the Comission Officers.

What



What Charges you are at in getting every Person Listed & for writeing ye so Lists shall be allowed you in y' Accto you are not to saile of Complying who these my Comands Given und' my hand and ye Seale of this his Majileo Colony at his Majileo Royall College of Wm & Mary this 1st day of Odob' 1701 in ye Thirteenth Yeare of his Majileo Reigne.

To y' Honbie Wm Byrd Efq' Coll & Comand' in Chief of all y' Militia Horfe and Foot in y'
Counties of Henrico and Charles City.

The Specimen of ye Troops & Company (viz')

Capt A: B Troop of Horfe

Capt A: B Troop of H	orle					
Offic* Names	Mens Name	fwords	Piftolls	Carabin	Powdr	Shot
Cap' A: B Troop of D	ragoons					
Cap III D III op oi I	1					
Offic ¹ Names Mens Names		ımes	Swords	Mufqts	Powdr	Shot
				<u> </u>		
Cap A: B: Compa of F	Poot					
Offic* names	Mens Names		ſwords	Mufq	powd'	Shot

²ª Octobr 1701

Aftr wch his Excs Expressed himselfe thus

M' Speaker and Gent. of yo House of Burg.

I am forry ye proceedings of this Affembly hath been so slack and Burthensome to ye Country as it is like to be by Reason of ye long Session that there has been such a bad Success in what I laid before you. Especially ye Concerning his Majties Royall Comands for giveing assistance of men & money to his Majties Province of New York.

Gent. I hope you will feriously Confider the evill and fatall Consequences that may attend it as I before laid downe & that therefore at y' returne to y' fev'll Counties you will in all things Endeav' his Majiies Peace & Tranquility of this Country and not Publish or make known y' refusall or denyall to Comply wth his Majiies aforesaid Royall Comands But if you doe I hope you will be soe Just also As to Publish what I formerly Offered upon that Occasion for.

Gent. you must know I hold myselfe so tyed in Conscience and duty to Obey ye Comands of my Sove ye new York shall never want Money upon that Occasion as long as I have a penny nor Men as I have ye Hone to weare his Majites Royall Comission in this Governme

Gent. I find by y' Refolve y' you will give me time enough in Cafe of an Alarm Invafion or Infurrection to raife forces Repell or Subdue y'' but I am affraid you will find y' fad fatall and dangerous confequence of not haveing an Armed force in readyness And I hope I may have an Oppertunity to fend for you according to y' form' Refolves to venture y' lifes and fortunes for y' fake of y' Religion his Majites Interest and defence of the Country and shall have the Hon' to fight in y' Head of you.

Gent.



Gent. I thank you for y' Clause in y' Address of the 29th 7th wherein you say y' ye Bill for Levying and Armeing an effectuall force in time of danger you Conceive is Cleare of any Clauses that can be Construed to be repugnant to his Majties Comands to mee or y' Royall authority vested in his Majtie which were it in y' Power you have hearts too Loyall to dispute or seek y' Diminition of.

As also for y' Clause in y' Message to his Majties Honble Councill of 7^{br} 29th where you say y' by y' words of y' Act before menconed there cannot be made a Question in his Majties Prerogative of makeing use of his men here for y' Defence of his Plantacous where it shall be thought necessary we' I take Gentlemen to be a positive alteracon of his Majties Authority in y' Case.

And thô wee are not now come to fuch a happy Conclusion as might a been wished & as indeed his Maj^{ties} Royall Comands & Interest Safety and Securety of this Country requires, yet I hope time and second thoughts may effect it at another meeting.

And now nothing more remaines but That I prorogue you and you are hereby prorogued untill ye 12th of Novembr next.

Dionifius Wright Cl Gen¹¹ Affembly



ATT A

GENERALL ASSEMBLY

begun at his Majtes Royall Colledge of William and Mary adjoyning to the City of Williamsburgh the 15th day of December 1700 and thence continued by Severall prorogacons Untill Wenesday the 13th day of May 1702 in the fortieth year of our Sovereigne Lord William ye 3th of England Scotland france and Ireland King Desender of the faith &ca

100

THE RESERVE THE PROPERTY.

Att a Generall Affembly begun at his Majtes Royall Colledge of William and Mary adjoyning to the City of Williamsburgh the 15th day of Decemb. 1700 and thence continued by Severall prorogacons Untill Wenesday the 13th day of May 1702 in the fortieth year of our Sovereigne Lord William ye 3d of England Scotland france and Ireland King Desender of the faith &ca

[May the 13th, 1702.]

Prefent

IS Excelly Francis Nicholfon Elqr his Majts Lievt and Govern Genn of Virginia—Edmund Jennings, John Lightfoot, Matthew Page Elqrs

His Excelly having been pleafed by his Comiffion und the Seale of this Colony to appoint Wm Robertfon Clk of the Gen¹¹ Affembly he did accordingly take the Oathes appointed by Act of Parliament to be taken inftead of the Oathes of Supmacy and Allegiance and Subfcribed the Test and Affociation appointed by Act of Parliam and thereafter took the Oath of Clk of the Gen¹¹ Affembly and was ordered to attend accordingly

A Rep'sentacon from the Committee appointed to revise the Lawes being read ordered that the Same be referred to the Consideracon of the R^{et} Worspele the House of Burgesses

Durgenes

Ordered that the Clk of the Gen^{II} Affembly doe goe to the house of Burgesse and acquaint them that his Excelly commands their imediate attendance upon his Excelly in Council in the Council chamber.

Mr Speaker wth the house attending his Excelly Expressed himself thus— Gentlemen

I herewth Give [See J. of H. of B., 1695-1702, p. 337.]

The Council Adjourn'd till to morrow morning Eight a Clock-

Thursday May the 14th 1702

Present

IS Excelly Francis Nicholfon Esq. &c., Edmund Jennings, John Lightfoot, Matthew Page, James Blair Esq.

Ordered that the Clk of the Gen¹¹ Affembly do carry the following meffage

to the House of Burgesses By his Excelly

M' Speaker and Gent" of the house of Burgess!

I fend you [See J. of H. of B., p. 338.]

A Meffage from the house of Burgesse to his Excelly by M. Corbin and others

May it Please yo' Excelly

Wee are commanded by the house of Burgess to pray yo' Excelly that a new writt may iffue for the Election of a Burgess for King and Queen County in the room of M' W- Gough Deceased a new writt for election of a Burgess for New Kent County in the roome of M' Gideon Macon Deceased a writt for Election of a Burgess for princes Ann County in the room of M' John Thoroughgood Deced and a writt for election of two Burgess for King William County—

Adjourn'd till afternoone



Post Merediem

Prefent

IS Excelly, W^m Byrd, Edm^d Jennings, John Lightfoot E(qr^e

The Council met & being informed that the Ho

The Council met & being informed that the House of Burgess are adjourned for this night the Council also Adjourned till tomorrow morning 8 a Clock

Fryday May the 15th 1702

Prefent

IS Excelly, W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, James Blair Efq^{ro}

Ordered that the Clerk of the Gen¹¹ Affembly doe carry this following Meffage to the house of Burgess⁴

By his Excelly and the honble Council

M' Speaker and Gent" of the house of Burgesses

Whereas by an Act [See J. of H. of B., pp. 338-9.]

A močon being made that care be taken to prvent any inconveniences that may happen upon the death of the King or Queen for the time being and before Such death Can be Publickly notifyed here and also for continuing the Gen¹¹ Affembly that shall then happen to be Sitting notwithstanding Such death the honble Council tooke the Same imediately into consideracon and after sometime spent therein the honble Ww Byrd and Matthew Page Esqr and Mr Comissary Blair were appted a Committee to prepare some propositions to be laid before the house of Burgesses on that Subject we being by them accordingly prepared were read and agreed to by his Excelly and the honble Council

Ordered.

That the Clerk of the Gen¹¹ Assembly do carry this following Message to the house of Burgesses—

By his Excelly and the hon⁵¹ Council—

M' Speaker & Gent. of the house of Burgesses

Whereas by reason [See J. of H. of B., p. 340.]

Upon reading the Grievances of Charles City County

Ordered

That the same be refferred to the consideracon of the house of Burgesses

A Melfage from the house of Burgesses to his Excelly by M' W'' Leigh and others

By the house of Burgesses

May it please yo' Excellency

In answer [See J. of H. of B., pp. 340-1.]

Also a message to his Excelly and the Honbie Council from the house of Burgesses by the Said Mr Wm Leigh and others—

May it please yo' Excellency and honours

The house of Burgesses on consideracon of the proposicons sent by yor Excelly and hon's this day concerning the places for the Ships to ride at have come to these following Resolues

May the 15th 1702

By the house of Burgesses

Refolved that it is the Opinion [See J. of H. of B., pp. 339-40.]

Then the Councill Adjourned till to morrow morning 8 a Clock-

Saturday



Saturday May the 16th 1702

Prefent

IS Excellency, William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, & James Blair Efq.

Upon reading of the Petičon of Mr Chicheley Corbin Thacker Clerk of the Secretarys Office for his ufuall Allowance for publick Services

Ordered

That the Same be referred to the confideracon of the house of Burgess.

Upon reading the petičon of the Said M^r Chicheley Corbin Thacker Setting forth that by the 137th Act of Affembly in the printed Laws amongft other ffees therein fett downe 50th of Tobo is allowed for every Military Commission that shall be issued out of the Said Office. And whereas the Said ffee has been heretofore charged to the person to whom the Commission was granted and by them resused to be paid and there being lately issued out 409 Military Commissions Therefore prayed that itt may be declared by whom the said ffee ought to be paid that he may rightly charge itt or that the Gen¹¹ Assembly would please to give Such Allowance as they think just—

Ordered

That the same be referred to the Consideracon of the house of Burgesses

Ordered

That the Clerk of the Genⁿ Affembly carry this following Message to the house of Burgesses—

By his Excelly & the hones Council-

The house of Burgesses having [See J. of H. of B., pp. 342-3.]

Ordered

That the Clerk of the Generall Affembly do carry to the house of Burgesses the Grievances of Charles City County the peticon of Mr Chicheley Corbin Thacker for his usual allowance for publick Services, and the peticon of the Said Mr Chichley Corbin Thacker praying allowance for writing Several military Commissions All which are by the house Council referred to the Consideracon of the house of Burgesses

Then the Council adjourned till monday morning 8 a Clock

Monday May the 18th

Present

1S Excelly, W™ Byrd, Edmund Jennings, Matthew Page, Benj^o Harrison, James Blair Esq^{vo}

Ordered That the Clerk of the Gen^{II} Affembly do carry to the house of Burgesses this following Message

By his Excelly and the honorable Council-

M' Speaker & Gent of the house of Burgesses

Whereas great complaints [See J. of H. of B., p. 344-345.]

[The following paragraph of the meffage, however, was omitted by the clerk of the House of Burgesses:]

Captain Burford Comand of the Elizabeth & Mary of London having loft his Ship at Sea last winter the men were brought by Captain West were Suffered to disperse themselves whereby they Escaped out of the Country and the Captain of his Maj Ship lost that opportunity to make up his Complement of men wen now he must be obliged to do out of the Merchants Ships lying here—

John Lightfoot Efqr Prfent

Ordered

That the Clerk of the Generall Affembly do carry to the house of Burgesses the following Message

By his Excelly and the honorable Council-

M. Speaker and Gent of the house of Burgesses

His Excelly and the honorable Council [See J. of H. of B., p. 345.]



A Melfage to the Council from the Burgeffes by M^r Miles Cary and others who brought an Ingroffed Bill Entituled a Bill for the Continuing meeting and Sitting of Gen¹¹ Affemblies in case of the Death or demise of his Maj¹⁷ his h¹⁸ and Successors to which they desire the Concurrence of the Council and the Same was read a first time and ordered a Second reading

Then the Council adjourned till to morrow morning Eight a Clock

Tuesday May the 19th 1702

Prefent

IS Excellency, W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harrifon, James Blair Efq^{ro}

An Ingroffed Bill from the Burgeffes Intituied a bill for the Continuing meeting and Sitting of Generall Aff^{blys} in Cafe of the death or demife of his Maj^{ue} his heirs & Succeffors read a Second time and ordered a third hearing

The Council Adjourn'd for two hours

HE Council being met as before

William Randolph Junior appointed by the house of Burgesses to be Clerk of the Committee for propositions and Grievances praying that he might be Sworne and Admitted into the Said Office—

Ordered

That a Commission be praced impowering William Byrd Ed'mund Jennings and John Lightfoot Esquare or any two of them to Administer to the Said Wm Randolph the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supracy the Test & Associacon and the Oath of Clk of a Committee—

Pursuant to which Commission the Said W^m Byrd Edmund Jennings and John Lightfoot Esq¹⁰ having administred the above Said Oathes to the aforesaid W^m Randolph Junior he thereafter Subscribed the Test and Association and the Same was certifyed as usual—

An Engroffed Bill from the Burgeffes Entituled a Bill for the Continueing meeting and Sitting of General Affemblies in Cafe of the Death or demife of his Maj^{ty} his heirs and Succeffors was read a third time and agreed to by the Council with Several Amendments

Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the Generall Affembly do carry the Said Bill to the house of Burgesses and acquaint them that the Council have agreed thereto with the Amendments—

A Meffage from the house of Burgesses to the Council by M^r Miles Cary and others that the house have agreed to the Amendments proposed by their Honours to the Bill for the Continuing meeting and Sitting of Gen¹¹ Association in Case of the Death or Demise of his Majesty his heirs and Successors and have inserted them in the Bill—

The Peticon of Henry Lownd of Henrico County praying allowance for a Negroe Slave of his tryed and Condemned and Executed last Odober for a rape read and referred to the Confideracon of the house of Burgesses—

The Petičon of *Thomas Blunt* Indian Interp'ter on the South Side of *James* River praying that his usuall Sallary from *Odober* 1700 may be Levyed for him read and referred to the Confideracon of the house of Burgesses—

His



His Excelly being informed that the Bill for continuing meeting and Sitting of Generall Assemblies in Case of the death or Demise of his Maj'r his heirs and Successors was inrolled and that the Burgesses were ready to waite on his Excelly for his Assent

Ordered

That the Clerk of the General Affembly do goe to the House of Burgesses and Command their Imeidiate attendance upon his Excelly in Council in the Council Chamber and bring with them what Bills they have ready for his Affent

M^r Speaker with the house of Burgesses attending his Excelly in the Council Chamber M^r Speaker addressed himselse to his Excelly as followes—

May itt please yo' Excellency

In Obedience to your Excellys Commands—

Wee his Majis most Loyal and Dutiful Subjects the house of Burgesses doe now attend your Excelly with a Bill Assented to by the Honourable Council and our Selves Entituded an Ast for the continuing meeting and Sitting of General Assemblies in Case of the Death or Demise of his Majis his heirs and Successors in order to receive that stamp which yet remaines to make itt effectuall the pramble of which Bill Setting forth the necessity of Such an Act wee are well Assured yor Excellys zeale for the Service of our Sovereigne & good of this Country will be a Sufficient motive for yor giving itt the Sanction of yor Assented.

Then his Excelly Signed the Said Bill and afterwards M^r Speaker allfo and the Said Bill being delivered back to the Speaker his Excelly was pleafed to Express him-

M' Speaker & Gent of the house of Burgesses

I am very glad you have Soone passed this Bill and I hope in god wee shall never have any other occasion for it then the pient Gentlemen

I recommend to you to peed with all possible Speed upon those weighty matters that now lye before you because I Expect the men of warr in Dayly and by them to receive Several orders from England wen may hereafter take up much of your time

Then the Council Adjourned till to morrow morning Eight a Clock

Wednesday May the 20th 1702

Prefent

IS Excellency, W^m Byrd, John Lightfoot, Matthew Page, Benjamin Harrison & James Blair Esq^{re}

That the Clerk of the General Affembly do carry to the house of Burgesses this following Message

By his Excellency and the honorable Council

M. Speaker and Gent of the house of Burgesses

Upon representation [See J. of H. of B., p. 349.]

Ordered that the Clerk of the General Affembly do carry to the house of Burgesses the following Message

By his Excellency and the Honourable Council

M' Speaker and Gent of the house of Burgesses-

Whereas some of the [See J. of H. of B., p. 349.]

Ordered

That the Clerk of the General Affembly doe carry this following meffage to the house of Burgesses—

By his Excelly

M. Speaker and Gent of the house of Burgesses-

His Excelly having [See J. of H. of B., p. 348.]

Ordered



Ordered That the Clerk of the General Affembly carry to the house of Burgesses this following message—

By his Excelly

M' Speaker and Gent of the house of Burgesses

Whereas the Act [See J. of H. of B., p. 348.]

The Petičon of Captain The Lovel Commy of the Ship Loyal Charles of Belfaft complaining against Peter Cartwright an Ordinary Keeper at Elizabeth Towne for harbouring and Entertaining his Seamen and praying redress therein

Alfo a letter from Captain James Moodie Commander of his Majtes Ship the Southampton complaining that one of his men is detayned by one Smith a Shoemaker in Ifie of Wight or Surry Counties being feverally read ordered that the Same be referred to the Confideracon of the house of Burgesses &

Ordered

That the Clerk of the General Affembly carry this following meffage to the house of Burgesses.

By his Excelly and the honoble Council—

M' Speaker and G: of the house of Burgesses

There being fome proposals made this Session of an Act for [See J. of H. of B., p. 349.]

The Petičon of Several inhabitants of the County of Norfolk fetting forth Severall Grievances of the Said Inhabitants

Alfo a Petičon of M^r Rud Minister of Norfolk with two orders of the Vestry of Elizabeth River Parish and an Account of the charge of the Burgesses of the said Covbeing prented to his Excelly and the honourable Council and read—

Ordered

That the same be referred to the confideracon of the house of Burgesses and that the Clerk of the Gen¹¹ Assembly imediately carry the Same to the house.

Then the Council adjourned till to morrow morning Eight a Clock.

Thursday May 21st 1702

Prefent

IS Excellency, William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benj* Harrifon, John Cuftis, James Blaire Efq**

A Meffage to his Excelly by Mr Wm Leigh and others that the house of Burgesses had commanded them to returne his Excelly Mr Treasurer Carters letter and the order of the house thereupon as follows.

May the 21tt 1702

By the house of Burgess'

A Letter from M. Treasurer Carter [See J. of H. of B., p. 351.]

A Meffage to his Excelly from the house of Burgeff' by Mr Robert Beverley and others who brought the following Resolve

May the 20th 1702

By the house of Burgesses

Refolved

That it is the Opinion of this house that it is not convenient to proceed upon the Revifall of the Lawes this Session

By Order of the house of Burgesses

Peter Beverley Speaker

As also the Said M' Beverley &ca presented to his Excelly the following Resolve

May the 20th 1702

By the house of Burgesses

His Excellys meffage of this day was read wherein his Excelly is pleafed to propofe that fuch a number of the house of Burgess' as shall be thought convenient be joyned with



with the Committee of the Council (already) appointed to confider of the most proper method for rendring the Act for Cohabitacon more effectual or in some other way for fecureing the frontiers and a debate arifeing

The Question was put

That a Committee be appointed to joyne with a Comitte of the Council to confider of the most proper methods for rendring the Acts for Cohabitacons more Effectual or on fome other way for Seating the frontiers-

And itt paffed in the Negative

Teft Wm Randolph Clerk of the hhs of Burgeffes-

Ordered that the Clerk of the General Affembly carry the following Message to the hhe of Burgesses-

By his Excelly and the honble Council-

M' Speaker & Gent of the hhs of Burgeffes.

His Excelly and the honble Council [See J. of H. of B., p. 353.]

The Council took into confideracon the peticon of Hill Drummond of Accomack County complaining that one John Pope of Somerfett County in Maryland had Entred upon a plantacon of his for which he has pattent and payes Quitt Rents In Virginia and turned him out of possession as alsoe Some other papers presented to the Council concerning Some difputes betweene the Inhabitants of this Colony on the Easterne Shore and those of Maryland about the bounds

Ordered

That the Same be referred to the Confideracon of the house of Burgesses Then the Council adjourned till tomorrow morning Seven a Clock-

Fryday May the 22d 1702

IS Excellency, Wm Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benjo Harrison, John Custis, James Blare Efqro

His Excelly and the honble Council took into confideracon the State and Condicon of the Militia of this Country as allfoe what was most propper to put the fame into a pofture of Defence and after fome time Spent therein

Ordered

That the Clerk of the General Affembly carry the following Message to the house of Burgesses By his Excelly and the honble Council

M' Speaker and Gent of the hh's of Burgeffes

When his Excellency called [See J. of H. of B., p. 354.]

His Excellency herewith Sends the votes of the house of Commons in England whereby itt appeares they have provided every thing as if there were An Actual Warr.

That the Clerk of the General Affembly carry to the house of Burgesses the following Message

By his Excelly And the honorable Council—

M' Speaker and Gent of the house of Burgesses:

Whereas fome disputes [See J. of H. of B., pp. 354-5.]

The peticon of John Gledwin praying to be Admitted post or Messinger for carrying Expresses or Letters from Potomack to Williamsburgh alsoe—

The Peticon of Several of the Inhabitants of the Southerne Branch of Norfolke County praying that a roade made by them betweene the great Bridge of the Southerne Branch to the Northwest River may be declared to continue as itt was first laid out and a Peticon of Lievt Collonel John Cattlett praying Allowance for writeing three faire Coppies of the last Lists of the Militia

Were



Were Severally read and referred to the confideracon of the house of Burgesses—His Excellency haveing Signed a Commission Impowering Edmund Jennings John Lightfoot and Matthew Page Esquare or any two of them to Administer the Oathes Appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy the Test Association and Oath of a Burgess to Every new Elected Member of this present Gen¹¹ Assembly

Pursuant thereunto the Said Edmund Jennings and John Lightfoot Esq.* went out to Administer the Said Oathes &c.* to William Bassett Gent Elected a Burgess for New Kent County, and being returned reported that they had accordingly tendered the Same to him the Said W. Bassett and that he answered as followeth (viz!) I have already in Several qualifications testisyed Allegiance to King W. Government by taking the oathes &c. but I am now informed and fully Satisfyed he is dead and therefore I think my Selse Obliged both in prudence and conscience to decline taking the Oathes to him at this time w. they had certifyed to the house of Burgesses.

Saturday May the 23d 1702

Prefent

IS Excellency, Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harrison, John Custis, James Blair Esqua

The Peticon of John Walter late Sheriff of King and Queene County praying allowance for Executing one Darby Colnon by Order of Last Odober General Court and also

An Affignment of *Dyonifus Wright* late Clerke of the General Affembly to *George Harvey* for 1500¹¹ of Tobacco to be paid out of the 11000¹² of Tobacco. allowed him laft Seffions of Affembly were read and

Ordered

That the Same be referred to the House of Burgesses

A Meffage from the house of Burgesses to the Council by Mr Nathaniel Harrison and others who brought an Ordinance of Assembly for Settling the Dividing Lines between the Counties of Isle of Wight Surry and Charles City and Nansimond Counties on the South Side the Black Water Swamp to which they desire the Councils Concurrence—

And the faid Ordinance was read and affented to by yo Council wth fome Amendments

Ordered

That the Clerk of the General Affembly carry the Said Ordinance of Affembly to the house of Burgesses and acquaint them that the Council have Affented thereto wth the said Amendments

A meffage to the Council by M^r Nathaniel Harrison and others that they were commanded by the house of Burgesses to return the Ordinance of Assembly for Settling the dividing lines between the Counties of Isle of Wight Surry and Charles City and Nansemond and to acquaint their Honours that the house had agreed to the Amendments proposed by them to the Said Ordinance and had incerted them therein

Ordered

That the Clerk of the General Affembly Endorfe upon the Said Ordinance that the Same is agreed to by the Council

Then the Council adjourned till Munday two a clock in the afternoon

Munday May the 25th 1702

HERE being no more of the Council come to Town but Jnº Cuftis Efq & Mr Commissary Blair His Excellency adjourned the Council till tomorrow morning



Tuesday May the 26th 1.702

Prefent

IS Excellency, Edmund Jennings, John Lightfoot, Matthew Page, John Cuftis and James Blair Efq.

Ordered

That the Clerk of the General Affembly do carry this following Meffage to the house of Burgesses.

By his Excellency and the honb! Council

M' Speaker and Gent of the house of Burgesses

Whereas this yeares [See J. of H. of B., p. 362.]

A Meffage to his Excelly and Council by Mr Wm Leigh and others

May it please yo' Excelly and Honour's

Wee are Commanded by the house of Burgesles to Deliver the Resolves of the house to Such of your Excelly & Honra proposicons as are not already answered

Which the Said Mr Leigh Delivered in at the Table

Where the Same were read as followes

By the house of Burgesses

May it Please your Excellency and Honours

Wee his Maj^{ta} [See J. of H. of B., pp. 360-2.]

Alfoe a meffage to the Council by the Said M^r W^m Leigh and others whoe brought an Engroffed Bill from the house of Burgesses Entituded a Bill to prent Masters of Ships or vessels running away after Embargoes are laid to which they desire their Honours Concurrence—

And the Said Bill was read the first time and ordered a Second reading

A Meffage to the Council by M^r Miles Cary who brought the following refolve of the house of Burgeffes and Desire their Concurrence thereto—Viz^t

Tuefday May the 26th 1702

By the house of Burgesses

Ordered That his Excellency the Governour be defired to iffue out his Orders to the respective Justices appointed to take the Lifts of Titheables in the Several Counties of this Dominion for this present years, to return the Lifts they take to the respective County Court Clerkes so as the Said Clerk may be able to return a Copy or Certificate of the same to the Sector's Office by the 20th Day of July next—

Ordered That his Excellency be defired to require the Seval County Court Clerkes to make due returne to the Sec^{rys} Office according to the Tenor of the abovefaid Ordr

W^m Randolph Clk of the house of Burgesses

Edmund Jennings and John Lightfoot Esq. having been to Administer the Oathes &c. to W. Byrd Gent returned a Burges for King and Queene County. reported that they had accordingly tendered the Same to him and that he gave in the following answer (Viz!) I have on Several Occasions Shewed my Obedience to his Maj! King William and should be as ready at this time but now I am informed he is dead the which I Believe and for that reason I think in Conscience I ought not to take the Oathes I therefore Defire to be Excused web they had certifyed to the house of Burgesses

Then the Council Adjourned till tomorrow morning 8 a Clock

Wednesday May the 27th 1702

Prefent

Blair Efq**

An Engroffed Bill from the Burgeffes Entituled a Bill to p'vent Masters of Ships or vessells running away after Embargoes are laid read a Second time and Ordered a Third reading

Prefent



Prefent his Excellency

Ordered That the Clerk of the General Affembly doe carry the following meffage to the house of Burgesses

By his Excellency

M' Speaker and Gent of the house of Burgesses

Upon confidering [See J. of H. of B., p. 363.]

The Council proceeded to take into Confideracon that part of the house of Burgesses answer priented yesterday relating to the Levying forces upon any Extraordinary Emergency and after some debate therein

Ordered

That the Clerke of the General Affembly carry this following Meffage to the house of Burgeffes

By the honorable Council

Mr Speaker and Gent of the house of Burgesses

Upon reading [See J. of H. of B., pp. 363-4.]

Adjourned till afternoone

Post Merediem

Prefent as before

A

MOCON being made and the question put that the Bill for preventing Masters of Ships and Vessells running away after Embargoes are Laid be now read a Third time

Itt Paffed in the Negative & Ordered that ye said bill be read a third

time to Morrow Morning-

A meffage from the house of Burgesses to the Council by M^r W^m Leigh and others May itt please your Honers were are Commanded by the house of Burgesses to returne your Honours the answer made yesterday by the House to his Excellency and your Honours Several Propositions and to acquaint your Honours that the house have agreed to the Amendments proposed by your Honours to that Paragraph of the Same Leaving itt to his Excelly to Levy Competent forces upon any Extraordinary Emergencie as an Alarm Surprise or Invazion.

A Message to the Council from the Burgesses by M^r Miles Cary and others who brought the following Resolve to web they Desire the Councils Concurrence.

May the 27th 1702

By the houfe of Burgeffes

Refolved that this house doth agree to his Excellencies Proposition (Viz') that the time for returning the Lifts of Titheables to the Secretaries Office be Limitted to the first day of July next

William Randolph Clk of the house of Burgesses

And the Same was Accordingly Affented to by the Honble Council and Delivered to the faid M^r Cary.

A Message from the Burgesses to his Excelly by Mr Wm Leigh and others.

May it Please your Excellency

Wee are Commanded by the house of Burgesses to present to your Excellency the Resolve of the house upon your Excellys Message to them this day for Limiting the time for returning the lists of Titheables to the first of July which is allso agreed to by the Council and also to acquaint your Excellency that the Council have concurred with your Burgesses in that paragraph of their Answer to your Excellency, and the Councils Several proposicons whereby they Leave itt to yor Excelly by Advice of the Council to Levy Competent forces on any Extraordinary emergency as an Alarm Surprize Insurrection or Invazion

Then the Council Adjourned till tomorrow morning Eight a Clock

Thursday



Thursday May the 28th 1702

Prefent

IS Excellency, W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Robert Carter, John Cuftis, James Blair Efqrs

The Petition of George Norfworthy Thomas sworn and Daniel Sullivan praying the Allowance for taking the Examinacon of Several wittnesses by ord of the General Court bearing Date the 17th Day of April 1701 on behalfe of our Sovereigne Lord the King against Samuel Booth who was Suspected of Piracie read and

Ordered

That the Same be referred to the Confideracon of the house of Burgesses

An Engroffed Bill from the Burgeffes Entituled a bill to prevent Mafters of Ships or Veffells running away after Embargoes are Laid was according to Order read the third time and affented to by the Council wth Some Amendments and Additions

Ordered

That the Clerk of the General Affembly carry the Said Bill to the house of Burgesse and acquaint them that the Council have agreed thereto with Amendm's and additions

A Meffage to the Council by M^r W^m Leigh and others that the house of Burgesses have agreed to the amendm^{ts} and Addition proposed by their hon^{rs} to the Bill to prvent Mast^{rs} of Ships or Vessells running away after Embargoes are Laid and have inserted them therein—

Ordered

That the Clerk of the General Affembly endorfe upon the Said Bill that the Same is Affented to by the Council

Then the Council Adjourned till tomorrow morning 8 a Clock.

Fryday May the 29th 1702

Prefent

IS Excellency, Edmund Jennings. John Lightfoot, John Cuftis, James Blair Esq.

A Message from the house of Burgesses to his Excellency by M. William Leigh and others

May itt Please yo' Excellency

Wee are Commanded by the house of Burgesses to waite upon yo' Excellency, and to Desire that a new writt may iffue for the Election of a Burgess for New Kent County in the roome of W^m Baffets Gent. and allso a new writt for Eleccon of a Burgess for King and Queene County in the roome of W^m Byrd Gent. they having refused to take the Oathes—

Ordered

That the Clerk of the General Affembly goe to the House of Burgesses and Command their imediate attendance upon his Excellency in Council in the Council Chamber and that they bring with them what Bills they had propared for his Excellencies Affent—

The house of Burgesles attending Mr Speaker Expressed himself as followeth

May itt please your Excellency

In Obedience to your Excellys Command Wee his Maj¹⁰ most Loyal and Dutiful Subjects the house of Burgesses doe, now attend your Excellencies wth a Bill and Ordinance Affented to by the honourable Council and our Selves the Bill is thus Intituled A bill to pivent Masters of Ships or Vessells running away, after Embargoes are laid and the Ordinance thus (Viz¹) an Ordinance of Assembly for Settling the Dividing Lines between the Counties of Surry Isle of Wight Charles City and Nansemond on the South Side the Blackwater Swamp in Ord¹ to receive yor Excellys Assent—

And thereupon the Said Bill and Ordinance were Signed by his Excelly & Mr

Speaker .-

Then his Excelly Signed his Affent to that Paragraph of the house of Burgesses Answer Dated the 26th Instant web was also Afsented to by the Council wherein they leave



itt to his Excellency with Advice of the Council to Levy. Competent forces, on any Extraordinarie Emergencie &ca and Defired Mr Speaker also to Signe the Same in Order to give itt the force of an Ordinance of Astembly and mr Speaker being Doubtful to Signe the Same Defired Leave to Advise with the house thereupon & accordingly withdrew.

A Meffage from the house of Burgesses to his Excellency by M^r Miles Cary and others that the House were ready to attend his Excellency when he pleased to Command them—

Ordered

That the Clk of the General Affembly goe to the house of Burgesses and Command their imediate attendance on his Excellency in Council in the Council Chamber—

M^r Speaker with the house of Burgesses Attending acquainted his Excellency that he had received the directons of the house to signe to that Paragraph of the house of Burgesses answer which accordingly he did.

After which his Excellency Spake to this Effect

That the house of Burgesses. having referred soe many matters to the Consideracon of the next Session of Assembly and the men of warr being Dayly Expected he had thought fitt to prorogue the Assembly noe longer, than the 18th of June next and hoped they would all be prient then because he believed he should receive order from England which would require their meeting at that time And Accordingly they were prorogued to the Said Eighteenth day of June.

Wil Robertson Cl Gen¹¹ Assembly



AT A

GENERAL ASSEMBLY

begun at the Royal College of William and Mary adjoining to the Citty of Williamsburgh the fifth day of December 1700 in the 12th year of the Reign of King William the third, and thence continued by Several prorogacous to the 18th day of June 1702 in the first year of the Reign of our Soveraign Lady Anne by the grace of God of England Scotland, France and Ireland Queen Desender of the faith &c

[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1409, pp. 617-627.]

At a General Assembly begun at the Royal College of William and Mary adjoining to the Citty of Williamsburgh the fifth day of December 1700 in the 12th year of the Reign of King William the third, and thence continued by Several prorogacons to the 18th day of June 1702 in the first year of the Reign of our Soveraign Lady Anne by the grace of God of England Scotland, France and Ireland Queen Desender of the saith &c

[June the 18th, 1702.]

HIS day being appointed for performing the Solemnity of proclaiming her most Sacred Majesty Queen Anne, and but few of the Gentlemen of the Council come to Town

The Council adjourned till tomorrow morning

Friday June the 19th 1702

Prefent

IS Excellency Francis Nicholfon Efq^t her Matys Liev^t and Governor General of Virginia, Edmund Jenings, John Lightfoot, Benj^a Harrifon, Robert Carter and James Blair Efq^t

Ordered

That the Clerk of the General Assembly carry to the House of Burgesses the Lords of her Matys most hon the Privy Council their lett to his Excellency notifying the death of our late Soveraign Lord King William the third, and directing the proclaiming of her Royal Majesty Queen Anne, and also deliver to the House the several following papers viz

Her Matys gracious declaracon at her first sitting in Council at St James's

Her Matys proclamation continuing all Officers &c

The Address of the House of Lords to her Majesty

The Address of the House of Commons to her Majesty

Her Majtys most gracious answer to the said Address

Her Matys Speech to both Houses of parliament

The Address of the House of Lords on the 12th of March

Her Majestys answer to the thanks of the House of Commons for her most gracious Speech

And the Votes of the house of Commons of the 17th of March last, settling the

Revenue on her Majesty.

And that the Clerk of the General Affembly acquaint the faid House of Burgesses that his Excellency and the honble Council intend immediatly to proceed to the proclaiming her Majesty according to the Forme Sent by the Lords of her Majestys most honble privy Council, and pursuant to his Excellers proclamation bearing date the 30th day of May last, and desire the concurrence of the House of Burgesses.

A message to his Excellency and the honble Council by Mr William Leigh and others, that the House of Burgesses were ready to attend his Exceller and their Honre for pro-

claiming the Queen when his Exceller should please to command them.

Then the Council adjourned till to morrow morning 8 a clock.



Saturday June the 20th 1702

Prefent

IS Excellencie Francis Nicholfon Esq^t, William Byrd, Edmund Jenings, John Lightfoot, Benj^a Harrifon, Robert Carter, James Blair Esq^{ts}

The Council being informed that the House of Burgesses were adjourned,

they also adjourned till 8 a clock on Munday morning next

Munday June 22d 1702

Prefent

IS Excellencie, William Byrd, Edmund Jenings, Jnº Lightfoot, Benjº Harrison, Robert Carter, James Blair Esqrº

Ordered

That the Clerk of the Gen¹¹ Affembly carry this following meffage to the house of Burgesses

By his Excellency & the honble Council

M' Speaker & Gentlemen of the House of Burgesses

His Excellency and the honble Council . . [See J. of H. of B., 1695-1702, p. 371.]

The petition of James Adams. Indian Interpreter praying that the usual allowance as an Interpreter may be paid him he having served as Such almost a year, read and Ordered

That It be referred to ye confideracon of the House of Burgesses

The petition of the Veftry of Norfolk parish setting forth sevil matters relating to their parish, read, and

Ordered

That ye same be referred to ye consideracon of the House of Burgesses

Then the Council adjourned till tomorrow morning 8 aclock.

Tuesday June the 23d 1702

Prefent

IS Excellencie, William Byrd, Edmund Jenings, John Lightfoot, Benje Harrison, Robert Carter, James Blair Esque

Ordered

That the Clerk of the General Affembly carry this following meffage to the House of Burgesses

By his Excelley and the honble Council

M' Speaker & Gentlemen of the House of Burgesses

Whereas it hath been [See J. of H. of B., p. 371.]

Ordered

That the Clerk of the General Affembly carry this following meffage to the House of Burgesses

By his Excellency & the honble Council

M' Speaker & Gentlemen of the House of Burgesses

His Excellency [See J. of H. of B., p. 372.]

A meffage from the House of Burgesses to his Excellency and Council by M^r Joseph Foster and others, who brought the following Resolves

Tuefday June ye 23d 1702

By the House of Burgesses

A motion being made that Committees be appointed and a debate thereupon arifing The Oueftion was putt

That Committees shall be appointed

It paffed in the Negative

W^m Randolph Cl H Burg*
Ordered



Ordered

That the Clerk of the General Affembly go to the House'of Burgesses and Command their immediate attendance on his Excellency in Council in the Council Chamber

Mr Speaker with the House attending his Excellency was pleased to say as follows

M' Speaker and Gentlemen of the House of Burgesses

It having pleafed [See J. of H. of B., pp. 372-3.]

The petition of $John\ Waller$ for leave to patent Some land lying in Pamunkee neck being read

Ordered

That it be referred to y^e confideracon of the House of Burgesses

Then the Council adjourned till tomorrow morning 8 aclock.

Wednesday June the 24th 1702

Prefent

IS Excellencie, William Byrd, Edmund Jennings, John Lightfoot, Benj^o Harrifon, Robert Carter, James Blair Esq^{to} Ordered

That the Clerk of the General Affembly carry to the House of Burgesses the following message from his Excellency

M' Speaker & Gentlemen of the House of Burgesses

I received yor Vote [See J. of H. of B., p. 373.]

Ordered

That the Clerk of the General Affembly carry to the House of Burgesses the following message

By his Excellency

M' Speaker & Gent. of the house of Burgesses

His Excellency having [See J. of H. of B., p. 373.]

A meffage from the House of Burgesses by Mr Bland & others who in answer to his Excellencys aforesaid message brought the following Resolves

Tuefday June ye 23d 1702

By the House of Burgesses

Refolved

That William Byrd of King and Queen County in Saying that this Affembly were about to raife a Tax upon the people in this Country which would amount to Seventeen thousand pounds a year for the use of the College And that Collon! William Leigh had consented to it, is guilty of a Seditious Scandalous malitious and utterly false Report.

Refolved

That the Report which William Byrd made that Mr Nathaniel Harrison and Mr George Marable were taken into custody about giving the Speaker ten thousand pounds of Tobacco, is seditious scandalous malitious and utterly salls.

Ordered that the Clerk of the House Send copies of the self-lives of this House to the Sheriff of King and Queen County And that he cause ye Same to be published at their County Court and in all Churches & Chappells within the said County

Wm Randolph Cl H Burg*

Upon reading and confidering the Refolves of the House of Burgesses concerning ye Reports published and Spread abroad by William Byrd of King and Queen County. The honble Council came to the following Resolves Viz

Refolved

That the honble Council do agree with the House of Burgesses that William Byrd of King and Queen County in Saying that this Assembly were about to raise a Tax upon

the



the people in this Country which would amount to Seventeen thousand pounds a year for the use of the College is guilty of a Seditious scandalous malitious and utterly false Report

Ordered

That the faid $William\ Byrd$ for his faid Offence be ftruck out of the Commission of the peace for King and Queen County

Ordered

That the faid William Byrd appear at y next Court held for the faid County of King and Queen and in open Court make a publick acknowledgement of his Said Offence, and in case of his Refusal that M Benj Harrison Council for the King prosecute him for the same.

Ordered

That the Juftices of King & Queen County iffue their warrant to the Sheriff of the faid County to take into his Cuftody the body of the faid William Byrd untill he enter into Bond with good and Sufficient fecurity for his good behaviour. And

Ordered

That the Clerk of the General Affembly fend a copy of the above Orders & Refolves to the Sheriff of King and Queen County that notice may be given to the faid W^m Byrd for his complyance therewith.

Then the Council adjourned till tomorrow morning 8 aclock.

Thursday June the 25th 1702

Prefent

IS Excellencie, William Byrd, Edmund Jenings, John Lightfoot, Benjo Harrifon, Robert Carter, James Blair Efq. A message from the House of Burgesses to his Excellency by Mr Robert

Beverley and others who brought the following answer of the House of Burgesses to his Excellery Speech

By the House of Burgesses

May it please y Excellency

We her Matys Loyal [See J. of H. of B., p. 375.]

And also the said M^r Beverley acquainted his Excellency that the House of Burgesses had Signed an Address to her Maty, and defired to know his Excellencys pleasure when they should attend him with y^s Same.

Then the Refolves of the House of Burgesses, in answer to his Exceller Speech, were read; And thereupon

Refolved

That the honble Council do concur with the House of Burgesses in the first part of their said answer Viz that the Ordinance of the last Session of Assembly giving power to the Governor with the advice of the Council upon any Alarm, Surprize, Insurrection or Invasion to Levy suitable & competent Forces to be paid by the publick &c is a Sufficient provision for the security of this Country on any such occasion untill there shall be a Session of Assembly.

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and Command their immediate attendance upon his Excellency in Council in the Council Chamber, and bring with them what they have to offer to him

Mr Speaker with the House being come into the Council Chamber Addressed himself to his Excellency as followeth

May it please yo' Excellency

The Houle of Burgelies having drawn up and Signed a congratulatory Address to her most Sacred Maty upon her Accession to the Throne of her Ancestors As a token



of their Loyalty and affection to her Matys person and Government, Do now in obedience to yor Excellers commands wait on yor Excellency to pray yor savour and Affistance in getting the same transmitted to her Majesty.

And then delivered the fa Address to his Excellency

After which his Excellency was pleafed to acquaint the House to this effect, that having confidered their answer to his Speech he had thought fitt on Accom of the busine time of the year to give them a Recess, but before he prorogued them he must premise to them that he was still in expectacion of receiving Orders from England which obliged him not to put off their meeting for any long time. And therefore he prorogued them till the twelfth day of August next And that accordingly they were prorogued: Yet least they should be put to any unnecessary trouble his Exceller was further pleased to tell them that he did not intend they should meet at that time unless betwixt [this] and then they should hear that some new Orders from England were arrived.

Wil Robertson Cl Gen" Assembly



AT A

GENLL ASSEMBLY

begun at the Royall Colledge of Wm and Mary adjoyning to the City of Wm/burgh the 5th day of Decembr 1700 in ye 12th year of the Reign of King Wm the third and thence Continued by fevll Prorogations to ye 14th day of Augt 1702 in ye first year of the Reign of our Sovereign Lady Anne by the Grace of God of England Scotland France & Ireland Queen defender of the saith &c



At a Gen¹¹ Affembly begun at the Royall Colledge of W^m and Mary adjoyning to the City of W^{m/b}urgh the 5th day of Decemb^r 1700 in ye 12th year of the Reign of King W^m the third and thence Continued by fev¹¹ Prorogations to ye 14th day of Aug^t 1702 in ye first year of the Reign of our Sovereign Lady Anne by the Grace of God of England Scotland France & Ireland Queen defender of the faith &c

[August 14th, 1702.]

Prefent

IS Excell^p Francis Nicholfon Esq^t her Maty^o Lieu^t and Gov^t Gen¹¹ of Virg^o, Edm^d Jenings, Benj^o Harrison, Rob^t Carter, James Blair Esq^{to}

Ordered That ye Clk of ye Gen¹¹ Affembly go to the house of Burgesses and Command their Immediate attendance upon his Excelley in Council in the Council Chamber

 M^r Speaker with y^{ε} house attending his Excell cy was pleased to make the following Speech

Honorable Gentlemen

I have lately had a paper . . . [See J. of H. of B., 1695-1702, p. 379.]

Upon reading a Lett' to his Exceller from Lt Coll Wm Randolph Clk of the house of Burgesses representing that he hath been so afflicted wth ye Gout that he could not propose in any reasonable time to go abroad neither could he pretend to officiate such a place as Clk of ye house of Burgesses wth required his personal attendance His Excell was pleased to appoint Wm Randolph Junior Son to ye said Lt Coll Wm Randolph to officiate as Clk of ye house of Burgesses during his sathers illness and

Ordered That a Commission be prepared accordingly

A meffage to his Excell^y from y^e house of Burgesses by M^r W^m Leigh and others that y^e house had Commanded them to wait on his Excelley & to defire that his Excell^y will please to appoint a Clk to do the business of the house of Burgesses

And then the Council adjournd till to morrow Morning 8 a Clock

Saturday Augt 15th 1702

Prefent

IS Excellencie, Edm^d Jenings, Benj^o Harrifon, Rob^o Carter, James Blair Efqr^o

A Comiffion being (according to order) prepared Impowring William Randolph fon to L^o Coll W^m Randolph to officiate Cik of the house of Burgesles during his fathers illness was read: approved and Signed by his Excellency in Council

William Randolph Junior Comifficiened by his Excelley to officiate as Clk of the house of Burgesses during his fathers illness took ye oaths appointed by act of parlimt to be taken in Stead of the oath of allegiance & Supremacy Subscribed ye test and took the oath of Clk of the house of Burgeses: Which was Certified as usuall

And then ye Council adjourned till Munday Morning 8 a Clock



Munday Augt 17th 1702

P^rfent

IS Excellencie, Edm^d Jenings, Benj^a Harrifon, Rob^t Carter, James Blair Efq^{ra}
His Excellency Communicated to the hon^{ble} Council a Speech w^{ch} he intended to make to the House of Burgeses and y^c Same was read

The Grievances of the Inhabitants of Charles City County on ye fouth

fide of James River read and

Ordered That ye Same be Referred to ye Confideracon of the house of Burgeses A message from ye house of Burgeses to his Excelle by Mr W= Leigh and others who brought the following Resolve

Munday Aug' 17th 1702

· By the houfe of Burgefes

Refolved Nemine Contradicente That it is not Convenient to preced upon the Revifal of the laws at this time

Wm Randolph Jun Clk H Burgesses

And then the Council adjourned till to Morrow Morning 8 a Clock

Tuefday Augt the 18th 1702

Prient

IS Excellency, Edm⁴ Jenings, Benj^a Harrifon, Rob⁴ Carter, James Blair Efq¹⁴

A peticon of Thomas Pate praying that he may have the Sole Priviledge of keping a ferry at York towne without ye Interruption of any other person and also

A Peti \bar{c} on of Mungo Somerwell praying that he may have y e fole Priviledge of keeping ferry there exclusive of all others

Were Severally read and

Ordered that they be Referred to ye Confideracon of the house of Burgeles

The Proposition of Sev¹¹ Inhabitants of James City County on ye South side of Chickahominy River praying that (in case the bill for dividing Charles City County take effect) So much of James City County as lyes between James River and Chickahominy River may be added to ye North part of Charles City County and also that ye Same may be made into one Parish: Being read

Ordered that y Same be Referred to y Confideracon of the house of Burgeses. The peticon of Benja Lillingston praying allowance for his attendance on his Excelland Council three meetings or Session of Assembly: read and

Ordered That ye Same be Referred to ye Confideracon of the house of Burgeses Ordered That the Clk of ye Gen'i Assembly go to the house of Burgeses and Command their Immediate attendance on him and the Council in the Council Chamber

M' Speaker wth the house attending his Excelly was pleased to say as followeth

Gentlemen

By the divine permiffion . . . [See J. of H. of B., pp. 382-83.] Then ye Council adjourned till to Morrow Morning 8 a Clock

Wednesday Augt 19th 1702

Prefent

DM^p JENINGS, Benj^o Harrifon, Rob' Carter, James Blair Efqr^o
Charles Evans appointed by the house of Burgesses Clk of y^o Comittee for propositions & Grievances took y^o oaths appointed by act of parlimt to be taken instead of the oaths of allegiance & Supremacy Subscribed y^o test and took y^o oath of Clk of y^o said Committee w^{ch} was certified as Usuall

Ordered

, That y^e Clk of the Gen^{II} Affembly carry y^e following Melfage to the house of Burgesses By



By his Excellency & yo honble Council

M. Speaker & Gent of ye house of Burgeffes

The building of the Capitol . . . [See J. of H. of B., p. 385.]

Then the Council adjourned till to Morrow Morning 8 a Clock

Thursday Augst 20th 1702

Prefent

DM^D JENINGS, Benj^a Harrifon, Rob^t Carter, James Blair A Grievance from King William County: read and Ordered

That it be referred to the Confideracon of the house of Burgesses Adjourned till 3 a clock afternoon

Post Merediem

Prfent

IS Excellencie, Edm⁴ Jenings, Ben⁶ Harrifon, Rob¹ Carter, James Blair Efq¹⁶

The Peticon of Cap¹ Rob¹ Snead praying to have ye fole priviledge of keeping the ferry at York Town: read & Ordered

That ye fame be Referred to ye confideracon of the house of Burgeles

The Petition of Barnabic Markinne & other inhabitants on the fouth fide Black water fwamp praying leave to ye faid Markinne to erect a Grift mill there, read and Ordered

That ye fame be Referred to ye Confideracon of the house of Burgeles

A peticon of Chicheley Corbin Thacker Clk of ye Secretarys office praying allowance for entring ye Laws of five felfions of Affembly in ye Countrys Law Book

And alfo

A Peticon of ye faid *Chicheley Corbin Thacker* praying that Mr Secretary may be allowed for writts for election of Burgeles iffued out of his office fince laft Selfion of Affembly was read and

Ordered

That they be Severally Referred to ye Confideracon of the house of Burgeles And then ye Council adjourned till to Morrow Morning 8 a Clock

Friday Augt 21: 1702

Prſent

IS Excellency, Edm^a Jenings, Benj^a Harrifon, Rob' Carter, James Blair Efq^{ra}

A meffage from y^e house of Burgeses to y^e Council by M^r Miles Carey and others y^e y^e house had then appointed a Committee to Joine wth such of the hon^{ble} Council as their Hon^{ra} should appoint to adjust all matters relating to the Capitoll according to his Excell^{cya} and their hon^{ra} propositions to the house of Burgeses

Refolved and accordingly Ordered

That Edmund Jenings Benj^a Harrifon and Robⁱ Carter Efq^{ta} be appointed as Committee to Joine wth y^e Committee of y^e house of Burgeses to adjust all Matters relating to y^e Capitol

And then ye Council adjourned till to Morrow Morning 8 a Clock

Saturday



Saturday August 22d 1702

IS Excellency, Edma Jenings, Benja Harrison, James Blair Esqua A melfage from ve house of Burgeses to his Exceller by M: Wm Leigh and others That ye house had Commanded them to wait on his Excy to know his pleafure when they flould attend him wth an address in Answer to his Speech

Upon weh his Excelley was pleafed to Say they might come now

Mr Speaker wth ye house attending presented an address to his Exceller in ye following words

To his Excel's Francis Nicholfon Efg' her Matys Lieu and Gou Gen" of Virga May it pleafe y' Excelley

. . [See J. of H. of B., p. 380.] We her Matys Loyall .

Ordered

That ye Clk of ye Genti Affembly carry to ye house of Burgeles the following Message

By his Excellency & y. honble Council

M' Speaker and Gent of the house of Burgesses

Upon perufal of ye Survey . . . [See J. of H. of B., p. 391.]

And then ye Council adjourned till Munday Morning 8 a Clock

Munday Augt 24th 1702

IS Excellencie, Edm^d Jenings, Jn^o Lightfoot, Benj^o Harrison, James Blair Esq^o

A message from y^o house of Burges to y^o Council by Santa Sa others who brought ye following Engroffed Bills Viz

A Bill for deviding Charles City County

A Bill for ye Regulaçon and Settlemt of ferrys and for dispatch of publick Expresses and for ye Speedy transporting of forces over Rivers and Creeks in time of dange

And a bill prohibiting Seamen being harboured or Entertained on Shore

To web they defire ye Council Concurrence

An Engroffed bill from ye Burgefs Ent an act for deviding Charles City County

Read ye first time and ordered a second Reading

An Engroffed Bill from ye Burgefe Ent an act for ye Regulacon and Settleme of ferrys and for difpatch of publick Express and for y. Speedy transporting fforces over Rivers and Creeks in time of dang' Read the first time and ordered a Second Reading

An Engroffed bill from yo Burgef' Ent an ad prohibiting Seamen being harboured or

entertained on Shore

Read ye first time and ordered a Second Reading

And then ye Council adjourned till to Morrow Morning 8 a Clock

August 25th 1702

IS Excellency, Edma Jenings, John Lightfoot, Matth: Page, Benja Harrifon, and James Blair Efq"

An Engroffed bill from ye Burgef's Ent'd a bill for ye Regulaçon and Settleme of ferrys and for dispatch of publick Expreses and for ye Speedy transporting forces over Rivers and Creeks in time of dang' was read ye Second time and ordered a third Reading

An Engroffed bill from ye Burgele Ent a bill prohibiting Seamen being harboured or entertained on Shore: read ye fecond time and ordered a third reading and

An Engroffed bill from ye Burgef' Ent a bill for ye deviding Charles City County read ye Second time and ordered a third reading

Adjourned till two a Clock affternoone



Post Meridiem

 \mathbf{P}^{r} fent

IS Excellency, Edmd Jenings, John Lightfoot, Matth: Page, Benjo Harrifon, and James Blair Efq.

Upon reading ye address of ye house of Burges to his Exceller of ye 22d instant The Council came to ye following Resolves Viz As to ye part of ye said Address relating to ye fortificacons and Navall Forces

Refolved That ye Council do concur wth ye house of Burges in their Resolves thereupon

As to y' part of y' faid address in answer to his Exceller proposition concerning Ships that now are or hereafter shall arrive in y' Country whether to lett them go Singly as they are Loaded or to stop them in hopes of some accidentall Convoy or till they be twenty to Sail enough to make a fileet of themselves

Refolved

That for as much as there are but few Ships now in ye Country and no profpect of any Convoy therefore ye faid Ships at prefent in ye Country have leave to Sail as they are Loaden

And upon Confidering y' part of y' above f' address giving pow' to y' Gov' w' advice of y' Council on any accident to Levy suitable and Competent forces &c

Ordered

That ye Clk of ye Gen" affembly carry ye following message to ye house of Burgese

By yo honble Council

M' Speaker and Gent of y' house of Burgesses

Upon perulal of yt part of yt [See J. of H. of B., p. 303.]

An Engroffed bill from ye Burgf^a Ent a bill for ye Regulaçon and Settlem^t of ferrys and for difpatch of publick Expreses and for ye Speedy transporting forces over Rivers & Creeks in time of dang^t

And alfo

An engroffed bill from ye Burgefe Ent a bill prohibiting Seamen being harboured or entertained on Shore

Were Read y^e third time and Severally agreed to by y^e honble Council without any Amendm^e

Ordered

That y* Clk of y* Gen¹¹ Affembly carry y* faid two bills to y* house of Burges and acqt them yt y* Council have agreed thereunto without any Amendmt

An Engroffed bill from ye Burgefa Ent a bill for deviding Charles City County Read ye 3d time and agreed to by ye Council wth and Amendma

Ordered

That ye Clk of ye Gen" Affembly carry ye faid Bill to ye house of Burges & acq

them yt ye Council have agreed thereto wth an amendmt

A meffage to his Excell^{*} from y^e house of Burges by M^{*} Miles Carey and others who acq^{*} his Excelley that they were commanded by y^e house to present to his Excell^{*} the Resolves of y^e house in answ^{*} to his Excell^{*} and y^e Councils message to them on Saturday last w^{*} Resolves is as follows

Monday Aug' ye 24th 1702

By yo house of Burges

A meffage from his Excelley and ye honble Council on Saturday [See J. of H. of B., p. 392.]

A message from ye house of Burges to ye Council by Mr Miles Carey and others who brought ye Book of Publick Claimes to we they desire their house Concurrence

And



And also acquainted their hon's y' y' house of Burges' had agreed to the Amendmi proposed by their Hon's to y' bill for deviding Charles City County and had inserted it therein

And y^e faid bill being affented to by y^e Council was delivered back to y^e faid M^r Miles Cary

And then ye Council adjournd till to Morrow Morning 8 a Clock

Wednesday Augt 26th 1702

Prfent

IS Excellency, Edm⁴ Jenings, In⁶ Lightfoot, Matth: Page, Benj⁶ Harrifon, Rob⁶ Carter, James Blair Elq⁶

Edm³ Jenings Efq¹ from y² Committee apointed to Joine w⁴ y² Committee of y² Burgefes for appropreating the Roomes and adjufting all Matters relating to y² Capitol reported their Resolutions thereon w² he delivered at y² table where y² Same were Read and agreed to by y² hon^{ble} Council and are as follow⁴

That ye building to the westward [See J. of H. of B., pp. 394-95.] Ordered

That ye Clk of ye Gen^{II} Affembly carry to ye house of Burges the Lists of the Militia way of following Message from his Excelles in writing

M' Speaker and Gent of y' house of Burgesses

I herewth fend y^u [See J. of H. of B., p. 394.]

Upon reading y Book of Claimes of y Affembly held in Aug' 1701 Benjo Harrison and Rob Carter Esquo objected against that article of ten thousand pounds of Tobb and Cask to y Speaker of y house of Burges because the said allowance hath been discontinued ever Since y Year 1695 and they did not think it Reasonable to revive it now

The queftion was put to ye whole Council if ye faid ten thousand pounds of tobbe shall be allowed

And it paffed in y' Negative it being an Unnecessary charge only M' Secty Jening defired y' his Diffent to y' sid vote might be entered on y' Journall

His Excellency then acquainted ye Council ythe thought ye faid Book of Claimes wth ythere article was allowed in Augthalt upon the house of Burges allowing ye Sum of 146 £. 8°. 3 of extraordinary charges and ye Sum of Sixty three pounds paid by Mthaudth Byrd for land for ye Goventhuse with two articles his Excellenthalth told ye house of Burgeses he doth not now insist on having reed no orders from England about them and therefore he is of ye opinion that ye said book is past and ythe house of Burgeses are ye most proper Judges of the Meritt and Rewards due to their own officers and it hath been for much longer time allowed then disallowed and what reasons they had for so doing are best known to themselves: This article hath been allowed by two houses of Burgese one after another, and if upon its not being allowed here ye house of Burges should result to pass the whole Book of Claimes it will be a Grievious oppression upon ye Subject (there being two Years Claimes due) and may in Some fort indang ye peace and quiet of this her Matys Colony and Dominion of Virge and this sum of ten thousand pounds of Tobbe will not amount to half a pound pounds of Tobbe will not amount to half a pound pounds

The Council proceeded to ye Consideracon of the Book of Claimes made up in May

last and this Pfent Session: and affter reading ye Same over

Adjourned for an hour



Post Meridiem

HE Council having refumed ye confideracon of the Book of Claimes and agreed thereto wth an Amendmt yt ye ten thoufd pounds of Tobacco and Cask to Mr Speaker be expunged

Ordered

That ye Clk of ye Gen'i Affembly carry ye book of Claimes to ye H Burgefe and acqt them ye Council have agreed thereto wth an amendmt

A meffage from ye house of Burges to ye Council by Mr Miles Carey and others ye ye house had Commanded them to wait on their Hones with ye Bookes of Claimes and represt [present] their house with a Resolve of the house in answer to their amendment for expunging out of ye Book of Claimes ye article of 10000 Los Tobbo to ye Speaker we're Resolve is in these words viz

By the House of Burges

Aug' ye 26th 1702

Refolved

That y' house doth adhere to their form' Resolve in giving Major Peter Beaverly Speaker of y' House ten thousand pounds of tobbe and that y' house will not recede from y' Same

W^m Randolph Cl H Burgef^{*}

And ye faid Mr Miles Carey prefented to ye Council an ordinance for ye defence of ye Country in time of dange and defired their hones Concurrence thereto and the fe ordinance was read and agreed to by the honest Council without amendme

Ordered

That ye Clk of ye Gen'l Affembly carry ye faid ordinance to ye house of Burgese and acqt them yt ye Council have agreed thereto wthout any amendmt

A meffage from ye house of Burges to his Excelley by Mr Wm Leigh, Mr Miles Cary and Mr Gawin Corbin

May it pleafe y' Excelley

We are comanded by ye house of Burgess to wait upon ye Excell and to desire ye Excell to fignify you pleasure when ye house shall attend you we an address

To web his Exy answered now if they pleased

 M^r Speaker w^{th} y^e house being come into y^e Council Cham^r first read: and afterward delivered to his Excell^y y^e following address

To his Exceller Francis Nicholfon Efqr her Matys Lieut and Gour Genth of Virga The humble address of the house of Burgesses

May it Please y' Excellency

We her Matys most Loyal [See J. of H. of B., p. 395.]

Whereupon his Excellency made the following Answer Gentlemen

I return you thanks for y' kind address In it you have given me a patern of a good Govern' wch I shall always endeavour to follow and I shall make it my Constant prayers to almighty God that he would be pleased to enable me so to do you may depend upon it that I shall on all occasions be ready to venture my Life and fortune for her Matys Service and the desence of this Country

As to y' Expressions of y' Loyalty to her most Sacred Maty (web indeed I should have answered first but y' it now comes in y' Course of y' address as I have formerly done so I shall always give you y' Character of a Loyal and Dutiful People to y' Crown of England and I hope that God almighty will enable me to performe my sincere intentions of discharging my duty to him and her Maty and to do all y' good I can to Virg' This Assembly being like to continue but a short time I hope as you have hitherto proceeded web concord so you will Continue so that we may all part in Amity

Then the Council took into Confideracon ye Refolve of ye house of Burges upon ye amendm to ye Book of Claimes and affter some time spent therein His Excellency acquainted



acquainted the Council y' in y' passing of y' Claims he demanded a priviledge to sitt and vote as president of the Council And upon some surther debate on y' Subject matter of the said amendm' and Resolve in answer thereto

Refolved

That ye Council doth agree to ye Book of Claimes except ye article giving ten thousand weight of tobbe to Major Peter Beaverly Speaker of ye house of Burges we article they propose may be submitted to ye determination of ye Lds Comme for trade and plantacons and in the mean time ye ye Levy be laid without it

Ordered that ye Clk of ye Gen'l Affembly carry a Copy of ye faid Refolve together

wth ye book of Claimes to ye house of Burges

A meffage from ye house of Burgese to ye Council by Mr Miles Carey and others who brought back ye Book of Claimes web ye following Resolve viz

By yo house of Burgs

Aug' ye 26th 1702

Upon Confideration of y^r Hon^{r*} [See J. of H. of B., p. 396.]

Then ye Council adjourned till to Morrow Morning 7 a Clock

Thursday Augt 27: 1702

Prfent

IS Excellencie, Edm⁴ Jenings, Jn⁹ Lightfoot, Matth: Page, Benj⁹ Harrison, Rob⁴ Carter, James Blair Esq¹⁹

Upon reading ye Refolve of the house of Burges' delivered on yesterday concerning ye allowance to ye Speaker

Ordered

That Benj^a Harrifon & Rob' Carter Efq^{ra} be appointed a Comittee to draw up an Answer to the faid Resolve

A peticon of Mr Secretary Jenings praying allowance for 409 Military Comiffions lately Issued out of his office and that it may be ascertained by whome y said free shall be paid for y future Read and

Referred to ye Confideracon of ye house of Burges.

Benja Harrifon Efq' from ye Comittee appointed to draw up an answer to ye Resolve of ye Burgese delivered on Yesterday concerning ye allowance to ye Speaker reported ye Resolutions they had come to thereupon we he delivered in at ye table where ye Same were read and agreed to by ye Council except Mr Secretary Jenings who proposed an expedient for compassing that difference

Ordered

That yo Clk of yo Gen¹¹ Affembly carry to yo house of Burges the following Resolves of yo Council in answer to yo Message Yesterday concerning yo allowance to the Speaker Viz'

By the Council

Upon Confideracon of y. [See J. of H. of B., p. 397.]

Whereupon his Exceller Ordered ye Clk of ye Gen¹¹ Affembly to carry to ye house of Burges ye following written message from him Self relating to ye above Resolve of ye Council

M' Speaker & Gent of y' house of Burges'

I fend you herewth a Copy [See J. of H. of B., p. 397.]

A meffage from ye house of Burges to ye Council by Mr Miles Carey & others May it please y' Hon's

We are comanded by ye house of Burgeles to return y' Hon's ye Book of Claimes and to acquaint you will what our Speaker & ye house have done upon ye last Message

By



By ve house of Burgesses .

Aug! 27-1702

May it Please y' hon"

In answer to your Message [See J. of H. of B., pp. 398-99.]

That ye Council do agree to ye Book of Claimes as amended

That ye Clk of ye Gen Affembly carry ye faid Book of Claimes to ye house of Burge and acquaint them yt ye same were agreed to by his Excellency and also by ye honble Council

A message to the Council by M. Miles Carey and others who brought ye following Refolve to web they defire ye Councils Concurrence

By yo house of Burgeffes

Aug! ve 27th 1702

Refolved

That ye house doth agree to give [See J. of H. of B., p. 399.]

And ye faid Refolve was affented to by his Exceller and ye Honbie Council

That ye Clk of ye Gen" Affembly carry ye faid Refolve to ye house and acquaint them y' ye Same is affented to by his Exceller and ye honble Council

A mellage to ye Council by Mr Richa Bland & others ye ye house of Burges had

passed Mr Treasurers Accus and desired their honre Concurrence thereto

The faid accure were then perufed and paffed by his Exceller and ye honble Council: and ordered to be returned to ye house

And then ye Council adjourned till to Morrow Morning 8 a Clock

Friday Augt 28th 1702

IS Excellency, Ed: Jenings, J.º Lightfoot, Matth Page, Rob Carter, & Ja: Blair Elq' Ordered That ye Clk of the Gen" Affembly go to the House of Burg' and command

their immediate attendance on his Exceller in ye Council Chamber

Mr Speaker wth ye house attending his Exceller was pleased to say

M' Speaker and Gent of y' house of Burgess,

It having pleafed the Almighty [See J. of H. of B., pp. 400-01.]

M' Miles Cary and others wait upon his Exceller and present ye following address from ye house of Burges Viz

May it please y' Exceller

Your Excellency's kind Meffage [See J. of H. of B., p. 401.]

A message from ye house of Burges to ye Council by Mr Miles Carey and others who brought ye book of proportions and an Engroffed bill for Laying a publick Levy and also two orders of ye house of Burge for paying Sevil Sums out of ye imposition fund to web they defire ye Councils Concurrence

The faid two orders were read as followth Viz

By yo House of Burg'

Aug' 28: 1702

Ordered

That ye fum of Six hundred [See J. of H. of B., pp. 401-02.]

And



And ye faid two order with ye book of proportions being aftented to by his Exceller and ye honble Council

Ordered

That ye Clk of ye Gen¹¹ Affembly return ye faid two orders & Book to ye house of Burge and acqt them that his Exceller and ye house Council have affented to ye Same

An Engroffed bill from ye Burgefe Ent a bill for raifing a publick Levy read and affented to by the honble Council

Ordered

That ye Clk of ye Gen¹¹ Affembly carry ye faid bill to ye house of Burges and acqs them ye ye Council have affented thereto without any Amendment

A melfage from ye house of Burges to ye Council by Mr Miles Cary & others who

brought ye Inrolled bills past this Session to be examined by ye Council

And after ye Council had perused them Ordered that ye Clk of ye Gen!! Assembly
return ye said bills to ye house

Ordered

That ye Clk of ye Gen'l Affembly go to ye house of Burgs and command their immediate attendance upon his Exceller in ye Council chamber and that they bring wth them what bills they have for him to pass

The house attending Mr Speaker Spoke as follows

May it Plcase y' Excelley

In obedience to y^r Excelley* commands the House of Burg* do now attend y^r Excelley wth sevil Bills and an Ordinance of Assembly agreed upon this Session by the honble Council and themselves most of wth (metaphorically compared) may be said to be Scions of y^r Excelley* speeches now grown up into trees adorned wth Sevil Branches and we hope they have been so carefully tended by us as to receive y^r Excelley* approbation the titles of them are these

An Act for y' regulacon and Settlem' of flerrys and for diffract of publick Expresses and for y' speedy transporting forces over Rivers & Creeks in time of Danger

An act for deviding Charles City County

An A& Prohibiting Seamen being harboured or entertained on Shore

An Ad for laying a Public Levy

And an Ordinance of Affembly for defence of y* Country in time of danger Which acts and Ordinance were all Signed by his Excell* and M* Speaker

And then his Excell^{cy} fpoke to this Effect, That he was very glad this Seffion was come to a friendly conclusion recommended to the Burgesses to preserve peace and concord in their sev¹¹ Countys, and that they would endeavor to promote the Royal College of William and Mary. That he had nothing further, but to thank them in her Matys name for the expressions of their Loyalty and duty, and to tell them (tho with regrett) that he must Dissolve them, and that accordingly they were dissolved.

True copy Examined ?

Wil Robertson Cl Gen Assembly



AT A

GEN^{LL} ASSEMBLY

Summoned to begin at her Matys Royal Colledge of Wm & Mary adjoyning to the City of Williamsburgh the 19th day of March 1702 in the second year of the Reign of our Sovereign Lady Anne by the Grace of God of England Scotland France & Ireland Queen Desender of the Faith &c and by prorogacon continued & holden on ye 19th day of ye sid moneth of March 1702



At a Gen^{II} Affembly Summoned to begin at her Matys Royal Colledge of W " & Mary adjoyning to the City of Williamsburgh the 19th day of March 1702 in the second year of the Reign of our Sovereign Lady Anne by the Grace of God of England Scotland France & Ireland Queen Defender of the Faith &c and by prorogacon continued & holden on ye 19th day of ye fd moneth of March 1702

[March 19th, 1702/3.]

Prefent

IS Exceller Francis Nicholfon Esqt her Matys Lievt & Govt Gent of Virginia,

Edmund Icvinas, Icha Lightfort, Phillips of Virginia, Edmund Jenings, John Lightfoot, Phillip Ludwell, Henry Duke Efq. His Exceller Signed a Commission to Wm Byrd Edms Jenings & Henery Duke Efqrs Impowring them or any two of them to administer the oaths appointed by Act of Parlim to be taken inftead of the oaths of allegiance and Supremacy the Test and oath of a Burge to every elected Member of this Assembly. And accordingly the faid Edma Jenings and Henry Duke Efgra went to the house of Burga to Administer the faid Oaths

William Byrd & James Blair Efgra Present

Edms Jenings Esq one of the members of the Committee appointed for Revisal of the Laws acquainted his Exceller that ye faid Commtee having finished the buisness of the Revifal had Directed him to lay before his Exceller the fev" Bills they had Prepared and to pray that his Exceller would Please to recommend them to the Genii Assembly

Ordered that ye Clk of the Gen11 Assembly go to the House of Burgesses and acquaint them that his Exceller commands their immediate attendance on him in the Council Chamber

Where being come His Exceller spoke as followth Gent.

