



JOURNALS
of the
HOUSE OF BURGESSSES
of Virginia
1659 / 60--1693





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JOURNALS
of the
HOUSE *of* BURGESSSES
of
VIRGINIA
1659/60--1693

Edited by
H. R. McILWAINE



RICHMOND, Virginia
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Burgeffes for the Affsembly

of 1659/60.

[From *Hening's Statutes at Large*, I, 527-530.]

Charles City:	Theodorick Bland Robert Wynne Charles Sparrow	Lower Norfolk:	John Sidney Lemuel Mafon
Elizabeth City:	William Worleich John Powell	New Kent:	Manwaring Hammond Robert Abrahall
Gloucester:	Francis Willis Peter Jennings Peter Knight David Cant	Northampton:	John Stringer Edmund Scarbrough William Waters
Henrico:	Theodorick Bland William Farrar	Northumberland:	Peter Afhton
Isle of Wight:	Robert Pitt Richard Hill John Bond Nicholas Smith	Rappahannock:	Moore Fantleroy John Weyre
James City:	Henry Soane Robert Ellifon Richard Ford William Morley	Surry:	William Cawfield William Browne
Lancafter:	John Carter Henry Corbin John Curtis	Upper Norfolk:	Giles Webb William Denfon George Catchmaie
		Warwick:	Miles Cary Edw. Griffith
		Westmoreland:	Thomas Foulke [Fowke]
		York: ¹	Christopher Calthropp Joseph Crowshaw Nathaniel Bacon Robert Baldry

¹ Stanard's "Colonial Virginia Register," p. 75, gives Thomas Bufhrod also as "returned burgefes" for York.

Burgeffes for the Affsembly

of 1660.

No names of the members of the Houfe of Burgefes for this Affsembly have been found.

Burgeffes for the Affembly

of 1660/61-1676.

[Hening gives lifts of members of the Houfe in attendance at two of the feventeen feffions of this Affembly, namely, the 1663 feffion and the October 1666 feffion. No general election had, of courfe, been held in the time between the two feffions, and the variations in the two lifts are to be accounted for by the fact that fome members at the firft of the two feffions had died or otherwise become incapacitated, and new elections had been held in thefe fpecial cafes. Stanard, in his "Colonial Virginia Register," pp. 76-81, gives, in addition, information obtained from the county court records as to the membership from feveral counties at the various feffions. The lift printed below is the lift given in Hening for the 1663 feffion, and the information contained in the notes is gained from Hening's fecond lift and from Stanard.]

It fhould be added, further, that the changes in the membership muft have gone on fteadily from the date of the firft feffion till the Affembly was finally diffolved in 1776. Had we a full lift of the members for the laft feffion, it would be found, no doubt, to differ confiderably from the lift here given.

By a law paffed at the March 1660/61 feffion a county could have regularly only two representatives, but in cafe the county laid out a tract of land of one hundred acres and fettled it with one hundred tithable perfons, the place fo laid out might fend a burgeff. In the lift given below there are three counties with three representatives each, namely, James City County, Charles City, and Ifle of Wight. One of the James City burgeffes undoubtedly fat for Jameftown.]

Accomac:†	Devoreux Browne	Lancafter:‡	Rawleigh Traverfe
	Hugh Yeo	Lower Norfolk:§	Lemuel Mafon
Charles City:¶	Robert Wynne	Nanfemond:¶	George Wallings
	Stephen Hamelyn	New Kent:‡	William Claiborne
	Francis Gray	Northampton:‡	William Kendall
Elizabeth City:‡	John Powel		William Andrews
	Leonard Yeo	Northumberland:¶	William Prefley
Gloucefter:‡	Peter Jennings	Rappahannock:‡	Thomas Lucas
	Thomas Walker		John Weye
Henrico:‡	William Farrar	Surry:¶	Thomas Warren
Ifle of Wight:‡	Nicholas Hill		William Cockerain
	Joseph Bridger	Warwick:‡	Edward Griffith
	Robert Williamfon	Westmoreland:¶	Gerard Fowke
James City:‡	Robert Ellyfon	York:¶	William Barber
	Walter Chiles		
	Edward Ramfay		

† Inftead of the name Devoreux Browne the 1666 lift has Edward [Edmund] Scarborough.

‡ The 1666 lift has Robert Wynne and Thomas Southcoat.

§ The 1666 lift has Edward Ramfay and Thomas Ballard.

¶ Stanard has Raleigh Travers, or Traverfe, ftraight through till the September 1667 feffion, when "Mr. Wyllis" is given. He has William Ball for the September 1668 feffion, then Raleigh Travers for the October 1669 feffion, William Ball and Raleigh Travers for the October 1670 feffion, and William Ball for the remaining feffions of the Affembly till the laft.

‡ Stanard gives Adam Thoroughgood and William Carver for the 1665 feffion, as does Hening for the October 1666 feffion.

¶ The 1666 lift gives John Blake and John Leare.

‡ The 1666 lift gives William Claiborne and William Berkeley.

¶ The 1666 lift gives William Kendall and John Swavage [Savage].

‡ Stanard gives Peter Prefley for the 1660/61 feffion, but William Prefley for the March 1661/62 feffion, and the feffions held in December 1662, September 1664, October 1665, June 1666, October 1666, September 1672, October 1673, and September 1674. He alfo gives Ifaac Allerton for the September 1668 feffion, and the feffions held in October 1669, September 1672, October 1673, and September 1674.

¶ Hening's 1666 lift has Laurence Baker and Thomas Warren. Stanard has for the September 1672 feffion Laurence Baker; for the October 1673 feffion, Laurence Baker and William Browne; for the September 1674 feffion, Laurence Baker and George Jordan, and the fame for the March 1675/6 feffion.

‡ Hening's 1666 lift has Nicholas Spencer and John Wafington. Stanard has "Captain Lec" for the October 1673 feffion, and John Appleton and John Wafington for the March 1675/6 feffion.

¶ Hening's 1666 lift has William Barber and Daniel Parke.

John Porter was elected a member of this Affembly from Lower Norfolk, but was at the September 1663 feffion difmiffed on the ground that he was well affected towards the Quakers (p. 21).

Captain William Blackey, Colonel Bland, Captain Henry Filmore, and Captain Otho Southcoat were members for the October 1666 feffion (pp. 36-37), and Captain William Blackey was a member for the September-October 1667 feffion (p. 47).

Middlesex County was formed in 1674. Stanard gives as the representatives of this county for the September 1674 feffion Walter Whitaker and Ralph Wormeley and for the March 1675/6 feffion Walter Whitaker and John Burnham.

Burgeffes for the Assembly of 1676.

[From *Stanard's Colonial Virginia Register*, p. 81.]

Henrico:	Nathaniel Bacon, jr.	Stafford:	Thomas Mathew
Lower Norfolk:	Arthur Mofeley		George Mafon
	Richard Church	Surry:	Robert Canfield
Middlefex:	Robert Beverley		Francis Mafon
Northumberland:	William Presley		

Burgeffes for the Assembly of *February* 1676/77.

[From *Stanard's Colonial Virginia Register*, pp. 81-2.]

*Accomac:	Southey Littleton	Stafford:	William Fitzhugh
	William Cuftis	Surry:	William Browne
*Lancafter:	William Ball		Benjamin Harrifon
	Edward Dale	Westmoreland:	Richard Lee
*Northampton:	John Cuftis		John Wafhington
	Ifaac Foxcroft		Ifaac Allerton

* These names were obtained from pp. 77 and 110 of this volume.

Burgeffes for the Assembly of *October* 1677.

[*Stanard's Colonial Virginia Register*, p. 82.]

Henrico:	William Byrd	Northumberland:	Ifaac Allerton
	Thomas Cocke		William Presley
Lancafter:	David Fox		Peter Presley
	Edward Dale	Stafford:	William Fitzhugh
	William Ball	Surry:	William Browne
Middlefex:	Richard Perrott, fr.		Samuel Swann
	Abraham Weekes		

Burgeffes for the Assembly of 1679.

[From *Stanard's Colonial Virginia Register*, p. 82.]

Henrico:	William Byrd	Stafford:	William Fitzhugh
	Abel Gower	Surry:	Thomas Swann
*James City:	Edward Hill		William Browne

* This name was supplied by the Journal for the 1680 session. (See p. 126.)

Burgeffes for the Affembly

of 1680-1682.

[From the names given in the Journals of the 1680 and the 1682 feffion. The counties are not given, but moft of them may be ftated from information given in the Journals themfelves or from the lifts of other feffions.]

- | | |
|-------------------------------------|--|
| *Allerton, Ifaac. [Northumberland.] | Mihill, Edward. [Elizabeth City.] |
| *Armitfead, John. [Gloucefter.] | Mills, Henry. |
| †Ball, William. [Lancafter.] | Minge, James. [Charles City.] |
| Ballard, Thomas. [James City.] | Morris, George. |
| Barber, Thomas. [York.] | *Page, John. [York.] |
| Bird [Byrd], William. [Henrico.] | *Pierce, William. [Weftmoreland.] |
| Bifs, James. [Charles City.] | *Pitt, Thomas. [Ile of Wight?] |
| †Buckner, John. [Gloucefter?] | *Prefley, William. [Northumberland.] |
| *Burnham, John. | †Robinfon, Christopher. [Middlefex.] |
| Carter, John. [Lancafter.] | Scarburgh, Charles. [Accomac.] |
| †Clayton, Thomas. [James City.] | †Scarlet, Martin. [Stafford.] |
| Codd, St. Leger. [Northumberland.] | Sherwood, William.* [James City County.] |
| Farrar, John. [Henrico.] | †Smith, Anth. |
| Fitzhugh, William. [Stafford.] | Spier, John. |
| *Fox, David. [Lancafter.] | Swann, Samuel. [Surry.] |
| Gouldman, Thomas. [Rappahannock.] | Taberer, Thomas. |
| †Hardidge, William. [Weftmoreland.] | †Thorpe, Otho. [York.] |
| Harrifon, Benjamin. [Surry.] | Turner, Charles. [New Kent.] |
| †Jarvis, Thomas. [Elizabeth City.] | *Waters, William. [Northampton.] |
| *Kemp, Mathew. [Middlefex.] | *Weekes, Abraham. [Middlefex.] |
| *Langhorne, John. [Warwick.] | Weft, John. [New Kent.] |
| Langfton, John.* [New Kent.] | *White, William. [James City County.] |
| Lawfon, Anthony. [Lower Norfolk.] | †Whiting, Henry. [Gloucefter.] |
| Lloyd, William. [Rappahannock.] | Whitaker, Richard. [Warwick.] |
| *Mafon, George. [Stafford.] | Whittington, William. |
| Mafon, Lemuel. [Lower Norfolk.] | *Wythe, Thomas. |
| †Mathews, John. [Warwick.] | |

* Name appears only in proceedings of firft feffion.

† Name appears only in proceedings of fecond feffion.

‡ Not allowed to take his feat (p. 123).

§ Not allowed to ferve at firft feffion (p. 121), but he appears as a member for the fecond feffion.

Burgeffes for the Assembly

of 1684.

Accomac:	Charles Scarburgh Daniel Jenifer	Nansemond:	John Braffier Barna. Kearne
Charles City:	Edward Hill James Minge	New Kent:	John West Jofeph Foster
Elizabeth City:	William Wilfon Thomas Allomby	Northampton:	William Kendall John Cuftis
Gloucefter:	Henry Whiteing Thomas Pate	Northumberland:	Peter Prefley Peter Knight
Henrico:	John Farrar William Randolph	Rappahannock:	Henry Awbrey George Taylor
Ifle of Wight:	Joseph Woory Henry Applewhaite	Stafford:	George Mafon William Fitzhugh
James City:	Henry Hartwell	Surry:	Arthur Allen Samuel Swann
James City Co.:	Thomas Ballard William Sherwood	Warwick:	John Mathews Miles Cary
Lancafter:	David Fox St. Leger Codd	Westmoreland:	Ifaac Allerton Lawrence Wafington
Lower Norfolk:	Lemuel Mafon William Robinfon	York:	Francis Page Jofeph Ring
Middlefex:	Abraham Weekes Richard Parrot		

Burgeffes for the Affembly of 1685-86.

[From the names given in the Journal of the 1686 feffion. The counties are not given, but moft of them may be ftated from information given in the Journal itfelf or from lifts of other feffions.]

Allen, Arthur. [Surry.]	Kemp, Mathew. [Middlefex.]
Anderfon, William. [Accomac.]	Lear, Thomas. [Nanfemond.]
Applewhaite, Henry. [Ifle of Wight.]	Littlepage, Richard. [New Kent.]
Armiftead, John. [Gloucefter.]	Mafon, Lemuel. [Lower Norfolk.]
Ball, William. [Lancafter.]	Page, Francis. [York.]
Ballard, Thomas. [James City.]	Randolph, William. [Henrico.]
Barber, Thomas. [York.]	Robinfon, Christopher. [Middlefex.]
Batt, Henry. [Charles City.]	Robinfon, William. [Lower Norfolk.]
Braffier, John. [Nanfemond.]	Scarlet, Martin. [Stafford.]
Cuftis, John. [Northampton.]	Smith, Arthur. [Ifle of Wight.]
Fox, David. [Lancafter.]	Smith, John. [Gloucefter.]
Foxcroft, Ifaac. [Northampton.]	Spicer, Arthur. [Rappahannock.]
Hardidge, William. [Weftmoreland.]	Stytl, John. [Charles City.]
Hartwell, Henry. [James City.]	Swann, Samuel. [Surry.]
Harwood, Humphrey. [Warwick.]	Weft, John. [New Kent.]
Hayward, Samuel. [Stafford.]	Whitaker, Richard. [Warwick.]
Jenifer, Daniel. [Accomac.]	Wilfon, William. [Elizabeth City.]
Jenkins, Henry. [Elizabeth City?]	Yowell, Thomas. [Weftmoreland.]

William Kendall, of Accomac, was fpeaker of the Houfe at the firft feffion, but was not prefent the fecond feffion.

Thomas Cheefman was a member for the firft feffion, probably representing York (Stanard).

Richard Kennon was a member for the firft feffion, probably representing Henrico (Stanard).

Robert Beverly was a member for Middlefex at the firft feffion, till he was elected clerk of the Houfe. He was fucceeded by Mathew Kemp.

Robert Dudley was a member for Middlefex at the firft feffion (Stanard).

Christopher Neale and Peter Knight were the representatives of Northumberland County at the firft feffion (Stanard). They did not appear at the fecond feffion.

William Lloyd represented Rappahannock at the firft feffion, Lawrence Waffington, Weftmoreland (Stanard).

John Anderfon was a member for the firft feffion, but for what county does not appear.

Burgeffes for the Affembly of 1688.

Accomac:	Charles Scarburgh William Anderfon	Nanfemond:	Thomas Milner Thomas Lear
Charles City:	Peter Perry Robert Bolling	New Kent:	John Weft Jofeph Fofter
Elizabeth City	William Wilfon Thomas Allomby	Northampton:	Thomas Harmanfon William Kendall
Gloucefter:	John Smith Lawrence Smith	Northumberland:	Richard Kennor Hancock Lee
Henrico:	Wm. Randolph Peter Field	Rappahannock:	Arthur Spicer Henry Awbrey
Ifle of Wight:	Arthur Smith Henry Applewhaite	Stafford:	George Mafon George Brent
James City:	Wm. Sherwood	Surry:	Arthur Allen Samuel Swann
James City Co.:	Philip Ludwell ¹ James Bray, fr.	Warwick:	Miles Cary Richard Whitaker
Lancafter:	William Ball John Pinkard	Westmoreland:	Thomas Yowell William Hardidge
Lower Norfolk:	Anthony Lawfon William Crawford	York:	Francis Page ² Thomas Barber
Middlefex:	Chriftopher Robinfon Robert Dudley		

¹ Philip Ludwell, being a fufpended councillor, was not allowed to take his feat, and Daniel Parke was elected in his place.

² Francis Page was appointed clerk of the Houfe, and was fucceeded by Robert Read (p. 297).

Burgeffes for the Affembly of 1691-1692.

Accomac:	Charles Scarburgh William Anderfon	New Kent:	John Weft William Leigh ¹
Charles City:	Henry Batt Robert Bolling	Norfolk: ²	Francis Sawyer William Robinfon
Elizabeth City: ³	William Wilfon Thomas Allomby	Northampton:	John Robins Thomas Harmanfon
Gloucefter:	Lawrence Smith John Smith ⁴	Northumberland: ⁵	Richard Kenner Peter Prefley
Henrico:	William Randolph Francis Eppes	Princefs Anne: ⁶	Malachy Thrufton John Richardfon
James City:	Henry Hartwell	Rappahannock:	Henry Awbry John Stone ⁷
James City Co.:	James Bray ⁸ William Lewis	Stafford:	George Mafon ⁹ Martin Scarlet
Isle of Wight:	Arthur Smith Henry Applewhaite ¹⁰	Surry:	Arthur Allen ¹¹ Francis Mafon
King & Queen: ¹²	William Leigh Jofhua Story	Warwick:	Richard Whittaker ¹² Miles Cary
Lancafter:	Robert Carter William Ball	Westmoreland:	William Hardidge Lawrence Wafington
Lower Norfolk: ¹³	Anthony Lawfon John Sandiford	York:	Thomas Barber ¹⁴ Jofeph Ring
Middlefex:	Chriftopher Robinfon William Churchill		
Nanfemond:	Thomas Milner John Braffier		

¹ William Marfhall and William Armifthead were elected burgeffes for the fecond feffion of this Affembly (pp. 379, 384).

² James Ranfon was returned burgeffes for the fecond feffion of this Affembly in place of John Smith (p. 380).

³ Refufed to take the oaths. A new writ was ordered, and Henry Duke was elected burgeffes (p. 379).

⁴ James Ben was returned burgeffes for the fecond feffion of this Affembly in the place of Henry Applewhaite (p. 379).

⁵ King & Queen was firft repreffented in the fecond feffion of this Affembly (p. 380).

⁶ Lower Norfolk was divided into two counties at the firft feffion of this Affembly, namely, Norfolk and Princefs Anne.

⁷ King & Queen County was formed from New Kent at the firft feffion of this Affembly, and in the election of members to repreffent in the fecond feffion that part of the old county of New Kent retaining the name John Lyddall and David Crawford were chofen (p. 380.)

⁸ Was returned burgeffes for King & Queen for the fecond feffion of this Affembly (p. 380).

⁹ Norfolk County was firft repreffented at the fecond feffion of this Affembly.

¹⁰ George Cooper was returned burgeffes for Northumberland County for the fecond feffion of this Affembly.

¹¹ Princefs Anne County was firft repreffented in the fecond feffion of this Affembly (p. 379).

¹² William Colfton was returned burgeffes at the fecond feffion of the Affembly in the place of John Stone (p. 380).

¹³ John Withers was returned burgeffes at the fecond feffion of this Affembly in the place of George Mafon (p. 381).

¹⁴ Arthur Allen refufed to take the oaths. A new election was ordered, and Benjamin Harri fon was elected burgeffes (p. 334).

¹⁵ Robert Hubbard was returned burgeffes at the fecond feffion of Affembly in place of Richard Whittaker (p. 379).

¹⁶ Thomas Ballard was returned burgeffes for the fecond feffion of this Affembly in the place of Thomas Barber (p. 380).

Burgeffes for the Affembly of 1692/3.

Accomac:	Richard Baylie Samuel Sandford	New Kent:	John Lyddall Wm. Baffett
Charles City:	John Taylor John Stith	Norfolk:	Lemuel Mafon Francis Sawyer
Elizabeth City:	Willis Wilfon William Armiftead	Northampton:	John Cuftis Wm. Kendall
Effex:	John Battaile Edward Thomas	Northumberland:	John Downing William Jones
Gloucefter:	James Ranfon John Baylor	Princes Anne:	John Richardson Jacob Johnfon
Henrico:	John Pleafant ¹ Peter Field	Richmond:	Arthur Spicer William Colfton
Ifle of Wight:	Henry Baker Anthony Holliday	Stafford:	Martin Scarlet Thomas Oufley
James City Co.:	Michael Sherman Henry Duke	Surry:	Samuel Swann Francis Clements
James City:	Miles Cary	Warwick:	William Cary Humphrey Harwood
King & Queen:	Wm. Leigh	Westmoreland:	Thomas Yowell William Hardidge
Lancafter:	David Fox John Strechley	York:	Thomas Ballard Daniel Parke
Middlefex:	Mathew Kemp John Cant		
Nanfemond:	Thomas Milner Thomas Lear		

¹ John Pleafant refufed to take the oaths (p. 413). William Randolph was elected in his place (p. 421).

Burgeffes for the Affembly of 1693.

[From the names given in the Journal of this feffion. The counties are not given, but moft of thefe may be ftated from information given in the Journal itfelf, or from lifts of other feffions.]

Armiftead, Anthony. [Elizabeth City.]	Kemp, Mathew. [Middlefex.]
Baker, Henry. [Ifle of Wight.]	Lee, William. [Northumberland.]
Ball, ———. [Lancafter.]	Leigh, William. [King & Queen.]
Barber, Thomas. [York.]	Macon, Gideon. [New Kent.]
Baffett, William. [New Kent.]	Mafon, George. [Stafford.]
Bland, Richard. [Charles City.]	Mafon, Lemuel. [Norfolk.]
Buckner, John. [Gloucefter?]	Milner, Thomas. [Nanfemond.]
Cant, John. [Middlefex.]	Parke, Daniel. [James City.]
Cary, ———. [Warwick.]	Randolph, William. [Henrico.]
Catlet, John. [Effex.]	Ranfone, James. [Gloucefter.]
Colfton, William. [Richmond.]	Richinfon, John. [Princesfs Anne.]
Cuftis, John. [Northampton.]	Ring, Jofeph. [York.]
Duke, Henry. [James City.]	Rofcow, William. [Warwick.]
Edmundfon, Thomas. [Effex.]	Spence, Alexander. [Westmoreland.]
Edwards, William.	Span, Cuthbert. ¹ [Northumberland.]
Eppes, Francis. [Henrico.]	Spicer, Arthur. [Richmond.]
Fitzhugh, William. [Stafford.]	Story, Jofhua. [King & Queen.]
Godwin, ———. [Nanfemond.]	Swan, ———. [Surry.]
Hardidge, William. [Westmoreland.]	Taylor, John. [Charles City.]
Heale, George. [Lancafter?]	Thompfon, John. [Surry.]
Hodges, Thomas. [Norfolk.]	Wafhbourne, John. [Accomac.]
Holiday, Anthony. [Ifle of Wight.]	Waters, William. [Northampton.]
Jenifer, Daniel. [Accomac.]	Wilfon, William. [Elizabeth City.]

¹ This name is taken from the lift as given in Stanard's "Colonial Virginia Register," p. 89.



Introductory Note.

IT was the intention of the editor of this set of Journals of the House of Burgesses to print in the present volume all the remaining Journals of the House from 1619, the date of the first General Assembly in *Virginia*, up to the 1695-1696 Assembly, with which the preceding volume begins, and to include the Proceedings of the first Assembly, because at that meeting the House and the Council sat together as one body. It was determined, too, that, since for the period before 1680 (when began the custom of sending to *England* copies of the *Virginia* legislative Journals and possibly the formal keeping of the Journals of the Council) very few Journals of the House remain, to embrace in this volume all the papers or documents of the House and of the General Assembly for that period which could be found. Under this head come all communications either to or from the House or the General Assembly, such as letters, messages, addresses, petitions, committee reports, etc. It seemed best to include even the "public orders" of the General Assembly, which are joint resolutions of the General Assembly on a multiplicity of private and local matters; for these orders were in the early days so expressed as to give much of the process by which the results were reached. In other words, they contain much of the record of the proceedings. Moreover, *Hening*, in collecting his "Statutes at Large," though he included such of them as he could find, overlooked a large number. It has been found, however, that there is entirely too much material to be embraced in one volume, and accordingly in the present volume the work has been carried back only to the 1659/60 Assembly, with which begins Sir *William Berkeley's* second term as governor of *Virginia*. The succeeding and final volume will contain the remaining material, and will also, probably, include a general index of the series.

The large size of the present volume has necessitated the omission of the usual section of the Preface giving the general historical setting, a feature of minor importance, however, and the narrowing of the scope of the Preface to a treatment of the Journals only from 1680 on. A detailed treatment of the few Journals for the period before 1680 and of the legislative papers given in this volume in addition to the Journals would have added too considerably to the bulk of the volume. However, in the Preface, as it stands, will be found many references to occurrences before 1680, especially where they throw any light on questions of legislative procedure, with which, rather than with topics of general historical interest, it has been the aim of the editor in former prefaces in the main to deal, though the latter questions have sometimes received much attention also. Since with the 1680 session the regular series of the Journals of the House of Burgesses embraced in this set of volumes may be said to begin, the Journals for preceding sessions being comparatively very few, and the material given in the first part of
the

the present volume and that to be given in the next volume consisting largely of legislative papers rather than Journals, the year 1680, moreover, appears to be the natural date for a change in the scope of the prefaces, even if the size of the present volume had not called for a curtailment.

In the process of putting the present volume through the press, it has been found necessary to add an appendix. This contains five papers, four of which ought to have been included in the body of the volume in their proper chronological order, but were overlooked by the editor at first in his search for material. The fifth item, namely, the letter of Lord *Howard of Effingham* to the Lords of Trade giving a full account of the 1685 session of the General Assembly is printed because no Journal of the House for that session has been found.

The text of the Journals embraced in this volume from the Journal for the 1680 session on has been obtained from transcripts of copies in the Public Record Office, *London*. They now appear in full in print for the first time, though abstracts of portions of them have been printed in the volumes of the "Calendar of State Papers, Colonial *America* and *West Indies*." A good deal of the material for the period before 1680, though by no means all of it, has been printed in *Hening's* "Statutes at Large" or in the "*Virginia Magazine of History and Biography*," but it has been reprinted here for the sake of completeness. For this period, too, however, resort has had to be made to the Public Record Office. The source of each paper printed for this period is given in a note preceding the text, and the text is in each case as accurate a reproduction as could be made of the copy followed.

As sources for the text of several of the papers references will be found to the *DeJarnette*, the *Winder*, and the *McDonald* Papers. These are merely transcripts in the *Virginia State Library* of documents in the Public Record Office. They were made years ago and not with the aim of securing a record of the General Assembly of *Virginia*. Further, all combined do not furnish a complete set of transcripts of early *Virginia* material in the Public Record Office. However, they have been found very useful in the present work—especially the "*McDonald* Papers," which are unusually comprehensive for the period covered by the Preface of this volume, and to which, accordingly, references are made in the notes in the Preface, though references might have been made to the more generally accessible "Calendar of State Papers." It must be remembered, however, that the "Calendar of State Papers" contains merely abstracts, whereas the "*McDonald* Papers" consist of exact transcripts.

The special characters used in indicating as closely as possible the abbreviations found in the manuscripts are:

č, indicating ti (menčoned, for example, for mentioned)

ϕ, indicating -leman or -lemen (gentϕ, standing for gentleman or gentlemen, usually the latter)

ϕ, indicating pre (ϕvent, for prevent)

q₃, indicating que (annoq₃, for annoque)

ñ, indicating mm (suñon, for summon)

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

Preface

Assembly of 1680-1682.

First Session.

ON the fourteenth day of *January* 1679/80 the Committee of the Privy Council for Trade and Foreign Plantations, the agency of the *English* government at that time having in charge the affairs of the Colonies, wrote an order of great importance. This was addressed "To the Clerke of the Assembly for the time being," and required that the clerk send to the committee at the close of each session of the General Assembly a journal of the proceedings of the Assembly, with copies of the "votes, orders, bills, and laws" which should be passed or proposed therein, at the first opportunity, and duplicate copies later. The order—a similar order was sent at the same time to the clerks of the assemblies of *Jamaica*, *Barbadoes*, and the *Leeward Islands*—was one of the results probably of the refusal of the clerk of the House of Burgesses in 1677 to deliver the Journals of the House and other papers to the commissioners sent over from *England* at the time of *Bacon's* Rebellion, and it proceeded from a desire to be thoroughly informed as to what was going on in the Assembly halls of *Virginia*. It probably was resented by the elected representatives of the people as being inquisitorial. However, so far as those interested in the history of *Virginia* are concerned, the order should be looked upon as one of the most salutary ever issued by the home government, for from its receipt by the proper authorities is to be dated the regular series of the Journals of the House of Burgesses¹ and also of the Council as a branch of the General Assembly which, sent to *England* and usually preserved there, furnish, with the other papers which, according to orders issued at the same time to the governor and the secretary of the Colony, were also to be regularly sent by the Colonial authorities of *Virginia*, the materials for a correct history of the Colony. In comparison with the mass of material transmitted to *England* and there preserved—with some exceptions—to this day, the written memorials of the central government of Colonial *Virginia*, as opposed to the local governments of the counties, are, leaving the laws aside, almost trivial. The original Journals of the House and of the Council, which ought to be in *Virginia* to-day, have in large measure been destroyed, and but for this order the gaps in the present printed edition of the Journals of the House of Burgesses would be as noticeable after 1680 as they are for the period before that date.

Since, after the receipt of this order, the clerks of the two chambers of the General Assembly knew that their journals would be inspected by the home authorities, these records began to be kept in a more methodical and careful manner, the truth of which statement will be evident to anyone who examines the contents of the present volume. It is doubtful, indeed, if the Journals of the Council acting as a branch of the General Assembly—or of the Grand Assembly, as the legislative body of *Virginia* was uniformly called from the *February* 1631/2 session up to 1680—were ever formally kept at all before the receipt of the order referred to. If formally written out by the clerk, no one of them has been preserved. For the twenty years between 1659/60, the date of the earliest legislative paper given in this volume, and 1680, the proceedings which have been preserved are called usually, if they have any titles at all, Journals of the Grand

¹ In a letter to the Lords of Trade, as the Committee for Trade and Plantations were usually styled, dated May 3, 1682 ("Virginia Magazine of History and Biography," XXIV, 372), Robert Beverley, clerk of the Assembly, wrote that he had only recently received the order, and was sending a "perfect copy" of the Journal of the Assembly for the session just closed, the April 1682 session, and would take care that the order should be punctually observed in the future. He had no doubt, however, that their lordships had received a copy of the Journal for the 1680 session, since he had delivered six copies to Mr. Secretary Spencer and two to Lord Culpeper. The fact that Beverley did not know during the progress of the 1680 session that copies of the Journal were to be sent to England, explains probably the carelessness with which that Journal was kept.

Assembly—not Journals of the House of Burgesses. But an examination of them shows that they are the proceedings of the House alone. Take, for instance, the first given in the present volume, on pp. 21-26. These proceedings have no title, but the very first sentence shows clearly that they are the proceedings of the House alone, and there is nothing anywhere in the proceedings to indicate that members of the Council sat in the House. On the contrary, everything, especially the reference by the governor and Council to the House of Burgesses—called in one place the Assembly and in the other the House of Commons—of a proposal for a “stint” in tobacco planting, and of one for laying a tax on land, goes to show that the two houses sat separately. The same is found to be the case on an examination of the proceedings given on pages 32-44—entitled “Journal of the Grand Assembly, held at *James City* the 23d day of *October*, 1666, by adjournment from the 5th of *June* 1666.” The first two paragraphs of the proceedings for *November* 9 are as follows:

“The Honourable Governor sent Knowledge of his pleasure to the House that two or more of the Council might join with the House in Granting and Confirming the Sum of the Levy.

The Humble Answer of the House is that they conceive it their privilege to lay the Levy in the House and that the House will admit nothing without reference from the Honourable Governor and Council unless it be before adjudged or Confirmed by Act or Order and after passing the house shall be presented to their Honours for their approbation or Dissent.”

This shows beyond the possibility of a doubt that the two houses at this time sat separately. The next proceedings preserved, however, those for the *September-October* 1667 session—which have come down without title, but to which the title has been given in this book of “Proceedings of the House of Burgesses”—indicate that it was usual for the governor to assign such members of the Council as he thought fit to assist the committees of the House in their work. Unfortunately, the records given are too meagre to allow us to understand exactly how this method of doing business proceeded, but it appears to be clear that the members of the Council so assigned did not become members of the committees but were merely advisers. The results of the work of the Committees were submitted to the House to be passed on in the usual manner. Nor do we get an intimation of the procedure in the Council in acting on the bills and orders sent up from the House. The governor throughout this period sat with the Council, and the procedure was undoubtedly very simple. The bills and orders were either adopted or rejected by the governor and Council, and there was an end of the matter. There was probably little occasion for conferences on suggested amendments. Hence the clerk of the Council probably wrote out no formal Journal of the proceedings, trusting merely to short, informal memoranda; and even these have now all been lost. The part of the Council in law-making, though real and necessary, being thus not so noticeable as the part taken by the House, and probably not recorded before 1680, led to the opinion widely held in after times—and by many maintained even at the present time—that up to 1680 the legislative assembly of *Virginia* was unicameral.

For the prevalence of this opinion the historian *Robert Beverley* is largely responsible. In his “History of *Virginia*,” first published in 1705, *Beverley* says: “Before the year 1680, the Council sat in the same house with the Burgesses of Assembly, much resembling the model of the *Scotch* parliament; and the Lord *Colepepper*, taking advantage of some disputes among them, procured the Council to sit apart from the assembly; and so they became two distinct houses, in imitation of the two houses of parliament in *England*, the lords and commons; and so is the constitution at this day.”⁴ It is rather remarkable that so careful a writer as *Beverley*, the son of that *Robert Beverley* who was for a long time the distinguished clerk of the House of Burgesses, should make a mistake in reference to such an important question. That he did make a mistake, however, seems reasonably certain.

² See p. 23.

³ See p. 24.

⁴ See pp. 189-90 of Campbell's edition of *Beverley's* “History of *Virginia*,” published in 1855.

With the 1680 session, or, to be slightly more accurate, with the 1682 session, then, begins, not the separate fitting of the two houses of the General Assembly of *Virginia*—from this time on the body is called the General Assembly, not the Grand Assembly—but the more methodical preparation of the Journal of each house, and, with this, the sending of copies of both Journals to *England*. After this date, though still the Journals of the House of Burgesses are not so full as the historian of the present day would desire them to be, they are a great improvement on what went before, and are of prime importance as a source of *Virginia* Colonial history. The Journals of the Council—beginning with the 1682 session—are also of great importance, and will, it is hoped, be published in a series as soon as the publication of the present series of Journals of the House of Burgesses is completed.

The session of the General Assembly of 1680 began on the 8th of *June* and ended the 7th of *July*. The state house having been burned in *Bacon's* Rebellion, the House of Burgesses sat in the house of Mrs. *Sufanna Fisher* at *James City* (*Jamestown*), the Council in the building used as the county courthouse. On the 9th of *June* the House elected their speaker, *Thomas Ballard* being the successful candidate over two opponents, *Mathew Kemp* and *Isaac Allerton*, and presented him to the governor for his approval.⁶ The governor then formally opened the Assembly by the delivery of a speech. Later it became the custom of the clerks of the House of Burgesses to enter the opening speeches of the governors in full in the Journals, these speeches being usually the most important documents of the session, relatively even more important than the modern governor's or president's message. Though the Journal of the House for the 1680 session does not contain the governor's opening speech, a copy has been fortunately preserved, and it is printed in this volume on pages 147-149.

The document is characteristic of its author, *Thomas*, Lord *Culpeper*, Baron of *Thorfway*, who though he had succeeded *Berkeley* as governor on the death of the latter in 1677, and had been ordered by the king, on the death of Lieutenant Governor *Herbert Jeffreys* in 1678, to take charge of the government as soon as possible, had not arrived off the capes of *Virginia* till *May 2*, 1680, slightly more than a month before the present session of the General Assembly opened. This delay, however, the courtly, if untruthful, author assured the General Assembly was occasioned by the king's express commands, and seemed much longer than it really was to one so desirous as himself of coming at once to the people whom he had been appointed to govern. Even in his enforced absence, however, he had been enabled, he said, to accomplish not a little in the interests of the Colony—payment for which he graciously allowed the Assembly later to make.⁷ Coming down to business, the governor announced that he brought with him three

⁵ As noted before, the Journal of the House of Burgesses for the 1680 session was not kept with the idea that a copy of it would be sent to England. Nor does it appear that the regular keeping of the Journal of the Council as a branch of the Assembly was begun at that session, but at the following session. The abstracts given in the "Calendar of State Papers, Colonial, America and West Indies, 1677-1680," Nos. 1375, 1410, 1423, and 1432, appear to be of the proceedings of the Council rather as an executive body than as a legislative one, though legislative proceedings are, indeed, intermingled. The abstracts, however, in the "Calendar of State Papers, 1681-1685," Nos. 478 and 485, dated April 18, 19, 20, 21, 22, and 25, 1682, are undoubtedly of entries in a true Journal of the Council in Assembly.

⁶ Colonel Ballard had been a member of the Council, but, on account of the part played by him in the time of *Bacon's* Rebellion had not been named as one of that reconstructed body in the instructions accompanying Lord *Culpeper's* first commission as governor. In accordance with the spirit, if not the letter, of No. 11 of *Culpeper's* instructions (see *McDonald*, V, 288), which directed that no one suspended from the Council should be allowed to become a member of the House of Burgesses, Colonel Ballard should not have been permitted to take his seat in the House. Lord *Culpeper* knew, however, what trouble his attempted exclusion would occasion, and did not try the issue, having been allowed to delay the execution of such of his instructions as he saw fit for six months after his arrival in Virginia. He might have claimed, too, that since Colonel Ballard had not been suspended by him, but dropped by the Privy Council, the case did not technically come within the operation of the order.

⁷ Lord *Culpeper* had first been appointed governor of Virginia for life on July 8, 1675, to take office, however, only on the death of *Berkeley* or the surrender or forfeiture of the office by him (*McDonald*, V, 276). Colonel *Herbert Jeffreys* was merely the lieutenant governor, acting first in place of Governor *Berkeley* and then in place of Lord *Culpeper*. Colonel *Jeffreys* died in November, 1678, and was succeeded by Sir *Henry Chicheley*, who acted as deputy governor for Lord *Culpeper* till the arrival of the latter in Virginia in May, 1680, and later during *Culpeper's* absences from Virginia.

bills for passage by the General Assembly, to which on their enactment he was specially empowered to give the royal assent. The first was entitled "An act of free and general pardon, indemnity and oblivion," the second "An act for naturalization," and the third "An act for raising a public revenue for the better support of the government of this his majesty's colony." He also informed the house that his majesty desired to see the erection of one or more towns in *Virginia*, but left to the General Assembly the discovery of the best ways and means for effecting this result. He told of what steps had been taken by his majesty's government, even before the receipt by the king of the address of the preceding General Assembly,⁸ for paying the soldiers in *Virginia* and those who had furnished them quarters, and of his prompt execution of these plans on his arrival in *Virginia*, not forgetting to say that it was on his representation that his majesty had determined to pay the soldiers for the future out of his own purse, looking to the country merely for payment for quarters,—and of one-half of this payment the country would be relieved, for the governor expected himself to pay for the quarters of the company of which he was captain. On the question of quit-rents the governor, who was vitally interested, for to him and Lord *Arlington* had been granted some years before the quit-rents and escheats of the whole of *Virginia*, spoke with more reserve, saying merely: "The other part of y^e Letter Concernes y^e Quit rents, w^{ch} I had also long since represented unto his Ma^{ty} wherein as soon as he shall be fully Informed of y^e state you are in, and your readines and cheerfulness for his service and y^r owne good I doubt not but such measures will be taken both for y^e past and future as wilbe Satisfactory to all Interests (that I have therein shall never stand in Competition to yours) and Conduce to his ma^{ty}'s service, and y^e good of this Colony, to w^{ch} my utmost Endeav^{rs} shalbe alwaies ready." In reference to Indian affairs the governor wished to be fully informed, so that he might act most wisely for the public good; and there was no better time, he said, for the people to bring forward accounts of their grievances, which he would remedy if it lay in his power to do so. He hoped that some proposals might be brought forward looking to the advancement of the price of tobacco, but confessed his want of sufficient knowledge, on account of his recent arrival in the Colony, to make serviceable suggestions in the premises. Finally, he asked that the General Assembly be very exact in the statement of public accounts, and that notice be taken that the present levies were for past debts, promising the greatest economy for the future; and he desired that the business of the session be speedily transacted, since, according to his instructions, he was allowed to permit the Assembly to sit but a few days.⁹

The first two bills mentioned in the speech were passed without a dissenting voice. The "Act of free and general pardon, indemnity and oblivion" pardoned all those guilty of treason committed before the 16th of *January* 1676 (old style)—that is, all engaged in *Bacon's* Rebellion—except *Bacon* himself, who by the act was attainted of high treason, all his property in *Virginia* being forfeited to the king, the eight "rebels" (mentioned by name) tried by jury, legally convicted, attainted, and executed for their participation in the rebellion, and *Richard Lawrence*, "who fired *James City* and is since fled." It also disqualified from ever holding office five other named participants. One of these was *John Langston*. *Langston* had been elected to represent *New Kent* county in this Assembly, but was refused a seat, to his petition that "he be taken out of the exception in his Majesty's bill," it being answered by the House "that the House conceives the petition ill timed, and that it will be more proper for him to apply himself

⁸ This address or petition is printed on page 118 of the present volume. It merely prays that the king will see that measures shall be taken for the payment of the soldiers in *Virginia*—those stationed there since the time of *Bacon's* Rebellion—and of the persons who had furnished them quarters, for the remission of the arrears of the quit-rents, owing to the distressed condition of the country, and for the use of the quit-rents in the future for the purpose of defending the Colony. The letter of the king mentioned in the governor's speech is printed in the "*Virginia Magazine of History and Biography*," IV, 361.

⁹ This instruction had been given him in accordance with a recommendation of the report of the commissioners appointed by the king at the time of *Bacon's* Rebellion. These commissioners had found that the expense involved in the long sitting of assemblies was one of the principal grievances of the people.

to another Assembly." For the prevention of endless suits and prosecutions which might grow out of the deeds committed in the time of strife, the act provided that there should be no redress for injuries done between the first of *May* and the 16th of *January* 1676 (old style) unless judgment had been obtained before the 25th of *April* 1679. And in order that in the future wholesale disturbances of the peace might be rendered less likely, if not impossible, severe penalties were provided for speaking of the government or the governor, councillors, judges, or principal officers in such a manner as to incite insurrection and rebellion.

The "Act for naturalization" had for its purpose the encouragement of the immigration of aliens into *Virginia* by making it easier than it had been before for them to be naturalized. Whereas, before, aliens could only be naturalized by act of the General Assembly, by this act the power of granting letters of naturalization was vested in the governor.

The third act, the "Act for raising a publique revenue for the better support of this his majesties Colony," was one of the most important measures ever passed by the General Assembly, and was agreed to by the Burgesses only after the governor and Council consented that two amendments be added to the bill as originally sent to them. The dispute developing between the governor and the House in reference to its passage was the only violent one of the session, and the governor, though he had positive instructions to have the bill passed in the form in which it was handed him on his departure from *England*, thought best to yield. This bill, with the two described in the preceding paragraphs, was delivered to the House on the 9th of *June* and read at once. It was then, with the two other bills, referred to the Committee for Propositions and Grievances for special examination, who reported on the 11th that it was their opinion that the "Act for free and generall pardon, idemnitie and oblivion" and the "Act for naturalization" should be passed, but that the former laws confirmed by his majesty concerning the imposition of the two shillings per hoghead and the castle duties should be continued, and that the House "doe most humbly desire to be excused if they doe not give their approbation of his Majesties bill for the same." On the 12th of *June* the report of the committee in reference to the bill was adopted by the House, and again on the 17th the bill was read and the report of the committee confirmed. It was ordered on the 18th that the report of the committee on the three bills should be sent the governor and Council, and the question being put whether a debate about the amendment of the revenue bill should be entered into it was resolved in the negative. The next day *Henry Hartwell*, clerk of the Council, as he was styled by the clerk of the House of Burgesses, or clerk of the General Assembly, as he was styled by the governor, appeared in the House with the request from the governor that the three bills sent from *England* be delivered to him. After debate, it was decided that the bills should not be delivered to *Hartwell*, but taken to the governor by a special committee of the House, with the clerk of the House in attendance. The next move was the appointment by the governor of members of the Council to hold a conference on the subject of the bill with such members of the House as should be appointed.¹⁰ The House agreed to the conference, which was held, the report of the House members being brought in on *June* the 21st.

¹⁰ At this session and for several sessions after this the governor and Council sat together in considering bills and other legislative measures, the governor appointing the committees for conference and other committees and taking the leading part in the proceedings. After the Assembly of 1685, however, at which there occurred the great dispute over what the Burgesses called the "double negative voice" claimed by the governor, the governors allowed the members of the Council to consider bills in the governors' absence.

According to Culpeper's first commission and set of instructions, the House of Burgesses was to be called the General Assembly, but he did not make public his orders as therein contained, beyond the probable communication of them to the Council, or proceed to execute them, having secured permission to delay. That he should style the clerk of the Council the "clerk of the General Assembly" shows that he expected to be able to secure a change in his commission and instructions. Nor did he deliver to Robert Beverley, the clerk of the House, or clerk of the Assembly, as the title then ran, the order of the Lords of Trade of January 14, 1679/80, in reference to the transmission of Journals of the Assembly to England. He and the Council undoubtedly hoped in some way by assigning the title of the clerk of the General Assembly to the clerk of the Council to secure an advantage over the House pending the new commission and instructions expected.

On the 23rd, by a vote of 21 to 17, the House resolved that no further debate should be had in reference to the passage of the bill, and the same day apprised the governor of their determination. The next day, however, the governor called the members of the House into his presence and succeeded in inducing them to reconsider their action.

His speech on that occasion, reported in the Journal in what is evidently so imperfect a form as to be in parts obscure, was exceedingly adroit, ranging in tone from intimidation through argument to persuasion. He rallied the Burgesses with seeming in their refusal to continue the consideration of the bill to arrogate to themselves the sole power of law-making, and either to have no good reasons for their opposition or to be afraid of being convinced by the bill's advocates. He argued that the king had the undoubted right to lay the imposition, and, if the act did not pass, might possibly collect by royal order a greater sum than the amount to be collected under the act. He assured them that the money collected was to be used solely for the support of the government of *Virginia*, as was evidenced by the very words themselves of the bill, "and to and for no other use, intent, and purpose whatsoever," the insertion of which in the bill he had himself obtained. For this piece of service he asked credit, and for what he had done in the matter of the appointment of the auditor."¹¹ He offered, if the bill were passed, to join with the Burgesses in a petition to the king that the money might always remain in *Virginia*, that it might be accounted for to the Assembly, and that the auditor—the officer collecting and disbursing the revenue—might always be named by the king from among the residents of *Virginia*. If the bill were passed, too, the king might be more disposed to grant the petition of the year before for the remission of the arrears of the quit-rents, the public credit would be enhanced, poll taxes might be reduced, and the king would look more favorably on proposals coming from the Burgesses in reference to a "cessation" or any other scheme that might be devised in the interests of the planters of *Virginia*.¹²

So much for Lord *Culpeper's* public deliverance. In private, too, he exerted, we may be sure, his influence to the full. He himself has left record of his methods on other occasions and perhaps on this in a statement dated *September 20, 1683*, addressed to the Committee of Trade and Plantations, giving an account of how he had conducted himself as governor. Of this long statement the following is one paragraph: "I cannot on this occasion omit to Recommend to His Ma^{ty} by your Lord^{ships} Col *Ifaack Allerton*, as a person most Fitt to be of His Councill there, He hath been all along Extremely well affected, was Very Instrumentall in Inducing the Assembly to passe the Revenue Act in 1680, is a prudent Learned man, and an Excellent speaker in the House of Burgesses where though not desiring it He missed being chosen speaker last *November* but by one voyce and I verily beleeve will be Speaker of the next Assembly. He did Assure me of his utmost services in whatsoever the King should command Him by His Governor particularly as to a Further Bill of Revenue for the Support of the Government And I did engage to moove His Ma^{ty} that He should be of the Councill and should have all Advantages thereof, as from *Midfommer* last, though not to be declared till after the session of next Assembly, where I am sure He can (and I beleeve will) be as servicable if not More then Any other person whatsoever, Had he been present in the Assembly of *Aprill* 1682, matters had not been Carryed soe."¹³ Here we have undoubtedly the record of a bargain, though we cannot say, of course, how far, if at all, it was necessary for *Allerton* to sacrifice his convictions in his support of the revenue measure. And there were probably other bargains.

¹¹ In reference to this matter the following memorandum is found in the minutes of the meetings of the Privy Council: "On the 17th of October 1679 Robert Aylway being heard by his Counsel learned, upon his Petition to be admitted unto the place of Auditor of Virginia granted to him by Letters Patents dated the 16th of January 1677 and the Lord *Culpeper* being also heard the Petition was dismissed it appearing that the said place was in the possession of Coll Nathaniel Bacon and that his Maty confirmed the same unto him by a precedent Warrant under His sign Manual dated the 11th day of May 1675." (See McDonald, V, 342.)

¹² This was the stoppage of the planting of tobacco for a time—one of the most important matters then engaging the attention of the members of the General Assembly.

¹³ McDonald, VI, 117.

But the governor did not achieve a sweeping victory, if, indeed, the passage of the bill in the form in which it was finally signed may be considered a victory at all, for on the day following his excellency's speech the House voted in favor of the passage of the bill, only, however, with two provisos attached, the one repealing all former laws on the subject and the other remitting the tax in the case of tobacco shipped in vessels owned in *Virginia*. There were already three general laws on the statute books for raising permanent revenue as distinguished from the levies made from time to time. The first of these was passed in *March 1661/2*, had the title "Imposition of two shillings per hoghead," and its preamble was as follows: "This present grand assembly of *Virginia* taking into serious consideration the burthenfome and unequal way of laying taxes by the pole and how they may with most honour and ease support the government in well paying his majesty's officers and as meanes perhaps of introducing mony, and an encouragement to men to produce other usefull and benefitall commodities have thought fit to impose two shillings per hhd. upon every hhd. of tobacco that shalbe shipped on board of any ship or other vessel within *Virginia* to be exported: and the collectors of the said imposition to dispose of no part thereof, but by order of the grand assembly only."¹⁴ The second was passed in *March 1661/2*, and was entitled "Castle duties to be paid." The object of this law was the collection of money to keep up the fortifications at *Old Point*.¹⁵ The third was passed in *December, 1662*, had the title "An Act for the imposition of two shillings per hoghead," and was in effect a reenactment of the first act, with additions ordered by the Council of Trade for the Plantations, the body in *England* at that time having the affairs of the Colonies under its immediate charge. The law was important, however, because of its preamble, in the following words: "Whereas the kings most excellent majesty hath been graciously pleased by his instructions to the right honourable Sir *William Berkeley* bearing date the twelveth of *September 1662* to confirme the imposition of two shillings imposed by a former act of assembly upon every hoghead of tobacco exported out of this collony, with the limitation offered to his majesty by his majesties council of trade for the plantations."¹⁶ This preamble shows that the king, though not formally by an order in Council, the method usually adopted in the confirmation of Colonial laws, had in effect confirmed the preceding law of 1661/2, whence it was not competent to the General Assembly of *Virginia*, in *English* legal theory, to repeal that law unless the consent of the king were first obtained. Now the Burgeesses demanded that all these laws be repealed by the first proviso attached to the bill at present under consideration, in order that there might be no possible danger of the double collection of the various taxes. The governor urged that the three acts already in existence should be repealed by a special act of the present General Assembly and that the privileges of *Virginia* owners of ships set forth in the two acts on the subject already in existence should be confirmed to them so far as the present revenue bill was concerned by another special act of the present Assembly, and that the revenue bill should be passed as brought from *England*. He sent to the House for their acceptance a petition to the king setting forth the situation and praying that his majesty, though he had as some thought confirmed the act of 1661/2 and had not granted permission that an act should pass repealing it, would nevertheless in the peculiar circumstances of the case vouchsafe his confirmation of the repeal. The petition then went on to pray that his majesty would always appoint as the auditor of the Colony some deserving person residing here who had first been recommended by the governor. All this was in vain. The House immediately on the receipt of the governor's petition sent him their final word: "This house in all humillity Signifie to yo^r Excellency, that they canot with Safety pass the said bill without the Additions & provisoes (mentioned by yo^r Excellency & the Councill) be added and included as part & parcell of the said bill; And humbly pray yo^r Excellency and the Councill will please to Assent to the said Additions and provisoes, that the said bill may Soe pass into an Act of this Generall

¹⁴ Hening, II, 130-32.

¹⁵ Hening, II, 134.

¹⁶ Hening, II, 176-7.

Assembly, and noe otherwaies." The governor was compelled to yield. Nothing further from him appears in the Journal, but two days after the message of the House was sent him, the following communication came to the House from the Council: "The Councill having considered the house of Burges's Propositions for Provisos to his Majesty's bill for the imposition of 2/s per hh. &c. Doe Unanimously consent to the same."¹⁷ The act as signed carried the two provisos insisted upon by the House. When this act reached *England*, the second proviso attached by the General Assembly was stricken out, and the rest of the act confirmed by the king in Council. The Privy Council wrote, in part very sensibly, to Lord *Culpeper*: "We have only disapproved of the last proviso in the Act for raising a public revenue, whereby the *Virginia* owners are freed from paying the duties imposed by the Act which we esteem very irregular and unfit to be allowed of, not only in as much as it derogates from the Act transmitted by his Majesty which ought to have passed, *in terminis*, but because it is very unequal that greater encouragement should be given to ships belonging to Inhabitants of *Virginia* than to ships that are belonging to other of His Majesty's subjects, there being no such difference put upon the Ships of *Virginia* Owners here in *England*, and which in time may frustrate the End of this Act in case they should possess themselves of so many ships as to export the whole product of *Virginia* or a considerable part thereof."¹⁸

The act provided for the collection of the following duties: two shillings per hoghead, or five hundred pounds of tobacco in bulk, exported; one-half pound of gunpowder and three pounds of leaden shot (or, in lieu of this, one shilling and three pence) per ton on every ship coming to the Colony; and six pence on each person brought in except mariners. These were to be paid "to the king's most excellent majesty, his heirs and successors forever, to and for the better support of the government of this his majesty's colony of *Virginia* in such manner as is herein before expressed, and to and for no other use intent and purpose whatever." Whereas the revenue collected under the former acts, which this act displaced, was expended under the control of the General Assembly, the revenue arising under this act was, it soon developed, to be under the control of the governor and Council. For many years disputes between the House of Burges's on the one hand and the governor and Council on the other were to arise over its interpretation. The effect of the act was to add greatly to the power of the governor by rendering him to a very great degree independent of the Assembly in money matters.

In addition to the three acts sent over from *England*, fourteen acts were passed at this session of the Assembly. The different steps in the passage of no one of these can be traced in the Journal, and nothing whatever is said or remotely hinted in reference to most of them, the only record made being the following in the proceedings for *July* the 3rd: "Several bills for Lawes read in the House and allow'd and Ordered to be sent to his Excellencie and the Councill," and the following for *July* the 5th: "Several bills for Lawes and Orders read in the house and Ordered to be Sent to his Excellencie and the Councill for perusal and allowance."¹⁹ All these laws are given in full in *Hening*,²⁰ and many of them are laws of much interest and importance.

The style of the enacting clause of each is "Be it enacted by the king's most excellent majesty, by and with the consent of the General Assembly," with an occasional variation of no importance, this being the style of the enacting clauses of the three acts sent over from *England*, and having been adopted for all the acts of the session at the direction

¹⁷ See p. 136.

¹⁸ McDonald, V, 364.

¹⁹ This statement shows how defective the early Journals are. They are, indeed, with all their deficiencies, invaluable historical records, but as specimens of the art of journal-writing, they compare very unfavorably with their successors of a later day. The clerks omitted a very great deal of what they should have noted, nor are their entries always clear. After the present session, however, much improvement is to be noticed in the keeping of the Journals.

²⁰ Hening, II, 409-488.

of the governor.²¹ The usual form of the enacting clause of *Virginia* Colonial laws was, with inconsequential variations, "Be it therefore enacted by the governor, Council, and Burgesses of this General Assembly, and it is enacted by the authority aforesaid," a form which had become crystallized by 1680—the term "Grand Assembly" being used instead of "General Assembly"—and which was used in the acts of succeeding sessions up to the days of the Revolutionary War.

Probably the most interesting act of the session, with the exception of the three sent from *England*, was the "Act for cohabitation and encouragement of trade and manufacture." Of the steps of its passage through the House a few glimpses are to be had in the Journal. As already stated, the governor in his opening speech communicated to the House that he had been commanded to secure the passage of such an act by the Assembly, the details of the measure having been left to be worked out by the members thereof. The first intimation given in the Journal that work on the measure was under way, is found in the proceedings for *June* the 24th. It is recorded that the vote was taken on the question whether the places where the towns were to be erected should be fixed by the Burgesses or by the voters in the counties. It was resolved that they should be fixed by the Burgesses. On *June* the 29th, the House named the places for five of the towns—when the others were named does not appear. In the proceedings for the first of *July* is this entry: "A Committee Appointed to Examine y^e Bill drawne by *Rob^t Beverley* Clerk concerning the townes and make report thereof," and for the second of *July* the following: "The bill intituled an Act for Cohabitation and Encouragement for trade and Manufactures read in the house and allow'd and Ordered to be Sent to his Excellencie and the Councell for allowance and approbation."²² This is the last reference made to the bill in the Journal, except in so far as it is included in the number of laws and orders referred to as being read on the last day of the session and signed by the governor and the speaker of the House.

From the preamble of the law as printed in *Hening*²³ it is learned that it was hoped that the establishment of towns containing warehouses for the reception of all articles imported or exported would have a salutary effect in advancing the price of tobacco, the condition of the trade in tobacco causing at that time a great deal of concern. It is not made plain by any means, however, how the desired effect was to follow. It is easy to see how the collection of the tax on tobacco would have been facilitated, and how, if—as was later done—inspection of the tobacco had been provided for and the poorer grades excluded from shipment, this might have had a good effect on the prices obtained for that allowed to be sent abroad, but it does not appear how the mere shipment from one place rather than another could have produced this effect. Further, the establishment of towns in which could have been collected a trading and manufacturing population would in the course of time have diversified the industries of the people of the Colony and thus added to their number and wealth. But this reason for the passage of the bill

²¹ In this Lord Culpeper made a mistake, since No. 30 of his first set of instructions is as follows: "And you shall take care that the stile in the framing and enacting Laws, be as followeth, Be it enacted by the Kings most Excellent Maty by and with the consent of the Great Assembly" (McDonald, V, 304). He afterwards explained that his failure to have the exact form observed was a mere oversight. The section of his second set of instructions dealing with this subject is, "And you are to observe, in the passing of Laws, That the Stile of enacting the same By the Governor Council and Assembly be henceforth used and none other" (McDonald, VI, 117). But the governor did not follow this instruction either, for the laws passed at the November 1682 session were enacted by the "governor, Council, and Burgesses of the General Assembly." In his report made to the Lords of Trade September 20, 1683, Lord Culpeper had this to say touching his action: "On the Unanimous Request of the Council that the House of Burgesses might not Draw Advantages to its selfe in their late frivolous dispute with the Councell about priviledges, as if the Councell were noe part of the Assembly, I did think fit to enact the thirteen Lawes I then passed, by the stile of Governor, Councell and Burgesses of the General Assembly" (McDonald, VI, 117).

²² From this entry it would seem that not always at this time did bills receive three readings, though the three were undoubtedly given the bills sent from England. All statements, however, in reference to procedure must be made with extreme caution, owing to the defectiveness of the Journals.