I am very glad to fee fo many of you mett the thing I recommend to you is that you returne to yo' house and make choise of a Speaker & as Soon as you have done to let me know it

A Message from the House of Burge to his Exceller by Mr Wm Leigh and others that the house had made choise of their Speaker and had appointed them to wait on his Exceller to know his Pleafure when they Shall prefent him

To we his Excelled made Answer that he would give them Notice by a Message

Liev Coll Wm Randolph late Clk of the house of Burg being elected a Burgess for Henerico County and having by a Letter to his Excelley defired to be discharged from his faid office of Clk His Excelley was Pleafed upon the Peticon of Rob Beaverly Gent to Commissionate him the said Rob' Beaverly to be Clerk of the house of Burgesses

A Commission being prepared Impowring Wm Byrd Edms Jenings and Henery Duke Efqro to administer yo oaths appointed by act of Parlim to be taken instead of the oaths of allegiance & Supremacy the test and oath of their respective offices to the Clk of the house of Burgesses & Clks of the Committees was Signed by his Exceller in Council

Rob' Beaverly Gent Commissionated by his Exceller to be Clk of the house of Burgeffes took ye oaths appointed by act of parlimt to be taken instead of the oaths of alle-

giance



giance and Supremacy Subfcribed the teft and took ye oath of Clk of the House of Burgweb was certified as Ufual by the Gent Appointed to administer the Same

Ordered

. That the Clk of y^a Gen^{II} Affembly go to the house of Burg* and acquaint them that his Excell* hath thought fitt to appoint to Morrow Morning at 8 a Clock for their attending him wth their Speaker

And then the Council Adjourned till to Morrow Morning

Saturday March the 20th 1702

Prefent

IS Excellency, Edinund Jenings, James Blair, Henery Duke Efq**

John Gill and Stephen Gill French Refugees took y* oaths appointed by
Act of Parlim' to be taken instead of the oaths of Allegiance & Supremacy &
Subscribed the test in Order to their Naturalization

Jnº Lightfoot Efqr Prefent
In Obedience to his Excelleys appointment The house of Burgs attended his Excelle
and Peter Beaverly of the County of Glocester Gent being presented as their Speaker
Addressed himself to his Excelley as follows:

May it Please yor Excellency.

The Burg* In Obedience to yot Excellers Commands having proceeded to you choice of a Speaker have Ordered me to Serve in that Station Out of the zeal I bear to her Matys Service the good of the Country & the hont of my fellow Members it would have been more to my Satisfaction had they been pleafed to make choice of an Abler Perfon for fo great a work; but fince they have proceeded fo far I must Submitt, and Leave it to yot Excellers Approbacon & Allowance

To W^{ch} his Excell^{cy} answered to this effect, S^r the Burg^s making choice of you for their Speaker do fully demonstrate to me that they have a mind to Answer the intent of the writt by w^{ch} they were called I do not doubt but they are very well Satisfied wth yo^r Ability to discharge that Trust, and you have given such testimoneys of yo^r zeal for her Matys & the Countrys Service while you were formerly in the Station that I cannot but approve their choise

Then Mr Speaker spoke thus

May it Plcafe yo' Excellency

Since yo' Exceller has been pleafed to indulge the Burgs in this Election, duty binds me to become petitioner to yo' Exceller in their Behalf, that all the ancient rights and Priviledges of the Burgeffes may be continued to this Affembly, that they and their Serves in their Perfons and Eftates may be free from arrefts & other Difturbances. That in all their debates and Confultacons in their house they may have freedom and Liberty of Speech and as Occasion requires free access unto yo' Exceller Perfon. And because of my own infirmitys I have one favour more to beg of yo' Exceller that none of my failings through weakness or inadvertency may redound to ye' Prejudice of the house

Whereupon his Excell^{sy} faid that what M^r Speaker had defired in behalf of the house he very readily granted & wished it were in his power to inlarge their Priviledges and if they thought there were any other Priviledges necessary for them to have upon representacon thereof to him, he would lay them before her most Sacred Maty and endeavour to obtain them & as to what M^r Speaker had desired in behalf of himself he had Such experience of his good conduct in former Sessions that their was no need for his using that Modesty

And then his Exceller made ye following Speech

Honbie Gentlemen

I thank God [See J. of H. of B., 1702/3-1712, pp. 4-5.]

And then the Council Adjourned till Munday Morning 8 a Clock-

Munday



Munday March the 22d 1702

Prefent

IS Excellency, Edmund Jenings, Jnº Lightfoot, Benjº Harrifon, Rob' Carter, James Blair, Philip Ludwell, W. Baffett, Henery Duke Efqto Ordered

That the Clk of the Gen^{II} Affembly go to the house of Burg³ & Command their immediate attendance on his Excell^{cy} in the Council Chamber.

Mr Speaker wth the house attending. his Exceller was pleased to make the following Speech

Gentlemen

Her Maty hath been [See J. of H. of B., pp. 8-9.]

A meffage to his Exceller by Mr Nathaniell Harrifon & others acquainting him that Major Tho: Swan being elected a Burgefs for Surry County and also a Burgefs for ye County of Nanfimond had made his election to serve for the County of Nanfimond and therefore the house had Commanded them to wait on his Exceller to pray that a New writt may iffue for ye election of a Burge to Serve in this present Assembly for ye faid County of Surry in the room of the said Major Swan

And then ye Council Adjourned till to Morrow Morning 9 a Clock

Tuefday March ye 23d 1702

Prefent

IS Excellency, Edm⁴ Jenings Sec^{ty}, Benj⁴ Harrison, James Blair, W^m Baffett and Henery Duke Elq⁴

Paul Harrelfon an Alien took ye Oaths appointed by act of Parlime to be taken inftead of the oaths of allegiance & Supremacy & Subfcribed the Teft in Order to his Naturalizacon

The Peticon of Paul Harrelfon for Naturalizacon is referred to ye Confideracon of the house of Burgesses

A petition of the french Refugees inhabiting at Manican town, and also

A peticon of John & Stephen Gill French Refugees for Naturalizacon being prefented to the Council & read

Ordered

That ye Same be Referred to ye Confideracon of the house of Burg's

A Petičon of M^{ro} Mary Rider praying that y^e keeper of the ferry at Hog Island Main may be Prohibited to land his Passengers on her Plantačon. read and Referred to y^e Consideračon of the house of Burgesses.

The Peticon & Proposal of John Holt for keeping ye ferry from Hogg Island to Archershope read. and

Ordered

That ye Same be referred to ye Confideracon of the house of Burge

John Lightfoot Matth^w Page, & Rob^s Carter Efqr^s prefent A meffage to y^e Council by W^m Leigh & others

May it Please yo' Hon"

We are commanded by the house of Burg* to wait on yo' hon's with a Resolve of the house in answer to that part of his Excellers Speech relating to a day of publick thanksgiving for ye great & glorious Successes of her Matys Arms by Sea and Land. Wich Resolve is in these words

Tuefday 23d March 1702

By the House of Burgs

Ordered

That a Mcffage be Sent to ye Council to acquaint them that this house hath appointed Thursday in Easter week for a day of Publick Thanksgiving for ye great and Glorious



Glorious Succeffes of her Matys Arms by Sea and Land and to defire their Concurrence thereto & that if they do Concur they will be Pleafed to reprefent ye Same to his Exceller for his Approbacon

Rob! Beaverly C H Burg*

Refolved

That ye Council do concur wth the house of Burgs that thursday in Easter week be fet apart for a day of Publick Thanksgiving for ye great and glorious Successes of her Matys Arms by Sea & Land.

Which refolve being Communicated to his Exceller he was pleafed to give his Approbacon thereto and further to appoint *tuefday* the 4th of *May* for a day of thankfgiving

throughout all this Colony

And then ye Council adjourned till to Morrow Morning 8 a Clock

Wednesday March ye 24th 1702

Prefent

IS Excellency, Edm³ Jenings Sec¹⁹, Jn⁹ Lightfoot, Matthew Page, Benj⁹ Harrifon, Rob¹ Carter, Jn⁹ Cuftis, James Blair, William Baffett & Henery Duke Efq¹⁹ Ordered

That ye Clk of ye Gen" Affembly carry the following meffage to the house of Burgesses from the Council

M' Speaker & Gent of the House of Burgesses

The honble Council haveing [See J. of H. of B., p. 11.]

The Grievance of King & Queen County, read, and Referred to the Confideracon of the house of Burgesses

The peticon of James Minge praying leave to bring in a bill to enable him to purchase Some Land on Matchcote Run for erecting of a Mill. read. and Referred to y* Confideracon of the house of Burg*

The Petičon of *David Stoner* praying that he may be appointed keeper of y* prifon now erecting near the Capitol. Read &

Referred to ye Confideracon of the house of Burgs

A petition of Edw^d Rofs

A petition of Thomas Francis. & also

A Petičon of John Goodale all relating to ferrys were Severally read, and Referred to ye Confideracon of the house of Burg.

And then ye Council adjourned till tomorrow Morning 8 a clock

Thursday March 25th 1703

Prefent

IS Excellency, Jnº Lightfoot, Matthew Page, Benjº Harrison, Rob' Carter, Jnº Custis, James Blair, W^m Bassett, Henery Duke Esq^{to}

The Grievance of Norfolk & Stafford Countys, were Severally read and Referred to the Confideracon of the House of Burg*

The Peticon of Samⁿ de Monville a French man for Naturalization. Read and Referred to the Confideracon of the house of Burgesses

The Petičon of James Adams Interpretor to ye Panunkey Chickahomeney and Nanfiatico Indians. Praying his usual Sallarey as Interpreter may be Levied for him, read, and

Referred to the Confideracon of ye house of Burge

Edma Jenings. Philip Ludwell Efgra Prefent

Ordered

That ye Clk of the Gen¹¹ Affembly carry to the house of Burge the following Message Mr Speaker & Gent of the house of Burge

His Exceller & the honble Council [See J. of H. of B., p. 12.]



A meffage from y* house of Burg* to his Excell* & Council by M* Miles Cary & others that, y* house have agreed to his Excell* & their Hon* proposition concerning a Com* to inspect the Building of y* Capitol & have Accordingly appointed Six of their Members to Joine w* the Com* of y* Council who are ready to attend at Such time as their Hon* shall appoint

Refolved

That a Comtee of ye Council be forthwth appointed to Joine wth ye Comtee of ye house of Burge to inspect ye building of ye Capitol

And a Comtee was Accordingly appointed Viz

Mr Secty Jenings, Matthew Page & Benje Harrison Efgra

And then ye Council adjourned till to Morrow Morning 9 a Clock

Friday March 26th 1703

HE Council met & Adjourned till to Morrow Morning

Saturday March 27th 1703

Prfent

IS Excellency, Edm^d Jenings Sec¹⁵, Benj^a Harrison, Rob' Carter, John Custis, James Blair, Philip Ludwell E(q¹⁵)

The Petičon of M^r Sec^{sy} Jenings praying y^e direction of Excelly & Council touching y^e removing the Records of his office. The place appropriated for them in the Capitol not being as yett finished. read. & Referred to y^e Consideracon of y^e house of Burg^e

The Petičon of M^r Sec^{ry} Jenings praying allowance for iffuing twenty five writts for Election of Burg* for y* prefent Affembly was read. & Referred to y* Confideracon of y* house of Burg*

The Petičon of *Tho. Blunt* Interpretor to ye *Nattoway & Maherine* Indians praying his Ufual allowance as interpreter may be levied for him. read &

Referred to ye Confideracon of ye house of Burgesses

Ordered

That ye Clk of ye Gen" Affembly carry the following meffage to ye house of Burgs

By his Exceller & yo Honble Council

M' Speaker & Gent of ye house of Burgesses

It being very [See J. of H. of B., p. 13.]

And then ye Council Adjourned till to Munday Morning 9 a Clock

Munday March ye 29th 1703

Prefent.

IS Exceller, Edm^d Jenings, Benj^o Harrison, Rob^t Carter, Jn^o Custis, James Blair, Philip Ludwell and henery Duke Esq^{to}

The Grievance of Elizin City County, read. & Referred to ye Confideracon

of ye house of Burgesses

The peticon of M^r Chickeley Corbin Thacker Clk of ye Scc^{ry} office was read, pray his Ufual allowance for publick fervices for one Year may be Levied for him

Ordered

That ye Same be Referred to ye confideracon of ye house of Burge



The petition of Roger Light was read, praying that he may be appointed keeper of y Capitol

Ordered

That ye Same be Referred to ye Confideracon of ye house of Burge

The peticon of M^r Sec^{tr} Jenings praying y^t it may be declared by whom y^e 50th tobb^e allow^d by Act of Affembly for every Military Commission shall be paid. being read

Ordered

that ye Same be referred to ye confideracon of ye house of Burgesses

His Excelley laid before ye Council her Maiye Letter for a Contribution of money &c to her province of New York. & acquainted them that purfuant to her Maiye Commands he recommended that matter to their Confideracon hoped he need not use many Argumts to induce them to comply therewith & therefore expected that before their Breaking up this night hey would give him their Result

And further acquainted them that If y Country wants money at prefent to advance towards the affiltance of New York he will Lend them or if this Affembly Shall not think fitt to comply when her Matys Commands for affilting New York yet he would discharge his duty and advance y money himself rather than that Service Shall Suffer

Ordered

That y^{ϵ} Clk of y^{ϵ} Gen¹¹ Affembly carry y^{ϵ} following Meffage in writing from his Excell^e7 to y^{ϵ} House of Burgesses

M' Speaker & Gent. of the house of Burgesses

I am heartily Sorry [See J. of H. of B., pp. 14-15.]

Matthew Page Efqr Prefent

The Council took into Confideracon what his Exceller recommended to them in relacon to $New\ York$, and finding it Necessary to have the advice of all ye Council therein. They in regard Mr Auditor Byrd is lame & not able to attend here & that $Jn^o\ Lightfoot$ Efq^r is absent Resolved to deser the further debate thereof till to morrow Morning at 8 a Clock at web time they all agreed to meet at Mr Auditors Chambers

And Accordingly the Council adjourned till to Morrow Morning 8 a Clock

March 30th 1703 at Mr Auditor Byrds Chamber in Williamsburgh

IS Excellency, W^m Byrd Audit^t, Edm^d Jenings Sec^s, John Lightfoot, Matt: Page, Benj^a Harrifon, Rob^t Carter, Jn^o Cuftis, James Blair, Philip Ludwel, Henery Duke Efq^{to}

The Council (According to Order) being met to confider of her Matys Royal Letter for a Contribution of money &c to New York. His Exceller did againe recommend that matter to their Confideracon, and put the question Whether they will Comply with her Matys Commands in granting the 900 pounds: Since their giving their opinion in that matter before ye house of Burgesses proceed therein be [he] conceives will be a means to induce that house to a complyance

The Council defired time to draw up an Answer to ye said Question

And Accordingly drew up the Same as follows Viz

To w^{ch} queftion we do humbly & unanimously make answer that we Shall be always ready to contribute to y^c uttmost of our power for her Matys Service either as Council to her Maty, or as we are part of y^c Cenⁿ Affembly

That Accordingly fo foon as yo' Exceller communicated to us her Maty's gracious Lettr relating to New York. we advised that a Gen¹¹ Affembly should be called wth all Possible Expedition

That after ye faid Affembly had met we heartly Joined wth yor Exceller in recommending ye faid Letter to ye Serious & Mature deliberacon of ye house of Burgesses

That



That y faid house being possess of y faid Letter for near a fort night & as we Suppose almost ready to come to a Resolution; We humbly conceive that in all Grants of money, for y Council to declare their Opinion before y house of Burgesses give their Answer ab them is contrary to the practice & proceedings of Assemblys & we are doubtfull might beget a Misunderstanding in the said house being tender of their priviledges and by consequence might prove prejudicial to her Matys Service in Gen!!. & to y good management of this affair in particular. And therefore wth Submission are unwilling to declare our previous Assembly.

His Exceller then acquainted ye Council that Since he found they difagreed in the Main to his recommending her Matys Commands to ye house of Burgesses upon ye Terms proposed in his former question he now put this question to them whether they as a Council or as a Council in Assembly Judge it for her Matys Service to use their endeavours to perswade the house of Burgesses to a complyance either by Message

conference or Such other way as they Shall think proper.

To we the Council humbly make answer that we Shall be very ready to do her Maty the best Service that lyes in our Power by Messages conferences or any other way that may be thought proper in due time. As occasion Shall be given from ye proceedings of the house of Burgesses

His Exceller defired the Opinion of ye Council whether it be proper for him to move any further to ye house of Burgesses either by Speech or Message in Relation to her

Matys Royal Commands for Affiftance to New York.

To wet the Council humbly make Answer That we know nothing at Present that is wanting on his Excelley part in relacon to her Matys Commands for affistance to New York; but if any thing Occurr to his Excelley for promoting that Service we shall be ready to give our Opinions therein as often as his Excelley shall think fitt to require the Same.

And then ye Council adjourned to ye Council Chamber

Where being Accordingly met

The Councils answers to his Excelley Questions were read, and Thereupon his Excelley declared. That as to what ye Council say in their Answer to ye first question Viz "That in all Grants of money for the Council to declare their Opinion before ye house of Burgesses give their Answer ab them is Contrary to ye practice & proceedings of Assemblys: His Excelley cannot allow any prescription in this Country: nor any Preside or Custom to take place contrary to the prerogative: but if preside could be admitted; Yet it cannot be made appear that ever there was a parralel Case to this

Then his Excelley communicated to ye Council two Letters from his Excelley the Lord Vifcount Cornbury Govern of New York dated ye 11th June & 19th November laft which he intended to lay before ye house of Burgesses & at ye same time to acquaint the house that if ye Country cannot at present advance the money he will lend them so much without Interest

A meffage to his Excell^{cy} by M^r Miles Cary & others that they were Commanded by the house of Burgesses to present his Excell^{cy} wth y^e Resolve of their house in Answer to his Excell^{cy} message of yesterday Which Resolve is in these words

Tuesday 30th March 1703

By the house of Burgesses

That it doth appear to ye house that ye Last house of Burgesses did resule to give the Nine hundred Pounds to New York. not because ye Govern was proposer of it but for other reasons at large enumerated in ye Journal of ye said house. And that the Report mentioned in his Exceller written Message of yesterday is a salse Scandalous and Malicious Report

R Beaverly Cl H. Burgesses

Ordered

That ye Clk of ye Gen" Affembly carry the following Meffage to ye house of Burgeffes from his Exceller

M'



M' Speaker & Gent of y' house of Burgesses

I herewth Send you [See J. of H. of B., p. 16.]

A meffage from ye house of Burgesses to ye Council by Mr Benje Harrison & others who brought the following Resolve

Tuesday the 30th March 1703

By the house of Burgesses

Refolved nemine Contradicente

That this Country is not of ability to comply wth her Matys Commands in contributing the Sum of Nine hundred Pounds required for New York.

Ordered

That a Meffage be fent to the Council to defire their concurrence to this Refolve, And that if they concurr they will be pleafed to Joine in a Committee wth the Burgeffes to Confider of the beft methods to reprefent our Circumftances of inability to her Matatrue copy

Teft R Beaverly Cl H Burg'

Ordered

That the Confideracon of ye Refolve of ye house of Burgs Just now Sent, be Referred till to Morrow Morning

His Excellency acquainted the Council that Since ye house of Burgs have put ye matter upon this issue, that ye Country is not of ability to contribute the 90011 to New York, The Council will do well to consider the State of ye Country & to enquire into the Publick Acous, for ye his Exceller is Satisfied there is nigh half of that Money now in Bank, after deduction of all debts that Fund is now Charged we's & as for ye remainder his Exceller will advance it, or if Necessary the whole upon the credit of those imposition Acts now in force and if They Shall prove described will bear ye Loss himself

Then ye Council adjourned till to morrow morning 8 a clock-

Wednesday March 31st 1703

Prefent.

IS Excellency, Edm^d Jenings, John Lightfoot, Matthew: Page, Robⁱ Carter, Jn^o Cuftis, James Blair, Philip Ludwell, W^m Baffett, Henery Duke Efq^{to}

The peticon of Mr Secretary Jenings praying allowance for iffuing a new Writt for ye Election of a Burgels in Surry County in the Room of Major

Tho: Swan. read &

Referred to ye Consideracon of ye house of Burgesses

The peticon of Jn^o Redwood praying that he may be appointed keeper of y^e Capitol, Read &

Referred to ye Confideracon of ye house of Burgesses

Ordered

That y^e Clk of y^e Gen^{II} Affembly carry y^e following meffage from his Excell^e to the house of Burgesses

M' Speaker & Gent of y' house of Burgesses

I give you [See J. of H. of B., pp. 16-17.]

The Council (according to order took) into Confideracon ye refolve of ye house of Burgesses of yesterdays date relating to her Matys Commands for a Contribution of money to New York. And thereupon

Ordered

That yo Clk of yo Gen¹¹ Affembly carry the following meffage to yo house of Burgesses Mr Speaker & Gent of yo house of Burgesses

The Council having [See J. of H. of B., p. 18.]

Refolved

That Mr Secretary, Rob' Carter, Jno Cuftis & James Blair Efq's be appointed to manage ye Conference with the Burg's in relation to their Resolve, that this Country is not of Ability to contribute the 900 pounds required for New York



A Meffage to the Council from ye house of Burg by Mr Benja Harrison & others ye the house had Commanded them to wait on their Hons to present the following Resolve in Answer to their Hons Message Concerning a Conference.

Wednesday March 31" 1703

By ye house of Burgesses

Refolved nemine Contradicente

That this house will not agree to ye Conference desired by the Council in their mesfage of this day upon ye Resolve of this house concerning the Nine hundred Pounds required for New York untill ye Council return the said Resolve with their Concurrence or disagreement thereto.

R. Beaverly Cl H. Burgesses

Benja Harrifon Esqr Present

Ordered

That ye Clk of ye Gen¹¹ Affembly carry ye following meffage to ye house of Burgesses.

By the Council

M' Speaker & Gent. of y' house of Burgesses

In answer [See J. of H. of B., p. 18.]

And then ye Council Adjourned till to Morrow Morning 8 a Clock

Thursday April 1st 1703

Prefent ye Same as yesterday

HE Council being informed yt the House of Burgesses were adjourned till to Morrow They for yt better Observacion of yt Publick Thanksgiving appointed to be this day kept for yt great & glorious Successes of her Matys Arms by Land & Sea

Adjourned till to Morrow 10 a clock in ye forenoon

Friday April 2d 1703

Prefent

IS Excellency, Edm^d Jenings, Jn^o Lightfoot, Matt. Page, Benj^o Harrifon, Rob^t Carter, Jn^o Cuftis, James Blair, Philip Ludwel, W^m Baffett, Henery Duke Efq^{to} A meffage to y^e Council by M^t W^m Leigh & others y^t y^e house of Burgesses had commanded them to wait on their Hon^{to} wth an Answer to their last Message Insisting on a Conference in relation to y^e Nine hundred Pounds required for New York. wth Answer is in these words

By the house of Burgesses

May it Pleafe y' Hon's

In Answer [See J. of H. of B., pp. 19-20.]

Ordered

That Rob' Carter Jnº Cuftis & James Blair Efq be appointed a Comtee to draw up & prepare an Answer to the above Resolve of the Burgesses

And Then the Council Adjourned till to Morrow Morning 9 a Clock

Saturday April 3d. 1703

Prefent

IS Excellency, Edm^d Jenings Sec^r, Jn^o Lightfoot, Matt. Page, Benj^a Harrifon, Jn^o Cuftis, Ja: Blair, Philip Ludwel, W^m Baffett, Henery Duke Efq^{es}
Jn^o Cuftis Efq^e from the Com^{ee} appointed to prepare an Answer to the last Resolve of the house of Burgesses denying a Conference in relacon to New York Reported that they had made Some progress therein, but being twice sent for by his Exceller upon urgent business they could not finish the Same

Ordered that the fa answer be prepared & Reported on tuefday morning next

And then ye Council Adjourned till Munday Morning 9 a Clock

Munday



Munday April 5th 1703

Prefent

IS Excellencie, Edm^d Jenings Sec¹⁷, In^o Lightfoot, In^o Cuftis, James Blair and Philip Ludwel Efq¹⁰

Ordered

That ye Clk of ye Gen" Affembly carry the following meffage in writing from his Exceller to the house of Burgesses

M' Speaker & Gent. of the house of Burgesses

If you now go [See J. of H. of B., pp. 22-23.]

A meffage to his Exceller by Mr Wm Leigh & others That ym House of Burgesses had commanded them to wait on his Exceller with an Answer to his Exceller message of this day. Wch is in these words

By the house of Burgesses

Munday 5th April 1703

May it Please yor Excellency

In Answer [See J. of H. of B., p. 23.]

Refolved

That Edmund Jenings Matth: Page & Benj^o Harrison Esq^{ro} be appointed a Com^{too} to Joine wth the Com^{too} of the house of Burgesses to consider of the best Method for carrying on the Buisness of the Assembly and Gen^{II} Court wth the greatest ease and Convenience

And the Council adjourned till to Morrow Morning 8 a Clock

Tuesday April 6th 1703

Prefent

IS Exceller, Edm^a Jenings Secty, Jn^o Lightfoot, Matthew Page, Benj^a Harrison, Jn^o Custis, James Blair, Philip Ludwel, W^m Bassett Esq^{ta}
Ordered

That the Clk of ye Gen" Affembly acqt the house of Burgesses that the Council have appointed three of their Members to Joine wth ye Comttee of the house of Burgesses to Consider of ye best methods for Carrying on the buisness of the Assembly & Gen" Court wth ye greatest ease & Conveniencie

Ordered

That the Clk of ye Gen" Affembly go to the house of Burgesses and acqt them that his Exceller commands their immediate attendance on him in ye Council Chamber

The house being come his Exceller was pleased to say as followth

M' Speaker & Gent of the house of Burgesses

I Pray God Almighty [See J. of H. of B., pp. 23-24.]

Henery Duke Efqt Present

A meffage from yo house of Burgesses to yo Council by Mr Miles Cary & others cacquainting their hong that the house had appointed Six of their Members to Joine with yo Comico of yo Council for considering of the best Method for carrying on the Buisness of yo Gn Assembly & Genn Court with the greatest ease & Conveniencie & that they were ready to attend their hong at Such time & place as they shall think fitt to Appoint

Refolved

That the Report of ye Com'ee appointed to draw up an Answer to the Last Message of ye house of Burgesses denying a Conference on ye Buisness of New York be by Reason of ye absence of Rob' Carter Esq' one of ye Members of ye said Com'ee Referred till to morrow morning

And then ye Council adjourned till to Morrow Morning 8 a Clock

Wednesday



Wednesday April 7th 1703

Prefent

IS Excellency, Edm^d Jenings Sect^y, In^o Lightfoot, Matthew Page, Benj^o Harrifon, In^o Cuftis, James Blair, Philip Ludwel, W^m Baffett & Henery Duke Efg^{to}
In^o Cuftis Efg^t from y^e Com^{tee} appointed to draw up an Answer to y^e
last Message of y^e house of Burgesses denying a Conserence on the Buisness of
New York reported y^e Resolutions they had come to thereon w^{ch} were read at the table
& wth some amendm^t agreed to by the Council and thereupon

Ordered

That y Clk of y Gen" Assembly carry the following message to the house of Burgesses.

By the Council

M' Speaker & Gent. of the house of Burgesses

In Answer to y' message [See J. of H. of B., p. 25.]

A meffage from the house of Burgesses to his Exceller by Mr Benjo Harrison & others May it Please y Excellency

The house of Burgesses having prepared an Address to yo' Excellency have commanded me to wait on y' Excelley to know what time y' Excelley will please to appoint for their attendance wth the said Address to be by them presented to y' Excelley

To web his Excelley Answered that he might acqt the house to come now if they

Pleafed.

And Accordingly the house attending M^r Speaker. read & then delivered to his Excellency the following Address

To his Excellency Francis Nicholfon Efq' her Matys Liev' & Govern' Gen" of Virginia May it please y' Excellency

We her Matys Loyal [See J. of H. of B., p. 26.]

Whereupon his Excellency was pleafed to Speak to the house to this effect that he would Confider of their address & give them an Answer to morrow but must recommend to them to give him an Acc" what they had done Since their meeting for untill he knew that he believed they themselves would not think it reasonable that he should give them leave to adjourn

Then the Burgesses withdrew

The Council adjourned till to Morrow Morning 8 a Clock

Thursday April 8th 1703

Prefent

IS Excellency, Edm^d Jenings Sec^v, Jn^o Lightfoot, Matthew Page, Benj^o Harrifon, Rob^t Carter, Jn^o Cuftis, James Blair, Philip Ludwell. W^m Baffett & Henery Duke Efq^{to}

A meffage to his Exceller by Mr Wm Leigh & others

May it Please y' Excellency

We are commanded by the house of Burg* to wait on y' Excelle, and to request yo' Excepto fignify yo' pleasure when the house shall attend you to present an Address

To web his Excelley made answer now if they pleased

The house of Burgesses being come into the Council Chamber M^r Speaker read & then delivered to his Excell^{cy} the following Address

To his Exceller Francis Nicholfon Efq. her Matys Liev! & Govern' Gen!! of Virginia

May it Please y' Excellency

We her Matys Loyal [See J. of H. of B., pp. 27-28.]

Whereupon



Whereupon his Exceller was pleafed to acqt the house to this effect Gent

As to y Address of yesterday I have laid y Same before her Matys honbie Council & we have come to Some Resolutions thereon which Shall be sent you & as to this address I shall Likewise lay it before the Council & if any further Occasion shall send to you

Ordered

That the Clk of y^e Gen¹¹ Affembly carry to the house of Burg^e the proceedings of his Excell^{cy} & Council of this day upon the address of the house delivered Yesterday desiring a Recess together with the following written message from his Excell^{cy}

M' Speaker & Gent of the house of Burgesses

The Ordinance past last Session of Assembly for [See J. of H. of B., pp. 28-29.]

And then ye Council adjourned till to Morrow Morning 9 a Clock

Friday April 9th 1703

Prefent

IS Excellency, Edm³ Jenings Sec^{xy}, Jn⁹ Lightfoot, Matthew Page, Benj³ Harrison, Rob⁴ Carter, Jn⁹ Custis, James Blair, Philip Ludwel, W^m Bassett, Henery Duke Esq^{xs}

 M^t Sec^{sy} Jenings from y^e Com^{tee} of the Council & Burg^s appointed to infpect the building of the Capitol Reported the Sev^{II} Refolutions they had come to in that matter w^{ch} he read in his place & afterwards delivered in at the Table where the Same were agreed to by the Council w^{th} an Amendm^t w^{ch} they Ordered to be inferted in the faid Report & is as follows Viz

By the Comtee of Council & Burgesses appointed to inspect the building of the Capitol & Prison

Agreed

That the overfeer [See J. of H. of B., pp. 29-30.]

*Vpon Confideracon of the Peticon of Mr Secry Jenings concerning Removing the Records & papers belonging to the Secrys office to the Capitol be Referred to this Comtee, they are of Opinion in regard the Place Appropriated for that use is not finished nor any ways as yet made Convenient to Receive them that they remaine here [where] they now are til Such time as the Same be finished or made Sufficient to secure them from danger

Vpon Confideracon of the Peticons of Sev^{II} Perfons to be Goal keeper of y^e Country Prison & to look after & take care of y^e Capitol & the furniture &c belonging to it when they Shall be finished It is the Opinion of the Com^{tee} that Jn^o Redwood is the most fit person of them to be employed in that service & thereupon proposed that thirty Pounds Annum be the allowance given to those that Shall hereafter be employed therein first entring into bond wth good Security for y^e due & faithfull Formance of what Shall be thought Reasonable to Enjoine & Oblige them to

This Comtee conceiveing that the Comtte appointed to Revife the Laws & alfo infpect the Building of ye Capitol have finished the said Revisal it is proposed that fitting persons be Nominated & appointed to imspect the said Building til they be finished & to Receive the Acctts of disburstmts & order the money for that use & that the said Persons So appointed meet at the said Capitol as often as Shall be directed or Necessity Shall require

Thursday April ye 8th 1703

Ordered

That the Clk of the Gen¹¹ Affembly carry the faid Report to the house of Burgesses & acq¹ them that the Council haue agreed thereto w¹¹ an Amendm¹ w¹² they haue inserted in the faid Report

^{*} The fubfiance of this and of the two following paragraphs is given in the report of the joint committee as printed in the "Journals of the House of Burgesses," but the wording is different.



A Petičon of the Inhabitants of Cople Parish in Westmoreland County being read Ordered

That the Same be referred to the Confideracon of the house of Burge

Ordered

That the Clk of ye Gen¹¹ Affembly carry to the house of Burgesses the following message in Writing from his Excell^y

M' Speaker & Gent of the house of Burgesses

Having formerly [See J. of H. of B., p. 32.]

His Exceller laid before ye Council her Matys Royal Letter relating to the Quota of men & money required by her Maty for the affiftance of New York & acquainted them that Since the house of Burgesses had now given their answer on ye said Letter he recommended to the Council as the Upper house of Assembly to consider of her Matys so Commands & give him their answer thereon

Whereupon the Council took ye Same immediatly into Confideracon and a debate arising the question was put whether the Council shall make their Answer by an Address to her Maty directly or by an Address to his Excelley we a request to him to represent their Case to her Maty. It was thereupon

Refolved

That an humble Address be Prepared to her most Sacred Maty in Answer to her Matys Royal Letter

Ordered

That Mr Secry Jenings Rob! Carter & James Blair Elqrs do prepare the fd Address

A meffage to his Excell^{cy} by M^r Miles Cary & others that they were Commanded by the house of Burg^s to present his Excell^{cy} the following Resolves in answer to his Excell^{cys} meffage of Yesterday

Friday 9 April 1703

By the house of Burgesses

Refolved

That it is the Opinion of this house that the Ordinance made the last Session of Assembly for the defence of the Country in time of danger is a Sufficient provision for y defence of this Country on any Such Occasion untill there Shall be a Session of Assembly R. Beverley Cl H Burgesses

Friday April 9th 1703

By the house of Burgesses

Ordered

That it be an inftruction to the Com^{tce} appointed to prepare the Addrefs to her Maty to infert a Claufe in the faid Addrefs to express our Sensible Joy for the great & glorious Successes of her Matys Arms by Sea & Land

R. Beaverley Cl H Burg*

Mr Cary also presented the following Resolves of the Burgs in Answer to his Excellers message of this day recommending to the house Sev¹¹ matters ommitted to be Answered in their Address web Resolves are as followed

Friday 9th April 1703

By the house of Burgesses

Refolved

That it is the Opinion of this house not to Concern themselves with the College Acc***

Refolved

That when the Revifal is proceeded in will be a Convenient time to take into Confideracon the Settling Suitable Sallarys & fees to the respective Officers for y* Encouragm* of the Natives of this Country

Refolved

That this house hath nothing to recommend to his Exceller upon his going to New York

Resolved



Refolved

That it is the Opinion of this house that the Lds Com^{rs} for trade do not mean that this house Shall Provide a copy of the Laws in force to be Sent to them, but Expect it from his Excell^{sy} & that his Excell^{sy} may do it without the house being Concerned therein

Ordered

That a Copy of the faid Refolves be Sent to his Exceller as an Answer to his Meffage of this day

A meffage to the Council by M^r Cary & others who brought the Refolves of the house of Burg* for paying the Gentlemen of the Com**e appointed to Revise the Laws to web they desire their Hon** Concurrence.

And the fa Refolves were read and Affented to by the Council

Ordered

That the Clk of the Gen¹¹ Affembly return the f⁴ Refolves to the house of Burg* & acq* them that the Council haue affented thereto

Then the Refolve of the house of Burgs touching the defence of the Country being read

Refolved

That the Council do concur wth the Burg* that the Ordinance made the laft Seffion of Affembly for defence of the Country in time of danger is a Sufficient provision for the defence of this Country on any Such Occasion until there Shall be a Seffion of Affembly

And then his Exceller was also pleased to give his assent to the set Resolve by Signing

the Same

A meffage from the house of Burg* to the Council by M^r W^m Leigh & others that the house had commanded them to wait on their Hon^{r*} & to present the following Resolve to w^{ch} they desire their Hon^{r*} Concurrence

Friday 9 April 1703

By the house of Burgesses

The Com^{tte} for Revifal of the Laws to whom it was referred to inspect & oversee the building of the Capitol & prison having finished the faid Revifal & that by means thereof it ceases to be any longer a Comtte

Refolved

That it is ye Opinion of this house that a Joint Comtee of the Council & Burgesses be appointed to Execute the Same trust for carrying on the Building of the Capitol & Prison that was formerly Vested in the Comtee appointed to revise the Laws

R Beverly Cl H Burg*

Refolved

That the Council do Concur wth the house of Burgesses that a Joint Comtee of Council & Burgesses be appointed to execute to yt Same trust for carrying on the Building of the Capitol & Prison that was formerly Vested in the Comtee appointed to revise the Laws

Ordered

That Mr Secry Jenings be appointed of the faid Comtee on the behalf of the Council Ordered

That the Clk of ye Gen'i Affembly carry the faid Refolve to the House of Burg' &

acqt them of the Councils Concurrence thereto

A meffage from the house of Burgesses to the Council by M^r W^m Leigh & others acquainting their hon's that the house had appointed M^r Tho: Barber & M^r Tho Ballard to join wth the hon^{ble} M^r Sec^r Jenings as a Com^{tee} for carrying on the Building of the Capitol & Prison

And then ye Council adjourned till to Morrow Morning 9 a Clock

Saturday



Saturday April 10th 1703

IS Excellency, Edma Jenings, Matthew Page, Benjo Harrison, James Blair, Philip Ludwel, W" Baffett and Henery Duke Efgra

That the Clk of the Gen" Affembly carry the following meffage to the house of Burgesses

By the Council

M' Speaker & Gent of the house of Burgesses

His Exceller Signifying [See J. of H. of B., p. 34.]

A meffage to the Council by Mr Charles Afhton & Mr Henery Afhton who brought the Refolves of the house of Burgo on the Peticon of the Inhabitants of Cople Parish to web they defired their Honra Concurrence.

And the fo Refolves were read & affented to by the Council

That the Clk of ye Gen" Affembly carry the faid Refolves to the house of Burge & acqt them that yt Council have affented thereto

A meffage from the Burgs to the Council by Mr Miles Cary & others who brought the following Refolve in answer to their hone message of this day

By the house of Burgesses

Refolved & Accordingly Ordered

That Edm's Jenings Eigr Mr Tho. Barber & Mr Tho Ballard or any two of them be appointed & impowred to execute the Same trust for carrying on the Building of the Capitol & prison that was formerly Vested in the Comtee appointed to revise the Laws R Beverly Cl H Burgeffes

And the fa Refolve being read was affented to by the honble Council And then his Excelley was pleafed to Sign his affent to ye Same

Ordered

That the Clk of the Gen" Affembly return the faid Refolve to the house of Burg' & acq them that his Excelley & the Council have affented thereto.—

W. Byrd J. Lightfoot Rob' Carter & Jnº Cuftis Efqr Prefent

A message to the Council by M. Rich's Bland & others who brought M. Treassurers Acctts past by the house & defire their Honrs Concurrence thereto

Refolved that ye fd Accus be affented to by the Council

And then his Excelley Signed his affent to the fd Accompta

A message from ye house of Burge to his Exceller by Mr Wm Leigh & others that the house had Commanded them to wait on his Excelley to know his pleasure when the house shall attend him wth an address to her most Sacred Maty & also wth an Address to his Exceller

Upon weh his Exceller told them that he would Send to the house

A meffage to the Council from the house of Burg by M. Miles Cary & others who brought a Refolve of the house that the Sevil allowances to the Members Clk & affistants of the Comtee appointed to revise the Laws be pd out of the Imposition Funds to web they defire ye Councils Concurrence.

Refolved

That ye Council do affent to the above Refolve of the house of Burge

And then his Exceller Signed his affent to ye Same & it was afterwards delivered

back to ye Messengers who brot it

Mr Cary presented to his Excelley the Report of the Comtee appointed to inspect the Building of the Capitol agreed to by the honble Council & the house of Burge & prayed his Exceller affent thereto

And Accordingly his Exceller was pleafed to Sign his affent to the faid Report

The



The Gent appointed to prepare an humble Addrefs to her most Sacred Maty in answer to her Majestys gracious Letter relating to a Quota of men & money to New York Reported that they had Accordingly prepared y^* Same & then the f^d Addrefs being delivered in at the Table was read Amended & Signed by all y^* Council & is as follows:

To the Queens most Excell Majesty

May it please y' Majesty

We the Council of y^r Majeftys Colony & Dominion of Virg^s after due perufal & Serious Confideracon of your Matys gracious Letter Signifying yo^r Royal pleafure concerning a Voluntary Contribution of a Quota of men & money for New York laid before us by his Excelley Francis Nicholfon Efq^r y^r Matys Liev^t & Govern^r Gen^{ll} of this Colony & Dominion being Extreamely concerned that our Answer to the like demand made by y^r Matys Royal Brother W^m the 3^d of bleffed Memory contained in our Peticon of Odob^r y^e 1^{lt} 1701 did not give y^r Maty the Expected Satisfaction, but that our Managem^t of that affair was disallowed by the Lords of the Council for trade & Plantacons. Humbly beg leave in the most dutifull manner to lay before y^r Majesty our answers to those particulars wherein by the advice of the said Lords we find yo^r Majesty disapproves our Conduct in that Peticon together wth an Acc^{tt} of our late endeavours to Comply wth y^r Majestys commands in the said Letter as far as is within the reach of our Station and Province

Whereas in the first place we are charged as having made our application to Y^r Matys Royal Brother in an irregular manner by an Agent of our Own without the Consent of your Govern^r We humbly offer to y^r Matys Consideracon that as we were altogether free from any ill design in this Method so we Never heard before that any Such Rule had been Sett limitting the Addresses of Subjects in the Plantacons to their Soveraign to be made Only by the consent & through the hands of their Govern^{ra} & in this particular case our Govern^r had Signified so much of his disapprobation of the proceedings of the Gen^{II} Assembly on Acc^{III} of the said Address that we judged it would have been improper to have desired or expected his mediation or Concurrence therein But now that we know y^r Matys Pleasure we shall take care in this & all other Applications to y^r Majesty to observe the said Rule as to presenting our Petitions

In y Next place it is observed of the said Petition web was presented to y Majesty in the Name of the Council & Burgesses of Virg that it was signed by no more then four of the Members of the said Council But to this we humbly offer to y Matys Consideracon that it often happens by reason of Sickness & the very remote & distant habitacons of many of the Members of your Council the badness of weather & the Unpassableness of great Rivers & Bays at certain Seasons that we are Obliged to act web very Small numbers & particularly at that time there being but a thin Council before the late Nomination & these reduced to many inconveniencies by a tedious absence from home during a very long Session of Assembly Sevil of them had repaired to their homes to look after their Buisness web Suffered exceedingly by so long absence by web means it came to pass that there were no more of the Council lest but those sew who Subscribed the said Petition the rest who went away before it was sinished having been consenting while they staid to the Sevil Resolves that had been made abot it, so that it was really an Unanimous consent of the Council, tho Signed only by those four who gave their attendance to the last.

Befides the Objections agt the manner of prefenting the fd Petition the reasons for excusing our Selves from the aforesaid Contribution are excepted agt as insufficient. To we all we have to offer is that the we were then & still are of the Opinion (wth Submission to the better Judgmts of the Lords of Council for trade & Plantacons) that the reasons laid down in the said Petition were very Sufficient to Justifie the Proceedings of that Assembly wth relation to a Contribution of men & money for New York yet so great is the deserence we have for y Matys Recommendacon of that affair to the present Genth Assembly that the the said Reasons seem to us to be still in sull force. We have



taken no Notice of them but used our best endeavours consistent with the methods of Assembly to surther the intent of yor Matys gracious Letter with the house of Burgs & to take some good method with ye said house for ye Matys Satisfaction

And therefore we doubt not y' Majestys candid Construction of our Proceedings we'h the ineffectual to overcome the General dissatctions of the Country & their Representatives in this affair of New York. Yett we think it our duty to affure y' Majesty that you reign entirely in the hearts of yo' Virg' Subjects & that there are none in all your Dominions better affected to y' Majestys Person & Governm' than they are.

And upon this Occasion we humbly take leave to Congratulate the wonderfull Success of y Majestys forces by Sea & Land in this last Summers Expedition and to pray to Almighty God that y remaining part of yor auspicious Reign may answer so glorious a beginning to y Majestys immortal Hon & the happiness of all yor Subjects & allies.—

An Address from the Council to his Excell^{cy} to pray his favour in transmitting the Councils Address to her most Sacred Majesty was read approved & Signed by the whole Council & presented to his Exc^{lly} in these words

To his Exceller Francis Nicholfon Efqr her Matys Liev & Gouern Gen of Virga

May it Please y' Excelley

The Council having Unanimoully agreed upon an Answer to her Matys gracious lett concerning a Contribution of men & money for New York Pray yr Excelleys favour in transmitting & furthering ye Same to her Royal hands according to a Rule Lately Sett that all addresses of Subjects in the Plantacons to their Soveraigns be Sent by the hands of their Govern's wth were were adily Comply as being her Matys most Loyal & Dutifull Subjects & yr Excelleys most humble Serves

Whereupon his Excell^{cy} was pleafed to fay to y^e Council to this effect that the he could not Approve of their address to her Maty in that affair of *New York*. Yet because it was her Matys commands he would take care to transmit it to her Majesty

Ordered

That ye Clk of ye Gen¹¹ Affembly go to the house of Burg³ & Command their immediate attendance on his Exceller in the Council Chamber.

The house being come M^r Speaker read & then prefented to his Exceller the following Address

To his Excelley Francis Nicholfon Efqr her Matys Liev! & Govern' Gen!! of Virga

The humble Address of the house of Burgs

May it Pleafe y' Excellency

We her Matys Loyal [See J. of H. of B., p. 35.]

And then the address of the house of Burgs to her most Sacred Majesty was read & delivered to his Excelley

And thereupon his Exceller spoke to the house to this effect Gent

I do in her Matys Name thank you for ye first part of y' address congratulating the great & glorious Successes of her Matys Arms by Sea & Land. As to the other part relating to New York. I hope you will not expect that I should say much to mitigate it to her Maty: you have said as much as can well be on that Subject & because tis her Matys commands I shall take care to have it presented to her Royal hands Gent

I hear it has been represented in yo' house as if I was disaffected to this Country. Gent. I wish all that ever I have writt into England were now lying here. And whenever I cease to discharge my duty to God, to her Maty & to do all the good I can to this Country may I cease to be alive. I should be ingratefull If I did not return you my hearty thanks for y' Sev" respects to me this Assembly concerning what was done in y' house particularly for yo' kind & obliging Addresses

I find it for her Matys Service to prorogue you to the 15th of October next & Accord-

ingly this Gen¹¹ Affembly is prorogued to ye 15th day of October next



AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of William & Mary adjoining to the City of Williamsburgh the Seventeenth & begun the 19th day of March 1702 in the Second year of the Reign of our Soveraign Lady Anne by the grace of God of England Scotland France & Ireland Queen Defender of the faith &c and thence continued by several prorogations to the 20th day of April 1704 in the third year of her Matys Reign



At a General Affembly Summoned to meet at her Matys Royal College of William & Mary adjoining to the City of Williamsburgh the Seventeenth & begun the 19th day of March 1702 in the Second year of the Reign of our Soveraign Lady Anne by the grace of God of England Scotland France & Ireland Queen Defender of the faith &c and thence continued by several prorogations to the 20th day of April 1704 in the third year of her Matys Reign

[April 20th, 1704.]

Prefent

IS Exceller Francis Nicholfon Esq^t her Ma^{tlee} Liev^t and Governo^t General of Virginia, John Lightsoot, Benj^o Harrison, Robert Carter, Philip Ludwell, W^m Bassett, John Smith Esq^{te}
Ordered

That the Clerk of the Gen¹ Affembly go to the House of Burgesses, and acquaint them that his Exceller commands their immediate attendance on him in the Council chamber.

Mr Speaker with the House attending, His Exceller spoke to them as follows

M. Speaker & Gentlemen of the House of Burgesses

Her Majesty Queen Ann's Royal Capitol being the place appointed by act of Assembly for holding the General Assemblys; And that building being now so far finished as to be capable of accomodating this Assembly: I do hereby in her Matys name prorogue you to the 21st instant to meet at her Matys said Capitol, and you are accordingly hereby prorogued.



AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of William & Mary adjoining to the City of Williamsburgh the 17th and begun the 19th day of March 1702 in the 2d year of the Reign of our Soveraign Lady Anne by the Grace of God of England Scotland France and Ireland Queen Defender of the faith &c, & thence by several prorogations continued to, and held at her Maty Queen Ann's Royal Capitol, the 21st day of April 1704 in the third year of her Majestys Reign



At a General Affembly Summoned to meet at her Matys Royal College of William & Mary adjoining to the City of Williamsburgh the 17th and begun the 19th day of March 1702 in the 2d year of the Reign of our Soveraign Lady Anne by the Grace of God of England Scotland France and Ireland Queen Defender of the faith &c, & thence by several prorogations continued to, and held at her Maty Queen Ann's Royal Capitol, the 21st day of April 1704 in the third year of her Majestys Reign

[April 21st, 1704.]

Prefent

IS Excellency Francis Nicholfon Efq' her Majite Lievten' and Governor General of Virginia, William Byrd, John Lightfoot, Benj' Harrifon, Robert Carter, John Cuftis, Philip Ludwell, William Baffett, Henry Duke, Robert Quary, John Smith Efq'.

Ordered

That the Clerk of the General Affembly go to the house of Burgesses, and acquaint them that his Exceller commands their immediate attendance on him in the Council Chamber

The House being Come

His Excell^{cp} was pleafed to acquaint them, that her Moft facred Majesty haveing been pleafed to renew his Commission to be her Maj^{clee} Lievten^t and Governor General of this her Majestys most ancient and great Colony and Dominion of *Virginia*, he would cause the self-defendant to be read to them

And accordingly his Excellers Commission was publically read by the Clerk of the General Assembly.

After which his Excellency read that part of his Inftructions wherein the Council are nominated, and acquainted the House that upon Col^o Matthew Page's death, the number of Councelors falling under nine, he had appointed one to Supply that vaccancie

And then Signified to the House that he had Commissionated some of her Matys

honble Council to administer the Oaths, unto the Burgesses.

Whereupon the Burgesses withdrew, and the honble Wm Byrd, John Lightfoot and Benjo Harrison Esque went to administer the Oaths to them.

The Gentlemen of the Council appointed to administer the Oaths to the Burgesses being returned,

Ordered

That the Clerk of the Gen! Affembly go to the House of Burgesses & acquaint them that his Exceller commands their immediate attendance on him in y. Council chamber The House of Burgesses being come his Excellency made the following Speech

Honbie Gentlemen

God Almighty I hope [See J. of H. of B., 1702/3-1712, pp. 44-45.]

And then the Burgesses returned to their House

And the Council adjourned till tomorrow morning 9 aclock

Saturday



Saturday April 22d . 1704

Prefent

IS Excellencie, John Lightfoot, Benj^o Harrison, Robert Carter, Philip Ludwell, William Baffett, Henry Duke Esq¹⁰

Ordered

That the Clerk of the Genⁿ Affembly carry the following meffage in writing from his Excell^e to the House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

I have received [See J. of H. of B., p. 45.]

A meffage from the House of Burgesses to his Exceller by Mr Gawin Corbin & others in these words

Saturday April 22d 1704

By the House of Burgesses

Ordered

That the members of the Com^{tee} of Elections & priviledges wait upon his Excy & defire him to iffue a new writt for the Election of a Burgefs to ferve in this Affembly for *Nanfemond* County in the room of M^r *Thomas Swan* deceased.

Ordered

That the members of the Com^{tee} of Elections & priviledges wait upon his Excell^c, & defire him to iffue a New writt for the election of a Burgess to serve in this Assembly for King & Queen County in ye room of Mr Wm Leigh deceased

Ordered

That y' Members of the Comtee of Elections and priviledges wait upon his Excell's and defire him to iffue out a New Writt for the Election of a Burgess to serve in this Assembly for Middlesex County in the room of M' Edwin Thacker deceased.

W. Randolph Jun Cl: Ho Burg

The Council adjourned till Munday morning 9 aclock

Munday April 24th 1704

Prefent

IS Excellencie, William Byrd, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary, John Smith Esq.

The peticon of *Teliffe Alvertfon* for Naturalizacon, read and Referred to ye confideracon of the House of Burgesses

The peticon of Ino Veillon, Peter Fonyeilles, John Dep, Francois Colonie Jaqueline Jaques, Bartholomew Depuys, Ifaac ffiguier John Roffett & Paul Drapier was read & Referred to ye consideracon of the House of Burgesses

The petitions of Cyprian Prou, Peter Rucker, & Ifaac Garret praying for Naturalizacon Were feverally prefented & read &

Ordered

That ye fame be referred to ye Confideracon of the House of Burgesses

The peticon of Mary Greenfeild praying Leave to fell part of her land for her Subfiftance, her hufband having left her, read &

Referred to the confideracon of the house of Burgesses

Robert Carter Esqr absent

Ordered

That the Clk of the Gen¹ Assembly carry the following message to the House of Burgesses together with the papers relating to ye french Resugees

M. Speaker & Gentlemen of the House of Burgesses

His Exceller and the honble Council [See J of H. of B., p. 47.]



A meffage from the House of Burgesses to his Exceller by Mr Robert Bolling & others who brought the following Resolve

By the House of Burgesses

Refolved

Munday April 24, 1704

That it is the opinion of this House, That in respect of her Matys & this Countrys service the better security of Merchant Ships & the interest of Trade in general, it will not be proper for the present silect to sail hence before the last day of May next

W Randolph jung Cl Ho: Bur

And then the Council adjourned till to morrow morning 8 aclock

Tuesday April ye 25th 1704

prefent

IS Excellencie, Benjo Harrison, John Custis, Henry Duke, Robert Quary and John Smith Esque

The peticon of the Churchwardens of St peters parish in New Kent County praying a Division of the said parish was read &

Referred to ye confideracon of the house of Burgesses

The Petičon of James Adams Interpreter to y^* Pamunkie & Chicahominy Indians praying allowance of his Sallary, read &

Referred to ye confideracon of the House of Burgesses

Ordered

That the Clerk of the Gen¹ Affembly carry the following meffage in writing from his Excell^{cy} to the House of Burgesses

M' Speaker & Gent. of the House of Burgesses

I herewith fend you [See J. of H. of B., pp. 48-49.]

Then the Council took into confideracon the Refolve of the House of Burgesses of yesterday concerning the ffleets staying till the last day of May, And thereupon

Refolved

That the Council do concur in opinion with the House of Burgesses that it is for her Matys and this Countrys service, the better security of the Merchant Ships & the interest of trade in general that the present fileet do not sail hence before the last day of May next.

A complaint of the Nanfiatico Indians, read &

Referred to ye confideration of the house of Burgesses

Ordered

That the Clerk of the Genⁿ Assembly carry the following written message from His Excell^c to the House of Burgesses

M' Speaker & Gent of the House of Burgesses

I do in her Matys name [See J. of H. of B., p. 49.]

Prefent Win Byrd & Ino Lightfoot Efgre

A meffage to his Excellency from the House of Burgesses by M' Gawin Corbin & others who brought the following ord'

By the House of Burgesses

Tuesday April 25. 1704

Ordered

That ye members of the Comtee of Elections & priviledges wait upon his Exty & defire him to iffue out a new Writt for ye election of two Burgesses to serve in this Assembly for Charles City County.

Wm Randolph junt Cl Ho: Burg*

Then ye Council adjourned till tomorrow morning 9 aclock

Wednesday



Wednesday April ye 26th 1704

Prefent

IS Excellencie, William Byrd, John Lightfoot, Robert Carter, Philip Ludwell, William Baffett, Henry Duke, Robert Quarry, John Smith

The peticon of John Redwood keeper of the Country prison praying allowance of his fallary & of his charges in entertaining diverse Criminals

Read &

Referred to the confideracon of the House of Burgesses

A meffage to his Excell^{cy} from the House of Burgesses by M^r William Randolph and others acquainting his Excell^{cy} that they were commanded by the House to wait on him with the following Resolve

May it pleafe Yo' Exceller

The House of Burgesses having [See J. of H. of B., p. 51.]

And also the id Mr Randolph with the other messengers presented to his Exceller the following Resolve Viz

Wednefday April 26th 1704 By the house of Burgeffes

Refolved That it is the opinion of this House that it will be most for her Matys & this Countrys service & interest that all Ships design'd for this Country in time of war do fail from England the latter end of August or the beginning of September

W Randolph Jun Cl Ho Burg

And then ye Council adjourned till to morrow morning o aclock

Thursday April 27th 1704

present

IS Excellencie, William Byrd, John Lightfoot, Rob^{*} Carter, Jn^{*} Cuftis, Philip Ludwell, William Baffett, Henry Duke, Robert Quary, & Jn^{*} Smith Elq^{**}

A peticon of Edmund Jenings Esq. Thomas Barber & Thomas Ballard
Gent praying allowance for their attending as a Committee for directing the
work of the Capitol, Read &

Referred to ye confideracon of the House of Burgesses

A petičon of *Thomas Whitby* praying fome confideračon for extraordinary fervices about ye Capitol

A petition of *Thomas Wynne* praying allowance for what is due to him as Interpreto the *Nattoway* Indians &c

A peticon of the Nattoway Indians praying leave to hunt amongst the Inhabitants &c

And also

A peticon of John Holt praying leave to keep fferry from Hog Island on James River Were feverally read, and Referred to ye confideracon of the House of Burgesses Ordered

That the Clk of the Gen¹¹ Affembly carry the following meffage in writing to the House of Burgesses

By his Excelley and the honder Council

M' Speaker & Gent of the House of Burgesses

His Excellency & the honble Council have [See J. of H. of B., p. 53.]

Ordered

That the Clerk of the Gen¹¹ Assembly carry the following melfage in writing to the House of Burgesses

By his Exer & the honble Council

M. Speaker & Gent of the House of Burgesses

Upon confidering y' Refolve [See J. of H. of B., pp. 52-53.]

Ordered



Ordered

That the Clerk of the General Affembly carry the following meffage to the House of Burgesles

By his Exceller & the honble Council

M' Speaker & Gent of the House of Burgesses

His Exceller and the honble Council finding [See J. of H. of B., p. 53.]

A peticon of Mr Henry Cary overfeer of the work at y Capitol praying directions in feveral matters relating thereto

And also A petičon of the faid *Henry Cary* praying allowance for extraordinary Services about ye Capitol & prison

Were Severally Read & Referred to ye confideracon of the House of Burgesses.

Ordered

That the Clerk of the Genⁿ Affembly carry the following written meffage from his

Exceller to ye House of Burgesses

M' Speaker & Gent of the House of Burgesses

I recommend to you [See J. of H. of B., p. 55.]

A petition of Chickeley Corbin Thacker in behalf of M^r Secry Jenings praying allowance for iffuing diverfe Military Commissions

A peticon of the id Chicheley Corbin Thacker in behalf of Mr Secretary Jenings praying allowance for five new Writts iffued out this Seffion

Alfo

A petičon of the f^a Chicheley Corbin Thacker praying allowance for publick Services as Clerk of the Secretarys office to Odober laft

And likewife

A peticon of Charles Chifwell Clerk of the Secretarys office praying allowance for publick Services fince October laft

Were Severally Read &

Referred to ye confideracon of the House of Burgesses

And then ye Council adjourned till tomorrow morning 9 aclock

Friday April 28th 1704

Prefent

IS Excellency, William Byrd, Jnº Lightfoot, Benjº Harrifon, Robert Carter, Jnº Cuftis, Philip Ludwell, W^m Baffett, Henry Duke, Robert Quary & Jnº Smith Efq.

A petičon of Jofiah Ship of Effex County praying leave to keep a fferry over Rappahannock River read &

Referred to ye confideracon of the House of Burgesses The Council adjourned till tomorrow morning 9 aclock

Saturday April 29th 1704

prefent

IS Excellency, William Byrd, John Lightfoot, John Cuftis, Philip Ludwell, Wim Boffett, Henry Duke, Robert Quary and Jnº Smith Efq. Ordered

That the Clerk of the General Affembly go to the House of Burgesses & acquaint them that his Exceller commands their immediate attendance on him in youncil Chamber



M^r Speaker with the House being come into the Council Chamber, His Exceller was pleased to make the following Speech, and afterwards delivered a copy thereof to the Speaker, in these words

M' Speaker & Gent of the House of Burgesses

I hope in God [See J. of H. of B., pp. 58-59.]

And then the Council adjourned till Munday morning 9 aclock.

Munday May the 1st 1704

prefent

IS Excellency, John Custis, Philip Ludwell, Henry Duke, Robert Quary and John Smith Elgra .

An informacon being given to his Excell® & the Council of fome dangerous practices of two Chicahominy Indians

Ordered

That the same be referred to the confideracon of the House of Burgesses

A meffage from the House of Burgesses to his Exceller and the Council by M^r W^m Randolph & others acquainting his Exceller and their House that they were commanded by the House to present the following message w^{ch} contains their reasons for their former Resolve about the Ships

May it please yo' Excelley and Hones

The House of Burgesses having [See J. of H. of B., pp. 59-60.]

Ordered

That the confideracon of the faid Meffage be referred till to morrow morning And then the Council adjourned till to morrow morning 9 aclock

Tuesday May the 2d 1704

Prefent

IS Excellency, Ino Lightfoot, Ino Custis, Philip Ludwell, Henry Duke, Robert Quary, Ino Smith Elgra

The Council (according to order) took into confideration the House of Burgesses message sent yesternight Signifying their Resolutions on his Excyp & the Councils message of the 27th of April in relation to the Ships, and an addition being proposed thereto, the said answer and Resolutions of the House & addition were read & thereupon

Refolved

That the Council do agree to the Refolutions of the House of Burgesses with that Addition

Ordered

That the Clerk go to ye House of Burgesses and acquaint them that the Council have agreed to the said Resolutions with an addition to web they desire the Burgesses concurrence

A meffage from the House of Burgesses to his Exceller & Council by M^r William Byrd & others who brought the following Resolves to w^{ch} they defire his Ex^{cys} & the Councils concurrence

Munday May the i" 1704

By the House of Burgesses

Refolved

That the old Houses belonging to M^r John Page standing in the middle of Glocester street be pulled down

Resolved

That the faid House be valued by four men upon Oath

Ordered



Ordered

That the Sheriff of York County forthwith Summon four freeholders of his County & that the ffreeholders fo Summoned being fworne before any one of her Matys Juftices of the peace for the fd County value the old houses belonging to Mr John Page standing in the Midde of Glocester Street, and make Return of their proceedings therein to the House with all convenient expedition

Resolved

That the House doth agree to his Excellers proposition in his message to this House on the 27th of April in these words

That each of the Garretts of the Eaft & West fironts of the Capitol be divided into four Roomes and thus appropriated viz one for the Auditor, One for the Secretary. One for the Judge of the Vice Admiralty, One for my Lord Bishop of London's Commissary, One to keep all the Collectors accounts & papers, web are to be returned every eighteen moneths, & one for the Naval Officers to be imployed for the same use. One for the Attorney General. & one for the Sherist attending the General Court

That the Garret over the Conference Room be divided into four Clofetts to be thus appropriated Vizt one for the Clerk of the Gen^{II} Affembly, one for the Clerk of the

House of Burgesses, & one for each of the two Clerks of the Committees.

That the Garrets in the roof be boarded & fo made capable of holding Several things & other uses

Refolved

That it be left to his Excell^{cy} the Governor to make his choice whether he will buy or Leafe the Houses built for the workmen at the Capitol.

Wm Randolph Junt Cl: Ho: Bur.

Refolved

That ye Council do affent to the faid Refolves of the Burgelfes

And then his Excelley Signed his affent thereto

Ordered

That a warrant be prepared in pursuance of the said Resolves to the Sheriff of York County to Summon sour Freeholders of that County to value the Houses belonging to M. John Page standing in the middle of Glocester street, and make Return of their proceedings to the House of Burgesses

Ordered

That the Clerk of the Gen¹¹ Affembly carry the following meffage to the Houle of Burgelfes

By his Exceller and the honble Council

M. Speaker & Gent of the House of Burgesses

Whereas many times [See J. of H. of B., p. 65.]

And then the Council adjourned till tomorrow morning 9 aclock.

Wednesday May the 3d 1704

Prefent

IS Excellencie, Jnº Lightfoot, Jnº Cuftis, Philip Ludwell, Henry Duke, Rob' Quary, Jnº Smith Efq's

The warrant to the Sheriff of York for Summoning four Freeholders of the f⁴ County to value the old Houses belonging to M^r Jn^o Page standing in Glocester street Read and

Ordered

That the Clerk of the Gen¹¹ Affembly carry the fame to the House of Burgesses for their perusal and approbacon

Ordered

That the Clerk of the Gen¹¹ Affembly carry the following melfage in writing from his Excellency to the House of Burgesles

M'



M' Speaker & Gent of the House of Burgeffes

Since I find . . . [See J. of H. of B., p. 6.1.]

Ordered

That the Clerk of the General Affembly carry the following written melfage to the House of Burgesses

By his Excell'y & the honble Council

M' Speaker & Gent of the House of Burgesses

His Excellency [See J. of H. of B., p. 66.]

Ordered

That the Clerk of the General Affembly carry to the House of Burgesses for their perusal the order of his Excellency in Council of the 29th of last month for the Commodore's staying till the last day of May next.

A meffage from the Burgeffes to his Exceller by Mr William Robinson & others who brought back the warrant for Summoning four ffreeholders of York County to value the old Houses standing in Glocester street, and acquainted his Exceller that the House approved thereof with an amendment proposed by them

Whereupon the faid warrant was read, and the amendment agreed to & inferted, &

Ordered

That ye same be fairly transcribed for his Excellers Signing & the seal of the Colony affixt to it

And then the Council adjourned till tomorrow morning 9 aclock

Thursday May the 4th 1704.

Prefent

IS Excellency, John Lightfoot, Robert Carter, John Cuftis, Philip Ludwell, Henry Duke, Robert Quary & Jnº Smith Esq**

Mr Attorney General having prepared a draught of a Commission for administring the Oaths to the firench Resugees in order to their Naturalizacon Ordered

That the Clerk of the General Affembly carry the same to the House of Burgesles for their perusal

The Council adjourned till to morrow morning 9 aclock

Friday May the 5th 1704

Prefent

IS Excellency, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary & Jnº Smith Esqrº

A message from the House of Burgesses to ye Council by Mr Covington & others who brought An Engrossed Bill from the Burgesses Ent an Ad for dividing Sittenburn Parish

And the fd bill was read the first time, and ordered a Second reading.

A meffage from the House of Burgesles to ye Council by M^r Charles Afhton & others who brought the following bills to wch they define their Honre concurrence Viz

A bill Ent an act for dividing St peters parish in New Kent County

A bill Ent an act for reviving the act for the better improving the breed of horses & for reftraining unruly horses

A bill Ent an act to repeal the 2d act of Affembly made in the year 1664 Ent an act for ffrontiers to be Seated with four able hands

A bill Ent an act for tareing & afcertaining the Size of Tobacco hogfheads

A bill Ent an act to prevent Indians hunting and ranging upon patented lands



And the faid bills were read the first time, and Ordered a second reading to morrow morning

Also the fd Mr Ashton presented the following order of the House of Burgesses to web they defire the Councils concurrence

Friday May 5th 1704

By the House of Burgesses

Ordered

That the Sum of three pounds be paid to Mr Ino Page out of the money in Mr Treafurers hands from ye late Impositions on Liquors, Servants & Slaves

Ordered

That M' Henry Cary forthwith fet the labourers imployed about the building of the Capitol to pull down the four old houses & Oven belonging to Mr John Page which ftand in Glocester street, and have been appraised, and that they lay the bricks out of the Street on the Lott of the faid John Page

Wm Randolph Junt Cl Ho: Burge

And the faid Order being read

Refolved

That the Council do affent thereto

And then his Excelly was pleafed to fign his Affent to the Same

Ordered

That the Clerk of the Gen" Affembly carry back the fd order to the House of Burgeffes & acquaint them his Excy & the Council have affented thereto

And then the Council adjourned till to morrow morning o aclock

Saturday May ye 6th 1704

IS Excellency, John Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary & Jnº Smith Elore

An Engrossed bill from the Burgesses Ent an Ad for the better improving the breed of horses & for restraining unruly horses read the 2d time & Committed for amendments to Robert Carter, Ino Cuftis & Philip Ludwell Efgra

An Engroffed bill from the Burgeffes Ent an act for dividing St peters parish in New Kent County, read the second time, and ordered to be read ye 3d time.

An Engroffed bill from the Burgeffes Ent an act for dividing Sittenburn parifh read the 2d time & Ordered to be read the third time

An engroffed bill from the Burgeffes Ent an AA to repeal the fecond aA of Affembly made in the year 1664 Ent an act for the ffrontiers to be feated with four able hands Read the 2d time, and Ordered to be read the third time

An Engrossed bill from the Burgesses Ent an Att to prevent Indians hunting and ranging upon patented Lands, Read ye 2d time, and Ordered, to be read the third time

An Engroffed bill from the Burgesses Ent an act for taring and afcertaining the Size of Tobacco hogsheads Read the second time and

Committed for amendments to Robert Carter, John Cuftis & Philip Ludwell Efqr.

A mellage from the House of Burgesses to ye Council by Mr Miles Cary & others who brought the following bills to wen they defire their Honro concurrence, viz

A Bill Ent an act for reviving the Impositions on Liquors Servants & Slaves for one year & no longer

A bill Ent An Ad for removing Criminals from the Goals of the Countys where they shal be apprehended to the publick Goal at Williamsburgh

And the faid Bills were read the first time & ordered a 2d reading

Mr Miles Cary & others from the House of Burgesses brought the Books of publick Claimes to weh they defired the Councils concurrence

Ordered

That the Books of Claimes be Read on Munday next And then ye Council adjourned till Munday morning 10 aclock

Munday



Munday May the 8th 1704

prefent

IS Excellency, John Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary & Jnº Smith Elqto

Robert Carter Esq from ye Committee to whom it was referred to prepare amendment to the Bill Ent an Ad for the better improving the breed of horses & for restraining unruly horses, Reported ye amendments made by them to the said bill, we he read in his place and afterwards delivered in at the Table where the Same were again read & (with some alteration) Agreed to

Refolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid bill to the House of Burgesses and acquaint them that the Council have affented thereto with some amendments to weather the concurrence of the House

Robert Carter Efq¹ from the Com¹⁰⁰ to whom it was referred to prepare amendm¹⁰⁰ to the Bill Ent an aât for taring and afcertaining the fize of Tobacco hogfheads, Reported the feveral amendments and Additions made by them to the faid bill, w¹⁰⁰ he read in his place, and afterwards delivered in at the Table, where y¹⁰⁰ fame were again thrice read & (with fome alteracon) agreed to

Refolved

That the bill with the amendmts & additions do pass

Ordered

That y^e Clerk of the Gen' Affembly carry the faid bill to the House of Burgesses and acquaint them that the Council have affented thereto with diverse amendm's & Additions to wen they desire the concurrence of the House

The Council (according to order) proceeded to the reading the book of Claimes And the book of Claimes made up in April 1702 being first read

Refolzed, that the faid Book be affented to, and that the Clerk certify thereon that y^e fame is affented to by the Council

Then his Exceller was pleafed to Sign his Affent to the fame in these words

"Munday May 8th 1704 This book of Claimes (except that proposal of paying "12" for every Military Commission out of the two shillings hogshead) is assented to by fir: Nicholson

The Council took into confideracon the book of Claimes made up this prefent Seffion, and the fame being read over

Refolved

That the f^d Book of publick Claimes do pass, and that the Clerk of the Genⁿ Assembly certify thereon that y^e same is assented to by the Council.