²³ *Hening*, II, 471-478.

is not given in the preamble—merely the good effect the act would have in enhancing the price of tobacco.²⁴

The act provided that fifty acres of land should be purchased by each county, which should be laid off as a town in which storehouses should be erected. The place in each county where the town should be laid off was named, the price to be paid for the land fixed, and the method laid down for purchasing and holding the land. Encouragements to persons to build dwelling houses and warehouses were provided. To these towns after the first day of the following *January* were to be brought all the tobacco and other articles to be exported from the Colony, and if anyone shipped his tobacco or other merchandise from any other place, or even sold it in any other place if it was finally to be exported, he was, on due proof of the transaction, to lose the whole amount involved, one-half going to the informant and the other to the king. Likewise, under the same penalty, after the 29th of *September*, 1681, all goods imported, indentured servants, and negroes were to be landed at the towns only.

The law was doomed to failure from the start. The inducements offered for building the warehouses were insufficient, and few, if any, were erected. The law proved a clog rather than a help to trade, and in the effort on the part of some of the Colonial authorities to have it executed so many vexatious suits arose that it was not long before it was found necessary by the *English* government to suspend it. The Commissioners of Customs, to whom the Lords of Trade and Plantations referred the act for advice, mercifully riddled it.²⁵

The principal author of the bill was *Robert Beverley*, the clerk of the House of Burgesses. It was *Robert Beverley* who as clerk of the House in 1677 had refused to give the papers of the House to the king's commissioners for the affairs of *Virginia* appointed at the time of *Bacon's* Rebellion, thus incurring their violent animosity. From this animosity it resulted, the commissioners having for some time after their return to *England* great influence with the Lords of Trade and Plantations in *Virginia* matters, that Lord *Culpeper* was directed to exclude *Beverley* from office. On his arrival in *Virginia*, however, he found that not only the members of the House of Burgesses but the members of the Council as well supported *Beverley* for the position of clerk of the House. The position had before this time been filled by election by the House, but it was now necessary, seeing that *Beverley* had been put under the ban in Lord *Culpeper's* instructions, for the House to petition the governor that *Beverley* be continued in office. The Council unanimously advising that this be done, the governor consented to act contrary to his instructions, and *Beverley* resumed his duties as clerk. His influence in the House was paramount, and at that time was very great in the Council also.²⁶

²⁴ In the instructions given to Lord *Culpeper* directing him to have a law for the erection of towns passed, nothing is said about the effect that the shipment of tobacco from wharves in towns rather than from wharves in the country would have upon the price of the commodity; it is said merely that the towns would "tend much to the security and profit of the country." Accordingly, the authors of the bill are responsible for the argument advanced in the preamble, and it was probably inserted merely to catch votes, the average member of the House of Burgesses being at that time, we may be sure, likely to look with favor on the passage of any measure promising even indirectly to advance the price of tobacco.

²⁵ "Calendar of State Papers, 1681-1685," p. 152.

²⁶ The orders in reference to *Beverley* were Nos. 69 and 70 of Lord *Culpeper's* first set of instructions, as follows:

"69. And whereas we are given to understand that the Assembly of *Virginia* have lately made a representation unto Col. *Jeffreys* our late Lieutenant General setting forth that our late Council for the affairs of that our Colony having called for and forced from *Robert Beverley* clerk of the Assembly into their own hands and keeping for several months all the original Journals and published papers of the Assembly declaring in their warrant to have full power and authority from Us under the Great Seal of *England* to Command the same which they supposed We would not grant, for that they find not the same to have been practised by any of the Kings of *England* and did therefore take the same to be a great violation of their privileges desiring withal satisfaction to be given them that they might be assured no such violation of their privileges might be offered for the future. We do require and Command you at the first conveniency after your arrival in *Virginia* to signify our high resentment of this Disloyalty and seditious Declaration, and to find out with the assistance of Our Council who were the Authors and abettors of that so they may receive the marks of Our High Displeasure, for this their great presumption.

70. And whereas Colonel *Robert Beverley* clerk of the General Assembly and Colonel *Edward Hill* President of *Charles City County* have been represented and attested unto Us as persons of Evil fame and behaviour in their respective Offices you are to take care that they are put out of all public Employment and not admitted into any place of trust until Our Royal pleasure be further known" (*McDonald*, V, 325, 326).

The same course was followed by the governor in reference to *Hill* as was followed in reference to *Beverley*.

The laws and orders of the session were signed by the governor on the last day of the session, although it was the original intention of the home government that they should first be sent to *England* for examination. The paragraphs in Lord *Culpeper's* first commission bearing on the General Assembly are as follows:

“4. And we hereby give and grant unto you with the advice, and consent of the said Council full power and authority from time to time to summon or call General Assemblies of the Freeholders and Planters within said Colony and Dominion, as hath been formerly practised and used in the said Colony and Dominion.

5. And our Will and Pleasure is that the persons thereupon duly elected and having before their fitting taken the Oaths of Allegiance and Supremacy which you shall commissionate fit persons under the Seal of our said Colony and Dominion to administer and without taking which none shall be capable of fitting though elected, shall be called and held the General Assembly of the said Colony and Dominion of *Virginia* and shall have full power and authority to agree and consent unto all such Laws, Statutes and Ordinances for the public peace, Welfare, and good Government of the said Colony and Dominion and of the people and Inhabitants thereof and such others as shall resort thereunto and for the benefit of Us Our Heirs and Successors as having been by you (with the advice of the said Council) framed and transmitted unto Us shall be by Us approved and remitted unto You under Our Great Seal of *England*, in order to be there enacted by your giving our Royal Assent thereunto. Which said Laws Statutes and Ordinances are to be by you framed, as near as conveniently may be, to the Laws and Statutes of our Kingdom of *England*.

6. And we do hereby, nevertheless, authorize and empower you in case of Invasion, Rebellion, or some very great necessity to pass an Act or Acts (by and with the consent of the General Assembly) without transmitting the same first unto us to raise money within our said Colony and Dominion to answer the occasions arising by such urgent necessities. And we give you likewise full power from time to time as you shall judge it necessary to dissolve all General Assemblies.”

Numbers 23 and 24 of the instructions accompanying the commission are as follows:

“23. And whereas it is our Will and Pleasure that for the future no Grand Assembly be called without our special directions, but that upon occasions, you do acquaint us by letter with the necessity of calling such an Assembly, and pray our consent and direction for their meeting. You shall at the same time transmit unto us with the advice and consent of the Council a draft of such Acts as you shall think fit and necessary to be passed that We may take the same into our consideration and return them in the form we shall think fit they be enacted in. And upon receipt of our commands you shall then summon an Assembly and propose the said Laws for their Consent. And we have at present Ordered, to be delivered unto you herewith, an Act of Free and Gracious Pardon, Indemnity, and Oblivion also an Act for raising a Public Revenue. Together with an Act of Naturalization framed by our Privy Council here. And approved by Us as necessary for the Use and benefit of Our said Colony. Which upon your arrival there you shall offer unto the next Assembly that they may be assented to, and enacted as originally coming from us.

24. We are willing nevertheless that in case of Invasion Rebellion or some very urgent necessity you pass an Act or Acts with the consent of the Grand Assembly (which you may call to that end without our special direction) and without transmitting the said Act or Acts unto Us to raise money within our said Colony and Dominion (copies whereof you shall forthwith transmit unto one of Our principal Secretaries of State and to the Lords of our Privy Council appointed a Committee for Trade and Plantations.”²⁷

From all this it may be seen that it was the intention of the home government at that time to take away from the House of Burgesses all real power in legislation. The plan was to have the governor and Council suggest to the home government measures which, amended, were to be sent over for the House of Burgesses, now styled the General

²⁷ McDonald, V, 302, 303.

Assembly, to adopt. The approved legislative custom of years was to be changed almost in a breath, and the power of the representatives of the people of *Virginia* was to be reduced to a mere form. If this plan had succeeded, the next step would have been to abolish the House, or General Assembly, altogether. The three bills were evidently sent over as an experiment, and Lord *Culpeper* had been given permission to delay putting into full effect the new features of his commission until the result of the experiment should be known. His experiences with the House in reference to the passage of the revenue bill, fortunately, convinced him that the plan of the home government was impracticable, and he was able to convince the Lords of Trade. As soon as his first Assembly was prorogued, he went to *England*, and was able to secure a new commission and set of instructions, according to which the power of the governor to call meetings of the General Assembly without first securing permission from *England* and the power of the *Virginia* legislative body in making laws and of the governor in passing them were left practically as they had been before his first commission was issued, though the House of Burgesses was still to be called the General Assembly or the Assembly. The paragraphs of the second commission dealing with this subject are as follows:

“7. And we do hereby give and grant unto you full power and authority, with the advice and consent of the said Council, from time to time as need shall require, to summon and call General Assemblies of the Freeholders and Planters within your government in manner and forme as is now practiced in *Virginia*.

8. And our Will and Pleasure is that y^e persons thereupon duly elected by the major part of the Freeholders of the respective Counties and places and soe returned (and having before their sitting taken y^e Oaths of Allegiance and Supremacy which you shall commissionate fit persons under the Publick Seale to administer and without taking which none shall be capable of sitting though elected) shall be called and held the General Assembly of that Colonie and Dominion.

9. And that you the said *Thomas Lord Culpeper* by and with the advice and consent of our said Council and Assembly or the major part of them respectively have full power and authority to make, constitute and ordain Laws, Statutes and Ordinances for the public peace, Welfare and good Government of Our said Colonie, and of the People and Inhabitants thereof and such others as shall resort thereto and for the benefit of Us, Our Heirs and Successors.

10. Which said Laws, Statutes and Ordinances are to be (as near as conveniently may be) agreeable unto the Laws and Statutes of this Our Kingdom of *England*.

11. Provided that all such Laws, Statutes and Ordinances of what nature and duration whatsoever be within three months or sooner after making y^e same transmitted unto us under the publick Seale of *Virginia* for Our allowance and approbation of them; as alsoe duplicats thereof by the next Conveyance.”²⁸

The first commission of Lord *Culpeper* had no permanent effect on Colonial *Virginia* law-making.²⁹ Nor did the second in so far as it contemplated a change in the name of the House of Burgesses, which was, indeed, only a matter of words. Though the paragraphs of this commission relating to the Assembly were copied almost verbatim in succeeding commissions to a late period, the old style of the enacting clause continued to be used, and the legislative methods which had evolved under earlier grants continued their natural growth.³⁰

²⁸ McDonald, VI, 15.

²⁹ That this was so resulted to some extent from the governor's own attitude toward them, for he refrained from putting them into operation, and later exerted his influence in England to have them changed. Whether he deserves any credit for this attitude is another question. It is more than probable that his course was the result of the fear that execution of the provisions of the first commission would result in violent commotions in Virginia and possibly in rebellion.

³⁰ The instruction given Sir William Berkeley in 1642 on the subject of Grand Assemblies reads as follows: “That you and the Councillors as formerly once a year or oftener, if urgent occasions shall require, do summon the Burgesses of all and singled plantations there, which together with the Governor and Council makes the Grand Assembly, and shall have Power to make Acts and Laws for the Government of that Plantation correspondent, as near as may be, to the Laws of England, in which Assembly the Governor is to have a negative voice, as formerly.”

There were also passed at this session of the Assembly a great many public orders, printed in this volume on pages 150-153, similar to orders that it had been usual for the Assembly to pass from the earliest days. They consist in the main of the action of the Assembly on claims, and on petitions and propositions of a special character the subject matter of which did not warrant the passage of general laws. There is, however, among them a declaration in reference to the power of sheriffs to make arrests aboard ships which is of the nature of a law, or, rather, the interpretation of a law; also an order for the erection of a parish, which should have been passed as a law, granting that the General Assembly had the power to deal with the matter at all, for it must be remembered that at this time the erection of parishes and of counties was one of the duties of the governor, so far as commissions and instructions could make it so. There is also an order for the levy of 116 pounds of tobacco per poll on the inhabitants of the Colony at large for the payment of the public claims allowed the present session, and of forty-seven pounds per poll to pay the expenses to be incurred in keeping up the garrisons at the heads of the rivers the following year. The poll tax, the amount of it differing from time to time, had always been levied by means of one of these orders rather than by act, though of course its application was general. However, this was the last time that the tax was thus levied, the "Act for raising a public levy" being hereafter always conspicuous among the laws passed at any session of the Assembly, and occasionally the only one. The truth is, this was the last session of the Assembly at which formal orders of this nature were passed, since in the second commission given Lord *Culpeper* and in commissions to succeeding governors these orders were not named among the legislative enactments that the governors were permitted to sign.³¹

Placing the public orders under the ban went naturally hand in hand with the instruction that no more appeals should be allowed from the General Court to the General Assembly. The latter instruction was a result, no doubt, of the famous case of Colonel *Philip Ludwell*, member of the Council of *Virginia*, who in 1678 had been tried before the General Court on the charge of "scandalizing the governor and abusing the authority of his majesty," and, having been found guilty of the first count though innocent of the other, had appealed to the General Assembly. Such appeals had before that time always been allowed in the regular course of justice in *Virginia*, but the court decided that the case must go to the king in Council. The result was that Colonel *Ludwell* was dropped from membership in the Council as named in Lord *Culpeper's* first set of instructions. He was, however, named by *Culpeper* himself as a member, at the unanimous request of the Council, when the death of Colonel *Daniel Parke* created a vacancy, and he remained a member throughout *Culpeper's* term of office. Though Lord *Culpeper* did not publish that item of his instructions prohibiting appeals to the General Assembly, he later reported to the Lords of Trade that he had seen to it that no such appeals should arise. Lord *Howard*, however, did publish the instruction, the same instruction having been given him on his assumption of the government, and thus was brought about a very considerable change in the administration of justice, appeals thereafter being allowed from the General Court only to the king in Council.³² The more important of the orders before this were the decisions of the General Assembly acting as the supreme court of the Colony. Now that this kind of order was to be eliminated, it seemed wise to the Lords of Trade not to allow the passage of any of the orders for the future.³³

³¹ Nor were they named even in Lord *Culpeper's* first commission, but he, as we have seen, had been permitted to delay the execution for six months of the commands given him in his commission and instructions.

³² The order in reference to appeals is a part of number 59 of *Culpeper's* first set of instructions and reads as follows: "Our pleasure also is that for the better and more equitable administration of Justice in our said Colony appeals be allowed in cases of error from the Courts of our said Colony to you Our Governor and Our Council there and to no other Court or Judicature whatsoever" (McDonald, V, 320). In *Culpeper's* second set of instructions and in instructions to succeeding governors, this order was changed so as to allow appeals from the General Court in *Virginia* to the Privy Council in England.

³³ The last of these orders is as follows: "Ordered that Robert Beverley Clerke of the Assembly, do deliver to his Excellencie a Copie of the Report of the State of the Countrey, confirmed by the House and the Council." The report referred to is printed in this volume on pages 146 and 147, the first paragraph being: "The Council and Burgesses of this Genrl Assembly in Concurring with his Excellencies Speech in demonstrating the Estate of affaires in relation to the Indians and other things therein contained, doe present These following reasons." The word "reasons" here means statements or observations.

The members of the House did their work by the help of several committees, which were unassisted by members of the Council. Heretofore it had been usual for the governor, on the request of the House, to assign members of the Council to assist in the work of the committees—the preparation of bills, reports, addresses, petitions to the king, etc. It may be readily understood how this practice facilitated work, since the councillors were almost invariably men who had had years of service in the House before their elevation to the Council, and who were, accordingly, to a certain degree, experts. At this session, however, the proposal that the governor be requested to name members of the Council for this purpose was voted down.³⁴ The only help asked for by the House was the appointment by the governor of the secretary of the Colony or of some other member or members of the Council, as might seem good to his excellency, to aid in drawing a petition and an address to the king. The governor appointed *Philip Ludwell* and *Richard Lee*. The excellently framed papers given on pages 144-146 of this volume are the result of their labor in conjunction with the committee appointed by the House.

The regular standing committees appointed by the House at this session were the Committee to Examine the Writts (in later days called the Committee of Privileges and Elections), the Committee for Consideration of Propositions (called on page 123 the Committee for Examination of Grievances, and on page 125 the Committee of Propositions and Grievances, its usual later title), the Committee for Examination of Public Debts and Claims (the later Committee of Public Claims), and the Committee to Examine Runaway Certificates. These certificates were certificates of amounts owed by the public for the capture of runaway servants and slaves, and the work of this committee was later transferred to the Committee of Public Claims. No Committee for Private Causes, which was before this time the important committee having in charge the causes coming to the Assembly on appeal from the General Court, was appointed at this session, though it was proposed that an address should be made the governor to know his pleasure as to the appointment of such a committee.³⁵ The Journal for this session is silent as to the reception this address met with from the governor. On the day after the introduction of the motion in the House, however, it was ordered "that a Note be put up at the Assembly house Doore to give notice that all private causes depending in the Assembly by appeal are refer'd to the Next Assembly."³⁶ It may be inferred from this that Lord *Culpeper* replied that there would be no time at this session for the committee to enter upon this work, and entries in later Journals show this inference to be correct, as does the report, referred to above, made by Lord *Culpeper* that he had not allowed any appeal causes to be considered by the General Assembly. In addition to the committees named above, there was a Committee to Examine the List of Clerk's Fees, which was probably, however, a special committee, and there were, of course, the special committees appointed from time to time to wait on the governor and Council to carry bills and communications of various kinds, and the committee appointed to confer with a committee of the Council on the revenue bill.

There being in *Virginia* at that time twenty counties having two representatives each and one town with one representative, the membership of the House consisted of forty-one, forty of whom, it will be seen from the list given on page 120, were present at one time or another in the session. Thirty-two of these were present on the third day of the session, with two who were not allowed to take their seats—*John Langston*, whose case has been referred to above, and *William Sherwood*, who was said to have been convicted of felony and was thus rendered incapable of sitting as a member—and one, *Saint Ledger Codd*, who had been elected as a burgess by two counties and had not

³⁴ See p. 122.

³⁵ The governor had said in his opening speech that the session was to be a very short one, and the House sent to the governor to find out whether it was his opinion that there would be time to enter into a consideration of these appeal causes. They did not know as yet of his instruction that the Assembly was not to be permitted in the future to deal with such causes.

³⁶ See p. 123.

yet made his choice as to which he would represent. Thirty-five elected representatives out of a possible forty-one—or forty, when the case of Colonel *Codd* is taken into consideration—was a good attendance, considering the difficulties of travel in those days.

Second Session.

THIS session of the Assembly was held under very unusual circumstances, and its results were also unusual. So far as legislation is concerned, there were no results at all, for the only bill that the majority of the Burgesses wished passed could not, in the circumstances arising since the Assembly had been called, be agreed to by the Council, and the measure which the deputy governor and the Council wished adopted was considered by the House of subordinate importance and a measure to be debated only after the other had received attention. Lord *Culpeper* was still in *England*, and Sir *Henry Chicheley*³⁷ was acting governor in his stead. An order had been sent over from the home government that no meeting of the Assembly should be held till the 10th of *November*, when, it was supposed, Lord *Culpeper* would be back in *Virginia*. This order had not, unfortunately, come in time to prevent the calling the meeting, though it had been received a few days before the members arrived in *Jamestown*. The Assembly had been called together, without the advice of the Council, by an old and vacillating chief executive, dominated by a younger, abler, and more forceful man, *Robert Beverley*, the clerk of the House of Burgesses. An address had been drawn up by the Assembly at the preceding session and sent the king asking that he proclaim a "cessation" of the planting of tobacco for the year 1681, but the request had not been granted. It was now the plan of *Robert Beverley* and other leaders that the result should be accomplished by the passage of a law in *Virginia* prohibiting the planting of tobacco in 1682. The long delayed ship that brought the order prohibiting the calling of the Assembly before the 10th of *November*—except in extraordinary circumstances and by the advice of the majority of the Council—brought also the command that the two companies of *English* soldiers in *Virginia* should be disbanded unless paid for the future by the Colony. The date set for their disbandment was *April* 1, which had indeed passed before the arrival of the ship on the 13th of the month, and Indian affairs were by no means in a satisfactory condition. In the embarrassment occasioned by the receipt of these two orders so soon before the date of the meeting, some of the members of the House having already set out for *Jamestown*, the deputy governor decided, with the consent of the Council, to allow the Assembly to meet, but to permit the consideration of no matter except the question of the continuation of the soldiers in service.

The ineffectual efforts on the part of the House to proceed in the transaction of other regular business before taking into consideration the question of the continuance of the soldiers in service, are set forth in the Journal. When at last it became manifest that the House would do nothing in reference to the latter question unless they were permitted first to pass other legislation thought even more essential for the safety of the country, the deputy governor, now having the Council about him and hence not to be so readily influenced by *Beverley*, and having, moreover, the positive order from *England* to hold no meeting except on the advice of the Council, prorogued the Assembly to the 10th of *November*. This was on *April* 25. The session thus lasted only seven days.

No bill for a "cessation" was actually presented, but from the address of the Burgesses to the deputy governor and Council, drawn up the second day of the session and submitted to the House at 11 o'clock at night, the feeling of the members on this subject may readily be estimated. Later it was ordered that a copy of this address be given the representatives of each county, with an abstract of the reasons given in it for a continuance of the session—for the purpose of letting the public know what had been done.³⁸

³⁷ Sir Henry Chicheley's official designation was "deputy governor," according to the commission issued him February 28, 1673/4. (See "Calendar of State Papers, Colonial, America and West Indies, 1669-1674," p. 559.) He, however, is frequently styled lieutenant governor in the official communications of the time.

³⁸ It must be remembered that the sessions of both houses were at that time secret. Hence this order was necessary, if the country at large was to be informed of the proceedings of the House.

In the paragraph of the address dealing with the deplorable condition of the tobacco trade of the country, it was intimated that if the Assembly did not provide relief dangerous consequences might ensue from the desperation of the people. This paragraph was probably not intended to incite disorder, only to intimidate the deputy governor and Council into granting the desire of the House. However, almost immediately after the Assembly was prorogued, the plant-cutting riots broke out in *Gloucester* county, later spreading to adjacent counties, which occasioned so much trouble and anxiety to the government of *Virginia*.³⁹

The Journal of the House for this session, though it records no results accomplished, is of much interest and value for the information to be secured from it on several matters which might otherwise be obscure. From the last paragraph of the address of the House to the deputy governor and Council on the subject of the continuance of the session⁴⁰ it is seen how usual and natural had been the appeal of law cases from the General Court to the General Assembly. One of the reasons given for the continuance of the session at that time was the necessity for clearing the docket of these appeal causes transmitted to the Assembly of 1679 and by that Assembly referred to the 1680 Assembly, when by order of Lord *Culpeper* no causes of this nature were considered. If these causes were not now to be heard and decided, it was said, great inconvenience, if not a total failure of justice, would result. It is also learned⁴¹ that causes in law came to the General Assembly not only by appeal from the decision of the General Court (the governor and Council acting as a court of law) but also occasionally by transmission from the General Court before judgment had been passed on them by this body.

On *Saturday*, the 22nd of *April*, the Committee for Private Causes was duly appointed by the speaker, who named also the members of the Committee of Propositions and Grievances—called in the Journal the Committee for the Examination of Grievances and Consideration of Propositions—it having been before resolved that “the first nomination of the members for a committee be (as heretofore hath bin) first by the speaker, to be allowed or disallowed as they [the House] please.” The next day a debate arose as to the necessity for having members of the Council added to this committee. The argument advanced by the gentlemen opposed to the addition is not given, except in so far as it is referred to and combatted in the speech of *William Fitzhugh*, the champion of the opposite view, which is given in full.⁴² It appears to have been an argument from analogy. The General Assembly in *Virginia* corresponded to Parliament in *England*, and it was an unheard of thing for members of the House of Lords to be added to committees of the House of Commons. *Fitzhugh* pointed out in reply that the two bodies were alike only so far as their legislative functions were concerned, and that the Assembly in the trial of these causes acted in a judicial capacity. In the methods of carrying out their judicial functions the two bodies were entirely dissimilar, for in *England* the House of Lords was the supreme court of the land, whereas in *Virginia* the General Assembly had that distinction. The General Assembly had always done this judicial work, however, through a committee of the House of Burgesses to which were added members of the Council, who were by virtue of their office judges and fo empowered to administer oaths; for it was only in this way that the judicial character could be conveyed to a committee which otherwise would be unable to administer an

³⁹ For a good account of these riots see Wertebaker's “*Virginia under the Stuarts*,” 232 ff. This book is the latest and probably the most authentic of the histories of Virginia for the period covered by the Journals in this volume up to the accession of William and Mary. Osgood's “*American Colonies in the 17th Century*” is also admirable, but, covering a wider field, is, though published in three stout volumes, not so detailed in its treatment of Virginia matters as is the book first mentioned, and not quite so accurate.

⁴⁰ See p. 150.

⁴¹ See p. 162.

⁴² See p. 167. Why Fitzhugh's speeches appear in full—another of his speeches made the same day on another question is also given at length—is not absolutely clear, the speeches made in the House being seldom reported in the Journals. Both the subjects dealt with by Fitzhugh, however—the other subject was the status of laws which had been passed in Virginia but which had not received the formal assent of the king—were of the very highest importance, and it was, no doubt, thought by the clerk of the House advisable to have in the report of the proceedings an unusually full record of the prevailing opinion of the House.

oath. The House of Burges was incapable in itself of administering an oath, and so was any committee appointed by it. The debate was an interesting one, and the arguments advanced by *Fitzhugh* seem to have been considered convincing, for in the next session we find the House asking that members of the Council be added, as formerly, not only to the Committee for Private Causes, but also to the other committees. So far as private causes were concerned, however, the edict had already gone forth from higher authority that no more appeals should be allowed to the General Assembly. The House had not yet been informed of it.

On page 164 appears the order of the king for disbanding the soldiers. This order was dated the 30th of *November* 1681, and the date set for the disbandment, unless after that their pay should come from the *Virginia* Assembly, was *December* 25, 1681. On page 168, it appears that the date for disbandment was *April* 1, 1682. An examination of the original records shows that the latter date is correct, for the vessel carrying the first order was so long wind-bound that a supplementary order extending the time was issued. This was sent by the vessel carrying the original order, which brought also the order of *January* 21, 1681/2, in reference to the meeting of the Assembly,⁴³ as before stated. The question arises, Why was not the supplementary order communicated to the House with the first order? Data on which to give an assured answer are wanting. The failure may have been due to carelessness, or it may have been due to something worse. In any event, the incident is an illustration of situations frequent in the history of the General Assembly of *Virginia*, in which the information furnished the House by the governors was not so complete as it should have been.

⁴³ This order is given on p. 169.

Assembly of *November-December* 1682.

FOR the only session in which the Assembly of *November-December* 1682 met the Journal of the House of Burgesses has not been preserved. A very important document of the whole Assembly for that session has, however, fortunately, been handed down, and is printed in this volume on pages 170-183. It compensates in a measure for the loss of the Journal of the House. The Journal of the Council has also been preserved, and it will, it is hoped, be printed in its proper order in the contemplated set of Journals of the Council. This Journal of the Council is very full in its entries, and from it it has been possible to give the short account of the proceedings of the House which appears below.

The document mentioned consists of a list of the claims allowed by the Assembly and ordered to be paid, of a statement of the amounts of tobacco to be collected in the various counties according to the number of tithables in each, and of a statement for each county of the persons to whom, with amounts, the tobacco collected in that county should be paid. Since it shows in a few pages the kinds of services that were paid for by the central government of *Virginia* at that time, as opposed to the local governments, the relative cost of these services, the relative importance of the counties, and the ingenuity exercised in paying a clumsy circulating medium to the public creditors in the counties most convenient to them—to mention a few of the more noticeable points about the document—it deserves the closest study. A monograph might well be devoted to an analysis of its contents, with an elucidation from outside sources of some of its items. With the exception of the “Orders of public charge made and allowed” at the meeting of the General Assembly held at *Green Spring* in 1677 (the first session held after *Bacon’s* Rebellion), printed in this volume on pages 81-85, and similar orders for the 1684 session, printed in this volume on pages 253-258, the present document is the only one of the kind that has come down to us, and it is of much greater interest than the other two for the reason that whereas each one of those contains only a list of the public creditors, with amounts due, this list gives, in addition, the apportionment of the levy to the different counties and a statement showing where each creditor should be paid.

The session began the 10th of *November* and continued through the 22nd of *December*. For the greater part of the session Lord *Culpeper* was absent, not having yet arrived from *England*, and Deputy Governor *Chicheley* acted in his place. Much of the time of the session was consumed in disputes between the House of Burgesses on the one side and the deputy governor and Council on the other over the titles to be assumed by the clerks of the two chambers and over the question whether assistants from the Council should be added to the committees of the House.

On the receipt by the House of the very first communication of the session from the deputy governor and Council, which was attested by “*Henry Chilton*, Clerk of the General Assembly,” the House protested against the title assumed by the clerk “as unusual, introduced without any former usage or custom in the House.” The title had in fact, however, been used at the preceding session. The Council made no reply to this protest, and later it was withdrawn by the House in the course of the more violent dispute that very soon arose over the title to be given the clerk of the House. From this time on the clerk of the Council, when that body was acting as a chamber of the General Assembly, was styled the “clerk of the General Assembly.” That the House yielded with so little protest at this time seems to show that they were still ignorant as to the wording of Lord *Culpeper’s* commission—according to which the House, not the Council, was to be called “the General Assembly.”

The dispute in reference to the title of the clerk of the House was an exactly similar one, but involved, too, the question of the official title of the House itself. Before this time the clerk of the House had for some years been called “clerk of the Assembly,”

but now the deputy governor and Council proposed that the title be changed to that of "clerk of the House of Burgesses," this being consonant with the practice in *England*, where, as they pointed out, the clerk of the House of Commons was known merely by that title, and not as clerk of Parliament. The House, however, insisted on the old form as one of "their ancient rights and privileges," being afraid evidently that something more than a mere form of words might be involved, and refused to proceed with the work of the session unless the oath formerly used should be administered to the clerk. The administration of the oath to the clerk, as of the necessary oaths to the members of the House of Burgesses, was a ceremony that had to be performed by a committee of the Council appointed by the governor. It appeared, thus, for a while that the Assembly would be adjourned with no work accomplished. Finally, however, it was agreed that the "ancient" oath should be administered, and that the question of the proper form of oath for the future should be referred to the next Assembly. The following oath, accordingly, was taken by the clerk on the 21st of *November*, the eleventh day after the opening of the session: "You shall swear, as clerk of ye Assembly of *Virginia*, to which office you are elected, justly and uprightly to make true entries and journals of all votes and proceedings of y^e sd Assembly, as from time to time you shall receive orders and directions from them. You shall keep secret all proceedings of y^e sd Assembly, so far as shall by y^e sd Assembly be found necessary, and shall, in all things, to your best skill and judgment, discharge and execute y^e said office and trust of Clerk of y^e Assembly."

The third dispute was even more bitter than the second. The House had been deeply impressed by the argument made in the *April* session as to the necessity that members of the Council be added to the Committee of Private Causes in order to give judicial character to that committee. They wished above all else to keep in the General Assembly the power to judge causes appealed from the General Court. Though they did not yet know that by royal order that power had already been taken away, they knew that it had been, and was then, strongly objected to by some. In order to retain this power for the present session at least, and if possible for the future, they thought it wise to insist that the mode of procedure for the present session be that which had existed in all sessions of the General Assembly before 1680. They confessed that in that session a mistake had been made by the House in not asking that members of the Council be assigned by the governor to assist the committees of the House, but claimed that the failure had arisen out of the fact that no Committee for Private Causes had, at the direction of the governor, been named, and that it had not been thought absolutely necessary that the assistants be assigned for the other committees.⁴⁴ The deputy governor and Council, on the other hand, took the ground that the method of procedure had been adopted in 1680 by the House of their own volition as being similar to the procedure of the *English* Parliament. Moreover, of this method Lord *Culpeper* had given

⁴⁴ The House did not have at the present session—a fact that they much deplored—a copy of the Journal of the House for the 1680 session. In the various removals to which the papers of the House had been since that time subjected, the original Journal had been lost, and there was no copy in Virginia, though several copies had been sent to England. Robert Beverley, the former clerk of the House, had been for some years before 1682 in the habit of taking the papers of the House with him to his home, there being since 1676 no public building in Jamestown in which to deposit them. In May, 1682, Beverley was arrested by order of the General Court on the charge of being the instigator of the tobacco riots of that year, and the papers of the House taken in charge by the Council. That he had a good number of them at his home at this time is shown by the size of the payment made for their removal. (See p. 174 of this volume.) They were given by the Council into the keeping of Mr. Secretary Nicholas Spencer. One of the first things done by the House at the present session was to ask the Council that these papers be delivered to representatives of the House, and this was done. Later in the session Mr. Beverley, though still under arrest, came to Jamestown, being allowed to remain there by the deputy governor and Council—acting, of course, in their judicial capacity—for several days, at the special request of the House. We may be sure that he made among the papers special search for the Journal, and, not finding it, gave the members of the House the benefit of his recollections as to what took place in the 1680 Assembly. Had the Journal been found, the members of the House would have seen that their explanation of the failure in 1680 to ask for the appointment of Council assistants to House committees was incorrect, for the resolution not to ask that these assistants be appointed was adopted, according to the record, before the House knew positively that no private causes were to be considered at that session. (See p. 122.)

an account in *England*. It would not, accordingly, be proper to change the form—at least not till Lord *Culpeper's* return, which was daily expected. The question, then, ought to be referred to the next Assembly. In this stand the deputy governor and Council remained firm.⁴⁵ They, however, promised that if by the next meeting of the General Assembly the king had not declared by positive order that appeals should not be allowed to the General Assembly, they would in that meeting permit the addition of the Council assistants to the Committee of the House for Private Causes—and presumably to the other committees—when proceedings could be held as formerly. This agreement, then, was arrived at, that the House should proceed to the transaction of business without the aid of the Council assistants and refer all appeal cases to the next session of Assembly.

The third dispute ended on the 6th of *December*, and from that time on business proceeded satisfactorily, with probably less than the usual amount of friction between the two houses. Thirteen laws were passed, all of which are to be found in *Hening*.⁴⁶ The Assembly was just on the point of being brought to a close when, on the 17th of *December*, Lord *Culpeper* arrived in *Jamestown*. Since he insisted on going over the bills that had been passed by both houses and the claims allowed and in making alterations—not all of which were agreed to, however—the session had to be prolonged till the 22nd, when the Assembly was dissolved. In the speech of dissolution Lord *Culpeper* expressed his surprise that the Assembly had not passed a law fixing heavy penalties for plant-cutting, and suggested that the members of the Assembly when they returned to their respective homes make some amends for this by expressing to their constituents their extreme detestation of what had been done in the plant-cutting riots.

At least one law was prepared and passed after *Culpeper's* arrival. This was the "Act for the public levie."⁴⁷ Before this session the public levy had always been imposed by means of an order, not by act. At the present session, before the arrival of Lord *Culpeper*, a great many of these orders had, as usual, been passed, including the order for the public levy; but when they were handed the governor on the 19th for his inspection, he refused to ratify them. True, however, to his characteristic unfrankness, he did not explain that, in accordance with his commission, orders of this kind were not to be allowed for the future, but excused himself on the ground that they contained so much new matter that he did not have time to give them consideration, as the Assembly, which had already sat too long, should be brought to a close without further delay. Hence the matters contained in the orders had to be referred to the next Assembly—all of them except the declaration of the rate of the public levy. This rate had, of course, been determined on when the amount of the public claims had been fixed. It was merely a matter of dividing the total of the claims by the number of tithables in the country. The apportionment of the levy to each county according to its number of tithables had also been made, and the paper drawn up giving in one statement the apportionment for all the counties, with directions as to the counties in which specific claims should be paid—an intricate paper. There was one item in the levy that Lord *Culpeper* objected to, namely, 6,000 lbs. as a payment to *Robert Beverley* for his services as clerk of the House in the *April* 1682 session. This amount had been fixed by the

⁴⁵ It is very likely that the deputy governor and Council insisted on their view more strenuously than they would otherwise have done because they were afraid that if the Committee of Private Causes were constituted, the case of Robert Beverley, which they had referred to England, would be brought up before it in some way,—a thing which they feared, since Beverley was probably the most popular man in the Colony and had been treated with harshness by the General Court. A very embarrassing, if not a dangerous, situation would ensue were this case to be brought up. The deputy governor and Council were extremely desirous of having the public claims, which had accumulated, paid by the levy, and the question of the continuance or discontinuance of the expensive garrisons at the heads of the rivers as a defence against the Indians settled. The House counted on this in making their demand in reference to the committees.

⁴⁶ *Hening*, II, 490-508.

⁴⁷ *Hening*, II, 507, 508.

House at 20,000 lbs. but cut down to 6,000 by the deputy governor and Council before Lord *Culpeper's* arrival. Lord *Culpeper* now directed that it be stricken out altogether. However, as this would have necessitated the redrawing of the statement of the levy and the fixing of a new rate, the statement was allowed to stand, with Lord *Culpeper's* rejection of the *Beverley* item noted; and the levy act was signed naming the rate fixed upon according to that statement.⁴⁸

⁴⁸ The hurry and confusion of the closing days of this session are apparent in the Journal of the Council. Not all the entries necessary to a clear understanding of the actual course of events are to be found. Indeed, there is no entry whatever as to the levy act. That this was passed, however, is certain from the fact that it is given in Hening; and the rate there named is the old rate of 89 pounds of tobacco per tithable agreed upon before Lord *Culpeper's* return. Moreover, the statement of the public claims printed in this volume contains the item of 6,000 lbs. allowed *Beverley*. (See p. 175.) The governor's veto of this item is not there noted, though so vigorously expressed several times in the Journal.

The Assembly of 1684.

THE Assembly of 1684 met in only one session, which began *April* 16, 1684, and continued through *May* the 24th, when the Assembly was dissolved. The home government had become weary of the indisposition on the part of Lord *Culpeper* to carry out instructions and especially of his insistence on spending the greater part of his time in *England*—to which he had returned not very long after the dissolution of the Assembly of 1682, leaving in charge as president of the Council, Deputy Governor *Chicheley* having in the meanwhile died, Secretary *Nicholas Spencer*, instead of Auditor *Nathaniel Bacon*, who in accordance with the rule of seniority of service made by the home government should have been named. Accordingly, Lord *Culpeper* had been removed from office, and Lord *Howard* of *Effingham* appointed in his stead, who assumed charge of his government on the 15th of *April*, 1684, the day before the meeting of this Assembly. The House of Burgesses found in him a much abler and firmer man than Lord *Culpeper*, and one much more disposed in every way to carry out the orders given him from *England*. These orders as embraced in his commission and instructions were for the time being about the same as those issued to Lord *Culpeper* in that governor's second commission and accompanying set of instructions.

Of my Lord *Howard*'s disposition to dominate the House an illustration is seen in the proceedings of the very first day of the session. *Effingham* was unwell on that day, and in the morning sent word to the House that he desired them to adjourn. In the afternoon, however, he had them called together again, and when some of the members attended him to know his pleasure, they were informed that he wished the House to proceed with the election of their speaker. Later in the session he, from time to time, reminded the House of the slow progress being made, and of the desirability of bringing the session to a speedy close, on account of the expense involved in a continuance. The House, however, though sharing with Lord *Howard* the wish to keep expenses down, recognizing that this was not the only motive animating their governor and the home government represented by him, but that it was only part of a policy to reduce as far as possible the rôle to be played by the General Assembly in *Virginia* governmental affairs, stubbornly insisted, as had been the case before and was to be the case in the future, on taking their own time in inquiring into all matters affecting the good of the Colony, and in proposing remedies for unsatisfactory conditions. The session lasted only a little over a month, and when the work of the session is examined, as disclosed in the Journal, few will say that there was much time wasted. Not many bills were passed, it is true, but, more important than this, several principles of vital significance were insisted on, if not established. Precedents were set or maintained. The prestige of the House was well upheld.

The Journal of the House for this session is an important one, giving a fairly good account of the things that happened. The reader of to-day cannot but be impressed with the amount of good work done under the limitations set by the customs and conditions of the times. To illustrate, the very governor who wished to push things through under lash and spur, is seen from the Journal to have been himself, when it came to a question of the dignity of his office, so custom-ridden that he was willing to allow valuable time to go by before he would send to the House a copy of the speech made by him at the opening of the session, which, containing as it did the program mapped out by him for the House to follow and from which he did not wish them to deviate, must have been carefully prepared before delivery. It seemed to suit his ideas of dignity, however, to require the House, after they had been called into his presence to hear it, to send for a copy. In course of time it became the sensible custom for the governor to hand a copy of his speech to the speaker of the House immediately after he had read it to the whole Assembly. This saved time, even if it did put the governor in the position

of one parting readily with treasures which should be long waited for and humbly craved. At this session the speech was delivered on *April 17*, the day after the day set for the Assembly to convene, and just after the election of the speaker of the House, his excellency having been duly apprised of this election by a committee, and the House, with their speaker, summoned into his presence. The next day the House appointed a committee to draw up an address to the governor asking for a copy of the speech. This address, duly humble in tone, basing the request it contained on the ground that the copy would enable the House more readily to consider the matters therein contained and to "transmit to their posterity an act of grace and favor so worthy their remembrance," brought forth the reply that his excellency would have the copy prepared and transmitted to the House; and it was only in the afternoon that the copy came. Then it seemed proper to the House to appoint a committee to wait upon his excellency "and to present him the humble thanks of this House for his noble and Generous Condescension in transmitting to this House at their Humble Request the copie of his Speech And to assure his Exlncy in the name of this House that they will take the same into speedy and serious Consideration." One result of this delay in the transmission of the speech was that it does not appear in the Journal in its proper place, but at the close of the proceedings for the session. In appearing at all it has had a better fate than the speech of Lord *Culpeper* delivered at the opening of the 1680 session, which, as has been pointed out above, was not copied in the Journal of that session.

Among the conditions making quick and accurate work very difficult in those days may be mentioned the scarcity or utter lack of the Journals and papers of preceding sessions, the scarcity of copies of the laws, the want of knowledge of the instructions of the governor—it being in the governor's province to withhold such of his instructions as he thought proper, and to give them out by piecemeal as best suited his purposes—and the obstacles thrown in the way of the House in their efforts to examine the papers of the secretary's and the auditor's office. Ample illustrations of these untoward conditions are to be found in the Journal for the present session—as in other Journals.

The House of Burgesses elected for their speaker at this session *Edward Hill*, of *Charles City* county, the gentleman who had been in disfavor with the home government some years before, over *Thomas Ballard*, the speaker of the House for the preceding Assembly, and retained *Thomas Milner* as their clerk, who, if he was required to take any oath at all this session—the Journal is silent—certainly was sworn in as "clerk of the Assembly." The dispute of the previous session on this point was not renewed. *Milner* was given a special clerk to assist him in his duties, and it was ordered that the clerks of the committees should also be at his command whenever not employed in the work of their committees. This was an order, of course, tending greatly to the dispatch of business, and also to the proper distribution of work. It had been a complaint for some time that the committee clerks were paid a great deal in proportion to the services rendered by them.

Another innovation was the addition to the rules of the House—"orders" they were called in those days—of a rule requiring a member addressing the speaker to remain standing in one place, "without advancing forward thence until he shall have done speaking, under the penalty of twenty pounds of tobacco." This was, no doubt, made to reduce the danger of personal conflict between excited debaters. The rules were read and confirmed at this session as usual. Those interested in learning what some of them were may refer to pages 25 and 26 of this volume, where are given the rules of the House as they were in 1663. Changes and additions had probably been made in the twenty years which had elapsed since that date. The House showed themselves strict in their demands that the rules be observed, and in carrying out the laws as to the election and return of members.

As to the election of members, the interesting case of *John Custis* arose. *Custis* was returned a Burgess for *Northampton* County, but was sheriff of the county at the time of his election, the certificate of election, merely a statement put on the original writ and called a return, being in his own handwriting, but not signed by him till called

upon to do so by the House. Though he had ceased to be sheriff by the time the General Assembly convened, the House resolved that because he held that office at the time of his election he was incompetent to serve—a very righteous decision—and ordered that the governor be asked to issue out a writ for the election of a burgess in his stead. Furthermore, they directed the sheriff of *James City County* to give notice to *Custis* that he was commanded not to leave *Jamestown* until further orders were received by him from the House. He was later fined 2,000 lbs. of tobacco for failing to make a proper return, that is, for not signing his name to the return. Since, however, in the second election he was again returned, his petition that the fine be remitted was later in the session granted. In order that a new election might be held without delay in *Northampton County*, the House gave it as their unanimous opinion that in cases of emergency it was not necessary for the sheriffs to follow exactly the rule laid down in the law in reference to the notice of elections to be given the voters, the law requiring the writs to be read in the churches on two successive *Sundays* by the ministers or readers⁴⁹ but that the sheriffs might simply require the several constables of their respective counties to inform the voters of the election and require their attendance.⁵⁰ In this case the sheriff of *Northampton* received his instructions from the House on the afternoon of *April 18*, and the writ of election was returned on the afternoon of the 29th.

The insistence of the House on the rule that the proceedings of the House be kept secret is seen in the case of *John West* and *Joseph Foster*, members for *New Kent County*. Petitions had been handed in to the Council and by them referred to the House from *Joseph Lydall* and *Joseph Foster*—the House member—in behalf of themselves and others, asking that they be rewarded for services rendered the past winter against the Indians. These petitions had been promptly rejected by the House on the ground that the petitioners had done no more than what ought to be expected of them as members of the militia. *West* and *Foster* had then, without the consent or knowledge of the House, informed the governor of the action of the House on them, *Foster*, in addition, taking away and not returning the petition handed in by himself. Thereupon the governor sent a message to the House setting forth the conditions in which the services had been rendered—in the depths of winter and at the command of the president of the Council—and asking that the action of the House be reconsidered. On the receipt of the message the House ordered *West* and *Foster* to withdraw, and after full debate resolved that the two offenders should be required to acknowledge their fault, beg pardon for the same, and be sharply reprimanded by the speaker. At the same time an address was sent the governor, explaining to him that the matter of the petitions had not come regularly to his notice, and praying that for the future he would not ground any action on information similarly conveyed. The governor acknowledged at once that he had made a mistake and promised not to be so hasty in the future.

West and *Foster*, however, were not so easily persuaded of their error. Several messages failing to bring them into the chamber in which the House were sitting, it was necessary for the House to have them brought in by the sheriff of *James City County*, and even then they contumaciously refused to make the apology required. Whereupon they were suspended from the House, and the sheriff ordered to commit them to their chamber and there strictly confine them till he received further orders from the House. The next afternoon a motion was made for the two gentlemen that they might have copies of the resolution of the House concerning their confinement, but it was resolved that they ought themselves to petition the House. The same afternoon, the information having been given by *William Kendall*, the chairman of the Committee of Claims, that several claims from *New Kent County* were then under the consideration of that committee and that they could not be very well proceeded with in the absence of the two members, it was resolved by the House that the committee be empowered to send for them in order that they might give necessary information. The next day *Kendall* reported that he had sent a note to the members, in accordance with the order, but

⁴⁹ Hening, II, 82.

⁵⁰ See p. 193.

had received from them the reply that, having been suspended by the whole House, they did not think themselves capable of complying with the request of the committee until restoration by the House. The House ordered that the note of the chairman of the Committee of Claims and of the gentlemen in reply be spread on the minutes of the House, and that the committee proceed the next day to finish their report on the claims. The latter part of this order seems to have had the desired effect, for the first business which the House were called on to transact the following morning was the consideration of a communication from *West* and *Foster* in which they acknowledged their fault and humbly begged pardon. Brought before the House, they acknowledged the petition to be theirs and further submitted themselves to the judgment of the House. They were thereupon readmitted to their places, but ordered to pay fees. As for the claims of *Lyddall*, *Foster*, and their fellow militiamen, these were finally, on the insistence of the governor and Council, allowed.

The strictness of the House in carrying out the rule that members should not absent themselves from the meetings of the House except by special permission, is seen in the case of several members absent on the last day of the session. A resolution in which the names of the members—five in all—and their counties are given, was adopted, requiring the sheriffs of the counties from which the members came to collect from each offender the sum of one thousand pounds of tobacco and to return an account of their proceedings to the House at the next meeting of the Assembly. The clerk of the House was at the same time ordered to call the attention of the House to this resolution at the next meeting of the General Assembly, so that inquiry might be made as to the execution of it. Unfortunately, the Journal of the House for the next session has been lost, so that the history of the case may not be further traced. In speculating as to this history it should be remembered, however, that the resolution was adopted at a time when the members of the House were in a state of high tension over the conflicts that had developed between them and the governor in reference to several questions of importance arising at the present meeting of the Assembly. It is by no means certain that their attitude at the beginning of the next session was so violent. It may be that an apology was all that was necessary to bring a remission of the fines imposed.

The governor's speech is printed in this volume on p. 251. After a complimentary introduction, a paragraph containing the crafty intimation that the king was meditating great things for his loyal subjects in *Virginia*, one setting forth the concern of his majesty that in the oldest of his colonies no towns had been built and his desire that the deficiency might be supplied, and a further paragraph announcing that his majesty, despite the many solicitations made to him and advantageous offers from persons wishing to monopolize the Indian trade, had ordered that it be free and open to all, the speech went on to name the things the governor thought the loyal subjects of the king ought speedily at this session of the General Assembly to attend to, in return for so much grace and goodness vouchsafed unto them. These were: (1) The passage of a law authorizing the governor, with the advice of the Council, to raise a levy, as there might be occasion, of not exceeding twenty pounds of tobacco per poll, for defraying the contingent expenses of the government, the revenue produced by the act of 1680 not having so far proved sufficient. The Assembly were, however, to have the power to inspect the account of any such levy and of the disbursement of it at the meeting immediately succeeding its laying. (2) The passage of a law declaring the detestation of the General Assembly of the plant-cuttings of *May*, 1682, and fixing such penalties on this particular form of law breaking that a repetition would be rendered unlikely. (3) A law for the defence of the country against the Indians. (4) A cognate law to this for rendering the militia more effective. To these four things asked for should be added the matter of the towns already mentioned, but improperly placed, in the speech. Thus there were five laws in all that the governor wished passed. He intimated in the last sentence of his speech that there could hardly be any grievances that demanded attention. He said nothing about the public claims, but provision for the payment of these was, of course, taken for granted. This, then, was the legislative program of the governor at the beginning of the session.

To this program he added later in the session under peculiar circumstances, his hand having been forced, as it were, by the House. The program as originally mapped out by Lord *Howard* consisted merely of such things dealt with in his instructions as he thought best to have acted on at that time. The House, however, insisted on going about the work of legislation in their own way, and as an aid to them in their work they appointed a committee to secure from the secretary's office a copy of Lord *Howard's* commission, to search that office for other papers that might be of use, and to draw up an address to Lord *Howard* asking him for a copy of all his instructions that might relate to the House. Secretary *Spencer* was the agent at this time of Lord *Culpeper* in *Virginia* and had just presented to the Committee of Claims a claim of Lord *Culpeper's* for 98,000 lbs. of tobacco as repayment of an advance that Lord *Culpeper* had made out of the quit-rents to mutinous soldiers for whose pay the Colony was responsible. Before ordering that this claim be allowed, the House wished to know beyond a doubt that Lord *Culpeper* had a right to these quit-rents, which they maintained had been promised by the king, through his commissioners sent over at the time of *Bacon's* Rebellion, to the Colony as a fund from which to defray the expenses of government. After vexatious delay the papers required were secured from the secretary's office, with the exception of Lord *Howard's* commission, which was still in his lordship's keeping, by whom, however, it was sent to the House for inspection and copying. As for his instructions, he sent a copy of such as he said related to the House. Among these was one that *Jamestown* should be speedily rebuilt and another that a suitable house should be constructed for the governor of the Colony. Seizing upon these as furnishing an opportunity for the initiative of the House in proposing legislation that could hardly be refused and for the assertion by the House of a right to direct the expenditure of the revenue arising under the act of 1680, a right that the House had had in reference to the revenue arising from the operation of the laws the place of which the act of 1680 had taken, but a right which under the present law was not so clear—which was, in fact, not destined to be successfully maintained—the House sent to the governor an address proposing that the state house should at once be rebuilt and paid for out of the 2 shillings per hoghead tax and the port duties—that is, out of "the revenue" as this fund soon came to be called, as distinguished from the levy, or poll tax—and another address containing a similar proposal as to the house for the governor. To the proposal in reference to the governor's house, the governor replied that he wished to defer consideration of that matter till he had been long enough in the country to decide upon the best location for the house. As to the state house, he replied that both he and the Council agreed with the House in thinking its rebuilding most necessary, and would concur that payment should be made from "the revenue" if there were any money in hand, but that this tax had fallen short, so that some other source of payment must be found. He, therefore, called attention to another of his majesty's instructions, which recommended the laying of a tax on liquors imported. This would be the best means of raising the amount needed.⁵¹ Accordingly, the "Act for lessening the levies by poll and laying an imposition upon liquors"⁵² was passed, after being considerably debated both in the House and the Council. Seeing that the House were thus in a sense stealing his fire, the governor determined to call their attention to still another of his instructions, namely, the one directing that a new law be passed by the General Assembly empowering counties and parishes to make by-laws.⁵³ This was on the 15th of *May*, however, a full month after the opening of the session, so that the House had good excuse, which they immediately availed themselves of, to refer the matter to the next meeting of the Assembly.

As for the governor's original program, it went through in part only. The House spent a good deal of time in the consideration of a bill entitled "An act repealing a former act for cohabitation and directing a way more practicable for that purpose and

⁵¹ See p. 209.

⁵² Hening, III, 23, 24.

⁵³ See p. 228.

for building of townes," but this bill was finally rejected. Its place was taken by a bill with the title "An act appointing portes for preventing frauds and better securing his majesties customes," which, when it reached the governor and Council, was found to differ from the act for cohabitation passed in 1680 only in the title and as to the number of towns to be erected. It was, accordingly, rejected by the governor and Council, and the House were notified of this action in a message with which was sent a copy of the order of the king in Council suspending the former act.⁵⁴ An act in reference to plant-cutting was duly passed, having the title, "An act for the better preservation of the peace of *Virginia*, and preventing unlawfull and treasonable associations,"⁵⁵ which made plant-cutting or destruction of tobacco at any time or of tobacco barns by companies of persons to the number of eight or more, who had been ordered to disperse by proper judicial authority, punishable with death. After much debate in the House and the Council and considerable dispute between the two chambers as to the wording of certain clauses, a law was passed on the subject of defense having the title "An act for the better defence of the country,"⁵⁶ the main provisions of which were that a standing force of four troops of horsemen, each troop containing thirty men, should be raised to guard the frontiers, and that the militia might be called to the aid of these in an emergency, whose members were to be paid for their services whenever they continued in service for more than six days. No general militia law was passed, but for the encouragement of the inhabitants of the Colony to provide themselves with arms and ammunition, it was provided in the "Act for the better supply of the country with arms and ammunition"⁵⁷ that all material of this kind owned by individuals should for the future be exempted from seizure under any process of law. It also described the arms with which the members of the militia were required to supply themselves. The main item in the program of the governor, namely, that a law should be passed giving the governor and Council power to levy a poll tax, was not considered at all.

All the laws passed at this session are given in full in *Hening*,⁵⁸ except one. There are only nine of them, and the most important of these have been briefly described in the paragraph above. The act not given in *Hening* was a private act entitled "An act enabling *Richard Littlepage*, senior, to sell lands for the payment of the debts of *Samuel Oustin*, deceased." The land was probably entailed, and for this reason it was necessary to get special permission by act of the legislature to sell it. Many such acts were later passed in Colonial *Virginia*. This act is of more than usual interest from the fact that the bill was first rejected by the House, and then on petition from Mr. *Littlepage* taken up again, when Mr. *Littlepage* and his counsel were admitted into the House and heard on the merits of the question.⁵⁹ This gives an interesting bit of information as to the procedure of the House in such cases at that time.

At the beginning of the session the usual standing committees of the House were named, including the Committee for Private Causes, and a request sent the governor that he assign members of the Council to assist in their work. It was the wish of the House to return to the methods always employed before the session of 1680. The governor however, replied that he was sorry to see that the House were willing to cause delay in this way, taking no notice of the order sent Lord *Culpeper* by his majesty that no more appeals were to be allowed to the General Assembly. Since there were no appeals to be allowed, there was no reason for the naming of a Committee for Private Causes, and, in his opinion, no necessity for the assignment of members of the Council to assist in the work of the other committees. The House stated their contention as to appeals in an address of April 19, showing that by act of the General Assembly, never repealed, the General Assembly had been made the court of final appeal in *Virginia*, and that in the first trial of such appeal cases by the proper committee of the House it had always

⁵⁴ See pp. 240, 241.

⁵⁵ *Hening*, III, 10-12.

⁵⁶ *Hening*, III, 17-22.

⁵⁷ *Hening*, III, 13, 14.

⁵⁸ *Hening*, III, 9-25.

⁵⁹ See pp. 213, 225.

been the custom for members of the Council to be present as assistants. So far as the order to Lord *Culpeper* was concerned, they were unaware of it, but did know that Lord *Culpeper* on his arrival in *Virginia* toward the close of the immediately preceding session of the General Assembly had concurred in the agreement made before his arrival by the House and the Council that if before the meeting of the present session no direct order had come from *England* that no appeals were to be allowed to the General Assembly such appeals should be tried at this session according to the method previously followed. This being the case, they humbly begged that Lord *Howard* would show them the instruction he had received on this head. A copy of the instruction was duly delivered to the House in a few days, and after that the question of appeals in private causes was no longer one to be argued with the governor but one to form the subject-matter of a petition to the king. The question of Council assistants to the other committees was quietly dropped.

The petition to the king on the subject of appeals was a very able one.⁶⁰ It included a request that for the future no laws made by the General Assembly should be repealed except by the General Assembly, or if by proclamation of the king, then not, at least, till the king had been very fully informed of the reasons for the passage of the laws; and also a request that the quit-rents, which for the past three years had been collected and diverted to other uses, without apparent authority from his majesty, might be expended in the defense of the Colony, in accordance with a promise made by the commissioners sent over by the king in 1676. It was the intention that this petition should also be signed by the governor and Council, but no agreement could be reached as to the matters to be included or as to the wording, the only amendment to the petition as originally drawn that the House would accept being the substitution of three hundred pounds sterling for five hundred pounds as the inferior limit in amounts in causes to be appealed from the General Court in *Virginia* to the Privy Council in *England*, in case it were to be finally decided by the king that the General Assembly was not to be the court of last resort.⁶¹ At last after a great amount of discussion the governor sent a curt message to the House in reference to the petition, which ends with these words: "Therefore unless you can better temper yourselves in preparing an Address, fit and becoming dutiful Subjects, I must and shall require you to sett this wholly aside."⁶² After this, however, he suggested that a conference should be held on the subject of the address between members of the House and of the Council; but the conference failed to accomplish anything. Then, passing a resolution that it was the privilege of the House to address the king in a loyal manner, representing to him the state of the country, and to convey the paper to his majesty in any lawful way that might be presented, the House appointed two of their own members, with the clerk of the House, a committee to send the address to *England*. Another address to his majesty, one of congratulation, had been drawn up by the House at this session, in which the Council signified their willingness to join. But the House now voted that this address, too, should go in the name of the House only.

Another cause of strife between the governor and the House was the question of quit-rents and escheats. The quit-rents were, indeed, made one of the topics treated of in the great address to the king. The quit-rents and escheats had become of pressing

⁶⁰ See pp. 228-230.