And then his Exceller was pleafed to fign his affent thereto

An Engroffed bill from the Burgeffes Ent An A \hat{a} to repeal the 2^d A \hat{a} of Affembly made in the year 1664 Ent an a \hat{c} t for the ffrontiers to be Seated with four able hands, Read y* 3^d time and paft without any amendment

Ordered that the Clerk of the Gen¹¹ Affembly carry the faid bill to the House of Burgesses, and acquaint them that the Council have agreed to ye Same without any amendment

An Engroffed bill from the Burgeffes Ent an ad for dividing Sittenburn parish Read ye third time, and past without any amendment

Ordered

That the Clerk of the Gen" Affembly carry the fa bill to the House of Burgesses & acquaint them that the Council have agreed to ye same without any amendm

An Engroffed Bill from the Burgeffes Ent an act for dividing St peters parifh in New Kent County Read the 3^d time & past without amendment.

Ordered



Ordered that the Clerk of the Gen¹¹ Affembly carry the faid bill to the Houfe of Burgeffes and acquaint them that the Council have agreed thereto without any amendn¹⁵

An Engroffed bill from the Burgeffes Ent an all to prevent Indians hunting and ranging upon patented Lands, read the 3d time & past without amendment

Ordered, that the Clk of the Gen" Affembly carry the fa bill to the House of Burgand acquaint them that ye Council have agreed thereunto without any amendment.

An Engroffed bill from the Burgesses Ent an act for removing Criminals from the Goals of the Countys where they shal be apprehended to the publick Goal at Williamsburgh read the 2^d time &

Ordered a third reading to morrow morning

An Engroffed bill from the Burgesses Ent an ad Reviving the Impositions on Liquors fervants & Slaves for one year & no longer, read the second time And an amendment made thereto

Ordered,

That the f⁴ bill & amendm⁴ be read y⁴ third time to morrow morning And then y⁴ Council adjourned till to morrow morning 9 aclock

Tuesday May the 9th 1704

present

IS Excellencie, Ino Lightfoot, Robert Carter, Ino Cuftis, Philip Ludwell, Henry Duke, Robert Quary and Ino Smith Elquo

An Engrossed bill from the Burgesses Ent an act reviving the Impositions on Liquors Servants and Slaves for one year & no longer, read the 3d time with the amendmin and agreed to by the Council

Refolved

That the bill with the amendments do país

Ordered, that the Clerk of the Gen¹¹ Affembly carry the faid bill to y² House of Burgesses, and acquaint them that the Council have agreed to the same with the amendm¹⁴ to w² they desire the concurrence of the House.

An engroffed bill from the Burgesses Ent an ad for removing Criminals from the Goals of the Countys where they shal be apprehended to y' publick Goal at Williamsburgh, Read the 3d time, and agreed to by the Council

Ordered, that the Clerk of the Gen^{II} Affembly carry the f^d bill to the House of Burgesses, and acquaint them that the Council have agreed thereto without any amendm^t

A meffage from the House of Burgesses to the Council by M^r Gawin Corbin & others who brought back the bill Ent An A& for taring and ascertaining the Size of Tobacco hogsheads, and also, the bill Ent an a& reciving the a&t for the better improving the breed of horses & for restraining unruly horses, and acquainted their Hons that the House had agreed to y^e amendments proposed by them to the f^d bills & had inserted them therein.

And likewife the faid Mr Gawin Corbin prefented to his Exceller & the Council the

following Refolves of the House Viz'

Munday May the 8th 1704

By the Houfe of Burgeffes

Upon confideracon of the Report [See J. of H. of B., p. 74.]

Also the said M. Corbin brought an Engrossed bill from the Burgesses Ent an act for allowing a greater number of publick Ordinarys to weathey desire ye Councils concurrence

And the fd bill was read the first time and ordered a second reading.

Then the Council read the Bill Ent an act for taring & afcertaining the Size of Tobacco hog/heads, And compared the fame with the amendm¹ made by them thereto and Ordered, that the f⁴ bill be returned again to the House

As



As also the bill Entituded An all reviving the act for the better improving the breed of horses, was read and compared with ye amendments made by the Council thereunto, and

Ordered

That the Clerk of the Gen¹¹ Affembly return the faid bill to the House of Burgeffes And then ye Council adjourned till to morrow morning 9 aclock.

Wednesday May the 10th 1704

prefent

IS Excellency, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary & Jnº Smith Efq¹⁰

That the Clerk of the General Affembly carry the following meffage in writing to the House of Burgesles

By the honbie Council

M' Speaker & Gent of the House of Burgesses

The Council having yesterday sent down to yo House the bill for reviving the Impositions on Liquors, Servants & Slaves for one year & no longer, with a proposal of an Amendment thereto, Do now acquaint you that they are willing to recede from that amendment and to pass the bill without it

An Engroffed bill from the Burgeffes Entituled an $A \partial f$ for allowing a greater number of publick ordinarys read y^e Second time, and an Amendment being proposed thereto, the same was read twice, and agreed to, and

Ordered

That the faid bill and amendments be read the third time

A meffage from the House of Burgeffes to ye Council by Mr Miles Cary & others who brought the bill for reviving the impositions on Liquors Servants & Slaves for one year and no longer, and acquainted their Honrs that fince they had been pleased to recede from their amendment to the stable. The House had commanded them to return the same, and that the house expected their Honrs concurrence thereto.

The faid Mr Cary presented an Engrossed bill from the Burgesses Ent an Ada appointing a Treasurer, to web they desire the Councils concurrence

As also prefented the following Resolves to wen the House desire the Councils concurrence

Wednefday May the 3d 1704

By the House of Burgesses

Refoland

that ten thousand acres of land be laid out at the Manakin town and appropriated to the use of the french Refugees there settled

Refolved

That every firench Refugee inhabiting at Manakin town & parts adjacent have liberty to take up fo much of the faid ten thousand acres as will make the quantity (already taken up) one hundred and thirty three acres

Refolved

That the ten thousand Acres of land appropriated for the use of the firench Resugees settled at Manakin Town, be laid out so as to include the Lower Settlement on the River, and thence runing along the River upwards so as to include the Upper Settlement and thence runing so far back into the woods as will give the quantity of ten thousand Acres.

W. Randolph Cl Ho: Bur:

Munday May the 8th 1704

By the House of Burgesses

That the publick prison be included within the bounds appropriated to ye Capitol and that the fd bounds already ascertained for the fd Capitol be continued from the

Main



Main road just before the door of one of the Capitol Houses to the extent of fourty one poles to a post, thence including the prison, thirty two poles to a post on the West fide of the Spring, thence sourteen poles to the corner of a Ditch, thence along the said Ditch thirty poles and a half to a post by the said Ditch, and from thence to the begining place

Ordered

That M' Henry Cary after the Capitol is finished sell by Outcry what utensils bedding, and other moveables he hath under his care for the carrying on the building the self work, and that he take bond with good security for the payment of the money by the purchasers & give a year to pay in

W Randolph Cl: Ho: Bur.

Tuefday May the 9th 1704

By the House of Burgesses

Refolved

That the Capitol inftead of being railed in, be inclosed with a good brick wall of two brick thick, & four foot and a half high upon the Level within the wall, and that the self wall be distant fixty foot from the ffronts of the East & west building, and fifty foot from the North & South end of the self building, with four Suitable Entrances into ye same.

W Randolph Cl Ho: Bur:

Wednesday May the 3d 1704

By the House of Burgesses

Refolved and accordingly Ordered

That Stones be fent for & fet up to diftinguish the bounds of the Square markt out for the Capitol and the bounds & Rules of the prison

Refolved and accordingly Ordered

That the Dial plates lent in for the Clock be disposed of by the Committee appointed to inspect and oversee the building of the Capitol as they shall think fitt

Refolved & accordingly Ordered

That Dial plates for the Clock be drawn on the Square of the Cupulo Refolved

That the Virginia arms be fent for, and that they be fet up in the room where the House of Burgesles sitt

Copy Teft W Randolph jun Cl Ho Bur

And in like manner M^r Cary prefented the following Refolves of the House and defired the Councils concurrence thereto. viz

Tuefday May the 9th 1704

By the House of Burgesses

Upon confideration of the Report of the Committee made upon the peticon of *Rich^a Ligon* to be reftored to his place of Surveyor of *Henrico* County, for w^{ch} he hath for fometime been Sufpended,

The House agreed to the Report of the Committee Viz'

That fince he hath loft the profitt & advantage of his Surveyors place from the 26th of August last, and attended two Gen¹¹ Courts at his own charge, he has had confiderable punishment, and therefore hope his Excell^{cy} will please that he may be restored to ye so place of Surveyor of Henrico County

W Randolph june Cl Ho: Burge

 \mathbf{M}^r Miles Cary and others Brought the following melfage from the House of Burgesses to his Exceller

Tuefday May ye 9th 1704

By the House of Burgesses

Upon confideracon of the Report of the Committee made upon the Complaint of Capt Perry a Chicahominy Indian agt James Must and Coscohunk of the same Town for burning his the statement Cabbin, and threatning to go to ye Senequas, join with them, and bring them down to destroy the English

The



The House agreed to the Report of the Committee Viz'

That as to burning the faid Cabbin & the quarrell amongft themfelves they have provifions amongft them for punifhing any that that offend agt their Laws or Rules and as to the words threatning the Government, that his Excell^{ey} will be pleafed to confider the fame and give fuch directions therein as to him that feem most fitt

Wm Randolph Cl Ho: Bur:

A meffage from the House of Burgesses to his Exceller and the Council by Mr Benjamin Harrison & others, who first read, and then delivered an Address to her most Sacred Majesty prepared by the House of Burgesses to wen they desire his Exceller and the Councils concurrence.

Which Address is as followes

To the Queens most Excell Majesty

May it please Yor Majesty

We yor Majesty's most Loyal [See J. of H. of B., pp. 78-79.]

Refolved

That the Address be agreed to by the Council without any alteracon

And then his Excellency and the Council Sign'd the fame, and

Ordered

That the Clerk of the Gen^{II} Affembly carry the f^{II} Address to the house of Burgesses, and acquaint them that his Excell^{II} and the Council have Sign'd the same and desire the House may fill it up accordingly.

An Engroffed bill from the Burgesses Entituled an Ad appointing a Treasurer Read

the first time, and Ordered a second reading

The Engrossed bill for Reviving the Impositions on Liquors Servants & Slaves for one year & no longer was assented to by the Council, and

Ordered

That the Clerk of the General Affembly return the faid bill to the House of Burgesses & acquaint them of the Councils affent to ye same.

And then the Council adjourned for an hour

HE Council being Refumed

An Engroffed bill from the Burgeffes Ent An Act allowing a greater number of publick Ordinarys, was read the third time with ye amendment Refolved

That the bill with the amendmt do pass.

Ordered

That the Clerk of the General Affembly carry the faid bill to the House of Burgesses and acquaint them that the Council have Assented thereto with an amendm^t to w^{ch} they desire the concurrence of the House

An Engroffed bill from the Burgesses Ent an act appointing a Treasurer Read the

2d time, and Ordered a third reading

Then the Refolves of the House of Burgesses sent up this day in a message by M^r Miles Cary & others were read, and thereupon

Refolved

That the Council do affent to the feveral Refolves of the House made the 3^d of this inftant May relating to the Land to be appropriated for the ffrench Refugees at the Manakin Town

To web his Excy was also pleased to fign his Assent

And upon reading the Resolve of the House of Burgesses of the 8th of this instant relating to the bounds of the Capitol and prison, and impowering Mr Henry Cary to sell by Outcry the Utensils bedding and moveables he hath under his care

Resolved

That ye Council do concur with the Burgeffes in the Subject matter of the faid Refolve

And



And upon the Refolve of the House of Burgesses of the 9th instant directing the inclosing the Capitol with a brick wall

The Council do agree to the faid Refolve as it is past by the House

Upon reading the Refolve of the House of Burgesses of the 3d of this instant directing that Stones be sent for & set up to distinguish the bounds of the Square markd out for the Capitol & bounds & Rules of the prison, and also giving directions in relations to the Dial plates & Virginia arms

Refolved

That the Council do affent to the feveral directions given therein by the House And then his Exceller was pleased to fign his affent to ye Said Sev" Resolves aforementioned

Ordered

That the Clerk of the Gen^{II} Affembly return the faid Refolves to the House & acquaint them that his Exceller and the Council have affented thereto

Upon reading the Refolve of the House of Burgesses Sent this day in relacon to Richard Ligon

Refolved

That the Council do concur with the House of Burgesses in the said Resolve and that his Exceller be humbly desired to restore the abovenamed Richa Ligon to his place of Surveyor of Henrico County

Upon weh his Excelley was pleafed to Signify his affent in these words

"May ye 10th 1704

"The above Request of the Council & House of Burgesses is affented to, with this "Declaration that ye same shall not be construed as an approbation of the self-ligons actions, "nor to make good the Survey by him made for we's he was Suspended."

ffr: Nicholfon

Ordered

That the Clerk of the General Affembly return the faid Refolves to the House of Burgesses & acquaint them that the same are affented to by his Ex^{cy} & the Council.

Upon reading the Refolve of the House of Burgesses of the 9th of this inftant proceeding upon the Complaint of Capt Perry a Chicahominy Indian

Refolmed

That ye Same be affented to by the Council

And then his Excelley Signed his Affent to ye fame

Ordered

That the Clerk of the General Affembly carry the faid Refolves to the House of Burgesses and acquaint them that his Exceller and the Council have affented thereto

And upon reading the feveral Refolves of the House of Burgesses of ye 8th instant made upon the respective peticons of the Nansiatico and Nattoway Indians & sent up to the Council yesterday

Refolved

That the Council do affent to the feveral Refolves of the House made on the fd respective peticons

And then his Excelley Sign'd his affent to ye Same

Ordered

That the Clerk of the Gen¹¹ Affembly return the f³ Refolves to the House of Burgesses and acquaint them that y* same are affented to by his Excell* and the Council

And then ye Council adjourned till to morrow morning 9 aclock

Thursday May the 11th 1704

Prefent

IS Excellency, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Robert Quary & John Smith Elqto

That the Clerk of the General Affembly carry the following melfage in writing from his Excellency to the House of Burgesses



M' Speaker & Gent of the House of Burgesses

I thank God [See J. of H. of B., p. 79.]

An Engroffed bill from the Burgeffes Ent An All appointing a Treafurer read the third time, and agreed to without amendment

Refolved

That the bill do pass

Ordered

That the Clerk of the Gen¹¹ Affembly carry the f⁴ bill to the House of Burgesse & acquaint them that the Council have affented to y^e same without any amendment.

Ordered

That the Clk of the Gen¹¹ Affembly carry to the House of Burgesses the orders of Council this day made upon the several Resolves of the House past this Session, and acquaint them that his Exceller & the Council desire they will return the order of Council directing the Commodore's Staying till the last of May, as also the draught of a Commission prepared by Mr Autorney General for administring the Oaths to the firench Resuges we've were sent them sometime since for their perusal.

A meffage from the House of Burgesses to the Council by Mr Corbin & others that the House had comanded them to wait on their Honrs with the bill Ent An Ad for allowing a greater number of publick Ordinarys, and to acquaint them that the House had agreed to the amendment made by their Honrs to the said bills, and had inserted it

therein

And also presented an Ordinance of Assembly for the defence of the Country in times of danger to weather they define the Councils concurrence

And the faid Ordinance was read & affented to by the Council.

Ordered

That the Clerk of the Genⁿ Affembly carry back the faid Ordinance to y^e House of Burgesses and acquaint them that the Council have affented thereto without any amendment

The Engroffed bill Ent An Ad for allowing a greater number of publick ordinarys was compared with the amendments made thereunto by the Council, and

Ordered, to be returned to ye House of Burgesses

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the House of Burgesses

M' Speaker & Gent of the House of Burgeffes

I am obliged to you [See J. of H. of B., p. 81.]

A meffage to the Council from the Burgesses by Mr Churchhill & others who brought up Mr Treasurer Carters accompts past by the House to which they desire the Councils concurrence

Refolved

That the Council do concur with the Burgesses in passing Mr Treasurer Carters acco**

And then his Excelley Signed his affent to ye fame.

Ordered

That the Clerk of the General Affembly carry back the faid Acco¹⁰ to the House of Burgesses and acquaint them that his Excell^{cy} and the Council have affented thereto

A meffage to the Council from the House of Burgesses by M^r Miles Cary & others, who brought the Book of Propositions [proportions] of the publick Levy to w^{ch} the House defire the Councils concurrence

And also presented an Engrossed bill from the Burgesses Ent an ad for raising a publick Levy, and the said Bill was read the first time and ordered a second reading.

The



The Book of proportions was peruled and affented to by the honble Council And then his Exceller Signed his Affent to ye fame

Ordered

That the Clerk of the General Affembly return the faid Book to y' House of Burgesses and acquaint them that his Exceller and the Council have affented thereto.

And then the Council adjourned during pleafure

HE Council being Refumed

The bill Entituled An ad for raifing a publick Levy was read the 2d time and Ordered a third reading

The Council adjourned during pleafure

A

ND being again Mett

The Bill Ent an A& for raifing a publick Levy was read the third time Refolved

That the bill do pass

Ordered

That the Clerk of the Gen¹¹ Affembly carry the fo bill to the House of Burgesses and

acquaint them that the Council have affented thereto

A meffage from the House of Burgesses to his Exceller by M' Corbin & others That they were commanded by the House of Burgesses to wait on his Exceller to acquaint him that the House had prepared an humble Address to his Exceller, and defired to know his pleasure when they should attend him to present the Same.

To which his Exceller answered they might come presently

The House of Burgesses being come into the Council Chamber the following Address was read and presented by Mr Speaker

To his Excellency Francis Nicholfon Efqr her Majeftys Lievtent and Govern Genth of Virginia

The humble Addrefs of her Matys most Loyal and dutifull Subjects the Burgesses convened at her Majesty Queen Anne her Royal Capitol in her Ma¹⁷¹ Colony and Dominion of Virginia

May it please yor Excellency

The Burgesses our Predecessors have [See J. of H. of B., pp. 80-81.]

Upon weh his Excelley was pleafed to answer to this Effect

That as to the Address to her most Sacred Majesty he would take care to have it transmitted to her Royal hands, and that he would not fail to let her Majesty know the circumstances of this Country both as to the fears & apprehensions it lyes under, of an Indian enemy, and as to ye trade, we he could wish were in a more flourishing condition than he finds it to be by the accos he hath had from England & what he found here.

That what he promifed about the money to be raifed by the Impositions, he would make it his endeavor to performe, & he hoped they were all satisfied that the last Impo-

fitions had been carefully applyed to the uses for we they were intended.

As to ye Militia he inform'd ye House that he thought it a duty incumbent upon him to have them often mustered, in order to their being well disciplined, that being the only force they had for the defence of their Country (and he hoped they would never need any other) but he had every year lessened that trouble of mustering, & believed he might reduce it this or next year to the times directed by Law only; yet he hoped they were all sensible that that Law gave him power to muster the militia as oft as he thought fitt, & assured them that he had never given them any trouble of that nature but what he found absolutely necessary for her Majestys Service

And



And as to that part of the Address wherein they take notice of their & their predeceffors obligaçons to him, his Exceller acquainted them that it was a great Satisfaction to him to find that what he had done, was so well taken by them: and assured them that it should be his prayers to God Almighty to enable him to discharge his duty to him, and next to her Majelty, and then to do all the good he can for his Country.

And then ye Council adjourned till tomorrow morning 8 aclock

Friday May the 12th 1704.

Prefent

IS Excellency, John Lightfoot, Robert Carter, John Cuftis, Philip Ludwell, Henry Duke, Robert Quary & John Smith Efgro

A message from the House of Burgesses to the Council by Mr Tully Robinson and others who brought the following Resolves to web they defire the Councils concurrence.

By the House of Burgesses Wednesday May the 3d 1704

Refolved

That the Overfeer appointed to overfee the building of the Capitol hath miltaken the directions of the House, and therefore

Ordered

That he cause the partitions on the second floor over the Room where the Burgesses Sitt to be pulled down, and that he pursue the former Resolves of the House concerning ve fame.

Munday May the 8th 1704

A petition of Mr Henry Cary was read wherein he prays he may have the three Negro Slaves bought for the use of the Country at the price they cost

That Mr Henry Cary may have the faid three Negro Slaves after the Capitol is finished at the price they cost the Country

Thursday May the 11th 1704

Ordered

That the feveral fums of money mentioned in the two books of Claimes we have paffed this Selfion be paid out of the Impolition ffunds to the feveral persons concerned therein, and that his Exceller the Governt be defired to iffue his warrant to Colo Robert Carter the late Treasurer to pay the same accordingly

Wm Randolph Jung Cl: Ho Bur

And the faid Refolves were feverally read & affented to by the Council

And then his Exceller was pleafed to fign his affent to ye fame

Mr Tully Robinson and others from the House of Burgesses also presented to ye Council an ordinance of Affembly impowering Mr Henry Cary to make Sale of the Country houses in the City of Williamsburgh, to win they defire their Hong concurrence

And the faid Ordinance was thrice read, and affented to by the Council

Ordered

That the Clerk of the Gen" Affembly carry back the fa Ordinance to ye House of Burgesses and acquaint them that ye Council have assented thereunto

Ordered

That the Clerk of the Gen" Affembly carry back to the House of Burgesses the Refolves & orders this day fent up by them for concurrence, and acquaint them that his Exceller and the Council have affented to ye fame

A meffage from the Burgeffes to the Council by Mr Miles Cary & others who brought the Inrolled Bills pait this Seffion, and acquainted their Honro that the House had examined them & that they agreed with the Original engroffed Bills.

And the faid Bills were perused by the Council, and

Ordered



Ordered, that the Clerk of the Gen¹¹ Affembly return the fame to the House of Burgesses

Ordered

That the Clerk of the Gen^{II} Affembly go to the House of Burgesses, and acquaint them that his Excell^{II} commands their immediate attendance on him in the Council Chamber, and that they bring with them what Bills they have prepared for his Affent.

And accordingly the House being come to attend his Excelled Mr Speaker addressed

himfelf to his Exceller to this effect

May it please yo' Excellency

In obedience to yo' Excelless commands, We her Matys Loyal and dutifull fubjects the House of Burgesses are come to attend yo' Excelles and have brought with us several bills and Ordinances agreed upon by the honble Council & our selves, to web we humbly pray yo' Excelless affent. We have also brought an humble Address to her most facred Majesty to receive the benefite of yo' Excelless promised favour in getting it presented to her Royal hands

Then the Titles of the faid Bills were read by Mr Speaker, and are as followeth

An Act for dividing Sittenburn parish

An Act for dividing St Peters parish in New Kent County

An Aa Reviving the Act for the better improving the breed of horses & for restraining unruly horses

An Ad for repealing the 2d Ad of Affembly made in the year 1664 Entituled an act for the ffrontiers to be feated with four able hands

An Act for restraining Indians hunting and ranging upon patented lands

An A& for taring and afcertaining the Size of Tobacco hogsheads

An A& for reviving the Impositions on Liquors, Servants and Slaves for one year & no longer

An Act appointing a Treafurer

An AA for removing Criminals from the Goals of the Countys where they fhal be apprehended to the publick Goal at Williamsburgh

An Act for allowing a greater number of publick Ordinarys

An Ad for raifing a publick Levy

Alfo.

An ordinance of Affembly for defence of the Country in times of danger and

An Ordinance impowering M^t Henry Cary to make fale of the Country Houses in the City of Williamfburgh

All which Acts & Ordinances were Signed by his Exceller and the Speaker

And then his Excellency was pleafed to express himself to this Effect,

That he had according to the power Vefted in him by her Matys Commission given that Sanction to the Acts past this Session were remained to make them compleat; but recommended to the Gentlemen of the House of Burgesses in their respective Countys to take care that those Laws be put in execution, for without that all their Labour, & the charge the Country had been at, in making them would be vain & ineffectual.

And then made diverse observations on the Several Acts that had been past In particular, that fince this Assembly have repealed the act about the firontiers he recommended to such of the House of Burgesses as were officers of the Militia to be diligent in the training those under their commands & taking care that they be provided with

arms & Ammunicon according to Law for their necessary defence.

As to their Request of transmitting the Address to her Majesty, his Excelly acquainted the Houle that he was obliged in duty to do it, and would as he had promised them before, represent to her Majesty the true State of this Country, and hoped that since they had so good & gracious a Queen, who studied so much the happiness of all her Subjects, they of this her most ancient & great Colony, had no reason to doubt of her Majestys gracious Care of them.

That



That he now thankd God this Seffion was come to a good Conclusion, and hop'd their proceedings had been answerable to the intent of the Writt by web they were called, that he did not intend to give them the trouble of meeting again till next Odober, nor then neither unless he received particular commands from England for so doing.

That he thank'd them for their address to himself, and in answer thereto could only repeal [t] to them what he had said on former occasions that he would always endeavour to promote the good of the Country, and that whenever he ceased in his endeavors for her Matys service, and to do all the good in his power for Virginia, he might cease to be a man.

And lastly his Exceller acquainted them that he had thought fitt to prorogue them till the Eighteenth day of October next, and that accordingly they were prorogued.

Vera Copia Test. Wil Robertson Cl Gen! Affembly



AT A

GENERAL ASSEMBLY

Summoned to meet at her Majestys Royal College of William & Mary adjoining to the City of Williamsburgh the 17th and begun the 19th of March 1702 in the 2d year of the Reign of our Sovereign Lady Anne by the grace of God of England, Scotland France and Ireland Queen Defender of the faith &c, and thence by several prorogations continued and held at her Majties Royal Capitol the 18th day of April MDCCV in the IVth year of her Majties Reign.



At a General Affembly Summoned to meet at her Majestys Royal College of William & Mary adjoining to the City of Williamsburgh the 17th and begun the 19th of March 1702 in the 2d year of the Reign of our Sovereign Lady Anne by the grace of God of England, Scotland France and Ireland Queen Defender of the faith &c, and thence by several prorogations continued and held at her Majties Royal Capitol the 18th day of April MDCCV in the IVth year of her Majties Reign.

[April 18th, 1705.]

Prefent

IS Exceller Francis Nicholfon Esqt &c, John Lightfoot, Robert Carter, John Cuftis, Philip Ludwell, William Baffett, Henry Duke, John Smith, John Lewis Esqt* A Petition of Joseph Chermeson, and

A petition of Jean de Jarnal, Gabriel Maupin, Jean Delaune, Jnº James Veillon, & John Guy Rey praying for Naturalizacon, were read &

Referred to ye Confideracon of the House of Burgesses.

A meffage to his Ex^{cy} from y^s Burg^s by M^t W^m Robinson & others desiring his Excy to iffue a New writt for a Burg^s to serve in this Assembly for $Richm^d$ Co'ty in room of M^t D. Gwyn dec^d The Council adjourn'd till to morrow morning 9 aclock.

Thursday April 19th 1705

Prefent

IS Excellency, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, William Baffett, Henry Duke and Jnº Lewis Esqrs
Ordered

That the Clerk of the Genⁿ Affembly go to the House of Burgesse & acquaint them that his Excell^{cy} commands their immediate attendance on him in ye Council Chamber

The House attending, His Excell^{cy} was pleased to make the following Speech w^{ch} he afterwards delivered to M^c Speaker.

Honbie Gentlemen

God Almighty having [See J. of H. of B., 1702/3-1712, pp. 87-88.]

Then the Council adjourned till tomorrow morning 9 aclock

Friday April the 20th 1705

Prefent

ROBERT CARTER, Philip Ludwell, Wm Baffett, Henry Duke, Jnº Smith, John Lewis Efqº

The Council mett and adjourned till to morrow morning 9 aclock



Saturday April 21st 1705

Prefent

IS Excellency, Jnº Lightfoot, Robert Carter, Jnº Cuftis, Philip Ludwell, William Baffet, Henry Duke and Jnº Lewis Efq¹⁸

A petition of Ino Creekmore Edmund Creekmore Edwd Creekmore & Henry Dale being read, representing that the Officers of North Carolina Governm have made Diftress for the Qirents of the Lands possess by them lying in Norfolk County & held by vertue of a patent from his late Exceller St Edmd Andros

Refolved

That the faid peticon be fent to y* House of Burgesses to whom y* Council recommend to take into confideracon the most effectual method for protecting the Inhabitants of this Colony that have patented Lands on y* Confines of North Carolina.

Ordered

That a copy of part of a lett' from the R' honble the Lords Comm's for trade & plantacons of the 4th Jan'' $r\frac{699}{700}$ relating to the Boundarys between this Governm' & Carolina be fent to the House of Burgesses for their consideration.

Ordered

That the Clerk of the Gen $^{\rm u}$ Affembly carry to the House of Burgesses the following message in writing

By his Excelley & the honbis Council

M' Speaker & Gent of the house of Burgesses

His Exceller having [See J. of H. of B., p. 91.]

His Excelley absent

A meffage from the Burgeffes to ye Council by Mr Wm Randolph & others that they were commanded by the House to desire a Conference with their Honse concerning the most proper methods for securing the peace of the Country age ye Indians

His Excelley present

A meffage from the Burgeffes to his Exceller by M^r Miles Cary & others who brought to his Exer the following Refolve viz

April 20th 1705

By the House of Burgesses.

Refolved nemine contradicente

That this House doth heartily concur with his Excell^{cy} that Munday next being the 23^d day of this moneth be kept by the Gen^{II} Assembly as a publick day of thanksgiving to Almighty God for the causes mentioned in his Excell^{cy} speech.

Refolved

That the Council do agree to the Conference defired by the House of Burgesses concerning the most proper method for securing the peace of the Country agt the Indians; and Robert Carter, Jno Custis & Philip Ludwell Esq. were appointed to manage ye so Conference.

Ordered

That ye Clerk of the Gen¹¹ Affembly go to the House of Burgesse and acquaint them that ye Council have appointed three of their members to meet such a number of the Burgesses as the House shall appoint concerning ye most proper method for securing the peace of the Country age ye Indians, and that ye set Conference will be ready in the Conference Room on twesday next at ten a clock in the forenoon.

Refolved

That the Council do concur with his Exceller that Munday next be kept by the Gen¹¹ Affembly as a publick day of Thankfgiving to Almighty God for the causes mentioned in his Exceller Speech

Then ye Council adjourned till tuefday morning 9 aclock.

Tuesday



Tuesday April 24th 1704 [1705]

Prefent

IS Excellency, Jnº Lightfoot, Rob' Carter, Jnº Cuftis, Philip Ludwell, W= Baffett, Jnº Lewis Efqta

A Letter from one Jumes Wood to Cap' George Braxton of King & Queen County giving an Acco' of a Robbery committed by Indians in ye Upper parts of that County read &

Referred to the confideracon of ye House of Burgesses

A petition of Coll^o James Taylor for Leave to go upon a discovery on the back parts of King & Queen County Read &

Refer'd to ye confideration of the House of Burgesses.

His Excellency was pleafed to deliver to the Gentlemen appointed to manage the Conference with the Burgeffes concerning ye Indians, a Memorandum concerning the care that hath been taken to ranfom ye Nattoway King.

A Letter from his Exceller Collo Seymour Gov of Maryland concerning ye Indians

Read &

Referred to ye consideracon of the House of Burgesses

His Excelley absent

A meffage from the Burgeffes to the Council by M^r Benj^o Harrifon & others that they were commanded by the House to acquaint their Hon^{rs} that in pursuance to their Hon^{rs} agreem^t to the Conference defired by the Burgeffes, they had appointed some of their members to attend the members of the Council appointed to manage that Conference.

Then ye Managers for the Council went to the Conference.

Inº Smith Efqr prefent

The Council adjourn'd till to morrow morning 9 aclock

Wednefday April ye 25th 1705

Prefent

IS Excellency, Jnº Lightfoot, Henry Duke, Jnº Smith, Jnº Lewis Efqrº
A peticon of Cha² Robinfon, John Robinfon & Harry Beverley Feofees in trust for yº Town Land in Middlefex County praying to be heard before the Gen¹¹ Assembly touching the Building of a Court house for yº said County on yº Town land &c Read &

Referred to the confideration of the House of Burgesses.

The Grievances of the ffreeholders of Middlefex County

The Grievance of New Kent County

The Grievances of King & Queen County

The Grievances of King William County were feverally read &

Referred to ye confideration of the House of Burgesses

A proposition from York County, & peticon of diverse Merchants & others for Leave to ship off Tobacco in hogsheads made & packd before y* late Act for taring & ascertaining the Size of Tobacco hhds, and

A peticon of the Inhabitants of the Uppr parts of St Stephens parish in King &

Queen County praying a Division of ye said parish,

Were feverally read & Refer'd to y' confideration of the House of Burgesses

The feveral peticons and Claimes of James Mofs Gent Sherif of New Kent Robb Bird Gent. Sherif of King & Queen, & Richa Covington Gent Sherif of Effex for allowance of their charges &c for Conveying the Nanfiatico Indians prisoners through yefd Countys, Read &

Referred to ye confideraçon of the House of Burgesses

A peticon of Jn^a Redwood praying that he may be p^a in money for the diet of the Nanfiatico Indians, and also



A peticon of the fd Jn° Redwood praying allowance of his Sallary as Keeper of the publick prison, and

A peticon of W^m Chaplyn praying Allowance of his Sallary were Severally read & Referred to y^e confideracon of the House of Burgesses

Ordered

That the Clerk of the Gen¹¹ Affembly carry to the House of Burgesses the following Message in writing from his Excell⁴⁷ & the Council

M' Speaker & Gentlemen of the House of Burgesses

His Exceller and the Council having [See J. of H. of B., pp. 93-4.]

Ordered

That the Clerk of the Gen^{II} Affembly carry the following meffage in writing from his Excell^{cy} to the House of Burgefies

M' Speaker & Gentlemen of the House of Burgesses.

In my progrefs [See J. of H. of B., pp. 95-6.]

Rob' Carter Ino Cuftis & Ph: Ludwell Efgra prefent

The answer of the Court of Middlefex County to the peticon of ye ffeofees in trust for the Town Land in Middx County & order of Council thereon, was read & Referred to ye consideracon of the House of Burgesses

And then ye Council adjourned till tomorrow morning ten aclock

Thursday April 26th 1705

Prefent

JOHN LIGHTFOOT, Robert Carter, John Cuftis, Philip Ludwell, Henry Duke, John Smith and John Lewis Efq**

Coll^o Carter from the Conference with the Burgeffes concerning ye most proper method for securing the peace of the Country agt the Indians. Reported that the Conferrees had come to several Resolutions therein web he read in his place and afterwards deliver'd in at the Table, & are as follow viz

That the old Indian Man named Madox Will, and the woman named Betty be fet at liberty. That the other men, the Youths about 12 years old & the women named Sarah & Monasta be transported to some of the Islands & there sold to be servants for Seven years, and afterwards to be free, with a proviso that they shall never return to this Governmt on pain of forseiting their Lives.

That the other women & the Girles about 12 years old be fent to the Eastern shore & bound to be ferv^{ts} for seven years, afterwards to be free in that place with a proviso that if ever they are found out of the Countys of Accomack & Northampton (without Licence) they shall forseit their Lives

That ye children under twelve years be bound out amongst ye English here to be

Servants till they are twenty four years old.

That the bounds for the *Nottoway* Indians land be laid out for them as followeth *Viz* a Circle three miles round their Fort where they now live, and another parcel of Land on the Southfide of *Nottoway* River Six miles Square, that is to fay begining upon the River and the Lower end of *Waricake* old fields, and runing three miles up the River, and three miles down, and fix miles backwards into the woods upon Right Angles with ye Main Courfe of the River in that Six miles.

That the bounds of the Maherin Indians lands be laid out as followeth viz a ftreight Line fhal be run up the middle of the neck between Maherin River & Nattoway River from ye mouth of ye fd Rivers fo far as will include between that Line & Maherin River fo much Land as will be equal in quantity to a Circle of three miles round their Town.

That provision be made that when any Englishman shal do any Injury to an Indian, upon Complaint made to ye next Magistrate he shal send a warrant for the person complained ag' and if he sinds the matter within his Cognizance he shal do ye Indian ye

famo



fame right that fhould be done to an Englishman; and if the matter is not within the Cognifance of one Justice and he sees just cause, he shall bind the oftender over to the next County Court, who shall proceed thereupon & give ye same redress to ye Indian that an Englishman could obtain upon regular process.

That provision be made that the late Act prohibiting Indians hunting upon patented

Lands may not be extended to the Pamunkey Indians.

And ye fd Collo Carter also Reported that upon confideracon of fevil Lettre & papers relating to the Indians on the head of Potomack River & in Maryld the Conferrees were of opinion that they were most proper to be confidered by the Burgesses in their House.

A Petition of M. Chicheley Corbin Thacker praying allowance of his accot for binding

a Record Book belonging to ye Secrye office,

A petičon of the f^d M^r Chichele's Corbin Thacker in behalf of M^r Sec^{sy} Jenings praying allowance for fev¹¹ military Commissions issued out of the Secrys office

A peticon of M^r Charles Chifwell praying allowance for publick Services as Clerk of the Secretarys office

A peticon of Thomas Wynne Interpr of ye Nottoway Maherine & Nanfems Indians, and

A peticon of James Adams Interp to the Panunky & Chicahominy Indians praying allowance for their Sallarys

Were Severally read & Referred to ye confideracon of ye House of Burgesses And then ye Council adjourned till to morrow morning o aclock

Friday April ye 27th 1705

Prefent

IS Excellency, Jnº Lightfoot, Rob! Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, Jnº Smith and Jnº Lewis Efqrs

His Excellency laying before the Council a Refolve of the House of Burgesses presented to him last night by M^r W^m Randolph & others in the following words viz

Thursday April 26th 1705

By y' House of Burgesses

Refolved

That her Matys ship the Strombulo Capt Matthew Teate Com^{der} is not a Sufficient Convoy for the Ships now in the Country, and therefore that it is not either for her Matys Service or the Countrys interest that y² st Ships should sail with her.

Resolved

That the Council do agree with the House of Burgesses that her Matys ship Strombulo is not a sufficient Convoy for ye Ships now in the Country, & that it is not for her Matys Service or the Countrys interest that ye said ships should sail under her Convoy.

Ordered

That the Clerk of the Gen!! Affembly carry the following meffage in writing from his Exceller to ye House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

I have received [See J. of H. of B., p. 97.]

The Council adjourned till tomorrow morning 9 aclock

Saturday April 28th 1705

Prefent

OHN LIGHTFOOT, Jnº Cuftis & Philip Ludwell Elqre
The Council mest, and Adjourned till Munday at one aclock in ye afternoon



Monday April 30th 1705

Prefent

JOHN LIGHTFOOT, Rob' Carter, John Cuftis, Philip Ludwell, William Baffett, Henry Duke, Jnº Smith, Jnº Lewis Elq'

The Council mett and adjourned till to morrow morning 9 aclock

Tuesday May the 1st 1705

Prefent

IS Excellencie, Jnº Lightfoot, Rob' Carter, Jnº Cuftis, Philip Ludwell, Will—Baffett, Henry Duke, Jnº Smith, Jnº Lewis Elqro

That the Clerk of the Gen' Assembly go to the House of Burgesses and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

Abfent John Lightfoot, Rob' Carter, Philip Ludwell and William Baffett Efq**

The House of Burgesses attending, His Exceller was pleased to make the following Speech

M' Speaker & Gentlemen of the House of Burgesses.

I am heartily forry [See J. of H. of B., pp. 101-102.]

A meffage to his Excelley from ye Burgesses by Mr Corbin & others that they were Comded to wait on his Excy & to desire him to issue a New Writt for ye election of a Burgess to serve in this Assembly for Elizabeth City County in ye room of Anthe Armistead Gent deceased

The Council adjourned till to morrow morning 9 aclock.

Wednesday May 2d 1705

Prefent

IS Excellencie, John Lightfoot, Jnº Cuftis, John Smith, Jnº Lewis Efq'e
The peticon of James Minge praying allowance for drawing & calculating eight large Dyals for the Capitol, and

a peticon of Jn^o Francis Decopet praying for Naturalizacon Were Severally Read & Refer'd to y^e confideracon of the House of Burgesses And then y^e Council adjourned till to morrow morning g aclock.

Thurfday May the 3d 1705

Prefent

IS Excellency, John Lightfoot, Robert Carter, Ino Custis, Philip Ludwell, W-Baffett, Henry Duke, Ino Smith, Ino Lewis Esq. Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Exceller & the Council to the House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

His Exceller having received [See J. of H. of B., p. 106.]

The peticon of Coll^o James Taylor in behalf of fevⁿ of the Inhabitants of King & Queen County relating to y^e clearing Mattapony River & making it Navigable

Read & Referred to ye confideration of the house of Burgesses

The Return of Major Allen to an ord of Council for laying out the dividing Lines between Surry, Ifle of Wight, Nanfemond & Prince George Countys read and Referr'd to y confideracon of the House of Burgesses

Then the Council adjourned till tomorrow morning o aclock



Friday May 4th 1705

Present

No LIGHTFOOT, Robert Carter, Jno Cuftis, Philip Ludwell, W* Baffet, Henry Duke, Jno Smith, Jno Lewis Efqto

The Council mett and adjourned till tomorrow morning 9 aclock

Saturday May 5th 1705

Prefent

IS Excellencie, Jnº Lightfoot, Rob' Carter, Jnº Cuftis, Philip Ludwell, Wm Baffet, Henry Duke, Jnº Smith, Jnº Lewis Efqro
The Council adjourned till Munday at one aclock afternoon

Munday May 7th 1705

Prefent

No LIGHTFOOT, R Carter, Ino Cuftis, Philip Ludwell & Ino Smith Elquor A meffage from the House of Burgesses to ye Council by Mr Joseph floster & others who brought the following Bills viz

A bill Entituled An A& concerning the Nansiatico & other Indians.

A Bill Entituled An AA for fettling and afcertaining the current Rates of forreign Coins in this Dominion, &

A Bill Ent an act permitting the exporting and difposing of Tobacco pack'd in old Cask. To we't they desire the concurrence of the Council

An Engroffed bill from the Burgeffes Entituled An A& concerning the Nanfiatico and other Indians, read the first time, &

Ordered to be read a 2d time

An Engrossed bill from the Burgesses Ent an Act for settling & ascertaining your Current rates of forreign Coins in this Dominion

Read the first time & Ordered a 2d reading

An Engroffed bill from the Burgesses Ent An Act permitting the exporting & disposing of Tobacco pack'd in old Cask read the first time &

Ordered a 2d reading

Jnº Lewis Esqr present

And then the Council adjourned till to morrow morning 10 aclock.

Tuefday May 8th 1705

Prefent

IS Excellency, John Cuftis, Philip Ludwell, Jnº Smith, John Lewis Esq.
Ordered

That the Clk of the Genⁿ Affembly carry the following meffage from his Excell^{c9} to the House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

I recommend to you [See J. of H. of B., p. 109.]

The accot of the Charges of the Nottoway Maherin & Pamunky Indians due to Jnº Redwood read &

Refer'd to the confideracon of the House of Burgesses

Edward Rofs's Claim for ferrying over James River twenty nine Indians

Read & Refd to ye confideracon of the House of Burgesses.

present John Lightfoot, Robert Carter, W" Baffet & Henry Duke Esq"

A Bill Entituled an Act concerning the Nanfiatico & other Indians read ye 2d time & Committed for amendments to Rob' Carter Ino Cuftis, Ino Smith & Ino Lewis Efg.



A Bill Ent an Act permitting the exporting & disposing of Tobacco packed in old Cask read the 2^d time & committed for amendments to Ino Lightfoot, Philip Ludwell, Workship Raffet & Henry Duke Efq^{rs}

And then the Council adjourned till afternoon

But before they had withdrawn

His Excellency laid before the Council feveral Refolves of the House of Burgesses presented to him yesterday by Col^o Gawin Corbin & others as an answer to his Excellers Speech on the rⁿ instant, and ordered them to be entered here, which Resolves are as follows

Friday May ye 4th 1705

By the House of Burgesses

Refolved that it the opinion of this House

That his Excellency the prefent Governor has a great refpect for the welfare & prosperity of this Country, and that the better part of her Majestys good & loyal Subjects here are not of ye same Sentiments with that part of the Council we have accused his Exceller of Mal-administration

Saturday May 5th 1705

Refolved

That the publick peace & tranquility of the Country is under no danger by his Excellers administracon, and that the far greater part of the Inhabitants are very quiet and well satisfied being in peace and quietness without ye least desire of having his Exceller removed from being their Governor.

Refolved

That it doth not appear that the people whom this House doth represent have complained age his Exceller for any hardships or Mal-administration.

Refolved nemine contradicente & accordingly Ordered

That y^e Records belonging to y^e Secretarys Office, and the Records of the Affembly Office be removed to the Capitol with all convenient expedition, and that the refpective Clerks take care to fee the fame done.

Resolved

That it no ways appears to this House that his Exceller hath any defign to introduce any arbitrary power by a Military Force of the fifth men or any other way, or that he hath endeavoured to invade the Libertys and propertys of her Matys Subjects here.

Refolved

That his Excell^{cy} doth ftill merit the worthy character w^{ch} hath been heretofore given him by the House in several Addresses

Refolved

That whoever pretends to take upon himself to represent the Country in general under any Grievance or pressure without the consent & authority of this House so to do, is thereby guilty of an unwarrantable Act tending to the prejudice of the Country

Wm Randolph Jun Cl Ho Burg*

Then his Excelley defired Collo Baffet to declare his reasons for his absence when his Excelley made his Speech on the rit instant, because it might be made use of as if he was a party with the other Gentlemen that have complain'd.

And Coll^o Baffet thereupon Declared that the reason of his withdrawing was because he would no way be concerned in the difference depending in $Engl^j$ between his Excell^c and the Gentlemen of the Council that have complain'd ag^t him.

Post Meridiem

Prefent as before

OLLO Lightfoot from the Comitee appointed to prepare amendmin to the Bill Ent an Act permitting the exporting and difposing of Tobacco packd in old Cask Reported the amendmts made by them to the sd Bill, with were read & agreed to and

Ordered that ye faid Bill with the amendmis be read a 3d time



Coll^o Lightfoot from the Com^{tee} to whom it was referred to prepare amendm^{to} to the Bill Ent an A& for fettling and afcertaining the current rates of Forreign Coins in this Dominion, Reported the amendm^{to} made by them to the faid Bill wth were read & agreed to, &

Ordered that the faid Bill with the amendmis be read a 3d time

Coll⁹ Carter from the Com^{tee} to whom it was referred to prepare amendm^{t9} to the Bill Ent an Ad concerning the Nanfiatico & other Indians Reported the amendm^{t9} made by them to y^e f⁹ Bill, w^{ch} were read & agreed to, and

Ordered that ye fd Bill with ye amendmis be read a 3d time

And then ye Council adjourned till tomorrow morning 9 aclock.

Wednesday May 9th 1705

Prefent

POBERT CARTER, In Custis, Philip Ludwell, Wm Baffett, Henry Duke, John Smith and In Lewis Eigrs

A Bill Ent An Aâ concerning the Nansiatico & other Indians read the 3d time with the amendmis

Refolred

That the Bill with the amendments do pass

John Lightfoot Efqr prefent

A bill Ent an Act for fettling and afcertaining the current rates of forreign Coins in this Dominion was read the 3d time with you amendmis

Refolved

That the Bill with the amendments do país.

A Bill Entituled An $A\hat{a}$ permitting the exporting & difposing of tobacco packd in old Cask was read the 3^d time with the amendm¹³

Refolved

That the Bill with the amendments do país.

Ordered

That the Clerk of the Gen¹¹ Assembly carry to the House of Burgesses The Bill Ent an Act concerning the Nansiatico & other Indians. The Bill Ent an Act for settling & ascertaining the current rates of forreign Coins in this Dominion, and the Bill permitting the Exporting and disposing of tobacco pack'd in old Cask; and acquaint them that the Council have agreed to the said three Bills with diverse amendments to web they defire the concurrence of the House of Burgesses.

W™ Baffet Efgr abfent

A meffage from the Burgeffes to y^{ϵ} Council by M^r Miles Cary & others who brought the Book of publick Claims paft by the Houfe of Burgeffes and defired the Councils concurrence thereto.

The Council proceeded upon reading the Book of Claims made up this Seffion and the \mathbf{f}^d book being read through

Refolved

That ye faid Book of Claims do pass

Ordered.

That the Clerk of the Gen¹¹ Affembly endorie thereon the f⁴ Book of Claims that

ye fame is affented to by the Council.

A meffage from the Burgeffes to y* Council by Mr Benj* Harrifon & others that the House had read the amendments made by their Hon* to the Bill Entituded an Ad for fettling & ascertaining the current rates of forreign Coins in this Dominion, & had agreed to all the amendm* except y* last, and defire a Conference on the Subject matter of y* standard amendment

Refolved

That the Council do agree to an immediate Conference with the Burgesses on the Subject matter of the said amendm, and Rob Carter Jno Custis and Philip Ludwell Esqo were appointed to mannage the so Conference



Ordered

That the Clk of the Gen¹¹ Affembly go to the House of Burgesse & acquaint them that the Council agree to ye Conference desired by them on the subject matter of the amendm' made to the Bill Ent an Aâ for fettling & ascertaining the current rates of forreign Coins in this Dominion, and have appointed three of their members to manage the state Conference with such a number of the Burgesses as the House shall think fitt, and that ye managers for the Council are now ready in the Conference Room.

And then the managers went to the Conference

And being returned Rob' Carter Efqr Reported that the managers for the Council had mett those of the Burgesses and the Burgesses had offerred their reasons for disagreeing to the amendment to the Bill for settling & ascertaining the current rates of forreign Coins in this Dominion, and the Council had also offered their reasons for adhering to the samendment

A meffage from the Burgeffes to ye Council by Mr Tully Robinson & others that ye House of Burge had taken into consideracon their Honre amendments to the Bill Entituled an Ad concerning ye Nansiatico & other Indians, & had agreed to part, & some part they could not agree to, & therefore defired a Conference with their Honre on the said amendment

Refolved

That the Council do agree to the Conference defired by the Burgesses on the Subject matter of their amendm^{ts} to the Bill Ent an A& concerning y. Nansiatico & other Indians, and

Ordered

That the Gentlemen who managed ye Conference on the amendm¹⁰ to the Bill for fettling & afcertaining ye Current rates of forreign Coins in this Dominion be appointed managers in this Conference.

Ordered

That the Clerk of the Gen¹¹ Affembly go to the House of Burgesses, and acquaint them that the Council agree to the Conference desired by the House on the Subject matter of the amendments made by the Council to the bill Ent au Ad concerning y Nansiatico & other Indians, and have appointed three of their members to manage y standard Conference with such a number of the Burgesses as the House shall think fit & that the managers for the Council are now ready in the Conference Room

Then the Managers went to the Conference

And being returned Rob' Carter Elq' Reported that the managers appointed by the Council had mett those from the Burgesses on the amendm's to the Bill concerning the Nansiatico & other Indians; and that the matter insisted on by the Burgesses was for expunging that amendm' whereby Madox Will & the old Indian woman Betty were declared free, and gave several reasons ag' that amendment

Upon confideracon of the reasons offerred by the Burgesses at the Conference and now Reported by the managers for the Council for expunging that amendm' made by their Hon's to ye bill concerning ye Nansiatico & other Indians, we's excepts the old Indian man named Madox Will & the woman named Betty from transportacon & declares them to be fett at liberty

Ordered

That the Clerk of the Genⁿ Affembly acquaint the House of Burgesses that the Council are willing to recede from that amendment.

A meffage from the Burgesses to the Council by M^r Edw^d Hill & others who acquainted their Hon^r that the House had agreed to y^e amendm^{to} made by the Council to the Bill Entituled an A& for fettling & afcertaining y^e curr^t rates of forreign Coin in this Dominion, and also to the amendm^{to} to the Bill Ent an A& permitting the exporting & disposing of tobacco packd in old Cask, and had inserted them therein.

And



And the faid Bills & amendints being examined

Ordered

That the Clerk of the General Affembly return y^s f^d Bills to the House of Burgesse and acquaint them that the Council have compared the Bills & amendm^{ts}, and are Satisfyed that the amendments are truly inserted.

The Council adjourned till tomorrow 10 aclock in the forenoon

Thursday May 10th 1705

Prefent

JOHN LIGHTFOOT, Rob Carter, John Cuftis, Philip Ludwell, Henry Duke, Ino Smith and Ino Lewis Elgro

His Excellency having laid before the Council a lett from M' John Croft giving an Accot of a Veffell come in to Kiquotan that was chafed by a Briganteen Supposed to be a French Privateer near Smiths Island

Ordered

That ye fd Lettr be referred to ye confideracon of the house of Burgesses

That the Clerk of the Gen¹¹ Affembly carry the following meffage in writing from his Excell^{cy} to the House of Burgesses

M' Speaker & Gent of the House of Burgesses

Since I understand [See J. of H. of B., p. 114.]

Ordered

That the Clk of the Genⁿ Affembly carry the following meffage in writing from his Excell^{cy} to the house of Burgesses.

M' Speaker & Gent of y' House of Burgesses

Upon perufal [See J. of H. of B., p. 115.]

Ordered

That the Clerk of the Gen¹¹ Affembly carry the following meffage in writing from his Excell^{cy} to y^z House of Burgeffes

M' Speaker & Gentlemen of the house of Burg'

Mr Treasurer having made [See J. of H. of B., pp. 115-116.]

Absent. Philip Ludwell & Henry Duke Esque

A meffage from the Burgesses to the Council by M^rW^n Byrd & others who brought a bill Ent An act to enable the Court of King & Queen County to purchase Land to build a Town, and also a Bill Ent An Act for Naturalizacon of Claude Philip De Richebourgh, Francis Ribot John Joanny Peter flaure James Champagne & others, to wh they desire the Councils concurrence

A Bill Ent an A& to enable the Court of King & Queen County to purchase Land to build a Town read the first time &

Ordered a fecond reading

A Bill Ent an A \hat{a} for Naturalizaton of Claude Philippe de Richburg Francis Ribot John Joanny Peter Faure & James Champayne & others read the first time &

Ordered a fecond Reading

Then the Council adjourned for an hour

HE Council being mett again

A meffage was brought from the Burgeffes to the Council by M. Joseph flofter & others who brought the Bill Ent an Ad concerning the Nanfiatico & other Indians and acquainted the Council that the house had agreed thereto with the amendments proposed by the Council & had inserted them therein



The Council having perufed the fd Bill

Refolved

That ye fd Bill as it is amended be agreed to.

Ordered

That the Clerke of the Gen¹¹ Affembly return y^e f^d Bill to y^e House of Burgesses, and acquaint them that the Council have perused y^e same, & are satisfyed that y^e amendm¹⁴ are rightly inserted.

A motion being made that the bill Ent an Act to enable the Court of King & Queen County to purchase land to build a Town & the Bill for Naturalizacon of Claude Philyppe de Richebourg &c be now read a 24 time

Refolved

That the fa two Bills (being private Bills) be now read a 2d time

A meffage from the Burgeffes to his Excell⁹ by M^r James Wilfon & others who brought the following answer to his Except meffage concerning the Claim of Capt Nicho Smith

May it please yo' Excelles

Upon confideration [See J. of H. of B., p. 118.]

 M^r James Wilson and others from the Burgesses presented to his Excelley the following answer to his Ex^{cys} message concerning the Nansiatico Indians

May it please yo' Excellency

Upon confideracon [See J. of H. of B., p. 118.]

A Bill Entituled an Act for Naturalizacon of Claude Philippe de Richbourg Francis Ribot Peter Faure John Joanny, James Champagne & others

Read the 2d time & Committed for amendmta

A Bill Ent An Att to enable the Court of King & Queen County to purchase Land to build a Town, Read the 2d time &

Ordered to be read a third time

And then the Council adjourned till to morrow 10 aclock in the forenoon

Friday May 11th 1705

Prefent

IS Excellencie, John Lightfoot, Rob' Carter, Jnº Cuftis, Philip Ludwell, Henry Duke, John Smith and John Lewis Efq**

Ordered

That the Clerk of the Gen¹¹ Affembly carry to the House of Burgesses the following message in writing from his Excellency

M' Speaker & Gent of the House of Burgesses

I have peruled yo' Refolves [the Houle Journal has "Meifage"] [See J. of H. of B., p. 119.]

A meffage from the Burgeffes to y^e Council by M^r James Wilfon & others who brought fev¹¹ Refolves to w^{eh} they defire the Councils concurrence

Which Refolves being read were agreed to, and are as follows viz

Resolved

That the roof of the Capitol & prifon be tarr'd again this Summer as often as the overfeer of the Building shal think fitt.

That ye Wainfcot & other wooden work on the first & second floor in that part of the Building where the Gen'l Court is, be painted like marble, & the wainfcot & other wooden work on the two first floors in the other part of the Building shal be painted like wainfcot, and the Doors & other wooden work in the roof shal be painted white, and the Cupulo to be painted in such manner as shall be directed by the Overseer of ye Building

That there be fix large Sundials painted upon ye Cupulo



That twelve hundred foot of flag ftone to pave the walks that lead to the Capitoi be fent for to England.

That the Spring be laid round with the peices of the broken flagg ftones to keep it from filling up

That there be a privy House build convenient to ye Capitol upon the Hillside Eight foot wide and sixteen foot long with a lock upon every door.

That a pair of Stocks pillory & Whipping post be built near the Capitol

Ordered

That ye Clerk of the Gen'! Affembly return the fd Refolves to the House of Burgesses & acqt them that the same are affented to by his Exey & ye Council

A Bill Entituled an Ad to enable the Court of King & Queen County to purchase Land to build a Town read ye 3d time, and thereupon

Refolved

That the Bill do pass without any amendmt

Ordered that the Clerk of the Gen¹¹ Affembly carry the f⁴ Bill to the house of Burgesses and acq⁴ them that the Council have agreed thereto without any amendm⁴

A Bill Entituled an A& for Naturalizacon of Claude Philippe de Richebourgh Francis Ribot Peter Faure John Joanny James Champagne & others being amended in Council, & ye amendments twice read,

The fd Bill with the amendmte was read ve 3d time

Refolved

That the Bill with ye amendmes do país

Ordered

That the Clerk of the Gen¹¹ Affembly carry y* fd Bill to the house of Burgesses and acquaint them that y* Council have agreed thereto with some amendments to w*h they defire the concurrence of that House.

A meffage from the Burgeffes to the Council by M^r Rice Hoe & others who brought fome Refolves of the House to web they defire their Hon's concurrence

Which Refolves were read and agreed to, & are as follow

Refolved

That Thomas Whitby be paid according to his peticon

Refolved

That it is the opinion of this Clause [House] that Jn^o Martin have the Indians now in prison to transport upon the terms laid down in his petition if he will oblige himself to return a Certificate under the hand of the Govern of the place, to w^{ch} he transports them that he hath fold them according to the time Limited in the act of Assembly.

Refolved

That the Goal Keeper shal charge no more for keeping the Indians in his custody till they are carryed off than after the rate heretofore allowed.

Then his Excy was pleafed to fign his affent to the fd Refolves.

The faid M^r Hoe brought the Bill Entituled an A& for Naturalization of Claude Philippe de Richebourgh, Francis Ribot Peter ffaure, John Joanny James Champagne and others and acquainted the Council that the House had agreed to the amendments proposed by their Honrs to the faid Bill and had inserted them therein

And the fa Bill being perufed by ye Council

Ordered

That y Clk of y Gen¹¹ Affembly return y for Bill to the House of Burgesse and acqt them that the Council have examined y fame & are satisfied that the amendmis are truly inserted, and also carry back y Resolves brought by Mr Hoe & acqt the House that y same are agreed to

A message from the Burgs to his Excellency & the Council by Mr Wm Randolph & others, that they were commanded by the House of Burgesses to wait on his Exceller & their Hons with a Congratulatory Address to her Majesty prepared by the House to web they pray his Exceller & their Hons concurrence



A meffage to the Council by Mr George Marable & others who brought Mr Treafurers accor of the Impositions passed by the House of Burgesses and defired their Hong concurrence.

The Congratulatory Address to her Majesty prepared by the House of Burgesses being read was agreed to with some Additions

Ordered

That the Clerk of the Gen¹¹ Affembly carry the f^4 Addrefs to the House of Burgesses and acquaint them that his $\operatorname{Ex}^{cy} \& y^c$ Council have agreed thereto with some Additions to w^{ch} they desire the concurrence of that House

A petition of Charles Heydon, John Jones and others Mafters of fhips now in York River, and also

A petition of Robert Baily, Joseph Smith and Hugh Arbuthnot, M. of Ships in behalf of themselves & others Masters of ships in Potomack & Rappe Rivers praying leave to sail for Engld with the Strombulo man of war,

Were feverally Read & Refer'd to ve confideration of the House of Burgesses

M^r Treafurers acco^{ta} of the Impositions on Liquors Servants & Slaves being examined were passed by the Council

The Council abfent

A meffage from the Burgeffes to his Excell^{cy} by M^r Miles Cary & others who brought the Book of publick Claimes paft with feveral Refolves relating to the Capitol, agreed on by the Council & Burgeffes & pray his Excell^{cy} affent

Whereupon his Exceller was pleafed to fign his Affent to the fd Book of Claims &

Refolves.

Ordered

That the Clerk of the General Assembly carry the following message in writing from his Exceller to the House of Burgesses.

M' Speaker & Gentlemen of the house of Burgesses

I propose to you [See J. of H. of B., p. 122.]

The Council adjourned till to morrow morning 9 a clock

Saturday May the 12th 1705

Prefent

IS Excellency, Jnº Lightfoot, Robert Carter, John Cuftis, Philip Ludwell, Henry Duke, Jnº Smith and John Lewis Efgr.

A meffage to his Exceller & the Council from the House of Burgesses by M' W'' Randolph and others, that they were commanded by the House to wait on His Excellency & their Hon' with the Congratulatory Address to her Maty fairly transcrib'd with the Additions proposed by his Exceller & their Hon'

Then the faid Address was read over and Sign'd by his Exceller & the Council, and

is as follows

To the Queen's most Excell Majesty

May it please Yor Majiir

We Yor Majestys most Loyal [See J. of H. of B., p. 121.]

Ordered

That the Clerk of the Genⁿ Affembly carry back the faid Address to the House of Burgesses for their Signing

His Excellency Signifyed to the Council that M^r Benjamin Harrifon & others brought him a meffage laft night from the House of Burgesses desiring to know when the House should attend him with an Address to her Majesty w^{ch} they had prepared, And thereupon

Ordered

That the Clerk of the Gen' Affembly go to the House of Burgesses and acquaint them that his Exceller is now ready to receive their Address to her Majesty mentioned in the message sent yesterday by Mr Benje Harrison & others

Mr



M^c John Martin having produced a draught of a Bond to be fign'd by him & his fecurity for the transportation of the Nanhatico Indians according to the Act agreed on by the Council and Burgesses this Session, the faid Bond was perused & approved of.

Ordered

That the Clerk of the Gen¹¹ Affembly carry to the House of Burgesses the draught of the Bond presented to his Excy & the Council by M¹ In² Martin for transporting the Nansatico Indians, and acquaint them that his Exceller & the Council approve thereof, and that if the House of Burgesses are Satisfyed with the draught of the said Bond, Then his Exceller commands the House to attend him with the Bill concerning the Nansatico & other Indians to receive his assent that so the sd Indians may be delivered to M¹ Martin

The House of Burgesses attending his Exceller

M' Speaker addressed himself to his Exceller to this effect

May it pleafe Yor Exceller

Her Majeftys Loyal and dutiful Subjects the Burgeffes having prepared an humble Addrefs to her moft facred Majefty, do now attend Yor Exceller and humbly pray yor Excellers favour to get it prefented to her Matys hands

Whereupon his Exceller was pleafed to fay he would take care of it.

Then the House withdrew

A meffage from the Burgeffes to his Excell^{cy} and the Council by M^r Cary & others, who brought a Refolve of the House in answer to his Excell^{cys} & their Hon^{cs} meffage concerning the bounds of North Carolina

Mr Cary also brought the book of publick proportions and a Bill Entituded an AA for raising a publick Levy to weh the Burgesses desire the Council's concurrence.

The Address to her Majesty just now delivered to his Excellency by the House of Burgesses was read complaining of some Representacions made in England to their prejudice by Collo Robert Quary

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

I have read yor Address [See J. of H. of B., p. 123.]

His Excellency Sign'd his affent to M^r Treafurer's accots, and Ordered that the Clerk of the Genⁿ Affembly carry them to the House of Burgesses, and also acquaint the House that his Excelles commands their attendance with the Bill Ent an AA concerning the Nansiatico & other Indians.

A Bill Ent an Aâ for raising a public Levy read the first time & Ordered a second reading.

The Council adjourned during pleafure

A

ND being again mett

The Refolves of the House of Burgesses concerning the bounds of North Carolina were read as follows

May 2d 1705

Refolved

That the beft way to prevent any further encroachmine being made by the Governmine of North Carolina on the Inhabitants of this Colony is to make provision as soon as possible for laying out & ascertaining the Boundarys between this Government and that of North Carolina, and that Commine be appointed & impowered by his Excellency with the advice & consent of the Council to treat with such Commine as shall be appointed by the Government of Carolina for effecting ye same

On reading the Refolve of the Houle of Burgeffes concerning the bounds of North

Carolina Refolved

That it is the opinion of the Council that before any Treaty be had with the Governm of North Carolina, Mr James Minge and Mr Rob' Bolling jun' Surveyors be

directed



directed as foon as conveniently may be privately to run y^{ϵ} line between this Governm' & North Carolina, proceeding according to y^{ϵ} Course mentioned in the patent of the Lords Proprietors.

Refolved

That the faid Surveyors be directed to take particular notice what lands or Plantacons held by patents or Entrys under this Government may happen to be cutt off by the fd Line, or how far the fame may happen to run beyond the Inhabitants of this Colony.

Ordered

That the faid Surveyors make Report of their proceedings to his Excell^{sy} and the Council that they may be the better enabled to appoint Comm^{rs}, or make Reprefentation to her Majefty as they fhal find expedient for the good of the Inhabitants of this Country.

Ordered

that a copy of the above Refolves, be fent to the Burgeffes for their concurrence Then his Excy figured the f⁴ Refolves thus

I do concur with the Council in the above Refolves

ffr: Nicholfon

A meffage from the Burgeffes to the Council by M^r Benj^a Harrifon & others who brought the Bill Ent an A& concerning y^a Nansiatico & other Indians fairly Enrolled with the Engrossed copy and defired their Hon^{ra} to examine it

A meffage from the Burgeffes to the Council by Mr Miles Cary & others who brought an ordinance of Affembly for defence of the Country in times of danger to web they defire their Honrs concurrence.

The inrolled Bill Ent an $A\mathcal{A}$ concerning the Nanfiatico \mathcal{C} other Indians being examined by the Council

Ordered

That the Clerk of the General Assembly return the same to the House of Burgesses and acquaint them that ye Council have examined it

An ordinance of Affembly for defence of the Country in times of danger was read and agreed to by the Council, &

Ordered

That the Clerk of y^e Gen^{II} Affembly carry back y^e f^d Ordinance to the House of Burgesses & acquaint them that the Council have agreed to the same

A bill Ent an Act for raifing a publick Levy was read the 2d time and

Ordered a third reading.

Then the Council adjourned during pleafure

ND being again mett

The House of Burgesses came to attend his Exceller in the Council Chamber and Mr Speaker acquainted his Exceller that pursuant to his Exceller commands the house were come to attend his Exceller with a Bill agreed on by the honbie Council and themselves Entituled an Adconcerning the Nansiatico & other Indians, to receive his Excellers affect.

Indians, to receive his Excelles affent

Whereupon the faid bill was Sign'd by his Excell^{cy} & afterwards by M^t Speaker Then M^t Speaker prefented to his Excell^{cy} the Congratulatory Addrefs to her Maty agreed on by his Excy, the Council & Burgeffes & acq^{ted} his Excell^{cy} that y^e f^d Addrefs was figned by every member of the House.

And then the Burgesses withdrew.

The Book of proportion of the publick Levy was agreed to by the Council

A Bill Ent an Act for raifing a publick Levy read the third time

Refolved

That the Bill do pafs

Ordered

That the Clk of the Gen Affembly carry the fd Bill to y^{ε} House of Burg and acquaint them that the Council have passed the same without any amendm A



A peticon of Rob Baily Joseph Smith & Hugh Arbuthnot in behalf of themselves and other Masters of ships praying leave to sail for England with her Matys ship Strombulo read &

Referred to the House of Burgesses.

Ordered

That the Clerk of the General Affembly acquaint the House of Burgesses that his Exceller having desired their opinion what shal be accounted a sufficient Convoy for the ships in the Country, and some peticons having been since presented to his Exceller and the Council by some Masters of Ships and by them recomended to ye Consideracon of the House of Burgesses, His Exceller & the Council do desire the House to signify their opinion therein, that they may give directions accordingly

A peticon of John Redwood praying an order for his Sallary as Keeper of the publick

Goal read &

Refer'd to ye confideration of the House of Burgesses

A meffage from the House of Burgesses to the Council by M^r Benj^a Harrison & others who brought the inrolld bills past this Session, and acquainted the Council that the House had examined and compared them with the Engrossed Bills & that they agreed, and had sent the Engrossed bills to their Hon^{ra} that they might peruse and examine them

Then the Council examined the Enrolled bills and compared them with the

Engroffed Bills agreed on this Seffion.

Ordered

That the Clerk of the Genⁿ Affembly carry the Enrolled Bills to the house of Burgesse & acquaint the house that the Council have compared & examined them with the Engrossed Bills & find them to agree.

His Excellency was pleafed to fign his affent to the Book of proportions of the publick Levy

Ordered

That the Clk of the Gen^{II} Affembly carry back the f^d Book to the House of Burgesses

His Excellency acquainted the Council that he had received an Address from the House of Burgesses last night By M^r Nathaniel Harrison & others, w^{ch} was read, & is as follows

To his Excellency Francis Nicholfon Efq' her Matys Liev and Governor Gen" of Virginia May it please Yo' Excellency

We her Majestys most dutiful [See J. of H. of B., p. 115.]

And thereupon

Ordered

That the Clerk of the General Affembly carry the following meffage from his Excell^{cy} to the house of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

I received yor Address [See J. of H. of B., p. 124.]

Ordered

That the Clerk of the Genⁿ Affembly acquaint the house of Burgesses that a peticon of L^t Coll^o James Taylor for leave to go out on a discovery at the head of Mattapony River being referred to the house of Burgesses by his Excell^{cy} and the Council; they desire the house to signify their proceedings thereon

A meffage to his Exceller from the House of Burgesses by Mr Thomas Barber & others who brought the following Resolve viz

May 12th 1705

Refolved
That this House did not intend that their Address to her Majesty against Colle
Robert Quary should be made use of age his Exceller



A meffage to his Exceller by Mr Miles Cary & others who brought the following Refolves in answer to his Exceller meffage sent this day viz

May the 3d 1705

Upon confideration of a Report of the Com^{tee} of propositions & Grievances made upon a peticon of *James Taylor* to be admitted to go upon a discovery on the back parts of King & Queen County

The House agreed to the Report of the Comtee viz

That if he be willing to go upon his own charge his Excell^{ey} (if he pleases) will give him such permission.