⁶¹ Since the cases most likely to be appealed were suits of English merchants against Virginia planters, it was the effort of the House of Burgesses to keep the decision of these cases in Virginia, and if this could not be done altogether, to make the amount involved in a suit rendering it appealable as large as possible. In this, of course, the Council sympathized, as most of them did, probably, in the other requests made in the petition, but the Council were—with one or two exceptions, notably Colonel Philip Ludwell—dominated by the governor. Hence when in this Journal a message is met with purporting to come from the governor and Council, it should be taken as expressing rather the real view of the governor than that of the Council. However, in this Journal, most of the communications to the House are signed by the governor alone, the Council being occasionally referred to as approving the views expressed. One would almost think from reading the Journal that the General Assembly consisted of two branches instead of three—of the House of Burgesses and of the governor, the latter, however, sometimes consulting his Council and sometimes not.

⁶² See p. 249.

interest owing to the claim for the 98,000 lbs. of tobacco set up on behalf of Lord *Culpeper*, and to the unusual fees and compositions demanded, as alleged in various statements of grievances coming to the Assembly, in the case of escheated lands. In order to remedy these grievances as to escheats, the House passed a bill setting forth the fees that should be charged in such cases by the escheators and the sheriffs, and the rules to apply in reference to the conveyance and possession of this species of property. It was disallowed by the governor and Council, on the ground that the rules were not in conformity with the terms of the charter granted by the king.⁶³ A second bill was passed dealing only with the fees of escheators and sheriffs in cases of escheat, which, on the ground that the fees were insufficient, was also disallowed. The communications passing between the governor and the House in reference to quit-rents and escheats are very numerous, and several of them unusually full. Specially notable are the communications of the House to the governor, dated *May 20*, on the subject of the quit-rents—which gives a full history of the *Arlington-Culpeper* grant so far as papers available to the House at that time would allow—the communication of the same date on the subject of escheats, and the replies of the governor to these two papers.⁶⁴ The reply to the statement about the quit-rents comes ostensibly from both the governor and the Council. The result of the controversy was that the claim for 98,000 pounds of tobacco was finally allowed and the fees of escheators and sheriffs remained for the time being as fixed by the governor.

Among other causes of contention between the House and the governor may be mentioned a proposed revival of the laws, the demand made by the House that they should be allowed to examine the auditor's accounts, the relative salaries to be paid the clerks of the two houses, and the question whether the salary of the attorney general should be paid out of the poll tax or out of "the revenue." The House suggested that a joint committee of the House and the Council be named to revise the laws and report to a future Assembly. The governor replied that this revision of the code was one of the matters that he had been instructed to have attended to, and that accordingly he would appoint a committee for the purpose. And he could not be persuaded to follow the plan proposed by the House.⁶⁵ In reference to the auditor's accounts of the revenue produced by the law of 1680 the House were more successful. When the history of the passage of that act, including the promise made by Lord *Culpeper*, was presented to him, the governor yielded a grudging assent to the request of the House that the examination be allowed.⁶⁶ The House also gained their point as to the salaries of the respective clerks of the two chambers and the salary of the attorney general, in the "book of claims" the clerk of the House being allowed a larger amount than the clerk of the Council (or, to use the more exact title, the clerk of the General Assembly), and the name of the attorney general not appearing in that list at all.

At this session of the Assembly the very interesting case of Capt. *John Purvis* came up for discussion. The captain appears to have been a shrewd sailor man who saw in the scarcity of copies of the laws of *Virginia* at that time existing a chance for turning an honest penny, and who, accordingly, had had a book printed in *London*, with the title "A Complete Collection of the Laws of *Virginia*," numerous copies of which he had brought to *Virginia* for sale to the planters. The captain was, however, more accomplished, doubtless, as a seaman than as an editor, and his compilation proved to be sadly defective. Moreover, he had obtained no permission from proper authority to make it. Hence the House requested the governor that the book be suppressed, and that the captain be summoned to appear before the General Assembly "to answer for his misdemeanor in presuming to publish without Licence a booke of that title and Contents, to ye Great Scandall and Contempe of ye Governor [govern-

⁶³ See pp. 210, 216.

⁶⁴ See pp. 237-241.

⁶⁵ See pp. 206, 210, 212, 216.

⁶⁶ See pp. 207, 216. This examination was not allowed, however, at future sessions of the Assembly.

ment] of this his Majesty's dominion." The governor replied that he and the Council agreed with the House in their opinion as to the book, that an order had already been framed, which would be shortly sent to each county in the Colony, prohibiting the use of the book in any court of justice, and that he would reprimand Capt. *Purvis* "for his presumption and forwardness."⁶⁷

⁶⁷ See pp. 202, 203. Governor Nicholson in a message to the House of Burgesses dated September 27, 1701, refers to "the 136th act of Assembly in the printed book." See p. 320 of the "Journals of the House of Burgesses of Virginia, 1695-1696, 1696-1697, 1698, 1699, 1700-1702," the volume in the present set of Journals immediately preceding this volume. On p. xlv of the Preface to that volume the statement is made in a note that the governor referred to a collection of laws known as "Purvis's Collection." This statement is evidently an error, for Purvis's collection could hardly have in sixteen or seventeen years so established itself in general favor as to be familiarly known as "the printed book," when on publication it was so severely condemned. "The printed book" referred to by Nicholson was, rather, the collection printed in England in 1662 by order of the General Assembly of 1661/62. References to this "printed book" are not infrequent in the present Journal, and there are many of them in the laws in Henning. The act referred to by Governor Nicholson is act 136 as given in Purvis, but Purvis undoubtedly copied it, as he did all the revised laws of 1661/2, from the early "printed book." It was only after the "printed book" failed him and he had to rely on copies of the original manuscript laws in Virginia that Captain Purvis fell into so many errors.

The Assembly of 1685-86.

First Session.

THE Assembly of 1685-1686 held two sessions, one in *November* and *December*, 1685, and the other lasting from *October 20* through *November 17*, 1686.

The date originally set for the meeting of the Assembly in their first session was the first of *October*, but the governor found it necessary on that day, on account of illness, to postpone the meeting to the second of *November*. The session lasted from the second of *November* through *December* the thirteenth. The Journal of the House for this session has not been preserved, but a pretty clear notion of what occurred may be obtained from the letter written by Lord *Howard* to the Lords of Trade and Plantations giving an account of it, printed in full in the Appendix to this volume, and from the Journal of the Council for the session. A transcript of this Journal is in the *Virginia State Library*. Since Lord *Howard's* letter deals fully with the main questions arising and with the dispute that caused the prorogation of the Assembly, it is not thought necessary to give an extended account of the proceedings here. The dispute leading to the prorogation, was, stating the matter in general terms, over the right of the governor when a bill came up finally for his signature to disallow this bill if he had already, when sitting with the Council, assented to it. In this particular case, a bill had been returned to the House assented to by the governor and Council, with an amendment, however, written on a piece of paper and attached to the bill. The piece of paper had either been lost or, as the governor charged, intentionally misplaced by the clerk of the House, the redoubtable Major *Robert Beverley*, who, having had his political disabilities removed some time before the meeting of this Assembly, had appeared as a member for *Middlesex*, and had been promptly elected to his old position of clerk. The House maintained that if the governor could do this he would be exercising the veto power twice, once in the Council and again as governor. Their argument, however, seems to have been a confused one, for in this case he had not, when sitting with the Council, exercised the veto power, but had assented to the bill. If the bill had been rejected by the governor and Council, it would not have come up to the governor at all for his final signature. Manifestly, if the governor had the veto power, and this power was clearly given in his commission, he had the right to rectify by the exercise of this power any mistake which, in his judgment, had been made. What the House were really fighting, however, was not so much the veto power as the governor's excessive influence in legislation. He sat in the Council when bills were being considered, so that the actions of the Council were in reality his actions, and such bills as were passed by both chambers came up to him for his final signature. This ceremony the House wished to make as purely formal as was the signing of the bills by the speaker of the House on the last day. This wish was not gratified, but the controversy of the "double negative voice" produced the undoubtedly good result of causing the governor in the future to allow the members of the Council to sit by themselves when discussing legislative matters. This made for greater independence on the part of the Council.

The speaker of the House at this session was *William Kendall*. As showing the attitude of the House, as ever, in reference to matters of taxation, the following resolution in response to the governor's request that a bill be passed allowing the governor and Council power to impose a tax of twenty pounds of tobacco per poll in cases of emergency is quoted: "And whereas it is proposed by your Excellency that a Law may passe whereby his Majesties Governor with the advice of the Council may be empowered to lay a levey not exceeding twenty or twenty five per pole, This House duely and seriously considering how far it may tend to the disadvantage of this Country and how unacceptable as well as inconvenient it will be to the Inhabitants of this his Majesties Dominion in General, whom this House represent, doe humbly signifye to your

Excellencie that they can no waies concede to or comply with that propofition, without apparent and fignal violation of the great truft with them repofed."⁶⁸ This was the fame request that was made at the former feffion, and it was made according to inftructions from *England*. But the Burgefles would have none of it. They clearly perceived that if this power were granted, the meetings of the Affembly for the future would be few; and they knew that a legislative affembly made up of fairly elected representatives of the people and meeting not infrequently was the fureft defence againft executive oppreffion.

Second Seffion.

THE fecond feffion began the 20th of *October* 1686 and ended the 17th of *November*. The fpeaker of the Houfe at the former feffion, *William Kendall*, was abfent from the fecond feffion, and *Arthur Allen* was elected to take his place. *Allen* had, as reported by Lord *Howard* to the Lords of Trade, been very active in the difpute between the governor and the Houfe as to the veto power of the former, and had "oppofed the king's authority in naming fheriffs by his governor, alleging that office ought to go by fucceffion," and had been depofed by the governor from his office as a furveyor of land. He was, accordingly, very popular in the Houfe. *Robert Beverley* acted again as clerk. This was the laft time, however, that he was to appear in this capacity, or that any clerk elected by the Houfe was to hold pofition; for the account fent to *England* by Lord *Howard* of the proceedings of the Houfe at the preceding feffion had its effect in an order for the removal of *Beverley* from all pofitions of truft under the government, and one for the appointment in the future of the clerk of the Houfe by the governor. The letter containing thefe orders, with the further order that, in accordance with the fuggeltion made by Lord *Howard*, the Affembly fhould be diffolved by fpecial command of the king as a teftimony of the king's high difpleafure, was even now on its way to *Virginia*. It was for the fpecial purpofe that they might receive this mark of demerit that the governor had not himfelf diffolved the Affembly at the clofe of the laft feffion, or "meeting" as he was very careful to call it, holding, apparently, that in order for a meeting of an Affembly to become a feffion, fome refult in the fhape of a law muft iffue. The vefTel bringing the wifhed-for letter reached *Virginia* when this feffion was in progreff, and it was accordingly at the clofe of the feffion that the orders were made public and the Affembly diffolved. The governor took fpecial care that the king's letter fhould have the wideft publicity throughout the Colony by having a copy of it fent to each county court with the command that it be read to the people at a meeting of the court.⁶⁹

The queftions confidered at this feffion of the Affembly were very largely thofe dealt with at the preceding feffion and not finally difpofed of. The bills which had paffed both chambers at the preceding feffion, only to fail of the governor's fignature becaufe of the difpute over the veto power and the confequent prorogation of the General Affembly, had all to be paffed again in the routine way. When the preceding feffion came to a clofe, ten bills, including the one about ports over which the irreconcilable difpute arofe, awaited the governor's fignature.⁷⁰ Of thefe, feven were paffed again at this feffion and, receiving the governor's fignature, finally became laws.⁷¹ The three bills of the 1685 feffion failing at the prefent feffion were an "Act declaring how publique claims fhall bee brought to the Affembly for allowance there," an "Act appointing Ports, Wharfs, Keys and Places for Landing and fhipping all Goods and Merchandifes for preventing frauds in his Majeftys Cufstoms and Revenue in this his Dominion of *Virginia*," this latter being the offending port bill, and "An act for the better defence of the country and defraying the charge." The two firft mentioned were taken up by

⁶⁸ McDonald, VII, 354, 355.

⁶⁹ Hening, III, 40.

⁷⁰ McDonald, VII, 216.

⁷¹ All of thefe, with four additional acts paffed at this feffion, are printed in full in Hening. (See Hening, III, 28-39.)

the House this session and passed, but both were rejected by the Council, probably because amendments had been added to the public claims bill and because the port bill appeared in the Council in the unamended form of the year before.

The four additional acts passed were the usual levy act, of which the rate was one hundred and four lbs. of tobacco per poll—a heavy rate because expenses of two assemblies had to be met and the public claims accumulating in more than two years paid; “An act regulating the tare of tobacco hogsheads,” the object of which was to prevent fraud in the passing of hogsheads at less than their actual weight and the sale in this way of wood at the price of tobacco; “An act for the better improving the breed of horses,” whose object is sufficiently set forth in the title; and “An act continuing the imposition on liquors,” which continued for three years the import duty of 3d. per gallon. The advantage of this tax in securing a fund which might be used in the payment of claims against the country, “country charges” as they were called, had become manifest. At this meeting of the Assembly several large claims were ordered to be paid from this fund, notably the expenses incurred by Lord *Howard* in 1684 on a trip to *New York* undertaken for the purpose of entering into a treaty with the Five Nations of Indians and by commissioners the following year sent to ratify this treaty—as a result of which compact peace was now being enjoyed on the frontiers, making possible the repeal of the expensive act of *April* 1684 for the defense of the country. The act as originally passed at the *April* 1684 session of the Assembly had the title “An act for lessening the levies by poll and laying an imposition on liquors.” The object of the act, as set forth in the preamble, was to decrease the poll tax and to raise money “for building a Courthouse and place of judicature for the sitting of the general court and meeting of the general assembly, and to and for such other uses, intents, and purposes as shall hereafter be appointed by the governor, council, and burgesses of the general assembly, and to no other use, intent or purpose whatsoever.” The money was thus under the control of the General Assembly, and the House insisted at this session on a thorough examination of the account kept of it by Mr Auditor *Bacon* and gave the auditor directions for the future.⁷² The House also asked the governor that he direct the auditor to give an account to them of the 2 shillings per hogshead export duty and the port duties from the date of the last account. This request, however, was not acceded to.

The building called for by the original act had been constructed, and the members of the General Assembly were now enjoying the use of it. The assignment of rooms in this building—it was the old state house burned down by *Bacon*'s men rebuilt—led to one of the liveliest minor contests of the 1685 session. The clerk of the House desired quarters in a room next to the hall of the House of Burgesses which Mr Secretary *Spencer*, who was kept from attendance at that session by an attack of the gout, had been using as the secretary's office. Finally the governor and Council promised that the clerk (*Robert Beverley*) should have his way provided Mr Secretary *Spencer* did not decline on his return to go into another office that should be fitted up for him. It appears that Secretary *Spencer* did remove himself and his records into the new quarters assigned him, for on p. 282 of this volume there is an entry to the effect that *Philip Ludwell* should be paid out of the tax on liquors £30 sterling “for fitting up Mr Secretaries office according to the agreement made the last meeting of Assembly.”⁷³

There were at this session two important changes in procedure to be noted: the House gave all bills three readings, and the Council acted in the consideration of bills as a body independent of the governor, the bills going to the governor only after they had been agreed to by both the House and the Council. The former of these changes was, indeed, probably made at the preceding session of the Assembly, as may be seen from the Journal of the Council for that session, but the loss of the companion Journal of the House makes it impossible to speak with certainty. The altered function of the Council in legislation, or new method of performing this function, has already been referred to

⁷² See pp. 269, 276.

⁷³ The account given above of the trouble over the assignment of rooms is taken from the Journal of the Council for the 1685 session.

as the result of the dispute over the veto power of the governor. It is worthy of note in reference to this change that the governor did not announce it to the House at the beginning of the session, but left them to find out about it through inquiry later. The inquiry was made by the House after the first batch of bills had been sent to the governor and Council for their approval and had been returned with endorsements indicating that they came from the Council only. A reply was immediately received containing the following most important announcement: "In which that you may receive full satisfaction, his Excellencie doth declare himselfe a distinct body from the Councill. This Method his Excellency hopes may give an easy dispatch to business, and remove all doubts of mistakes, being as near as possible our Circumstances will admit us to come to that great body of the Kingdom of *England*."⁷⁴ It would, of course, have saved time and uncertainty if the governor had made this announcement at the beginning of the session; nor is it easy to see what good could, in the opinion of the governor, have resulted from the delay. Lord *Howard*'s course was, however, in keeping with his usual practice in reference to instructions from the king, his habit being to issue a proclamation in accordance with one of these instructions, or ask for the passage of a law, without giving the specific instruction on which his proclamation or request was based. Only a formal request from the House could, as a usual thing, draw from him the warrant on which he was proceeding. That the House was never backward in demanding this warrant is proved by numerous cases—at least two of which are reported in the present Journal.⁷⁵ It behooved the House to be watchful, for they were dealing with a governor not above making occasional demands for which he did not have express warrant either in his commission or his instructions, as the case of the fee required by him when instruments were passed under the seal of the Colony shows—a case which will be explained later.

Instances are to be found, however, in which the governor did not wait to be asked for his instructions. On one or two occasions he seems to have communicated his instructions readily and with evident pleasure. One of these was when he read at the close of this session the letter from the king ordering that the Assembly be dissolved, *Beverley* dismissed from office, and the clerk of the House for the future appointed by the governor. This transaction is not recorded in the Journal of the House. One would hardly expect to find a record there, for *Beverley* was the clerk. But the governor wrote an account of it to the Lords of Trade, in which his delight is evident; and he sent the letter of the king to each county court in *Virginia*. Another instance is recorded in the Journal. On the 11th of *November* his excellency summoned the House into his presence and delivered to them a speech, in which, after expressing surprise that the liquor tax bill had not yet been passed and that he had not received from them a communication as to certain suggestions made by him in reference to the militia—these proposals had been voted impracticable by the House owing to the expense involved, but the governor had not been told of the action—he informed the House that he had lately received his majesty's command that the *Virginia* law allowing the payment of quit-rents in tobacco at 2 pence per pound should be repealed. At the same time he produced the letter conveying the instruction. It was left to the Assembly whether the repeal should be by proclamation or by law to be passed at this session. The House, on return to their hall, resolved that a bill should be drawn up for the repeal in accordance with his majesty's instruction, but when, the next day, the bill was reported to the House, it was rejected. Hence it had to be repealed by proclamation.⁷⁶

The principal questions in dispute between the House and the governor at that session of the Assembly were the fee required for attaching an impression of the seal to documents, and the status of a law passed in *Virginia* but afterwards repealed by a *Virginia* law when the repealing law had itself been repealed by proclamation. The first of these questions had been in dispute at the 1685 session, and both were to appear again as principal causes of contention in the next session. A discussion of them, accord-

⁷⁴ See p. 273.

⁷⁵ See pp. 278, 280.

⁷⁶ For a treatment of the whole question of quit-rents at this time, see Wertenbaker, 245, 246.

ingly, seems to belong more properly to that portion of this preface dealing with the proceedings of the following session. Another dispute looming upon the horizon was the dispute in reference to a charge made in the secretary's office for the recording of surveys. At this session, however, it did not go beyond the secretary and the House.⁷⁷ The governor was to become involved at the next session.

An interesting case in which some time was spent at this session of the Assembly was that of *William Fitzhugh, of Stafford*. This had first come up at the 1685 session of the Assembly. The House, on representations made from *Stafford*, charged *Fitzhugh* with misrepresenting the amount of the claim that the Assembly in 1682 had ordered paid him and *George Brent*, and requested the governor to issue out his warrant to *Fitzhugh* to appear before the next General Assembly to answer the charges against him, and in the meanwhile to suspend him from all his public offices. The House suggested, however, that if any other method of proceeding appeared better to the governor, they would be glad if he would communicate it. The governor replied that he agreed with the House that a warrant should be issued commanding *Fitzhugh* to appear before the next General Assembly, but that *Fitzhugh* ought not to be deprived of his offices before trial.⁷⁸ At the present session the further count was added to the charge that *Fitzhugh* had collected from the county 4,000 lbs. of tobacco as payment for his services as a member of the House at the preceding session, whereas he had not been present at that session. The charge against *Fitzhugh* was regularly drawn up, and approved by the House, and a committee appointed to "manage the said charge," a copy of the paper being sent to the governor and Council, with the request that the governor appoint a day for the trial. The governor appointed *Saturday*, the 6th of *November*. In the meanwhile, however, *Fitzhugh* had drawn up charges against *Martin Scarlet*, one of the members of the House for *Stafford*, and had presented them to the governor and Council, by whom they were referred to the House. The House then dropped their intention of prosecuting the impeachment, but ordered that all the papers in the case be delivered to *George Brent*, the king's attorney general—with the intent that the case should be prosecuted by him before the General Court. *Brent* was soon after the dissolution of this Assembly relieved of office by the governor, and *Edmund Jennings* was appointed in his stead. *Brent*, who was a member of the House at the next Assembly, informed the House, when the report of the Committee of Propositions and Grievances was under consideration—in which the conduct of *Fitzhugh* was characterized as "the abuse put upon *Stafford* County and the whole country by Lieutenant Colonel *William Fitzhugh*"—that he would deliver the papers in the case to *Jennings* as soon as that gentleman came to *Jamestown*; and the House sent an address to the governor requesting him to prosecute the case without fail at the next meeting of the General Court. The governor promised that this should be done.⁷⁹ No further official record in reference to the matter is to be found. The case is, however, of the very highest interest as being one in which at the start the House adopted the method of an impeachment trial for bringing the accused person to justice, dropping this later, however, in favor of an ordinary trial before the General Court.⁸⁰ It is of importance, further, as showing the general attitude of the House throughout this whole period toward the grievances of the people. They looked upon themselves as the body whose duty it was to examine carefully into all the wrongs of the people and to see that the proper remedies were applied.

⁷⁷ See pp. 266, 268.

⁷⁸ McDonald, VII, 357-360.

⁷⁹ See pp. 266, 268, 271, 282, 300, 303, 305, 306. *Fitzhugh* refers to the matter briefly in a letter written by him to Nicholas Haywood and printed on p. 131 of vol. ii of the "Virginia Magazine of History and Biography."

⁸⁰ The difference between the two methods was that in the impeachment proceedings a committee of the House would have prosecuted the case before the Council. Whether the governor would have sat in the case is somewhat uncertain, since he had by this time declared himself separate from the Council in legislative affairs, and this case, though judicial in matter, was to be one prosecuted by one branch of the General Assembly before the other. In an ordinary trial the Council and the governor sat as the General Court. There was a jury, and the attorney general prosecuted. It is possible that the change determined on by the House in the method of the trial was due to their desire to have a jury associated in the trial of the case. The records, are, however, too meagre to permit of assured statements along this line or of a fair judgment as to the merits of the case.

The same attitude is well illustrated in the action of the House at the next session of the Assembly in the case of *John Custis*, member of the Council, collector of the customs for the district composed of *Northampton* and *Accomac* counties, accused by the inhabitants of those counties of extorting unjust fees and of outrageously overbearing conduct on an occasion when the people sought to give to their burgesses for presentation to the House a paper making complaints of him. The House presented the governor an address asking that he look narrowly into the matter and apply the proper remedies. This he promised to do. They, furthermore, later collected the evidence against *Custis* and informed the governor that they were ready to present it to him. He, however, so far as the Journal discloses it, made no further move in the matter.⁸¹

The Journal of the House for this 1686 session is of further interest for the notice it contains of a meeting of the House in Committee of the Whole. The terse record is as follows: "The House mett. Mr. *Speaker* leaves the chayre, and the house resolves into a Grand Committee. Coll. *Danl. Jenifer* is put in the Chayre."⁸² There are several instances in the next session of the use of this committee, and afterwards it became regularly established as one of the agencies for carrying on business. That the committees of the House at this period sometimes sat during the sessions of the House is shown by an entry on page 278. A message had come to the House from the governor desiring the immediate attendance of the House on him, and the record says: "The house Send to call in the Committees in Order to attend his Excellency[s] Commands." The last resolution adopted by the House at this session is the following: "Resolved that the Bookes of Records, journals, papers and all other writings belonging to the Assembly be and stand now committed to *Robert Beverley* the present Clerke of this Assembly, And that he be (and be tiled) Keeper of them and that he take care to preserve them Safe and have them forthcoming and ready to make delivery thereof to the house of Burgesses the next Succeeding Genl Assembly." This shows that the term "assembly" was the term still preferred by the House as their official designation, though the term "House" is used in most other places in this Journal. This is the first recorded use of the title "keeper of the records."

Beverley was not very long to enjoy the new title, for this resolution was passed in the morning, and in the afternoon the letter from the king dissolving the Assembly and dismissing *Beverley* from office was read. It is very probable that the House had received some intimation of what was coming, and that this resolution may be looked upon as containing a note of defiance. Exactly what was done in connection with *Beverley* after the dissolution of the Assembly is not known. It is certain, however, that his custodianship of the papers of the House was not interfered with, for in the Journal of the House for the next session it is distinctly stated that the records and other papers which were then turned over by the clerk of the Council to the new clerk of the House had come into the keeping of the clerk of the Council by order of the Council made after the death of *Beverley*. *Beverley* died early in the year 1687.

⁸¹ See pp. 314, 319, 320.

⁸² See p. 282.

The Assembly of 1688.

THE Assembly of 1688 met in but one session. The Assembly was called to meet on the 19th day of *April*, but was prorogued to the 24th. The Journal of the House begins with the proceedings for that day. The session came to a close on the 12th of *May*.

The Journal of the House for this session is far better kept than those of an earlier date. The Clerk of the House was now for the first time, in accordance with the order of the king referred to above, appointed by the governor, and he no doubt wished to show by faithful work that the new method of selection of this very important officer would be beneficial from the point of view, at least, of the records of the House. Moreover a special committee was appointed by the House "to inspect the Journals every evening and report to the House next Morning."

The clerk appointed was *Francis Page*, of *York County*, who had been returned a member of the House for this Assembly, and to take whose place a new member had to be elected. It will be remembered that at the *November 1682* session much controversy arose between the House and the deputy governor and Council over the form of the oath to be taken by the clerk. It looked at first as if a similar controversy would arise at this session, but in reference to a different feature of the oath from the one then involved. The oath in its first form, as brought down by the two honorable members of the Council commissioned by the governor to administer it, contained no clause binding the clerk to secrecy. The House immediately sent an address to the governor declaring that though the clerk was hereafter, by command of the king, to be appointed by the governor, he was to be as much the "servant" of the House as any former clerk, and asking that the oath as formerly worded should be administered. It is to be noted, however, that in this oath as now sent the governor for his inspection the term "clerk of the House of Burgesses," not "clerk of the Assembly," is used, which indicates that the House had finally come to the conclusion that there was no wisdom in using time in disputing about the employment of practically synonymous terms. The governor replied that in omitting the clause in reference to secrecy he had not intended to intimate that the clerk should be a spy on the House in any way, or was to report to him what was said in debate, but that he merely wished to be able to secure from him from time to time information as to the business transacted, because formerly all business had been kept so secret that matters had been frequently presented to him for which he had not been prepared and a proper consideration of which he had not had time to give. He accordingly sent down a new form of oath, which was the oath submitted by the Burgesses with the insertion of the words "by his excellency" after the clause "to which office you are appointed," and the change in the secrecy clause of the oath of the words "all proceedings" to "private debates," making this clause read: "you shall keep secret all private debates of the said House of Burgesses so far as shall by the said House be found necessary." The reasonableness of the governor's position was recognized by the House, and they allowed their clerk to take the oath.

They continued to be as cautious as ever, however, in regard to matters which had not been acted on. Only actual results were to be communicated to the governor. Later in the session the governor asked that the "grievances" which had been sent to the House during the session⁸³ might be handed him for his inspection. The request was politely refused.⁸⁴ Nor would the House send the "grievances" to the Council, even though they had requested the Council to join them in an address to the governor in which some of these grievances were to be set forth, but suggested that there should be a conference of members of the House with members of the Council to which should be brought such

⁸³ These were the statements made by persons throughout the Colony as to cases of injustice or unsatisfactory conditions of any kind.

⁸⁴ See pp. 312, 313, 320.

of the grievances as were involved in the proposed address to the governor. This suggestion the Council refused to accept, and refused also to join in the address. The language used by the House in introducing their proposal to the Council gives clearly the view of the House as to their functions in the scheme of government. It was: "This house doth humbly offer, that although it be contrary to the privilege and practice of this House which is the Grand Inquest of the Country to intimate the grievances thereof otherwise then by address or bill for redress of the same ready prepared to that purpose, Yet this house are so earnestly desirous of all means that may be imagined proper to the obtaining the end aimed at" that, etc., the proposal being then made.⁸⁵ In consideration of the fact that some of these grievances probably contained reflections more or less bluntly stated on the conduct of the governor in various ways, and possibly reflections on members of the Council, it was undoubtedly wise that they should be carefully guarded from the governor, for the governor was not above taking revenge. It was wise, too, as the conditions then were, not to hand them over as a whole to the Council, who would inevitably have passed them on to his excellency.

Arthur Allen was re-elected speaker. To the address of the House to the governor that he appoint members of the Council to administer the usual oaths to the members, the reply was received that since the declaration made by the king on *April 4, 1687*,⁸⁶ the taking of these oaths was unnecessary, but that members of the Council would be assigned to administer them to such as, nevertheless, preferred to take them, it being understood, however, that the failure of any member to take the oaths should not operate to deny him any of the privileges of a member. The only member who failed to take the oaths of allegiance and supremacy—all took the oath of a burgess—was *George Brent*, the former attorney general. This shows that *Brent* was a *Roman Catholic*. That he was not, however, abridged in any way of his privileges on this account is amply shown by the Journal, for he took a very prominent part in the proceedings.

Lord Howard made an adroit speech at the opening of the session, explaining why the Assembly was called to meet at this time. He announced that unless he had been especially directed to convene the Assembly he would not have done so, since he had arranged satisfactorily the affairs of the militia, and the Colony was enjoying the good effects of the peace which had been entered into with the *Seneca* Indians,⁸⁷ by the assistance of the governor of *New York*, and was not called on to pay the heavy charges for the defense of the frontiers which had been necessary before. However, he had been instructed to call the Assembly together in order that a law might be passed prohibiting the exportation of tobacco in bulk, an object in reference to which a petition had been made to his majesty, which had been promptly granted by the king, who, though he might have brought about the desired result by a proclamation, had graciously allowed the Assembly to work out the details of the measure. In addition, he had received a message from the governor of *New York* asking that assistance in money be granted to that Colony by *Virginia* in defraying the great expense incurred in helping to defend the *Senecas*, who had now become the subjects of the king, from the encroachments of the *French*.⁸⁸ It was but reasonable, in the governor's opinion, that the Colony which had been profiting so much from the treaty entered into with these Indians should be willing speedily to grant this request, which was, moreover, made by the governor of *New York* by direction of the king, as might be seen from the letter of the governor of *New York* to the governor of *Virginia* and the letter of the king to the governor of *New York*, both of which would be transmitted to the House.

The House went almost immediately by means of a Committee of the Whole House into a consideration of that part of the governor's speech relating to the assistance to

⁸⁵ See p. 324.

⁸⁶ This was the famous Declaration of Indulgence suspending the operation of the laws against Non-conformists and Catholics and of every act imposing a religious test for office holding, and was one of the causes leading to the exclusion of James II from the throne in the Revolution of 1688.

⁸⁷ The governor spoke only of the *Senecas* because this tribe of the Five Nations was the one which had before the treaty of peace made the trouble along the frontiers of *Virginia*.

⁸⁸ See p. 292.

New York and of the two letters referred to in his excellency's speech, the report of the committee being that they did not find any just reasons why the help should be given. This report was adopted by the House *nemine contradicente*. The reasons of the House for this action, drawn up by the Committee of Propositions and Grievances and approved by the House, were duly presented the governor, being, in substance, that whereas they noticed in the letter of the king to the governor of *New York*, dated *November 10, 1687*, that his majesty had sent orders to the governors of the several colonies in *America* "to afford such help as the exigency should require," they were not aware that any directions on this score had come to *Virginia*, and had thence concluded that his majesty, knowing the distance of *Virginia* from *New York*, had required the plantations nearer at hand to furnish such help as might be needed; that the indigent circumstances of the country rendered it impossible for the Colony to grant any help; and that, the trouble in *New York* arising chiefly in reference to the conduct of trade, the province did not appear to be in any very great danger and therefore not in pressing need of the assistance. The governor replied to this by saying that he had been instructed in the matter, making use of the following affirmation: "But that you may be fully satisfied I have received Commands from his Majesty therein, I have herewith sent you a Copy of my Instructions Attested under my hand that you may from thence think yourselves Obligated to contribute." The copy of the instruction followed. This was: "In case of the distress of any of our Plantations, you shall upon application of the Respective Governours thereof to you assist them with what aid the condition and safety of your Government can permit." The instruction was, however, undated, and was in fact one of the general instructions given him when he was first commissioned as governor, and not a special instruction for this particular occasion. Though the House did not seem to understand that the instruction had not been recently received by the governor, they persisted that the need of *New York* was not great enough to warrant the sacrifice on the part of the people of *Virginia*.⁹⁹ The matter rested there. The governor's disingenuous use of his instructions in this case was not an isolated instance of the lapse of a good man from the path of truth under strain, for in fact he did not care very greatly about the matter, but was characteristic.

The House took their own time in considering the command of the king in reference to the passage of a law prohibiting the export of tobacco in bulk. They were greatly surprised to hear that a petition on the subject had been presented to the king as coming from the people of *Virginia*, and found later that the petition had in reality come from certain merchants in *London*, who had presumed to ask for something which, while it might be advantageous to the merchants, was not, in the opinion of the House, of benefit to the Colony. Accordingly, they refused to draw up a bill on the subject, though several times urged to do so by the governor, taking the ground that the king, when properly informed, would withdraw the instruction. Their reasons are set forth at length in a communication to the governor dated *May 11*, and more succinctly in a report drawn up by the Committee of Propositions and Grievances stating the grievances under which the country suffered and suggesting that the Council be asked to join with the House in an address to the governor setting forth the conditions.¹⁰⁰

The report of the Committee of Propositions and Grievances just referred to was by far the most important paper drawn at this meeting of the Assembly. It was adopted by the House, and that part of it setting forth the general grievances of the country sent to the Council for their consideration as a basis for the address to the governor from the House and the Council. The Council refused to join in the proposed address, giving their reasons at length in a communication to the House dated *May 12*. It was in connection with the framing of this address that the Council asked that the grievances of the people be sent them, as already referred to. The proposed address to the governor was never drawn up, but the report of the Committee of Propositions and Grievances, which would have formed the groundwork of the address, was, no doubt, read and care-

⁹⁹ See pp. 295, 298, 299, 300, 302.

¹⁰⁰ See pp. 316, 318.

fully considered by the governor when it was in the hands of the Council, for though the governor and Council no longer sat together, correspondence between them was perfectly free. In fact, the reply to the report made by the Council has the ring of such replies made in the old days when the governor was the chief actor in the Council. In addition, this report, being one of the things actually passed on by the House, was not covered by the oath of secrecy of the clerk of the House, who may, without betraying the confidence of the House, have, on the demand of the governor, given him information as to its contents. We may be certain, therefore, that the governor was well informed in regard to it; but it was never presented to him in an official way. However, it was presented officially to persons of much greater importance even than he, for it was destined to go to the king in Council. When the reply of the Council to the proposal of the House that the joint address be drawn up was received by the House, the House resolved that the time had come to appeal to the king, and appointed a committee to draw up the petition. This occurred in the morning of the 12th of May. In the afternoon Lord Howard, who had, of course, heard of what was going on, summoned the House before him and dissolved the Assembly, not, however, before the committee had had a chance to present the petition, which was adopted and ordered to be entered upon the Journal. The last resolution adopted by the House reads as follows: "Resolved that Mr. Speaker sign the above petition and the Copy of the grievances thereto annexed And that Coll. Phillip Ludwell be desired by Mr. Speaker on behalf of this House to present the same to his Most Sacred Majesty." The "grievances" referred to was the report of the Committee of Propositions and Grievances, as is shown by a comparison of the report as given in this volume with the paper actually presented to the king.⁹¹ Philip Ludwell had been suspended from the Council by Lord Howard, on account of his refusal to support the policies of the governor, early in 1687. He had been elected a member of the House for the present Assembly, but because of the order that a suspended councilor should not be allowed to become a member of the Assembly, could not take his seat.

The document, which was virtually an indictment of the governor, contained a carefully worded statement of the grievances which, in the opinion of the House, were intolerable, and which had repeatedly been called to the attention of the governor. The Journal of this session and those of preceding sessions show that much of the time of the House had been taken up in disputes in reference to them, and nothing had been effected so far as the more serious of them were concerned. The paper first gave a statement of the position of the House in regard to the proclamation of the governor repealing the act of Assembly of 1682. The statement is brief, not going into details, but forcibly and clearly gives the view of the House as to the general principle involved. In its other parts, also, the paper deals with principles rather than with details, so that the other numerous papers produced either at this session or at other sessions bearing more specifically on the individual questions involved have to be referred to for these details.

In 1680 the General Assembly of Virginia had passed a law⁹² requiring attorneys to be licensed and specifying the fees they were to be allowed to charge. In 1682 this law had been repealed by the General Assembly itself.⁹³ Later, the second law, when called to the attention of the king in Council, had not been allowed, and the governor had been ordered to repeal it by proclamation. In the same proclamation in which he had announced the repeal of the law of 1682, Lord Howard had inserted a clause declaring that the law of 1680 was revived and in force. He maintained that though the law of 1680 had not received the assent of the king in the sense that it had been formally called to his notice and approved by him, it, as was the case with most other laws of Virginia, had gone into effect on its passage and hence was a law by the indulgence of the king—as much a law as if the king had formally approved and signed it. Hence, when a succeeding law of Virginia repealing this law was itself repealed by the king, the former law

⁹¹ For this paper see McDonald, VII, 338-343.

⁹² Hening, II, 478, 479.

⁹³ Hening, II, 498.

was necessarily revived. The House maintained that the repeal of the law made it as if it had never been, and that the only authority which could put it in force again was the General Assembly of *Virginia*. The question was, of course, as to the source of Colonial *Virginia* laws. Was the king the source of all laws of *Virginia*, the General Assembly acting merely as advisers as to what should be passed? or was the General Assembly the source, with a veto power residing in the king? Manifestly, at the stage of growth reached by the *Virginia* constitution at that time, the contention of Lord *Howard* was correct. The Colony was not yet entirely self-governing.

The second grievance mentioned was the imposition by Lord *Howard* of a fee of two hundred lbs. of tobacco for affixing the impression of the seal of the Colony to land patents and other public instruments. Before Lord *Howard*'s time—or before the time of the reception by Lord *Culpeper* of his second commission—the seal had been kept by the secretary of the Colony, and only a very small fee, and that fixed by law, had been required on the use of it. Lord *Howard*, however, having been made by his commission keeper of the seal, had seen a chance to reap a large profit from this source⁹⁴ and had persisted in collecting the fee, though it had been pointed out to him time and again that it was in many instances exorbitant and in all unusual and without warrant of law. His arguments, or excuses, were mendacious as well as childish. Though he was dealing with full grown men, and men of ability, and he himself was a man of ability, he condescended, in his grasping determination to secure the profits of the seal, to make the most absurd statements, as where he said that he was not affected by the money involved, but by the wish to safeguard the dignity of the seal, the evidence of his sacred majesty's power; and where he said that the proclamation made by him giving notice that the fee was to be imposed was not an ordinary proclamation, but a decree in chancery,—meaning, apparently, by this that, as the lord chancellor was in *England* the keeper of the seal, so he, the keeper of the seal in *Virginia*, issued when giving rules in reference to the use of the seal, not proclamations, but decrees in chancery. This absurd declaration was made on one occasion when the House demanded his warrant for his action. It was a well established principle that proclamations had to be based on some law of the Assembly or command from the king. The commission, however, under which he was acting gave him power to constitute necessary courts of judicature in the Colony, and he was in this statement endeavoring to relate his conduct with that power. The plain fact, however, was that he had no warrant whatever for the imposition of the fee. It was an instance of executive encroachment upon the rights of the people, and the House of Burgesses performed a most valuable service to the people in resisting it to the extreme.

The third matter complained of was the fee charged in the secretary's office for recording surveys of land, the service for which it was exacted being unnecessary, and it having been fixed, not by law, but by order of the governor and Council. In connection with this, the burdensome fee of five pounds sterling exacted by an escheator in case of the exercise of his function was again presented as a grievance.

In the fourth place, it was represented that whereas all fines and forfeitures were appropriated by law to the use of the Colony, no account of these had ever been rendered the General Assembly; and that all charges for prosecuting criminals and impressing messengers for conveying letters of the governor or to the governor on public business should be paid out of the aforeaid fines and forfeitures or out of "the revenue," and not from the amount received from the poll tax. In reference to the payment of messengers, the governor had made a suggestion at this meeting of the Assembly that it should be ordered that they be paid out of the tax on liquors. But as this was not "the revenue," the suggestion was not favorably acted on.⁹⁵

When the questions embraced in this paper were finally disposed of in *England*, which was not until *William* and *Mary* had ascended the throne, it was found that the House had won in the important counts of the indictment. It was recommended by

⁹⁴ William Fitzhugh in a letter, dated April 5, 1687, to his brother, Capt. Fitzhugh of the English navy, estimated that this perquisite was worth between eighty and one hundred thousand pounds of tobacco a year.

⁹⁵ See pp. 307, 311.

the Lords of Trade and ordered by the king in Council that the fee of 200 lbs. of tobacco collected by Lord *Howard* for affixing an impression of the seal to documents and the fee of 30 lbs. of tobacco collected in the secretary's office for registering a survey should be discontinued. It was held, however, that Lord *Howard* was correct in his interpretation of the law in reference to repealed laws, but it was recommended by the Lords of Trade that the king should repeal by proclamation the "Act imposing and ascertaining attorneys fees" of 1680, to which the House objected, but which Lord *Howard* had by his proclamation declared—and correctly so—to be in effect on the repeal in the same proclamation of the *Virginia* law of 1682. The escheator's fee was declared reasonable enough. Lord *Howard* was continued as governor of *Virginia*, but he was ordered to remain in *England*, and Lieutenant Governor *Francis Nicholson* was sent over to assume the actual management of the affairs of the Colony.

At this session of the General Assembly not a single law was passed, the session in that respect equaling in barrenness the session of 1685. A few bills had passed the House and been sent to the Council, but had been rejected or had not been acted upon by that body when the dissolution came. But the enactment of laws was not the only function of the Colonial General Assembly of *Virginia*—indeed, at times, not the most important function—and the resistance of the House of Burgesses at this session to the encroachments of the executive, coming to a climax in the petition to the king, makes this session one of the most important ever held by the General Assembly.

Assembly of 1691-1693.

First Session.

OF the Assembly of 1691-1693 there were two sessions, the first continuing from April 16, 1691, through May 22, and the second from April 1, 1692, through April 30. Lord Howard, of Effingham, returned to England early in 1689, leaving Mr. Auditor Bacon, president of the Council, as acting governor.

Auditor Bacon was, however, a very old man, and the duties of acting governor seem to have been largely performed by Secretary Spencer till the secretary's death on the 29th of September, 1689.⁶⁶ Francis Nicholson, lieutenant governor for Lord Howard, arrived in the spring of 1690. Before the first meeting of this Assembly he had impressed himself most favorably on the people, as the Journal shows, and throughout this session he conducted himself with such circumspection as to win the regard of all.

The session was a most satisfactory one; harmony prevailed and much needed legislation resulted; and, besides, several important papers were drawn up. Not a single bill was lost because of conflict between the two houses, though, of course, many amendments were made by the Council to bills that had passed the House, in which chamber at this time all bills originated, and the Council could not be prevailed on to accept in full as also their address the address made by the House to the king and queen thanking them for what they had already done for the people of Virginia, and suggesting other things that might be done.⁶⁷ The session constituted a veritable era of good feeling. At its close the singular sight is presented of the General Assembly petitioning the king to allow the governor to accept a gratuity which the Assembly had voted him for the manner in which from his first arrival he had discharged the duties of his office. When the vote of the present had been announced to Nicholson, he had refused to accept it on the ground that acceptance of such a gift would be contrary to his instructions.

At the beginning of the session Nicholson allowed the House to indicate to him whom they wished appointed as clerk. The House unanimously elected Peter Beverley, a relative of their former clerk, Robert Beverley, and sent a communication to ask the lieutenant governor that he would be pleased to confirm the said Beverley in the office and order him to attend the House. The appointment was made at once, and the same oath taken by Francis Page at the preceding session was in due time administered to him. Peter Beverley had been at the preceding session clerk of the Committee of Propositions and Grievances, and to this clerkship was now elected Edward Chilton, the former clerk of the Council, over whose payment for services as clerk of the Council in Assembly and for other services many angry disputes had in past years arisen between the House and the governor and Council. William Edwards had taken the place of Chilton as clerk of the Council. Thomas Milner was elected speaker. Arthur Allen, speaker for the two preceding meetings, had been elected a member of the House for the present Assembly, but it is recorded in the proceedings of the 4th day of the session that he had scrupled to take the new oaths required and accordingly was obliged to retire from the House.

The new oaths were those prescribed by the Bill of Rights to be taken by all governmental officials instead of the former oaths of allegiance and supremacy. Anyone who took them acknowledged the right of William and Mary to the throne as against the right of James II. In other words, he accepted the principle of the parliamentary control of the succession to the throne of England as opposed to the principle of divine right by birth. Allen, then, was a Virginia lay brother of the Nonjurors in England. In the House, Allen had only one companion, namely James Bray of James City County,

⁶⁶ "Calendar of State Papers, 1689-1692," Nos. 40, 92, 93, 505.

⁶⁷ The principal thing that the Council would not join with the House in asking for, was that the right of trying cases appealed from the General Court might be restored to the General Assembly. (p. 370.)

who absented himself from the House, giving sickness as his excuse, till the 18th of May, and then "thorough Scruple of Conscience" refused to take the oaths.

The "test," also, for the first time makes its appearance in the Journal for this session. This was the declaration against transubstantiation provided by the *English Test Act* of 1673. A copy of it was subscribed to by all the members present on the afternoon of the day on which the oaths were administered. Later on it became the habit to "subscribe the test" just after taking the usual oaths.

The lieutenant-governor's speech set forth the matters which should, in his opinion, be at once attended to. These were; the security of the country, since *England* and *France* were now at war; the renewal of the act imposing a tax on liquors, in order that the poll tax might be kept down; the settlement of the Indian trade, as his majesty had been pleased that there should be no restriction on it; and the erection of a governor's house. He closed his speech with the pious suggestion that in order that the objects for which they had been summoned might be speedily and well accomplished a day of fasting and prayer should be set. After the immediate consideration of the speech in Committee of the Whole, the House signified in an address their agreement with the governor as to the day of fasting and prayer, which was accordingly duly proclaimed and duly observed.⁹⁸ Resolving into a Committee of the Whole again the next day of meeting the House adopted the resolution that it was very necessary that such means be considered as would best preserve the country in security and that the thanks of the House should be rendered the governor for the great care he had already taken in that regard, but that since a due consideration by the Committee of the Whole of the best means for preserving this security would require so much time as to delay seriously the other business of the House, this matter should be first debated by the Committee of Propositions and Grievances, as also the other parts of his honor's speech.⁹⁹

The lieutenant governor's program went through without trouble in its most important features: an act for the defense of the country was passed, the duty on liquors was continued, and an act was also passed for a free trade with the Indians. This last act consisted merely of a repeal of all former laws limiting such trade, and became one of the permanent laws of the Colony.¹⁰⁰ The House were prepared, however, only to vote for the erection of the governor's house if the money in payment therefor was to come out of "the revenue."¹⁰¹ So this matter was not pushed.

In the act continuing the duty on liquors the rate was increased from 3 d. to 4d. a gallon, and it was provided that the money arising from the operation of the act should be paid to the "treasurer." Another act, also, passed at this session, but not in response to recommendation from the governor, contained references to the "treasurer," who was to receive all moneys arising from its operation.¹⁰² Now there was at that time in *Virginia* no officer specifically known as the "treasurer," the auditor performing the functions of a treasurer of "the revenue" and also of the tax on liquors up to that

⁹⁸ The observance of such days of prayer, fasting, and humiliation was very frequent in those days, and of a day of thanksgiving occasional, as an examination of the Journals will show.

⁹⁹ Throughout this volume of the Journals the term "his excellency" is used in referring to a governor-in-chief, "his honor" in referring to a lieutenant governor.

The use of the Committee of the Whole for the first consideration of the governor's speech soon became the regular procedure.

¹⁰⁰ In Spotwood's time an act was passed placing the Indian trade in the hands of a company, which was to have a monopoly, and the act referred to above was repealed, but Spotwood's law was repealed by proclamation, and the original act went into effect again, in accordance with the principle decided in the great dispute between the House of Burgesses and Lord Howard as to the status of repealed laws in cases where the repealing laws had been themselves repealed by proclamation. See *ante*.

¹⁰¹ See p. 364.

¹⁰² This was the "Act for Ports, and so forth," bills for which had created so much friction in the two former sessions of the Assembly but in reference to which the House and the Council had now composed their differences by mutual concession. It went far beyond the previous act passed on the subject, namely, the "Act for cohabitation and encouragement of trade and manufacture" passed in 1680, and imposed export duties on skins and furs, one-third of the money collected to be expended in procuring arms and ammunition and building fortifications, one-third to go to the support of the clergy, and one-third to be expended for the encouragement of learning. It was, though it went only partly into effect, being later suspended by the General Assembly, an act of very great importance.

time. The use of the term "treasurer," accordingly, in these two acts gave intimation that a new act was to be passed naming a treasurer, and later in the session the bill, which was duly to become an act, made its appearance, naming *Edward Hill* as the treasurer. This treasurer was to have all his accounts examined by the General Assembly.¹⁹³

It will have been seen from what was said in the foregoing paragraph that the legislation of this session was not merely the enactment of the program of the governor. The truth is, that that program, though leading to an important part of the results of the session, was not responsible for the greater part of these results. The bills which had failed at the preceding session had to be taken up again, and to these others were added. Accordingly, the acts of the session numbered when the session came to an end twenty-one—all of them well considered measures. This was a greater number than had been passed at one session for many years.¹⁹⁴

In addition, two "books of claims" were passed—the one that ought to have been passed at the preceding session, and the one containing the allowed claims arising since that session—and many important matters discussed. Without doubt, the session was an unusually busy one. It lasted only seven weeks, and from the start it was the desire of all to finish as soon as possible, for the fleet was to sail for *England* in *May*—about the 10th of *May*, the governor had said in his speech—and by this fleet was to go an account of at least a part of the transactions of the Assembly. The reader should not be surprised, therefore, to find the House in the first part of the session meeting as early as seven o'clock in the morning, and toward the close meeting regularly at six.

Two of the acts passed at this session were for the formation of new counties. *King* and *Queen* County was formed from *New Kent*, and *Lower Norfolk* County was divided into *Norfolk* and *Princess Anne* counties. The laying out of the boundaries of counties and parishes was one of the powers given by their commissions to the governors of the Colony, and not to the General Assembly. When in the *May* 1684 session the House presented to the governor and Council a bill for fixing the line between *Warwick* and *York* counties, Lord *Howard* promptly rejected it.¹⁹⁵ From the present time on, however, the power was quietly assumed by the Assembly and allowed by the governors.

It was necessary at this session of the Assembly to provide a reward for *Philip Ludwell* for his services in connection with the address of the last House of Burgesses to the king—services that had resulted so beneficially to the Colony. This was a somewhat delicate matter, for the Council had not joined in that address and had, in fact, expressed dissent from every one of the items embraced in it. *Ludwell* had been sent over by the House on their own responsibility; but when it came to paying out public money, the Council had something to say. The House could profusely thank *Ludwell*, which they did, but could go no further without the aid of the Council. However, they boldly ordered that £250 sterling be paid him out of the import tax on liquors, that fund being then in good condition, and stoutly sent the order to the Council for confirmation. The Council recognized that *Ludwell's* mission had resulted in good to the Colony, though they had in the preceding session, under the influence of Lord *Howard*, opposed the things he stood for, and they probably from the time the resolution of the House in reference to the payment reached them intended to approve it. But they saw in the situation a chance for a trade, which, good politicians as they were, ought not to be allowed to go by. There were a few items that they wished inserted in the book of claims which the House would not allow, and consequently they made the proposal that if these claims were passed they would agree to the *Ludwell* order. Though

¹⁹³ This was provided for in the two acts raising the money of which he was to take charge. In this requirement the House were evidently aiming to keep as large a control of the financial system of the Colony as possible. They had by this time about given up their active efforts to audit "the revenue," though even after this they made perfunctory requests that the accounts of "the revenue" be opened to their inspection, and they still insisted on taking part in the expenditure of that revenue. But "the revenue" they felt was slipping away from their control, and they wished to see to it that other taxes should not do this.

¹⁹⁴ They are all given in full in Hening, III, 42-97.

¹⁹⁵ See p. 211.

the House at first demurred and sought to argue, they were compelled finally to yield.¹⁰⁶

One of the most important matters discussed at this session was the founding of *William & Mary College*. It is gratifying to note the enthusiasm which the scheme aroused in the House, the Council, and the governor. A very great deal of the valuable time of the Assembly was spent on it. The plan adopted was to send the Rev. *James Blair* to *England* to secure from *William and Mary* a charter for the college. The entries made in the Journal seem to warrant the statement that the charter was drawn up by *Blair* himself.¹⁰⁷ He went to *England* with the petition of the General Assembly and, probably, the draft of the charter.

Second Session.

THE second session of the Assembly began *April 1*, 1692, and closed on *April 20*. The lieutenant governor in his opening speech, which, on account of the sickness of *Nicholson*, was read by Mr. Secretary *Cole*, suggested in the first place that a day of public thanksgiving be observed, in recognition of the protection that God had thrown around the Colony. This suggestion was, it is needless to say, eagerly seized upon by the House. The Council were forthwith asked that they join with the House in a request to the governor that the day be named. The first matter of worldly business with which the speech dealt was the act for the defense of the country passed at the preceding session of the Assembly. The governor recommended that it be continued, or a law as good substituted. He was happy to report that it had not been necessary for him to raise men additional to those regularly provided for in the act, and even these had not been in service all the time. He had not carried out the directions of the act in reference to laying off a line around the *English* settlements beyond which land could not be taken up, since conditions had so changed that this was not then absolutely necessary, and he had found that alterations in the line as described in the act would be beneficial. His reasons for thinking this would be offered whenever a committee should be appointed to receive them. He announced that the king and queen had sent a large supply of military stores for the defense of the Colony, and asked the advice of the House as to the best places in the counties to which to send them and the cheapest method of conveyance.

This matter of the disposition of the stores was hardly one for legislative action, but rather for the Council in their advisory capacity. The reference of it by the governor to the General Assembly seems to be an indication that *Nicholson* wished, by appealing to the House in an important matter, to keep on the best possible terms with that body, and also to have them share the responsibility of making the apportionment, a difficult matter and one most likely to be productive of criticism. The question was referred by the House to a committee of conference made up of members of the House and of the Council. This conference committee, having secured the permission of the House to do so, agreed to lend 25 barrels of powder to the governor of *Maryland*, who represented that his province was in urgent need, and apportioned the rest of the stores, but left wholly to the House the business of conveying them. The report of the House members of the committee was handed in on the 14th of *April*, and managers to attend to securing transportation were immediately named by the House.¹⁰⁸ In order to have the material allotted to the *Potomac* and *York River* regions transported, however, the House were finally compelled to ask the governor to have sloops and men impressed, such unreasonable charges had been demanded.¹⁰⁹

¹⁰⁶ See pp. 351, 356, 362, 363, 365, 366.

¹⁰⁷ See pp. 353, 361, 363, 368.

¹⁰⁸ It should be remembered that the General Court met by law on the 15th of *April*, to continue in session for eighteen days. The entry on page 403 in reference to the request made by Robert Carter that he be allowed to waive his privilege as a member of the House and answer a complaint made against him in the General Court, shows that the court met this year as usual. After this the Council, what with their judicial and their legislative duties, must have been busy men—they probably sat as a court in the morning and as a branch of the Assembly in the afternoon—and were, hence, not loth to have the purely business details of this matter looked after by others.

¹⁰⁹ See pp. 386, 391, 392, 394, 398.

The other piece of business mentioned in his honor's speech was soon dispatched. "An act for the better defence of the Country" was passed, which had the same title as the act passed at the *April* 1691 session, but from which had been eliminated the unnecessary features referred to in the governor's speech,¹¹⁰ the governor's reasons for not having carried out the provisions of the former act having been submitted in full on the 13th of *April* and evidently considered satisfactory.

In addition to this act, there were passed at this session of the Assembly six other acts, all of which are given in full in *Hening*.¹¹¹ One of these is "An act for dividing *Rappahannock* county." The part of the old county lying north of the *Rappahannock* river was to be known as *Richmond* county, the part south, as *Effex*. The levy called for an even smaller sum than the act of the preceding session, the rate being only 17-1/4 lbs. of tobacco per poll. This small rate was rendered possible by the productiveness of the import duty on liquors, and the export duty on skins and furs. A strict examination of the treasurer's accounts of these duties was made, and the treasurer instructed to carry out to the letter the provision of the law requiring that the collectors should make oath as to the correctness of their accounts.¹¹²

One bill passed by the House failed to meet the approval of the Council. This was a bill in reference to writs of election and summons of burgesses, and the returns to be made thereon. The present session of the Assembly was one held by prorogation, and the House found that the returns of the writs of summons made by the sheriffs, who were the election officers, were written in various forms, that for one or two counties there were no returns at all, and that in several instances the sheriffs in these returns presumed to express opinions as to the capacity or incapacity of members to serve, which was, according to the House, a breach of privilege. Moreover, the House were inconvenienced by the fact that in the recess some of the members had been incapacitated from sitting by appointment to the position of sheriff or some other office, and new elections had on this account been made necessary. The writ of summons was directed to the sheriff by the governor, and with this writ, of course, the Assembly had no right to meddle except by way of humble advice. On examination it appeared to the House that much of the trouble arose out of the wording of this writ, which in any special case directed the sheriff of the county to summon the burgesses of that county to appear at a meeting of the General Assembly to be held at a given time for a given purpose. In case of the known death or other incapacity of a burgess to serve, it is probable that a regular writ of election to secure a new member was issued. But the writ of summons, in order to cover other cases, directed the sheriff to hold a new election "in case of death, absence, or other incapacity" of one or both sitting members for his county. The House wished these words omitted from the writ, since they opened the way for the exercise of a judgment on the part of the sheriffs which the House considered belonged to the House only. The House were also opposed to the appointment by the governor of members of the House to the position of sheriff. In the conference, however, held by a committee of the House with a committee of the Council it developed that the Council agreed with the House only as to a form of return suggested for use by sheriffs in actual elections. The Council did not care to have anything to do with asking the governor to change the wording of the writ of summons to a session by prorogation or to abandon the use of such a writ altogether, since, in their opinion, the use of the writ in its present form saved time. Nor did they care to have anything to do with the suggestion that the governor be requested not to appoint members of the House

¹¹⁰ For this act, see *Hening*, III, 98-101.

¹¹¹ *Hening*, III, 101-107.

¹¹² See pp. 401, 402, 403. The treasurer was directed to request the lieutenant governor to appoint some one to swear the collectors to the accuracy of the reports already handed in. The lieutenant governor in his message to the House signifying that he would do this, made use of the following language: "In answer thereto I returne that I will Order the Severall Collectors to prepare and State their Accounts according to Law and make Oath to the same before my Self and the honorable their Majesties Councill of the Auditt in June next, and then deliver them to Mr. Treasurer." This indicates that at that time it was customary for the governor and Council in June of each year to go over the auditor's accounts of "the revenue."

to positions as sheriffs. Nevertheless, the House passed a bill on the general subject, whose exact provisions, however, can now only be guessed at. That it contained some of the provisions which in the conference had been objected to is clear, for the bill was rejected.¹¹³ At this session, however, it became established by the decision of the House in the case of *Willis Willson*¹¹⁴ that a member of the House must be at least 21 years of age, and in the case of *William Lewes*¹¹⁵ that a member need not be a freeholder in the county for which he sat.