May 8th 1705

Refolved

That it is the opinion of this House that two or more men of war of good force may be Sufficient to Convoy those ships now in the Country for England.

May 12th 1705

Ordered

That leave be given to Rob' Baylie & others & Charles Heydon & others to withdraw their petitions.

A meffage from the House of Burgesses to the Council by M^r Miles Cary & others who brought the following order to w^{ch} they desire their Hon^{ro} concurrence.

Which order being read was agreed to by the Council, & is as follows

Ordered

That John Redwood be paid his Sallary of thirty pounds for being Goal Keeper of the publick priion

Then his Excelley was pleafed to fign his affent to the fd order

Refolved

That the Council do concur in opinion with the House of Burgesses that two or more men of war of good force may be Sufficient to Convoy those ships now in the Country for England.

A meffage to his Exceller and the Council by Mr Rob' Bolling & others who brought the following Refolve in answer to their meffage concerning the Bounds of North

Carolina Viz

May the 12th 1705

Refolved

That it is the opinion of this House that the measures proposed by the Council in their Resolves of this day for laying out the bounds between this Colony & North Carolina will prove very chargeable, and be of no Service to this Country, and therefore the house cannot agree to the same.

Ordered

That the faid Refolve ly upon the Table.

Ordered

That the Clerk of the Gen¹¹ Affembly go to the House of Burgesses & acquaint them that his Excell²⁷ commands their immediate attendance on him in ye Council Chamber.

The House attending, Mr Speaker addressed himself to his Exceller to this effect

May it please yor Exceller

In obedience to yor Excys commands the House of Burgesses are come to attend yor Exceller with several bills agreed upon this Session by Her Matys honble Council and themselves, in ord to receive yr Excys assent The titles of them are as follows.

An AA for fettling & afcertaining the current rates of forreign Coines in this Dominion.

Upon prefenting of which Act to his Exceller

His Excellency was pleafed to fay, that he was forry that the first bill presented to him he could not pass, because it was contrary to one of her Matys Royal Instructions to him, (who he read) whereby he is required to pass no act or order for settling the Rates of Coines without her Majestys direction, But that he had advised with her Majestys homble Council, & intended to send the copy of the Act for England for her Majestys directions therein

Then



Then the Speaker proceeded to read the Titles of the other Bills as follows An AA permitting the exporting and differing of Tobacco packd in old Cask

An AA for Naturalization of Claude Philyppe de Richbourg Francis Ribot Peter flaure John Joanny James Champagne & others

An act impowering the Court of King & Queen County to purchase land to build a Town

An Act for raifing a publick Levy

and

An ordinance of Affembly for defence of the Country in time of danger

All which Acts & ordinance were Sign'd by his Exceller & the Speaker of the House of Burgesses

After web his Exceller spoke to this effect

That he thankd the House in her Matre name for their Congratulatory Address to her Majesty. that he hop'd there would be no occasion for their meeting before next August, nor did he intend to call them then, unless necessity required: but being in expectation of Receiving orders from England by the London Fleet he thought fitt to prorogue them only to the 2^d day of August & accordingly they were prorogued.

Examined with the Original. #

Wil Robertson Cl Gen1 Assembly



AT A

GENERAL ASSEMBLY

begun and held at her Majestys Queen Anne her Royal Capitol the 23^d day of October 1705 in the 4th year of the Reign of our Soveraign Lady Anne by the grace of God of England, Scotland, France & Ireland Queen Desender of the faith &c.

[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1412, pp. 609-640.]

At a General Affembly begun and held at her Majestys Queen Anne her Royal Capitol the 23^d day of October 1705 in the 4th year of the Reign of our Soveraign Lady Anne by the grace of God of England, Scotland, France & Ireland Queen Desender of the faith &c.

[October 23rd, 1705.]

Prefent

IS Excellency Edward Nott Efq¹ her Majeftys Lievtenant and Governor General of Virginia, Edmund Jenings, John Lightfoot, Dudley Digges, Benj² Harrifon, Robert Carter, John Cuftis Efq¹, James Blair Com¹⁷, Philip Ludwell, W^m Baffett, Henry Duke and W^m Churchill Efq¹

William Robertson being Commissionated by his Exceller to be Clerk of the General Assembly of this Dominion took the Oaths appointed by Act of parliament to be taken instead of the Allegiance & Supremacy, the abjuration Oath, subscribed the Test and took the Oath of Clerk of the General Assembly.

Ordered

That the Clerk of the Genⁿ Affembly go to the House of Burgesses & acquaint them that his Exceller commands their immediate attendance on him in ye Council Chamber. The House being come His Excellency was pleased to say as followeth,

Gentlemen

I am extremely pleafed to fee fo great an appearance; I defire you to repair to yo' Houfe and make choice of a Speaker at yo' conveniency

Then the Council adjourned till to morrow morning at 11 aclock

Wednesday October the 24th 1705

Prefent

IS Excellencie, Edmund Jenings, Jnº Lightfoot, Dudley Diggs, Benjº Harrison, Robert Carter, Jnº Custis Esqtº, James Blair Comty, Philip Ludwell, Wm Basset, Henry Duke and Wm Churchill Esqtº

A meffage from the House of Burgesses to his Excellency by Mr Robert Beverley and others, who acquainted his Excellency that the House had made choice of a Speaker and defired to know when they should attend his Exceller

To which his Exceller made answer that he was glad they had made so speedy a choice and would give them notice by a message when they should attend him.

Ordered

That the Clerk of the General Affembly go to the House of Burgesse and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

The House of Burgesses being come to attend his Excellency presented Benjamin Harrison of the County of Charles City Gent as their Speaker, who addressed himself to his Excellency to this effect, "That the House of Burgesses according to his Excellere commands and their ancient priveledges had proceeded to the choice of a Speaker, and passing



paffing by many other worthy members of their House who were more capable of that Trust they had been pleased to cast their Eyes on him to be their Speaker, and that he Submitted to his Excellers consideration his unsitteness for so weighty a Station.

Whereupon his Excell^{cy} was pleafed to fay that he was glad the House had made Choice of so able a person for their Speaker and that he approved of their choice.

Then M^r Speaker in name of the House of Burgesses, and of all the Commons of this Colony, prayed that the antient priviledges may be continued to the Burgesses of this Assembly, that in order to their better attending those weighty affairs that are to come before them they may be free in their persons, Estates & Servants from arrests That in all their consultacons they may enjoy freedom of Debate and as oft as the necessity of affairs requires, free access to his Excelless person, And then in behalf of himself prayed that none of his mistakes may tend to the prejudice of the House of Burgesses or any member thereof.

Unto which his Exceller was pleafed to answer That all the usual priviledges of the

House of Burgesses Were granted and should be continued to them.

And then his Exceller made the following Speech

Gentlemen

Her Majesty having been [See J. of H. of B., 1702/3-1712, pp. 130-131.]

Mr Speaker applying himfelf to his Exceller for a copy of his Speech, his Excy was pleafed to give him a copy thereof.

And then the House of Burgesses withdrew &

The Council adjourned till to morrow morning 10 aclock.

Thursday October 25th 1705

Prefent

DMUND JENINGS, Jnº Lightfoot, Dudley Diggs, Benjº Harrifon, Robert Carter, Jnº Cuftis Esqrº, Mr Comry Blair, Wm Baffett, Henry Duke and Wm Churchill Esqrº

The Grievances of *Prince Georges* County read, and Referred to ye confideracon of the house of Burgesses. The Council adjourned till to morrow morning to aclock

Friday October 26th 1705

prefent

DMP JENINGS, Dudley Diggs, Benjo Harrison, Robert Carter, John Custis Esq., James Blair Comty, Philip Ludwell, Wm Basset, Henry Duke & Wm Churchill Esq.

The Grievance of King & Queen County Read & Referred to ye confideracon

of the House of Burgesses

A Grievance from Nanfemond County, Read & Referred to ye confideracon of the House of Burgesses

And then ye Council adjourned till tomorrow morning 10 aclock.

Saturday October 27th 1705

prefent

DMUND JENINGS, Jnº Lightfoot, Dudley Digges, B. Harrifon, Robert Carter, Jnº Cuftis Efqtº, James Blair Comr, Philip Ludwell, Wm Baffet, Henry Duke & Wm Churchill Efqtº

The Council mett and adjourned till Munday morning 10 aclock

Munday



Munday October 29th 1705

prefent

IS Excellencie, Jnº Lightfoot, Robert Carter, Jnº Cuftis Esq^{1*}, James Blair Com^{1*}, Philip Ludwell & W^{1*} Churchill Esq^{1*}

A meffage to his Exceller from the house of Burgesses by Mr Robert Beverley & others, That the House pray his Excellency to issue out a new Writt for the election of Burgesses to serve in this Assembly for King William County in ye room of Mr John West and Mr Thomas West who are unduly elected Burgesses for the standard Jenings Esqr present

The Grievances of Princefs Anne County read and Referred to y confideration of the House of Burgesses

The peticon of John Adams Interpreter to the Pamunky & Chicahominy Indians praying his usual Sallary may be allowed him, Read & Referred to ye confideracon of the House of Burgesses.

A Grievance from King William County read, & Referred for further confideracon till to morrow morning

And then the Council adjourned till to morrow morning 10 aclock.

Tuesday October 30th 1705

prefent

IS Excellency, Edm³ Jenings, Dudley Digges, Benj⁹ Harrison, Robert Carter, Jn⁹ Custis Esq¹⁹, James Blair Com¹⁹, Philip Ludwell, Henry Duke & W¹⁰ Churchill Esq¹⁹

His Excellency having with great concern represented to the Council how necessary it is that an examinacon be made into the occasion of that sad & deplorable accident web happened last night of the burning of William & Mary College; The Council think fitt to appoint six members of the Council to take Examinacons concerning that unhappy disafter. and

Ordered that a message be sent to the house of Burgesses to desire that such a number of Burgesses as the house shall think fitt may affist in examining into that matter to meet to morrow at 11 aclock in the Conference.

Ordered

That Edmund Jenings, Dudley Digges, Benjamin Harrison, Robert Carter & Jno Custis Esq. & Mr Comr Blair be appointed to take you saminations

The Grievance of King William County referred yesterday for further consideration is further Reserved till tomorrow morning.

And then ye Council adjourned till to morrow morning 10 aclock.

Wednesday October 31st 1705

Prefent

DMUND JENINGS, Dudley Diggs, Benja Harrison, Robert Carter, Jno Custis Esq., James Blair Com., Philip Ludwell, Henry Duke & W. Churchill Esq. A message from the Burgesses to ye Council by M. Peter Beverley & others who acquainted the Council that the House agreed to the proposal made for taking examinations concerning the burning of William & Mary College & had appointed twelve of their Members to meet the Council at ye time & place mentioned in their message.

Philip Ludwell Efqr absent

The Grievance of King William County referred yesterday for further confideracon, was this day read, and after debate

Refolved



Refelved

That the paper prefented as a Grievance from King William County be fent to you House of Burgesses with a Remark thereon.

Ordered

That the Clerk of the General Affembly carry the following meffage to the house of Burgesses, with the paper presented as a Grievance from King William County viz

The Council having read and perufed a paper prefented to them as a Grievance from King William County, find it to contain matter of very dangerous confequence but as it has a particular relation to the House of Burgesses they have thought fitt to fend it to the House as more proper for their censure.

And then the Council adjourned till tomorrow morning to aclock.

Thursday November ye 1st 1705

Prefent

DMUND JENINGS, Dudley Diggs, Benjo Harrifon, Robert Carter, Jno Cuftis

Efq., James Blair Comr, Philip Ludwell, Henry Duke & W. Churchill Efq.

The Council mett and adjourned till tomorrow morning to aclock

Friday November 2d 1705

Prefent

DM^p JENINGS, Dudley Digges, Benj^a Harrifon, Rob¹ Carter, Ino Cuftis Efq^{1a}, James Blair Com^{1a}, Philip Ludwell, Henry Duke & W^m Churchill Efq^{1a}

The feveral petitions of Andrew Young, W^m Brown, W^m Seyers, and Jofeph Dunbar, praying to be admitted to keep ferry over York River at Tindals point Read & Referred to y^a confideration of the House of Burgesses

The Petičon of Miles Cary, William Buckner & W^m Robertson Attorneys of Collo Francis Nicholson praying allowance for his charges in procuring the Queens picture &c for this Country Read & referred to the consideration of the House of Burgesses

And then the Council adjourned till tomorrow morning 10 aclock

Saturday November 3d 1705

prefent

DMUND JENINGS, Dudley Digges, Benjo Harrifon, Robert Carter, Jno Cuftis Efq., James Blair Com., Philip Ludwell, Henry Duke & W. Churchill Efq. The petition of Mr Secretary Jenings praying allowance for copying the Rules of the General Court for the use of the County Courts, Read & referred to you consideracon of the house of Burgesses

The petition of Mr Secretary Jenings praying allowance for iffuing tuenty Eight Writts for Election of Burgesses, Read and Referred to the consideracon of the house of

Burgesses.

The peticon of Major Arthur Allen praying allowance for Surveying the Nattoway Indians Land purfuant to the Act of Assembly Read & Referred to ye consideracon of the House of Burgesses.

And then the Council adjourned till Munday morning 10 aclock.

Munday November ye 5th 1705

present

DUDLEY DIGGS, Benj^a Harrifon, John Cuftis Efq^{ra}, James Blair Com^{ra}, Philip Ludwell & W^{ra} Churchill Efq^{ra}

The Council adjourned till to morrow morning 10 aclock

Tuefday



Tuesday November 6th 1705

prefent

DM^D JENINGS, Dudley Diggs, Benjo Harrison, John Custis, W^m Basset, Henry Duke & [W^m Churchill] Elq¹⁰

The Council mett and adjourned till to morrow morning 10 aclock

Wednesday November ye 7th 1705

Prefent

DMUND JENINGS, Dudley Diggs, Benj^a Harrifon, John Cuftis Esq^{ta}, James
Blair Com^{ty}, Philip Ludwell, W^m Baffett, Henry Duke & W^m Churchill Esq^{ta}
The Council mett and adjourned till to morrow morning 10 aclock

Thursday November ye 8th 1705

prefent

DMUND JENINGS, Dudley Digges, Benjo Harrison, John Custis Esq., James Blair Com., Philip Ludwell, W. Bassett, Henry Duke & W. Churchill Esq. A message from the House of Burgesses to y. Council by M. Miles Cary & others who brought a bill Ent an Ad prescribing the method of appointing sheries, and limiting the time of their continuance in office, and directing their duty therein, and a Bill Ent an Ad concerning Jurys, past by the house to we they desire the concurrence of the Council.

A bill Entituled an A& concerning Jurys, read the first time, & Ordered a second reading.

A bill Ent an Ad prefcribing the method of appointing therifs & limiting the time of their continuance in office & directing their duty therein. Read y first time, and Ordered a fecond reading.

And then the Council adjourned till to morrow morning 10 aclock

Friday November ye 9th 1705

prefent

UDLEY DIGGES, Benjo Harrison, Rob' Carter, Jno Custis Esq. Ja: Blair Com. Philip Ludwell, Wm Basset, Henry Duke & Wm Churchill Esq. A bill Entituled an Act prescribing the method of appointing Sheriss, and limiting the time of their Continuance in Office and directing their duty therein, read the second time, and amended,

Ordered

That the bill with the amendments be read a 3d time.

Edmund Jenings Esqr present

A bill Entituled an Act concerning Jurys read the 2^d time and amended, and Ordered that the bill with the amendments be read a third time.

And then ye Council adjourned till to morrow morning 10 aclock

Saturday November ye 10th 1705

prefent

DMUND JENINGS, Dudley Diggs, Benjo Harrison, Jno Custis Esquare, James
Blair Comro, Philip Ludwell, William Bassett, Henry Duke & Wom Churchill Esquare
A motion being made that the two Bills sent up from the Burgesses be now read a third time.

Refolved

That the f^d two Bills have a third reading on Munday next And then the Council adjourned till Munday morning 10 aclock.

Munday



Munday November ye 12th 1705

prefent

DMUND JENINGS, Robert Carter, John Cuftis Elq., James Blair Com, Philip Ludwell, W. Churchill Elq.

Ordered that the third reading of the two Bills fent up from the Burgeffes be referred till to morrow morning in expectacion of a fuller Council.

And then the Council adjourned till to morrow morning 9 aclock

Tuefday November ye 13th 1705

prefent

DMUND JENINGS, Dudley Diggs, Rob' Carter, Jnº Cuftis Elqto, Ja: Blair Comto, Philip Ludwell, Wm Baffet, Henry Duke & Wm Churchill Elqto

A peticon of the Inhabitants of the Lower part of Wilmington parish praying to be incorporated into James City parish Read and Referred to the consideration of the House of Burgesses.

Ordered

That the two Bills fent up from the Burgesses be read a 3d time to morrow morning. And then the Council adjourned till to morrow morning 9 aclock.

Wednesday November 14th 1705

present

DMUND JENINGS, Dudley Diggs, Benjo Harrifon, Robert Carter, Jno Cuftis Efq., Mr Comro Blair, Philip Ludwell, Wm Baffet, Henry Duke & Wm Churchill Efq.

A bill Entituled an AA prefcribing the method of appointing Sherifs, and for limiting the time of their continuance in office, & direding their duty therein, was read a third time, and an Amendment being proposed thereto, and thrice read, was agreed to Resolved

That the Bill with the amendm's do pass

A bill Ent an Ad concerning Jurys Read the third time & a further amendm^e being proposed thereto & thrice read, was agreed to

Refolved

That the Bill with the amendm's do pass

Ordered

That the Clk of the General Affembly carry the aforef⁴ two Bills to the House of Burgesses, and acquaint them that the Council have agreed thereto with several amendments to went they defire the concurrence of the House.

And then ye Council adjourned till to morrow morning 9 aclock.

Thursday November ye 15th 1705

prefent

DMUND JENINGS, Dudley Digges, Benjo Harrison, Robert Carter, Jno Custis Esqra, James Blair Comro, Philip Ludwell, Wm Bassett, Henry Duke & Wm Churchill Esqra

A message from the House of Burgesses to the Council by M^e William Randolph and others, who brought two bills viz a bill Ent an AA for the effectual Suppression of vice, and restraint and punishment of blasphemous, wicked and dissolute persons, and a Bill Entituled an AA for Limitacon of actions and avoiding of Suits past by the House, to we's they desire the Councils concurrence.

A



A Bill Entituled an Ad for the effectual Suppression of vice, and restraint and punishment of blasphemous wicked & diffolute persons, Read y first time & ordered a Second reading.

A bill Entituled an A& for Limitation of actions and avoiding of Suites Read y* first time, and Ordered a 2^d reading

And then ye Council adjourned, till to morrow morning 9 aclock

Friday November 16th 1705

prefent

D: JENINGS, Dudley Diggs, Benjo Harrifon, Rob Carter, Jno Cuftis Efq**, Mr Com** Blair, Philip Ludwell, Wm Baffet, Henry Duke & Wm Churchill Efq** A bill Entituled an A& for limitacon of actions & avoiding of Suits, Read y* 2d time & Committed for amendments.

And then the Council adjourned till to morrow morning 9 aelock.

Saturday November 17th 1705

Prefent

DM^D JENINGS, Dudley Diggs, Benj^o Harrifon, Robⁱ Carter, Jn^o Cuftis Efqⁱ, M^r Com^{io} Blair, Philip Ludwell, W^m Baffet & Henry Duke Efqⁱ

A message to the Council from the House of Burgesses by Mr Peter Beverley & others who brought the following Bills past by the House viz a Bill Ent an Ast concerning the Church, Clergy and other parochial assairs. A bill Ent an Ast directing the building and maintaining of prisons, pillorys, whipping posts Stocks & Ducking Stools in every County, and for Settling the Rules of prisons, A bill Ent an Ast against importing Tobacco from Carolina & other parts without the Capes of Virginia. A bill Entituled An Ast for improving the Staple of tobacco, and for regulating the Size of tobacco hogsheads. A bill Entituled an Ast declaring who shal not bear office in this Country and a bill Entituled an ast declaring how long Judgments Bonds, obligations & accounts shal be in sorce, for y' assignment of Bonds and obligations, directing what proof shal be sufficient in such Cases, and ascertaining the dammages upon protested bills of Exchange, To which they desire the Councils concurrence.

A bill Entituled an A& for Limitation of actions & avoiding of Suits was amended and the amendments twice read, and

Ordered that the Bill with the amendments be read a 3d time on Munday next.

A bill Entituled an A& concerning the Church Clergy & other parochial affairs Read the first time, and Ordered a 2^d reading.

A bill Entituled an ad directing the building & maintaining of prisons pillorys, whipping posts Stocks & Ducking stools in every County, & for Settling the Rules of prisons read y first time, and Ordered a 2^d reading.

A bill Entituled an Act against importing Tobacco from Carolina & other parts without the Capes of Virginia, Read ye first time & ordered a second reading.

A bill Entituled an AA for improving the Staple of Tobacco & for regulating the Size of Tobacco hogheads, Read y first time & ordered a Second reading

A bill Entituled an Aâ declaring who shal not bear office in this Country Read you first time & ordered a second reading.

A bill Entituled an AA declaring how long Judgements Bonds, obligations and accompts shal be in force, for the assignment of Bonds & obligations, directing what proof shal be Sufficient in such Cases & ascertaining the dammages upon protested bills of Excho Read the first time & Ordered a Second reading.

And then the Council adjourned till Munday morning 9 aclock.

Munday



Munday November the 19th 1705

Prefent

DMUND JENINGS, Dudley Diggs, Benja Harrifon Efqra, Robert Carter, Jno Cuftis Efqra, Mt Comta Blair & Philip Ludwell Efqr

A bill Entituled an ad for Limitacon of adion and avoiding of Suits read

the third time with the amendments

Refolved

That the Bill with the amendments do pals.

A bill Entituled an Ad against importing Tobacco from Carolina & other parts without the Capes of Virginia Read the second time and Ordered a 3^d reading

A bill Entituled an Act declaring who shal not bear office in this Country, read the

fecond time, and Ordered a third reading

A bill Ent an Ad directing the building and maintaining of prifons, pillorys whipping posts, Stocks and Ducking Stools in every County and for Settling the Rules of prisons Read a second time and Ordered a 3⁴ reading.

And then the Council adjourned till to morrow morning 9 aclock.

Tuesday November 20th 1705

prefent

DMP JENINGS, Dudley Digges, Benjo Harrison, Rob Carter Elqes, James Blair

Comry, Philip Ludwell, Wm Boffet & Henry Duke Efgrs

A bill Entituled an A& declaring how long Judgements Bonds obligations and accomplhal be in force for the affigument of bonds & obligations, directing what proof shal be Sufficient in Such Cases & ascertaining the dammage upon protested bills of Exchange. Read ye 2d time & Committed for amendments.

A bill Entituled an Act for improving the Staple of Tobacco, & for regulating the Size

of Tobacco hogfheads, Read ye 2d time & Committed for amendmis

A bill Entituled an Ad directing the building and maintaining of prisons pillorys, whipping posts, Stocks & Ducking stools in every County, & for Settling y Rules of prisons. Read the 3d time and past without amendment

A bill Entituled an AA declaring who shal not bear office in this Country being amended

& the amendments twice read, was read ye 3d time with the Amendmis

Refolved

That the bill with the Amendments do pass

A bill Entituled an Act against importing Tobacco from Carolina & other parts without the Capes of Virginia Read the 3d time and past without amendment

Ordered

That the Clerk of the Gen" Affembly carry the three laft mentioned bills to ye

House of Burgesses.

A bill Ent an Ad concerning the Church Clergy and other Parochial affairs, Read the fecond time and Committed for amendments to Edm^d Jenings Dudley Diggs & Robert Carter Efq¹³ and M^r Commiffary Blair.

And then the Council adjourned till to morrow morning 9 aclock.

Wednesday November ye 21st 1705

Prefent

B DMUND JENINGS, Dudley Digges, Benjo Harrison, Robert Carter Esquis.

James Blair Comer, Philip Ludwell, Win Basset & Henry Duke Esquis

A bill Ent an Ad declaring how long Judgements Bonds Obligations & Accounts that [shall] be in sorce, for the assignment of Bonds & obligations, directing what proof shall be Sufficient in such Cases & ascertaining the dammages upon protested Bills of

Exche, being amended was read ye 3d time with ye Amendments

Refolved



Refolved that the Bill with the amendments do país.

Ordered that the Clk of the General Affembly carry the f⁴ bill to the house of Burgesse and desire their concurrence to the Councils amendments made thereto.

The Amendments made to the Bill Entituded an Act for the better improving of the Staple of tobacco and regulating the Size of Tobacco hogsheads being Reported and some alterations made therein,

Ordered

That the bill with the amendments be read a third time to morrow morning.

A meffage from the House of Burgesses to the Council by M¹ Robert Beverley and others who brought the following bills viz

A bill Entituled an Act for afcertaining the Gage of barrells for pork, beef, tarr & pitch. A bill Entituded an Act for attorneys profecuting Suits on behalf of perfons out of the Country to give Security for the payment of fuch cofts & dammages as shal be awarded against them. A bill Entituded an Act for the encouragement of the Land Frontiers. A bill Entituded an Act for regulating the Elections of Burgesses, for Settling their priviledges and for ascertaining their allowances, and a Bill Ent an Act to prevent the Clandestine transportation or carrying of persons in debt, Servants & Slaves out of this Colony—To web they desire the Councils concurrence.

And then the Council adjourned till to morrow morning 9 aclock.

Thursday November 22d 1705

prefent

DM^D JENINGS, Dudley Diggs, Robert Carter Efq^{to}, James Blair Com^{ty}, Philip Ludwell, W^m Baffet & Henry Duke Efq^{to}

A bill Entituled an A& for regulating the Elections of Burgeffes, for Setling their priviledges and afcertaining their allowances Read the first time & ordered a Second reading.

A bill Entituled an Ast to prevent the clandeftine transportation of persons in debt, Servants and Slaves out of this Colony, read ye first time and Ordered a 2d reading.

A bill Entituled an Act for afcertaining the Gage of barrells for pork, beef, tarr & pitch, Read ye first time, and Ordered a 2d reading.

A bill Entituled an A& for attorneys profecuting Suits on behalf of perfons out of the Country to give fecurity for the payment of fuch Cofts & dammages as shal be awarded agithem.

A bill Entituled an A& for the encouragement of the land Frontiers Read the first time & ordered a Second reading.

A bill Entituled an $A\hat{a}$ for improving the Staple of Tobacco and for regulating the Size and Tare of Tobacco hogheads read the 3^d time with the amendments

Refolved

That the bill with the amendments do país.

Ordered

That the Clerk of the General Affembly carry the faid Bill to the House of Burgesse and defire their Concurrence to ye Councils amendments made thereto.

And then the Council adjourned till to morrow morning 9 aclock.

Friday November the 23d 1705.

prefent

IS Excellency, Dudley Diggs, Robert Carter Efqra, Mr Comra Blair, William Baffett, and Henry Duke Efqra

A meffage to the Council from the House of Burgesses by Mr William Randolph and others who brought a Resolve of the House upon the peticon of Claude Philippe de Richebourgh in behalf of himself & the rest of the French Resugess settled at Manicantown & parts adjacent, praying that y same quantity of land as is

allowed



allowed to every perfon imported into this Colony may be granted unto Every one of the f⁴ Refugees to web Refolve they defire the Councils concurrence.

And the faid Refolve was read and agreed to & is as followeth

Refolved

That it is fitt the petition be granted.

Philip Ludwell Efqr prefent

A Meffage to his Excell^{cr} by M^t Miles Cary & others who acquainted his Excell^{cr} that the House of Burgesses had commanded them to wait on him, and to pray that his Excell^{cr} will please to give directions that the Acco^{te} of the Revenue for the Support of the Government may be laid before the House.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the following meffage from his Exceller to the House of Burgesses in answer to their message about ye according Gentlemen

In answer to yo' message concerning the accompts of her Majestys Revenue upon enquiry I find the acco¹⁶ are in M' Auditor Byrds hands who is now at his house in the Country, but I shal as soon as possible send for the f^d Acco¹⁶ and lay them before you

A meffage from the House of Burgesses to the Council by Mr Miles Cary & others acquainting their Honra that the House desire they will be pleased to appoint such of their members as they shall think fitt to joine with a Committee of the House of Burgesses to consider what further directions are necessary to be given concerning the finishing of the Capitol or the other publick buildings.

A meffage from the House of Burgesses to his Exceller by Mr peter Beverley and others, that pursuant to an order of the House of Burgesses they were come to wait on his Exceller to acquaint him that the House had prepared an Address to his Excellency and desire to know when & where his Exceller will be attended by the whole House to present yes fame.

To which his Excellency was pleafed to fay he would be in the Council Chamber to morrow at 11 aclock.

His Excelley absent

Refolved

That Philip Ludwell and Henry Duke Efqr be appointed to joine with the Comr of the House of Burgesses to Consider what further directions are necessary to be given concerning the finishing of the Capitol, or the other publick buildings

Ordered

That a message be sent to the House of Burgesses, that the Council have appointed two of their members to joine with the Comtee of the Burge to consider what further directions are necessary to be given concerning the finishing of the Capitol who will be ready to meet to morrow at 12 a clock in the Conserence Room.

A Bill Entituded an A& for Attorneys professing Suits on behalf of perfons out of the County to give Security for the payment of fuch cofts & dammages as fhal be awarded against them read ye 24 time, and Ordered a third reading

A Bill Entituled an A& for encouragement of the Land Frontiers, Read y* Second time & Committed for amendments.

A bill Entituled an A& for regulating the Elections of Burgeffes, for fettling their priviledges & for afcertaining their allowances, read the 2d time & Committed for Amendments

And then the Council adjourned till to morrow morning 9 aclock.

Saturday



Saturday November the 24th 1705

present

IS Excellency, Edm⁴ Jenings, Robert Carter Efq¹⁰, James Blair Com¹⁷, Philip Ludwell, W^m Baffett & Henry Duke Efq¹⁵

The House of Burgesses according to his Excellers appointment this day attended his Excellency in the Council Chamber where Mr Speaker read & presented to his Excellency the following Address

To His Excellency Edward Nott Efqr her Majestys Lievtenant and Governor Gen" of Virginia

The humble Address of the House of Burgesses

May it please Yo' Exceller

We her Majestys [See J. of H. of B., p. 168.]

To weh his Excellency was pleafed to answer to this effect

Gentlemen

You fhal always find me ready to oblige the House of Burgesses in any thing that lyes in my power, but this being a matter of great moment, I must take [some] little time to consider of it with the Council.

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the House of Burgesles in answer to their Address

Being a little Surprized [See J. of H. of B., pp. 170-1.]

Then the Council adjourned till Munday morning 10 aclock

Munday November the 26th 1705

prefent

DM^o JENINGS, Dudley Digges, Robert Carter Efq^{ra}, James Blair Com^{rs}, Philip Ludwell, Henry Duke Efq^{ra}

A message to the Council from the House of Burgesses by M^r W^m Randolph & others who brought the following Bills past by the House viz A bill Ent an A& for establishing the General Court, and for regulating & fettling the proceedings therein A bill Entituled an A& concerning publick Claims. A bill Ent an A& concerning the Collection of the publick & County Levys & for the better payment of y^r same to the respective Creditors therein concerned. A bill Entituled an A& against Stealing Hoggs. A bill Entituled an A& for prevention of trespasses by unruly horses Cattle, hoggs, Sheep and Goats [and] by taking away Boats & Canoes A bill Ent an A& giving a Reward for killing of wolves. & a Bill Entituled an A& to prevent killing Deer at unseasonable times. To which they desire the concurrence of the Council.

And then the Council adjourned till to morrow morning 9 aclock.

Tuesday November 27th 1705

prefent

DM^D JENINGS, Dudley Diggs, Rob^t Carter Efqr*, Ja: Blair Com^{ty}, Philip Ludwell, W^m Baffet & Henry Duke Efqr*

A bill Ent an Ad for Attorneys profecuting Suits on behalf of perfons out of the Country to give fecurity for the payment of all fuch Cofts and dammages as shal be awarded against them, Read the third time and passed without amendment

And then the Council adjourned till to morrow morning 9 aclock.

Wednesday



Wednesday November ye 28th 1705

Prefent

DMUND JENINGS, Dudley Digges, Robert Carter Efq**, Mt Comt* Blair, Philip Ludwell, W** Baffet & Henry Duke Efq**

A meliage from the House of Burgesses to the Council by Mr Robert Beverley and others who brought Mr Treasurers accors of the Impositions on Liquors Servis & Slaves past by the House, together with several Resolves for certain allowances to the officers attending this General Assembly & others to we's they desire the Councils concurrence.

Refolved

That Mr Treasurers Accour be passed by the Council.

Then the Refolves of the House of Burgesses for payment of the Officers attending this Gen¹¹ Assembly were read & agreed to and are as followes

Refolved

That there be paid [See J. of H. of B., p. 173, lines 1-36.]

And then ye Council adjourned till to morrow morning 9 aclock.

Thursday November the 29th 1705

prefent

DM^D JENINGS, Dudley Diggs, Robert Carter Esq¹⁸, James Blair Com¹⁹, Philip Ludwell, W^m Baffett & Henry Duke Esq¹⁸

A Message from the House of Burgesses to the Council by M^r Robert Beverley and others who brought two Resolves of the House for the defence of the Country together with an order for payment of W^m Byrd Esq^r his Expences as Agent for this Country in the affair of New York to w^{cb} they defire the Councils concurrence.

The Refolve of the House of Burgesses for the defence of the Country was Read & Agreed to as follows

Refolved

That his Excellency the Governor or the Governor or Commander in cheif of this Dominion for the time being fhai have full power & authority till the next Seffion of Affembly by and with the advice & confent of her Majestys honble Council of State, on any Infurrection, Incursion, or Invasion to levy suitable & Competent sforces for the defence of this Dominion, and to disband ye same again, as the occasion (for which they shall be raised) ceases.

Refolved

That whatever Forces shal be Levyed by vertue of and pursuant to the foregoing Resolve shal be paid by the publick at the next Session of the Gen¹¹ Assembly.

Then the Order for paying W^m Byrd Efq^r his Expences as Agent for this Country was read & agreed to as follows

Ordered

That there be paid unto William Byrd Efq' out of the publick moneys in M' Treafurers hands the Sum of Six pounds feventeen shillings & Six pence, for so much by him expended as Agent for this Country in the affair of New York.

Philip Ludwell Efq^r from the Com^{tee} appointed to Confider what further directions are necessary to be given concerning the finishing the Capitol & other publick Buildings Reported their proceedings in the matter to them referred wth he read in his place and then delivered in at the Table.

Α



A meffage from the House of Burgesses to the Council by M^r Miles Cary & others who brought sev^{ll} Resolves concerning the Capitol to w^{ch} they desire the Councils concurrence, w^{ch} resolves are as followeth viz.

Refolved

That M^r Henry Cary the Overfeer of the building, of the Capitol & y^s feveral workmen employed about y^s fame be on Wednefday next discharged

Refolved

That the two Houses and all goods & Materials now in the possession of Mr Henry Cary belonging to the Country remain as they now are undisposed of, except the three Negro Slaves, what he said Cary is to be possessed of according to a Resolve of the Assembly at the last Session

Refolved

That the four Mafter Keys to ye Locks of the Capitol in ye hands of Mr Henry Cary, Mr Wm Robinson & Mr Charles Chiswell be called in & destroyed

And the faid Refolves were read and agreed to with this amendment, viz That at y* end of the 2^d line of the first Resolve after the word [discharged] be added [untill the next Meeting of the Assembly]*

Ordered

That the Clerk of the Genⁿ Affembly Carry to the House of Burgesses the Resolves concerning the Capitol, and acquaint them that the Council have agreed thereto with an amendment, and that they think it further necessary that some person be appointed to take care of the Countrys houses and materials left therein untill further directions be given at the next meeting of the Assembly.

And then the Council adjourned till to morrow morning 9 aclock

Friday November the 30th 1705

prefent

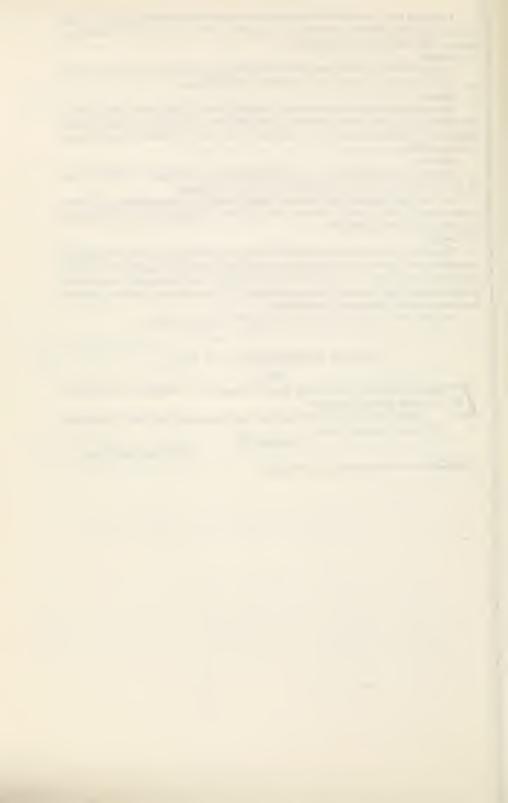
DM^D JENINGS, Dudley Diggs Efq¹⁰, M¹ Com¹⁷ Blair, Philip Ludwell, William Baffet & Henry Duke Efq¹⁰

The Council mett and according to Leave from his Exceller adjourned till the 24th of April 1706.

Examined \$3

Wil Robertson Cl Con

[•] The brackets used in this paragraph are in the original.



At a General Affembly begun and held at her Majesty's Royal Capitol the 23^d day of October 1705 and continued by adjournment to the 24th day of April 1706 in the 5th year of the Reign of our Soveraign Lady Anne by the Grace of God of England, Scotland France and Ireland Queen Defender of the saith &c

[April the 24th, 1706.]

Prefent

DMUND JENINGS, John Lightfoot, Dudley Digges, Benj^a Harrifon, Robert Carter, John Cuftis Efq^{ra}, M^r Com^{ra} Blair, Philip Ludwell, W^{ra} Baffett, Henry Duke & William Churchill Efq^{ra}

The Council mett and adjourned till to morrow morning 10 aclock

Thursday April the 25th 1706

Prefent

HE fame as yesterday

The business of the General Court having taken up the greatest part of the day. The Council adjourned till to morrow morning 10 aclock

Friday April the 26th 1706

Prefent

IS Excellency Edward Nott Efqr &c and The fame Council as yesterday

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that his Excellency commands their immediate attendance on him in the Council chamber.

The House of Burgesses being come to attend his Excellency,

His Excellency was pleafed to make the following Speech,

Gontlemen

The causes which obstructed [See J. of H. of B., 1702/3-1712, p. 177.]

And then M^r Speaker having applyed himself to his Excellency for a copy of his Speech and obtained ye Same, The house of Burgesses withdrew

Ordered

That the Clerk of the General Affembly carry to the house of Burgesses her Maj^{tles} Letter recommending the building a house for the Governor w^{ch} was referred to in his Excellencys Speech.

The petition of Peter Pafquier praying for Naturalizacon read and referred to the confideracon of the House of Burgesses.

And then the Council adjourned till to morrow morning 10 aclock.

Saturday



Saturday 27th April 1706

prefent

DMUND JENINGS, Benj^s Harrifon, John Cuftis Elq^{1s}, Ja^{*} Elair Com¹⁷, Philip Ludwell, W^m Baffett, Henry Duke & W^m Churchill Elq^{1s}

A bill Entituled an A& concerning publick Claimes read the first time and

Ordered a Second reading

A bill Entituled an Act giving a Reward for killing of Wolves read the first time and Ordered a second reading.

Robert Carter Efqr present

A bill Entituled an AA to prevent killing Deer at unfeafonable times read the first time and ordered a Second reading.

And then the Council adjourn'd till Munday morning 10 aclock

Munday April the 29th 1706

prefent

DMUND JENINGS, Jnº Lightfoot, Benjº Harrifon, Rob' Carter, Jnº Cuftis Efqte, Ja Blair Comty, Ph: Ludwell and Wm Churchill Efqte

The General Court having fate late. The Council adjourned till to

morrow morning 10 aclock.

Tuesday April ye 30th 1706

Prefent

IS Excellency, Edm⁴ Jenings, Jn⁹ Lightfoot, Dudley Diggs, Benj⁹ Harrifon, Robert Carter, Jn⁹ Cuftis Efq¹⁸, M¹ Com¹⁷ Blair, Philip Ludwell & W^m Churchill Efq¹⁸

A meffage from the house of Burgesses to his Excellency by M' Robert Beverley and others who acquainted his Excellency that they were commanded to wait on him with the proceedings of the House of Burgesses towards building a house for the Governor, and deserved [desired] that his Excellency would be pleased to cause a draught of such a House as by him shal be thought most convenient to be laid before the House of Burgesses.

A meffage to the Council by M^{*} Robert Beverley and others who delivered a Refolve of the House of Burgesses upon the peticon of peter Pasquier referred by the Council to

ye confideration of that House.

Which Refolve being read was agreed to as follows

Refolved

That His Excellency the Governor is already sufficiently impowered by Law to Naturalize the said peter Pasquier upon his taking ye Oaths to her Majesty as by law is enjoined in such Cases.

And then the Council adjourned till to morrow morning 9 aclock.

Wednesday May the first 1706

prefent

IS Excellency and the fame Council as yesterday

Ordered
That the Clerk of the General Affembly carry the following meffage from his Excellency to the House of Burgesses in answer to their message sent vesterday concerning the Governors house.

Gentlemen
Your hearty [See J. of H. of B., p. 181.]

And then the Council (that they might attend the business of the General Court) adjourn'd till to morrow morning 10 aclock

Thursday



Thursday May the 2d 1706

prefent

A

DM^D JENINGS, Jn^o Lightfoot, Dudley Diggs, Benj^o Harrifon, Robⁱ Carter, Jn^o Cuftis Elq^{ro}, M^r Com^{ro} Blair and W^m Churchill Elq^r

A bill Entituled an Ad agt Stealing Hoggs read the first time and ordered

a fecond reading

And then ye Council adjourned till to morrow morning 10 aclock.

Friday May the 3d 1706

prefent

DMUND JENINGS, Jnº Lightfoot Efqro, Mr Comry Blair, Philip Ludwell and Wm Churchill Efqro

A proposition from King and Queen County for making Milldams and bridges passable for Carts read and referred to ye consideration of ye House of

Burg*

A Grievance from King and Queen County concerning the bounds between that County and Effex read and Referred to ye confideration of the House of Burgs

The petition of Major Arthur Allen praying allowance for laying out ye Nattoway Indians land purfuant to the act of Affembly read and referred to ye confideration of the House of Burgesles.

And then ye Council adjourned till to morrow morning o aclock.

Saturday May the 4th 1706

prefent

DM^D JENINGS, John Lightfoot Elqrs, James Blair Comrs, Philip Ludwell & Wr Churchill Elqrs

The Grievances of princefs Anne County read and Referred to ye confider-

acon of the house of Burgesses.

The peticon of John Redwood for his Sallary as Keeper of y° publick Goal & the peticon of Jn° Redwood for allowance for entertaining 12 Indians two days were Severally read and referred to y° confideration of the house of Burgesses

An accot of Mr Cary for feveral Expences about ye Capitol Read & Referred to ye

confideration of the house of Burgesses.

And then the Council adjourned till Munday morning 9 aclock.

Munday May 6th 1706

prefent

JOHN CUSTIS Efqt, Mt Comty Blair, Philip Ludwell, Henry Duke & Wm Churchill Efqts

A bill Entituled an A& concerning the Collection of the publick & County Lèvys & for the better payment of the fame to the respective Cred's therein concern'd Read the first time and Ordered a 2^d reading.

A bill Entituled an Ad for prevention of Trespasses by unruly horses, Cattle, hoggs Sheep and Goats and by taking away Boats and Canoes read the first time and Ordered a 2^d reading.

A bill Entituled an Ad for establishing the General Court and for regulating & settling the proceedings therein, Read the first time and Ordered a second reading.

Philip Ludwell Efqt abfent. & Edmt Jenings & John Lightfoot Efqts prefent

A bill Entituled an A& againft Stealing hoggs read the fecond time and Committed for amendments.



A bill Entituled an Ad to prevent killing Deer at unfeafonable times read ye 2d time and ordered a third reading.

A bill Entituled an Act giving a Reward for killing of Wolves read ye 2d time and

Ordered a third reading.

A bill Entituled an Act concerning publick Claims read ye 2d time and ordered a third reading

A bill Entituled an Act for afcertaining the Gage of Barrells for pork, beef, Tarr and

pitch read the 2d time and ordered a third reading.

A bill Entituled an A&t to prevent the Clandestine transportation or carrying of persons in debt, Servants and Slaves out of this Colony read the second time and ordered a third reading.

A bill Entituled an Ad for regulating the Election of Burgeffes for fettling their priviledges and afcertaining their allowances read ye 2d time and Committed for amendmu

And then ye Council adjourned till to morrow morning 9 aclock.

Tuesday May 7th 1706

prefent

DMUND JENINGS, Jue Lightfoot, John Cuftis Elqte, Mr Comty Blair, Philip Ludwell, Wm Baffett, Henry Duke and Wm Churchill Elqte

A bill Entituled an AA concerning publick Claims read the 3d time and

paffed without amendment

A bill Entituled an AA giving a Reward for killing of wolves read the third time and passed without amendment

A bill Entituled an Act to prevent killing Deer at unseasonable times read the third time, and an Amendment made thereto, web being thrice read & agreed to

Refolved

That the Bili with ye amendment do pals.

Ordered

That the Clk of the General Affembly carry the above three bills to the house of Burgesses and acquaint them that the Council have passed two of them without amendment and have made an Amendment to ye other to we they desire the concurrence of that house.

Prefent His Excellency

Ordered

That the Clerk of the General Assembly carry the following written message from his Excellency to the house of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

Captain Thompson [See J. of H. of B., pp. 184-185.]

His Excellency ablent

A meffage from the Burgeffes to ye Council by M Peter Beverley & others who brought a Bill Entituled an Aâ for fettling the Militia and a Bill Ent^d An Aâ concerning Tithables to web they defire the Councils concurrence

A bill Ents an Ad for fettling the Militia read ye first time and ordered a Second

reading

A bill Ent^d an A& concerning Tithables read the first time and ordered a second reading.

A bill Ent's an Aa ag' Stealing hoggs being amended was read ye third time with ye

amendm^{ts}

Refolved

That the Bill with ye amendments do pass.

Ordered

That ye Clerk of the Gen¹¹ Affembly carry the faid bill to ye House of Burgesses and defire their concurrence to ye Councils amendments thereto.

And then ye Council adjourned till tomorrow morning 9 aclock

Wednesday



Wednesday May the 8th 1706

DMo JENINGS, Benjo Harrifon, Jno Cuftis Efqro, Mr Comro Blair, Philip Ludwell, Wm Baffett & Henry Duke Efgre

A bill Entd an Act for afcertaining the Gage of Barrells for pork, beef, turr & pitch read the 3d time and past without amendment

Jnº Lightfoot Efqt prefent

A bill Entituled an A& to prevent the clandeftine transportation or carrying of persons in debt, Servants and Slaves out of this Colony read the third time and passed without amendment.

W" Churchill Efqr prefent

A bill Entituled an Ad for encouragement of the Land Frontiers read the third time with ye amendments

Refolved

That ye Bill with the amendm's do país.

Inº Lightfoot Efgr abfent

A bill Entituled an A& for fettling the Militia read ye second time and committed for amendments.

A message from the Burgesses to ye Council by Mr Robert Beverley and others acquainting their Honrs that ye house of Burgesses upon consideration of his Excellers melfage on the unfortunate news of the spoils committed by the ffrench in the Weft Indies defire a Conference with ye Council on ye Subject matter of the faid meffage.

Refolved

That Edmd Jenings, Benja Harrison, Ino Custis and Philip Ludwell Esqua be Appointed to manage the Conference with the Burgesses on ye Subject matter of his Excellers message fent to the house yesterday.

Ordered

That y Clerk of the Gen! Affembly acquaint the houfe of Burgeffes that the Council agree to the Conference defired by that house and have appointed sour of their members to manage the fa Conference who will be ready immediatly in the Conference Room.

And then the managers went to ye Conference. And being returned Mr Secry Jenings Reported that they had mett the Burgesses and discoursed of sevil matters for the defence of the Country, but that ye Burgesses having no further power than to advise & discourse on the methods proper to be taken in this conjuncture, were returned to their House to report what had been proposed and debated.

A peticon of Rebecca penkethman widow praying leave to bring in a Bill for ye Sale of part of the lands of her deceas'd hufband for payment of his debts Read and Referred

to ye confideration of the house of Burgesses

And then the Council adjourned till to morrow morning 9 aclock.

Thursday May 9th 1706

prefent

DMUND JENINGS, Inº Lightfoot, Benja Harrison, Inº Custis Esque, Mr Comin Blair, Philip Ludwell, W" Baffett, W" Churchill Efqre Ordered

That Dudley Diggs and Henry Duke Efqrs be excufed from attending the Council while they are imployed in fettling the late Mr Audr Byrds accord

A bill Entituled an A& for regulating the Elections of Burgeffes for Settling their priviledges and afcertaining their allowances, read ye third time with ye amendments

Refolved

That ve bill with ye amendmes do pass



A bill Ent⁴ an A& for Settling the Militia read the third time with the amendm^{ta} Refolved

That the bill with ye amendmin do pass

Ordered

That the Clk of the Genⁿ Affembly carry the f^d bills with those passed yesterday to the house of Burgesses and desire their concurrence to the amendm^{ts} made thereto by the Council

A bill Entituded an Act concerning the collection of the publick and County Levys and for the better payment of y* fame to the refpective Creditors therein concerned read y* fecond time and Ordered a third reading

A bill Entituled an Ad for prevention of Trespasses by unruly horses Cattle hoggs, Sheep and Goats and by taking away Boats and Canoes read ye 2d time and Committed for amendments.

His Excellency prefent

A meffage to his Excellency from the House of Burgesses by Mr Wm Randolph and others who brought the following proceedings of the house in answer to his Excellere message concerning the Spoils committed by the firench in the West Indies "May it please Yor Excellency

"Having taken [See J. of H. of B., p. 187.]

His Excelley abfent

A bill Entituled an A& concerning Tithables read ye 2d time & ordd a third reading A bill Entituled an A& for eftablishing the Gen¹¹ Court and for regulating and Settling the proceedings therein read ye second time and Committed for amendments.

And then ye Council adjourned til to morrow morning o aclock.

Thursday [Friday] May the 10th 1706

DMUND JENINGS, John Lightfoot, Dudley Digges, Benj^a Harrifon, Jn^o Cuftis Efq^{ra}, M^r Com^{ra} Blair, Philip Ludwell, W^m Baffett, Henry Duke & W^m Churchill Efq^{ra}

A bill Entituled an Ad concerning Tithables being offerred for a third reading Some amendments were proposed to be made thereto, we being admitted and ye fd amendments twice read,

The bill with the amendmts was read the third time

Refolved

That the bill with ye amendments do país.

A bill Entituded an Act for preventing Trefpaffes by unruly horfes, Cattle hogs fheep and Goats and by taking away boats and Canoes read ye 3d time with the amendment and ye question be [being] put that the amendment be added to the bill

It paffed in the Negative

Refolved

That the Bill be passed without amendment

A bill Entituled an Act concerning the Collection of the publick and County Levys and for payment of the fame to the respective Creditors therein concern'd Read the third time and passed without amendment

A bill Entituled an Act for establishing the General Court and for regulating and Settling the proceedings therein Read the third time with ye amendmis

Refolved

That the Bill with the amendments do país.

Ordered

That the Clerk of the General Affembly carry the aforefaid Bills to the House of Burgesses and desire their concurrence to such amendm's as are made thereto by the Council.



A message from the house of Burgesses to ye Council by Mr Miles Cary & others who brought the following Bills viz a Bill Entituded an Ad concerning Servants and Slaves, A bill Entituded an Ad for making, Clearing and repairing the high ways and for clearing the Rivers and Creeks. A bill Entituded an Ad for the more speedy and easy prosecution of Slaves committing Capital Crimes. A bill Entituded an Ad concerning Marriages. A bill Entituded an Ad concerning Waiss and Strays, and a bill Ente an Ad for regulating Ordinarys for restraint of tipling houses, to we they desire the Councils concurrence.

And then the Council adjourn'd till to morrow morning a aclock.

Saturday May 11th 1706

prefent

DM^D JENINGS, Benja Harrison, John Custis, Henry Duke and W'' Churchill Esquare

A bill Entituled an $A\mathcal{A}$ concerning Waifts and Strays read the first time and Ordered a second reading.

A bill Entituled an $A\hat{\alpha}$ concerning marriages read the first time and ordered a Second reading.

A bill Entituled an Adt for the Speedy and easie profecution of Slaves committing capital Crimes read the first time and ordered a second reading.

A bill Entituded an A& for making Clearing and repairing the highways and for Clearing the Rivers and Creeks read ye first time and ordered a second reading

A bill Entituled an A& for regulating Ordinarys and reftraint of tippling houses Read the first time, and ordered a second reading

A bill Entituled an Act concerning Servants and Slaves read the first time and Ordered a Second reading.

Jnº Lightfoot, Dudley Diggs Efqrº, Mr Comr

Blair, Philip Ludwell & William Baffett Efqr

Prefent

A meffage from the house of Burgesses to the Council by Mr William Randolph and others acquainting their Honrs that the house had agreed to ye amendme made by their Honrs to ye several following bills and had inserted them therein viz to the Bill for limitation of actions and avoiding of Suits the bill concerning Jurys, the Bill to prevent killing Deer at unseasonable times the Bill declaring who shal not bear Office in this Country, the Bill for regulating the election of Burgesses for settling their priviledges and ascertaining their allowances, and to ye bill for Establishing the General Court & for regulating and settling the proceedings therein.

And the faid Bills being Examined,

Ordered that the Clerk of the General Affembly return them to the house of Burgesses and acquaint them that ye Council have passed ye same as amended.

A message from the house of Burgesses to the Council by Mr Peter Beverley and others, that the house had agreed to their amendmis made to the bill Ents an A& prescribing the method of appointing Sheriss & Limiting the time of their continuance in office and directing their duty therein with a small amendment to we they desire the concurrence of y Council.

Refolved

That the amendm proposed by the Burgesses to the Councils amendm to the $\mathrm{f}^{\mathtt{d}}$ Bill be agreed to

Ordered

That the Clk of the General Affembly carry back ye for bill to ye house of Burgesses and acquaint them that ye Council agree to ye amendme proposed by them.

A meffage from the house of Burgesses to the Council by Mr Miles Cary and others that the House had agreed to the amendm's made by their Honse to the bill Entituled an Aā declaring how long Judgements, Bonds obligations and Accou shall be pleadable, & and had inserted them therein.

And



And the amendments being compared With yo bill

Ordered, that the Clk of the Gen¹¹ Affembly return the f⁴ bill to y^e House of Burg* and acquaint them that y^e Council have passed y^e same as amended.

His Excellency prefent

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency and the Council to the House of Burgesses

M' Speaker and Gent of the House of Burgesses

His Excellency and the Council having [See J. of H. of B., p. 191.]

A petition of Rich⁴ Ligon praying allowance for laying out five thousand and fourty acres of Land for the French Refugees at Manicantown read and referred to the confideration of the house of Burgesses

His Excellency prefent

A meffage from the Burgeffes to ye Council by Mr Rob' Beverley & others that the House had agreed to part of the amendments made by their Hon's to the Bill Entituled an A& ag' Stealing hoggs and to the rest of the amendm's they could not agree, and therefore desire the Council to pass the bill whout them.

Refolved

That the Council do not insist on so much of their amendm's to ye sd bill as are

difagreed to by the house of Burgesses.

A meffage to the Council from the House of Burgesses by M^r Peter Beverley and others that the House had agreed to part of the amendmta made by their Honta to the Bill Enta an $A\mathcal{A}$ concerning Tithables, and to y^e rest they could not agree, and therefore desire that the Council will pass the Bill without them.

Refolved

That the Council do not infift on fo much of y^{ϵ} faid amendments as are difagreed to by the house of Burgelles.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the two last mentioned Bills to the House of Burgesses and acquaint them that the Council are content to pass ye same without ye addition of so much of their amendm¹³ as that house have disagreed to.

And then ye Council adjourn'd till Munday morning o aclock.

Munday May 13th 1706

prefent

DMUND JENINGS, Benjo Harrison, Robert Carter Esq., James Blair Com., Philip Ludwell, W. Churchill Esq.

A Memorial of Coll^o Fitzhugh for Leave to keep a fferry over Potomack between Virginia and Maryland Read and referred to ye confideracon of the House of Burgesses.

A bill Entituled an A& for making, Clearing and repairing the highways and for Clearing the Rivers and Creeks read ye 2d time and Committed for amendmts

A bill Entituled an AA for the more eafy profecution of flaves committing Capital Crimes read ye fecond time and Ordered a third reading.

A bill Entituled an $A\mathcal{A}$ concerning marriages read the fecond time and Committed for amendments

A meffage to the Council from the House of Burgesses by M^r Rich⁴ Bland and others who brought the Bill Entituled an A& concerning Tithables and y^e Bill Ent⁴ an A& ag⁴ Stealing hogs and acquainted their Hon⁷⁸ that the House had inserted y^e amendments in the said Bills as agreed unto by their Hon⁷⁸

A bill Entituled an Act for regulating Ordinarys and reftraint of tippling houses read the Second time and Committed for amendments.

A bill Entituled an Act concerning Waifts and Strays read the 2^d time and an amendment made thereto, and ordered to be read a third time

And then ye Council adjourn'd till to morrow morning 8 aclock.

Tuefday



Tuesday May the 14th 1706

prefent

F.

DMUND JENINGS, Dudley Digges, Benjo Harrifon, Robert Carter Efq., James Blair Com., Philip Ludwell and W. Churchill Efq.

A Bill Entituled an A& concerning Waifts and Strays read the third time with the amendments

Refolved

That the Bill with ye amendments do país.

A bill Entituded an Ad for the Speedy and eafie profecution of Slaves committing Capital Crimes read the third time and passed without amendment.

A bill Entituled an Aĉi for regulating Ordinarys and reftraint of tippling houses read the third time with the amendments

Refolved

That the bill with the amendments do país,

A mcffage from the house of Burgesses to y. Council by Mr Bland and others that the House had inserted the amendments in the Bill Entituded an Ad prescribing the method of appointing Sherifs and limiting the time of their continuance in office and directing their duty therein according as they had been agreed unto by their Hones and that house.

Ordered, that the Clerk of the Gen¹¹ Affembly Return ye faid Bill with the Bill concerning Tithables to the house of Burgesses and acquaint them that ye Council have

paffed ye fame as amended.

John Lightfoot & Henry Duke Efq 10 present

A bill Entituled an Act for making, Clearing, and repairing the high ways and for Clearing the Rivers and Creeks read the third time with ye amendments

Refolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the Gen^{II} Affembly carry to the house of Burgesses the several bills passed this day by the Council, and acquaint them that the Council desire their concurrence to such amendments as are proposed by their Hon^{II} to y^e so Bills.

A message from the Burgesses to y^s Council by M^r William Edwards and others who brought the following bills passed by the house Viz a bill Entituded an AA for settling and ascertaining the current rates of forreign Coins in this Dominion. A bill Ent^d an AA for encouragement of building Water Mills. A bill Entituded an AA directing the manner of Levying Executions, and for relief of poor prisoners for Debt, to which they desire the Councils concurrence.

The feveral petitions of the Veftry of James City parish and of the Inhabitants of the Lower part of Wilmington parish Read and referred to ye consideracon of the house of Burgesses

And then the Council adjourned till to morrow morning 8 aclock.

Wednesday May 15th 1706

prefent

No LIGHTFOOT, Dudley Digges, Benjo Harrifon, Robi Carter Efqio and James
Blair Comty

A bill Ent^d an Act for Settling and afcertaining the current Rates of forreign Coines in this Dominion, read the first time and ordered a Second reading

A bill Entituled an $A\hat{a}$ for encouragement of building Water Mills read y^e first time and Ordered a Second reading.

A Bill Entituled an Act directing the manner of Levying Executions and for Relief of poor prisoners for debt read the first time and ordered a second reading

Wm Baffet & Henry Duke Efgrs prefent

A message from the house of Burgesses to ye Council by M. Peter Beverley & others who brought the Bill Entituled an AA for improving y. Staple of tobacco and for regulating the



the Size and Tare of tobacco hogfh⁴, and acquainted their Hon's that the house had agreed to part of the amendm's proposed by them to ye self bill, and to others they cannot agree, and therefore desire their Hon's will be pleased not to insist any further on ye said amendm's so disagreed to

Edm^d Jenings Efq^r prefent

A bill Entituled an A& concerning Servants and Slaves read the fecond time, & Committed for amendm¹²

A bill Entituled an All concerning Marriages read the third time with y^e amendments Refolved

That the Bill with the amendments do pafs.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid Bill to the house of Burgesses and desire their concurrence to y^e amendm¹³ made thereto by y^e Council

And then ye Council adjourn'd till to morrow morning 8 aclock.

Thursday May 16th 1706

prefent

DMUND JENINGS, John Lightfoot, Benja Harrison Esqua, Mr Comry Blair, Philip Ludwell, Wm Baffett & Henry Duke Esqua

A bill Ent^d an Ad concerning the Church Clergy and other parochial affairs Read the third time with y^e amendments

Refolved

That the Bill with the amendments do pals

Ordered, that the Clerk of the Gen¹¹ Affembly carry y^e i^d bill to y^e house of Burgesses and desire their concurrence to the amendments made thereto by y^e Council

A bill Entituled an A& fettling and afcertaining the Current Rates of forreign Coines in this Dominion Read ye 2d time and Committed for amendmin

Robert Carter Elgr present

A Bill Entituled an A& for encouragement of building Water Mills read ye fecond time and an Amendment made thereto,

Ordered

That the Bill with the amendmt be read a third time

And then the Council adjourn'd till to morrow morning 9 aclock.

Tuesday [Friday] May the 17th 1706

prefent

DMUND JENINGS, Benjo Harrison, Robi Carter Esqui, James Blair Comr, Philip Ludwell, Wm Bassett & Henry Duke Esqui

A bill Entituled an A& for fettling and afcertaining the Current rates of forreign Coines in this Dominion read the third time with the amendments

Refolved

That the bill with the amendments do país

Ordered

That the Clerk of the General Affembly carry the faid Bill to ye House of Burgesses and acquaint them that ye Council have passed ye same with some amendment to we they desire the concurrence of that House.

The



The Council having taken into confideration the amendment made by them to you Bill Entituled an All for improving the Staple of Tobacco, and for afcertaining the Size and Tare of tobacco hoghids, we'll the house of Burgesses have disagreed to,

Refolved

That y Council do not infift on fo much of their amendm as are difagreed unto by the house of Burg and by the house of Burg and by the house of Burg and burg are the burg are the burg and burg are the burg and burg are the burg are t

Ordered

That ye Clk of the Genn Affembly Carry the faid bill to ye house of Burgesses and acquaint them therewith.

A bill Entituled an Ad for the encouragement of building Water mills read ye third time with ye amendments

Refolved

That the Bill with ye amendmt do pass

A Bill Entituled an $A\mathcal{A}$ concerning Servants and Slaves read y^e third time with the amendm te

Refolved

That ye bill with ye amendm's do pass.

Ordered

That the Clerk of the Gen" Affembly carry the faid Bills to ye House of Burgesse and acquaint them that the Council have passed the same with several amendments to we they desire the concurrence of that house.

A peticon of Miles Cary W^m Buckner & W^m Robertfon Attorneys of Coll^o Francis Nicholfon praying that directions may be given for Conveying the Country houses to the f⁴ Coll^o Nicholfon according to an Ordinance of Affembly read & refer'd to y^c confideration of the house of Burg^a

And then the Council adjourned till to morrow morning 8 aclock.

Saturday May 18th 1706

prefent

DMUND JENINGS, John Lightfoot, Benj³ Harrifon, Rob¹ Carter Efq¹³. James Blair Com¹⁷, Philip Ludwell, W^m Baffett, Henry Duke Efq¹³

A bill Entituled an Aĉt directing the manner of Levying executions and for relief of poor prisoners for debt, read the 2d time, and an amendmi being made

thereto,

Ordered, that ye bill with ye amendm be read a third time.

A meffage from the Burgeffes to the Council by M^r Miles Cary & others who brought a Bill Entituled an Act for laying an Imposition on Liquors & Slaves to wen they defire the concurrence of the Council.

A petition of Edward Creekmore and others complaining of encroachments made by the Officers of the Governm of Carolina in exacting Quittrents of them the they hold their Land by patents from Virginia, Read and Referred to ye confideracon of the House of Burgesses.

A bill Entituled an A& for laying an Imposition upon Liquors & Slaves Read the first time and Ordered a Second reading

And then the Council adjourn'd till Munday morning 8 aclock

Munday May 20th 1706

prefent

DMUND JENINGS, Rob' Carter & James Blair Efq's
The Council adjourned till to morrow morning 8 aclock



Tuefday May 21st 17.06

prefent

UDLEY DIGGES, Benjo Harrifon, Robi Carter Efquo, James Blair Comro and Henry Duke Efqu

A meffage to ye Council from the house of Burgesses by Me Miles Cary & others who acquainted their Hones that ye house had agreed to ye amendments proposed by them to the bill Entituled an Ad concerning marriages, to the Bill Ente an Ad concerning Waists and Strays, to ye Bill Ente an Ad for encouragement of building water Mills and to ye Bill Ente an Ad for regulating Ordinarys and restraint of tippling houses, and that the house had also inserted ye amendment made by their Hones to ye bill Ente an Ad for improving the Staple of tobacco and for regulating ye Size and tare of tobacco hogsheads And also brought the bill Ente an Ad concerning Servants and Slaves, and acquainted the Council that the House had agreed to part of their Hones amendment and to part they could not agree, and desired the Council to pass ye bill without those amendments

Edmund Jenings & Ino Lightfoot Efqrs present

The amendments made by the Council to the Bill Entituled an Aâ concerning Servants and Slaves being read

Refolved

That ye Council do not infift on fo much of the faid amendments as are difagreed unto by the house of Burgesses

Ordered

That y' Clerk of the General Affembly carry back the faid bill to the House of Burgesses and acquaint them that y' Council do not insist on y' same Amendments.

Ordered

That the Clerk of the Gen¹¹ Affembly carry to y^e house of Burgesses the several bills sent up this day from the Burgesses and acquaint them that y^e Council have passed y^e same as amended.

A bill Entituled an Ad directing the manner of Levying Executions and for relief of poor prifoners for debt read the third time with ye amendmin

Refolved

That ye bill with ye amendments do pass.

Ordered

That ye Clk of the Genⁿ Affembly carry the faid bill to ye house of Burgesses and acquaint them that the Council have agreed thereunto with some amendments to we they desire the concurrence of that House

The peticon of John Holt praying leave to keep a fferry over James River Read and

Referred to ye confideration of the house of Burgesses

A bill Entituled an Ad laying an Imposition on Liquors and Slaves read the 2d time and ordered to ly on yo table for a third reading.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the following meffage from the Council to ye house of Burgesses

M' Speaker & Gent, of the house of Burgeffes

The Council being desirous [See J. of H. of B., p. 199.]

And then ye Council adjourned till to morrow morning 8 aclock.

Wednesday May 22d 1706

prefent

DMP JENINGS, Jnº Lightfoot, Dudley Digges, Benjº Harrifon, Rob' Carter Efq', James Blair Com', Philip Ludwell, W' Baffett and Henry Duke Efq' A message to the Council from the House of Burgesses by M' Miles Cary and others desiring a Conference with their Hon', on ye Subject matter of their

last message.

Refolved



Refolved

That ye Council do agree to ye Conference defired by the Burgesses, and Benje Harrison Esq. Robs Carter Esq. & Mr Comrs Blair were appointed Managers

Ordered

That the Clerk of the General Affembly go to ye house of Burgesse and acquaint them that the Council agreed to the Conference desired by that house on ye Subject matter of the Councils last message, and have appointed three of their members to meet such a number of Burgesses as that house shall think fitt and that ye managers for the Council are now ready in the Conference Room.

His Excellency prefent

Ordered

That the Clerk of the Genⁿ Affembly carry the following meffage from his Excellency to the House of Burgeffes,

Gentlemen

The danger that threatned us from the power of [See J. of H. of B., pp. 200-1.]

And then ye Council adjourned till to morrow morning 8 aclock.

Thursday May 23d 1706

prefent

DM^D JENINGS, Jn^o Lightfoot, Dudley Digges, Benj^o Harrifon, Robert Carter Efq^{ro}, Ja Blair Com^{ro}, Philip Ludwell, W^m Baffett & Henry Duke Efq^{ro}

A meffage to the Council from the Burgesses by M^r Rob^r Beverley and others

who brought the Bill Entituled an A& for fettling and afcertaining the Current rates of forreign Coines in this Dominion and acquainted their Hon's that the house disagreed to all their amendm's to ye so Bill and desired that the Bill may be passed without them.

Ordered

That the faid Bill ly upon the Table.

A petition of Robert Beverley George Marable & Jnº Geddes Gent's praying a Grant of ye Bricks of the old State house at James town for building a Court house there Read and Referred to the consideration of the house of Burgesses.

A meffage to the Council from the Burgeffes by M^r W^m Randolph & others who brought the following Refolves in answer to their Hon's meffage concerning an exception in y^e bill for laying an Imposition on Liquors and Slaves, w^{ch} Resolves are as follow.

"Refolved, that leave be given to ye Council to amend the bill for Laying an Impo-

"fition upon Liquors and Slaves according to their melfage.

"Refolved, that yo amendment proposed be made in this manner, To witt, by striking "out a proviso in yo said Bill in these words "Provided nevertheless and it is hereby Enasted "and declared that no Custom or duty whatsoever shal be exacted or paid for Beer of any sort "imported in any ship or Vessell wer shal come directly from England, Wales or the town of "Berwick upon Tweed, if the same were Laden or put on board to be spent in such Ship or "Vessell for the use of the Company belonging to her, and upon no other account whatsoever, "but that all such Beer shal remain & continue exempt and free from any Imposition duty or "Custom imposed by this act as if this act had never been made.

And inferting in ye room thereof a provifo in these words, "provided nevertheless "and it is hereby Enacted & declared that no duty or Custom whatsoever shal be required "or paid for any of the Liquors before enumerated web shal come directly from England "Wales or the Town of Berwick upon Tweed, but that all such Liquors shal remain and "continue exempt and free from any Imposition duty or Custom Levyed or raised by

"this act as if this act had never been made.



Then the Bill Entituded an Act laying an Imposition on Liquors & Slaves being amended according to ye above Resolves, the said Bill and amendmes were read ye third time

Refolved

That the Bill do pafs.

Ordered

That the Clk of the Gen¹¹ Affembly carry y^e f^d bill to the house of Burgesses, and acquaint them that the Council have inserted therein the amendments sent up by that house and have passed the same accordingly.

A message from the Burgesses to ye Council by Mr Rob Beverley & others who brought the following bills viz a bill Ent⁴ an Aêt concerning the granting Seating and planting and for Settling the titles and bounds of Lands & for preventing unlawful shooting & Ranging thereupon, and a bill Entituled an Aêt directing ye duty of Surveyors of Land & ascertaining their spees to we'th they desire the Councils concurrence.

And then ye Council adjourned till to morrow morning 8 aclock

Friday May the 24th 1706

prefent

DMUND JENINGS, In Lightfoot, Benje Harrifon Efq., Mr Comry Blair, Philip Ludwell, Wm Baffett & Henry Duke Efq.

A bill Entituled an Act directing the duty of Surveyors of Land & afcertaining

their fees read the first time and ordered a second reading.

A bill Entituded an $A\mathcal{A}$ concerning the granting, feating and planting \mathcal{O} for fettling the titles and bounds of Lands and for preventing unlawful fhooting and ranging thereupon read the first time and ordered a second reading.

And then ye Council adjourned till to morrow morning 8 aclock

Saturday May 25th 1706

prefent

DMUND JENINGS, Jnº Lightfoot, Benja Harrifon Esque, James Blair Comy,

Philip Ludwell, W" Baffett & Henry Duke Efqrs

A meffage from the Burgesses to ye Council by Mr Robert Beverley & others who brought 17 Inrolled bills passed this Assembly and acqued the Council that the Burgesses had Examined them, & had sent them up to their Hones for their Satisfaction.

Ordered

That ye Clerk of the Gen¹¹ Affembly carry back ye fd Bills to ye house of Burgesses and acquaint them that ye Council have inspected them & are satisfyed they are truly Inrolled.

His Excelley present

Ordered

That y* Clerk of the General Affembly go to the house of Burgesses & acquaint them that his Exceller commands their immediate attendance on him in the Council Chamber, and that they bring with them such bills as are ready for his Excellers affent.

The House of Burgesses attending, Mr Speaker addressed himself to his Excy to this

effect.

May it please Yor Excellency

The House of Burgesses do humbly present to y' Exceller several bills web have been

passed by the Council and themselves, and they pray y affent to them

The first is a Bill for laying an Imposition upon Liquors & Slaves, web is designed for raising a Fund to build such a house as shall be fitt for the residence of yor Exceller and yr Successors the Governors of this Country: This they hope will be accepted as



the best testimony they can give of their duty and loyalty to her Majesty and of their particular respect & esteem for yor Exceller, and they likewise hope that so suitable an offering of the first fruits of their consultations will be taken as an earnest of those endeavors they will always use to preserve a good understanding with yor Excellency.

The other bills (Except one) are part of that great work the Revifal of the whole body of the Laws of this Country, we having been long in agitation the Success is expected with impatience, and if it be now brought to perfection, the present Generation will not only be made happy, but posterity will for ever celebrate y Excellencys name.

Then his Excellency was pleafed to give his affent to the following bills, ye fame

being Signed as usual by his Excellency and the Speaker viz

An Act for laying an Imposition on Liquors and Slaves.

An All for regulating the Elections of Burgeffes for fettling their priviledges & afcertaining their allowances.

An Ad prefcribing the method of appointing Sherifs, declaring the time of their continuance in office, and directing their duty therein.

An Act declaring who shal not bear office in this Country

An Act against importing tobacco from Carolina and other parts without the Capes of Virginia

An Ad afcertaining the Gage of Barrells for beef, pork, Tarr and pitch

An A& concerning Tithables

An AA concerning publick Claimes

An All concerning the Collection of the publick and County Levys and for paying the fame to the refpective Credes therein concerned

An Ad directing the building and maintaining of prifoners, pillorys whipping pofts, Stocks and Ducking Stocks in each County.

An A& for the Speedy and easie prosecution of Slaves committing capital Crimes.

An Ad to prevent the claudestine transportation of persons in debt, Servants & Slaves out of this Country.

An Act concerning Waifts and Strays

An A& ag' Stealing hoggs

An Ad for prevention of Trefpaffes by unruly horfes Cattle hoggs Sheep & Goats & by taking away Boats and Canoes.

An Act giving a Reward for killing of Wolves, and

An Ad for the encouragement of the Land Frontiers.

After which his Excellency was pleased to say to this effect, That he thanked the Burgs for the first Act presented to him laying an Imposition on Liquors and Slaves towards building a house for the Governor, that he would not sail to represent to her Majesty the duty and loyalty her Subjects of Virginia had showed in so readily complying with her Majese commands, and that he thought himself particularly obliged to them for carrying on so desired a work in his time, and assured them his utmost endeavors & interest should not be wanting to do the Country Service. That as Mr Speaker had observed, the Revisal of the Laws was a work expected with impatience, and he was extremely pleased to perceive that they had already proceeded so great a length therein and should reckon it as a particular happiness to see the whole completed in some short time.

And then the Burgeffes withdrew

And the Council adjourned till Munday morning 9 aclock

Munday May 27th 1706

preient

DMUND JENINGS, John Lightfoot, Benjo Harrifon Esque, James Blair Comy and Philip Ludwell Esqu

A bill Entituled an Act directing the duty of Surveyors of land & afcertaining

their fees, read ye 2d time and amended at ye Board.

Ordered

That the bill with the amendments be read a third time



A message from the house of Burgesses to ye Council by Mr Miles Cary & others who brought the bill Entituled an AA for establishing the County Courts & for regulating and fettling the proceedings therein & directing the manner of granting probates of Wills and administrations of Intestates Estates and a bill Entituled an Ad for the better securing the Liberty of the Subject, to which they defire the Councils concurrence. And also brought the Bill Enta an Act concerning Servants and Slaves, and the bill Entituled an A& directing the manner of Levying Executions and for relief of poor prisoners for debt. and acquainted the Council that the house had inserted ye amendmin in ye so Bills as agreed unto

Then ye amendmes to ye aforefe bills being Examined

Ordered

That ye Clerk of the Gen¹¹ Affembly carry ye for bills to ye house of Burgesses and acquaint them that ye Council have passed ye same as amended

And then ye Council adjourned till to morrow morning 8 aclock

Tuesday May 28th 1706

prefent

DMUND JENINGS, John Lightfoot, Dudley Digges, Benje Harrison Esque and James Blair Comry

A peticon of Edmund Jenings Efq Secry praying allowance for 572 Military Commissions read and referred to ye consideration of the house of Burgesses. A bill Entituled an A& directing the duty of Surveyors of Land and afcertaining their fees, read the third time with ye amendments

Refolved

That the bill with ye amendments do pass

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid Bill to the house of Burgesses. and acquaint them that the Council have agreed thereto with fome amendments to which they defire the concurrence of that House.

Philip Ludwell and Henry Duke Efq13 prefent

A bill Entituled an A& for establishing the County Courts, and for regulating and Settling the proceedings therein, and directing the manner of granting probates of Wills and administrations of Intestates Estates read the first time, and ordered a 2d reading

A bill Entituled an Ad for the better fecuring the liberty of the Subject read the first time, and ordered a fecond reading

And then ye Council adjourned till to morrow morning 9 aclock

Wednesday May 29th 1706

prefent

DMD JENINGS, John Lightfoot, Dudley Digges, Benja Harrison Esqua, James Blair Comry, Henry Duke Efqt

A melfage from ye house of Burgesses to ye Council by Mr Nathaniel Harrifon and others who brought a Bill Entituled an Act for fettling the dividing lines between the County's of prince George, Surry, Isle of Wight and Nanfemond on y'

Southfide the Blackwater fwamp to weh they defire ye Councils concurrence.

A meffage from the house of Burgesses to ye Council by Mr Rob' Beverley and others that ye house had agreed to the amendmin proposed by their Honra to ye bill Entituled an AA for making, Clearing and repairing the highways & for clearing yo Rivers and Creeks and to ve bill Ent's an A& directing the duty of Surveyors of Land and afcertaining their fees, and had injerted them therein That ye house had also agreed unto part of ye amendmts proposed by their Honts to ye bill concerning the Militia with an amendmt, and to others they could not agree and defired the Council to pass ye for bill with such of ye amendmts only as the house have agreed unto



A meffage from the house of Burgesses to y^e Council by M^r Rob^t Beverley and others who brought an order of that House for appropriating the bricks of the old State house at Jamestown to y^e use of y^e s County to w^{ch} they defire the Councils concurrence.

Which order was read & agreed unto & is as follows

Ordered

That y' Bricks of y' old State house at James town be appropriated to y' use of James City County for the building a Court house in y' said County, and that no person presume to make use of the said Bricks on any other account whatsoever.

The amendments to the Bill Ent⁴ an Aâ direâing the duty of Surveyors of Land and afcertaining their fees, and to y^e bill Ent⁴ an Aâ for making Clearing & repairing the high ways and for clearing the Rivers and Creeks being compared as inserted in the Bills

Ordered

That y° Clk of the General Affembly carry back the fd Bills to y° house of Burgesses, and acquaint them that y° Council have passed y° same with y° amendmd agreed unto by their Honro & that house. And that y° Clk of y° Gen' Affembly acquaint y° house that y° Council have agreed to y° order for appropriating y° bricks of the old State house at James Town to y° use therein mentioned.

A bill Entituled an A& for fettling the dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nansemond on y Southfide Blackwater swamp read

the first time and ordered a 2d reading.

The amendm's proposed by the Council to y' bill Ent^a an Aâ for fettling y' Militia, and disagreed to by the house of Burgesses being read

Ordered

That ye fame ly upon ye table for further confideration

A bill Entituled an Ad for the better fecuring the Liberty of the Subject read ye fecond time and Ordered a third reading.

And then ye Council adjourned till to morrow morning 9 aclock.

Thursday May 30th 1706

present

DM^D JENINGS, Jn^o Lightfoot, Dudley Diggs, Benj^o Harrifon, Robⁱ Carter Elq^{ro}, James Blair Com^{ty} & Henry Duke Elq^r

A bill Entituled an Ad for the better fecuring y' liberty of y' Subject read the third time and passed without amendment

Ordered

That ye Clk of the Gen^{II} Affembly carry the faid bill to ye house of Burgesse & acquaint them that ye Council have agreed thereto without amendme

A meffage from the Burgeffes to y* Council by Mr Miles Cary and others who brought the Bill Entituled an Ad concerning the Church Clergy and other parochial affairs, and acquainted the Council that the house had agreed unto some of the amendments proposed by their Honrs to y* said Bill and to y* other of their amendm* had disagreed, and defired their Honrs not to insift upon so much of y* said amendm* as are disagreed unto by the House.

A bill Entituled an Ad concerning the granting, Scating and planting and for fettling the Titles and bounds of lands and for preventing unlawful fhooting and ranging thereupon read the fecond time and Committed for amendments.

A meffage to ye Council from the Burgeffes by Mr Rob' Beverley & others who brought a Bill Entituled an A& for Naturalizacon, and a bill Entituled an A& confirming the Naturalizacon of Johna Mulder and others, to we's they defire the Councils concurrence.

A bill Entituled an Ad confirming the Naturalization of Joshua Mulder & others. and A bill Entituled an Ad for Naturalization, were read you first time and Ordered a Second reading

And then ye Council adjourn'd till to morrow morning 9 aclock.



Friday May the 31st 1706

Prefent

DMUND JENINGS, John Lightfoot, Dudley Diggs, Benj^a Harrifon, Rob^t Carter Efq^{to}, Ja Blair Com^{to}, Philip Ludwell and Henry Duke Efq^{to}

A meffage from the Burgesses to ye Council by Me Wm Randolph and others who brought a Bill Entituded an Act declaring the Negro, Mulatto and Indian Slaves within this Dominion to be real Estate, and a Bill Ent⁴ an Act for prevention of misunderstandings between the Tributary Indians & other her Majestys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatsoever, to we'they desire the Councils concurrence.

A bill Entituled an Act declaring y' Negro, Mulatto & Indian Slaves within this

Dominion to be real Eftate read ye first time and Ordered a 2d reading

A bill Entituled an A& for prevention of mifunderstandings between the Tributary Indians and other her Majestys Subjects of this Colony & Dominion & for a free & open trade with all Indians whatsoever Read y* first time & ordered a Second reading.

The Council took into confideration the bill concerning ye granting feating & planting and for Settling ye titles and bounds of Lands and for preventing unlawful Shooting and ranging thereupon, and made feveral amendments thereto, and

Ordered

That ye bill with ye amendmes be read a third time.

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June ye 1st 1706

prefent

DMUND JENINGS, John Lightfoot, Benjo Harrifon, Robi Carter Efqro, Ja Blair Comro, Philip Ludwell & Henry Duke Efqro

A message to the Council from the Burgesses by M^t W^m Robinson & others who brought the following Bills past by the Burgesses viz a bill Entituded an Atlaying an Imposition upon skins & furrs for the better Support of y^t College of William and Mary in Virginia. A bill Entituded an Atlaying the strench Resugess settled at y^t Manakin town & parts adjacent a distinct parish by themselves, and exempting them from the payment of publick and County Levys untill the 25th day of November 1708. A bill Entituded an Atla to prevent Indians hunting and ranging upon patented Lands. A bill Entituded an Atla for enlarging the power of the Sherif attending the General Court, and a bill to prevent Ships sailing in contempt of Embargos, To weh they desire the Councils concurrence.

A bill Entituled an Act concerning the granting, Scating and planting & for Settling the titles and bounds of Lands and for preventing unlawful fhooting & ranging thereupon, Read ye third time with the amendmin

Refolved

That ye bill with the amendments do país.

A bill Entituled an Act laying an Imposition upon Skins & furrs for the better Support of the College of W^m & Mary in Virginia read the first time and ordered a second reading

A Bill Entituled an AA making the French Refugees inhabiting at the Manakin town and parts adjacent a diftind parifh by themselves and exempting them from the payment of publick & County Levys untill the 25th day of Decem 1708, Read the first time and Ordered a second Reading.

A Bill Entituled an A& to prevent Indians hunting and ranging upon patented Lands

read the first time and Ordered a second reading.

A Bill Entituled an Act for enlarging the power of the Sherif attending the Gen'i Court read the first time and Ordered a second reading.

A bill Entituled an Ad to prevent flips failing in contempt of Embargoes read the first time and Ordered a second reading.

And then ye Council adjourned till Munday morning 8 aclock.

Munday



Munday June 3d 1706

prefent

No LIGHTFOOT, Rob' Carter Elq's, Ja Blair Com's, Philip Ludwell Elq'
A meffage from the Burgeffes to ye Council by M' Miles Cary and others, that the Burgeffes have passed a bill Entituded an ad for restraining and punishing of Pirates and Sea Robbers, and a bill Entituded an Ad appointing a Treasurer and desire the Councils concurrence thereto.

Edmund Jenings Efq' prefent

A Bill Entituled an $A\hat{a}$ for fettling the dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nansemond on y^e Southfide Blackwater fwamp read the second time and amended and Ordered a 3^d reading.

A bill Entituled an Aâ for Naturalizacon read the second time & Ordered a third reading.

A bill Entituled an $A\hat{a}$ confirming the Naturalization of Joshua Mulder \hat{c}^{a} others read the z^{a} time and ordered a third reading.

A bill Entituled an A& to prevent Indians hunting and ranging upon patented Lands read y fecond time & amended & Ordered a third reading.

A bill Entituled an Act for enlarging the power of the Sherif attending y Gen¹¹ Court read y 2^d time and amended and Ordered a 3^d reading

A bill Entituled an Aâ to prevent fhips failing in contempt of Embargos read the 2^d time and ordered a third reading.

A Bill Entituled an Ad making the firench Refugees inhabiting at y Manakin town and the parts adjacent a diftind parifh by themfelves, and exempting them from the payment of publick and County Levys untill the 25th day of December 1708, Read y fecond time and ordered a third Reading.

A Bill Entituled an Ad laying an Imposition upon skins & furrs for the better Support of the College of William and Mary in Virginia read the 2^d time, and ordered a third reading.

A bill Entituled an Aâ declaring the negro, Mulatto, and Indian Slaves within this Dominion to be real Eftate, Read ve second time, and ordered a third reading.

And then ye Council adjourn'd till to morrow morning 8 aclock.

Tuesday June ye 4th 1706

prefent

Philip Ludwell Esq^t and Philip Ludwell Esq^t

A bill Entituled an A& for fettling the dividing Lines between the Countys of prince George Surry Isle of Wight and Nansemond on y* fouth fide Blackwater fwamp read the third time with y* amendm**

Refolved

That ye bill with ye amendmts do pass

A bill Ent's an AA to prevent Indians hunting and ranging upon patented Lands read ye third time with the amendments

Refolved

That ye bill with ye amendments do país

A bill Entituled an $A \partial t$ for enlarging the power of the Shcrifs attending y^* Gen¹¹ Court Read y^* third time with y^* amendments

Refolved

That ye bill with ye amendmis do pass.

A bill Entituled an All declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Eftate read ye third time with ye amendmis

Refolved

That the bill with ye amendments do pass



Ordered

That y' Clerk of the General Affembly carry the faid four bills to y' house of Burgesses and acquaint them that y' Council have agreed thereto with several amendm' to w' they desire the concurrence of that house.

A bill Entd an A& for Naturalizacon read ye 3d time & passed wthout amendmt

A bill Entituled an $A\partial$ confirming the Naturalization of Johna Mulder and others read the third time and passed without amendm

A bill Entituled an Ad to prevent Ships failing in contempt of Embargos read the

third time and passed without amendment.

A bill Entituled an A& making the French Refugees inhabiting at the Manakin Town and parts adjacent a diffined parifh by themselves & exempting them from the payment of publick and County Levys untill the 25th day of Decem¹ 1708 read the third time and passed without amendm⁴

A bill Entituled an A& laying an Imposition upon Skins & furrs for y better Support of the College of William & Mary in Virginia read the third time and passed without amendment.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid Bills to y^e house of Burgesses and acquaint them that y^e Council have passed y^e same without any amendm^e

A meffage from the Burgeffes to the Council by M^r Edwards & others who brought back the Bills Ent^a an A& for fettling y^e dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nansemond on y^e Southfide Blackwater fwamp, and acquainted their Hon^{rs} that y^e house had agreed to their amendm^{rs} to y^e same and had inserted them therein

And ye for bill being Examined

Ordered, that ye Clk of ye Gen! Affembly carry ye fame to ye house of Burge and acquaint them that ye Council have passed it as amended

A bill Entituled an AA for the more effectual Suppression of Vice and restraint and punishment of blasphemous wicked & dissolute persons read y^e 2^d time and Committed for amendments.

And then ye Council adjourned till to morrow morning 7 aclock.

Wednesday June the 5th 1706

prefent

DMUND JENINGS, John Lightfoot, Robert Carter Esque, James Blair Comer and Philip Ludwell Esque

The Council having taken into confideration the amendm¹³ made by them to the Bill Entituled an Act concerning y* Church Clergy and other parochial affairs w^{ch} have been difagreed to by the Burgesses.

Refolved

That a free Conference be defired with the Burgesses, at one aclock this afternoon in the Conference Room on y Subject matter of the amendments to the Bill Entituled an Act concerning the Church Clergy and other parochial affairs, and managers were appointed accordingly viz

Edmund Jenings, Robert Carter Esq., Mr Comry Blair & Philip Ludwell Esq.

Ordered

That y^e Clk of the General Affembly go to y^e house of Burgesses and acqt that y^e Council desire a free Conference with the Burgt at one aclock this afternoon in y^e Conference Room, on the Subject of the amendmt to the Bill Entituded an AA concerning the Church Clergy and other parochial affairs, and that y^e Council have appointed four of their members to manage the said Conference with such a number of Burgesses as the house shall think fitt.

A



A message from the Burgesses to ye Council by Me Robert Beverley and others who brought a bill Entituled an A& for raising a publick Revenue for the better Support of the Government of this her Matys Colony & Dominion of Virginia and for ascertaining the Sallary of the Council, and a Bill Ent⁴ an A& continuing y⁴ a&t directing ye building the Capitol and ye City of Williamsburgh with additions to weh they desire the Councils concurrence

A meffage from the Burgeffes to ye Council by Mr Miles Cary and others that according to their Hones defire the house of Burgeffes agreed to the free Conference on ye Subject matter of the amendments proposed to the Bill Entituled an Ad concerning the Church Clergy and other parachial affairs and appointed managers to meet at time and place proposed.

A bill Entituled an A& appointing a Treasurer read ye 2d time and Ordered a third reading

A bill Entituled an Aâ for reftraining and punishing pirates & Sea Robbers read y. Second time, and ordered a third reading.

And then ye Council adjourned during pleafure in order to attend the free Conference

HICH being ended &

The Council mett again

Mr Secretary Jenings Reported the free Conference with the Burgesses on the Bill concerning the Church Clergy and other parochial affairs viz That the said Conference was begun by the Managers for the Council who after having acquainted the Burgesses how desirous they were of preserving a good correspondence with that House, and more especially that a Bill of this consequence for the good of the Church might not prove abortive, they had desired this Conference in order to satisfy the Burgesses of the expediency and reasonableness of the amendmin proposed by them.

That the first point infisted on was the Councils amendments concerning ye Election of new and Sexennial Veftrys. That the Council adhered to this amendmt because they were of opinion, that the immediate diffolution of all Veftrys, and appointing New Elections & fo continually every fix years (as propofed in the Bill) Would be attended with many inconveniencys and evil confequences. That it would occasion partys and ffactions throughout all the parishes in ye Country, and lay a foundation for renewing such broils and ffactions every 6th year, when there must be new Canvassing for Elections. That these Elections being to be made by all the ffreeholders and housekeepers promiscuously. the greater part of we are mean people, and not always the most considerate, they will be like enough to carry the Election in favour of fuch as themselves. That there are not wanting, inftances of the like proceedings, as namely in St peters parish in New Kent upon its being divided and a New Vestry chosen, the meaner fort of people agreed among themselves that they would not elect any to be a Vestry man that had been a Justice of the peace, and accordingly they did exclude all the Justices who had been formerly of that Vestry. That the alteracon of an established Constitution where ye fame is not generally complained of, is dangerous & ye confequences cannot be forefeen That the Council think they have proposed a good Expedient in their amendm's viz that where any Vestry have been unduly chosen heretofore, or where they have raised exorbitant Levys on ye parish, or combined to Levy any tobacco, and fraudulently disposed of or misapplyed it, upon proof made in any of these Cases Such Vestrys to be diffolved & a New one elected, and if the Burgeffes can think of any other Cafes where the irregularitys of a Veftry cannot be redreffed otherwife than by diffolution & a New Election, the Council are ready to acquiesce thereto.

The Managers for the Burgesses answered to this effect. That there having been Complaints of the irregular and unwarrantable actings of diverse Vestrys and their raising exorbitant Levys on their parishes, there was no other way to redress those

Grievances



Grievances and to give a General Satisfaction to ye Country but by diffolving all ye Veftrys and allowing the people to right themselves by making a New choice, nor was there any other way to prevent Veitrys being filled with perfons allved in kindred, but by renewing those Elections every 6th year. That being now upon composing a Body of Laws for the Country, they think it is very proper for them to alter any Constitution that hath been found inconvenient. That there is no reason to doubt but that the people will ftill choose the best men in the parish to be their Vestry men, nor that they will exclude any Veftryman who has formerly behaved himfelf as he ought, and as to the particular inftance given by the Council it was not because the Gentlemen were Justices of peace that they were excluded but because they had acted to the distatisfaction of the parish when they were before in the Vestry. That the Burgesses conceive that what is proposed by ye Council as an Expedient will have far worse consequences than what is proposed in ye Bill for that it is impossible now to make appear whether a Vestry was at first legally chosen or not. That in many cases a Vestry may do several irregular Acts and yet the people be rather willing to fitt Contented under that preffure than be at ye expence and charge of a profecution, that the there are instances of the irregular proceedings of Veftrys, yet no profecution has ever followed thereon. Nor perhaps ever will be, because such Complaints must be made & prosecuted by private men, who will be very unwilling to be at ye expense thats necessary in such Cases, or to hazard their quiet by drawing on them the odium of fuch a confiderable Body of men as a Veftry, and so the hardships intended to be remedyed by this act will still remain.

To this the Managers for the Council Replyed that the private Complts agt fome Veftrys, tho allowed to be just, can never be faid to be a sufficient ground to diffolve those Veftrys where no fuch Complia have ever been made. That the prefent Conftitution of the Vestrys is agreeable to ye Laws and Customs of England and of all the plantacons where the Church of England is established but yt wch is proposed in the Bill is unprecedented. That wherever a Constitution is established by Law and has continued for fo many years as this hath, the prefumption will always ftand in favour of it, and it is abundantly more fafe to continue it, than to introduce a New method of web the confequences appear to the tranquility of the Country. That ye fingle instance given of that unaccountable humor wherewith the Election of the Veftry of S' peters parish was managed, is enough to flow how far that and fuch like popular Arguments may prevail with a Mobb and unthinking multitude when managed by turbulent and defigning men. That Sexennial Elections will always give occasion of new partys and Intrigues to the conftant diffurbance of the parifh, and afford opportunity for bufy men to ftir up the Common people to exclude all the men of Note & Estates out of the Veftrys, who are certainly less lyable to ye Suspition of levying exorbitant Levys on the parish than others of meaner circumstances in as much as they pay the greatest share thereof in proportion to the number of their Tithables in weh most Gentlemens Estates confift. That there are now the best Gentlemen of the Country in the Vestrys and the Council cannot Suppose that ye Burgesses intend to turn them out to make way for the meaner fort to get into ye manageme of the parishes. That ye Council think it hard and not agreeable to Justice that for the faults of a few men all the Vestrys in the Country should Suffer & ve Country run into lasting Confusions, when all ye inconveniencys propofed to be remedyed by it, may be more eafily effected by what they have already proposed, and if that be not Sufficient, by taking in any other Cases that have appeared burdensome to ye people. That as to ye objection that it cannot now be made appear whether Veftrys were legally elected at first or not, It must be taken for granted that they were unless the contrary be proved. And As to ye difficulty of profecution by private men, the same Argument may be used age all profecutions on penal Laws because private men must become Informers.

The Managers for the Council infifted on their amendment for adding Cask to the Minifters Sallary as a reasonable allowance, and urged that ye best way to procure a good Clergy was to settle such an allowance on them by Law, as may encourage good men to come hither.



To this the Managers for the Burgeffes answered that ye Council might as well have asked 1280" of tobacco to be added to ye Ministers fallary, we'n they saw no reason to grant the present Sallary being a Sufficient encouragement for any Clergy man.

The Managers for the Council Replyed that as the prefent Sallary is paid the 16000 pounds of tobacco is not really above 14000 after the Deduction of 8 % Cent for Cask and the allowance web the Minister must give (over and above what is allowed by law for having his tobacco collected and paid convenient, and while others who purchase tobacco pay but 30% of tobacco for the cask, the Min* is obliged to pay 48. That it is but reasonable that y* Sallary should be 16000 without any deduction, especially confidering that in many parishes the value of tobacco is so inconsiderable, that the Sallary is scarce Sufficient for y* Ministers Subsistance.

To we'th the Managers for the Burgeffes rejoined that ye Minifter pays no more for Cask than is allowed by Law for other publick tobacco. That ye Clergy never had any greater Sallary than is now allowed, and for many years not fo great. That wherever a Clergyman is frugal, he never fails of making a handfome Eftate out of his Sallary, and that they fee no reafon to augment ye Sallary. That even in the worft of those parishes where tobacco is so mean, the Minister is in equal circumstances with the parish, and he can as well Subsist on his tobacco as the parishoners can do on theirs, and that besides the Minister has the advantage of improving his Glebe and raising Stock for the maintenance of his family.

It was then proposed by the Council to add a proviso to ye Bill to enable any Vestry who had a defire to gratify a good Minister to allow Cask with ye Sallary but it was rejected by the Burgesses.

The Council infifted on their amendm^t, that if any Veftry fhal fell any Glebe they fhal be obliged to purchase a better in stead thereof, and faid that they believed y* Burgesses could never intend to give a Vestry power to sell or change a good Glebe for a worse and that y* Councils amendm^t being only intended to prevent the arbitrary proceedings of Vestrys in this particular they hop'd the Burgesses would easily agree to it.

The managers for the Burgesse said that it was never intended to give power to a Vestry to Sell a good Glebe and purchase a worse, but they thought, the words (more convenient) mentioned in the Bill was sufficient without any further addition, and that they should agree so far that ye Vestrys be obliged to lay out ye full price of the old Glebe at least in ye purchase of a New.

The Managers for the Council infifted on the Clause in their amendments for the better settlement of the Clergy, and observed that the precarious circumstances of the Clergy is a great discouragement to any one to come in hither. That the first part of the Clause was to prevent the ill practices of sev¹¹ Vestrys who keep their parishes vaccant at their pleasure and take no care to procure Ministers, that by this it is provided that if ye Vestry do not Supply the parish with a Minister within 2 years after its becoming vaccant, the Gov¹ may place a Min¹ in that parish &c. And then provision is made that after a Min¹ is once in a parish, if he continues therein for two years without any fault or offence, he shal not thereafter be removed (as some formerly had been at ye pleasure of the Vestry) without a legal Trial

To this the Managers for the Burgesses said that before they entered upon the debate of this Clause they must promise that this and ye Subsequent Amendment concerning the Trial of the Clergy had such a dependance on one another that they could not agree to ye one without agreeing to the other, That both have a tendency to bring in, Inductions and an Ecclesiastical Court to web they can never give their consent. That its impossible to be supplyed with Ministers in 6 short a time as two years, since they must come from England. That there is not any Minister in Virginia nor ever has been but what hath been always entertained as soon as he came in, And that all the parishes that are now vaccant would be very desirous of Ministers if they could be Supplyed with them, and that the Vestrys generally make application to the Gover to Supply them with Ministers, when they hear there is Any in ye Country not engaged.



That y* prefent Law doth fufficiently provide for Induction if the Veftry think fitt to prefent their Minister, but there's no reason that their Liberty of choice should be taken away, if they can't provide themselves with a Minister in two years. That there are many Ministers in the Country who continued long in their parishes without Induction, & no instance can be given of any good man that ever has been turn'd out purely at the pleasure of the Vestry, and that if what is proposed by the Council were granted, the Clergy would be much more precarious than ever, for no parish would keep a Minister above two years for sear of being obliged to induct him. That tho a Clergyman be not guilty of swearing, Drunkenness or y* other offences punishable by this act, yet he may be a man very ill qualifyed for his function, Negligent of his duty, covetous, a Whisperer a Slanderer or guilty of several other indecencys that may give just offence to his parishoners and yet they shal not be relieved if this Amendment of the Councils be conceded. And as for the Trial of the offences of the Clergy, the General Court is the most proper place.

To this the Managers for the Council Replyed, that tis true the Arguing of one part of this amendment will infensibly draw into debate the other parts of this & the Subfequent amendmt, but if all be duly confidered there's nothing in either but whats calculated for the advantage of the Country. That it is in ye power of any parifh upon Suitable encouragement to procure a Minister from England, but if they never endeavour it, it is but reasonable that there should be a power lodged in the Gov' to Supply such vaccancys; and it is as reasonable that when a Clergyman has transported himself and his family hither, & hath behaved himself well in his parish he should be at a certainty and not left to the mercy of his Veftry to turn him and his family a Starving at their pleafure. That as ye Cafe now ftands Veftrys may keep their parifhes vaccant as long as they pleafe, weh is very unreasonable. That ye method of Settlement of the Clergy now proposed by the Council is such as is most agreeable to the present Circumstances of the Country, and weh they hope her Majesty out of regard to our circumstances will be graciously pleased to approve of. That by the Laws of England, if the patron (weh in this Country is ye Vestry) doth not present in 6 moneths after the parish becomes Vaccant, the Right of prefentacon jure devolute falls to the Queen, and her Mays Government here may induct a Minister into such parish without ye Vestrys consent, and this hath been y opinion of her Matys Attorney Gen¹¹ as the Burgeffes may very well remember, that as this is a growing Country it must be expected that many more Clergymen will come in hereafter, and then it will perhaps be thought necessary that her Majesty put in practice her Right of Induction, of weh her Maty can never be divefted otherwise than by her own Concession by passing a Law here for that purpose, and if this Right should ever be disputed, it must be determined in her Majestys favour notwithstanding any thing in this Bill as the Burgesses have passed it, That therefore when ye Assembly have it in their power to obtain a more easie way of fettling ye Clergy than the Laws of England admitt of, and that there is great ground to hope that this may be accepted in lieu of the more Severe method of Induction upon a Laple, it would be very unaccountable if the Assembly should let slip so farr an opportunity of securing to their posterity fo confiderable a priviledge both in respect to the time of providing a Minister, and the experience of his Capacity and good life before his Being entirely fettled. That the Clergys holding their livings fo precariously heretofore has been one great reason why this Country is fo ill Supplyed with Minifters That there are not wanting feveral inftances of Ministers being turned out at ye pleasure of their Vestrys without showing any caufe, and tho fome have had ye good fortune to continue in their parifhes for many years, Yet while a Minister has no Such assurance of his continuance, it must be a great discouragemt, That if for any of the offences Specifyed by the Burgesses (whereof some are entirely fins of thought, & known only to God Almighty) a Clergyman must be turned out of his parish, the best man alive can never be secure, for it is morally impossible to find men altogether free from some of those faults. That as to the Trial of the Clergy, the Ecclefiaftical Jurifdiction of the Bifhop of London extending to all the plantacons, there is a power Vefted in him and by him devolved on his Comty to try & determine



all offences of the Clergy without appeal to any Court of Judicature here, So that if a Complaint be exhibited agt any Minifter, if either the Minister or the Complainants find themselves aggrieved by the Companient they have no way to obtain Redress but by appeal to yt Bishops Court and if not redressed there to the Archbishops Court. That as this manner of trial in Ecclesiastical matters has yt countenance of the Laws of England, and the Sanction of her Majestys Instructions for encourageing it here, it is not to be supposed that ever it will be totally given up, And it cannot but be reckoned a considerable point yeilded that the Trial in such matters are now proposed to be settled jointly in yt Companies & three of yt Clergy & the County Courts (where the Laity will always be the Major part) & according to yt course of the common Law, and that there is also a liberty of Appealing to the Gen¹¹ Court for the final determinacon of such Complts.

That thereupon the Mauagers for the Burgesses said, that they could not agree to any other manner of Induction than what was proposed in the Bill, and that they had rather trust to her Majites Clemency As to the putting her Right of Induction in execution

than to bind themselves by a Law of their own making.

The Managers for the Council infifted on their amendment for obliging Church-wardens to take an Oath and hoped the Burgesses would allow it to be necessary, and that it is agreeable to the constant practice in other Cases, that in all offices of the like Nature, the officers are bound by Oath to the due execution thereof. That the Church-wardens in some Cases are obliged to present offenders, and so ought to be upon Oath as well as the Grand Jury, and that without such Oath they cannot make such presentments unless they were particularly impowered by the Bill so to do.

To this the Managers for the Burgeffes aniwered that there was no need of fuch an Oath, every Churchwarden being under an Oath as a Veftryman, and if the Law has allowed them to execute the Office of Churchwardens without Oath, they are also enabled to make presentm's that being within their office. That if Churchwardens were obliged to present upon Oath, no man would undertake that Office, since he must be obliged to rake into the saults, and conversations of all the parish for the whole time of his continuance in Office, and even the Grand Jurys are not obliged to present any other offences than such as come to their knowledge during the time of their being such we'h is only for one Court.

The Managers for the Council infifted on the last proviso added by them to the Bill, for Saving and confirming all bargains heretofore made between any parishes and Inducted Ministers, tho the Sallary be more than this Law allows, and Said that the Law ought not to look back nor could they believe the Burgesse ever intended by it to put any Clergyman in a worse condition as to his fallary than he was before. That where Vestrys have agreed with a Minister in consideration of his Settling among them to give him somewhat above the ordinary Sallary It was but just that the same allowance should be continued to him, web first encouraged him to settle himself in that parish.

To which the Managers for the Burgesses answered, that they know of no such Agreements except one with M^{*} Anderson in Westopher parish w^{ch} was at first made by the Vestry contrary to Law, and was always reckoned burdensome to the people. And

one of the Managers faid he knew of another agreement of the like nature

To this the Managers for the Council Replyed that tho they do not know of any other Agreement but what the Burgesses have mentioned, yet it is possible there may be others. That as to Mr Andersons particular Case, the Agreement made with him was not against Law as is alledged but is agreeable to the Law then in being: for by that Law a Minister being allowed 80° Pannum to be paid in Tobacco, or other Country Commoditys or bills of Exchange, if the common price of Aronoco tobacco be computed at Eight shillings a hundred, Eighty pounds Pannum amounts just to 20,000 ps of tobacco on more web is Mr Andersons Sallary—And when ye last Law for settling the maintenance of the Clergy was passed there was so great a regard had to that and such other Contracts, that the Burgesses having in the Bill ascertained the Ministers Sallary at



16000 pounds of tobacco and no more, The Council ftruck out the words [and no more]* and the Burgeifes agreed to it, that it might be in the power of Veftrys to encourage and recompence good men. That Mr Anderfon is a perfon of that probity that even his Enemys cannot alledge any thing againft him either in his life or Doctrine, and therefore the Council think it would look very unlike encouraging the Clergy if any allowance at first given by Law and since continued for many years pursuant to agreement should be now taken away from him, or any other in the like Circumstances. That ye Managers for ye Council acqued the Burg³ that they hoped the Burg³ would agree to ye amendm¹³ proposed & that they had left the Bill with them.

A meffage from the Burgeffes to the Council by Mr Peter Beverley and others who brought the Bill Entituded an AA concerning ye granting, Seating and planting, and for Settling the titles and bounds of lands, and for preventing unlawful fhooting & ranging thereupon, and acquainted them that ye house had agreed to all their Honrs amendments made to ye faid Bill and had inserted them therein

And ye faid bill being Examined with ye amendmts

Ordered

That ye Clerk of the General Affembly carry back ye faid Bill to the Burge and acquaint them that ye Council have paffed ye fame as amended.

And then ye Council adjourn'd till to morrow morning 7 aclock.

Thursday June ye 6th 1706

present

DMD JENINGS, John Lightfoot, Robi Carter Elqto, James Blair Comty and Philip Ludwell Elqt

A bill Entituled an A& continuing the A& directing the building the Capitol & the City of Williamsburgh with additions read the first time, and Ordered a second reading.

A bill Entituled an A& appointing a Treafurer read the third time & passed without amendm^t

Ordered

That ye Clerk of the Gen¹¹ Affembly carry the faid Bill to the house of Burgesses & acquaint them that ye Council have passed ye same without amendmts

His Excellency prefent

A meffage to his Excellency from the Burgeffes by M^r Rob^t Beverley and others who delivered to his Excell^{cy} the following answer to his Ex^{cys} meffage concerning the fortifying of places for the defence of the Trade.

May it please Yo' Excellency

We receive the greatest [See J. of H. of B., p. 214.]

To which his Excell^{cy} was pleafed to answer that he would represent it with all younterest he had, and any thing else for the good of the Country.

A meffage from the Burgeffes to ye Council by M' Peter Beverley & others defiring a free Conference with the Council on ye Subject matter of the last free conference upon their amendments to ye Bill Entituled an A& concerning ye Church Clergy and other parochial affairs.

Refolved

That a free Conference be agreed to immediatly, and that Jn° Lightfoot Eq. be one of the Conferrees in y° room of Philip Ludwell Eq. now absent.

Ordered

That the Clerk of the General Assembly go to the house of Burgesse and acquaint them that the Council agree to the free Conference defired by that house on the Subject

^{*} The brackets are in the original.



matter of the last free Conference on ye amendments to the bill Entituded an Ad concerning the Church Clergy and other parochial affairs, and appoint ye same immediatly in the Conference Room.

And ye managers went to the Conference, and being Returned Mr Secry Jenings Reported that the Managers for the Burgesses had delivered the Bill Entituded an Act concerning the Church Clergy and other parochial affairs, and acquainted them that the Burgesses do not insist upon their disagreeing to the 12th, 13th, 14th, 15th & 20th amendments proposed by the Council but do agree that ye same be made in the Bill, and that to all ye other amendments proposed by the Council and not agreed to, the Burge do insist upon their disagreeing therewith.

Ordered

That the faid Bill and amendm¹⁸ ly upon the Table, and that y^e f^d Report be confidered in a fuller Council.

A bill Entituled an A& for the effectual Suppression of Vice & restraint and punishment of blasphenous wicked and dissolute persons read ye third time with ye amendments Resolved

That the Bill with ye amendments do país.

A bill Entituled an A& for prevention of mifunderstandings between the Tributary Indians and other her Majestys Subjects of this Colony & Dominion, and for a free & open trade with all Indians whatsoever, read the second time, and Committed for amendments.

A bill Entituled an Ad for raifing a publick Revenue for the better fupport of the Government of this her Majus Colony & Dominion of Virginia and for afcertaining the Sallary of the Council read the first time, and ordered a Second reading.

And then ye Council adjourned till to morrow morning 7 aclock.

Friday June 7th 1706

prefent

DMUND JENINGS, Jnº Lightfoot, Benj² Harrifon, Rob¹ Carter Efqt, James Blair Comty, Philip Ludwell Efqt

A Bill Entituled an A&t for prevention of mifunderstandings between the Tributary Indians and other her Majestys Subjects of this Colony and Dominion & for a free and open trade with all Indians whatsoever read ye 3d time with ye amendments.

Refolved

That ye bill with ye amendments do país.

Ordered

That the Clerk of the General Affembly carry the faid bill to the house of Burgesses, and acquaint them that ye Council have passed ye same with several amendments to we they defire ye concurrence of that house.

A motion being made that the Bill Entituled an A& for reftraining and punishing of Pirates and Sea Robbers, be read a third time.

Refolved

That ye act of parliament made in the 11th & 12th years of the Reign of his late Maty King William Entituled an Ad for the more effectual Suppression of piracy hath sufficiently provided for the trial of pirates in all the plantacons, And therefore

Ordered

That the Bill fent up from the Burgeffes for reftraining & punifhing of Pirates and Sea Robbers be difagreed to

A bill Entituled an Ad continuing the Ad directing the building of the Capitol and the City of Williamsburgh with additions, read y^{e} z^{d} time & Committed for amendments.

A meffage from the Burgesses to y^e Council by M^e Daniel Maccarty & others who brought the following bills viz a bill Entituled an Ad for fecurity and defence of the Country in times of danger. A bill Entituled an Ad for removing Criminals from the Gaols of the Country where they shall be apprehended to the publick Gaol at W^{m} burgh, and



a bill Ent^a an Act to explain part of an Act of this prefent Seffion of Affembly Entituded an Act directing the manner of Levying executions and for relief of poor priloners for debt, to web they defire the concurrence of the Council.

And the faid three Bills were read the first time and ordered a 2d Reading.

A meffage from the Burgeffes to the Council by M^r Miles Cary and others who brought the Book of Claims together with an order for the payment of feveral allowances in money paffed by the house to web they defire the Councils concurrence.

Refolved

That a free Conference be defired with the Burgeffes to morrow morning at 10 aclock on ye Subject matter of the amendments to the Bill Entituded an Ad for fettling the Militia

Ordered

That the Clerk of the General Affembly go to the house of Burgesses, & acquaint them that the Council desire a free Conserence with them to morrow morning at roaclock in the Conserence room on y^e Subject matter of their amendments to the Bill Ent^d an A& for fettling the Militia, and have appointed three of their members to manage the statement of Conserence with such a number of Burgesses as that house shall think fitt.

A meffage to the Council from the Burg^{*} by M^r Rob^{*} Beverley & others that the House agreed to the Conference desired by their Hon^{*} on y^e Subject matter of the amendments to the bill Ent^{*} an A& for settling the Militia, and that their Managers will be ready at time and place appointed

And then ye Council adjourn'd till to morrow morning 8 aclock.

Saturday June 8th 1706

present

Pomp JENINGS, John Lightfoot, Benjo Harrison, Rob' Carter Esque, James
Blair Comv, Philip Ludwell Esque
Ordered

That Edmund Jenings, John Lightfoot, and Philip Ludwell Efqre be appointed Managers of the Conference with the Burgesses on ye amendments to the Bill Entituled an Act for Settling the Militia

A meffage from the Burgeffes to the Council by M^r Robert Beverley and others who brought feveral Refolves to w^{ch} they defire the Councils concurrence. And the faid Refolves were Read & agreed to & are as follows

Refolved

That the Queens Arms be painted upon the ffront of the Cupulo of ye Capitol. Refolved

That the Queens Arms be painted in ye fame place where Collo Nicholfons arms are now painted.

Ordered

That M' Henry Cary take care that the Queens arms be painted on the Cupulo according to the Refolves of this House.

Jnº Lightfoot Efqr abfent

Mr Secry Jenings from the free Conference with the Burgesses on the amendments to the Bill Entituded an Att for fettling the Militia Reported that they had mett the Burgesses and acquainted with their reasons for insisting on their amendments to the said bill and had left the bill with them.

A bill Entituled an Act for raifing a publick Revenue for the better Support of the Government of this her Majestys Colony & Dominion of Virginia and for ascertaining y* Sallary of the Council read y* second time and Committed for amendments.

A meffage from the Council to the Burgesses by Mr Robert Beverley & others that the house defire a free Conference with ye Council on ye Subject matter of the last free Conference on the amendment to ye bill Entituled an Ad for Settling y' Militia.

Ordered

That the Clerk of the General Affembly go to y^e house of Burgesses and acquaint them that the Council agree to the free Conference defired by the house on y^e Subject

matter



matter of the last free Conference on ye amendments to ye bill Ente an Ad for fettling ye Militia and appoint ye same on Munday next at two aclock in ye afternoon.

A bill Entituled an A& for security and desence of the Country in times of danger read

the Second time and Committed for amendments.

A Bill Entituled an A& to explain part of an A& of this prefent Seffion of Affembly Entituled an act directing the manner of Levying Executions and for relief of poor prisoners for debt read ye second time and ordered a third reading

A bill Entituled an Act for removing Criminals from the Gaols of the Countys where they shal be apprehended to the publick Gaol at Williamsburgh read ye second time, and

ordered a third reading

And then ye Council adjourn'd till Munday morning 10 aclock

Munday June 10th 1706

prefent

DMP JENINGS, Dudley Digges, Benjo Harrifon, Rob Carter Efqro, Mr Comro

Blair, Philip Ludwell Esq.

A bill Entituled an A& for removing Criminals from the Gaols of the Countys where they shal be apprehended to the publick Gaol at Williamsburgh read the 3d time and passed without amendment.

A bill Entituled an Ad to explain part of an Ad of this prefent Session of Assembly Entituled an Act directing the manner of Levying Executions and for relief of poor

prisoners for debt read ye third time and passed without amendme

Ordered

That the Clerk of the General Affembly carry the faid Bills to ye house of Burgesses

and acquaint them that ye Council have passed ye same without amendment.

A message from the house of Burgesses to the Council by Mr Rob Beverley and others who brought the following Bills viz a bill Entituled an A& for eftablishing ports and Towns. A bill Ent^a an Ad for repealing an Ad of Affembly begun at James City June 8th 1680 Entituled an Act of free & General pardon, Indemnity and oblivion, and an AA for continuing Gen" Affemblys in case of the death or Demise of her Majesty her heirs or Succeffors, and for making valid all acts of the Governor and Council and all Judgements and proceedings at Law wen shal happen between the death of any King or Queen of England, and the Notification thereof in this Country, to web they defire the Councils concurrence. Jnº Lightfoot Efqr prefent

And the faid three bills were read ye first time, and ordered a second reading.

A message from the Burgesses to the Council by M. Peter Beverley and others who brought the Bill Entituled an Act for the effectual Suppression of Vice, and restraint and punishment of blasphemous wicked & diffolute persons, and acquainted the Council that the Burgesses had agreed to part of their Hon's amendments, and to part they could not agree, and defire the Council to pass ye bill as ye Burgesses have agreed to it. And also brought the bill Entituled an AA for prevention of mifunderstandings between the Tributary Indians and other her Matys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatfoever, and acquainted the Council that the Burgesses had agreed to all their Hon amendments with some amendments of their own, to we they desire the Councils concurrence.

Mr Secry Jenings from the free Conference with the Burgesses on ye Subject matter of the last free Conference upon their amendments to the bill Entituled an A& for fettling the Militia, Reported that they had mett yo Managers for the Burgeffes who acquainted them that the Burgelles infilted on their difagreeing to ye amendme propoled 2d fheet 1ft page 12th line; to ye other amendmt proposed in the 14th line. That they insisted on their amendment to ye Councils amendme proposed to be added to the 15th line of ye fame page, and defire the Council would agree thereto, or that they would propose such further amendm as they think Reasonable. That they did not insist on their disagreeing



to ye ameudment proposed by the Council 2d sheet 2d page 2d line. That they insisted on their disagreeing to ye amendme proposed to be added in the 4th sheet 1st page, at ye end of ye 10th Line, but forasmuch as in the last free Conference the Managers for the Council did acquaint ye Managers for ye Burgesses that ye so Amendme was only proposed by them to make the foregoing paragraph of the Bill more Suitable, therefore the Burgesses desire that ye Council will propose such amendment to ye sa paragraph as they think reasonable.

Upon the Report of the free Conference with the Burgeffes upon the Subject matter of the last free Conference on the amendments to the Bill Entituded an Ad for Settling the Militia, the Council proceeded to the confideration thereof and the first and 2³ amendm¹⁵ proposed by the Council and disagreed unto by the Burgeffes in y⁵ 2⁴ sheet, 1^{tt} page 12th line, and y⁵ other amendment in the 14th line of y⁵ same page being read, The Council agree not to insist on y⁵ samendments.

The amendment made by the Burgesses to y^e amendment proposed by y^e Council to be added to y^e end of y^e 15th line of y^e same page, being read, The Council agree thereto, with this amendment viz that instead of the words [shal be] in y^e 2^d line of the Burgesses amendment, the word [are] be inserted, and that after the word [suitable] to y^e end of that amendment be struck out, and instead thereof the words [for Gentlemen] be inserted.

The last amendment proposed by the Council, and disagreed to by the Burgesses in the 4th Sheet, 1st page, at ye end of the 10th line, being read, The Council do not insist on ye set amendment, but instead thereof propose that ye following amendment be made viz after ye word [sined] in ye same 10th line, Strike out to ye end of that line, and in stead thereof insert these words [ten pounds current money or Suffer three moneths imprisonment without Bail or Mainprize]*

Ordered

That the above Refolutions and amendments be delivered to the Burgeffes at a free Conference.

The Burgesses amendmis upon the Councils amendments to y Bill Entituded an Act for prevention of missinderstandings between the Tributary Indians and other her Majestys Subjects of this Colony and Dominion, and for a free & open trade with all Indians what-soever being read, were severally agreed to, and

Ordered.

That ye Clk of ye Gen'i Affembly carry ye for bill to ye house of Burgesses and acquaint them of ye Councils agreement to the amendm's proposed by them.

The amendm¹³ proposed by the Council to the Bill Entituled an Ad for y' effectual Suppression of vice and restraint and punishment of blasphemous wicked and dissolute persons, to we's the Burgesses have disagreed being read, and severally considered,

Refolved

That the Council do not infift on fo much of their amendm's to ye faid bill as are difagreed unto by the Burgeffes. and

Ordered

That ye Clerk of the General Affembly carry the faid bill and amendm to ye house of Burgesses and acquaint them that ye Council do not insist on ye se Amendm to

A bill Entituled an AA for the fecurity and defence of the Country in times of danger Read the third time with y* amendments

Refolved

That the Bill with ye amendments do país.

A Bill Entituled an Ast continuing the Ast directing the building the Capitol and the City of Williamsburgh read the third time with ye amendments

Refolred

That the Bill with the amendments do país.

Ordered

That the Clerk of the General Affembly carry the f^d two bills to the House of Burgesses and acquaint them that y^c Council have passed y^c same with several amendments to w^{ch} they desire the concurrence of that house.

And then ye Council adjourned till to morrow morning 8 aclock.

^{*} The brackets in this and in the preceding paragraph are, of course, in the original.



Tuesday June 11th 1706.

Prefent

DMUND JENINGS, Jnº Lightfoot, Dudley Diggs, Robert Carter Efqro & Mr Comro Blair

A Bill Entituded an Ad for the continuing of General Affemblys in case of the death or Demise of her Majesty her heirs or Successors, & for making valid all ads of the Governor and Council, and all Judgements and proceedings at Law, we shall happen between the death of any King or Queen of England and y Notification thereof in this Country, Read y fecond time & ordered a 3d reading.

Philip Ludwell and Henry Duke Efqrs prefent

A Bill Entituled an Act for establishing ye County Courts for regulating & settling the proceedings therein, and directing the manner of granting probates of Wills & administrations of Intestates Estates read ye 2d time, and Committed for amendment to Robert Carter Esquand Mr Comr Blair.

Ordered

That y* Clerk of the Gen¹¹ Affembly go to the house of Burgesses & desire an immediate free Conference with them on y* Subject matter of y* last free Conference in relation to the amendm* to y* bill Ent* an A& for settling the Militia.

A meffage from the Burgesses to the Council by $M^r Rob^r Beverley$ & others that y^e house agreed to an immediate free Conference on y^e Subject matter of y^e last free Conference in relation to y^e bill Entituled an $A d concerning y^e Militia$, and that their Managers would be ready accordingly.

A Bill Entituled an Aâ for eftablishing ports and Towns read the second time, and Committed for amendments

And then ye Council adjourned till to morrow morning 8 aclock.

Wednesday June 12th 1706

prefent

IS Excellency, Edmund Jenings, John Lightfoot, Dudley Diggs, Robert Carter Efq*, Mr Com'y Blair & Philip Ludwell Efq*

A meffage to his Excellency from the house of Burgesses by Mr Peter Beverley and others who brought the following Address

To his Excellency Edward Nott Efq^r her Maj^{ttes} Liev^t and Governor General of Virginia May it pleafe Yor Excell^{cy}

We her Majestys dutiful [See J. of H. of B., pp. 220-221.]

A meffage to the Council by Mr Robert Beverley and others who brought the Bill Entituled an AA for the effectual Supprefino of Vice & reftraint and punishment of blas phemous wicked and diffolute persons, and the bill for prevention of misunderstandings between the Tributary Indians and other her Matys Subjects of this Dominion, and for a free & open trade with all Indians whatsoever, and acquainted the Council that the Burgesses had inserted therein ye amendmis agreed upon by their Honis and that House. That the Burgesses had inserted ye amendmis proposed to the Bill Entituded an AA for settling ye Militia. and that they had agreed to ye amendmis proposed by their Honis to ye bill Ente an AA for ye fecurity and defence of the Country in times of danger, and to ye bill Ente an AA continuing ye AA directing the building the Capital and the City of Wmsburgh with additions & had inserted them therein.

And the faid Bills with the amendments being Examined

Ordered

That the Clerk of the Gen¹¹ Affembly Return y^e fame to the house of Burgesses and acquaint them that y^e Council have passed them as amended.

A meffage from the Burgesses to the Council by M^r Peter Beverley & others who brought the following Bills Viz a bill Entituled an $A\mathcal{A}$ directing the building a house for the Governor of this Colony and Dominion, a bill Entit^d an $A\mathcal{A}$ for confirming titles to

Town



Town lands, and a bill Entituled an Act for the distribution of Intestates Estates, declaring widows rights to their deed husbands Estates, and for securing Orphans Estates to wen they desire the concurrence of ye Council.

A Bill Entituled An A& for eftablishing ports and Towns read ye third time with the amendmts

amenam

Refolved

That the bill with the amendments do país.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid Bill to the house of Burgesses, and acquaint them that ye Council have passed ye same with several amendm¹⁶ to we they desire the concurrence of that house.

A bill Entituled an Ad for confirming titles to Town lands, read ye first time and

Ordered a Second reading.

A bill Entituled an Ad directing the building of a house for the Governor of this Colony & Dominion read the first time, and ordered a second reading.

And then ye Council adjourned till to morrow morning 8 aclock.

Thursday June 13th 1706

prefent

DM^D JENINGS, Jn^o Lightfoot, Dudley Digges Esq¹⁰, James Blair Com¹⁷, Philip Ludwell & Henry Duke Esq¹⁰

A bill Entituled an A& for the distribution of Intestates Estates declaring widows rights to their deceased husbands Estates and for securing Orphans Estates read the first time and ordered a second reading.

Robert Carter Efgr present

A Bill Entituled an act for the continuing of Gen¹¹ Affemblys in case of the death or Demise of her Majesty her heirs or Successors and for making valid all acts of the Governor and Council & all Judgements and proceedings at Law, we'r shall happen between the death of any King or Queen of England and the notification thereof in this Country Read ye 3d time and past without amendment.

Ordered

That the Clerk of the General Affembly carry the faid bill to the Burgeffes and acquaint them that ye Council have paffed ye fame without amendment.

A meffage to the Council by M¹ Robert Beverley and others who brought the Bill Entituled an AA for eftablishing ports and Towns, and acquainted y^e Council that the Burgesses had agreed to all their Hon¹⁰ amendm¹⁰ to y^e said bill and had inserted them accordingly.

And ye faid Bill being Exame

Ordered

That the Clerk of the Gen'l Affembly carry ye fame to ye house of Burg' and acquaint

them that the Council have passed ye same as amended.

The amendments to the Bill Entituled an Act for eftablishing the County Courts, for regulating & fettling the proceedings therein and directing y manner of granting probates of Wills and Administrations of Intestates Estates, being reported were read, and several alterations being made therein.

Ordered

The Bill be read a third time with ye amendmto tomorrow

And then the Council adjourn'd till to morrow morning 8 aclock.

Friday



Friday June ye 14th 1706

prefent

JOHN LIGHTFOOT, Dudley Diggs, Robert Carter Esq., James Blair Com., Philip Ludwell & Henry Duke Esq.

A bill Entituled an Ad for confirming titles to Town Lands read ye fecond time and Ordered a third reading

Edm^d Jenings Efq^r prefent

A bill Entituled an A& directing the building a house for the Governor of this Dominion read the second time and amended, and ordered a third reading.

A bill Entituled an A& for establishing the County Courts, for regulating and settling the proceedings therein, and directing the manner of granting probates of Wills and administrations of Intestates Estates Read ye third time with ye amendments,

Refolved

That ye bill with ye amendments do país.

Ordered

That the Clerk of the Gen¹¹ Affembly carry the faid bill to the house of Burg* and acquaint them that ye Council have passed ye same with sev¹¹ amendm¹⁴ to weh they defire the concurrence of that house.

A message from the Burgesses to ye Council by M' Geddes and others who bro' a bill Entituled an Ad for preventing frauds in the Customs & in clearing of ships, for ascertaining Collectors and Naval Officers sees, and to prohibite and prevent the casting of ballast and dead bodys into Rivers and Creeks to we' they desire the concurrence of the Council.

And the faid bill was read the first time and Ordered a Second reading.

A bill Entituled an A& for the distribution of Intestates Estates, declaring widows rights to their deceased husbands Estates & for Securing Orphans Estates read ye 2d time and amended and Ordered a third reading.

A bill Entituled an Ad for repealing an Ad of Affembly begun at James City June 8th 1680 Entituled an act of free and General pardon, Indemnity & oblivion read the fecond time and Ordered a third reading

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June 15th 1706

prefent

DM^D JENINGS, Jn^o Lightfoot, Rob^t Carter Elq^{t3}, James Blair Com^{t7}, Philip Ludwell & Henry Duke Elq^{t3}

A bill Entituled an Att directing the building a house for the Governor of this Colony and Dominion Read ye 3d time with ye amendments.

Refolmed

That ye bill with ye amendments do país

A bill Entituled an A& for y distribution of Intestates Estates, declaring widows Rights to their deceas'd husbands Estates & for securing Orphans Estates read y 3d time with y amendments.

Refolved

That ye bill with ye amendments do país.

A bill Entituled an Aâ for raifing a publick Revenue for y' better Support of the Governm' of this her Maj''' Colony and Dominion of Virginia & for afcertaining y' Sallary of the Council read y' 3d time with y' amendm'

Refolred

That ye bill with ye amendments do país.

Ordered

That the Clerk of the Gen" Affembly carry the faid bills to ye house of Burgesses, and acquaint them that ye Council have made sev" amendm's thereto, to we they desire the concurrence of that house.



A bill Entituled an Act confirming titles to Town lands read ye 3d time & paffed without amendment.

A bill Entituled an Ad repealing an Ad of Affembly begun at James City June 8^{14} . 1680 Entituled an Ad of free and General pardon, indemnity and oblivion Read y^{*} 3^{d} time and paffed without amendment.

Ordered

That ye Clerk of the Genn Affembly carry the faid Bill to ye house of Burgesses and acquaint them that ye Council have passed the same without any amendment.

Upon confideration of the Report of the last free Conference with ye Burgesses on the amendments to ye Bill Entituled an Aå concerning the Church Clergy and other parochial affairs.

Refolved

That a free Conference be defired with the Burgefies on Munday next on ye Subject matter of the last free Conference concerning ye amendment to ye fd bill.

A Bill Entituled an AA for preventing frauds in the Cuftoms & in clearing of ships, for afcertaining Collectors & Naval officers fees, and to prohibite & prevent the Casting of ballast & dead bodys into Rivers and Creeks read y Second time and Committed for amendments

And then ye Council adjourned till Munday morning 8 aclock

Munday June ye 17th 1706

prefent

ENJA HARRISON, Robert Carter Esqrs, Mr Comrs Blair, Philip Ludwell & Henry Duke Esqrs

A meffage from the Burgesses to the Council by Mr Peter Beverley and others that the house had agreed to all their Honramments to the bill Entituded an Ad directing the building a house for the Governor of this Colony and Dominion, and had inserted them therein. That ye Burgesses had also agreed to part of their Honramments to the bill Entituded an Ad for raising a publick Revenue for the better Support of the Government of this ker Matys Colony and Dominion of Virginia, and for ascertaining the Sallary of the Council, and to part they could not agree, and desire the Council to pass the bill as they had agreed to it. And that the Burgesses had agreed to part of their Honramments to the Bill Entituded an Ad for the distribution of Intestates Estates, declaring widows rights to their dec⁴ husbands Estates, and for securing Orphans Estates with an amendment of their own, and to other part they could not agree, and desire their Honramments to pass the bill as they had agreed to it.

Edm^d Jenings and Dudley Diggs Efq^{rs} prefent

A meffage from the Burgesses to ye Council by Mr Miles Cary and others who brought a bill Entituled an Act for the regulation and Settlement of ferrys and for dispatch of publick Expresses passed by the Burgesses to wen they desire their Hones concurrence.

On consideration of the amendments made by the Council to the Bill Entituled an A& for raising a publick Revenue for the better Support of the Government of this her Matys Colony and Dominion of Virginia, and for afcertaining the Sallary of the Council.

Refolved

That the Council do not insist on so much of their amendments to ye sed bill as are

disagreed to by the house.

The amendm¹⁰ proposed by the Council and disagreed to by the Burgesses in the bill Ent⁴ an Ast for the distribution of Intestates Estates, declaring widows rights to their deceased husbands Estates and for securing Orphans Estates

Refolwed

That the Council do not infift on fo much of their amendm^{ts} to y^s faid bill as the house of Burgesses have disagreed to, And agree to the amendm^t proposed by the house upon their amendm^{ts} to the f^d bill.

Ordered



Ordered

That the Clerk of the Gen¹¹ Affembly carry y^e f⁴ bills to y^e house of Burgesses and acquaint them of the Councils agreeing to y^e f⁴ bills as y^e house have proposed.

A bill Entituled an A& for preventing frauds in the Cuftoms, and in clearing of Ships, for afcertaining Collectors and Naval Officers fees, and to prohibite & prevent the cafting of ballaft & dead bodys into Rivers and Creeks read ye 3d time with the amendmin

Refolved

That the bill with the amendments do pass.

Ordered

That the Clerk of the General Affembly carry the faid bill to the house of Burgesses and desire their concurrence to the amendm¹⁸ made by the Council to the said Bill.

A bill Entituded an A& for the regulation and Settlement of ferrys and difpatch of publick Expreffes read the first time, and ordered a Second reading.

The Council having taken into confideration the amendmis to ye bill concerning the Church Clergy and other parochial affairs, proceeded to ye debate of fuch of ye faid amendments as are proper to be infifted on at ye free Conference with ye Burgesses, and

The 21th amendment being read, The Council do recede from the first and third paragraphs of the said amendment, and agree that ye 2th paragraph be altered thus, That a parish being once Supplyed with a Minister if he shall continue for the Space of three years to behave himself well in his office he shall not thereafter be removed without a legal trial.

The 25th amendment being read, the Council agree that this amendm^t be propofed as follows viz that the Trial of a Clergyman be either as y^e amendment prefcribes, or by the Com^{ty} & fome of the Clergy, or by y^e Com^{ty} alone.

And as to all the other amendments difagreed unto by the Burgesses, The Council are so desirous that this Bill should pass, that they will not further insist on any of yet amendments.

A meffage to the Council from the Burgesses by M^r Miles Cary & others who acquainted the Council that the house agreed to the free Conserence desired by their Honron on ye bill Entituled an Act concerning ye Church Clergy and other parochial affairs, and had appointed Managers to meet at time & place proposed.

A mellage to ye Council from the Burgelles by Mr Robert Beverley and others who brought the bill Entituled an Ad for raifing a publick Revenue for the better Support of the Government of this her Majiis Colony & Dominion of Virginia, and for afcertaining the Sallary of yo Council, and the bill Entituled an Ad for the diffribution of Intestates Estates, Declaring Widows rights to their deceased husbands Estates and for securing Orphans Estates and acquainted the Council that ye house had inserted the amendmin agreed upon in the said Bills.

And the faid Bills being Examined

Ordered

That y^e Clk of the Gen^{II} Affembly return y^e f^I Bills to y^e house of Burgesses and acquaint them that y^e Council have passed y^e same as amended.

The Book of publick Claims was read over, and fome amendm¹⁸ made thereto, and the further confideration thereof Referred till to morrow morning

A meffage from the Burgesses to the Council by M^t Nathaniel Harrison & others who brought the Bill Entituled an AA for preventing frauds in y^t Customs & in clearing of Ships, & for ascertaining the Collectors & Naval Officers sees, and to prohibite & prevent the casting of ballast and dead bodys into Rivers and Creeks, and acquainted y^t Council that the house had agreed to all their Hon's amendments with some amendmas of their own to we's they desire the concurrence of the Council.

And ye if amendments of the Burgesses to ye Councils amendmin being read were agreed to, and

Ordered

That the Clerk of the General Affembly return y^e f^d bill to the house of Burgesses and acquaint them that the Council agree to the amendm's proposed by that house upon their amendm's to y^e f^d Bill.

And then ye Council adjourned till to morrow morning 8 aclock.



Tuesday June ye 18th 1706

prefent

DMUND JENINGS, Dudley Digges, Benjo Harrison, Robi Carter Esq., M. Com. Blair, Philip Ludwell and Henry Duke Esq.

A Bill Entituled an Act for the regulation and Settlement of flerrys and dispatch of publick Expresses Read the second time and amended, and

Ordered

That ye Bill with the amendments be read a third time.

A meffage from the Burgesses to the Council by M' Robert Beverley and others who brought a bill Entituled an A& prescribing the method of appointing County Court Clerks and for ascertaining the stees of the Secretary, County Court Clerks Sherifs & Constables, to web they desire the Councils concurrence.

And ye faid Bill was read the first time, and Ordered a second reading.

The Book of publick Claims being farther read and confidered and another amendment made thereto,

Ordered

That the Clerk of the General Affembly carry the book of Claims to ye house of Burgesses, and acquaint them that ye Council have made Several amendmts and additions thereto, to we they defire the concurrence of that house

Ordered

That ye Clerk of ye Gen" Affembly carry the following meffage to the house of

Burgesses, viz

The Council taking into confideration that y* Joint Committee of Council and Burgeffes appointed laft meeting of y* Affembly in relation to y* Capitol by reason of y* adjournm* w* fpeedily ensued had not time to give so full directions therein as was necessary, Do now propose that y* sd Committee be revived, that so every thing necessary for the finishing y* Capitol may be fully agreed on before the termination of this Session

And then ye Council adjourned till to morrow morning 8 aclock.

Wednefday June ye 19th 1706

prefent

PMUND JENINGS, Dudley Digges, Benja Harrison, Robert Carter Esqra, Mr Comin Blair, Philip Ludwell and Henry Duke Esqra

A meffage to the Council from the Burgesses by M^r peter Beverley and others who brought the Bill Entituded an Att for establishing the County Courts and for regulating and Settling the proceedings therein, directing the manner of granting probates of Wills and administrations of Intestates Estates, and acquainted the Council that the house had agreed to part of their amendmis, & to other part they could not agree, and that they had agreed to some other amendments with amendmis of their own, and desire the Council not to insist on y^e amendments so disagreed to, and to give their concurrence to the Houses amendmis on their House amendments.

And ye faid bill and amendments being confidered

Refolved

That the Council do not infift on fo much of their amendments as the Burgesses have disagreed unto. And that the amendments proposed by the Burgesses be agreed to, and

Ordered, that the Clerk of ye Gen¹¹ Affembly return ye fd bill to ye house of Burgesses, and acquaint them that ye Council have agreed to ye same as proposed.

A bill Entituled an AA for the regulation and Settlement of ferrys and for difpatch of publick Expresses read ye third time with ye amendments

Refolved

That ye bill with the amendments do país.

Ordered

That the Clk of y^e Gen^{II} Affembly carry y^e f^d bill to y^e house of Burgesses and acquaint them that y^e Council have agreed thereto with some amendments to w^{ch} they desire the concurrence of that House.



A Meffage from the Burgesses to ye Council by Mr Miles Cary and others who brought the Bill Entituled an Aâ concerning the Church Clergy and other parochial affairs, and acquainted their Honte that the house disagreed to all the amendments proposed by the Council to the fd bill at ye free Conference, and adhered to their former disagreem to the Councils amendmen

And also brought the Book of Claimes and acquainted the Council that on confideration of the additions and amendments proposed thereto by their Hon¹⁴ the house had

agreed to part and to part had difagreed.

A bill Entituled an A& preferibing y method of appointing County Court Clerks and for afcertaining the fees of the Secry, County Court Clerks, Sherifs & Conftables read y time and Committed for amendments.

The Book of Claims & amendm¹⁸ thereto being confidered

Refolved

That the Council do not infift on fo much of their amendm¹⁰ & additions thereto as are difagreed unto by y^e house of Burgesses, and

Ordered

That the Clerk of the Gen¹¹ Affembly carry the Book of Claims to y^e house of Burgesses, and acquaint that y^e Council do not insist on y^e amend¹² so disagreed to.

A meffage to ye Council from ye Burg by Mr Miles Cary & others who brought the Book of Claims and acquainted them that ye house had made ye amendm proposed therein.

And ye faid Book being Examined

Ordered

That the Clerk of the Gen¹¹ Affembly carry back y^e faid Book to the house of Burgesses and acquaint them that the Council have passed y^e same as amended.

The order of the house of Burgesses for paying the money allowances contained in the book of Claims being read was agreed to by the Council, and is as follows

Ordered

That the allowances made in money w^{eh} are contained in y^e book of publick Claims, be paid out of the publick moneys in M^t Treafurer Beverleys hands unto the feveral persons to whom y^e same are made respectively.

And then ye Council adjourned till to morrow morning 8 aclock.