The difference of opinion between the House and the Council on the question of the writs did not develop into serious strife, nor did any other, and the session ended pleasantly. The same good opinion of the governor obtained as was held at the former session, and it was shown again by the vote of a gratuity. The governor had been permitted to accept the £300 voted him at the former session, and at this session £200 was voted, the necessary appeal to the king and queen that they allow him to accept it being made.

¹¹³ See pp. 392, 400, 404.

¹¹⁴ See p. 382.

¹¹⁵ See p. 382.

The Assembly of *March* 1692/93.

THE Assembly of *March* 1692/3 had only one session, which began *March* 2, 1692/3, and ended *April* 3, 1693. Sir *Edmund Andros*, of *New York* and *New England* fame, was now governor of *Virginia*, having entered upon the discharge of the duties of the position on *October* 15, 1692. *Nicholson* had been transferred to *Maryland*. *Andros*, who had learned little from his former experiences, disapproved of the conciliatory attitude assumed by his predecessor toward the House of Burgesses and asserted to the full what he considered the prerogatives of a royal governor. He, accordingly, before the meeting of this Assembly made an appointment to the position of clerk of the House of Burgesses. It is true that he continued in this office *Peter Beverley*, who had been, at the request of the House at their last meeting, appointed by Lieutenant Governor *Nicholson*, but the House wished to have the opportunity of saying whether or not they desired *Beverley* as their clerk for the present session. Hence, when they were informed by the governor in the first speech he made to them that *Beverley* had been appointed, they drew up an address to his excellency praying that the former custom followed in the selection of the clerk might be restored. The governor replied that in the appointment of *Beverley* he had acted with all regularity. The House could not deny this, but begged in a second address that his excellency would be pleased to assist the House with his interest when they should make application to the king and queen to restore their "antient usage and custome in the Chuseing of their Clerke for time to come." This request his excellency curtly refused. In his stand in this matter he had the unanimous support of the Council.

In the appointment, also, of a messenger of the House the governor essayed to take a hand. On the second day of the session the House chose their own messenger, but almost immediately after the choice had been made the sheriff of *James City* County appeared and informed the House that he had been commanded by the governor "to provide an officer to attend the House." The House immediately sent the governor a message politely thanking him for his thoughtfulness, but saying that they supposed he did not understand that they had already provided themselves with a messenger. The thing having been done, *Andros* made no further overt move, but the Council, no doubt at his suggestion, insisted, when the claims of the session came up for their allowance, on striking out the word "messenger" after the name of *William Drummond*, who had held the position, and inserting the words "for service done for the House of Burgesses."¹¹⁶

Instead of permitting the House to go through the pleasing form of requesting him to appoint a special day of prayer, he announced in his opening speech that he had already fixed a day by the advice of the Council.¹¹⁷ In his opening speech, the governor, after expressing the hope that everything necessary would be done for the "welfare, defence, and honor" of the Colony, announced that the king and queen had been pleased to continue to the people of *Virginia* the privilege of a free trade with the Indians. When, however, the House asked for a copy of his instruction in reference to the Indian trade, in order that they might draw up a suitable address of thanks, he refused to send it.¹¹⁸ The opening speech was made on *March* 2, and it was not till *March* 11 that the House asked that a copy of it be sent them. *Andros* sent the copy, with a short verbal message indicative of his displeasure at the delay.¹¹⁹ All these things show that the era of good feeling had come to an end. At the close of this session no complimentary gratuity was voted Governor *Andros*.

¹¹⁶ See pp. 445, 446.

¹¹⁷ The day he fixed was Sunday, and this was possibly an intimation to the House that he wished all week days of the session used up in strenuous secular labor.

¹¹⁸ See pp. 424, 427.

¹¹⁹ See p. 421.

The Council, almost as a matter of course, reflected the attitude of the governor, as is shown in their rejection of bills passed by the House,¹²⁰ and of the plan of the House for the revival of the laws. In one instance, however, the Council were less disposed the favor the governor than were the House. On *March 28* the House adopted and sent to the Council for their ratification a resolution that the governor should not be required to pay a duty on liquors imported by him for his own use—either those already imported or those to be imported. The Council, however, would not concur.¹²¹ It is impossible to determine the motives of the two parties to this peculiar transaction—peculiar both because of its subject-matter and because of the reversal of the usual position of the two chambers. One of the bills rejected by the Council, and the one, possibly, in which the members of the House were more interested than in any other, was a bill for the appointment of a treasurer. When at this session the usual committee went, according to instructions, to examine the treasurer's accounts, they were informed by *Edward Hill*, the treasurer named in the act of 1691, that since the preceding *June Henry Whiting* "had executed the office by virtue of the lieutenant governor's commission." The House ordered that the committee should "inquire into the said Coll. *Whiting's* authority for executing ye said office and if satisfied therein demand his accot of the sd imposition of four pence per gallon." *Whiting* produced to this committee the lieutenant governor's commission, and his accounts were examined. The commission of the lieutenant governor to *Whiting* to be treasurer empowered him to act till the next meeting of the Assembly. The House, accordingly, as soon as the terms of the commission were known, passed a bill naming a treasurer. The Council, however, rejected the bill.¹²²

The only thing of prime importance to be attended to at this session of the Assembly, in addition to the settlement of the claims against the public, was the passage of a bill for the defense of the country. The act passed at the *April 1692* session of Assembly was to expire by limitation at the end of *April* of the present year, and the condition of Indian affairs, though not especially alarming, required that this act be renewed or a similar one passed. The House passed a bill and sent it up to the Council, who made such amendments to it that it had to be entirely rewritten.¹²³ The act as finally passed had the title "An act for continuing the rangers at the head of the four great rivers," and did not differ materially from the act of the year before.

The total number of acts passed at this session was only seven, the most interesting being, perhaps, "An act for encouraging the erecting a post office in this country,"—not, however, because it bore immediate fruit. All the acts of the session are given in full in *Hening*.¹²⁴ A law passed at this session, no doubt with feelings of great disappointment to many, was entitled "An act for suspending the execution of the act for ports and so forth." The "Act for ports and so forth" had been passed at the *April 1691* session. The part of it fixing a tax on skins and furs had already gone into effect. The part in reference to the erection of towns was to have become operative on the first of *October, 1692*. The old difficulties, however, as to the erection of proper warehouses had been met with, and many complaints in reference to it had been heard. The General Assembly of *April 1692* had employed a special agent in *England* to endeavor to have the act approved by the king and queen, so that there might be no doubt even on the part of ship-masters as to its status. At the time set for the act to go into effect the king and queen had not signified their pleasure, nor when this Assembly came together had anything been heard. Hence it became necessary that the act should be suspended till their majesties' determination should be known or till the next meeting of the Assembly. This suspension applied to the act as a whole.

¹²⁰ See pp. 444, 445.

¹²¹ See p. 444.

¹²² See pp. 437, 441, 442, 444. Why Nicholson appointed Whiting to take the place of Hill does not appear, for the accounts of the latter seem to have been in satisfactory condition. Nor does it appear why the Council should have rejected the bill, for Henry Whiting, the nominee of the lieutenant governor, was named in the bill, and he had been appointed treasurer by the lieutenant governor only till the next meeting of the Assembly.

¹²³ See p. 443.

¹²⁴ *Hening, III, 108-117.*

Much of the time of the Assembly at this session was devoted to a consideration of a plan for the revival of the laws. This question had been under discussion, more or less, since the 1684 session, at which Lord *Howard* had informed the House that he would take care that a complete set of the laws be drawn up by the next meeting of the Assembly, to be considered by the Assembly. The gentlemen appointed by his lordship were slow workers; so that the work was not ready for the inspection of the General Assembly at the next meeting (1685), nor at the next (1686), and to the inquiry of the House made at that meeting the governor had to reply that the work was still in progress. At the 1688 session a similar address of inquiry was sent Lord *Howard*, to which he replied that the work was then completed; and he finally delivered to the House the revised bills drawn up by the committee. Toward the close of this very exciting session the House sent an address to Lord *Howard* praying that, since there was no time at that session for the consideration of a matter so important, the governor would appoint a committee of the Council who should, with a committee from the House, be empowered to examine the collection submitted and to report their observations at the following session. No reply had been received to this address when the sudden dissolution of that Assembly came. The matter does not seem to have been taken up at the busy 1691 session, nor at the 1692 session, but at the present session it was again brought to the fore. The work of Lord *Howard's* committee of the Council was quietly ignored by the House, and on the 16th of *March* the whole House delivered to the governor an address setting forth strongly the necessity for a revival and asking that the governor appoint a committee of the Council to join with a committee to be appointed by the House for the discussion of the best method for having the work done. The governor replied that he was glad that the House had taken under consideration so important a piece of work, which was also, at his suggestion, being considered by the Council. The next day he sent a written message to the House reiterating his interest, and informing the House that he had appointed a time and place for the meeting of four members of the Council with a committee from the House, who should confer about the matter. The plan of the House submitted to this conference was that there should be a joint committee of the Council and the House to sit during the recesses of the Assembly to accomplish the work of revision. The Council members would not agree that there should be such a joint committee, but expressed their willingness that the work be done by a committee of the House, meeting at such time as the House might direct, assisted by such members of the Council as the governor might appoint. The members of the Council evidently did not wish to be committed to doing a large part of the work. They merely wished to give nominal assistance. When the report of the committee was handed in to the House, the House appointed a committee of their members for the work, who were to meet at *Jamestown* the 1st of *September*, and sent a committee to the Council to request that a law to this effect might be passed. The Council then, after much consideration, refused to stand to their former agreement and insisted that the revival of the laws be entered into at the present session. The House, voting that this could not be done, referred to the Committee of Propositions and Grievances the consideration of the best method of carrying on the work, which committee drew up an address to the governor and Council, which was adopted by the House, showing why the work could not be done at the present session and asking that some convenient time be appointed after the adjournment of the *April* term of the General Court. But this appeal had no effect, and the matter had to be carried over to the next session.¹²⁵

Thomas Milner was re-elected speaker of the House at this session of the Assembly over Major *Samuel Swann*.

¹²⁵ See pp. 272, 302, 304, 322, 425, 428, 433, 436, 437, 438, 439.

The Assembly of *October-November* 1693.

THE only session held by this Assembly continued from *October* 10 to *November* 18. The session was a comparatively long one, and it was undoubtedly an extremely busy one, but the results must have been most disappointing to all. Only five acts were passed,¹²⁶ the passage of which required no great amount of time, and no papers of unusual importance were drawn up. Though there were differences of opinion to be composed, these were handled decently and in order, and there were no violent clashes either between the House and the Council or the House and the governor—though the latter did on more than one occasion show evident signs of impatience and irritation—and there were no long deadlocks. The explanation of the situation is simply that the Assembly attempted at this session the performance of what was an impossibility, namely, a complete revival of the laws of the Colony without the help of a preliminary revival committee. For this blunder the governor and Council were clearly responsible, since the House were forced into the attempted revival during a session against their better judgment, as often expressed at preceding sessions, and since they at this session, so far as the Journal can be depended on, put forth their best efforts to make the adopted plan a success. The governor in his opening speech referred to the revival as being necessary, and said he hoped the House were at length satisfied it was not “a worke of Such difficulty or labour as not to be effected even dureing an ordinary Session.” The House, forced by former experiences to the conclusion that if there was to be a revival at all the work would have to be undertaken in accordance with the plan advocated by the governor and Council, sent, without unnecessary delay, to the Council to ask what method of procedure the Council proposed at this session in the prosecution of the work, and on receiving the reply that the bills should be passed one by one by the House in the usual manner and transmitted to the Council for their approval, ordered that the Committee for Propositions and Grievances, of which *William Fitzhugh*, a very competent lawyer, was chairman, should be constituted a Committee of Revival, who were to report the bills to the House as rapidly as they could be prepared. The very next day the committee reported sixteen of these bills, and others at intervals until all the laws of the Colony, with such amendments as could be suggested in the limited time allowed, were thus reported as bills to be adopted anew.¹²⁷ There were well over a hundred of these bills, however, each of which had to be read three times in the House before it could be adopted and sent to the Council. The House, moreover, had, of course, the privilege of amending any bill or rejecting it *in toto*, a privilege of which they were not slow to avail themselves, and any bill adopted by the House might be amended or rejected by the Council. If any special amendment proposed by the Council was not acceded to by the House, the difference of opinion had to be referred to a conference committee. For example, the first two bills reported to the House by the Committee for the Revival of the Laws had the titles “A byll for building Churches and Chappels” and “A byll for the laying out of Glebes in each parish, and ascertaining Ministers Sallery.” These were reported on the 21st of *October*, read twice on that day, and on the following day passed by the House without amendments and sent immediately to the Council. On the second of *November* they were, with others, returned to the House, each having been amended. When the House took them under consideration, it was found that the amendments could not be accepted in their entirety, and a conference was asked for in reference to them and the other Council amendments found unacceptable to the House. Two conferences had to be held before the House and the Council could agree on the final form of these two bills. From this it will be seen that the work undertaken by the General Assembly at this session was a very complicated and tedious one. Finally it had to be abandoned. There was the good result, however, that, this

¹²⁶ They are all to be found in full in Hening, III, 119-125.

¹²⁷ From the rapidity with which these bills were reported it may be fairly surmised that the committee must have had as a basis for their work the bills drawn up by the revival committee of the Council some years before.

experiment having been tried and found to be impracticable, it was not many years before the Council agreed to the plan advocated by the House. In 1699 a joint Committee of Revival, to sit when the Assembly was not in session, was constituted, and in 1705 a revised code was adopted.

Thomas Milner was again speaker of the House, elected over his competitor for the honor, *William Fitzhugh*, who was made chairman of the Committee of Propositions and Grievances, and who, in that position as well as in the performance of various pieces of work assigned him from time to time by the House, did yeoman service. The messenger of the House—the officer who later would have been called serjeant-at-arms—was again *William Drummond*, who, however, was at this session appointed by the governor, on the recommendation of the House. Since there is no record of a contest in reference to the matter, it is to be inferred that the House had since the last session come to recognize that the appointment of this officer, in the partition of powers then existing between the legislative and the executive branches of the government, belonged to the governor, the messenger being not infrequently called upon to make arrests, not only of members but of others, a function belonging of right only to an officer who like the sheriffs of the counties was appointed by the crown.

The messenger was called upon at this very session to arrest and keep in custody a man for abusing and striking a member of the House and speaking in disrespectful terms of the House in general—conduct which the House considered to be a breach of their privileges. So important did they deem a vindication of their privileges to be, that, after the arrest was made according to the order of the House, a committee was appointed of which *William Fitzhugh* was, almost as a matter of course, chairman—“to consider of, and draw up, and present to the House a state of the matter.” When this committee reported, the House compelled the offender to make on his knees an ample apology, using a form of words prepared for him, and remanded him into the custody of the messenger till further order. Later he was discharged, on his humble petition to the House, being required to pay the usual fees.¹²⁸

In addition to the revival of the laws, the governor in his opening speech recommended to the consideration of the Assembly the “Act for Ports and so forth” and the “Act for the Revizing a former Act for Advancement of the Manufactures of this Country,” which, he informed the House, had been suspended by the Privy Council but recommended for passage in revised form in accordance with suggestions made by the Commissioners of their Majesties’ Customs; the passage of a law prohibiting the exportation of bulk tobacco; the continuance of the law for the defense of the country, which at the last session had been made operative for only one year; and the passage of a law for the erection of a governor’s house.

In reference to only one of these matters, however, did the House act as it was hoped they would, and that was the necessary matter of defense. What had by this time become the usual law on this subject was passed, to continue in force till the last of *April* 1695. As for the governor’s house, what may be considered the usual action was also taken, that is, the House recommended that it be constructed and paid for out of “the revenue” as soon as that fund “appropriated to discharge the contingent charge of the government” would permit.¹²⁹ On the subject of a law prohibiting the exportation of bulk tobacco, they took the same stand taken by them at the preceding session—that such a law would be injurious both to their majesties’ revenue and to the interests of the people of the Colony. They also refused to make any effort to revise and pass, in accordance with suggestions, the act in reference to manufactures or the port act. They evidently cared little about the former of these acts and had become weary of the strife stirred up in the Colony in connection with the latter. From their position on no one of these subjects could they be moved by the appeals of the Council. Beneath the statements made in the communications of the House to the governor and to the Council,

¹²⁸ See pp. 473, 474, 475, 476, 477.

¹²⁹ For the address of the House in answer to the governor’s opening speech, see pp. 470, 471.

the House evidently had a feeling, which they did not think it politic to express, that the General Assembly of the Colony could get along better with fewer suggestions from the outside.

This feeling probably had its influence, too, in their refusal to vote any assistance to *New York*, a matter which came up again at this session. On the second of *November* the governor informed the House that he had in *April* received her majesty's commands, dated *October 11*, 1692, to render assistance to the governor of *New York*, on application of the latter, in his difficulties with the *French* and *Indians*, and that, having received the application some time before, he had, by the advice of the Council, sent £600, and had also sent Captain *Miles Cary* to *New York* to adjust the matter of a quota of men. Captain *Cary* had now returned, and he reported that the quota could not be adjusted since other commissioners had failed to go to *New York*, but he had brought another letter from the governor of *New York* describing the dangers of the situation and asking for further assistance. The governor recommended this matter to the consideration of the House, taking care to send without further ado all the papers he had bearing on the subject, including the queen's letter of *October 11*, 1692. But the House could not be prevailed upon to do anything, their reasons being set forth in a strong address to the governor on *November 8*—written by *William Fitzhugh*—the main one being probably their disbelief in the urgency of the need. Nor would they even allow Captain *Cary*'s reward for services rendered on the trip to appear as an item in the book of claims, holding that it should come out of "the revenue." Their message to the Council on the subject¹³⁰ gives a clear idea as to the nature of the services that should, in the opinion of the House, be paid from that fund. The House knew that "the revenue," if properly collected and managed, ought to be sufficiently large to meet all the ordinary expenses of government and to have left enough to pay all contingent expenses, and even to make advances in case of extreme necessity to neighbors overtaken by calamity, as had already been done to the extent of £600 in the present case.

By the time of the convening of this Assembly the Rev. *James Blair* had returned from *England*, bringing with him the charter for *William and Mary* College. It remained for the Assembly to select a site for the institution and make provision for its erection and maintenance. These objects were effected by the passage of the two laws, entitled "An act ascertaining the place for erecting the College of *William and Mary* in *Virginia*" and "An act laying an imposition upon skins and furs for the better support of the Colledge of *William and Mary* in *Virginia*."¹³¹ The Rev. Mr. *Blair* was liberally rewarded for the successful efforts he had put forth in *England*, where he had secured not only the charter but many substantial gifts for the college. There was no suggestion that his reward be paid out of "the revenue."

¹³⁰ See p. 488.

¹³¹ Hening, III, 122-124.

EDITOR'S NOTE.

Pages 3-118 of this Volume contain such Orders of the Grand Assembly, Minutes of Proceedings (or Journals), Addresses, and other Papers—including Communications to the Assembly—as are extant and have been discovered for the Sessions held in the period embraced between *March* 13, 1659/60, and *June* 8, 1680.

ORDERS OF A GRAND ASSEMBLIE.

Held att *James Cittie*, March 13th, 1659/60. Sir *William Berkeley*, Kn't. Governour and Capt. Generall of *Virginia*.
Mr. *Theoderick Bland*, Speaker.

ORDERED that the port-charges and castle duties of all shippes arriveing and lading in any the ports or rivers within the jurisdiction of *Virginia* shall be paid to the honourable Sir *William Berkeley*, Knight, Governour and Captain Generall of of *Virginia*, att the severall places and to the severall persons by him appointed to receive the same, *And it is further ordered*, That all such shippes as have arrived in any part of this countrey since the decease of the right late honourable the Governour, Coll. *Samuell Mathewes*, In case they have not already paid the said port-charges and castle-duties forthwith make payment of the same to the said honourable Sir *Wm. Berkeley*, kn't. or his order, And in case any shippes have gone out of the country without payment made as aforesaid, *It is then ordered*, That immediately after their next returne into the countrey payment may be made accordingly for the vse aforesaid, According to act of Assembly in that case provided, And all persons that by vertue of any power now or formerly granted them have received the said port-charges and castle-duties are hereby ordered to make present payment of what they have soe received vnto the said honourable Sir *William Berkeley* or his order.

Ordered, That the declaration already drawne vp and read in the House demonstrating the reasons and grounds of the Assemblies assuming the power of the government be forthwith proclaimed and published, And the declaration recorded.

Whereas, the honourable Sir *William Berkeley* desired the advice of the late Councill and their concurrence in his acceptance of the government, *It is ordered*, That he have the free liberty of treating with them, And that his letter and their subscription approving his election be recorded.

Ordered, That the declaration of Sir *William Berkeley*, Kn't. to be governour and Capt. Generall of *Virginia*, and to enjoy the obedience of the people be forthwith proclaimed by the high sherriff of *James City County* and the declaration to be recorded.

Ordered, That *Collonell Manwaring Hamond*, according to the desire of Sir *William Berkeley*, Kn't. Governour and Capt. Generall of *Virginia*, be constituted, authorized and made Major Generall of *Virginia*.

Ordered, That *John Johnson*, millright, being a *Dutchman* be for the encouragement of other artificers of what nation soever admitted to be a denizen of *Virginia*, he having been resident here much longer then the act for denizens requires, And intending according to the tenor thereof to make this the place of his future residence, Therefore vpon oath taken according to act, his letters of denization are ordered to issue forth.

Whereas Richard Bushrod exhibiting a petition against *Thomas Brereton* about a parcell of land in *Potomack River*, which land the said *Bushrod* pretends the said *Brereton* surreptitiously procured order to patten, he is referred to take his course against the said *Brereton* at the comon law, this petition extrajudicially brought into the Assembly.

Whereas severall parishes have exhibited to this Assembly their complaints against the sherriffes of the county for refusing to take notice or make returne of the Burgeffes by them elected, Whereby their priviledges graunted them by the law have been infringed, *It is therefore ordered* that no sherriff for the future vpon the desire of the veftry to have a parochial Burgeffe manifested to him shall refuse to convene the people

at a certaine time and convenient place, And be there present to take off their election and accordingly to returne their Burgeffe.

Ordered, That the committee for auditing the accompts of the collectors of two shilling *per* hhd. be impowered to examine wittneffes, administer oathes, and all other legall meanes to vse, whereby the truth of the said accompts may be the more certainly manifested.

Ordered, That the honourable Sir *Wm. Berkeley* may at his pleasure elect & swear one person to be of the Councill of State, *Provided* he be no member of this House.

Ordered, That the honourable Sir *William Berkeley*, Knight, shall be allowed for his support of the government besides castle-duties and lycences, seaven hundred pounds sterling out of the imposition of the two shillings *per* hoghead and fifty thousand pounds of tobacco out of the levy, And the customes of all *Dutch* vessells tradeing hither from the *Manados*¹ if any such come.

Whereas there are severall actions entred against the executors of the estate of *Samuell Mathewes*, Esq. deceased to the county court of *James Cittie*, Which actions the executors have desired might be heard before the Governour and Council, *It is accordingly ordered*, That all the said suites shall be heard on the sixth day of the next quarter court, *Provided* the executors give notice to the severall creditors that they may then and not before attend to prosecute.

Ordered, That *Robert Lawrence* according to his petition have a writt of ease granted him from his future officiateing as a comissioner in the county of *Nanzemund*.

Ordered, That *John Beauchamp*, merchant, be permitted to carry his Indian boy into *England*, *Provided* that at the county court in *Charles Cittie* Countie he make it appeare that he hath the consent of the said Indian boy's parents soe to doe.

Whereas the king of *Weanoak* hath shewed that by reason of many disadvantageous bargaines, made with the *English* his debts are at present greater then his abilities to pay, soe that he hath by his *English* creditors bin imprisoned whereby much detriment hath accrewed to the publique, *It is according to his petition wherein he offers security ordered* that a protection be granted him against all arrefts for any action of debt vntill the first of *March* next, of which all sherriffes and their deputies are required to take notice and commanded not to serve any writt or warrant vpon him, before the said first of *March* as they will answer the contempt at their perill.

Whereas the many important favours and services rendered to the countrey of *Virginia* by the noble family of the *West*, predeceffors to Mr. *John West*, their now only survivor, claim at least that a gratefull remembrance of their former merrits be still continued to their survivor, *It is ordered*, That the levies of the said master *West* and his family be remitted, and that he be exempted from payment thereof during life.

It is agreed vpon in the House, That the nomination and choice of the severall collectors of the imposition of two and tenn shillings *per* hhd. of tobacco be wholly referred to the consideration of the honourable Sir *William Berkeley*, Knight.

Ordered, That according to the desire of the honourable Sir *William Berkeley*, Coll. *William Claiborne* bee confirmed in the office of Secretarie of State.

Ordered, That Coll. *Thomas Swann* pay thirty four pounds six shillings and nine pence being the balance of his accompt of collection for the vse of the publique to such person or persons as the Affembly shall appointe.

Whereas it hath been formerly granted by act of Affembly in one thousand six hundred fourty and one, And by order of Assembly in one thousand six hundred ffifty and two, ffor encouragement of discoverers to the westward and fouthward of this countrey, granting all profitts ariseing thereby for fourteen yeeres, *It is by this Assembly ordered*, That Mr. *Francis Hamond* and his associates either joyntly or severally may discover, And shall enjoy such benefitts, profitts & trades for fourteen yeeres as he or they have found or shall find out in places where no *English* ever have been or discovered

1. A town and a province in Celebes. Usually spelled "Menado."

covered or have had particular trade, And to take up such lands by patents (proving their rights) as they shall think good, not excluding others after their choice (from taking up lands and planting in those now new discovered places as in *Virginia* now is used,) But wholly from the trade during the said fourteen yeeres, that being wholly appropriated to the said *Francis Hamond* and his associates.

Whereas a suite hath long depended between Mr. *Miles Cary* and Mr. *John Brewer*, proprietor of land in *Stanley Hundred* and Mr. *John Harlowe* about fiftie acres of land given by order of the Governour and councell in the yeare one thousand six hundred thirty-one, for a com'on unto the inhabitants of the said *Stanly Hundred* which grant of the Governour and Councell appearing valid by the Grand Charter exhibited to the committee, *It is therefore ordered*, That the said fifty acres be confirmed to the said inhabitants of *Stanly Hundred* according to the grant, And that the patent for the same granted to Mr. *Harlowe* be made void and null.

Whereas John Hope, lately of *New-Kent*, died intestate, and at the time of his death, was possessed of a certain dividend of land to which no heire as yet hath appeared to make claime, And *John Barber*, administrator of the said *Hope's* estate having still assets in his hands, And the county of *New-Kent* having paid above two thousand pounds of tobacco for accompt of the said *Hope's* debt, *It is therefore ordered*, that the said land remain in the possession of the commissioners of the said county of *New-Kent* for the use of the county until an heire appeare.

Whereas Edward Prescott on the third day of *December* in the year one thousand six hundred fifty and nine obtained an order of the quarter court against *William Andrewes* for four hundred and seaventie pound sterling, *It is ordered*, That a superedeas be granted to the said *Andrewes* to make stay of execution upon the said order, *Provided* the said *Andrewes* give notice to the said *Prescott* that the case is to be reheard the sixth day of the next quarter court, And that he give good security for payment of the damages that the said *Prescott* may sustain by reason of the said stoppage of proceedings in case the said *Andrewes* be cast in the suite.

Whereas Mr. *Theodorick Bland* petitioned this Assembly for damages in a case wherein he had judgment the last Assembly against Mr. *William Dromond* who was attorney of the Coheires of *Basse*, *It is ordered*, That the said *Dromond* pay unto the said *Bland* two thousand five hundred pounds of tobacco damages according to act als. execution.

Ordered, That two thousand pounds of tobacco be paid unto Mr. *Phillip Mallory* for his officiateing at the two last Assemblies out of the levy in *Yorke* county.

Ordered, That Mr. *Peter Lansdale* and Mr. *Phillip Mallory* be desired to preach at *James towne* the next Assembly.

Ordered, That the appointment of the collectors for gathering the imposition of two shillings per hoghead be wholly referred to the honourable Sir *William Berkeley*.

The widow *Hudson* extrajudicially bringing into the Assembly a petition against Collonel *William Clayborne* is referred to take her course at the comon lawe.

Whereas it appears that there was levied for Sir *William Berkeley* upon the county of *Lancaster* (which then included the whole river of *Rappahannock*) twelve thousand six hundred pounds of tobacco, And upon the county of *Northumberland*, including then the whole side of river of *Potomak* in *Virginia*, twenty-one thousand eight hundred eighty-eight, And that there was more due to the said Sir *William Berkeley* ten pound per pole for corne to have been paid by the then tithables, *It is ordered*, That in case the commissioners of the said counties or rivers having power by special warrant to cause the then collectors to bring in their accompts, do not by the tenth of *October* next make it appeare to the Governour and Councell, That the said tobaccos have been paid to the said Sir *William Berkeley* or his order, That then the said commissioners take course to levie the same upon the persons delinquent or else make satisfaction of the premises als. execution.

Ordered,

Ordered, That none of the tranſactions of the laſt Aſſembly bee at all diſputed of this ſeſſion.

Ordered, That in caſe Mr. *John Harlowe* cleare himſelfe of the objections now made againſt him he ſhall be reſtored to his former place in the comiſſion, but vntill then he ſtand ſuſpended.

Ordered, that the orders of Aſſembly permitting the comiſſioners of the *Iſle of Wight* county to keep two courts, bee reverſed, made void and null, and that they keep only one court, and that to be held at the vſual place as before the courts were devided.