Thursday June the 20th 1706

prefent

DMUND JENINGS, Benjo Harrison, Robert Carter Esque, Mr Comry Blair, Philip Ludwell & Henry Duke Esque

The amendments made by the Council to ye bill Entituded an Act concerning the Church Clergy and other parochial affairs. And also the amendment proposed at the last free Conference to be inserted in place of other of ye so amendment being considered and debated.

Refolved

That ye Council do adhere to their faid amendment to that Bill.

A bill Entituled an Act prescribing the method of appointing County Court Clerks, and for ascertaining the sees of the Secry, County Court Clerks, Sherifs & Constables read ye third time with ye amendments.

Refolved

That the bill with ye amendments do pass

Ordered

That ye Clerk of the Gen¹¹ Affembly carry the faid Bill to the house of Burgesses, and acquaint them that the Council have passed ye same with several amendments to we they desire the concurrence of that house.

A message from the House of Burgesses to the Council by Mr Nathaniel Harrison & others who brought the bill Entituled an Ad prescribing the method of appointing

County



County Court Clerks and afcertaining y* fees of the Sec**, County Court Clerks. Sherifs and Conftables, and acquainted the Council that the Burgeffes had agreed to their Hon** first amendment with an amendment to w*h they desire their Hon** concurrence, that to some others they had agreed & to others they could not agree, and therefore desire y* Council to pass y* bill without those amendments

Ordered

That the Clerk of the General Affembly go to the house of Burgesses and acquaint them that the Council desire a free Conference with that house on ye subject matter of ye amendments to ye bill prescribing the method of appointing County Court Clerks, and ascertaining the sees of the Secretary County Court Clerks Sheriss and Constables, and that they have appointed three of their members to manage that Conference with such a number of Burgesses as the house shall think fitt, and that ye see Managers will be ready to meet those appointed by the Burgesses to morrow morning at 9 aclock in the Conference Room.

A meffage to the Council from the house of Burgesses by M^r Nath" Harrison and others who brought the book of proportions of the publick Levy, & defired the Councils concurrence thereto.

And also acquainted the Council that the house agreed to the free Conference desired by their Hon's on the Subject matter of their amendments to the Bill Entituded an Ast prescribing the method of appointing County Court Clerks and for ascertaining the Sallary of the Secretary, County Court Clerks, Sherifs & Constables, and had appointed managers to meet at time and place proposed.

Ordered

That Benjo Harrifon, Robert Carter and Henry Duke Efq¹⁰ be appointed managers at y^e faid Conference.

And then ye Council adjourned till to morrow morning 8 aclock.

Friday June 21st 1706

prefent

DMUND JENINGS, Benjo Harrison, Robs Carter Esq., Ja Blair Com, Philip Ludwell & Henry Duke Esq.

A message to the Council from the Burgesses by M^r Miles Cary and others who brought a bill Entituled an A& for raising a publick Levy, to w^{ch} they desire the Councils concurrence.

And ye fd bill was read ye first time and ordered a second reading.

The Book of proportions of the publick Levy was read & Agreed to, and

Ordered, that the Clerk of the Gen $^{\rm II}$ Affembly carry ye fame back to the house of Burgesses

And then ye Council adjourned during pleafure.

HE Council being mett again

A message was brought from the Burgesses to ye Council by M' Robert Beverley and others, that the house desired a free Conference with the Council on ye Subject matter of the last free Conference on the Amendments to the Bill Entituled an Ad prescribing the method of appointing County Court Clerks & for afcertaining the sees of ye Secretary County Court Clerks, Sheriss and Constables.

Ordered

That the Clerk of the Gen^{II} Affembly go to the house of Burgesse and acquaint them that ye Council agree to the free Conference desired by the house on the Subject matter of the last free Conference, and appoint ye same at 6 aclock this afternoon.



A Bill Entituled an AA for raifing a publick Levy read ye fecond time and Ordered a 3^d reading

And then ye managers went to the Conference with ye Burgesses and being Returnd Robert Carter Esq Reported that they had mett the Burgesses at the free Conference on ye Subject matter of the amendments to ye bill Ent an All prescribing the method of appointing County Court Clerks & for ascertaining ye Sallary of ye Secretary County Court Clerks, Sherifs and Constables, and that the Burgesses insisted on their disagreeing to the 9th & 10th amendments proposed by the Council to ye so bill, and had left ye bill with them.

Upon confideration of wch Report

Refolved

That ye Council do adhere to their amendments to ye fo bill.

A meffage from the Burgeffes to ye Council by Mr Miles Cary & others who brought feveral Orders of the house relating to the Capitol, to we they defire the Councils concurrence, we Orders are as follows

Ordered

That M^r Henry Cary do convey and make over unto Coll^o Nicholfon the Country houses in the City of Williamfburgh according to y^e ordinance of Assembly

Ordered

That all the Materials and Utenfils belonging to the Capitol which are now in the hands of the faid *Henry Cary* & neceffary for ye Carrying on the building of the Governors house be appropriated to that use, and that all ye other Materials in his hands belonging to ye Capitol be fold.

Ordered

That ye Sum of one hundred & five pounds due from ye faid Henry Cary to the Country for the three Negros fold him and all ye money arifing upon the Sales of the houses and materials aforesaid be appropriated to ye carrying on ye Govre house, and that he give account thereof to ye next Assembly.

Ordered

That ye faid *Henry Cary* do fitt up the office belonging to ye house of Burgesses useful for preserving the Records and papers thereto belonging.

Ordered

That y faid *Henry Cary* do cause the pavements in the piazzas to be taken up and new laid, and that the well be filled up, and the pavement of y walk leading thereby finished.

Ordered

That that part of the floor above the Steps in the house of Burgesses be made even with the other part of the floor, and that all the Benches therein be made broader.

And the faid Orders being read were agreed to with the following amendm's viz at 21th line at ye end, add [and that he fitt up the Secretarys office, and Council office with fuch preffes barrs and desks as are wanting there, according to the direction of the Secretary and Clerk of the Council] and at ye end add

Ordered

That y of 4 Henry Cary cause such alteracons to be made in the General Court house as shall be directed by the Governor and Council.]*

Ordered

That ye Clk of ye Gen¹¹ Affembly carry ye fd orders to the house of Burgesses and acquaint them that ye Council have agreed thereto with some amendm¹³ to we they defire the Concurrence of that house.

And then ye Council adjourned during pleafure.

^{*} The brackets are in the original.



A

ND being again Mett

The bill Entituled an Ad for raifing a publick Levy was read y* third time and passed without amendment.

Ordered

That ye Clk of ye Gen" Affembly earry the faid bill to the House of Burgesses and acquaint them that ye Council have passed ye same without amendment

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June ye 22d 1706

Prefent

DMUND JENINGS, Benjo Harrison, Rob Carter Esque, James Blair Comt, Philip Ludwell & Henry Duke Esque

A message to the Council from the Burgesses by Mr Randolph and others who brought the following Bills viz a bill Entituled an AA for preventing frauds in the Customs and in clearing of ships and for ascertaining the Colledors & Naval officers sees and to prohibite and prevent the casting of ballast and dead Bodys into Rivers & Creeks, A bill Entituled an AA for establishing the County Courts, and for regulating the proceedings therein, and directing yr manner of granting probates of Wills and administrations of Intestates Estates, and a bill Entituled an AA for the regulations and Settlement of serrys, and acquainted the Council that yr Burgesses had inserted the amendmin yr stability as agreed upon.

And the faid bills and Amendments being examined,

Ordered

That the Clerk of the Gen^{II} Affembly carry back the faid bills to y^e house of Burgesse and acquaint them that y^e Council have passed them as amended.

A meffage from the Burgeffes to the Council by M^r Miles Cary & others who acquainted their Hon^{rs} that y* house had agreed to y* orders fent down by them concerning y* Gen¹¹ Court house and Secretarys and Council office.

A meffage from the Burgeffes to ye Council by Mr Robert Beverley & others that the house of Burgeffes had inrolled 44 Bills and had Sent them up to their Honra for their Satisfaction.

Ordered

That the Clerk of the General Affembly carry back ye faid bills to the Burgeffes and acquaint them that ye Council are Satisfyed that ye bills are truly Inrolled.

His Excellency having Signifyed to ye Council his inability to come to ye Capitol for paffing the Acts of this Affembly by reason of his Indisposition

The Council adjourned to his Excellencys house.

HE Council being mett at his Excellencys house
His Excellency present

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the house of Burgesses.

Gentlemen

I have confidered [See J. of H. of B., pp. 233-4.]

Ordered

That the Clerk of the General Affembly go to the house of Burgesses and acquaint them that his Exceller commands their immediate attendance on him at his own house, and that they bring with them such bills as are ready for his affent.

Where



Where the Burgeffes being come

Mr Speaker addressed himself to his Exceller to this effect

May it please y' Exceller

In obedience to y^r Excell^{cys} commands the House of Burgesse are come to present to y^r Excell^{cys} several bills agreed upon this Session by the Council and themselves in order to receive y^r Excell^{cys} assent.

And accordingly the feveral following Bills being prefented, His Excell^{ey} was pleafed to give his affent thereto by Signing them in y^e ufual manner the fame being also Signed by the Speaker of y^e House of Burgesles viz

An Act directing the building [For the following lift of 41 Acts, fee J. of H. of B., p. 234, l. 19 to end of p. 235.]

Upon prefenting to his Excellency An Act for the better fecuring the liberty of the Subject, his Exceller was pleased to say, Gentlemen, I am forry that I cannot pass this Bill because I am obliged by my instructions not to do it.

And then the Bill Ent⁴ an A& repealing an A& made at a Gen⁴ Affembly held at James City June y* 8th 1680 Ent⁴ an A& of free & General pardon, Indemnity and oblivion, being prefented to his Excelles, he was pleased to say that he could not pass that bill as being contrary to his Instructions.

And lastly the Bill Ent^a an A& for establishing y* County Courts & for regulating & Settling the proceedings therein, and directing the manner of granting probates of Wills and administrations upon Intestates Estates being presented, His Excellency said that he was forry he could not pass that Bill wibout further advice.

And then his Excellency spoke to this effect

That he was Very Glad to fee fo great a Body of Laws agreed upon And paffed this Seffion, and particularly thank'd the Burgeffes for the act directing the building a house for their Governor, and did not doubt but their proceedings would be very agreeable to her Majesty and for the hon and Service of the Country. That as to those bills which he had resulted to pass, he had no private interest of his own to engage him to it, but that at present he was tyed up from passing them, and he was perswaded the Assembly would not desire him to do a thing web might occasion him any hazard, assuring them that he would endeavour to obtain her Majese Leave for passing them at another Session if it be thought convent

That he found it for her Maj^{ties} Service to prorogue this Affembly no longer than to the fourth of Septem^r next, but did not intend it fhould meet then unlefs fome extraordinary occasion required. And that this Affembly is prorogued to the 4th day of September accordingly

Examined ?

Wil Robertson Cl Gen Assembly



AT A

GENERAL ASSEMBLY

begun & held at her Majestys royal Capitol the twenty sisth day of October 1710 in the ninth year of the reign of our Sovereign Lady Anne by the grace of God of great Brittain France & Ireland Queen desender of ye faith &c:



[From the Public Record Office, London, Colonial Office, Clafs 5, Vol. 1406-Vol. not pages.]

At a General Affembly begun & held at her Majestys royal Capitol the twenty sifth day of October 1710 in the ninth year of the reign of our Sovereign Lady Anne by the grace of God of great Brittain France & Ireland Queen defender of ye faith &c:

[October the 25th, 1710.]

Prefent

HE Honble Alexander Spotfwood Efqt her Majestys Lieut Governor and Commander in chief of Virginia, Edmond Jennings, Dudley Diggs, Benjamine Harrison, Robert Carter, Henry Duke, John Smith, John Lewis, William Churchill & William Byrd Esqt.

William Robertson being appointed by the Honbie the Lieut Governor to be Clerk of the general Assembly took the Oaths appointed by Act of parliament to be taken in Stead of the oaths of allegeance and Supremacie the Abjuration Oath, Subscribed the test, and took the oath for the due administration of the Said office

Ordered

That the Clerk of the general Affembly go to the house of Burgesses and Command the members Immediatly to attend the Governor in the Council Chamber.

The Burgesses attending

The Governor was pleafed to acquaint them that he was very glad to See So good an Appearance, and looked upon their ready concurrence in meeting So foon as a good Omen of their happy Concurrence in their future Confultations, that they were to return to their house and make choice of a Speaker.

And then the Council adjourned till to morrow morning 10 a Clock

Thursday October the 26th 1710

Prefent

HE Honble the Lieutenant Governor, Edmond Jennings, Dudley Diggs, Benjamine Harrison, Robert Carter, John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Churchill & William Byrd Eiqter A message from the Burgesses to the Governor by Mr William Robinson and others that the house had made choice of a Speaker and waited his honre Commands when he would be pleased to have him presented.

Ordered

That the Clerk of the general affembly go to the house of Burg* and acquaint them that the Governor commands their Immediate attendance in the Council Chamber.

The house of Burg* attending presented Peter Beverly of the County of Gloster Esquas their Speaker, who by a Speech Excused himself and prayed the Governor would be pleased to direct the house to make a new Choice, And being Approved of by the Governor He then addressed himself to his hon in the name of all the Burg* congratulating his Hon arrival in this Government, and in behalf of the sq house made the usual petitions for liberty of Speech in their debates, freedom from arreasts in their persons



and Servants, and of having free Accefs to his Honra perfon, and in behalf of himfelf that none of his failings might redound to the prejudice of the houfe. To which the Governor was pleafed to answer that the Burga might be affured that all their legal rights and priviledges Should be maintained and continued to them.

And then the Governor made the following Speech to the affembly

Gentlemen

The high honour I receive [See J. of H. of B., 1702/3-1712, pp. 240-1.] And then the Council adjourned till to Morrow morning 10 a Clock

Friday October the 27th 1710

Prefent

A Message from the house of Burg's to the Governor by M' William Robinson And others praying that a new writt may be issued for Electing a Burgess for the County, of Richmond in the room of William Tayloe Gent deceased, and also that a new writt may be issued for Electing a Burgess for the County

A petition of James Adams Interpreter to the pamunkey and Chicahominy Indians praying his usual allowance of Sallary may be levyed for him read and referred To the Confideration of the house of Burgesses.

And then the Council adjourned till tomorrow morning 10 a Clock

of York in the room of Thomas Ballard gent. deceased.

Saturday October the 28th 1710

Prefent

A

S YESTERDAY

The Claim of Robert Carter Efq^r for a negro tryed and Executed Since laft Seffion of Affembly read and referred to the Confideration of the house of Burgesses

And then the Council adjourned till Munday morning 10 a Clock

Munday October the 30th 1710

Prefent

HE Honourable the Lieutenant Governor, Edmond Jennings, Benjamine Harrison, James Blair, Philip Ludwell, Henry Duke, John Smith and William Byrd Efq¹³

The propositions from the County of Norfolk

The feveral propositions from King William County

The propositions and grievances from New Kent County &

The propositions from Henrico County

were Severally read & referred to the Confideration of ye house of Burge

The petition of Chiceley Corbin Thacker, George Clough and William Robertson praying Allowance for their Attendance as Clerks on the tryal of the Tuscoruro indians & also

A petition of John Clayton praying allowance for his fervices in profecuting the Tufcoruro Indians.

read and referred to the confideration of the house of Burg*

The petition and Claim of Edward Rofs and also

The Claim of Benjamine Harrison Esq^r for Expences & services about ye Tuscoruro Indians read and referr'd to the Consideration of the house of Burge

The



The Governor abfent

A motion being made that a Bill be prepared to prevent the cutting cropping or defacing of tobacco hogfheads on board of Ships

Rejolved

That a Bill be prepared accordingly and that Mr Commissary Blair and William Byrd Esq' do prepare and bring in the same.

And then the Council adjourned till to morrow morning o a Clock

Tuesday October the 31st 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benjamine Harrison, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esq¹⁰

Refolved and according ordered

That a Bill be prepared and brought in to prevent the deftroying and Murdering of a baftard Children purfuant to the Statute made in ye reign of King James the first

The petition of John Clayton, John Holloway and Rich⁴ Wharton praying allowance for their Services on the tryal of the negroe condemned for levying war in this Colony read and referr'd to the confideration of the house of Burgesses.

The petition of William Kaidyee praying allowance for glazing work done about the Capitol read

and referr'd to the Confideration of the house of Burgesses.

And then the Council adjourned till to morrow morning 10 a Clock

Wednesday November the 1st 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benjamine Harrison, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W Byrd Esq**

The petition of David Menetrie for allowance of the Sallary and Charges

due to John Inch late keeper of the publick goal.

A petition of David Menetrie praying allowance of Services done about the Capitol and prison.

A petition of Henry Cary praying that he may be discharged of a debt due to Mr

Micajah Perry for Sundry goods fent for the use of the Capitol.

A petition of *Henry Cary* praying that his Accounts of charges about the Capitol may be adjusted and Setled and

A petition of the fd Henry Cary praying that his accus of difburfements abt the

Governors house may be Examined & fetled

were Severally read and referred to the confideration of the house of Burg* And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 2d 1710

Prefent

HE Governor, Edmond Jennings, Dudley Diggs, Benje Harrifon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis and William Byrd Eigre

The propositions and grievances from York County read & referred to

the Confideration of the house of Burgesses

The petition of *Thomas Jones* atturney of Jn^{o} Redwood late keeper of the publick goal praying that the Arrears of Sallary due to the f^{d} Redwood may be paid to him read and referred to the Confideration of the house of Burg.



A Bill Ent^a an ad to prevent the deftroying and murdering of baftard Children read the first time and

Ordered to be read a fecond time.

The petition of Katherine Howard praying allowance for Entertaining Sundry Indians read and

referred to the Confideration of the house of Burgesses.

And then the Council adjourned till to morrow morning to a Clock

Friday November the 3d 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Robert Carter, Philip Ludwell, John Smith, William Byrd Elgr.

A petition of Chiccley Corbin Thacker praying his usual allowance as Clerk of the fecretarys office read & referred to the confideration of ye house of Burg.

And then the Council adjourned till to morrow morning 10 a Clock

Saturday November the 4th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Robert Carter, James Blair And Philip Ludwell Elq**

The Council mett and adjourned till Munday Morning 10 a Clock

Munday November the 6th 1710

Prefent

HE Governor, Edmond Jennings, Robert Carter, James Blair, Philip Ludwell

and John Smith Efgre

A message from the house of Burg's to the Governor by M' William Robinson and others praying that a new writt may issue for Electing two Burgesses to Serve for King and Queen County in the room of M' William Byrd and M' John Holloway who are found not duly Elected.

The Governor ablent

A Bill Ent⁴ an A d to prevent the deftroying & murdering of baftard Children read the fecond time and amended.

Ordered

That the Bill be Engroffed.

And then the Council adjourned till to morrow morning 10 a Clock

Tuesday November the 7th 1710

Prefent

R DMOND JENNINGS, Dudley Diggs, Robert Carter, James Blair and John Smith Esq. •

The Council met and adjourned till to morrow morning ten a Clock

Wednesday



Wednesday November the 8th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, James Blair, Robert Carter and John Smith Efq**

A petition of Mr Chiceley Corbin Thacker Clerk of the Secretarys office praying allowance for iffuing of thirty writts for Election of Burgesses read and referred to the consideration of the house of Burgesses.

The Claim of Collo Benjo Harrifon for Expences about the Tufcoruro Indians being read.

Refolved

That the Same be recommended to the house of Burg* and that y* Clerk of the general assembly carry the following Message to the house.

By the Honb! Council

M' Speaker and Gent. of the house of Burgesses

It having been found [See J. of H. of B., p. 259.]

John Lewis Efqr prefent

A Bill Ent^a an act to prevent the destroying and murdering of bastard Children read the third time

Refolved

That the Bill do pass

William Byrd Efgr prefent

Ordered that the Clerk of the general Assembly carry the f⁴ Bill to the house of Burg* and defire their concurrence to the Same.—

And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 9th 1710

Prefent

HE Governor, Edmond Jennings, Dudley Diggs, Benjamine Harrison, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Esqua

A motion being made that leave be given to bring in a Bill to prevent hogs rooting within the City of Williamsburgh and certain places adjacent

Ordered

That a Bill be brought in conformable to the f⁴ motion and that Edmond Jennings & William Byrd Efq^{1*} prepare and bring in the Same.

A meffage from the house of Burg's to the Governor by Mr Allerton and others who

brought the following Address

To the Honb!s Allexander Spotswood Efqr her Majiis Lieus Gov of this her Majiis most antient Colony & dominion of Virginia

May it please Your Hon'

We her Majestys [See J. of H. of B., p. 260.]

Ordered

That the Clerk of the general Affembly carry the following Meffage from the Governor to the house of Burgs in answer to their Address

M' Speaker and gent of the house of Burgesses

In answer to your address [See J. of H. of B., p. 262.]

And then the Council adjourned till to morrow morning 10 a Clock

Friday



Friday November the 10th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benj. Harrifon, James Blair, Philip Ludwell, John Smith Ela"

A Meffage from the house of Burg's to the Council by Mr Merrywether and others who brought a Bill Ent's an Act repealing an act made at her Majesty Queen Anne's Royal Capitol the twenty third day of October in the fourth year of her Majestys reign Ent's an Act to prevent killing of deer At unseasonable times, And a Bill Ent's an act for repealing part of an Act Ent's an Act concerning the granting Seating and planting, and for setting the bounds & titles of lands and for preventing unlawful Shooting and ranging thereupon to which they defire the Councils Concurrence.

Prefent the Governor John Lewis & William Byrd Efgro

A Bill Ent^d an act repealing an act made at her Majefties' Queen Anne's Royal Capital the 23^d day of October in the 4th year of her reign Ent^d an act to prevent killing of deer at unfeafonable times read the first time and

Ordered a fecond reading.

A Bill Ent^d an A& for repealing part of an A& Ent^d an a& concerning the granting Seating and planting of land and for Setling the titles & bounds of lands, and for preventing unlawful Shooting and ranging thereupon read ye first time &

Ordered a feeond reading.

A petition of the Inhabitants of Charles City County and also

A petition of Several inhabitants of James City County living on the South Side Chicahominy river were prefented and read, praying that that part of James City County lying on the South Side Chicahominy river may be Joined to Charles city County and thereupon

Ordered that the Clerk of the gen! Affembly carry the following meffage from the Governor and Council to the house of Burg* relating to the fd petitions.

M. Speaker and Gent of the house of Burgs.

We have rec^d a petition [See J. of H. of B., p. 263.]

And then the Council adjourned till to Morrow morning Ten a Clock.

Saturday November the 11th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benja Harrison, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Eigra

A petition of Samuel Thomfon of Surry County praying allowance for a

negro Slave of his outlawed and run away read and

Referred to the confideration of the house of Burg's

And then the Council adjourned till to munday morning ten a Clock

Munday November the 13th 1710

Prefent

UDLEY DIGGS, Benjamine Harrison, James Blair, Philip Ludwell, John Smith, John Lewis & William Byrd Elq¹⁹

A Bill Ent^a an act to prevent hogs rooting within the City of Williamsburgh and certain places adjacent read the first time and

Ordered a fecond reading

And then the Council adjourned till to morrow morning Ten a Clock

Tuefday



Tuesday November the 14th 1710

Prefent

UDLEY DIGGS, Benjamine Harrifon, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Efq**

A petition of James Adams Interpreter to the Pamunkey and Chicahominy Indians praying an allowance of his fallary read & referr'd to the Confideracon of ye house of Burg.

Prefent Edmond Jennings Efqr

A meffage from the Burg^o to the Council by M^r Christopher Robinson and others Accquainting their Hon^{ro} that the house have agreed to the Bill Sent from their Hon^{ro} Ent^d an Aâ to prevent the destroying and nurdering of bastard Children wth Some Amendments to which they desire the Councils concurrence, and also that the Burg^o have past a Bill Ent^d an aâ ascertaining the currant rates of foreign Coines in this dominion to which they desire the Councils Concurrence.

Present the Honbie the Lieut Governor

An Engroffed Bill from the Burgesses Ent⁴ an all for afcertaining the Currant rates of foreign coins in this dominion read the first time and

Ordered a fecond reading

Prefent Henry Duke Efgr

A Bill Ent^d an act repealing an act made at her Majesties Queen Anne's Royal Capitol the 23^d day of october in the 4th year of her Majesties reign Ent^d An act to prevent killing of deer at unseasonable times read the 2^d time and

Ordered a fecond reading

M' Merrywether and others brought the following written Message to the Governor from the house of Burgesses

To the Honbie Alexander Spotswood her Majesties Lieut. Governor of her Colony and dominion of Virginia

May it pleafe Your Honour

We her Majesties most dutyful [See J. of H. of B., p. 265.] And then the Council adjourned till to morrow morning Ten a Clock

Wednesday November the 15th 1710

Prēnt

DMOND JENNINGS, Dudley Diggs, Benje Harrison, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esque The amendments made by the Burge to the Bill Ente an ast to prevent ye destroying and murdering of bastard Children being read were agreed to web Some amendments.

Ordered

That the Clerk of the gen^{II} Affembly carry the f^d Bill to the Burgesses And acquaint them that the Council have agreed to their Amendments wth Some Amendments to which they desire the Concurrence of that house.

A Bill Ent^d an act to prevent hogfrooting within the City of Williamsburgh and certain places adjacent read the second time and amended at the board.

Ordered that the Bill win the Amendments be Engrossed.

A message from the Burg^a by M^t Holloway and others that the house had past a Bill Ent^a an Ast for prevention of abuses in tobacco shipt on freight and for the more certain freighting of tobacco to w^{ch} they desire the Councils concurrence.

A meffage from the Burgeffes by Mr John Robinfon and others that the house have agreed to the amendments made by the Council to their Amendments to the Bill Entd

An Ad to prevent the deftroying and murdering of baftard Children.

Ordered



Ordered

That the Amendments be inferted in the Bill and that the Clerk of the general affembly carry the f^d Bill to the Burg^{*} and accquaint them that the Council have inferted the Same Amendments in the Bill.

An Engroffed Bill from the Burg' Ent' an act for prevention of abuses in tobacco Shipt on freight and for the more certain freighting of tobacco read the first time and

Ordered a fecond reading

A Bill Ent^d an ad for afcertaining the Currant rates of foreign Coins in this dominion read the Second time and committed for amendments to Dudley Diggs James Blair and William Byrd Efq^{rs}

And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 16th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Philip Ludwell, Henry Duke, Benjamine Harrifon, James Blair, John Smith, John Lewis & William Byrd Efgrand A Bill Ent^a an Ad for prevention of abufes in tobacco Shipt on freight and for the more certain freighting of tobacco read the 2^d time and committed for amendmine to Benjamine Harrifon, Philip Ludwell and John Smith Efgrand

Robert Carter Efqr prefent

Dudley Diggs from the Committee for amending the Bill Ent^d an Act for afcertaining the Currant rates of foreign Coines in this dominion reported the amendments made to the f^d Bill and the Same were read.

Ordered

That the Bill wth the Amendments be read a third time to morrow

An Engroffed Bill Ent⁴ an A & to prevent kogs rooting within the City of Williamsburgh and certain places adjacent read the third time.

Refolved

That the Bill do pass

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the house of Burg^s and defire their concurrence thereto.

Ordered

That Rob^t Carter Efq^t be appointed one of the Committee for Amending the Bill Ent^d an Ad for preventing Abufes in tobacco flipt on freight and for the more certain freighting of tobacco in the room of Philip Ludwell Efq^t

And then the Council adjourned till to morrow morning 10 a Clock

Friday November the 17th 1710

Prefent

Page DMOND JENNINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, James
Blair, Philip Ludwell, Henry Duke, John Smith, Jn^a Lewis & W^m Byrd Efq^{es}
Ordered

That the Clerk of the general Affembly carry ye following Melfage from the Council to the house of Burgesses.—

M' Speaker and Gent. of the house of Burgeffes

The Conspiracie of the Negroes [See J. of H. of B., p. 270.]

And then the Council adjourned till to morrow morning 10 a Clock

Saturday



Saturday November the 18th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, James
Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W^m Byrd Efq^{ta}
A Bill Ent^d an Act for prevention of abufes in tobacco Shipt on freight and
for the more certain freighting of tobacco being reported wth the Amendm^{ta} was
read y^e 3^d time

Refolved

That the Bill do pafs

Ordered

That the Clerk of the general Affembly carry the f^a Bill to the house of Burg^a and accquaint them that the Council have past the Same with Sundry Amendments to which they desire the concurrence of that house.

A Bill Ent^d an Act for Setling and afcertaining the currant rates of foreign Coins in this dominion read the third time with the Amendments

Refolved

That the Bill do pass.

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the Burg* And accquaint them that the Council have past the Same wth Sundry Amendments to which they defire the concurrence of that house.

And then the Council adjourned till munday morning 10 a Clock

Munday November the 20th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd Efq^{ra}

A Message from the house of Burg^a to the Council by M¹ Eskridge & others who brought the following Bills Viz² an A& to Explain part of an A& of Affembly Ent⁴ An A& for Establishing the general Court and for regulating and Setling ye proceedings therein, And also a Bill Ent⁴ an A& to Oblige the minister of the parish of St Stephens in the County of King and Queen to officiate at the Chappel of the f⁴ parish and for building a Church, to which they desire the concurrence of the Council.

A Bill Ent^d an Act to Explain part of an Act of Affembly Ent^d an Act for Establishing the Genⁿ Court and for regulating and setling the proceedings therein read the first time and

Ordered a Second reading

A Bill Ent^d an A& to oblige the minister of the parish of S^t Stephens in y^t County of King and Queen to officiate at the Chappel in the f^d parish and for building a Church read the first time and

Ordered a fecond reading

Prefent the Governor

A Meffage from the house of Burg's to the Governor by M' Allerton & others praying that a new writt may iffue for Electing a Burg's for the County of Charles City in the room of Thomas Parker Gent. deceased.

A message from the house of Burg* to the Council by Mt Randolph & others who brought a Bill Ent* an Ast Establishing the County Courts and for regulating & setling the proceedings therein and for directing the manner of granting probats of Wilis And Administration of Intestates Estates and for appointing rolling houses and publick landings to which they desire the Concurrence of the Council.

And then the Council adjourned till to morrow morning Ten a Clock

Tuefday



Tuesday November the 21st 1710

Prefent

S YESTERDAY

An Engrossed Bill from the Burge Ent⁴ an Ad for Establishing County Courts for regulating and Setling the proceedings therein and directing the manner of granting probats of Wills and Administration of Intestates Estates and for appointing rolling houses and publick landings read the first time and

Ordered a fecond reading

Prefent the Governor

Ordered

That the Clerk of the general Affembly carry the following meffage from the Governor to the house of Burgesses.

M' Speaker and Gent. of the house of Burgesses

Her Majestie having thought fitt [See J. of H. of B., p. 274.]

A petition of the veftry of *Bruton* parifh praying the Affiftance of the General Affembly for building and enlarging their Church read and referred to the Confideration of the house of Burgesses.

Refolved

That a Bill be prepared to prevent the defertion of Seamen from her Majestys Ships of war and Merchant Ships—

A Bill Ent^d an A& to Explain part of an A& of Affembly Ent^d an A& for Establishing the general Court and for regulating and setling the proceedings therein read the second time and committed for amendments to Philip Ludwell & John Lewis Esq^{co}

A Bill Ent⁴ an A& to oblige the minister of the parish of S^t Stephens in the County of King and Queen to officiate at the Chappel in the S⁴ parish and for building a Church read the Second time.

Ordered that the Bill ly upon the Table

And then the Council adjourned till to Morrow morning to a Clock

Wednesday November the 22d 1710

Prefent

S YESTERDAY

Philip Ludwell Esq reported the Amendments made to the Bill Ent^a an Aĉt to Explain part of an Aĉt of Affembly Ent^a An Aĉt for Establishing the General Court and for regulating and Setling the proceedings therein and the sq Amendments being disagreed unto, the said Bill was read the third the third time.

Refolved

That the Bill do pass without amendment

Ordered

That the Clerk of the general Assembly carry the sel Bill to the house of Burg. And Accquaint them that the Council have past the Same without any Amendment.

A meffage from the house of Burgesses to the Council by Mr Holloway and others that the Burgesses had taken into consideration the amendments made by their Hon's to the Bill Ent's an Act for prevention of abuses in tobacco shipt on freight and for the more Certain freighting of tobacco. And also to the Bill Ent's An Act for Setling and Ascertaining the currant rates of foreign Coins in this dominion And had agreed to Sev's of the stamendments, to Some they had disagreed and to others they had Agreed with Several amendments of their own and desired that the Council would not insist on Such of their Amendments as that house had disagreed to, and that they would agree to the Amendments made by that house to their Hon's Amendments

Refolved

That a Conference be defired w'b the Burg' on the Subject matter of the Amendments to the two bills aforementioned, and that Dudley Diggs, Robert Carter Philip Ludwell



Ludwell and William Byrd Efqra do manage the fd conference to morrow morning at ro a Clock in the conference room and

Ordered

That the Clerk of the general Affembly go to the house of Burgesses & defire the faid conference accordingly and accquaint them that the Council have Appointed four of their members to meet Such a number of the Burgs as the house shall think fitt for managing the statement of the time and place aforementioned.

A meffage from the house of Burg^s to the Council by M^r Holloway & others that the house had agreed to the conference desired by their Hon^{rs} and that their managers would be ready to meet those of the Council at the time and place appointed.

And then the Council adjourned till to Morrow morning 10 a Clock.

Thursday November the 23d 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benjo Harrifon, Robert Carter, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd Efqro The mangers appointed for the conference with the house of Burgesses having prepared Sevil reasons to be offered at the std conference the Same were read and approved off.

Then the Council adjourned during pleafure and the managers went to the Conference—

HE Council being mett

A Bill Ent^d an AA prohibiting Seamen being harboured & entertained on Shore read the first time and

Ordered a Second reading.

A Bill Ent^a an AA for the further reftraint of tipling houses and other disorderly places read the first time and

Ordered a fecond reading

Dudley Diggs Efq^r from the conference wth the Burg^s on y^e amendments proposed by that house to the Councils Amendments to the Bill Ent^d an Aâ for prevention of abuses in tobacco Ship'd on freight and for the more certain freighting of tobacco reported that they had mett the Burgesses and offered Sev¹ reasons for their disagreeing to the Amendments proposed by that house, and had left the Bill & Amendments with the Burgesses, and also reported that they had offered reasons for the Councils adhereing to their fifth Amendment, to the Bill for the Setling and Ascertaining the Currant rates of foreign Coins in this dominion and had left the Bill with the Burgesses.

Prefent the Governor

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the house of Burgesses

M' Speaker and Gent of the house of Burgeffes

It hath been the care [See J. of H. of B., p. 277.]

And then the Council adjourned till to morrow morning Ten a Clock

Friday November the 24th 1710

Prefent

S YESTERDAY

A message from the house of Burg* to the Council by Mr Halloway and others That upon report of the conference with their Hon* in relation to the Amendments to the Bill Enta an Aā for preventing of abuses in tobacco Ship'd on freight and for the more certain freighting of tobacco that house had past a Resolve which they had Ordered to be left with their Hon* together with the Bill, that the house



had Agreed to the Amendments proposed by the Council to the Bill Ent^a an AA for feeling and Afcertaining the currant rates of foreign Coins in this dominion and had inserted them in the Bill, Also that the house had past a Bill Ent^a an AA to Enable Eliz: Harrison widow and administratrix of the Estate of Benj^a Harrison late of the County of Charles City gent. deceased to Sell certain Lands and negros late of the Estate of the senj^a Harrison for payment of the debts of the senj^a: And also a Bill for Ascertaining the bounds between Lancaster and Northumberland Countys to which they desire the Concurrence of the Council.

A Bill Ent^a an AA for Establishing the County Courts for regulating & setling the proceedings therein, and for directing the manner of granting of probats of Wills, and Administrations of intestats Estates and for appointing rolling houses and publick landings read the Second time and Sev¹¹ Amendments being offered and a debate arising thereon.

Refolved

That the Bill do ly till Munday for further confideration

Then the Council took into Confideration the Refolve of the house of Burg^a on the Bill Ent^a an Aâ for prevention of abuses in tobacco Shipt on freight and for the more Certain freighting of Tobacco.

Refolved

That the Council do not infift on their diffagreement to the Burgesses Amendments to their Sixth Amendment to the f^d Bill but that the Bill be past wth the Amendment proposed by that house.

Ordered

That the Clerk of the general Affembly carry to the house of Burgs the Bill Ent^d an A& for prevention of abuses in tobacco Shipt on freight and for ys more certain freighting of tobacco, and acquaint them that the Council do not insist on their disflagreems to the Amendments made by that house to their Hons Sixth amendment to the sell and have past the Bill as Amended.

The Council having Examined the amendments to the Bill for Setling and Ascertaining the currant rates of foreign coins in this dominion.

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the house of Burgesses and Accquaint them that the Council are Satisfyed that the Amendments are truly inserted.

A Bill from the Burg^a Ent^d an A& to Enable Eliz: Harrison widow and admin^{rix} of Benj^a Harrison late of the County of Charles City Gent. deceased to fell certain Lands & flaves late the Estate of the f^d Benj^a for payment of the debts of the f^d Benj^a read the first time and

Ordered a fecond reading

A Bill from the Burgs Ent^d an Ad for afcertaining the Bounds between the Countys of Northumberland and Lancaster read the first time and

Ordered a fecond reading

A Bill Ent^d An Act for prohibiting Seamen being harboured or Entertained on Shore read the Second time and Committed for Amendments.

A Bill Ent^d an Ad for the further reftraint of tipling houses and other disorderly places read the Second time and Committed for Amendments

And then the Council adjourned till to morrow morning 10 a Clock

Saturday November the 25th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, James Blair Com^{to}, John Smith, John Lewis, William Byrd Efq^{to}

A meffage from the Burgeffes by M^r Holloway and others who brought a Bill Ent^d an Aâ for raifing a duty on liquors and Slaves to which they defire the Councils Concurrence.

A



A Bill Ent^d an AA for raifing a duty on Liquors and Slaves read the first time & Ordered a Second reading

The Amendments to the Bill Ent¹ an Ad for the further reftraint of tipling houses and other disorderly places being read

Ordered

That the Bill with the amendments be Engroffed.

And then the Council adjourned till munday morning 10 a Clock

Munday November the 27th 1710

Prēnt

HE Honourable Allexander Spotfwood her Majestys Lieutenant Governor, Edmond Jennings, Dudley Diggs, Robert Carter, James Blair Comry. Philip Ludwell, John Smith & William Byrd Esq^{**}

Ordered that the Clerk of the general Affembly carry the following meffage from the Governor to the house of Burgesses

M' Speaker and Gent of the house of Burgesses

Your ready Concurrence [See J. of H. of B., p. 281.]

Ordered that the Clerk of the general Affembly carry the following meffage from the Governor to the house of Burgesses

M. Speaker and Gentlemen Of the house of Burgesses

At the beginning [See J. of H. of B., p. 281.]

A Bill Ent^d an A& to Enable Eliz: Harrison widow and admin** of the Estate of Benj^a Harrison late of the County of Charles City Gent deceased to fell certain lands and Slaves late the Estate of the f^d Benj^a for payment of the debts of the f^d Benj^a read the Second time and

Ordered a Third reading

The Amendments to the Bill Ent^d an Aâ for prohibiting Seamen being harboured or entertained on Shore being read and agreed to

Ordered that the Bill with the amendments be Engroffed.

A Bill Ent^d an A& for the further reftraint of tipling houses and other disorderly places read the third time

Refolved

That the Bill do país

Ordered

That the Clerk of the general Affembly carry the faid Bill to the house of Burgesses and desire their concurrence thereto.

A petition of Robert Ruffin praying a further allowance for his Negroman Will who discovered the late conspiracie of the negro's in the County of Surry read and referred to the Consideration of the house of Burgesses

And then the Council adjourned till to morrow morning 10 a Clock

Tuesday November the 28th 1710

Prefent.

DMOND JENNINGS, Dudley Diggs, M^t Cornry Blair, Philip Ludwell, John Smith and William Byrd Elq^{to}

A Bill Ent^d an A& to Enable Eliz: Harrison widow and Admin^{riz} of the Estate of Benjamine Harrison late of the County of Charles City Gent. dec^d to Sell certain lands and Slaves late the Estate of the f^d Benj^a for payment of the debts of the f^d Benj^a read the third time

Refolved

That the Bill do pass



Ordered

That the Clerk of the general Affembly carry the fa Bill to the house of Burga and accquaint them that the Council have past the Same whout amendment.

Present the Governor

A Meffage to the Governor from the Burg³ by M^r Holloway & others that the house had prepared an address to her majesty and also an address to his Hon^r and desire to know when they Shall attend his Hon^r to present the Same

To which the Governor was pleafed to accquaint the meffengers that he would let them know to morrow.

And then the Council adjourned till to morrow morning 10 a Clock

Wednesday Nov' the 29th 1710

Prefent

HE Honble Allexander Spotfwood Efqt her Majestys Lieut Governor, Edmond Jennings, Dudley Diggs, Philip Ludwell, Mt Comry Blair, John Smith, William Byrd Efqt

Ordered that the Clerk of the general Affembly go to the house of Burgesses & accquaint them that according to their Message of yesterday the Governor is now ready in the Council Chamber to receive their address.

Then the house attended y^e Gov^r and M^r Speaker addressed himself to the Governor as follows.

May it please y' Hon'

We her Majestys most dutyful and Loyal Subjects [See J. of H. of B., p. 283.]

And then Mr Speaker having prefented to the Governor the address of the Burg* to her Majesty, the Governor was pleased to Say that he would by the first opportunity Transmitt their address to her Majesty and did not doubt but it would be graciously received.

A meffage from the house of Burg to the Council by Mr Holloway and others who brought the following Bills, to witt, A Bill Ent^d an A& for raising a publick revenue for the better Support of the Government of this her Majestys Colony and dominion of Virginia, A Bill Ent^d an A& for setling the Bounds and titles of Land and for preventing unlawful Shooting and ranging thereupon, And a Bill Ent^d an A& to diffolve the present vestry of the parish of Accomack to which they desire the Councils concurrence; also that the house had inserted y^e amendments agreed on in the Bill for prevention of abuses in Tobacco Shipt on freight.

Ordered

That the Clerk of the gen^{II} Affembly carry the following meffage from the Council to the house of Burgesses.

M. Speaker and Gent of the house of Burgesses

The Council having taken [See J. of H. of B., pp. 286-7.]

And then the Council adjourned till to morrow morning Ten a Clock

Thursday November the 30th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, James Blair Comry, Philip Ludwell, John Smith, William Byrd Elqr

A Bill Ent⁴ an Ad for prohibiting Seamen being harboured or Entertained

on Shore read the third time.

Refolved

That the Bill do pass

Ordered

That the Clerk of the general Assembly carry the se Bill to the house of Burgesses and desire their concurrence thereto

An



An Engroffed Bill from the Burg* Ent^d an All for raifing a publick revenue for the better Support of the Government of her Majestys Colony and dominion of Virginia read the first time and

Ordered a Second reading

An Engroffed Bill from the Burg* Ent^d an A& for Setling the titles and bounds of land and for preventing unlawful Shooting and ranging thereupon read the first time and

Ordered a fecond reading

An Engroffed Bill from the Burg' Ent^a an A& to diffolve the pretended Veftry of Accomack read the first time and.

Ordered a Second reading.

A Meffage from the Burg* by M^r Holloway and others to the Governor That the house had prepared an address to give his Hon* an Account of their proceedings and defired to know when they Shall attend to present it.

To which the Governor was pleafed to answer he would give the house notice by a message.

Ordered

That the Clerk of the general Affembly go to the house of Burgesses & Accquaint them y' the Governor is now ready in the Council chamber to receive their address.

The house attending M^r Speaker addressed himself to the Governor as follows. We her Majestys most truly Loyal [See J. of H. of B., pp. 285-6.]

To which the Governor was pleafed to answer that the matters contained in this Address and in that of Yesterday gave Sufficient testimony of the good agreem between him and that house and could not but be very acceptable to one that desired nothing more then to keep up a good Correspondence with them and to make them easie hoping thereby to be so himself

The Council having taken into confideration the Amendments to the Bill Ent^d an Aâ for Eftablishing County Courts and for regulating and fetling the proceedings therein the Said Amendments were twice read and Approved.

Then the Bill Ent^d an AA for Establishing County Courts and for regulating and selling the proceedings therein was read the third time with the Amendments

Refolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the general Affembly carry to the house of Burg* the said Bill and accquaint them that the Council past the Same with Several Amendments to which they defire the concurrence of that house.

Ordered

That the Clerk of the general Assembly carry to the house of Burgesses the Bill Ent^d an Ast for prevention of abuses in tobacco Shipt on freight, and accquaint them that the Council have Examined the Same and are Satisfyed that y amendments are truly inserted.

A petition of John Clayton and William Robert fon atturneys of Mrs Sufannah Leighton Executrix of Colls Edward Nott deceased late Governor of this Colony praying allowance of certain Sums of Mony Expended by them by orders of the Government for defraying the Extraordinary charge of the fs Governors funeral read and referred to the Confideration of the house of Burgesses.

And then the Council adjourned till to morrow morning to a Clock

Friday December the 1st 1710

Prefent

DMOND JENNINGS, Dudley Diggs, Mr Connry Blair, Philip Ludwell, John Smith and William Byrd Esq.

A Meffage from the Burgeffes to the Council by M^r Eskridge and others who brought a Bill Ent⁴ an A&t to fet free Will a Negro belonging to Rob⁴ Ruffin to which they defire the Councils concurrence. And also

A



A Refolve of the house in answer to the Councils message in relation to the Bill for laying a duty on Liquors and slaves.

Then the faid refolve was read as follows

Refolved

That leave be given [See J. of H. of B., p. 287, l. 33 to end of page.]

A Bill Ent^d an Act for laying a duty on Liquors and Slaves read the Second time with the Amendments agreed to by the house of Burgesse and

Ordered a Third reading

A Bill Ent^d an A&t for raifing a publick revenue for the better Support of the Government of this her Majesties Colony and dominion read the Second time and

Ordered a third reading

A Bill Ent^d an Act to fet free Will a negro belonging to Robert Ruffin read the first time and

Ordered a fecond reading

Prefent the Governor

Ordered

That the Clerk of the general Assembly carry the following Message from the Governor to the house of Burgesses.

Gentlemen

Your late Addresses [See J. of H. of B., pp. 288-9.]

A Bill Ent^d an A& for Setling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon read the Second and committed.

And then the Council adjourned till to morrow morning 10 a Clock

Saturday December the 2d 1710

Prefent

HE Honble Allexander Spotfwood Efqt her Majeftys Lieut Governor, Edmend Jennings, Dudley Diggs, James Blair Comry. Philip Ludwell, John Smith and William Byrd Efqta

A Bill Ent d an A ∂ laying a duty on liquors and Slaves read the third time with the Amendments.

Refolved

That the Bill do pass

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the house of Burgesses and accquaint them that the Council have past the same wth the Amendments agreed to by that house.

A Bill Ent^a An Ast for raifing a publick revenue for the better Support of the Government of this her Majestys Colony and dominion of Virg^a read the Third time.

Refolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the sed Bill to the house of Burgesses and accquaint them that the Council have past the Same without any Amendment.

A Bill Ent^d an Act to Set free Will a negro belonging to Rob' Ruffin read the Second time and

Ordered a Third reading

A Message to the Council by M^r Christopher Robinson and others who brought the following Bills Viz A Bill Ent^d an A& for the further restraint of tipling houses and other disorderly places, and a Bill Ent^d an A& for prohibiting Seamen being harboured or Entertained on Shore past without amendment, Also A Bill Ent^d an A& for sinishing a house for the Governor of this Colony and dominion, A Bill Ent^d an A& appointing a Treasurer,

and



and a Bill Ent⁴ an A& for fecurity and defence of the Countrey in time of danger, To which they defire the Councils concurrence, and that the house had Agreed to the Amendments made by their Hon⁵⁶ to the Bill Ent⁴ an A& for Establishing County Courts and for regulating and Selling the proceedings therein.

And then the Council adjourned till Munday morning Ten a Clock

Munday Decembr the 4th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, James Blair, Philip Ludwell, John Smith, William Byrd Elqr¹ A Bill Ent⁴ an A& for finishing a house for the Governor of this Colony &

dominion.

A Bill Ent^d an Act reviving and continuing an Act for Security and defence of the Countrey in times of danger and

A Bill Entituled an A& Appointing a Treasurer were read the first time and

Ordered a Second reading

A Bill Ent^d an A& to Sett free Will a negro belonging to Rob^t Ruffin read the third time.

Refolved

That the Bill do pals

Ordered

That the Clerk of the general Assembly carry the se Bill to the house of Burgesses and accquaint them that the Council have past the Same without any Amendment.

The Bill Ent^d an AA for Establishing County Courts and for regulating and Setling the proceedings therein Examined

Ordered

That the Clerk of the general Affembly carry the Same to the house of Burg³ and accquaint them that the Council are Satisfyed the Amendments are truly made.

Prefent John Lewis Efgr

Refolved

That an humble Address be prepared to return the humble Thanks of the Council to her Majesty for her royal favours lately bestowed on this Colony and that Mr Commissary Blair and William Byrd Esqr prepare and bring in yr id address

Refolved

That an humble address be made to the Honble the Licut Governor To Express the happieness of this Countrey under his prudent administration, and that Mr Commissary Blair, and William Byrd Esgr prepare and bring in the Said address.

A Bill Ent⁴ an A& for Setling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon read the third time with the Amendments.

Refolved

That the Bill do pass.

Ordered

That the Clerk of the General Affembly carry the f^d Bill to the house of Burg^s and Accquaint them that the Council have past the Same with Some Amendments To which they desire the Concurrence of that house.

And then the Council adjourned till to morrow Morning 10 a Clock.

Tuesday December the 5th 1710

Prefent

DMOND JENNINGS, Dudley Diggs, James Blair Comry, Philip Ludwell,
John Smith, John Lewis & William Byrd Efqre

A Bill Ent^d an Ad for finishing a house for the Governor of this Colony and

dominion read the Second time and

Ordered a Third reading

A



A Message to the Council by M. Buckner and others who brought the book of publick Claims, And also a Bill Ent's an Act for Supply of certain defects found in the Act prescribing the method of appointing Sheriffs to which they defire the Councils concurrence.

A Bill Ent'd an Act reviving the Act for Security and defence of the Countrey in times of danger read the Second time and

Ordered a third reading

A Bill Entd an Ad for appointing a Treasurer read the Second time and

Ordered a Third reading

An Engroffed Bill from the Burg's Enta an Ad for Supply of certain defeds found in the Act prescribing the method of appointing Sheriffs read the first time and

Ordered a Second reading

The book of publick Claims being read over, and the Council observing Sundry Claims diffallowed which they conceive to be a Countrey Charge

Refolved

That the following meffage be Sent to the Burgesses to recommend the Said Several Claims to be again Confidered by that house

By the Honbie Council

The Council having read [See J. of H. of B., pp. 294-295.]

Prefent the Governor

A meffage to the Governor by Mr Holloway and others that the house had resolved to give two hundred pounds, towards rebuilding the parish Church of Bruton in the City of Williamsburgh and prayed the favour of his Hon to take the se Sum into his hands, and to take the trouble of laying it out for Enlarging the fd Church and building pews for the Governor Council and Burgesses, to which the Governor was pleased To answer that he thanked the house for the confidence they had in him, that tho he had never been concerned in business of this nature, he would use his best endeavours to have ye money laid out to answer their intentions

Ordered

That the Clerk of the General affembly carry the following Meffage from the Governor to the house of Burgesses.

M' Speaker and Gent of the house of Burgesses

By an Address [See J. of H. of B., pp. 292-293.]

And then the Council adjourned till to morrow morning to a Clock

Wednesday December the 6th 1710

Prefent



S YESTERDAY

A Bill Enta an Act reviving the act for security & defence of the Country in times of danger Read the 3d time

Refolved That the Bill do país

A Bill Entd an Act for finishing a house for the Governor of this Colony and dominion read the third time.

Refolved

That the Bill do pafs

A Bill Ent'd an Act appointing a Treasurer read the third time and

Refolved

That the Bill do país.

Ordered

That the Clerk of the General Affembly carry the fd three Bills to the Burg And accquaint them that the Council have past the Same without any amendments

A Bill Enta an Ad for Supply of certain defects found in the Act prescribing the method of appointing Sheriffs read the fecond time and ordered a Third reading

The Council adjourned for an hour

AND



A Bill Ente an A

A Bill Eut^d an Ad for Supply of certain defeds found in an Act prescribing the method of appointing Sheriffs read the third time and

Refolved

That the Bill do pass

Ordered

That the Clerk of the general Affembly carry the f^a Bill to the house of Burg* and accquaint them that the Council have past the Same without Amendment.

An humble Address to her Majesty being prepared was read and Signed and is as follows.—

To the Queens most Excellent Majesty

We Your Majesties most dutyful and loyal Subjects the Council of your Antient Colony of Virginia mett in Affembly beg leave in all humility Amongst the many bleffings of your aufpitious reign in which we Share with all your other Subjects, to accknowledge your Majestys late favours to this Countrey in allowing us the benefite of the Habeas Corpus Act and in appointing Courts of Oyer and Terminer for the Speedy Execution of Justice and relief from long Imprisonments: together with your Royal Bounty in Rebuilding our College, Notwithstanding your Majestys other great and urgent Occasions for carrying on an Expensive, but Necessary war; in which with most thankful hearts, we congratulate the yearly repeated Successes of your Majestys forces We pray your Majesty likewise to accept of our unseigned Thanks for your great care in ordering guard Ships to defend our capes and protect our trade Especially in a most particullar manner we defire to acknowledge your Majesty great goodness to this Colony in Entrufting the Government of it in the hands of Coll' Spotfwood our Lieut Governor A person who by his prudence, Dilligence, Justice, Generosity and good Temper gives Such a general Satisfaction to all your Majestys good Subjects in this Countrey That we hope it will very much Sweeten our other hard Circumstances occasioned by the great decay of the trade of tobacco, and facilitate everything relating to your Majestys or the Countreys Service; We conclude wth our hearty prayers for your Majeftys health and long life; and with the greatest Assurances that no concurrence or affiftance Shall be wanting on our parts wth the utmost zeal and dilligence to promote your Majestys Service.

Alfo an Address to the Governor being prepared was read and Signed and is as follows

To The Honbie Allexander Spotfwood Esq. her Majiie Lieut Governor of Virginia

May it please your Hon'

We her Majestys most dutyful and Loyal Subjects to [of] the Council of this Colony and dominion mett in Assembly do promise our selves So much happieness from the prudence and moderation of your Governm that we cannot doubt its good Insluence

on her Majestys Service and the prosperity of this Countrey

The many favourable hints which your Hon was pleafed to give to the General Affembly in your Speech at the opening of this Seffion, declare your good Intention to this Colony, and that intention has been confirmed by Effects during the progress of it by your conftant and vigorous application to the publick good. We beg leave in the humbleft manner to thank your Hon for Such inftances of Your favour, and likewise for the peculiar pleafure with which you vouchfased to Communicate her Majestys most gracious Bounty to this Countrey, her tender regard to the liberties and happiness of all her subjects: add zeal to our loyalty and make obedience a pleasure; We have presumed in a most humble address To her Majesty to Express our thanks for her Royal savour, which we beseech You Sir to transmit to England by the first Occasion: and to accompany it with your good offices. And if we may Still beg surther, it is that your Hon would have the goodness to represent the affairs of this Colony in So savourable a manner, That her Majesty may be induced to continue and enlarge her Bountys towards it.



And we are perfwaded Sir that we may win a good grace pray for your Honro health and long continuance in this Government, because in So doing we pray for the Glory of God, the honour of her Majesty and the Welfare of her Subjects who have the good fortune to be under your care.

And then the Council adjourned till tomorrow morning to a Clock

Thursday December the 7th 1710

Prefent

S YESTERDAY

A Message from the house of Burge to the Council by Mr Buckner and others who brought the Treasurers accits past by that house to web they defire the concurrence of the Council

Prefent the Governor

The Council having prefented their address to the Governor which was read by Mr Prefident

The Governor was pleafed to answer that he thanked the Council for the Honour they had done him in that address, and was glad to find that his administration was So acceptable among them .-

A meffage from the house of Burgs to the Council by M. Eskridge and others that the Burgs upon the Confideration of their Honrs Amendments to the book of Claims had prepared an answer which they had ordered to be left with the Council and hoped they would agree thereto and pass the book of Claims.

The answer of the house of Burgs being read in the words following—Viz. The Burg* now in Affembly [See J. of H. of B., pp. 295-296.]

Refolved

That the following meffage be Sent to the house

The Council having confidered [See J. of H. of B., p. 296.]

The accounts of Mr Treasurer Beverly and Mr Treasurer Harrison were read and past by the Council and

Then the Governor Signed his affent to the fd Accounts

Ordered

That the Clerk of the General Assembly carry the sed Accounts to the house of Burg' and accquaint them that the Council have affented to them.

And then the Council adjourned till tomorrow morning 10 a Clock.

Friday December the 8th 1710

Prefent.

S YESTERDAY

A meffage from the Burgo to the Council by Mr Buckner and others who brought the book of Claims and accquainted the Council that the Burge had agreed to the allowances proposed by their Honra to be made in that book

Refolved

That the fd Book of Claims be paffed

Then the Governor Signed his Affent thereto and

Ordered

That the Clerk of the General Affembly carry the fd Book to the house of Burg* and accquaint them that the Governor and Council have affented thereto.

A Message from the Burge to the Council by Mr Holloway and others that the house had past Several Resolves for the payment of mony out of the funds raised and to be railed by the duty on liquors and Slaves to which they defire the Councils concurrence.—

The Council having confidered the Several Refolves and orders of the house of Burg* for payment of mony out of the ffunds raifed and to be raifed by the duty on liquors and

Slaves



Slaves do agree to the Same in the terms they are past by the house, and in Order to prevent all disputes that may arise as to the paymt of the Remaining Ballance due from the Admints of the late Treasurer.

Refolved

That all monys which M^{es} Elizabeth Harrifon Shall upon her oath before the Honble the Lieut Governor declare She found in Specie at the time of her hufbands deceafe or which has come to her hands fince, and believes to have grown due upon Acc^{et} of the impositions on Liquors and Slaves be paid in cash at the rate of Sixteen pennyweight and a half for five Shillings

And then the Council adjourned till to Morrow Morning 10 a Clock

Saturday December ye 9th 1710

S YESTERDAY

A message from the Burgs by Mr John Robinson and others who brought the Bill Entd an A& for Sciling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon and accquainted the Council that the house had inserted therein the Amendments agreed on, and also brought the Bill Entd an A& for raising a publick Levy with the book of propositions past by the house to which they desire the Councils concurrence and brought the Inrolled Bills past this Session for their Honrs perusal and accquainted the Council that the house had Agreed to their resolve about the future payments to be made by Mrs Harrison out of the publick mony in her hands.

A Bill Entd an Act for raifing a publick Levy read the first time and

Ordered a fecond reading

Then the Council adjourned during pleafure

A

ND being mett again

A Bill Ent^a an A \hat{a} for raifing a publick levy was read the Second time and Ordered a Third reading

The Council adjourned ut Supra

A

ND being mett again

A Bill Ent^d an $A\mathcal{A}$ for raifing a publick Levy was read the third time Refolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the sed Bill to the house of Burg and accquaint them that the Council have past the Same.

Prefent the Governor

The book of publick propositions [proportions] being read over was agreed to by the Council. And then the Governor was pleased to Sign his Assent to the Same.

The Council having perused the inrolled Bills and finding them to be truly tranfcribed

Ordered

That the Clerk of the general Affembly carry the f^d Bills to the house of Burg^s

That the Clerk of the Gen¹¹ Affembly carry to the house of Burg⁵ the book of propositions and accquaint them that the Governor and Council have affented to the Several allowances made therein.

Ordered



Ordered

That the Clerk of the Gen^{II} Affembly go to the house of Burg* and command their Immediate attendance on the Governor in the Council Chamber and that they bring with them the Bills that are ready for his Affent.

The house of Burg' Attending accordingly

Mr Speaker addreffed himfelf to the Governor to this Effect, That in obedience to his Honrs Commands the house of Burgs were come to attend him wth the sevil Bills past by the Honble Council and themselves to receive from his Honr that Sanction which yet remained to make them Effectual, and then read the Titles of the Said Bills, which were Severally Signed by the Governor and the Speaker as sollows viz:

[For the following 17 Acts, fee J. of H. of B., p. 298.] After which the Governor was pleafed to Say as follows

Gentlemen

Nothing Remains now but to declare to you that I am well Satisfyed wth the general proceedings of this Affembly and return you Thanks for your ready concurrence to many good and Necessary Bills which you have past this Session and that I may not Seem unmindful of your favours, I particularly mention that for finishing the Governors house.

I fhall do you Juftice to her Majesty in reporting the Cheerfulness wh which You have acted, And I do not doubt But your Bills will Sufficiently testifie that you are both dutyfull Subjects and carefull Representatives.

Seeing both the Season of the year and your own domestick affairs require Your return home, I Shall no longer detain you here and therefore I now prorogue you to the last day of *April* at which time You are to meet me here again

Copia Examinat ?

Wil Robertson Cl Gen Assembly



AT A

GEN! ASSEMBLY

Begun at her Majestys Capitol the 25th day of October in the ninth year of the Reigne of our Sovereign Lady Anne by the Grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c and thence Continued by divers Prorogations and there held the 7th day of November 1711 in the tenth year of her Majestys Reign



[From the Public Record Office, London, Colonial Office, Class 5, Vol. 1406—pages of volume not numbered.]

At a Gen!! Affembly Begun at her Majestys Capitol the 25th day of October in the ninth year of the Reigne of our Sovereign Lady Anne by the Grace of God of Great Brittain France and Ireland Queen Desender of the Faith &c and thence Continued by divers Prorogations and there held the 7th day of November 1711 in the tenth year of her Majestys Reign

[November the 7th, 1711]

DMUND JENINGS, James Blair, Phillip Ludwell, John Smith and William Byrd Efqts The Councill mett and Adjourned till to morrow morning ten a Clock

Thursday November the 8th 1711

HE Govt, Edmund Jenings, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd Efqr. Ordered

That the Clerk of the Gen¹¹ Affembly go to the house of Burgesles and acquaint them that the Gov Commands their immediate attendance in the Council Chamber

The House Accordingly attending

The Governour made the following Speech

Gentlemen of the Council and House of Burgesses

That good Agreement [See J. of H. of B., 1702/3-1712, pp. 301-303.] And then the Council Adjourned till to morrow morning 10 a Clock

Friday November 9th 1711

DMUND JENINGS, James Blair, John Smith, John Lewis, William Byrd Efqr The Council mett and Adjourned till to morrow morning 10 a Clock

Saturday November 10th 1711

DMUND JENINGS, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd Efg"

A message from the house of Burgesses to ye Council by Mr holloway and

others who brought the following Refolve Viz*

Refolved That there be paid unto Ralph Baker out of the publick moneys in M. Treafurers hands ye Sum of twenty feven pounds ten Shillings in Satisfaction of twenty five pounds Sterling ordered him at ye last Session of Assembly and not yet paid & for other Confiderations. And



And the faid M^t Holloway acquainted y^e Council that the reason y^t y^e said Baker was not paid According to the order of y^e last Assembly was because through mistake that paymt was ommitted out of y^e list of the Orders drawn on the money in the hands of M^{ts} Harrison Administs of y^e late Treasurer, and that the Burgesses takeing into Consideracon the loss he had Sustained through y^e want of his money for almost a twelve month, and the difference between the payment now in Currant Money, and the paymthe should have had then wth was Sterling, had thought fitt to allow him fifty Shillings in Consideration thereof To wth they defire the Concurrence of the Council

Ordered

That the faid Refolve ly on the Table for further Confideration And then the Council Adjourned till Munday morning to a Clock

Munday Novemby ye 12th 1711

Prefent

DMUND JENINGS, James Blair, Phillip Ludwell, Henry Duke, John Smith Efqra

The Councill mett and Adjourned till to morrow morning 10 a Clock

Tuesday November ye 13th 1711

Prefent

HE Govern', Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke and John Smith Efqro

The Council haveing taken into Configuration the Refolve of ye house of Burgesses brought up on Saturday last

Refolved

That the Council do agree to the paym^t of Twenty Seven pounds ten Shillings Current money to Ralph Baker out of the Publick monys in M^t Treafurers hands upon the Confideration menčoned in the meffage from y^e Burgeffes last Saturday

And then the Govern' was pleafed to Signe his Affent to ye fd Payment

Ordered

That the Clerk of the Gen^{II} Affembly carry to the house of Burgesses the Resolve for paym^t of Twenty seven pounds ten Shillings to Ralph Bacon and acq^t them that the Gov^t and Council haue agreed thereto.

A proposition from King William County for appointing Rangers on the Frontier Countys for their Protection against the Incursions of Indians being read

Ordered

That a meffage be prepared to be fent from ye Gov to ye house of Burgesses with the said Proposition.

And then the Council Adjourned till to morrow morning 10 a Clock

Wednesday November ye 14th 1711

Prefent

DMUND JENINGS, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efq"

Refolved

That an Address be prepared and presented to the Gove to render him the humble Thanks of the house for his Speech at the opening of this Session of Assembly for his prudent care and frugal Management and Singular dilligence in putting this Country in a posture of Desence: and Secureing its peace and tranquility in the late

times



times of danger and to affure his hon y^t the Council will heartily Concur in all those wise proposals he has made to this Assembly for y^t desence and Improvement of this her Majestys Colony—

Prefent the Govern

Ordered

That the Clerk of the Genⁿ Affembly carry the following Meffage from the Governour to the house of Burgesses together with the Proposition from King William County—

M' Speaker and Gent of the house of Burgeffes

Haveing rec^d a Proposition [See J. of H. of B., p. 309.]

And then ye Council Adjourned till to morrow morning 10 a Clock

Thursday November 15th 1711

Prefent

S YESTERDAY

The petition of Larkin Chew praying allowance for himfelf and ten men Rangeing on the Frontiers of Effex County

The Propositions from James City County

The Petition of M^{re} Elizth Harrifon praying allowance for paid by her in Sterling money more than her deceased husband Received as Treasurer of the late Impositions

Were Severally read and Referred to the Confideracon of the house of Burgesses An humble Address to the Gov being prepared was read approved and Signed by all the Members of the Council present and is as follows

To the Honbie Alexander Spotfwood her Majestys Liev Gov and Commander in Chief of the Collony and Dominion of Virginia

May it please y' Hon'

We the Members of her Majestys Council met in Assembly humbly beg on this Extraordinary Occasion you will be pleased to accept of our Unseigned thanks for y^r Speech to both houses of Assembly

We were Wittneffes and can be Vouchers of y^ε truth of y^ε matters of Fact therein Reprefented

And as ye dangers, when impendent were accompanied with a great deal of terror So now that by Gods Bleffing on ye wife Methods you Contrived, and the Singular dilligence with which you put them in Execution, they are in a great Meafure Obviated. We hope they have only Served to excite our Gratitude for our paft deliverance, and our care to prepare againft ye like dangers, for ye future

We are highly Senfible of ye great Conduct and Activity which were So eminently exerted by y' Hon' in the late times of danger, to we under God we owe both the Peace of this and ye Neighbouring Colony of North Carolina we admire ye frugality of ye

Expence and hope no Chearfullness will be wanting to Satisfy it

And as we have nearer and more frequent Oppertunities of Observing how Generous and disinterested yt methods are, by which you incessantly prosecute yt publick good: We can do no less then affure Yo' Hon' that we Shall not be wanting in our best Endeavours, to preserve yt present good harmony between you and yt Country, and to Concurr Chearfully in those wise proposals which you have made for yt desence and Improvemt of it

Ordered

That Jn^o Lewis and William Byrd Efqrs wait on ye Gove and acquaint him that ye Council have prepared an Addrefs to his hon and defire to know when and where they shall wait on him to present ye Same

And being returned

Reported y' the Gov' was pleafed to fay he would not give y' Council the trouble of waiting on him at his house but should be at y' Council Chamber to Morrow Morning

And then ye Council Adjourned till to Morrow morning 10 a Clock

Friday



Friday November ye 16th 1711

Prefent

HE Gov', Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efg's

The Council haveing prefented their Address to ye Governer His hone was pleased to Answer

Gentlemen

I have fo much at heart yet Welfare of this Colony that I must with Pleasure hear of its being benifitted by my Endeavours, and I cannot but exceedinly rejoice that So good Judges and Such near Wittnesses of my Conduct do approve of my Administrations and that I am Acceptable to an house which is so able to Council me and on whose advice I can so Safely rely—

The Gov^r Abfent

A meffage to the Council from y^e house of Burgesses by M^r Holloway and others who brought a bill Entituled an Ad for appointing Rowling houses and publick Landings and Ascertaining the prices of Storage passed by that house to wen they desire y^e Council's Concurrence

A bill Entituled an Ad for appointing Rowling houses and publick Landings and for Ascertaining the prices of Storage, Read y first time

Ordered

That the bill be read a 2d time on tuefday next

And then ye Council Adjourned till to morrow Morning 10 a Clock

Saturday November ye 17th 1711

Prefen

S YESTERDAY

A message from the Burgesses by M^t Holloway and others who brought a bill Entituled an A&t to restrain persons from keeping horses and breeding Mares that have not Land to keep them on. To which they desire y^e Councils

Concurrence

A bill Entituled an $A\mathcal{A}$ to reftrain perfons from keeping horfes and breeding Mares that have not Land to keep them on. Read the first time

Ordered

That the bill be read a Second time on Tuefday next.

And then ye Council Adjourned till Munday Morning to a Clock

Munday November ye 19th 1711

Prefent

HE fame as on Saturday

The Council mett and Adjourned till to morrow Morning 10 a Clock—

Tuesday November the 20th 1711

Prefent

DMUND JENINGS, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Efq**

A meffage from ye Burgesses by Mr Conaway and others who brought the Petition of John Broadnax Keeper of ye Publick Goal with a Resolve of ye house thereupon to which they desire the Councils Concurrence.

And the same being read was agreed to and is as follows Viz'

The



The Petition of Jnº Broadnax keeper of the publick Goal was read fetting forth ye Inconveniencys in haveing a Window on each fide of ye fd Goal and praying that they may be Stopt up. And that one other window may be made on ye West end of ye said Goal which is Surrounded with a high Wall

Refolved

That Liberty be given to ye faid Broadnax to made Alteracon in ye ft Publick Goal According to ye Prayer of his Petition. and that ye fame be done at ye Charge of the Country

Ordered

That y^e Clerk of y^e Genⁿ Affembly return y^e f^a Refolve to y^e house of Burgesses and acq^a them that y^e Council have agreed thereto

Phillip Ludwell Efqr Prefent

A bill Entituled an AA for appointing Rowling houses and publick Landings and Ascertaining y' prices of Storage read ye 2d time

Refolved

That a bill be prepared for Eftablishing Ports and that y^e Rolling houses and publick Landings be Comprized in y^e said bill

Ordered

That Rob' Carter James Blair & William Byrd Efqre do prepare and bring in the faid bill

And then ye Council Adjourned till to morrow morning to a Clock

Wednesday November the 21st 1711

Prefent

DMUND JENINGS, Rob Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Efqro

A message from ye Burgesses by Mr Holloway and others who brought a bill Entituled an AA to Impower Surveyors of highways to take such trees as shall be Necessary to make or repair Bridges and high ways, and also a bill Entituled an AA for settling and Ascertaing ye Currant rates of forreign Coined Gold. To which they desire ye Councils Concurrence

A bill Entituled an A \hat{a} to impower Surveyors of high ways to take fuch trees as Shall be Neceffary to make or repair Bridges and high ways read y^e first time and

Ordered

a Second Reading

A bill Entituled an A& for fettling and afcertaining y Currant Rates of forreign Coined Gold, read the first time and

Ordered

a Second Reading

The Gov Present

A meffage from y^e Burgeffes to the Govern' by M^r Holloway and others that the house had prepared an Address of thanks to his hon' and defired to know when he will be attended by the whole house to present y^e said Address

Upon which ye Gov was pleased to appoint to morrow at one a Clock in the after noon in ye Council Chamber

A bill Entituled an Ad to reftrain people from keeping horfes and breeding Mares that have not Land to keep them on. read ye Second time and Committed for Amendm's

And then ye Council Adjourned till to morrow morning to a Clock



Thursday November the 22d 1711

HE Govern', Edmund Jenings, Rob' Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efq 10 The house of Burgesses attending the Gov presented ye following Address

To the Honbie Alexander Spotswood Efgr her Majestys Liev' Gov' and Command' in Chief

of y. Colony and Dominion of Virginia

The Humble Address of y house of Burgesses

May it please yo' Hon'

Wee her Majestys most Loyal [See J. of H. of B., p. 314.]

To which the Gov was pleafed to make the following Answer

I fhall be glad of ye Occasion to return the like thanks to you Gentlemen of the house of Burgeffes for y' Labouring as Cheerfully as Sincerely and as free from all felf Interest as I have done for ye generall good of this Colony-

Ordered

That the Report from the Commtee to whom it was Referred to prepare a bill for Establishing Ports be made to morrow Morning-

And then the Council Adjourned till to Morrow Morning 10 a Clock

Friday Novembr the 23d 1711

Prefent.

S YESTERDAY

Ordered

That ye Clerk of ye Gen'l Affembly carry the following Meffage from the Gov to the house of Burgesses

M' Speaker & Gent of the House of Burgesses

Tho I did in my Speech [See J. of H. of B., p. 316.]

Robert Carter Esqr from ye Commtee appointed to prepare a bill for Establishing Ports Reported that they had Accordingly prepared ye fame weh He delivered in at the Table and ye fame was Received

A meffage from ye Burgeffes to ye Council by Mr Holloway and others that the house had passed a bill Entituled an AA directing the manner of granting Probates and Administrations of Intestates Estates to web they desire ye Councils Concurrence-

And then ye Council Adjourned till to morrow Morning 10 a Clock

Saturday November the 24th 1711

Prefent

S YESTERDAY

A Bill Entituled an A& directing the manner of Granting Probates and Administracons of Intestates Estates. read the first time and

Ordered

A Second Reading

Ordered

That ye Clerk of ye Gen'l Assembly carry the following message from ye Govern's to the house of Burgesses

Gentlemen

In Answer to y' message for my directions in amending y' Militia Bill. I thought I had fully discoursed yt matter wth yt Commtee sent on the like message last Session tho it feems my meaning was Mifunderftood I am Sure I have frequently Intimated the defects in yr Prefent Law to most of ye Gent of ye Country, and more Particularly to ye

members



members of y' house on divers Occasions. So that if you really intend by Amending that Law to make y' Melitia of Use. I am perswaded you have a sufficient Foundation to begin upon. And when you have proceeded so far as to pass a bill. If any Ommission be found therein, It may properly be Supplyed by an Amendm' from y' Council who are no doubt Equally Concerned and zealous for y' defence and Security of their Country And then the Council Adjourned till Munday Morning to a Clock

Munday November ye 26th 1711

Prefent

DMUND JENINGS, Rob Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd Esq¹⁰

The following Address haveing been presented to the Gov^r last Saturday

V 12

To the Honbie Alexander Spotfwood her Majefties Liev' Govern' of Virginia We her Majeftys most Loyal [See J. of H. of B., p. 318.]

Ordered

That the Clerk of y^e Gen^{II} Affembly carry the following Meffage from the Gov^r to the house of Burgesses in Answer to the f^d Address

M' Speaker and Gentl' of the House of Burgesses

In answer to y' Address [See J. of H. of B., p. 319.]

A meffage from the Burgesses to ye Council by Mr Holloway and others who brought a bill Entituled an A& for ye better Securing ye Governme and her Majestys Subjects of this Colony age the Attempts of Negro and other Slaves, and also a bill Entituled an A& for Building a Prison for Debtors to be Committed to by the Gen'll Court to which they desire ye Concurrence of ye Council

A bill Entituded an AA to reftrain perfons from keeping horfes and breeding Mares who have not Land to keep them on, Read the 3d time with the Amendments

Refolved

That the bill as Amended do país

Ordered

That the Clerk of ye Gen^{II} Affembly carry the faid bill to ye house of Burgesses and acqt them yt the Council have made Sev^{II} Amendmts thereto to we they desire ye Concurrence of yt house

A bill Entituled an Act for Establishing Ports Ware houses Rowling houses and Pub-

lick Landings, Read the first time and

Ordered

A Second Reading

And then ye Council Adjourned till to Morrow Morning 10 a Clock

Tuefday November ye 27th 1711

Prefent

E DMUND JENINGS, Rob Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd Elq Abill Entituled an Ad for y better Secureing the Governm and her Majesties

Subjects of this Colony against the attempts of Negro and other Slaves. Read ye

first time & Ordered To ly on ye Table

A bill Entituded an Act for building a Prifon for Debtors to be Committed to by the Gen" Court. Read the first time and

Ordered

A Second Reading



Mr Commiffary Blair Prefent

 Λ bill for Eftablifhing Ports Ware houses Rowling houses and Publick Landings. Read the Second time and

Ordered

To be Engroffed

A bill Entituled an A& directing the manner of granting Probates of Wills and Administracions of Intestates Estates. Read y Second time and Committed for Amendmia

A bill Entituled an Act to Impower Surveyors of high ways to take Such trees as fhall be Necessary to make or Repair Bridges and high ways. Read ye Second time and

Ordered
To ly on the Table

And then ye Council Adjourned till to morrow morning to a Clock

Wednesday November ye 28th 1711

Prefent

S YESTERDAY

The Amendm's to the bill directing the manner of granting Probates of Wills and Administracons of Intestates Estates being twice Read Ordered

That the bill wth y^e Amendm^{ts} be read a third time to Morrow Morning

Prefent The Govern^e

The house of Burgesses attending the Gov^r presented the following Address To the Hon^{M*} Alexander Spotswood her Majestics Liev^t Gov^r of Virginia

We her Majesties most Loyal [See J. of H. of B., p. 320.]

To which ye Gove was pleased to make ye following Answer Gentlemen

I am very glad [See J. of H. of B., p. 321.]

A message from y* Burgesses to y* Council by M* Holloway and others that y* house of Burgesses had disagreed to all y* Amendm* made by the Council to the bill Entituled an Act to restrain persons from keeping horses and breeding Mares who have not land to keep them on, and desire y* Council will be pleased to pass the bill without those Amendm*

A bill Entituled an Aâ for Establishing Ports Ware houses Rowling houses and publick

Landings. Read ye third time

Refolred

That ye bill do País

Ordered

That ye Clerk of ye Gen¹¹ Affembly carry ye faid bill to ye house of Burgesses and desire their Concurrence thereto

And then ye Council Adjourned till to Morrow Morning to a Clock

Thursday November ye 29th 1711

Prefent

S YESTERDAY
A bill Entit

A bill Entituled an A& directing the manner of granting Probates of Wills and Administracens of Intestate Estates. Read y* third time with the Amendments

Refolved

That ye bill with ye Amendmes do país

Ordered

That y^e Clerk of y^e Genⁿ Affembly carry the fame to y^e house of Burgesses and acq^t them y^t the Council have passed y^e same with Sevⁿ Amendments to w^{eh} they desire y^e Concurrence of that house



A bill Entituded an A& for building a Prifon for Debtors to be committed to by your Genu Court. Read you Second time and

Ordered

A Third Reading

And then ye Council Adjourned till to morrow morning to a Clock

Friday November ye 30th 1711

Prefent

DMUND JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Elq¹⁵

A bill Entituled an Ad for building a Prifon for Deblors to be Committed to by y Gen'll Court. Read the third time

Refolved

That ye bill do país

Ordered

That ye Clerk of ye Gen'l Affembly carry the faid bill to ye house of Burgesses and acqt them that ye Council have passed the Same without any Amendmen

And then the Council Adjourned till Munday morning to a Clock

Munday Decemb, the 3d 1711

Prefent

AMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis Efq. The Council mett and Adjourned till to morrow Morning 10 a Clock

Tuesday December ye 4th 1711

Prefent

AMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efq^{es}

A message from ye Burgesses to the Council by Mr Holloway and others that ye house of Burgesses had agreed to ye Amendmto made by the Council to ye bill Entituled an A& directing the manner of granting Probates of Wills and Administracions of Intestates Estates and had incerted them in ye set Bill. Also ye the house had passed a bill Entituled an A& to Enable Francis Yeats of yo County of Richmond to Convey Certain Lands to Ino Tayloe Gent in lieu of other Lands and Negros of greater Value to be Settled to yo Same Uses to we'n they desire yo Councils Concurrence

A bill Entituled an AA to Enable Francis Yeats of y County of Richmond to Convey certain Lands to Ino Tayloe Gent in lieu of other Lands and Negros of greater Value to be Settled to y Same Uses. Read y first time and

Ordered

A Second Reading

The Council haveing examined the bill directing ye manner of granting Probates of Wills and Administracons of Intestate Estates

Ordered

That ye Clerk of ye Gen!! Affembly carry ye faid bill to the Burgeffes and acqt them that ye Council are Satisfyed the Amendmts are truely inferted and haue paffed ye bill as amended

And then ye Council Adjourned till to Morrow Morning 10 a Clock

Wednesday



Wednesday December ye 5th 1711

Prefent

AMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efq¹⁵

A petition of Chichely Corbin Thacker praying his Ufual allowance as Clerk

of the Sccretarys Office. and

A petition of Edward Refs praying allowance for transporting Indians over James River. Were Severally Read, and

Referred to the Confideracon of ye house of Burgesses

A bill Entituled an Aâ for fettling and afcertaining the Currant Rates of forreign Coined Gold. Read the 2^d time

And the question being putt, that ye bill be made [read] a third time

It paffed in the Negative

Refolved

That ye bill be rejected

A bill to Enable Francis Yates of the County of Richmond to convey certain entailed Lands lying in the f^a County to Jn^o Taylor Gent in lieu of other Lands and Negros of greater Value to be fettled to y^c Same Uses. Read the 2^d time and

Ordered

A third Reading

And then ye Council Adjourned till to morrow morning 10 a Clock-

Thursday December the 6th 1711

Prefent

A

S YESTERDAY

The Council haveing taken into Confideration these Amendm¹⁰ to the bill to restrain persons from keeping horses and breeding Mares who have not Land to keep them on

Refolved

That ye Council do Adhere to the fd Amendmts

Ordered

That ye Clerk of the Gen¹¹ Affembly carry the faid bill to ye Burgeffes and Acqt them that the Council adhere to all their Amendmto to ye faid bill

A bill Entituled an A& to Enable Francis Yates of the County of Richmond to Convey certain Lands lying in the faid County to Jno Tayloe Gent in lieu of other Lands and Negros of greater value to be fettled to y* fame Ufes. Read the 3d time

Refolved

That the bill do pass

Ordered

That the Clerk of the Gen $^{\rm II}$ Affembly carry the faid bill to the Burgeffes and Acquaint them that the Council haue passed the same without any Amendments

And then the Council adjourned till to morrow morning 10 a Clock

Friday December the 7th 1711

Prefent

DMUNDS JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Efq¹⁸

The Council being informed of divers Milmanagements in the building the

Govrs house

Ordered

That *Henry Cary* Overfeer of the faid work lay before the Council to morrow morning an Acc¹¹ of his Difburftments with the proper Vouchers Since the passing the act for finishing the faid house.

And then the Council Adjourned till to morrow morning to a Clock

Saturday



Saturday December the 8th 1711

Prefent

S YESTERDAY

A Meisage to ye Council from ye house of Burgesses by Me Allerton and others that the house had passed a bill Entituded an Ad for granting her Majesty certain dutys upon Sevil goods and Merchandizes for carrying on a Warr against the Tuscaruro Indians their Adherents and Abettors to we'd they defire the Concurrence of the Council

M^r Henry Cary attending According to order and moveing for further time to Compleat his Acc^{us} in order to be laid before the Council

Ordered

That ye faid Henry Cary attend with his Accts and Vouchers on tuefday morning next

And then ye Council Adjurned till Munday morning 10 a Clock

Munday December the 10th 1711

Prefent

DMUND JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq¹⁸

A bill Entituded an Act for granting to her Majesty certain dutys upon Sev¹¹
goods and Merchandizes for carrying on a War against the Tuscaruro Indians
their Adherents and abetters. read the first time and

Ordered

To be read a Second time

And then the Council Adjourned till to morrow morning 10 a Clock

Tuesday December the 11th 1711

Prefent

A

S YESTERDAY

The Council mett. and that they might attend the Court of Oyer and Terminer

Adjourned till to morrow morning 10 a Clock

Wednesday December the 12th 1711

Prefent

A

S YESTERDAY

A Bill Entituled an Act for granting to her Majesty certain dutys and Impositions upon sev¹¹ goods and Merchandizes for carrying on a War against the Tucaruro Indians their Adherents and Abettors. read the 2^d time

Ordered

That before the f^d bill haue a third Reading a meffage be fent to the Burgeffes to Signify to that house the Amendm^{ts} and alteracons which the Council think Necessary to be made in that bill, and that the f^d meffage be prepared agt to morrow morning

A meffage from ye Burgeffes by Mr Buckner and others who brought the Book of publick Claims past by that house To which they desire the Concurrence of ye Council and also

Sev¹¹ Refolves of that house for allowance of fix ? Cent to M¹³ Eliz¹⁴ Harrison for money paid by her in Sterling more than was rec⁴ on that Specie by her dec⁴ husband as Treasurer of the late Impositions, To which they defire the Concurrence of the Council

A message from the Burgesses by M^{*} Holloway and others that y^{*} house had passed A bill Entituded an AA for raiseing a Land force for carrying on a War against the Tuscaruro

Indians



Indians their Adherents and Abetters and for punishing Mutuny and desertion and for paym' of the Army. A bill for appointing Rangers and also a bill Entituled an Ada appointing a Treasurer. To which they desire the Concurrence of the Council—

A message from the Burgesses by M^e In^o Robinson and others that the house had passed a bill Entituled an Act to Enable In^o Custis Gent and Frances his wife to fell a Mill and certain Lands and Negros web are entailed on the f^d Frances by the last will and Testament of Daniell Parke Esq' deed for paymt of y^e debts and Legacys of y^e f^d Daniell To web they desire y^e Concurrence of y^e Council

A bill Entituled an Act for raifcing a Land force for carrying on a Warr ag' the Tufcaruro Indians their Adherents and Abettors and for punishing Mutuny and defertion and for payment of the Army. read the first time and

Ordered

A Second Reading

A Second Reading

A bill Entituled An A \hat{a} appointing a Treasurer Read the 1st time & Ordered a 2d Reading

A bill Entituled an Act to Enable Ino Custis and Frances his wife to sell a Mill and divers Lands and Negros weh are entailed on the f^d Frances by the last will and Testament of Daniell Parke Esq^r dec^d for payment of y^e debts and Legacys of the f^d Daniell. read the first time. and

Ordered

A Second Reading

M^r Henry Cary prefented his Acct of Difburftm¹⁰ about the Governours house and it is Ordered that the i^d Acct by on the Table to be perused by the members of y^e Council And then the Council Adjourned till to morrow morning 9 a Clock

Thursday December the 13th 1711

Present

HE Govern', And the Same Council as Yesterday
Ordered

That ye Clerk of the Gen" Affembly carry the following meffage from the Gov to the house of Burgesles

M. Speaker and Gent of the house of Burgesses

I think it proper to lay before you the Treaty I haue concluded with 8 Towns of the Tufcaruro Indians wherein you will perceive by the Supplys and Rewards promifed them in the 6th 7th and 8th Articles and more Especially what is menconed in the 9th That I rely upon the Assurances you gaue me in yt Address of the 28th of Novembr But yt rewards that are to be given to those Indians will Shorten yt work and Lessen yt Charge of our Expedition from hence. By the 4th Article you will Observe they are Obliged to send hostages for yt saithfull performance of their Engagemth which being Necessary for makeing this Treaty Essectual. I think proper to put you in mind of what I Recommended to you in my Speech at yt opening of this Session for assisting the College to Support yt Charge of their maintenance and Education of those hostages and haveing Communicated to some of the members of yt house a project whereby that may be done without any Charge to the Country I have no doubt but it will be ready Agreed to by yt house—

A bill Entituled an A& Appointing Rangers read ye Second time and Committed for Amendments—

The message to the Burgesses upon the Subject matter of the bill for granting to her Majesty certain dutys and Impositions upon goods and Merchandizes for carrying



on a War against the *Tuscaruro* Indians their Adherents and Abetters being prepared was Read, and Ordered to be Carried to the house of Burgesses by the Clerk of youngestern Assembly, and is as follows

M' Speaker and Gentl' of the House of Burgesses

The Council haveing now [See J. of H. of B., pp. 332-335.]

A bill for Raifing a Land force for carrying on a Warr againft the *Tufcaruro* Indians their Adherents and Abetters and for punifhing Mutuny and defertion and for payment of ye Army. read the 2^d time and Committed for Amendments

And then ye Council adjourned till to morrow Morning 9 a Clock

Friday Decembry e 14th 1711

Prefent

S YESTERDAY

A Bill to Enable Jnº Cuftis and Frances his Wife to fell a Mill and Certain Lands and Negros web are entailed on the fd Francis by the last will and Testamt of Daniell Parke Esq decd for paymt of the debts and Legacys of ye faid Daniell

Read the 2d time and

Ordered

A third reading

A bill Entituled an A& for appointing Rangers, read the third time with ye Amendmta
Refolved

That the bill as Amended do país

Ordered

That the Clerk of ye Gen^{II} Affembly do carry the fd bill to the Burgeffes and acqt them yt the Council have made Severall amendments thereto to web they defire ye Concurrence of that house.

And then the Council adjourned dureing Pleafure

ND being again mett

A bill Entituled an Act to Enable Ino Cuftis and Frances his Wife to fell a Mill and certain Lands and Negros which are entailed on yof for Francis by the laft will and Testam of Daniell Parke Efgr deco for Paym of yo Debts and Legacys of yof aid Daniel Read the 3d time

Refolved

That ye bill do Pass

Ordered

That ye Clerk of ye Gen'i Affembly carry the fe bill to ye Burgeffes and acqt them yt the Council have paffed the fame without Amendments

A meffage from y^e Burgeffes by M^r Holloway and others that y^e Burgeffes had agreed to the Amendm¹⁹ proposed by the Council. To that bill Entituled an A ∂ for appointing Rangers and had incerted them therein.

The Council proceeded to take into Confideration Mr Carys Accus and after fome time fpent therein

Refolved

That the further Confideracon of ye fd Accite be Referred till Munday next

And then ye Council Adjourned till to morrow Morning 9 a Clock

Saturday



Saturday December the 15th 1711

Prefent

S BEFORE A Meffage from ye Burgeffes by Mr Holloway and others that ye house had Commanded them to attend ye Council with a Written meffage in answer to their honrs melfage of ye 13th inftant proposing certain Amendmes to ye bill Entituled an Act for granting to her Majesty certain dutys upon Sevu goods and

Merchandizes for carrying on a Warr against y. Tuscaruro Indians their Adherents and Abetters

And ye following words are following words May it please yo' Hones

This house haveing taken [See J. of H. of B., p. 336.]

Refolved

That a Conference be defired with the Burgeffes upon the Subject matters of ve Councils message of the 13th instant not taken notice of in the Answer this day del

A bill Entituled an AA for raifing a Land force for Carrying on a Warr against ve Tuscarouro Indians their Adherants and Abetters and for punishing Mutuny and difertion and for payment of ye Army. Read ye third time with ye Amendments

Refolved

That the bill with ye Amendments do pass

Ordered

That the Clerk of the Gen¹¹ Affembly carry the fd Bill to ye Burgeffes and acq⁴ them that the Council haue made Sevil Amendments thereto to which they defire ye Concurrence of that house

The Council haveing Examined the Bill for appointing Rangers and being Satisfyed that ye Amendments are truely inferted

Ordered

That ye Clerk of the Gen Affembly returne ye fd Bill to ye Burgeffes And then ye Council Adjourned till Munday Morning 10 a Clock

Monday December the 17th 1711

Prefent

DMUND JENINGS, Robert Carter, James Blair, Philip Ludwell, John Smith. William Byrd Efqrs

Ordered

That ye Clerk of the Gen^{II} Affembly go to ye house of Burgesses and acq^t them that the Council defire an Immediate Conference with that house on the Subject matter of their melfage of the 13th inftant, and have appointed three of their Members to manage the Same with Such a Number that house shall think fitt

Ordered

That Mr Commissary Blair Phillip Ludwell and Wm Byrd Esqrs do manage ye sa Conference

A meffage from ye Burgeffes by Mr Holloway and others ye the house had agreed to ye Conference defired by their Honro and that their Managers would be Ready in ye Conference Room

Ordered

That a bill be brought in to prevent Tradeing with ye Indians

Then ye Council Adjourned dureing Pleafure and ye Managers went to the Conference-

AND



ND being Returned The Council was Refumed. And ye Managers Reported that they had mett ye Burgeffes at ye Conference That ye Burgeffes Seemd Inclinable to alter ye Title of ye Bill, but when ye Council would have entred upon ye other Amendmental The Managers for ye Burgeffes declared they were bound down by the Orders of their house not to Confer upon any part of ye Bill we Concerned ye dutys imposed or ye time of their Continuance Whereupon ye Conference broke up—

Ordered

That ye fd Report be Confidered to Morrow Morning

And then the Council Adjourned till to morrow morning 10 a Clock-

Tuesday December the 18th 1711

Prefent

DMUND JENINGS, Rob Carter, James Blair, John Smith and William Byrd Elq.

A bill to prevent Tradeing with the Indian Enemy being prepared was read the first time, and

Ordered

A Second Reading

A meffage from ye Burgeffes by Mr Holloway and others who brought the following written Meffage upon Occasion of ye Conference had between their hone & that house Refolved

That this house doth agree to give leave to ye Council to amend ye bill Intituled an Ad for Granting to her Majesty certain dutys upon Sev¹¹ goods and Merchandizes for Carrying on a Warr against the Tuscaruro Indians their Adherents and Abetters in the Title and Preamble According to their message on the 13th instant and also to amend ye said Bill in Such Other parts as Necessarily require Amending upon ye Alteracon of ye Title—

The Council proceeded to take into Confideracon the book of Claims and haveing Spent fome time therein

Ordered

That ye Confideracon of ye book of Claims be further proceeded in to morrow Morning

Then the Council Adjourned till to Morrow morning 9 a Clock

Wednesday December the 19th 1711

Prefent

S YESTERDAY

The Refolves of ye house of Burgesses for allowance of 6 % Cent for ye defference of Exchange between Sterling and Currant Money on £781: 14: 2 3/4 paid by M¹⁴ Eliz¹⁴ Harrison Administ² of ye Estate of Benja Harrison June Gent decd late Treasurer of the Impositions being read

Refolved

That the Council do agree to the fd Refolves that 6 ? Cent be paid yt fd Mt Eliztherifon on £781: 14: 23/4 out of yt Publick Moneys in Mt Treasurer hands amounting to £47: 1: 10

The book of Claims being read through and Confidered. And thereupon a Petition of Edmund Jenings Efq' for frees for ye Court of Oyer and Terminer and also a Petition of William Byrd Efq' for allowance of Sloop hyre for Palisadoes being read

Ordered

That the faid Claims and Allowances be aded to the Book of Claims



A written message being prepared to be sent to ye Burgesses was read as follows M. Speaker and Gent of the house of Burgesses

The Council haue alwais Judged [See J. of H. of B., p. 338.]

And thereupon the question being put that ye said Message be now sent. it passed in the Affirmative

Ordered

That the Clerk of ve Gen'i Affembly carry the fe Message to the Burgesses

A message from ye Burgesses by Mr Holloway & others who brought the following Answer to the Councils Message sent this day

May it please yor Hone's

The Burgesses being desireous [See J. of H. of B., pp. 338-9.]

That ve fd Message be Considered to morrow

A mellage from ye Burgelles by Mr Soans and Mr Francis Epps who brought an inrolled bill Entituled an Atl Appointing Rangers to be Examined by the Council

And being Examined: Ordered that ye Clerk of ye Gen'l Assembly carry the same to the house of Burgesses

Ordered

That ye Clerk of ye Gen'l Affembly go to the house of Burgesses and Command their Immediate attendance on ye Gov' in the Council Chamber and that they bring with them the bill for appointing Rangers to Receive the Gov" Affent

The Burgesses attending the Gov Signed ye Bill for appointing Rangers And then made the following Speech-

M. Speaker and Gentlemen of the House of Burgesses

Some late intellegence [See J. of H. of B., pp. 339-340.]

A bill Entituled an A& for restraining trade with Indians in this time of danger read ye 2d time and

Ordered

To be Engroffed

And then ye Council Adjourned till to morrow morning 9 a Clock

Thursday December ye 20th 1711

Prefent

S YESTERDAY

A Bill Entituled an Act for reftraining Trade with Indians in this time of danger read the third time

Refolved

That the bill do país

Ordered

That ye Clerk of the Gen!! Affembly carry the fd bill to the Burgesses and defire their Concurrence thereto

Ordered That the following message be sent to the Burgesses with ye Book of Claims-Mr Speaker and Gent of the House of Burgesses

The [Council] haveing taken into Consideration [See J. of H. of B., pp. 340-342.]

The Council having taken into Confideracon the Meffage Sent by the Burgeffes Yesterday

Refolved

That the following Answer be returned to the fd Message

By the Council

The Council haveing taken into Confideration [See J. of H. of B., PP- 345-347-

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday



Friday December the 21st 1711

Prefent

DMUND JENINGS, James Blair, Phillip Ludwell, Jnº Smith and William Byrd Efqro

The Council proceeded to take into Confideración M^t henry Carys Acc^{tts} and finding therein Sev^{II} Confiderable payments for w^{ch} there are no Vouchers

Ordered

That the f⁴ henry Cary perfect his Accompts and lay the fame before the Council when Required.

A mcffage from y Burgeffes by M Buckner and others who brought the Book of Claims with y following written Meffage

May it pleafe yor Hon's

The Burgesses now in Assembly [See J. of H. of B., p. 345.]

Saturday December the 22d 1711

Prefent

S YESTERDAY

Ordered

That the Clerk of ye Gen¹¹ Affembly carry the following Meffage with the Book of Claims to the house of Burgesses

M' Speaker and Gent" of the House of Burgesses

Upon confideration of your Meffage [See J. of H. of B., pp. 347-348.]

And then the Council adjourned till Munday morning 10 aclock

Munday December the 24th 1711

Prefent

HE Governour, Edmund Jenings, James Blair, Phillip Ludwell, John Smith and William Byrd Efq¹⁸

Ordered

That the Clerk of y^e Gen^{II} Affembly carry the following meffage from the Gov^T to the house of Burgesses

M' Speaker and Gent of the House of Burgeffes

When I Confider [See J. of H. of B., p. 349.]

And then the Council Adjourned till Thursday the 24th of January next-

Thursday January the 24th 1711

Prefent

DMUND JENINGS, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Elq¹⁸

The Council mett and according to their former Adjournment Adjourned till Tomorrow morning 10 a Clock

Friday January 25th 1711

Prefent

S YESTERDAY

The Council mett and Adjourned till tomorrow morning 10 aclock



Friday December the 21st 1711

Prefent

DMUND JENINGS, James Blair, Phillip Ludwell, Jnº Smith and William Byrd Efqro

The Council proceeded to take into Confideracon M^t henry Carys Acc^{tta} and finding therein Sev^{II} Confiderable payments for w^{ch} there are no Vouchers

Ordered

That the f⁴ henry Cary perfect his Accompts and lay the fame before the Council when Required.

A mcffage from y^e Burgeffes by M^e Buckner and others who brought the Book of Claims with y^e following written Meffage

May it pleafe yor Hon's

The Burgesses now in Assembly [See J. of H. of B., p. 345.]

Saturday December the 22d 1711

Prefent

S YESTERDAY

Ordered

That the Clerk of ye Gen" Affembly carry the following Meffage with the Book of Claims to the house of Burgesses

M. Speaker and Gents of the House of Burgesses

Upon confideration of your Message [See J. of H. of B., pp. 347-348.]

And then the Council adjourned till Munday morning to aclock

Munday December the 24th 1711

Prefent

HE Governour, Edmund Jenings, James Blair, Phillip Ludwell, John Smith and William Byrd Esq¹⁸

Ordered

That the Clerk of $y^e\mbox{ Gen}^{tt}$ Affembly carry the following meffage from the Gov to the house of Burgesses

M' Speaker and Gent of the Houfe of Burgeffes

When I Consider [See J. of H. of B., p. 349.]

And then the Council Adjourned till Thursday the 24th of January next-

Thursday January the 24th 1711

Prefent

DMUND JENINGS, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esq¹⁰

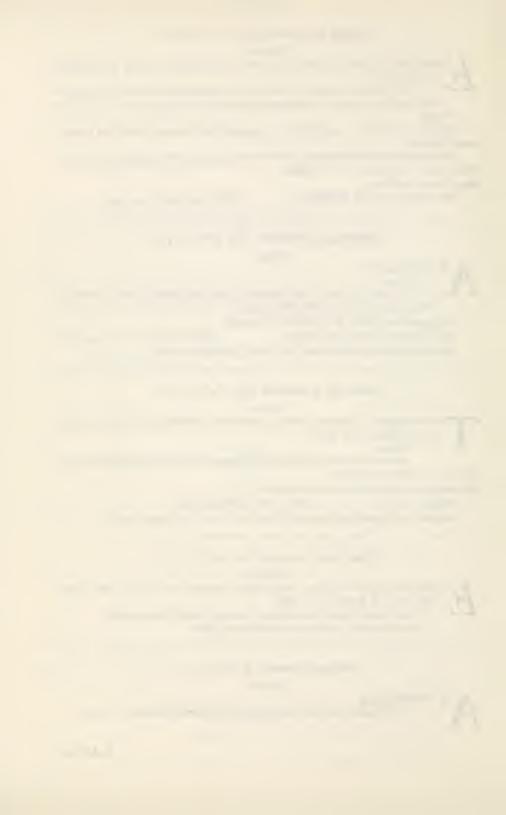
> The Council mett and according to their former Adjournment Adjourned till Tomorrow morning 10 a Clock

Friday January 25th 1711

Prefent

S YESTERDAY

The Council mett and Adjourned till tomorrow morning 10 aclock



Saturday January 26th 1711

Prefent

S YESTERDAY

A meffage from the Burgeffes by Mr Buckner and others who brought the Book of Claims and acquainted the Council that the Burgeffes adhered to their last Meffage concerning the Claims and desire their Hon's to pass the faid Book as it now stands

Ordered

That the book of Claims ly on the table

And then the Council Adjourned till Munday morning ten a Clock

Munday January ye 28th 1711

Prefent

HE Governor, Edmund Jenings, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W. Byrd Esq.
Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber

The House attending

The Governor made the following Speech

"M' Speaker and Gentlemen of the House of Burgesses

Seeing the fhort Representation [See J. of H. of B., pp. 352-355.] And then the Council Adjourned till Tomorrow morning 10 aclock

Tuesday January 29th 1711

Prefent

A

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning 10 aclock.

Wednesday January 30th 1711

Prefent

E

DMUND JENINGS, James Blair, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd Esqro

This day being the Anniverlary Fast for the murder of King Charles the 1st The Council Adjourned till Tomorrow morning 10 aclock

Thursday January 31st 1711

Prefent.

HE Governor, Edmund Jenings, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd Esq^{**}
Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber, and that they bring with them such Bills as are ready for his Affent.

The House attending



M' Speaker addressed himself to the Governor as follows

May it please Your Hon'

In Obedience to your commands her Majestys Loyal and dutifull Subjects the Burgesses now attend Your Hon with several bills agreed on by the hon ble Council and themselves to receive Your Hon. And then the titles of the said bills being read were signed by the Governor and Speaker and are as follows vizi

An Ad directing the manner of granting probats of Wills and administration of

Intestates Estates

An AA for building a Goal for Debtors to be committed to by the General Court

An Act to enable Frances Yeats of the County of Richmond to convey certain Lands lying in the faid County to John Tayloe Gent in lieu of other Lands and Negros of greater value to be fettled to the fame uses.

An Ad to enable John Custis and Frances his Wife to fell a Mill and divers Lands & Negros which are entailed on the said Frances by the last Will and testament of Daniel Park Esq deed for payment of the Debts and Legacys of the said Daniel.

And then the Governor made the following Speech

"M' Speaker and Gentlemen of the House of Burgesses

"I have now passed every matter during this Session which the Council in their "Judgments and Consciences have thought proper to be offered me for my Assent, and "even one bill wherein I yield up some of my own Right, which if her Majesty shall "approve of I very willingly consent to, as beleiving it may be for the ease of the people. "And if the Majority of your House had seperated their private Advantages or prejudices "from the publick Interest, I'm perswaded the just Claims of several of the People you "represent had not now been rejected; nor would you have insisted on such improper "measures as you have lately done for securing your Country.

"I expected you would in this dangerous Conjuncture have applyed your felves to "ways and means for retrieving Affembly Creditt and for preferving the peace and "honour of her Majeftys Government But feeing that inftead thereof You are Refolved "to fpend your time in nothing but difagreeable intentions I must be so just to the People "as to ease them of a Charge that in all Likelyhood would prove more burthensome than

"beneficial

"And therefore I do diffolve You & You are hereby Diffolved Examined ?

Wil Robertson Cl Gen Asso,



AT A

GENERAL ASSEMBLY

begun & held at her Majesty's Royal Capitol the 22^d day of October in the Eleventh year of the Reign of Our Sovereign Lady Anne by the grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c. And in the year of our Lord 1712



At a General Assembly begun & held at her Majesty's Royal Capitol the 22d day of October in the Eleventh year of the Reign of Our Sovereign Lady Anne by the grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c. And in the year of our Lord 1712

[October the 22nd, 1712.]

HE honble Alexander Spotfwood Her Majesty's Lieve Governor and Commander in Chief of the Colony and Dominion of Virginia, Robert Carter, James Blair, Henry Duke, John Smith, William Byrd & William Fitzhugh Efqro

James Blair, John Smith and William Fitzhugh Efgra being commissioned by the Governor to administer the Oaths appointed by Law to the Burgesles of this present General Assembly reported that they had accordingly administred the said Oaths to fourty nine of the Members returned to ferve in this Affembly, who are now mett in their House.

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that the Governor commands their imediate attendance on him in the Council Chamber.

The Burgesses accordingly attending

The Governor was pleafed to fay as follows,

Gentlemen, I am very well pleafed to fee the Representatives of the people so ready to meet me here on the day appointed; This feems to be the greatest appearance that has been on the first day of an Assembly, I have nothing more to tell you at present than that You proceed to the Choice of a Speaker.

And then the Council Adjourned till Tomorrow morning ten aclock

Thursday October the 23d 1712

Prefent

HE Honble the Lievtenant Governor, Robert Carter, John Cuftis, James Blair, Henry Duke, John Smith & William Fitzhugh Efqra A message from the House of Burgesses to the Governor by Mr William Robinfon and others, that the House had made choice of a Speaker, and waited

the Governors commands when they shall attend to present him

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that the Governor commands their immediate attendance in the Council Chamber William Byrd Efqr Prefent

The House of Burgesses attending, Peter Beverley of the County of Glowester addressed himself to the Governor to this Effect. That in obedience to his Honrs commands Yesterday the House of Burgesses had imediately proceeded to the choice of a Speaker. That they had been pleafed to make choice of him for that Office, but that he was too fenfible of his own difabilitys, as not to think they had made that choice to difadvantage, and therefore submitted to his hon whether he would be pleased to direct the house to make a new Election, Whereupon the Governor was pleased to answer, Mr Beverley, I am fo fincerely disposed to concurr with the House of Burgesses in every matter, which in justice and conscience I may, that I cannot but approve of the choice

they



they have made of You to be their Speaker. Then the Speaker in behalf of the whole House of Burgesses prayed that the Burgesses in their persons, Servants and Estates may be free from Arrests and other disturbances; That in all their debates they may have freedom of Speech, and (as occasion shall require) Access to the Governors person. And in behalf of himself, that none of his Failings or inadvertencys may redound to the prejudice of the House of Burgesses or any Members thereof.

To which the Governor made Answer That all due Rights and priviledges belonging

to that House should be confirmed and continued to them.

And then the Governor made the following Speech

Gentlemen of the Council and House of Burgesses

I fhall in a few words [See J. of H. of B., 1712-1726, p. 4.]

Then the Burgeffes withdrew

And the Council Adjourned till Tomorrow morning Ten aclock.

Friday October the 24th 1712

prefent

ROBERT CARTER, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Efq**
The Council mett and

Adjourned till Tomorrow morning Ten aclock

Saturday October the 25th 1712

Prefent

HE Governor, Robert Carter, Philip Ludwell, Henry Duke, John Lewis & William flitzhugh Efqro

A meffage from the House of Burgesses to the Governer by Mr William Robinson and others that the House had prepared an Address to his Hon in answer to his Speech and had directed them humbly to present the same.

Then the faid Address was read and is as follows

To the Honeste Alexander Spotswood Efqr her Majestys Lieve Governor of Virginia

May it pleafe Your Honour

We her Majestys [See J. of H. of B., p. 8.]

John Cuftis and William Byrd Efqra Prefent

Sundry Grievances and propositions from the County of Norfolk being read Upon consideration thereof

Refolved

That so much only of the faid propositions and Grievances as are properly cognizable by the Gen^{II} Assembly be Referred to the consideration of the House of Burgesses

The petition of *Peter Jones* Lievtenant of the Rangers in *Prince George* County in behalf of himfelf and the faid Rangers

The petition of Christopher Smith Lievtenant of the Rangers in King William County praying allowance for his Service and

The petition of James Adams Interpreter to the Pamunkey and Chicahominy Indians praying Allowance of two years Sallary due to him

Were feverally read and referred to the confideration of the House of Burgesses And then the Council Adjourned till Munday morning Ten aclock.

Munday



Munday October the 27th 1712

Prefent

HE Governor, James Blair, Philip Ludwell, Henry Duke, John Lewis, William Byrd & William Fitzhugh Efq**

The petition of Charles Kimball praying Allowance for attending four times at Williamfburgh and interpreting to the Saponie, Occoneechee & Stakanox Indians, and that he may be appointed Interpreter to the faid Indians for the future, with a fuitable Sallary was Read, and

Ordered

That the faid petition be referred to the confideration of the House of Burgesses And then the Council Adjourned till tomorrow morning ten aclock.

Tuesday October the 28th 1712

prefent

AMES BLAIR, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Esq¹⁸

The Council mett and

Adjourned till Tomorrow morning ten aclock.

Wednesday October the 29th 1712

present

HE fame Council As Yesterday
The Council mett and Adjourned till Tomorrow morning ten aclock.

Thursday October the 30th 1712

prefent

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten aclock

Friday October the 31st 1712

Prefent

HE Honble the Lievtenant Governor, Robert Carter, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd and William Fitchugh Elq's

The petition of Christopher Smith Lievtenant of the Rangers for the County of King William praying Allowance for a Horse killed in that Service Read and referred to the consideration of the House of Burgesses.

And then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 1st 1712

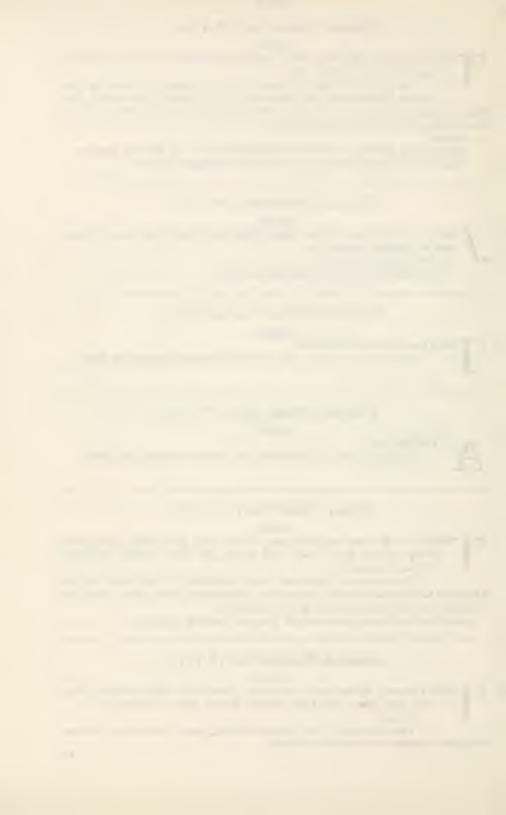
Prefent

HE Governor, Robert Carter, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Efq**

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the House of Burgesses

 M^r



M' Speaker and Gentlemen of the Houfe of Burgeffes

Among the various measures [See J. of H. of B., p. 15.]

And then the Council Adjourned till Munday morning Nine aclock.

Munday Novem 2d [3d] 1712

OBERT CARTER, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith, William Byrd & William Fitzhugh Efq"

The Council mett and Adjourned till Tomorrow morning ten aclock.

Tuesday November the 4th 1712

Prefent

OBERT CARTER, John Custis, James Blair, Henry Duke, John Smith & William Fitzhugh Elgro

The petition of Mr Secretary Cocke for the ufual Allowance for iffuing out of his office twenty feven Writts for Election of Burgesses to serve in this

Affembly

The petition of Chichely Corbin Thacker for his usual Allowance as Clerk of the Secretarys Office, and

The petition of Bridget Menetree praying Allowance for work done by David Menetree her deced husband for the publick Service

Were feverally Read and Referred to the confideration of the House of Burgesses And then the Council Adjourned till Tomorrow morning Ten aclock

Wednesday November the 5th 1712

OBERT CARTER, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith & William ffitzhugh Efqro

A meffage from the Burgeffes by M' Holloway and others who brought a bill Entituled An Act to prevent trading with Indians to which they defire the

Councils concurrence.

A meffage to the Governer by Mr Holloway and others that they were commanded by the House to attend his Hon with an Address upon the Subject matter of his message on the It of November, and Alfo to acquaint him that fince the faid Address was agre'd to by the House they have been informed that the Indians in prison are in want of neceffarys & Cloaths and defire his Hon to give fuch directions therein for the prefervation of their Lives as he shall think necessary

Then the faid Address was read as follows

To the honest Alexander Spotswood her Majestys Lieutent Governor of Virginia May it please Your Hon'

. . . [See J. of H. of B., p. 18.] We her Majestys . .

John Lewis Elgr Prefent

A bill Entituled An AA to prevent trading with Indians Read the first time and Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning Ten Aclock

Thursday



Thursday November the 6th 1712

Prefent

OBERT CARTER, John Cuftis, James Blair, Henry Duke, John Smith, John Lewis, William Byrd and William Fitchugh Efqro

A bill Entituled An Act to prevent trading with Indians Read the second

time and

The Question being put That the bill be read a third time

It paffed in the Negative, And thereupon

Refolved

That the Bill be Rejected

Refolved

That a bill be prepared to prevent trading with Indians during the prohibitions laid or to be Laid by proclamations of the Government, And that Mr Commissary Blair William Byrd and William Fitzhugh Esqr* prepare and bring in the said Bill.

And then the Council Adjourned till Tomorrow morning Nine aclock

Friday November the 7th 1712

Prefent

HE Governor, Robert Carter, John Cuftis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd and William Fitzhugh Efgro A meffage to the Council by M' William Robinson and others who brought a Bill Entituled An Ad to repeal An Ad Entituled An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate, and to repeal a Claufe in An Ad Entituled An Act for the diffribution of intestates Estates, declaring Widows Rights to their deceased Husbands Estates and for securing Orphan's Estates. Relating to the third part of the inteftates Eftate given to the Wife of the Inteftate; And also to repeal a Clause in An Ad Entituled An Act declaring the manner of granting probates of Wills and Administration of Intestates Estates Relating to the delivery of Slaves to the perfon or perfons to whom the fame are declared to belong by the faid AA Entituled An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate And also to declare what part of the Estate of persons hereaster dying inteftate shall be given to the Wife of fuch Intestate. To which they defire the Councils concurrence. Also that the Burgesses had on the petition of Mr Fredrick Jones granted him Liberty to import certain Negro Slaves from North Carolina without paying the duty of five pound a head. To which they defire the Councils concurrence

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the House of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

In answer to your Address [See J. of H. of B., p. 21.]

Mr Commiffary *Blair* reported that the perfons appointed had prepared a Bill to prohibite all Trade with the *Tufcaruro* & other Indians concerned in the late Maffacre in *North Carolina*, and for the better regulating the Indian trade and the f^d Bill was received and read the first time and

Ordered a fecond Reading Tomorrow morning

A bill Entituled An Act to repeal An Act Entituled An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate, And to repeal a Clause in An Act Entituled An Act for the distribution of Intestates Estates declaring Widows Rights to their deceased Husbands Estates and for securing Orphans Estates, relateing to the third part of the Intestates Estate given to the Wise of the Intestate; and also to repeal a Clause in an Act Entituled An Act directing the manner of granting probats of Wills and Administration of Intestates Estates, relating to the delivery of

Slaves



Slaves to the perfon or perfons to whom the fame are declared to belong by the faid Act Entituled An Act declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Estate And also to declare what part of the Estate of persons hereaster dying Intestate shall be given to the Wise of such Intestate Was Read the first time and

Ordered a fecond Reading

The Refolve of the House of Burgesses upon the petition of $Fredrick\ Jones$ being read Refolved

That the Council do concurr with the Burgesses that Leave be given the petitioner to import into this Colony three Negro Slaves exported from hence into North Carolina and four Negro children borne of one of the said Slaves and mentioned in the said petition without paying the dutys imposed by the Law now in force.

Ordered

That the Clerk of the General Affembly carry the faid Refolve to the House of Burgesses

And then the Council Adjourned till Tomorrow morning nine aclock

Saturday November the 8th 1712

Prefent

POBERT CARTER, John Custis, James Blair, Henry Duke, John Smith, John Lewis and William Byrd Efq¹³

A bill Entituled An A& to prohibite all trade with the Tuscaruro and other Indians concerned in the late Maffacre in North Carolina And for the better regulating the Indian trade Read the second time and

Committed for Amendments

A message from the House of Burgesses to the Council by M^r Allerton and others who brought a bill Entituded An Ad to impower Surveyors of highways to take Trees to make or repair bridges and high ways To which they desire the Council's concurrence.

And the faid Bill was read the first time and

Ordered a fecond Reading

And then the Council Adjourned till Munday morning Nine aclock

Munday November the 10th 1712

Prefent

OBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis and William Byrd Efgr.

A meffage from the Burgesses by Mr Holloway and others who brought a bill Entituled An Act to prevent land Lapsing from Infants for not feating and planting or not paying Quittrents, untill three years after they come of age, to which they defire the Councils concurrence.

A meffage from the Burgesses by M¹ John Robinson and others who brought a Bill Entituded An Aâ for making void certain proceedings of the Vestry of the parish of Christ Church in the County of Middlesex and for building a New Church in the faid parish, to which they desire the Councils concurrence.

A bill Entituled An Ad to prevent Land lapping from Infants for not feating and planting or not paying Quittrents untill three years after they come of Age Read the first time and

Ordered a fecond Reading

A bill Entituled An Act for making Void certain proceedings of the Vestry of the parish of Christ Church in the County of Middlesex, and for building a new Church in the said parish Read the first time and

Ordered



Ordered a Second Reading on Fryday next Ordered

That the Vestry of Christ Church be heard before the second reading of the said Bill, and that they have notice to attend on Friday next

And then the Council Adjourned till Tomorrow morning Nine aclock

Tuesday November the 11th 1712

Prefent

POBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esq. 10

A bill Entituled An Act to repeal an Act Entituded An Act declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Estate, and to repeal a Clause in an Act Entituded An Act for the distribution of Intestates Estates, declaring Widows Rights to their deceased Husbands Estates and for securing Orphans Estates relateing to the third part of the Intestates Estate given to the Wife of the Intestate, and also to repeal a Clause in An Act Entituded An Act directing the manner of granting probates of Wills and Administration of Intestates Estates relateing to the delivery of Slaves to the person or persons to whom the same are declared to belong by the said Act Entituded An Act declaring Negro Mulatto and Indian Slaves within this Dominion to be real Estate, And also declaring what part of the Estate of persons hereaster dying Intestate shall be given to the Wife of such Intestate Was read the second time.

The question being put that the faid Bill be read a third time

It paffed in the Negative

A bill Entituled An Ad to impower Surveyors of highways to take trees to make or repair Bridges and Highways Read the second time and

Committed for Amendments

Refolved

That a bill be prepared pursuant to her Majestys Instructions concerning the Seating and planting of Lands, and

Ordered

That it be Referred to M. Comiffary Blair and Collo Philip Ludwell to prepare and bring in the faid bill

And then the Council Adjourned till Tomorrow morning nine aclock

Wednesday November the 12th 1712

present

POBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith and John Lewis Efqra

A bill Entituled An Aā to impower Surveyors of Highways to take trees to make or repair bridges and highways Read the third time with the Amendments Refolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with feveral amendments to which they defire the concurrence of that House.

A bill Entituled An A& to prohibite all trade with the Tuscaruro and other Indians concerned in the late Maffacre in North Carolina, and for the better regulating the Indian trade Read the second time with the amendments

Ordered

That the bill with the amendments be engrossed



A bill being prepared pursuant to Yesterdays Resolve Entituled An Ad declaring what shall be accounted a sufficient Seating and planting of Lands hereafter to be taken up and patented. The same was read the first time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning Ten aclock

Thursday November the 13th 1712

prefent

OBERT CARTER, James Blair, Henry Duke, John Smith & John Lewis Elquaring A bill Entituled An Act declaring what shall be accounted a sufficient seating and planting of Lands hereaster to be taken up and patented Read the second time Ordered

That the faid bill be engroffed

Philip Ludwell Efqr prefent

A meffage from the Burgeffes by Mr Holloway and others who brought the following bills Viz

A bill Entituled An AA to continue an AA Entituled An AA for appointing Rangers and for encreasing their pay. A bill Entituled An AA for appointing Rowling houses and publick Landings and a bill Entituled An AA to enable William Manley Gent to fell & dispose of certain entailed Lands and tenements lying in the County of Westmoreland on settling other Lands and tenements lying in the faid County, of which he is seized in sec to the same uses, to which they desire the Councils concurrence. Mr Holloway also acquainted the Council that the Burgesses had taken into consideration the amendments proposed by their Hon. to the bill Entituled An AA to impower Surveyors of Highways to take trees to make or repair bridges and highways, and that they had agreed to some of the said amendments, and to others had disagreed, and desire their Hon. to pass the said bill without those amendments to which the Burgesses have disagreed.

A bill Entituled An Ad to continue an ad Entituled An Act for appointing Rangers, and for encreasing their pay Read the first time and

Ordered a fecond Reading

A bill Entituled An Act for appointing Rowling houses and publick Landings and for ascertaining the prices of Storeage Read the first time and

Ordered a fecond Reading

A bill Entituled An $A\partial$ to enable William Manley Gent to fell and difpose of certain entailed Lands and tenements lying in the County of Westmoreland, on settling other Lands and tenements lying in the said County of which he is siezed in see to the same uses Read the first time and

Ordered a fecond Reading

Prefent The Governor

A meffage to the Governor by M^r Eskridge and others who brought an Addrefs from the Burgeffes in answer to his Hon's meffage of the first of this month which Address is as followeth

To the honble Alexander Spotswood her Majestys Lieutenant Governor of Virginia

May it please Yo' Honour

We her Majestys most Loyal [See J. of H. of B., p. 24.]

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and command their imediate attendance on the Governor in the Council Chamber

The House attending, The Governor was pleased to make the following Speech Gentlemen of the Council and House of Burgesses

I am confident [See J. of H. of B., pp. 25-26.]

Then



Then the Burgesses withdrew and The Address of the Assembly of North Carolina being Read

Ordered

That the Clerk of the Gen¹¹ Affembly carry the fame to the Burgesses And then the Council Adjourned till Tomorrow morning ten aclock

Friday November the 14th 1712

Prefent

OBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith & John Lewis Eiq**

An ingrossed bill Entituled An A& to prohibite all Trade with the Tuscaruro and other Indians concerned in the late Massacre in North Carolina and for the better regulating the Indian trade. Read the third time

Rejolved

That the bill do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the House of Burgesses and desire their concurrence thereto

The Council proceeded to take into Confideration the Amendments to the bill Entituled An Ad to impower Surveyors of Highways to take trees to make or repair bridges and highways to which the House of Burgesses have disagreed, and thereupon

Rejolved

That the Council do adhere to all their Amendments made to the faid Bill Ordered

That the Clerk of the General Affembly carry the faid bill to the House of Burgesse and acquaint them that the Council do adhere to their amendments, and desire the Burgesses to pass the said bill as amended.

A bill Entituded An $A\bar{a}$ to enable William Manley Gent to fell and difpose of certain entailed Lands and tenements lying in the County of Westmoreland on settling other Lands and tenements lying in the said County of which he is siezed in see to the same uses Read the second time and committed for amendments.

A meffage from the House of Burgesses to the Council by M^r Holloway and others that the Burgesses desire a Conference with their Honr upon the Subject matter of the Governors Speech Yesterday, and the Address of the Assembly of North Carolina mentioned in the said Speech

Refolved

That a Conference be agreed to according to the defire of the House of Burgesses, and Robert Carter, James Blair and Philip Ludwell were appointed Managers for the faid Conference.

Ordered

That the Clerk of the General Affembly go to the House of Burgesse and acquaint them that the Council do agree to the Conference desired, and that they have appointed three of their members to manage the said Conference on their part who are now ready in the Conference room

Then the Council Adjourned during pleafure and the Managers went to the Conference.

ND being returned

The Council mett, and

Robert Carter Esqr from the Conference with the Burgesses reported the Subject matter thereof, together with the arguments they had ased to induce the Burgesses to assist North Carolina, and that the Conference was Adjourned for an hour for the Burgesses to report to their House.



An engroffed bill Entituled An Act declaring what shall be accounted a sufficient feating and planting of Lands hereafter to be taken up and patented read the third time Resolved

That the Bill do pass

Ordered

That the Clerk of the General Affembly carry the faid bill to the Burgeffes and defire their concurrence thereto

The Amendments to the bill Entituled An Act to prevent Land lapping from Infants for not feating and planting or not paying Quittrents untill three years after they come of age being twice read, The faid bill with the Amendments was read the third time

Refolved

That the Bill do pass

Ordered

That the Clerk of the General Affembly carry the faid bill to the House of Burgesses and acquaint them that the Council have passed the same with some amendments, to which they desire the concurrence of that House.

A bill Entituled An Ad to continue an Ad Entituled An Act for appointing Rangers and for encreasing their pay Read the second time and

Ordered a third Reading

A bill Entituled An Ad for appointing Rowling houses and publick Landings, and for ascertaining the prices of Storeage Read the second time and

Committed for amendments

The Council being informed that the Managers of the Burgeffes were again come to the Conference room

Then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 15th 1712

prefent

OBERT Carter, James Blair, Philip Ludwell, Henry Duke, John Smith and William Byrd Elq10

A bill Entituled An Act to enable William Manley Gent to fell and dispose of certain entailed Lands and tenements lying in the County of Westmoreland on fettling other Lands & tenements lying in the said County of which he is siezed in see to the same uses. Read the third time with the Amendments

Resolved

That the bill do pass

Ordered

That the Clerk of the General Affembly carry the faid bill to the Burgeffes, and defire their concurrence to the amendments made thereto

A bill Entituled An Ad for continuing an Ad Entituled An Act for appointing Rangers and for increasing their pay Read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the House of Burgesses and acquaint them that the Council have passed the same without amendment.

Robert Carter Efq' reported the Subject matter of the Conference with the Burgesses on the Governors Speech, and the Address of the Assembly of North Carolina.

A meffage from the House of Burgesses to the Council by Mr Buckner and others that the House had passed the book of publick Claims, to which they desire the Councils concurrence

Then the Council proceeded to the confideration of the book of Claims, and part thereof was read.

Α



A meffage from the House of Burgesses to the Council by Mt Helloway and others that the House had come to some Resolutions of Assistance to be given to North Carolina, and had ordered an Address to the Governor to be prepared thereupon, in which when prepared they will desire the Council to joine

The Governor prefent

The Council being informed that some Gentlemen from the Vestry of Christ Church in Middlesex attended, they were called in, and at the Board presented to the Governor and Council a petition, subscribed by the Major part of the said Vestry, and also sundry orders of the Vestry for the building the several Churches mentioned in the bill sent up from the House of Burgesses for making void certain proceedings of the said Vestry, and being heard thereupon withdrew

Then the bill Entituled An A& for making void certain proceedings of the Veftry of Christ Church in the County of Middlesex, and for building a new Church in the faid parish

was read the fecond time

And the question being put That the bill be read a third time

It paffed in the Negative

Ordered

That the faid Bill ly on the Table

And then the Council Adjourned till Munday morning Nine aclock.

Munday November 17th 1712.

Prefent

POBERT Carter, James Blair, Philip Ludwell, John Smith & William Byrd, Elgro

A meffage from the House of Burgesses to the Council by M¹ Holloway and others that the Burgesses had agreed to the amendments prepared by their Hon's to the bill Entituled An Aâ to prevent Lands lapsing from Infants for not feating and planting or not paying Quittrents untill three years after they come of age; and also to the amendments proposed to the bill Entituled An Aâ to enable William Manley Gent to fell and dispose of certain entailed Lands and Tenements lying in the County of Westmoreland, on fettling other Lands and Tenements lying in the faid County, of which he is fiezed in see to the same uses, And had inserted the said Amendments therein.

The faid two bills with the amendments being examined

Orderea

That the Clerk of the General Affembly carry the fame to the House of Burgesse and acquaint them that the Council are satisfyed that the amendments are truely inferted, and have passed the Bills as amended.

A bill Entituded An Act for appointing Rowling houses and publick Landings and for ascertaining the prices of Storage being amended and the amendments twice read

the faid bill with the amendments was read the third time

Resolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid bill to the House of Burgesse and acquaint them that the Council have made divers amendments thereto to which they desire the concurrence of that House.

Then the Council proceeded to the further confideration of the Book of Claims and

part thereof was read

A meffage from the Burgeffes to the Council by M^r Holloway and others that their House had agreed on an Address to the Governor in answer to his Speech the 13th instant and the Address and representation of the General Assembly of North Carolina therein mentioned, to which they defire their Hon^{rs} concurrence.

The



The Address prepared by the House of Burgesses being read, Sundry amendments were made thereto

Ordered

That the Clerk of the General Affembly carry the faid Address and amendments to the House of Burgesses and acquaint them that the Council desire their concurrence to the faid Amendments

And then the Council Adjourned till Tomorrow morning nine aclock

Tuefday November 18th 1712

Prefent

S YESTERDAY

The book of Claims being read over, and fundry Observations made thereon

Ordered

That a meffage be prepared to be fent to the Burgeffes proposing the feveral additions and amendments which the Council think fitt to be made in the book of publick Claims before they pass it

A meffage from the House of Burgesses to the Council by M^r Holloway and others that their House had agreed to some of the Councils amendments to the Address of the Governor, and to others had disagreed, and had also made a further amendment to the standards, and desire their Honrs to agree to the same as it is now amended

The Address and amendments being read were agreed to, and

Ordered

That the Clerk of the General Affembly carry the faid Addrefs to the House of Burgesses and acquaint them that the Council do not insift on such of their amendments as that House have disagreed to, and that they do agree to the Address as amended.

A meffage from the House of Burgesses by M^r Holloway and others that the House had inserted the amendments agreed on in the Address to the Governor.

Ordered

That the Clerk of the General Assembly return the faid Address to the House of Burgesses to be fairly transcribed.

Ordered

That the Clerk of the General Affembly carry the following meffage from the Council to the House of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

The Council being apprehensive [See J. of H. of B., p. 30.]

A meffage from the Burgeffes by M' *Holloway* and others who brought the Addrefs fairly transcribed and figned by the Speaker, and left the same to be figned by the Council as they shall think fitt.

Ordered

That the faid Addrefs be figned by Robert Carter Efq^r in behalf of the Council, And the fame was figned accordingly.

Ordered

That the Clerk of the General Assembly return the said Address to the House of Burgesses, and acquaint them that as the said Address had the first Rise in their House The Council leave it to them to take the proper time for presenting the same to the Governor

Prefent The Governor

A meffage from the Burgeffes to the Governor by M^r Holloway and others that the Council and Burgeffes had agreed on an Addrefs to his Hon, in answer to his Speech the r_3 th instant and that they were commanded to wait on him to know his pleasure when the House shall attend him with the said Addrefs



To which the Governor made Answer that he was now ready to receive their Address in the Council Chamber

The House of Burgesses attending Mr Speaker read and presented to the Governor the Address of the Council and House of Burgesses in the words following

To the honess Alexander Spotswood her Majestys Lieutenant Governor of Virginia

May it please Your Hon'

We her Majestys most dutifull [See J. of H. of B., p. 31.]

To which the Governor was pleafed to make the following Answer

Gentlemen

I cannot but receive [See also p. 31.]

And then the Council Adjourned till Tomorrow morning Nine aclock

Wednesday November the 19th 1712

Prefent

S YESTERDAY

A mcffage from the Burgesses by Mr Holloway and others who brought the bill Entituled An Ad for appointing Rowling houses and publick Landings, and for afcertaining the prices of Storeage, and acquainted the Council that the Burgesses had agreed to all the amendments proposed by their Hon's to the said bill, and had inserted them therein; And also that the House had agreed to their Hon's message sent yesterday That in case the nine hundred yards of Duffells cannot be had, the same may be supplied by other course Woolens

The aforefaid Bill being Examined

Ordered

That the Clerk of the General Affembly return the faid Bill to the House of Burgesses and acquaint them that the Council are satisfyed the amendments are truely inserted and have passed the Bill as amended.

Ordered

That the Clerk of the General Affembly carry the following meffage to the House of Burgesses together with the Book of Claims

The Council having had [See J. of H. of B., pp. 33-34.]

[The last two paragraphs of the message as given in the Journal of the Council are as follows:]

Among the Allowances made in your House to the Officers attending the Assembly The Council cannot but take notice of an unusual abatement made from the Sallary for reading Divine Service, last Session of Assembly, and the rather because it relates to one of their Members of whose readiness to perform his duty they are well satisfyed, and if the Severity of the Weather for some sew days together with the urgent business then depending did not permitt the Members of your House to resort to the publick Worship (as usual) during that short time The Council cannot agree to any deduction on that Account And therefore propose that the said Article be amended according to the regulation made by the last House of Burgesses.

Which additions and amendments being agreed to by your Houle The Council will

be ready to pass the book of Claims.

And then the Council Adjourned till Tomorrow morning nine aclock

Thursday November 20th 1712

prefent

S YESTERDAY

The Council mett and having nothing before them Adjourned till tomorrow morning ten aclock



Friday November the 21st 1712

Prefent

As

S YESTERDAY

A meffage from the Burgeffes to the Council by Mr Buckner and others who brought the Book of Claims with a written meffage relateing thereto as followeth

May it please your Hones

The Burgesses have considered [See J. of H. of B., p. 35.]

Refolved

That a Conference be defired with the Burgeffes upon the Subject matter of their laft meffage in Relation to the book of Claims.

A meffage from the Burgesses by Mr Holloway and others that the House could not agree to the Conference desired by their Honrs on the Subject matter of their message in relation to the book of Claims; but if the Council desire a Conference on the last paragraph of that message they are willing to concede to it.

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Council desire an imediate Conference on the last paragraph of their message in relation to the book of Claims, and accordingly

Mr Comiffary Blair and William Byrd Efq ** were appointed Managers for the faid

Conference.

Then the Council Adjourned during pleafure and the Managers went to the Conference.

A

ND being Returned

The Council mett again, and

Mr Comissary Blair reported the Subject matter of the said Conference.

A meffage by M^t John Robinson and others who brought the book of Claims amended according to what was proposed at the Conference.

Then the book of Claims was agreed to by the Council

A message from the Burgesses by Mr Holloway and others who brought a bill Entituled An A& for continuing an A& Entituled An A& for laying a duty on Liquors and Slaves, and for appropriating money sufficient to surnish nine hundred yards of Dussells, and one thousand pounds for the Service and Relief of North Carolina out of the said duty, and for appointing a Treasurer, and also a bill Entituled An A& for continuing an A& Entituled An A& for security and defence of the Country in times of danger, to which they desire the Council's concurrence.

And the faid bills were feverally Read the first time, and

Ordered a fecond Reading

The Governor having figned his Affent to the book of Claims

Ordered

That the Clerk of the General Affembly carry the faid book of Claims to the House of Burgesses and acquaint them that the Council have agreed to the same, Also that they have obtained the Governors Affent thereto.

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday



Saturday November the 22d 1712

prefent

S YESTERDAY

A bill Entituled An A& for continuing An A& Entituled An A& for laying a duty on Liquors and Slaves and for appropriating money sufficient to surnish nine hundred yards of Dussells, and one Thousand pounds for the Service and relief of North Carolina out of the said duty, and for appointing a Treasurer Read the second time

Ordered

That the Bill be read a third time.

A bill Entituled An A& for continuing An A& Entituled An A& for Security and defence of the Country in times of Danger Read the fecond time

Ordered

That the Bill be read a third time.

Prefent. The Governor

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the House of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

As the House of Burgesses in 1710 [See J. of H. of B., p. 37.]

And then the Council Adjourned till Munday morning ten aclock.

Munday November the 24th 1712

prefent

AMES Blair, Philip Ludwell, John Smith and William Byrd Efg.

A bill Entituled An Ad for continuing An Ad for Security and defence of the Country in times of danger Read the third time

Refolved

That the bill do pass

A bill Entituled An A α for continuing An A α Entituled An A α for Laying a duty on Liquors and Slaves, and for appropriating money fufficient to furnish nine hundred yards of Duffells and one thousand pounds for the Service and Relief of North Carolina out of the said duty and for appointing a Treasurer Read the third time

Refolved

That the bill do pass

Ordered

That the Clerk of the General Affembly carry the aforefaid two bills to the House of Burgesses and acquaint them that the Council have passed the same without any amendment

And then the Council Adjourned till Tomorrow morning ten aclock.

Tuefday November the 25th 1712

prefent

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten aclock

Wednesday



Wednesday November 26th 1712

present

S YESTERDAY A meffage

A meffage from the House of Burgesses to the Council by Mr William Robinson and others That the House had passed the Treasurers accounts, and desire their Honse Concurrence thereto

Then the faid accounts were read and paffed by the Council

Ordered

That the faid accounts be laid before the Governor for his Affent and that then the Clerk of the General Affembly return the fame to the House of Burgesses.

Ordered

That it remain an Observation on the Journal that Coll[®] Gawin Corbin Receiver of the dutys on Liquors and Slaves in the district of Rappahannock from the 10th day of December 1710 to the 16th of June following hath rendered no account of the receipt of the said dutys as by Law he ought to do.

Present The Governor

A meffage to the Governer by M^r William Robinfon and others who brought the following Addrefs.

To the Honbie Alexander Spotswood Her Majestys Lieutenant Governor of Virginia May it please Your Hon'

We her Majestys most Loyal [See J. of H. of B., p. 38.]

And then the Council Adjourned till tomorrow morning ten aclock

Thursday November the 27th 1712

Prefent

S YESTERDAY

A meffage from the House of Burgesses to the Council by M^r John Robinson and others That the House had passed the book of propositions [proportions] of the publick Levy to which they desire the Councils concurrence

And the faid Book being peruled was agreed to by the Council and

Ordered to ly on the table for the Governor's Affent, and that then the Clerk of the General Affembly return the fame to the Burgeffes.

prefent The Governor

Ordered

That the Clerk of the General Affembly carry the following message from the Govr to the House of Burgesses

Mr Speaker and Gentlemen of the House of Burgesses

Your Address presented [See J. of H. of B., p. 39.]

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday November the 28th 1712

prefent

HE fame as Yesterday

A message from the House of Burgesses to the Council by Mr John
Robinson and others who brought a Resolve for appropriating the Sum of
nine hundred pounds for finishing the Governor's house, and also A bill
Entituded An Ast Laying a publick Levy to which they defire the Councils concurrence.

And the faid Refolve being read was agreed to, and is as follows

Refolved and accordingly Ordered

That for payment of the Debt due upon the Governors house, more than the money already appropriated will pay, and for finishing the said House and the appurtenances to it belonging The sum of nine hundred pounds be appropriated out of the Fund that



Thall arise from the Act made this Session of Assembly Entituded An Act for continuing an Act Entituded An Act for Laying a duty on Liquors and Slaves and for appropriating money sufficient to surnish nine hundred yards of Dussells and one thousand bounds for the Service and relief of North Carolina out of the said duty, and for appointing a Treasurer And that the said nine hundred pounds be paid by the Treasurer of the said continued impositions for the time being upon Warrant of the Lievtenant Governor or the Governor or Commander in Chief of this Colony for the time being, next after the moneys which now are or hereaster shall during this Session be ordered to be paid out of the said Fund.

A bill Entituled An Ad for raifing a publick Levy Read the first time and Ordered a second Reading

Then the Council Adjourned for an hour

A

ND being mett

A bill Entituled An A& for raifing a publick Levy Read the fecond time and Ordered a third Reading

Then the Council Adjourned for an hour

A

ND being mett

A bill Entituled An Act for raifing a publick Levy Read the third time Refolved

That the Bill do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill, together with the Refolve before mentioned to the House of Burgesses, and acquaint them that the said bill is passed without amendment, and that the Council have agreed to the said Resolve.

Prefent The Governor

A meffage from the House of Burgesses to the Council by Mr John Robinson and others who brought a Resolve, which being read was agreed to by the Council, and is as follows

Refolved and accordingly Ordered

That the feveral perfons to whom money allowances are made in the book of Claims be paid their refpective allowances out of the moneys that shall arise from the Acts laying impositions upon Liquors and Slaves, next after the money first appropriated for the Governor's house, and the money appropriated for Bruton parish Church, and for the prison shall be paid, and that the said payments be made in order following (To witt) the Allowances made to the Officers of the last Session of Assembly in the first place. The allowances made to the Officers of this Session of Assembly in the next place, And then the rest of the allowances in the order they stand in the said Book of Claims.

Then the Governor figned his Affent to the faid Refolve.

Ordered

That the Clerk of the General Assembly carry the following message from the Governor to the House of Burgesles.

M' Speaker and Gentlemen of the House of Burgesses

As nothing lefs than the Safety [See J. of H. of B., p. 41.]

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday



Saturday November the 29th 1712

Prefent

S YESTERDAY
A meffage

A meffage from the Burgeffes to the Council by Mr Holloway and others who brought the inrolled bills paffed this Seffion

And the faid Bills being examined were Ordered to be returned to the

Burgesses

Prefent The Governor

A meffage from the Burgeffes by M^r Nicholas Merriweather and others who brought the following Addrefs to the Governor

To the hones Alexander Spotswood her Majestys Lievtenant Governor of Virginia

May it please Your Honour

We her Majestys most dutifull [See J. of H. of B., pp. 41-42.]

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Governor commands their imediate attendance in the Council chamber and that they bring with them such bills as are ready for his Affent.

The Burgesses attending. Mr Speaker addressed himself to the Governor to this

effect

In obedience to Your Hon^{re} commands her Majestys Loyal and dutifull Subjects the Burgesses do now attend your Hon^r with the bills agreed on this Session to receive Your assent.

Then the titles of the bills being read, the fame were figned by the Governor and the Speaker and are as follow

[For the feven Acts enumerated, fee J. of H. of B., p. 42, lines 34-39, transposing the third and fourth items.]

After which the Governor was pleafed to fay to this effect Gentlemen

The end of your Meeting being now accomplifhed, I cannot but express my Satisfaction with the General proceedings of this Session, and since I percieve by your Address presented to me this day that you are impatient to be at your Homes. I shall not at present insist on my message of Yesterday nor detain you any longer in this cold Season; Wherefore I have thought fitt to prorogue this Generall Assembly to the seventh day of May next, and do not intend to give you the trouble of meeting then, unless some extraordinary Occasion of the Indians or otherwise shall require it.

Copia

Wil Robertson Cl Gen1 Assembly



AT A

GENERAL ASSEMBLY

begun at Her Majestys Royal Capitol the 22^d day of October 1712, and thence continued by several prorogations and there held the fifth day of November 1713, in the Twelsth Year of Her Majestys Reign.

A 10 IV LESS THE STATE OF

At a General Assembly begun at Her Majestys Royal Capitol the 22^d day of October 1712, and thence continued by several prorogations and there held the fifth day of November 1713, in the Twelfth Year of Her Majestys Reign.

[November the 5th, 1713.]

Prefent

AMES BLAIR, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke Efqro

The Council mett and

Adjourn'd till Tomorrow morning ten aclock.

Friday November the 6th 1713.

prefent

HE Honble the Lievtenant Governor, James Blair, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke Efq¹⁵
Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Governor commands their immediate attendance on him in the Council chamber.

The House attending accordingly

The Governor was pleafed to make the following Speech

Gentlemen of the Council and House of Burgesses

Peace ever comes [See J. of H. of B., 1712-1726, pp. 47-48.]

And then the Burgesses withdrew.

A meffage from the Burgeffes to the Governor by M^r Armiftead and others defiring that a New Writt may iffue for Election of a Burgefs to ferve in this Affembly for the County of Warwick in the room of M^r William Cary deceased, And also a Writt for electing a Burgefs for Effex County in the room of M^r Francis Merriwether deceas'd

And then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 7th 1713

prefent

HE Governor, James Blair, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke Esq^{ra}

A meffage from the Burgeffes to the Council by M^r Holloway and others
That the House had resolved to address her Majesty upon the Peace, and
desire the Council to concurr with them therein; And if their Honours agree thereto,
that they will appoint such of their Members as they think fitt to joine with the Burgesses

in preparing the faid Addrefs.

Refolved

That the Council do agree to joine with the Burgesses in an Address to congratulate her Majesty on the Peace, and that William Byrd and William Cocke Esq. be appointed



a Committee to meet the Burgesses in preparing the faid Address on Munday next at three aclock in the Afternoon.

Ordered

That the Clerk of the General Assembly go to the House of Burgesses, and acquaint them that the Council have agreed to joine with their House in addressing her Majesty on the Peace, and that they have accordingly appointed two of their Members to meet fuch of their House as they shall appoint for preparing the faid Address on Munday next, at three aclock in the Afternoon.

The petition of Philip Jones and Margarett Jones praying an Allowance of Fourty pounds for killing two Tufcaruro Indians Was read and

Referred to the confideration of the House of Burgesses.

And then the Council Adjourned till Munday morning ten aclock.

Munday November ye 19th [9th] 1713

AMES BLAIR, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh and William Cocke Efgra

The Council mett and

Adjourned till Tomorrow morning ten aclock

Tuesday November the 10th 1713

Prefent

HE Governor, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke Efq18

The petition of James Adams Interpreter to the Pamunkey & Chicahominy Indians praying allowance for his faid Service, and

The petition of Christopher Smith Lievtenant of the Rangers for King William County praying his usual Allowance for the faid Service

Were feverally Read and Referred to the confideration of the House of Burgesses And then the Council Adjourned till Tomorrow morning ten aclock

Wednesday November the 11th 1713

S YESTERDAY

The petition of Henry Briggs Interpreter to the Southern Indians, praying his ufual Sallary and allowance for extraordinary Services.

The petition of William Cocke Elg Secretary of this Colony praying Allow-

ance for three Writts issued for election of Burgesses, and

The petition of Chichely Corbin Thacker praying his usual Allowance as Clerk of the Secretary's Office Were feverally Read and

Referred to the confideration of the House of Burgesses.

A message from the Burgesses to the Council by M. Holloway and others who brought an Address to her Majesty prepared by the Conferees of the Council and Burgesses, and acquainted the Council that the Burgesses have read and approved the Draught of the faid Addrefs, and defire the Council's concurrence thereto.

Then the faid Address was read, and an Amendment being made thereto

Ordered

That the Clerk of the General Assembly carry the said Address to the House of Burgeffes and acquaint them that the Council have agreed to the fame with an Amendment, to which they defire the concurrence of that House. A



A meffage to the Council by Mr Holloway and others That the House had agreed to the Amendments proposed to the Address to her Majesty, And that the House had resolved that the same be Signed by every Member of the House, and desire to know in what manner the Council will sign the same.

Refolved

That the faid Address be figned by every Member of the Council.

Ordered

That the Clerk of the General Affembly go to the House of Burgesse and acquaint them That the Council have agreed that the Address to her Majesty be signed by all their Members, and desire the House to send up the said Address when fairly transcribed, in order to their signing it as aforesaid.

And then the Council Adjourned till Tomorrow morning ten aclock

Thursday November the 12th 1713

Prefent

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten aclock.

Friday November the 13th 1713

Prefent

HE Governor, James Blair, Henry Duke, John Smith, William Byrd, William Fitzhugh & William Cocke Esq^{es}

A meffage from the Burgeffes to the Council by M^r Holloway and others who brought a fair Transcript of the Address agreed on by the Council and Burgeffes to her Majesty for the Council's Signing.

Then the faid Address to her Majesty was figned by all the Council, and is as follows.

To the Queen's Moft Excell Majefty.

The humble Addrefs of the Council & Burgeffes of Virginia

May it please Your Majesty

We Your Majefty's most dutifull and loyal [See J. of H. of B., pp. 52-53.]

A message to the Governor by M^r Eskridge and others That the House had prepared an Address to his Hon^r and desire to know when they shall attend his Hon^r to present their said Address.

Whereupon the Governor was pleased to appoint Tomorrow at eleven aclock in the forenoon in the Council Chamber for receiving the said Address.

A Meffage from the Burgeffes to the Council by M^r William Robinson and others who brought a bill Entituled An A ∂ for dividing S^r Marys parish, And the faid Bill was read the first time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 14th 1713

Prefent

HE Governor, James Blair, Henry Duke, John Smith, William Byrd and William Fitzhugh Efq**

The House of Burgesses (according to the Governors appointment) attending in the Council Chamber presented an Address to his Hon in the coloning Words.

following Words
To



To the Honbir Alexander Spotswood Her Majesties Lieutenant Governor of Virginia The humble Address of the House of Burgesses.

May it please Your Honour.

We her Majeftys most dutifull [See J. of H. of B., pp. 54-55.] To which the Governor was pleased to make Answer as follows.

M' Speaker and Gentlemen of the House of Burgesses.

I heartily thank you [See J. of H. of B., p. 55.]

William Cocke Efgr Prefent

A bill Entituled An A& for dividing St Marys parifh read the fecond time and committed for amendments.

A meffage from the Burgesses to the Council by M^r Waller and others who brought a Bill Entituled An Aât for reviving and continuing An Aât Entituled An Aât for prohibiting Seamen being harboured or entertained on shore, And also a Bill Entituled An Aâ to continue An Aât Entituled An Aât for supply of certain Desects found in Aâ preferibing the method for appointing Sherifs, to which they desire the Councils concurrence.

And the faid Bills were read the first time and

Ordered a fecond Reading

And then the Council Adjourned till Munday morning ten aclock

Munday November 16th 1713

Prefent

AMES BLAIR, Henry Duke, John Smith, William Fitzhugh & William Cocke Efq.

Mr Commissary Blair and Mr Secretary Cocke, are appointed in Conjunction with such a Number of Burgesses as shall be directed by that House to wait on the Governor with the Address to her Majesty, and to request his favour in transmitting thereof to her Majesty's hands.

William Bard Efgr Prefent

A bill Entituled An A ∂ for reviving and continuing An A ∂ Entituled An A ∂ t prohibiting Seamen being harboured or entertained on those read the fecond time and Committed for Amendments

A bill Entituled An Ad to continue An Ad Entituled An Act for Supply of certain Defects found in An Ad prefcribing the method for appointing Sherifs—Read the fecond time and

. Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten aclock.

Tuesday November the 17th 1713.

Prefent

S YESTERDAY

A meffage to the Council by M^{*} Waller and others who brought a Bill Entituded An Act for the regulation and fettlement of Ferrys and for difpatch of publick Expresses, to which they defire the Councils concurrence.

And the faid Bill was Read the first time and

Ordered a fecond Reading

A bill Entituled An Act to continue An Act Entituled An Act for Supply of certain defects found in An Act prefcribing the method for appointing Sherifs, Read the third time Refolved

That the bill do pass.

Ordered

That the Clerk of the General Affembly carry the f⁴ Bill to the Burgeffes, and acquaint them that the Council have paffed the fame without any Amendment.

And then the Council Adjourned till Tomorrow morning ten aclock.

Wednesday



Wednesday November the 18th 1713

Prefent

AMES BLAIR, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke Elq19

A Bill Entituled An Act for continuing An Act Entituled An Act for the regulation and Settlement of Ferrys, and for dispatch of publick Expresses, Read the second time and

Committed for amendments,

And then the Council Adjourned till Tomorrow morning ten aclock.

Thursday November the 19th 1713

Prefent

HE Governor, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke Efgra

A bill Entituled An Act for reviving and continuing An Act Entituled An Act prohibiting Seamen being harboured or entertained on thore Read the third time with the Amendments

Refolved

That the Bill with the Amendments do pass

A bill Entituded An Act for continuing An Act Entituded An Act for the Regulation and Settlement of Ferrys, and for dispatch of publick Expresses, Read the third time with the Amendments.

Refolved

That the Bill with the Amendments do pass.

Ordered

That the Clerk of the General Affembly carry the faid two bills to the House of Burgesses, and acquaint them that the Council have passed the same with several Amendments, to which they desire the concurrence of that House.

A Meffage to the Council by M^r Waller and others that the Burgeffes had agreed to the Amendments proposed by the Council to the Bill Entituded An Ad for reviving and continuing An Adt prohibiting Seamen being harboured or entertained on shore; And to the Bill Entituded An Adt for continuing An Ad Entituded An Adt for the Regulation and Settlement of Ferrys, and for dispatch of publick Expresses, and had inserted them therein.

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday November the 20th 1713.

prefent

S YESTERDAY

The Council mett and Adjourned till Tomorrow Morning ten aclock.

Saturday November the 21st 1713.

Prefent

POBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd and William Cocke Efgrs

A Meffage from the Burgeffes to the Council by M^t Holloway and others, who brought a Bill Entituled An Aâ to reftrain the keeping too great a number of Horfes and Mares to which they defire the Council's concurrence. And the faid Bill was Read the first time and

Ordered a Second Reading

And then the Council Adjourned till Munday morning ten aclock.

Munday



Munday November the 23d 1713

Prefent

OBERT CARTER, James Blair, Henry Duke, John Smith, William Byrd, William Cocke Efgre

The Council mett and Adjourned till Tomorrow Morning ten aclock

Tuesday November 24th 1713.

prefent

S YESTERDAY

A Meffage from the Burgeffes to the Council by Mr Waller and others who brought a Bill Entituled An AA to enable William Smith Gent to fell and difpose of certain entailed Lands and Tenements lying in the County of New Kent, on fettling other Lands and tenements lying in King William County, of which he is fiezed in fee to the fame uses. to which they defire the Councils concurrence.

And the faid Bill was read the first time, and

Ordered a Second Reading

And then the Council Adjourned till Tomorrow morning ten aclock.

Wednesday November the 25th 1713.

HE Governor, Robert Carter, James Blair, Henry Duke, John Smith, William Byrd, William Cocke Efqro

A bill Entituled An AA to restrain the keeping too great a number of horses and Mares Read the fecond time, and

Committed for amendments

A bill Entituled An Ad to enable William Smith Gent to fell and dispose of certain Entailed Lands and Tenements lying in the County of New Kent, on fettling other Lands and tenements lying in King William County, of which he is fiezed in fee to the fame ufes, Read the fecond time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten aclock

Thursday November the 26th 1713

OBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke Efqro

A bill Entituled An A& to enable William Smith Gent to fell and difpofe of certain entailed Lands and tenements lying in the County of New Kent, on fettling other Lands and tenements lying in King William County, of which he is flezed in fee, to the fame uses Read the third time with the amendments

Refolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid bill to the House of Burgelles and acquaint them that the Council have passed the same with some Amendments, to which they defire the concurrence of that House.

And then the Council Adjourned till Tomorrow morning ten aclock

Friday



Friday November the 27th 1713

Present

S BEFORE

A Message from the Burgesses to the Council by M' Holloway and others who brought a bill Entituled An A& for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco, to which they desire the Council's concurrence.

A bill Entituled An AA to reftrain the keeping too great a number of horfes and Mares read the third time with the Amendments

Refolved

That the bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with feveral Amendments, to which they defire the concurrence of that House.

A bill Entituled An Ad for preventing Frauds in tobacco payments, and for the better improving the Staple of Tobacco, Read the first time, and

Ordered to be read a fecond time on Munday next

And then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 28th 1713

present

A

S YESTERDAY

The Council mett and Adjourned till Munday morning ten aclock

Munday November the 30th 1713

Present

HE Governor, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Efgro

A bill Entituled An A& for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco, Read the second time, And The Council having spent some time in the Consideration thereof

Ordered

That the further confideration of the faid Bill be referred till Tomorrow morning. A Message from the Burgesses to the Council by Mr Holloway and others That the Burgesses have agreed to the Amendments proposed by the Council to the Bill Entituled An Ast to enable William Smith Gent to fell and dispose of certain entailed Lands and tenements lying in the County of New Kent, on settling other Lands and tenements lying in King William County of which he is seized in see to the same uses, and have inserted them therein; That they have also agreed to some of the Amendments proposed by the Council to the Bill Entituled An Ast to restrain the keeping too great a number of horses, and Mares; to others have disagreed, and that they have proposed an Amendment of their own, and desire that the Council will not insist on such of their Amendments, to which that House have disagreed, and that they will pass the Bill according to the Amendments agreed unto by that House.

A Meffage to the Governor by M^r Holloway and others That the House of Burgesses had delayed the confideration of that part of his Hon^r Speech relating to the Frontiers in expectation of the Arrival of the Tuscaruro Indians; but finding they are not yet come in, and the House having little business before them They defire to know his Hon^r *

pleafure, how they shall proceed.

To which the Governor was pleafed to fay That he would fend the House an Answer And then the Council Adjourned till Tomorrow morning ten aclock

Tuesday



Tuesday December the 1st 1713.

Prefent

S YESTERDAY. Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgesses.

M. Speaker and Gentlemen of the House of Burgesses.

At the opening of this Selfion [See J. of H. of B., pp. 63-64.]

A bill Entituled An A& for dividing St Mary's parifh. Read the third time with the Amendments

Refolved

That the Bill with the Amendments do pals.

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes, and acquaint them that the Council have passed the same with several Amendment to which they defire the concurrence of that House.

And then the Council Adjourned till tomorrow morning ten aclock

Wednesday December the 2d 1713.

HE Governor, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Cocke Efgrs

A melfage from the Burgelles to the Council by Mr Holloway and others. who brought a Bill Entituled An AA to impower John Holloway and John Clayton Gent to recieve of the Truftees for the City of Williamsburgh and of all other perfons whatfoever all moneys by them received for Letts of Land, and otherwise for the benefite of the faid City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Efquire, and to apply fuch moneys to certain uses, to which they defire the Councils concurrence.

And the faid Bill was read the first time, and

Ordered a fecond Reading.

Ordered

That the Clerk of the General Affembly carry the following Message from the Governor to the House of Burgesses.

M. Speaker and Gentlemen of the House of Burgesses.

I am commanded [See J. of H. of B., pp. 64-65.]

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Council having under confideration the Bill fent up from that House for preventing frauds in Tobacco payments, and for the better improving the Staple of Tobacco, and finding therein some Clauses, of the meaning of which they are desirous to be more clearly fatisfyed, and that there are other parts of the bill to which they intend to propose some Amendments, Therefore in order to the well finishing a Bill of fo great a benefite to the Country, The Council defire a free Conference with that House upon the Subject matter of the faid Bill

A Meffage from the Burgeffes to the Council by Mr Holloway and others That the Burgesses have agreed to the free Conference desired by their Hours on the Subject matter of the Bill for preventing Frauds in tobacco payments, and for the better

improving the Staple of Tobacco.

That Robert Carter Efqr Mr Commissary Blair and William Byrd Efqre be appointed Managers for the Council, to meet fuch a number of the Burgesses as they shall appoint to manage the faid Conference on the part of that House.

Ordered



Ordered.

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Council have appointed three of their Members, who will be ready in the Conference room Tomorrow at twelve aclock to meet such a number of the Burgesses that House shall think fitt to manage the said Conference on their behalf

And then the Council Adjourned till Tomorrow morning ten aclock.

Thursday December the 3d 1713

Prefent

S YESTERDAY

The Council being informed that the Managers for the Burgesses were come to the Conference room, The Managers for the Council went to the Conference

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday December the 4th 1713

Prefent

POBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke Esq¹⁸

A Meffage to the Council by Mr Eskridge and others who brought the book of publick Claims paffed their House, to which they defire the Council's concurrence.

A Meffage from the Burgeffes to the Council by M^r William Robinson and others who brought a Bill Entituled An Aā for dividing S^t Marys parish, and acquainted the Council that the Burgesfes have agreed to the Amendments proposed by their Hon^{to} to the said Bill, and had inserted them therein.

The Council having confidered the Amendments proposed by the Burgesses to the Bill Entituded An Aâ to restrain the keeping too great a number of Horses and Mares, agreed to some of the Amendments proposed by the Burgesses and to others disagreed, and resolved to insist on some of their Amendments, and to propose a New Amendment to the said Bill

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them therewith.

A Meffage from the Burgesses to the Council by Mr Holloway and others, acquainting the Council that upon consideration of the Report of the free Conference upon the Bill for preventing Frauds in tobacco payments and for the better improving the Staple of tobacco The House had agreed to several of the Amendments proposed by their Hone, to others had disagreed and had also proposed an Amendment of their own, and that they give Leave that the Amendments, as they are agreed on, be inserted in the Bill. Mr Holloway also presented a Bill Entituded An AA for continuing an Act for appointing Rangers, and An Act to continue An AA for appointing Rangers, and for increasing their pay, and also to impower the Lievtenant Governor to disband the Rangers, and to apply the pay appropriated for them to any other use he shall think sitt for the better Security of the Frontiers and desired the Councils concurrence thereto.

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday



Saturday December the 5th 1713.

Prefent

S YESTERDAY

A Bill Entituled An Act for continuing An Act for appointing Rangers and An Act to continue An Act for appointing Rangers and for increasing their pay, and also to impower the Lieutenant Governor to disband the Rangers, and to apply the pay appropriated for them to any other use he shall think fitt for the better Security of the Frontiers Read the first time, and

Ordered a fecond Reading

A meffage from the Burgesses to the Council by Mr Eskridge and others who brought the Bill to reftrain the keeping too great a number of horses and Mares, and acquainted the Council that the House had agreed to the Amendments proposed thereto, and had inserted them in the said Bill.

The Council took into confideration the Amendments to the Bill for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco, And thereupon

Refolved

That the Council do recede from such of the sa Amendments as are disagreed unto by the Burgesses, and that they will agree to the Amendments proposed by that House, and

Ordered

That the Amendments be inferted in the faid Bill, and that it be read a third time on Munday next.

And then the Council Adjourned till Munday morning ten aclock.

Munday December the 7th 1713

Prefent

HE Governor, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Esq.

A bill Entituled An A& for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco Read the third time with the Amendments

Refolved

That the Bill with the Amendments do país.

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes, and acquaint them that the Council have paffed the fame as amended.

A Message from the Burgesses to the Council by M^r Holloway and others who brought a Bill Entituled An A& for Registring Births Christnings and Burials, to which they desire the Councils concurrence

The Book of publick Claims being Read, and fome Amendments made thereto by the Council

Ordered

That the Clerk of the General Affembly carry the faid Book to the House of Burgesses, and acquaint them that the Council have made some Amendments thereto, to which they desire the concurrence of that house.

A bill Entituled An AA for registring Births Christnings and Burials read the first time and

Ordered a fecond Reading



A bill Entituled An A& for continuing An A& Entituled An A& for appointing Rangers, and An A& to continue An A& for appointing Rangers, and for increosing their pay, and also to impower the Lieutenant Governor to disband the Rangers, and to apply the pay appropriated for them to any other use, he shall think sitt for the better Security of the Frontiers Read a second time & Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten aclock

Tuesday December the 8th 1713

Prefent

S YESTERDAY
Ordered
That the

That the Clerk of the General Affembly carry the following Meffage from the Governor to the House of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

I have now Ordered [See J. of H. of B., p. 69.]

A bill Entituled An Act for continuing An Act for appointing Rangers and an Act to continue An Act for appointing Rangers and for increasing their pay, and also to impower the Lieutenant Governor to disband the Rangers and to apply the pay appropriated for them to any other use, he shall think sitt for the better Security of the Frontiers, Read the third time

Refolved

That the bill do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes, and acquaint them that the Council have paffed the fame without any Amendment

A bill Entituled An Ad for Registring Births, Christnings and Burials Read the fecond time and

Committed for Amendments

William Cocke Efgr Prefent

A Message from the Burgesses to the Council by Mr Holloway and others who brought a Bill Entituled An Ast declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereaster to be taken up and patented, to which they defire the Council's concurrence.

A Meffage from the Burgeffes to the Council by M^r Eskridge and others who brought the Book of Claims, and acquainted the Council that the House have agreed to the Allowances proposed by their Honrs to be made in the said Book of Claims, and that the same are entered in the f⁴ Book

And the same being examined

Ordered

That the Clerk of the General Affembly carry the faid book to the Burgeffes and acquaint them that the Council are fatisfyed the faid Allowances are truly inferted, and that they have paffed the fame accordingly.

And then the Council Adjourned till Tomorrow morning ten aclock.

Wednesday December the 9th 1713

Prefent

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis Elq.

A bill Entituled An All declaring what fhall be accounted a Sufficient Seating and planting of Lands already granted, or hereafter to be taken up and patented Read the first time and

Ordered a fecond Reading



A bill Entituled An Ad for registring Births Christnings and Burials Read the third time with the Amendments

Refelved

That the bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeises and acquaint them that the Council have made some Amendments thereto, to which they desire the concurrence of that House.

A bill Entituled An Act to impower John Holloway and John Clayton Gent to receive of the Trustees for the City of Williamsburgh, and of all other persons whatsoever, all moneys by them received for Lotts of Land and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esqr and to apply such Moneys to certain uses, Read the second time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten aclock.

Thursday December the 10th 1713

Prefent

OBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Cocke Efg^e

A meliage from the House of Burgesses to the Council by Mr Holloway and others That the House had prepared a Clause to be added to the Bill to impower John Holloway and John Clayton Gent to recieve of the Trustees for the City of Williamsburgh, and of all other persons whatsoever all moneys by them recieved for Lotts of Land, and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esquire, and to apply such moneys to certain uses, to which they desire the Council's concurrence; and that if their Honre do agree thereto, the same may be added as an Amendment to the Bill, and the Title made conformable thereto.

A mellage from the House of Burgesses to the Council by Mr Soane and others, who brought the Book of Proportions of the publick Levy, to which they desire the Council's concurrence.

And the faid Book being read, Was agreed unto by the Council, and

Ordered

That the Clerk of the General Affembly wait on the Governor for his Affent thereto,

and then return the fame to the House of Burgesses.

Then the Clause proposed by the Burgesses to be added to the Bill Entituded An A& to impower John Holloway and John Clayton Gent to recieve of the Trustees for the City of Williamsburgh, and of all other persons whatsoever all moneys by them recieved for Lotts of Land and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esquire, and to apply such moneys to certain uses being read, and agreed to and other Amendments made by the Council. The said Bill was read a third time

Refolved

That the bill do pass.

Ordered

That the Clerk of the General Affembly carry the faid bill to the Burgeffes and acquaint them that the Council have agreed to the Clause proposed by the Burgeffes to be added thereto, and have made some Amendments of their own to the faid Bill, to which they desire the concurrence of that House.



A bill Entituded An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereaster to be taken up and patented Read the second time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning ten aclock

Friday December the 11th 1713

Prefent

OBERT CARTER, James Blair, John Smith, John Lewis Esq.

A Meffage to the Council by Mr Eskridge and others who brought a Bill Entituded An Act for raifing a publick Levy, and also a Resolve of the House concerning money payments, to which they desire the Council's concurrence.

And the faid Refolve being read was agreed to, and is as follows

Refolved, and accordingly Ordered

That the feveral persons to whom Money Allowances are made in the book of Claims, be paid their respective Allowances out of the moneys that shall arise out of the Acts laying Impositions upon Liquors and Slaves, next after the money appropriated this Session for finishing the Governor's house shall be paid, And that the said payments be made in the order they stand in the said Book of Claims,

Ordered

That the Clerk of the General Affembly return the faid Refolve to the Burgeffes, and acquaint them that the Council have agreed thereto.

A bill Entituled An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereaster to be taken up and patented. Read the third time with the Amendments.

Refolved

That the bill with the Amendments do país.

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgefles, and acquaint them that the Council agree to the fame, with feveral Amendments, to which they defire the Concurrence of that Houfe.

A bill Entituled An Ad for raising a publick Levy Read the first time, and

Ordered a fecond Reading

Then the Council Adjourned for an hour

A

ND being mett again

A bill Entituled An Ad for raifing a publick Levy Read the second time & Ordered a third Reading

Then the Council Adjourned for an hour

A

ND being mett again

A bill Entituled An A& for raifing a publick Levy Read the third time Refolved

That the Bill do pais.

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgesses and

acquaint them that the Council have passed the same without any Amendme

A Message from the Burgesses to the Council by M^r Holloway and others, That the House had agreed to the Amendments proposed by their Hons to the Bill Entituled An Aâ to impower John Holloway and John Clayton Gent to recieve of the Trustees for the City of Williamsburgh and of all other persons whatsoever all moneys by them recieved for Lotts of Land and otherwise for the benefite of the faid City And the Sum of Two hundred

and



and one pounds Nine shillings and nine pence, of Robert Carter Esquire, and to apply fuch moneys to certain uses; Also to the Amendments proposed by their Hone to the Edit Entituded An Act for registring Births Christinings and Burials; And also to the Amendments proposed by their Hone to the Bill Entituled An Ad declaring what shall be accounted a fufficient Seating and planting of Lands already granted or hereafter to be taken up and patented, and had inferted them in the faid Bill

And then the Council Adjourned till Tomorrow morning ten aclock,

Saturday December the 12th 1713

Prefent

THE Governor, Robert Carter, James Blair, John Smith, John Lewis & William Cocke Elq"

A Mellage from the House of Burgelles to the Council by Mr Littlebury Epes and others, who brought the inrolled Bills passed this Seision, for the Council's perufal.

And the faid Bills being examined

Ordered

That the Clerk of the General Assembly carry the same to the House of Burgesses, and acquaint them that the Council have peruled the same, and are satisfyed they are truly inrolled.

Ordered

That the Clerk of the General Assembly go to the House of Burgesses, and command their immediate Attendance on the Governor in the Council Chamber, and that they bring with them fuch bills as are ready for his Affent.

The House of Burgesies attending accordingly

The Governor was pleased to give his Affent to the following Bills, Viz

[For the 12 enumerated Acts, see J. of H. of B., p. 73.]

Then the Governor made the following Speech

Gentlemen of the Council and House of Burgesses,

Such has been the concurrence and good Agreement between us during this Seffion; Such has been your zeal to prevent Frauds and better the publick Credit in time to come, Such apparently just measures have you fallen into, to revive your Trade, and such Testimonys have you given me of the Confidence You place in my honeity and Conduct. that I am now come with great Satisfaction and thankfullness to conclude this Selfion. and earnestly to recommend to you all to put a helping hand to the new Method the Country is now entering upon.

'Tis the universal Clamour of both the Planters and Merchants that your Tobacco Trade upon the preient Foot can no longer be borne, and you, Gentlemen, have unanimoufly (I think) declared that it is high time to apply fome Remedy, and have most generally agreed to these ways and means which We have now Enacted; I therefore promife myfelf that you will all endeavour to make people in your respective Countys

truly fensible, what they gain by this new and extraordinary Law.

Your Love to your Country cannot be more confpicuously shewn, than by laying hold of Occasions to relieve it in its Distrels, and those I must judge to have the best Title to the favours I am impowered to dispense, who can discern the true intent of their Country, and will boldly and honeftly labour to promote it

As for my part I can discover nothing but benefites accruing to this Colony, by the new Courie you are going to take with your Tobacco, And if it is likely that you will

reap the Advantage, I hope no one will envy me the honour of the Project.

I know, the Season of the year makes you all defirous of returning home; And therefore I now prorogue this Affembly, and it itands prorogued to the tenth day of May next.



AT A

GENERAL ASSEMBLY

begun at the Capitol the 22^d day of October 1712 in the Eleventh Year of the Reign of her late Majesty Queen Anne, Thence continued by severall prorogations and there held the 16th day of November in the first Year of the Reign of our Sovereign Lord George by the Grace of God of Great Britain, France and Ireland King Desender of the Faith &c Annoq, Domini 1714



At a General Affembly begun at the Capitol the 22^d day of October 1712 in the Eleventh Year of the Reign of her late Majesty Queen Anne, Thence continued by severall prorogations and there held the 16th day of November in the first Year of the Reign of our Sovereign Lord George by the Grace of God of Great Britain, France and Ireland King Desender of the Faith &c Annoq, Domini 1714

[November the 16th, 1714.]

Prefent

AMES BLAIR, Phillip Ludwell, William Cocke, Robert Porteus Efqra

A Commission from the Honble the Lieve Governor directed to William Cocke

Nathaniell Harrison, Mann Page & Robert Porteus Eiq¹⁰ or any two of them to administer the Oaths appointed by Law to the Burgesses and officers of this

Affembly was prefented and read.

William Robertson Clerk of the General Assembly took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegience and Supremacy, The abjuration Oath mentioned in the Act of Parliam made in the Sixth Year of the Reign of her late Majesty, Subscribed the Test, and took the Oath for the due Execution of his Office.

And then the Council Adjourn'd till Tomorrow morning ten aclock

Wednesday November the 17th 1714

Prefent

HE Governor, James Blair, Phillip Ludwell, William Cocke, Nath^u Harrison, Mann Page & Robert Porteus Esq^{rs}

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and Acquaint them that the Governor commands their immediate Attendance on him in the Council Chamber.

The House of Burgesses accordingly attending the Governor was pleased to make the Following speech

Gentlemen of the Council and House of Burgesses

We now meet [See J. of H. of B., 1712-1726, pp. 79-80.]

Then the Burgesfes withdrew

The petition of James Adams praying his usual Allowance as Interpreter to the Pamunkey and Chickahominy Indians Read and Referred to the Confideration of the House of Burgesses

A message to the Governor by M^r Waller and others desiring a new Writt for electing a Burgess for King William County in the room of M^r Fox deceased, and another for

Elizath City in the room of Mr Nicho Curle deceased.

It is ordered Accordingly

That a new Writt do Issue for each of the fa County's Respectively.

And then the Council Adjourned till Tomorrow morning 10 aclock

Thursday



Thursday November the 18th 1714

Prefent

HE Governor, James Blair, Phillip Ludwell, John Lewis, William Cocke, Nathaniel Harrifon, Man Page, Robert Porteus Efq**

A petition of fundry Inhabitants of Gloucefter County & Others.

and A petition of $William\ Brown$ of $Surry\ County$ were prefented and read praying that Liberty may be Given for the Exportation of Cutt Tobacco & of Stemned tobacco without tying it up in bundles.

Ordered

That the faid petitions be referred to ye Confideration of the House of Burgesses. The Grievances of Sundry Inhabitants of the County of Middlesex Read & Referred to the Confideration of the House of Burgesses.

A meffage to the Council by Mr Holloway and others that the Houfe of Burgeffes upon confideration of the Governors speech have unanimously Resolved to address his Majesty upon his happy Accession to the Throne, and defire the Council to joyne with them therein, and that they will appoint some of their members to joine with the Burgeffes in preparing the said Address

Refolved

That the Council will joine with the House of Burgesses in an humble Address to his Majesty to congratulate his happy accession to the Crown

Ordered

That M^r Commiffary Blair, M^r Secretary Cocke & Robert Porteus Efq^r be appointed a Committee to prepare the faid Address in conjunction with such persons as the House of Burgesses shall Appoint

Ordered

That the Clerk of the General Affembly go to the House of Burgesse and Acquaint them that the Council have resolved to joine with that House in Addressing his Majesty, and that they have appointed three of their members to meet such a number of the Burgesses as the House shall think fitt to appoint tomorrow at ten aclock in the morning in the Conference Room for preparing the standards.

And then the Council Adjourned till to morrow morning 10 Aclock.

Friday November the 19th 1714

Prefent

HE Governor, James Blair, Phillip Ludwell, John Lewis, William Byrd, William Cocke, Nathaniell Harrison, Mann Page & Robert Porteus Esq.

Several Propositions and Grievances from the County of James City and

A Proposition from the County of Charles City

Were Severally Read and Referred to the Confideration of the House of Burgesses. The severall Propositions and Grievances of the Inhabitants of King and Queen County were read & Referred to the Confideration of the House of Burgesses.

And then the Council Adjurned till to morrow morning 10 aclock.

Saturday November the 20th 1714

Prefent

HE Governor, James Blair, Phillip Ludwell, John Lewis, William Byrd, Nathaniel Harrifon, Mann Page & Robert Porteus Elqt*

The petition of Mr Secretary Cocke for his usual allowance for iffuing two

Writts for electing Burgeffes to ferve in this Affembly, and

The petition of Chicheley Corbin Thacker praying his ufuall Allowance as Clerk of the Secretarys Office may be Levyed for him Were feverally read and referred to the Confideration of the House of Burg*

A



A Meffage from the House of Burgesses to the Council by Mr Holloway & Others that the members appointed by the Council and that house had prepared an Address to his Majesty web having been reported in that house was agreed to and that they were Commanded to Leave the Address with the Council and defire their Concurrence thereto

The Address to his Majesty prepared by the Committee of Councell and Burgesses

was read and Agreed to and is as follows

To the Kings most Excellent Majesty

May it please Your Majesty

Since it hath pleafed [See J. of H. of B., pp. 87-88.]

Ordered

That the faid Addrefs be fairly transcribed and Signed by the Councill And then the Councill adjourned till Munday morning 10 aclock.

Munday November the 22d 1714

Prefent

AMES BLAIR, Philip Ludwell, John Lewis, William Byrd, Nath! Harrison, Robert Porteus Esq¹⁵

The Council mett &

Adjourned till Tomorrow morning ten aclock

Tuefday November 23d 1714

Prefent

AMES BLAIR, Phillip Ludwell, John Lewis, William Byrd, Nathaniell Harrison Robert Porteus Esq¹³

The Council having figned the Address to his Majesty

Ordered

That the Clerk of the General Affembly return the f⁴ Address to the House of Burgesses and acquaint them that the Council having signed the same, have sent it back to be signed by their House.

And then the Council Adjourned till Tomorrow morning 10 aclock.

Wednesday November 24th 1714

Prefent.

HE Governor, James Blair, Phill Ludwell, Jnº Smith, Jnº Lewis, W^m Byrd, William Cocke, Nath^t Harrison, Robert Porteus Esq^{*}

A meffage to the Council by M^r Holloway & others that the Burgeffes have figned the Address to his Majesty, and desire a Conference with the Council upon something relating to the said Address.

Refolved

That the Council do Agree to the faid Conference immediatly and that the perfons who affifted in fraiming the f^d Addrefs be Appointed Conferees for the Council

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that the Council have Agreed to the Conference defired by their Houfe upon fome thing relating to the Addrefs to the King, and that they have Appointed three of their members to manage the fame on behalf of the Council who are now ready in the Conference room.

Then



Then the managers went to the Conference

And being returned

Mr Commissary Blair reported that the Burgesses had Acquainted them that it was their Opinion that the Address be presented to the Governor by the Councill and the whole House of Burgesses and that as the Address had its first Rise in their house, they judge it most proper for their Speaker to present the same; and thereupon the Conferrees desired Instructions from the Council what answer to return to the Burgesses upon that head.

Whereupon the Council entering into debate thereon

Refolved

That it be an Inftruction to the Conferrees of the Council that they acquaint the Burgesses that if the Governor shall appoint the Council Chamber for recieving the Address to the King the Council Do Agree that it be presented by the speaker of the House of Burgesses, the Council standing up in their places, but if his Hor shall be pleased to be attended at the Pallace that then the said Address be presented by the Senior Councillor

Then the Managers went again to the Conference

And being returned

Reported that the Burgeffes agreed to the manner proposed by the Council for presenting the Address to his Majesty, unto the Governor.

Ordered

That the Clerk of the Generall Affembly go to the House of Burgesse and Acquaint them that the Council have Appointed three of their members to joine such a number of the Burgess as the House shall think fitt to wait on the Governor and know when and where he will be attended with the said Address.

The Committee of the Council & Burgesses waited on the Governor in the Council Chamber, and by Mr Comissary Blair desired to know when and where they shall attend his Honr to present an Address to his Majesty on his happy Accession to the Throne

To which the Governor was pleased to answer that he should be ready to recieve the same Tomorrow at ten in the morning, in the Council Chamber

And ya the Council Adjourned till Tomorrow morning to aclock

Thursday November the 25th 1714

prefent

S YESTERDAY

The House of Burgesses attending

The speaker after a fhort Speach presented to the Governor the Address of the Council & Burgesses, and desired His Honra favour to convey it to his Majestys hands.

To which the Governor answered

Gentlemen

I shall always with a great deal of readiness and Pleasure convey to his Majesty all those Testimonys you shall give of your Loyalty.

Then the House of Burgesses withdrew

A meffage to the Governor by M^r Holloway that the Burgeffes had prepared an Addrefs to his Hon^r, and defired to know when and where they fhall attend with their fpeaker to prefent the fame.

To which the Governor answered he was ready now to recieve it in the Council Chamber

The House attending



M' Speaker read and prefented the following Address

To the Honble Adexander Spotfwood His Majesties Lieutenant Governor of Virginia The Humble Address of the House of Burgesses

May it please your Hon'

We think our Selves [See J. of H. of B., pp. 89-90.]

To which the Governor made answer

M' Speaker and Gentlemen of the House of Burgesses

I'm glad to find [See J. of H. of B., p. 91.]

And then the Council adjourned till to morrow morning ten aclock

Friday Novem the 26th 1714

Prefent

AMES BLAIR, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrison, Mann Page and Robert Porteus Esq.

The Council mett and

Adjourned till Tomorrow morning 10 aclock

Saturday Novem 27th 1714

Prefent

HE fame as yesterday Except Coll^o Harrison
The Council mett and
Adjourned till Munday morning 10 aclock

Munday November the 29th 1714

Prefent

HE Governor, James Blair, Phillip Ludwell, W^m Byrd, William Cocke, Mann Page, Robert Porteus Esq^{ro}

A message from the Burgesses to the Council by M. Holloway and others who brought a bill Entituled An AA to prevent the malicious burning Or destroying the publick Storehouses of Tobacco Agents; and also a Bill Entituled An AA to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places, To which they desire the Councils Concurrence

John Lewis Efqr prefent

A Bill Entituled An A& to prevent the malicious burning or destroying the publick Storehouses of Tobacco Agents and A Bill Entituled An A& to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places

Were read the First time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning ten aclock

Tuesday November the 30th 1714

Prefent.

ROBERT CARTER, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus Esquare A Bill Entituled An Ast to prevent the malicious burning or destroying the publick Storehouses of Tobacco Agents and A Bill Entituled An Ast to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places

Were



Were read the fecond time and Committed for Amendments

Prefent The Governor

A Petition of M^r Samuel Boufh a Tobacco Agent for the County of Norfolk Read and referred to the Confideration of the House of Burgesses And then the Council Adjourned till Tomorrow morning 10 aclock

Wednesday Decemr'ye first 1714

A

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning 10 aclock

Thursday December ye 2d 1714

Prefent

HE Governor, Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nath! Harrifon, Mann Page & Robert Porteus Elq.

A meffage from the Burgeffes to the Council by M^r Holloway and others who brought the Following Bills Viz' A Bill Entituled An A& for Continuing

An A& Ent's An A&t for preventing Frauds in Tobacco payments and for the better improving the Staple of Tobacco. A Bill Entituled An A&t to oblige Owners and Occupiers of Mills to which publick roads fhall lead to make the Damms of fuch Mills ten foot wide at the top. A Bill Entituled an A&t to repeal part of An A& Entituled An A&t giving a Reward for Killing of Wolves, and for leffning fuch reward. And a Bill Entituled An A& for dividing the Countys of Charles City and James City by the River Chickahominy, to which they defire the Councils Concurrence.

A Bill Entituled An Ad to prevent the malicious burning or deftroying the publick Storehoufes of the Tobacco Agents and

A Bill Entituled An All to prevent Hoggs rooting within the City of Williamsburgh and certain Adjacent places

Were feverally Read the third time with their Amendments

Refolved

That the faid two Bills do pass as amended

Ordered

That the Clerk of the General Affembly carry the faid two Bills to the House of Burgesses & acquaint them that the Council have passed them with Several Amendments to which they desire the Concurrence of that house

A Bill Entituled An A& for continuing An A& Entituled An A& for preventing frauds in Tobacco payments, and for the better improving the staple of Tobacco,

A Bill Entituled an Act to oblige Owners and Occupiers of Mills to which publick Roads shall lead to make the damms of fuch Mills ten foot wide at the Top.

A Bill Entituled An Act to repeal part of An Act Entituled An Act giving a Reward for killing of Wolves: And for leffning fuch Reward, and

A Bill Entituled An All to divide the Countys of Charles City and James City by the River Chickahominy

Were Severally Read the First time and

Ordered a fecond reading

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday



Friday December the 3d 1714

Prefent

ROBERT CARTER, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Mann Page & Robert Porteus Efg**

Mr Emanuel Jones with Seven other Gentlemen of the Clergy of this Colony attending the Council, The faid Mr Emanuel Jones spoke as follows

May it please your Hon"

We are fent from the convention of the Clergy to return your Hon* their humble thanks for your conftant favours to the Clergy of this Dominion, more particularly for the Law to prevent Frauds in Tobacco payments, by which we are fenfible our Sallarys become much more valuable, We beg the Continuance of the fame Favours to our Body, And pray God to blefs with Success all your confultations

To which Collo Carter answered

Reverend Gentlemen

I am defired in the Name of the Council to return you their thanks for your acknowledgments upon this Occasion. In the part We had in the Tobacco Law We defigned the general benefite of all Orders of men in the Government, it is no small Satisfaction to us that the Clergy think their Sallarys so considerably mended by it, and we hope in It's Execution 'twill be found a very beneficial Law to all the Country in Generall

A Bill Entituled $An\ A\hat{a}$ to continue an $A\hat{a}$ Entituled An A&t for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco

A Bill Entituled An AA to Oblige Owners and Occupiers of Mills to which publick roads shall lead to make the damms of such Mills ten foot wide at the Top, and

A Bill Entituled An Act to repeal part of an Act Entituled An Act Giving a Reward for killing of Wolves; and for Leffning fuch Reward

Were feverally Read the Second time and

Committed for Amendments

Upon a motion made

Ordered

That the inhabitants of James City County be heard on Tuefday next before the Bill for dividing Charles City County be read the fecond time

And then the Council Adjourn'd till Tomorrow morning ten aclock

Saturday December the 4th 1714 Prefent

Pretent

As

S YESTERDAY

The Council mett and Adjourned till Munday morning 10 aclock

Munday December the 6th 1714

BILL Entituled An A& to oblige Owners & Occupiers of Mills to which publick roads shall Leed to make the damms of such Mills to foot wide at the Top, and A Bill Entituled an A& to repeal part of an A& Entituled An A& giving a Reward for killing of Wolves, and for leffning such Reward

Were Severally read the third time with their Amendments

Refolved

That the faid two Bills do pass as amended

Ordered

That the Clerk of the General Affembly carry the faid two Bills to the Burgesses and Acquaint them that the Council have passed them with several amendments, to which they desire the Concurrence of that House



A meffage from the Burgesses to the Council by Mr Buckner and others who brought a Bill Entituled an Ad to prevent hoggs belonging to the Inhabitants of York Town going at Large within the Limits of the faid Town to which they desire the Councils Concurrence,

And the faid Bill was read the First time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning 10 aclock

Tuesday December the 7th 1714

Prefent

HE Governor, Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Robert Porteus Efgro

A Message from the Burgesses to the Council by M' Holloway and others that the Burgesses have agreed to the Amendments proposed by their Hone to the Bill Entituled An Ad to prevent the malicious burning or destroying the publick Storehouses of Tobacco Agents, also to their Hone Amendments to the Bill Entituled An Ad to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places and had inserted them therein.

Ordered

That the Clerk of the General Affembly Endorse on the $f^{\rm d}$ Bills that they are passed as amended

The Amendments to the Bill Entituled An Aâ for continuing An Aâ Entituled An Aât for preventing frauds in Tobacco payments, and for the better improving the Staple of Tobacco, being confidered, some were agreed to, and others disagreed to,

And then the faid Bill with the Amendments Agreed on was read the third time Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgesses and acquaint them that the Council have passed the same with several Amendments to which they desire the Concurrence of that House.

A Bill Entituled An Act to prevent Hoggs belonging to the Inhabitants of York town going at Large within the Limits of the faid Town

Read the 2d time &

Committed for Amendments

A meffage to the Council by M^r Holloway and others that the Burgeffes have agreed to the Amendments proposed by their Hon's to the Bill Entituled An Aâ to repeal part of an Aêt giving a Reward for killing of Wolves and for leffning fuch Reward: Also to their Hon's Amendments to the Bill Entituled An Aâ to Oblige Owners & Occupiers of Mills to which publick roads shall Leed to make the damms of such Mills ten foot wide at the Top, And had inserted them therein

Ordered

That the Clerk of the General Affembly Endorfe on the faid Bills that they are paffed as amended

And then the Council Adjourned till Tomorrow morning 10 aclock

Wednesday December the 8th 1714.

Prefent

POBERT CARTER, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrison, Robert Porteus Esq. 2

A meffage to the Council by M^r Holloway and others That the Burgeffes have agreed to fome of the Amendments proposed by their Hones to the Bill Entituled An A& for continuing An A& Entituled An A&t for preventing frauds in Tobacco payments,



payments, and for the better improving the Staple of Tobacco, and to others have disagreed, and defire the Council to pass the Bill without the Amendments disagreed to by their House.

And then the Council Adjourned till Tomorrow morning 10 aclock.

Thursday December the 9th 1714

Prefent

S YESTERDAY

The Amendments difagreed to by the Burgesses to the Bill Entituled An Aâ for Continuing An Aâ Entituled An Act for preventing Frauds in Tobacco payments and for the better improving the staple of Tobacco, being

confidered

Refolved

That the Councel do recede from fuch of their Amendments to the faid Bill as are difagreed unto by the House of Burgesses. and

Ordered

That the Clerk of the General Affembly return the faid Bill to the Burgesses and acquaint them therewith.

A Bill Entituled An Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the faid Town

Read the Third time with the Amendments

Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the f^d Bill to the Burgeffes and acquaint them that the Council have paffed the Same with Several Amendments to which they defire the Concurrence of that House

A Bill Entituled An Act to divide the Countys of Charles City and James City by the River Chickshominy

Read the fecond time and

Committed for amendments to Mr Commiffary, Collo Ludwell, Collo Byrd & Collo Harrison.

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the House of Burgesses

M' Speaker and Gentlemen of the House of Burgesses

By the Memorial which [See J. of H. of B., p. 100.]

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday December the 10th 1714

Prefent

S YESTERDAY

Ordered

That the Clerk of the General Affembly carry the Following Meffage from the Governor to the House of Burgesles

M' Speaker and Gentlemen of the House of Burgesses

The Revenue appropriated [See J. of H. of B., p. 101.]

And then the Council Adjourned till Tomorrow morning to aclock

Saturday



Saturday December the 11th 1714

Prefent

S YESTERDAY

The Councill mett and Adjourned till Munday Morning 10 aclock

Munday December the 13th 1714

Prefent

OBERT CARTER, James Blair, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus Elqra

A mcffage to the Council by Mr Holloway and others that the Burgeffes have inferted the Amendments agreed on in the Bill Entituded An Act for continuing An Act Entituded An Act for preventing Frauds in Tobacco payments and for the better improving the staple of Tobacco.

Ordered

That the Clerk of the General Affembly endorse on the faid Bill that it is paffed as amended.

And then the Council adjournd till Tomorrow morning 10 aclock

Tuefday December ye 14th 1714

Prefent

HE Governor, and the fame Council as Yesterday except Collo Ludwell Ordered

That the Clerk of the General Affembly carry ye following Meffage from the Governor to the House of Burgesses

Mr Speaker and Gentlemen of the House of Burgesses

You know that [See J. of H. of B., p. 103.]

A Bill Entituled An Ast to divide the Countys of Charles City and James City by the River Chickshominy

Read the third time with the Amendments

Refolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the House of Burgesse and acquaint them that the Council have passed the same with several Amendments to which they desire the Concurrence of that House

A message from the Burgesses to the Council by M. Boush and others who brought A Bill Entituled An Aâ for altering the day for Princess Anne County Court and the day for Essex County Court to which they desire the Councils Concurrence

And the faid Bill was read the first time and

Ordered a Second Reading

A meffage to the Council by M^r Buckner and others who brought the Bill Entituled An A&t to prevent Hoggs belonging to the Inhabitants of York town going at large within the Limits of the faid Town, and Acquainted the Council that the Burgeffes had agreed to fome of their Hon^{rs} Amendments to the faid Bill and to others had difagreed, and defired the Council to pass the faid Bill without the Amendments difagreed to by their House

Refolved

That the Council do not infift on fuch of their Amendments to the faid Bill as are difagreed to by the House of Burgesses, and

Ordered

That the Clerk of the General Affembly return the faid Bill to the Burgesses and Acquaint them therewith

And then the Council Adjourned till Tomorrow morning 10 aclock

Wednesday



Wednesday December the 15th 1714

Prefent

S YESTERDAY

A message from the Burgesses to the Council by M' Goodrich and others who brought a Bill Entituded an Aâ to divide those parts of the parishes of Bristol Westover & Weyanoak which ly on the So side James and Appomatox Rivers from those parts of the so Parishes which ly on the North side the said Rivers, and to make Prince George County two entire parishes to which they desire the Councils Concurrence

And the faid Bill was read the first time and

Ordered a fecond reading

A meffage to the Council by M^r Holloway and others that the Burgesses had passed a Bill Entituled An A& to exempt certain German Protestants from the payment of Levys for Seven Years and for Ere&ing the parish of S^r George, also a Bill Entituled An A& to supply the Defe&s in An A& to for laying a duty on Liquors & Slaves, To which they defire the Councils Concurrence. Also that upon consideration of the Amendments to the Bill for dividing the Countys of Charles City and James City by the River Chickahominy the Burgesses had disagreed thereunto, And defired the Council to pass the said Bill without those amendments to which they have disagreed,

Then the faid two Bills Were Read the first time and

Ordered a fecond Reading

A Meffage from the House of Burgesses to the Council by Mr Holloway and others who brought a Bill Entituded An Aâ for relief of persons who by reason of the drought of last Summer have made small quantitys of Corn & Tobacco and who for want of Opportunity of Shipping have great Quantitys of Old Tobacco now by them, and for punishing persons who shall Carry any hogshead of Tobacco not stamped, out of this Colony. to which they desire the Councils Concurrence

Upon confideration of the Amendments to the Bill to divide the Countys of *Charles City* and *James City* by the River *Chickahominy*

Refolved

That the Council do infift upon their Amendments to the faid Bill.

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and acquaint them that the Council cannot recede from their Amendments to the said Bill, and desire

the Burgesses to pass the Bill as amended.

A Bill Entituled An Act for relief of perfons who by reafon of the drought of last Summer have made small Quantitys of Corn & tobacco, and who for want of Opportunity of Shipping have great Quantitys of old Tobacco now by them, and for punishing perfons who shall carry any hogshead of Tobacco not stamped out of this Colony

Read the first time &

Ordered a fecond Reading

A Meffage to the Governor by M^r Holloway and others that the Burgesses have taken into Confideration His Hon^{ro} message of the 14th inftant and are preparing a suitable answer thereto

A meffage to the Governor by Mr Merriweather and others who brought an Address of the House of Burgesses in answer to the Governors message of the 10th instant, and the same was read and is as follows

To the Honbie Alexander Spotfwood His Majestys Liev Governor of Virginia

May it pleafe Your Hon'

We his Majestys most Loyal [See J. of H. of B., p. 105.]

And then the Council Adjourned till Tomorrow morning 10 aclock

Thurfday



Thursday December the 16th 1714

Prefent

S YESTERDAY

A Bill Entituled An Act to exempt certain German Protestants from the payment of Levys for seven Years, and for Erecling the parish of S George Read the second time &

Committed for Amendments

A meffage from the Burgesses to the Council by Mr John Robinson and others who brought a Bill for Continuing An Act Entituded An Act for Security and defence of the Country in times of danger; also a Bill for Continuing An Act Entituded An Act for prevention of abuses in Tobacco shipp'd on freight to wen they desire the Councils Concurrence

And the faid Bills were read the first time and

Ordered a fecond Reading

Ordered

That the Clerk of the General Affembly carry the following meffage from the Council to the House of Burgesses

M. Speaker and Gentlemen of the House of Burgeffes

Upon confideration [See J. of H. of B., p. 106.]

A meffage from the Burgeffes to the Council by M^r Holloway and others that upon Confideration of their Hon^{r_0} meffage they have appointed Six of their Members as a Committee to meett a Committee of the Council on the Subject matter of the faid Meffage

Resolved

That a Committee be appointed to meet the Committee of the Burgeffes and a Committee was appointed accordingly

Ordered

That the Clerk of the General Affembly go to the House of Burgesse and acquaint them That the Council have appointed three of their Members to meet the persons appointed by that House for drawing up an Address to his Majesty upon the Subject matter of their message this day, who will be ready at three of the Clock in the Conference room.

A Meffage from the Burgeffes to the Governor by M^r Holloway and others who brought the following Addrefs

To the Honbie A'exander Spotswood His Majestys Lievtenant Governor of Virginia

The Humble Addrefs of the Houfe of Burgeffes May it pleafe your Honour

The many proofs you have [See J. of H. of B., p. 107.]

To which the Governor was pleafed to Answer

This is fuch an Address that I shall send the House an Answer to it in writing

A Bill Entituled An Act to divide those parts of the parishes of Bristol Westover & Weyanoak which ly on the South side of James and Appomattox Rivers from those parts of the faid Parishes which ly on the North side the faid Rivers, and to make Prince George County two Entire Parishes

A Bill Entituled An Act for relief of perfons who by reafon of the drought of laft fummer have made fmall quantitys of Corn and Tobacco, and who for want of Opportunity of Shipping have great Quantitys of old tobacco now by them, and for punishing perfons who shall Carry any hogshead of Tobacco not Stamped out of this Colony, and

A Bill Entituled An Act for altering the day for Princels Anne County Court and the day for Effex County Court

Were feverally Read the fecond time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 aclock.

Friday



Friday December the 17th 1714

Prefent

HE Governor, Robert Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, Mann Page, Robert Porteus Efq**
Ordered

That the Clerk of the General Affembly carry the following written meffage from the Governor to the House of Burgesses in answer to their Address Yesterday

M' Speaker and Gentlemen of the House of Burgesses

The Address you sent me [See J. of H. of B., p. 108.]

A meffage from the Burgesses to the Council by M¹ Christopher Robinson and others who brought a Bill Entituled An Aâ to prevent hoggs going at large in the County of Middlesex, to which they desire the Councils Concurrence.

And the faid Bill was read the first time and

Ordered a fecond reading

A Bill Entituled An Act to exempt certain German Protestants from the payment of Levys for seven Years, and for erecling the Parish of St George, and

A bill Entituled An Ad for altering the day for Prince's Anne County Court and the day for Effex County Court

Were Severally Read with their Amendments

Refolved

That the faid two Bills do pass as amended

Ordered

That the Clerk of the General Affembly carry the faid two Bills to the Burgesse and Acquaint them that the Council have passed them with Several Amendments to which they defire the Concurrence of that House

The Committee appointed by the Council Reported that they had together with the Members appointed by the Burgesses drawn up an Address to His Majesty upon the Subject matter of the Councils message of Yesterday: And also another Address to the Governor to Sollicit his Hon¹⁹ favour in getting the same presented to His Majesty:

And the faid two Addreffes being Read and Agreed to were figned by the Council and are as follows

To the Kings most Excellent Majesty

The humble Address of the Council and Burgesses of Virginia

We your Majestys most Loyal [See J. of H. of B., p. 109.]

To the Honess Alexander Spotswood His Majestys Lievtenant Governor of Virginia

The humble Addrefs of the Council and Burgeffes of the prefent General Affembly May it pleafe your Honour

The Experience we have [See J. of H. of B., pp. 109-110.]

Ordered

That the Clerk of the General Affembly carry the faid two Addreffes to the House of Burgesses and acquaint them that the Council have Signed them, and have sent them to be Signed by their House also.

Ordered

That the persons who prepared the Addresses wait on the Governor to know when and where he will be attended to recieve the said Addresses

And then the Council Adjourned till Tomorrow morning 10 aclock

Saturday



Saturday December ye 18th 1714

Prefent

POBERT CARTER, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd & Mann Page Eiq¹⁰

The Committee appointed Yefterday to wait on the Governor Reported that they had Accordingly waited on his Hon at the Palace to know when and where he would be attended with the Addresses prepared by the Council and Burgesses to the King and himself, and that the Governor said, I understand this Address has its Rife from the Council, and if there be any honour in presenting it, tis sitt they should have it, And therefore I appoint this place between ten and Eleven tomorrow forenoon.

Accordingly the Council with the Burgesses went to attend the Governor and being Returned Robert Carter Esq. Reported that they presented to the Governor the Address to the King in Relation to the Quitt Rents and also the Address to the Governor

himfelf and that his Hon Returned the following answer

I asked of you Gentlemen of the House of Burgesses some supply towards the Support of the Government of this your Country, and since you Gentlemen of the Council have Concurred with the Burgesses in giving nothing but this Address I take it as a final answer to all my messages on that subject—

I fhall only make this Remark, That notwithftanding the many Extraordinary Events during my administration all the Levys you have laid on the people Scarce Equal the Charge of your sitting, Tis from your Sovereign that you are to Expect an answer to this Address, and I shall according to your desire Transmitt.

A meffage to the Council by Mr Holloway that the Burgesses adhere to the Bill for dividing the Countys of Charles City and James City by the River Chickahominy without any amendments, and desire the Council to pass the same accordingly

Refolved

That the Council do adhere to their Amendments to the faid Bill

A meffage to the Council by Mr Holloway and others who brought a Bill Entituled An A& for the better Regulation of the Indian Trade, to which they defire the Councils Concurrence

And the faid Bill was read the first time and

Ordered a fecond Reading

A Bill Entituled An Act to fupply the defects in an Act Entitul^a An Act for Laying a duty on Liquors & Slaves

Read the fecond time and

Committed for Amendments

And then the Council Adjourned till Munday morning 10 aclock

Munday December the 20th 1714

Prefent

AMES BLAIR, Philip Ludwell, John Lewis, William Cocke, Mann Page & Robert Porteus Elq**

A Bill Entituled An A& to continue An A& Entituled An A& for prevention

of Abuses in Tobacco shipp'd on Freight

Read the fecond time and

Ordered a third Reading

A Bill to prevent hoggs going at large within the County of Middlefex

Read the fecond time and

Ordered a third Reading

A bill Entituled An Aâ to divide those parts of the parishes of Bristol, Westover and Weyanoak which ly on the South side of James & Appamattox Rivers from those parts of the so parishes which ly on the North side the said Rivers and to make Prince George County two entire parishes

Read



Read the third time with the Amendments

Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with fome Amendments to which they defire the Concurrence of that House

A meffage from the Burgesses to the Council by M^t Helloway & others who brought a Bill Entituled An A& for regulating & fettling the Current Rates of Gold Coin, and of British mill'd Silver Coin in this Dominion to which they desire the Councils Concurrence.

The Council Adjourned during pleafure

A

BILL Entituled An Act for continuing An Act Entituled An Act for prevention of abuses in Tobacco shipp'd on freight and

A Bill to prevent Hoggs going at large within the County of Middlefex Were Read the third time

Refolved

That the fd two Bills do pass without Amendment.

Ordered

That the Clerk of the General Affembly carry ye faid two Bills to the Burgesses and acquaint them that the Council have passed them without any Amendment

A Message to the Council by Mr Holloway & others who brought a Bill Entituled An A& for the further Continuing An A& for laying a duty on Liquors & Slaves and two other A&s Relating to that A&t to which they desire the Councils Concurrence

And the faid Bill was Read the first time and

Ordered a fecond Reading

A bill Entituled An A& for regulating & fettling y Current Rates of Gold Coin, and of British mill'd Silver Coin in this Dominion

Read the first time &

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning 10 aclock

Tuesday December ye 21st 1714

Prefent

A Bill Ent

A Bill Entituled An AA for relief of perfons who by reafon of the drought of laft Summer have made fmall Quantitys of Corn & Tobacco, and who for want of Opportunity of shipping have great Quantitys of old Tobacco now by them, and for punishing perfons who shall Carry any hogshead of Tobacco not Stamped, out of this Colony

Read the third time with the Amendments

Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgesse & Acquaint them that the Council have passed the same with Several Amendments, to which they defire the Concurrence of that House.

A meffage from the Burgeffes that they have Agreed to the Amendments to the faid Bill and had inferted them therein

A Bill for Continuing An Act Entituled An Act for Security and defence of the Country in times of Danger and

A



A Bill for the further Continuing An Act for laying a duty on Liquors & Slaves and two other Acts relating to that Act

Were Read the fecond time and

Ordered a third Reading

A Meffage from the Burgeffes by Mr Buckner and others who brought the book of Claims paffed their House to which they defire the Councils Concurrence.

A Bill for regulating & Settling the Current Rates of Gold Coin and of British mill'd Silver Coin in this Dominion, and

A Bill for the better regulation of the Indian Trade

Were Read the fecond time and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 aclock

Wednesday December 22d 1714

Prefent

S YESTERDAY

A Bill for continuing An Act Entituled An Act for Security and defence of the Country in times of danger, and

A Bill for the Further Continuing An AA for Laying a duty on Liquors & Slaves and two other acts relating to that Act

Were read the third time

Refolved

That the faid two Bills do pass without any Amendm^t

Ordered

That the Clerk of the General Affembly carry the faid two Bills to the Burgeffes and acquaint them that the Councill have paffed them without any Amendment.

A Bill for Regulating & Settling the Current Rates of Gold Coin & of Britifli mill'd Silver Coin in this Dominion

Read the third time with the Amendments

Refolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Affembly carry the f^d Bill to the Burgeffes and acquaint them that the Council have paffed the fame with fome Amendm^{ta} to which they defire the Concurrence of that House,

A meffage to the Council by M. Goodrich and others That the House had agreed to part of their Hon's Amendments to the Bill for dividing those parts of the Parishes of Bristol Westover and Weyanoak which ly on the South fide of James & Appointant Rivers from those parts of the said Parishes which Ly on the North Side the said Rivers, and to make Prince George County two Entire parishes; and to others had disagreed, and had proposed some Amendments of their Own to which they defire the Councils Concurrence

Upon confideration of the faid meffage

Refolwed

That the Council do recede from fome part of their Amendments to the faid Bills, and to others they do infift, and

· Ordered

That the Clerk carry the faid Bill to the Burgesses and acquaint them therewith

A meffage to the Council by M^r Goodrich and others that the Burgelles do adhere to the Amendments by them proposed to the Amendments of the Council to the said Bill Refolved

That the Council do adhere to their Amendments to the faid Bill



A meffage to the Council by M' Buckner and others who brought the Treasurers Accompts passed their House, to which they desire the Councils Concurrence.

The Council having peruled, palled the Treasurers Accompts, and

The Governor was pleafed to Affent thereto

And then the Council Adjourned till Tomorrow morning 10 aclock

Thursday December ye 23d 1714

Prefent

HE Governor, The fame Council as Yefterday
A Bill for the better regulation of the Indian Trade
Read the third time with the Amendments
Refolved

That the Bill with the Amendments do pass Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgesses and acquaint them that the Council have passed the same with Several Amendments, to which they desire the Concurrence of that House

Ordered

That the Clerk of the General Affembly carry the following message from the Governor to the House of Burgesses

M' Speaker & Gentlemen of the House of Burgesses

Your Address in answer [See J. of H. of B., p. 114.]

A meffage to the Council by M^r Buckner and others who brought a Refolve of the Burgeffes for payment of the Officers of this Affembly, to which they defire the Councils concurrence.

The faid Refolve being read & confidered, An Addition was made thereto by the Council

Ordered

That the Clerk of the General Affembly carry the faid Refolve to the Burgesses and acquaint them that the Council have made an Addition thereto, to which they defire the Concurrence of that House.

The book of publick Claims being read & Confidered

Ordered

That the Clerk of the General Affembly carry the same to the House of Burgesles together with the Following message

M' Speaker and Gentlemen of the House of Burgesses

Upon confideration [See J. of H. of B., p. 114.]

A meffage to the Council by M^r John Robinson and others That the Burgesses cannot agree to the Addition proposed by their Honrs to be made to the Resolve of their House concerning the Allowances to the Officers of the Affembly.

Then the Council agreed to the faid Refolve, which is as follows

Refolved and accordingly Ordered

That the money allowances made to the Officers last Session and this present Session of Assembly be paid the Several persons to whom the same is due out of the money arising by the duty on Liquors & Slaves, next after the money appropriated for the Service & Relief of North Carolina. And that for so much of ye Allowances as shall remain unpaid by the First day of February next, there shall be allowed to the persons claiming the same after ye rate of sive & Cent & Annum upon such money unpaid as afores untill ye same be paid, provided such allowance of interest do not Exceed Six Months

A meffage to the Council by M^t John Robinson and others who brought the book of Claims amended according to their Hon's meffage relating thereto.

Then



Then the Council paffed the Book of Claims and the Governor was pleafed to fign his Affent thereto.

A meftage to the Council by M^r Holloway and others that the Burgeffes have agreed to part of the Amendments proposed by their Honours to the Bill for the better regulation of the Indian Trade & to others have disagreed and defire the Council to pass the said Bill without those amendments to which the House have disagreed

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgesses and Acquaint them that the Council do insist on their amendments to the faid Bill.

A meffage to the Council by M¹ Holloway and others That the Burgeffes adhere to their difagreement to the Councils Amendments to the Bill for the better Regulation of the Indian Trade.

Then the Council having confidered the fd Amendments

Refolved

That the same be receeded from: and

That the Bill pass according to the amendments agreed unto by the Burgesses Ordered

That the Clerk of the General Affembly carry the faid Bill to the House of Burgesses and Acquaint them that the Council have passed the same According to the Amendments agreed unto by their House

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday December the 24th 1714

Prefent

JAMES BLAIR, John Lewis, William Cocke, Mann Page & Robert Porteus Efgr*
A meffage from the Burgeffes by Mr Holloway & others who brought a Bill
Entituled An Ad for Ereding a Magazine, and also a Resolve of their House
relating to the money Given for the Relief of Carolina, to which they desire the
Councils Concurrence

The faid Refolve being Read, was agreed unto by the Council and is as follows Refolved.

That all the money heretofore given for the Service of *North Carolina*, not made use of, be paid to the Hon^{ble} the Lievtenant Governor According to his proposal in his Message to this House of the 14th & 17th instant

Then the Governor was pleafed to fign his Affent to the fa Refolve

A Bill for erecting a Magazine Read the first time and

Ordered a fecond Reading

A Bill for Erecting a Magazine Read the Second time and

Ordered a third Reading

A Bill for Erecting a Magazine Read the third time

Refolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill, together with the above Resolve to the House of Burgesses and Acquaint them that the Council have passed the same without any Amendment

A message to the Council by M' Holloway and others who brought a Bill Entituled An Act for raising a publick Levy to which they desire the Councils Concurrence.

And the faid Bill was Read the first time and

Ordered a fecond Reading

A Bill for raifing a publick Levy Read the fecond time and

Ordered a third Reading



A Bill for Raifing a publick Levy read the third time

Refolved

That the Bill do país

Ordered

That the Clerk of the General Affembly return the faid Bill to the Burgeffes and acquaint them that the Council have passed the same without Amendment

A meffage to the Council by Mr Holloway and others who brought the inroll'd Bills paffed this Seffion for the Councils perufal.

And the faid Bills being Examined

Ordered

That the Clerk of the General Affembly return the Same to the Burgeffes and Acquaint them that the Council are Satisfyed they are truely inrolled.

A Meffage to the Council by M^r John Robinson and others who brought the book of Proportions of the publick Levy to which they defire their Honours Concurrence

And the faid Book being Read was agreed unto by the Council, and then the Governor figned his Affent thereto.

Ordered

That the Clerk of the General Affembly Return the fame to the Burgeffes.

Ordered

That the Clerk of the General Affembly go to the House of Burgesses and Acquaint them that the Governor comands their immediate Attendance on him in the Council Chamber, and that they bring with them such Bills as are ready for his Affent

The House of Burgesses attending the Governor

His Honour was pleafed to fign his Affent to the Following Bills

[The feventeen enumerated Acts are given in the J. of H. of B., pp. 116-117. The fixth Act (or first on p. 117) has the following title in the Journal of the Council:

An A& to Continue An A& Entituled An A& for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco. and for fupplying & remedying certain defells & inconveniencys in the faid A&

Upon prefenting the $A\partial to$ continue an $A\partial t$ for fecurity & defence of the Country in times of Danger, The Gov[†] faid "I have not power to pass Laws of this nature that have been already so often enacted

Then the Governor was pleafed to fay

Gentlemen of this General Affembly

I'm very sensible how desirous you are to be at Your homes in this Season of the Year: And as I am willing to Comply with so good an Assembly in every thing that I reasonably may I prorogue you to the 21st of April, at which time you are to meet me here again.

Copy Exam^d

Wil Robertson Cl Gen Affir



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