It is vnanimouſly agreed vpon by the Burgeſſes that they will not claime the priviledge of a Burgeſſe, Exempting them from arreſts, during the time of the adjournment of this preſent ſeſſion: But that they will be ten dayes after the expiration of this ſeſſion ſubject to arreſts, Judgment and execution againſt their eſtates but the perſons to be ſtill free.

Ordered, That vpon an authentique power legally atteſted from alderman *Jackſon* and alderman *Browne* of *Briſtol* produced to the comittee for proportioning the levy they ſhall be authorized to make payment to their ſaid attorney of twenty-two thouſand ſix hundred eighty-one pounds of tobaccoe, He giving them a ſufficient diſcharge to acquit the country from any further claims.

Ordered, That ſeaventy one thouſand five hundred pounds of tobacco the ſame allowance of the ſouldiers that were carried over to *Accomack* be alſo paid to the inhabitants of *Accomack* for the full charge of all the late warr, *Provided* that twenty-two thouſand ſix hundred eighty-one pound of tobacco be deducted out of the ſame, It being paid for a debt long ſince due from the ſaid county to the publique.

Ordered, That the Secretarie iſſue forth all ſumons for Aſſemblies *ex officio*, And that ſheriffs ſumon all perſons to bring in accompts of orphants eſtates, And the clerkes of county courts regiſter the ſaid accompts *ex officio*.

Ordered, That the ſheriffes of the ſeverall counties returne the liſt of their ſeverall tithables, into the Secretaries office by the firſt of *September* next, And that the Governour and Councell proportion the levy made this ſeſſion, And enquire what ſheriff have been delinquent in returning the writts for the Burgeſſes and fine each offending ſheriffe ſix hundred pounds of tobacco.

ATT A GRAND ASSEMBLIE

Held att *James Cittie* in *Virginia* the 11th of *October* 1660:

These orders following were made in the Government of
The Right Hon. Sir *Wm. Berkeley* his Majesties Governor.
Mr. *Theodorick Bland* Speaker.

ORDERED, That in consideration of the castle duties which by the last Assembly was granted to the right Hon. the Governour are returned to Coll. *Morrison*, to whom of right they belong that his honour be allowed sixty thousand pounds of tobacco this year out of the publique levy in leiu thereof.

Ordered, That the commissioners of *Nanzemun* examine the buisnes of *John Linge*, and in case the said *Linge* be unpaid the whole or any part of what is ordered out of that county, that then they take care to see him satisfied forthwith, otherwise execution to issue against the commissioners according to act of Assembly.

Ordered, That the commissioners of *Rappahannock* county have power to levie the arrears due to the right Hon. Sir *William Berkeley* upon the said county and take a speciall care for the payment *alias* execution &c.

Ordered, That the commissioners of both counties of *Potomacke* have the same power as the commissioners of *Rappahannock* concerning the arrears of the right Hon. Sir *William Berkeley*.

Ordered, That a bushell of eares *per* pole be paid to the right honourable the Governour, by all the inhabitants of the country that are tithable and that for the better payment of the same the commissioners appoint two persons in each parish, to looke after the collection of it, and the people to bring the corne to such convenient places for boating as they shall appoint, and that it be readie by the last of *January* or sooner if the right honourable the Governour shall think fitt, and the said collectors having soe collected the corne and given notice to Sir *William* that the same is in convenient and secure places the said countys shall be discharged.

Ordered, That Coll. *Carter* vpon his oath declare the whole truth that passed between him and Coll. *Claiborne* at the Assembly in 53 or 54 concerning making an act of non-address to the right Honourable Sir *William Berkeley*.

Ordered, That Major Gennerall *Hammond* have eleaven thousand pounds of tobacco allowed him out of the publique levie this yeare, & eleaven thousand pounds of tobacco the next as being employed by the right honourable the Governour and countrey in the address to his Majestie for a pardon for the inhabitants of the countrey.

Whereas, certain differences have long depended between Coll. *Guy Molfworth* and the country and it hath bin proposed by the said Coll. *Molfworth* to put a period to the same for six thousand six hundred pounds of tobacco and it was assented to by the house, *it is therefore ordered* that 6600 pounds of tobacco be paid him this yeare out of the levy.

Ordered That Sir *Henry Moody* bee imploied in an embasse by the right honourable the Governour to the *Manados* about the affaires of the countrey shall have eleaven thousand pounds of tobacco out of the levie this yeare as a gratuity for his paines therein.

Ordered That Collonel *Guy Molfworth* have eleaven thousand pounds of tobacco allowed him out of the publique levie this yeare and eleaven thousand the next as being employed by the right honourable the Governor and country in the address to his sacred Majestie.

Ordered That *Jenkin Price* for some important service rendered in the preservation of severall persons among the Indians shall receive of the publique to be paid him out of
the

the levie the next yeare, ffive thoufand pounds of tobacco, which fhall be tendred to his creditors as part of his eftate, and his goods fhall according to aēt of affembly redeem his perfon.

Ordered That by reafon of the vnconcionable rates, fmiths do exact on the inhabitants of this countrey for their worke, that the countie courts have power to regulate their accompts.

Ordered that the horfe way over *Powatan* fwamp to *James-Cittie* be at Mr. *Hunts* mill and that he be allowed out of the levie next yeare ffive thoufand, ffive hundred pounds of tobacco for repairing and maintaining the fame for eight yeares except the county of *James-Cittie* before the tenth of *February* will vndertake the fame on the fame tearmes.

Ordered That Maj. Genll. *Hammond* and tenn perfons be this yeare exempted out of the levy.

Ordered That after the collectors have fatisfied the right honourable the Governour the feaven hundred pounds allowed him out of the two and ten fhillings *per* hogfhead that the collectors pay the reft of the creditors and give an accompt to the next Affemblye.

Ordered That *Thomas Hunt* have three thoufand ffive hundred pounds of tobacco allowed him out of the levye for the vfe of his houfe the Affembly fitting there.

Ordered That Mr. *Woodhoufe* have ffour thoufand pounds of tobacco allowed him out of the levye the next yeare, for the Governor and Councell fitting att his houfe.

Ordered that *Daniel Dawen* for his experiment of falte have his charges defrayed in towne out of the publike levie and bee exempted out of the *Accomacke* levie alfo.

Ordered That the pafs granted to *Nicholas Perry* by the governour bee affented to by the houfe who difcharge the governour of his obligation, *And further ordered* that the creditors of the faid *Perry* appeare next *Charles Cittie* county court to make their debts appeare and receive fuch payment as the faid *Perrys* eftate will afforde.

It is the request of the houfe that the right Hon. Sir *William Berkeley* would take into his care the building of a ftate-houfe and what agreements he fhall make, or fhall be by his order expended for the fame, *it is ordered* to bee paid out of the publike levie, and to bee raifed by aēt of Affemblye.

Ordered that Mr. *Randolph* draw vpp the accompts of the collectors of the two fhillings *per* hogfhead, and the arrears of the creditors and prefent them to the governour that the collectors may fatisfie the fame according to his order.

Ordered That all the quarter courts ameracements of ffiftie pounds of tabaccoe *per* caufe ffrom the laft affembly till the laft of *March* next be paid to Coll. *Morrifon* for feverall fervices and remittance of arrearages to the country, and that the clarke iffue out accompts thereof to the feverall fherriffs to collect the fame for him.

Ordered That the honourable the governour have power to preffe tenne men of the ordinarie fort of people, allowing each man two thoufand pounds of tobacco *per annum* for their fervices and to employ them toward the building of a ftate-houfe.

Ordered That Mr. *Richard Bland* be added to the commiffion of *Elizabeth cittie*, Captain *Francis Gray*, to the commiffion of *Charles Cittie*, Mr. *John Vnderhill* to the commiffion of *Yorke* in the place of Mr. *felgate*.

Whereas the Indians of *Accomacke* have complained that they are very much ftraightened for want of land, and that the *English* feat fo neare them, that they receive very much damage in their corne, *It is ordered* that the right honourable the governour give commiffion to two or three gentlemen with a furveyor living on this fide the bay (that have no relation to *Accomack*,) to go over thither, and lay out fuch a proportion of land for the faid Indians as fhall be fufficient for their maintenance with hunting and fifhing excluded, And that the land foe laid out to be fo fecured to the Indians that they may have no power to alienate it, or any part of it hereafter to the *English*.

Whereas the acknowledgment of the land of the *Wiccocomoco* Indians to Coll. *Mathewes* appeares vpon record, but not how juftly acquired nor whether voluntary or not, *It is ordered* by that a confideration of ffiftie pounds vallew, bee proferred to the
Indians

Indians for the said land by the guardians of the Coll. *Mathewes* his heire, which shall be at their free election to accept or refuse, & if accepted, the land to be confirmed by rights & patents to the said heire, But if now refused, and the Indians shall hereafter desert the said lands then Coll. *Mathewes* his heire shall re-enter by virtue of his former grant, (any future alienation of the Indians to any other person hereafter notwithstanding) and enjoy the said land as his own forever; But in case of the disbursement of the money and the death of the said heire before he come to age then the guardians disbursing the aforesaid summe as joynt purchasers possess the land to them and their heires forever; And of the value of the goods, and of the Indians acceptance or refusal the governour and council to be judges.

Whereas the committee hath reported that Coll. *ffantleroy* hath from the Indians a conveyance of his land, and an acknowledgment made by them, but not according to act, and that this conveyance hath reference to a former deede whereby it is pretended by Coll. *ffantleroy* that it evidently appeared hee had made the Indians satisfaction but neither the deed nor evidence appeareing, and Coll. *ffantleroy* petitioning for a reference, vpon pretence of further evidence, *it is ordered* that a reference be granted him till the next assembly, that in the meane time Coll. *Carter* acquaint the Indians what care the assembly take to preserve their rights, and that the said Coll. *Carter* bee impowered in the said Indians behalfe to prosecute their cause the next assembly.

Whereas the placing of two distinct collectors in one river by reason off several shipp ladinge in divers places carries with it severall inconveniences *It is ordered* that Mr. *Theodorus Bland* and Mr. *Henry Soane* Collectors of the imposition of two and tenne shillings *per* hoghead be joyned in one commission and the profits to be equally divided.

Ordered That *Edward Prescott* pay vnto Coll. *William Kendall* late collector of the two shillings *per* hoghead in *Accomack* thirty two shillings being the duty of sixteen hogheads acknowledged by the said *Prescott* to have bin received aboard his Catch for accompt of Mr. *Richard Wright*.

Ordered That *Edward Prescott* for severall scandalous mutinous and seditious words vttered against this Assembly be committed to the custody of the sherriffe vntill further order from the governour and councell, and that he be suspended from his place in the commission.

Ordered That Mr. *John Pate*, Mr. *Anthony Savage* and Mr. *William Howard* be added to the commission of *Gloster* county.

Ordered That Mr. *Thomas Taylor* bee added to the commission of *Nanfemun*.

Ordered That Mr. *Thomas Davis* be exempted and dismissed out of the commission of *Nanfemun*.

Whereas *John Powell* hath complained of damages done to him by the Indians *it is ordered* that the commissioners of the county of *Northumberland* inquire into the said damages, and if vpon sufficient prooffe, they find any which are considerable the said commissioners are ordered to award satisfaction and to give notice to the cheife man or men among those Indians that if they do not comply with the said award, then soe many off them as the court shall thinke fitt shall be apprehended and sold into a forraigne countrey to satisfie the award and vpon the Indians refusal to pay what is awarded the governour and councell are desired and authorized to cause some of those Indians to be apprehended and to bee accordingly disposed of, if they find it necessary.

Ordered That the comission of Captain *Peter Afhton* for the collection of two and tenn shillings *per* hoghead do extend as farre as *Northumberland* county.

Whereas it hath bin enacted that everie master of shipp or vessel should enter into two thousand bond with securitie for performance of such things as by the lawes of the countrey are enjoyned them, which being too greate a summe for small vessels, *it is ordered* that the severall summes in which they are to be bound be left to the discretion of the collectors who are to take the bond.

Ordered That there be added to the comission of *Westmoreland* county Mr. *John Lord* Mr. *John* Mr. *John Vauhan* Mr. *Andrew Monroe*, Mr. *Roger Parfitt* and Mr. *Nathaniel Jones*.

Ordered

Ordered That *Edward Bowman* be dismissed out of the commission of *lower Norfolk*.

Whereas *Nicholas Boate* hath petitioned for confirmation of his denization in *Virginia* The governour councell and burgeses have ordered that if he with his family shall constantly reside in *Virginia* two years, and afterwards continue to make this his place of residence, that then after the said two years expired he shall be admitted to enjoy all the priviledges an *Englishman* enjoys in *Virginia*.

**Ordered* That the Publique Levie of fifty six pounds of Tobacco *per Pole* raised this Affembly be paid by the severall Counties.

* This order is not given in *Hening*. It is found in the Public Record Office, *London*, Colonial Office, Class 5, Vol. 1376.

ATT A GRAND ASSEMBLIE

Held att *James Cittie* in *Virginia* the 23rd of *March* 1660/1
these orders following were made in the Government of
the Right Hon. Sir *Wm. Berkeley* his Majesties Governour.
Mr. *Henry Soanes* Speaker.

ORDERED That *Martin Baker* high sheriff of *New Kent* for his vndue proceeding in the election of the Burgeffes of the said county, to the end it may serve as an example to make others more carefull in the due execution of their places be fined five hundred pounds of tobaccoe and pay cofts.

Upon the petition of *Harquip* the Mangai of the *Chickahomini* Indians to have all the lands from Mr. *Malorys* bounds to the head of *Mattaponi* river & into the woods to the *Pamaunkes* It is accordingly ordered that the said land be confirmed to the said Indians by pattend, and that no *Englishman* fhall upon any pretence disturbe them in their said bounds nor purchase it of them unles the major part of the great men fhall freely and voluntarily declare their consent in the quarter court or asssembly.

Whercas Mr. *Phillip Mallory* hath been eminently faithfull in the miniftry and very diligent in endeavouring the advancement of all those meanes that might conduce to the advancement of religion in this country, It is ordered that he be desired to undertake the solliciting our church affaires in *England*, & that there be paid him as a gratuity for the many paines he hath allreadie and hereafter is like to take about the countreys buisness the sume of eleaven thousand pounds of tobacco, to be paid in the next levy.

Ordered That Collonel *Francis Morrison* and *Henry Randolph* clerke of the asssembly review all the acts, peruse the records, give dates to the severall acts, from the first time of their being in force and present a draught of them with such alterations and marked amendments as they fhall find necessary to the next asssembly, and that there be paid them for their paines ffifteen thousand pounds of tobacco out of the next levy.

Whereas *Nicholas Boot* had his denization granted him by the asssembly in *March* 1658, and hath now petitioned that the same may bee renewed in his majesties name, It is accordingly ordered that he fhall have his pattend renewed provided he take the oaths of alleagiance and supremacy.

Whereas a certaine grant hath been made to the *Chickahomini* Indians of certaine lands in which tract Major Gennerall *Manwaring Hamond* claimeth a devident of two thousand acres granted him by pattend, It is ordered, that the said Major Gennerall *Hamond* be desired to purchase the same of the Indians or to procure their consent for the preservation of the countreys honour and reputation.

Whereas there hath been a gennerall complaint made by master of shippes that wee had neither pilotte nor beacons to direct them in their bringing their shippes upwards It is ordered that capt. *William Oewin* bee made cheife pilott of *James* river and that for his encouragement therein he fhall be paid for the pillotage of all vessells above eighty tunnes ffive pounds sterling if he be employed and if not employed forty shillings And every master of a ship or vessell that fhall anchor within *Point Comfort* having or not having a pilott to pay thirty shillings to the said pilott for beaconage, And it is further ordered that the said pilott fhall make place and maintaine good and sufficient beacons in all necessary places from *Willoughbies* Shole including the whole Shole to *James Cittie*, and all such beacons afterwards lost, removed or wanting repaire to be renewed or repaired within fifteen days by the said pilott.

Ordered

Ordered That the order of the quarter court of the 27th of *March* 1661 prohibiting *Roger Partridge* and *Elizabeth* his wife to keep any maid fervant for the tearme of three yeares be by this affembly ratified and confirmed.

Whereas a propofition relating to the prevention of fervants and other idlers running away in troops by a purfuit made at the charge of the county, hath reference chiefly to the county of *Glocefter* *It is ordered* that the faid county court have power for that county to make fuch lawes as fhall be from time to time found neceffary and convenient for prevention purfuit or recovering of any fuch runaways.

Upon examination of the difference betweene Coll. *Fantleroy* and the Indians it appearing that Coll. *Fantleroy* had a conveyance of the faid land from the Indians and had given them fome recompence though not full fatisfaction for the fame, and it being manifeft that the Indians are no way capable of making him fatisfaction for his building and cleering *It is ordered* by this grand affembly that the faid land fhall remain and bee confirmed to the Coll. *Fantleroy* and his heires forever, he paying unto Mr. *Mathew Kempe* for the ufe of thofe Indians thirty Matchcoates of two yards a peice whereof one to the king hanfomely trimmed with copper lace.

Whereas Mr. *John Harlowe* hath had two judgements (whereof one by a verdict of a jury) paffed againft him for planting tobaccoe after the day appointed by act, and the faid *Harlowe* pleading his facred majefties pardon, the houfe conceiding his majefties pardon not to extend to any bufinefs of that nature, have yet in confideration of the fmall quantity of tobacco foe planted thought him a fitt object for their clemency and therefore remitted that part of the fine that belongs to the publique and left him to make his compofition with the informer either for prefent fatisfaction or for good security to pay him next crop.

Whereas Mrs. *Phoebe Smith* adminiftratrix of the eftate of Lieutenant Coll. *Toby Smith* hath by pretence of a bond found invalid both becaufe the deed was not recorded but chiefly in regard the condition is for articles not here expreffed deteyned the faid eftate from her hufbands creditors, but haveing by her illegall proceedings therein as appraifeing the eftate without fwearing appraifers and haveing made fuch waft as a writt of *devaftavit* may juftly ly againft her *It is ordered* that fhe pay unto *John Whitty* ffour thoufand eight hundred ffourty one pounds of tobaccoe, and caske and eightie fix pounds fixteen fhillings fix pence in money, for fo much found due to the faid *Whitty* from her faid hufband *Toby Smith*, and in cafe that neither the eftate of the faid Lieut. Coll. *Smith*, nor the proper eftate of the faid *Phoebe Smith* will fatisfie the premifes, then capt. *Whitty* to take his remedie againft the security for her adminiftration and in cafe of noe security or infufficient then to take his remedy againft the commiffioners who granted her that commiffion.

For the fupply of an able and orthodox miniftry in fuch parifhes of *Virginia* which are deftitute of minifters, *It is ordered by this prefent Grand Affembly* that the veftryes of the feverall parifhes foe deftitute doe fubfcribe and procure from the feverall other inhabitants fuch fubfcriptions as they fhall be willing to make towards the fupport and maintenance of fuch minifters in their feverall parrifhes.

Whereas for the advancement of learning, promoteing piety & provifion of an able & fucceffive miniftry in this country, it hath been thought fitt that a colledge of ftudents of the liberall arts and fcienes be erected and maintayned In purfuance whereof the right honourable his majefties governour, council of ftate, and burgefles of the prefent grand affembly have feverally fubfcribed feverall confiderable fumes of money and quantities of tobacco (out of their charity and devotion) to be paid to the honourable Grand Affembly or fuch treafurer or treafurers as they fhall now or their fucceffors hereafter at any time appoint upon demand after a place is provided and built upon for that intent and purpofe, *It is ordered* that the commiffioners of the feverall county courts do att the next followinge court in their feverall countys fubfcribe fuch fumes of money & tobaccoe towards the furthering and promoteing the faid perfons and neceffary worke to be paid by them or their heires, as they fhall think fitt, and that they alfoe
take

take the subscriptions of such other persons at the said courts who shall be willing to contribute towards the same And that after such subscriptions taken they send orders to the vestries of the severall parishes in their severall countys for the subscriptions of such inhabitants and others who have not already subscribed and that the same be returned to *Francis Morrison Esquire*.

Whereas the present grand assembly taking into serious consideration the great charge brought yearly upon the country and the severall inhabitants by want of a State house for the Right Honourable the Governour and councill to keep courts and future Grand Assemblies to meet in and consult of the weighty affaires of the country have thought fitt that a State house be erected & built & that the same will be less burthenfome by a free and charitable subscription then by a generall leavie, In pursuance whereof the right honourable governour councill and burgeses of this present grand assembly have voluntarily subscribed severall considerable summes and quantities of money and tobacco to be paid by them or their heirs at the next crop to such person or persons as shall be appointed *It is ordered* that the commissioners of the severall county courts subscribe and take such subscriptions as shall be willingly made and that the said severall courts send orders to the severall vestreys for the like subscriptions from the other inhabitants which subscriptions to be delivered by the said vestreys to the clarkes of the severall county courts, who are to returne them to the next quarter court.

Whereas the late assembly ordered that Coll. *Edmund Scarbrough* in case he made eight hundred bushel of salt should receive from the countrey as an encouragement tenne thousand pounds of tobaccoe, and he being now like to bring the same to perfection and to make up his quantity *It is ordered* that the tobaccoe promised him shall be raised in the next leavie and in case he performe the condition to be paid him, if not to be disposed of for some other publique use.

Whereas Mr. *Henry Soane* Speaker of this assembly hath faithfully performed the great trust imposed on him, and by that done singular service to the countrey, *It is ordered* that he be paid out of the leavie six thousand pounds of tobacco as a testimony of the countreys acceptance of his paines and their gratuity.

Ordered, That Coll. *William Claiborne* by order upon oath deliver up all the records belonging to the secretaries-office unto Mr. *Thomas Ludwell* appointed secretarie by comysion from his sacred majestie.

Whereas a complaint hath been exhibited to this assembly of the factious and schismaticall demeanors of Major *John Bond*, and the same proved by severall testimonies, *It is ordered* that as he hath showed himselfe unfit to be continued a magistrate, soe he shall from henceforth be made incapable of any publique trust or employment.

Considering the great use and benefit the countrey may enjoy from the *Cheffkoiack* Indians being kindly used by us, and being sensible that with the few gunns they have amongst them they cannot prejudice us being a small inconsiderable nation, *It is ordered by the present Grand Assembly* to show other Indians how kind wee are to such who are obedient to our laws that the said *Chiskoiack* Indians quietly hold and enjoy the land they are now seated upon, and have the free use of the gunns they now have, any act or order of assembly to the contrary notwithstanding.

Harquip Mangoi of the *Chickahomini* Indians in behalfe of himself and the other Indians the fourth day of *April* 1661 did acknowledge before the grand assembly the sale of a parcell of land from the cliffes to the little creek to Mr. *Phillip Mallory* being formerly surveighed by Lt. Coll. *Abrahall* and *James Cole* containing seaven hundred forty three acres according to a survey of the same made for the said Mr. *Mallory* by *George Morris* the twentieth of *June* last.

Ordered, That *Nicholas Perry* be for the present released out of prison, and that he shall not be further prosecuted until wee have notice from the governour out of *England* next yeare whether a person in condition of a lunatick be suable or no.

ATT A GRAND ASSEMBLIE,

Held at *James Cittie* in *Virginia* 23d of *March* 1661/2, these orders following were made in the government of the Honourable *Francis Moryson* Governour, and Capt. *Robert Winn* Speaker.

WHEREAS a charge of high treason and Murther was exhibited to this assembly against *Wahanganoche*, king of the *Potowmack* Indians by captain *Giles Brent*, which was referred to a committee appointed to examine the same who by their report find the said charge unjustly layd, and no part thereof sufficiently proved against the said *Wahanganoche*, it is ordered by the grand assembly that the said *Wahanganoche* shall be, and is hereby fully acquitted and discharged from the same and from every part thereof.

It is ordered by this grand assembly upon the report of the committee appointed to enquire into the differences between the *English* and Indians, that in satisfaction of the severall injuries and affronts done to *Wahanganoche* king of *Potowmeck* Indians by captain *Giles Brent*, collonel *Gerrard fflowke*, Mr. *John Lord*, and captain *George Mason*, that the said captain *Brent* pay the said *Wahanganoche* two hundred armes length of roanoake; and that collonel *fflowke*, Mr. *Lord* and captain *Mason* pay him one hundred armes length a peece, or that they pay and deliver him presently Matchcoates for the said roanoake of two armes length each, at twenty armes length every coate.

Whereas by the confession of collonel *Gerrard fflowke* to the committee appointed for examination thereof it appeares that the said *fflowke* having one of the late murtherers of the *English* delivered bound into his custody by *Wahanganoche* king of the *Potowmeck* Indians, suffered the said murtherer to escape, it is ordered by the grand assembly that for his said offence, the said collonel *fflowke* pay to the publique tenne thousand pounds of tobacco.

Whereas captain *Peter Jennings* as attorney for the kings most excellent majestie, presented to the committee, appointed for the Indian buifness for high misdemeanors and other crimes, against capt. *Giles Brent* and collonel *Gerrard fflowke*, for issuing illegall warrants and thereupon arresting, imprisoning and binding *Wahanganoche* king of *Potowmeck* Indians contrary to the honourable governors safe conducts and protections, for illegally and unjustly chargeing the said king with treason and murther, for those very things wherein the honourable governour and councill had before justly acquitted him, and for aspersing the honourable governour in declareing falsely that their unjust proceedings were done by his authority as by the said committees report more at large appeareth, upon which charge the said *Brent* and *fflowke* acknowledged themselves of high misdemeanors, it is therefore thought fitt and accordingly ordered by the present grand assembly that the said *Brent* and *fflowke* for their said offences pay each of them fifteen thousand pounds of tobacco to the publique, that they bee incapable of bearing any office civil or military in this countrey and give bond severally for their good behaviour especially towards the said *Wahanganoche* and his and all other Indians, and further that captain *Brent* pay the whole charge of the witnesses and other persons concerned in his charge against the said king, and that hee and coll. *fflowke* severally pay what other charges they are concerned in.

It is ordered by the grand assembly (upon the report of the committee appointed for the Indian buifness) that Mr. *John Lord* and captain *George Mason* pay to the publique

two thousand pounds of tobacco a peece for their contempt of the right honourable governours warrant, unles they shew caufe to the contrary at next quarter court; that they be both suspended from all civill and millitary power till they have cleered themselves from the king of *Potowmack's* charge against them and give bond with good security to such perfon as the honourable governour shall appoint for their good behaviour towards said king, his and all other Indians.

Whereas by the removeall of severall persons formerly entrusted with the power civil and millitary in *Westmorland* county, the commiffion of that county is much weakened, and the present condition of the countrey requiring uninterested persons to be intrusted therein, *it is thought fitt by the grand assembly* upon the report of the committee for the Indian buifness and *accordingly ordered* that *Westmorland* and *Northumberland* bee one county, and that the commiffion of *Northumberland* and remaining commiffioners of *Westmorland* bee one county, bee one commiffion civil and millitary, *provided* that if the right honourable the governour shall think fitt that they still continue or hereafter shall be againe made two severall countys as formerly, then that he appoint such persons to complete *Westmorland* commiffion as he shall find most capeable and fitt for the same.

It is ordered by this present assembly upon the report of the committee for the Indian affaires, that collonel *Moore ffantleroy* enjoy at present no more of the land he is now seated upon then what is cleered with the houfes built upon and marsh lying before it, and that he pay to the king of *Rappahannock* Indians fifteen matchcoates before he depart the towne in part of thirtie due *per* a former agreement, and the other ffifteen when the differences between him and the said Indians shall be ended by the commiffioners to be appointed by the right honourable governour, *provided* they allow him ffive hundred acres of high land ground belonging to his said dividant, *Provided* if the said commiffioners shall not determine the same then to be referred to the next assembly, and all other claimes of the said *ffantleroyes* to any other land of the said Indians are hereby declared void.

Whereas collonel *Moore ffantleroy* before the committee appointed for the Indian buifness did falsely and scandalously declare that he bound the king and great men of *Rappahannock* for denying their tribute to the right honourable Sir *William Berkeley*, and endeavouring to excuse or extenuate his own fault in his said unjust proceedings against the Indians, said that the Roanoake he received of them for ranfome was in satisfaction of their said tribute, and paid by him to that noble person Sir *William Berkeley* the then honourable governour. *It is ordered by the assembly*, that for the same and his other illegall proceedings the said collonel *ffantleroy* be made wholly incapeable of bearing any office or command civil or military in this country, and forthwith give bond with very good securitie for his good behaviour and civill carriage especially towards those Indians; and for prevention of the further damage the hogs of the said *ffantleroy* may do the Indians before the fence be made according to act in that case provided, *it is ordered* that collonel *ffantleroy* keep one hog-keeper, the Indians another for the present yeare.

It is ordered by this present assembly towards reparation of the great losse sustained by *Richard White* by the murther of the sonne and two servants and los of his whole estate the last summer by the Indians that he be paid tenn thousand pounds of tobacco from the publike out of the next leavie.

Upon the report of the committee appointed for the Indian affaires it appearing that the *Susquehannock* and other northern Indians, in considerable numbers frequently come to the heads of our rivers, whereby plain paths will soone be made which may prove of dangerous consequence, and alsoe affront the *English* and destroy their stocks and gett the whole trade from our neighbouring and tributary Indians; *it is ordered by this assembly* that for prevention and of other injuries to the *English* from the *Marylanders* for the future, that the honourable governour cause by proclamation a prohibition of all *Marylanders*, *English* and Indians (which they have already done to us) and of all other Indians to the Northward of *Maryland* from trucking, trading, bartering or dealing

dealing with any *English* or Indians to the southward of that place, and that by commission from the governour collonel *Wood* be impowered to manage the said bufinesse.

Whereas by the report of lieutenant collonel *John Walker* who was appointed by the honourable governour to enquire thereinto, it appears that Mrs. *Mary Ludlow*, reliēt and executrix of lieutenant collonel *Thomas Ludlow* deceased, entrencheth upon the *Chefquiack* Indians land at *Pyanketancke*, *It is ordered by the assembly* that the said Indians enjoy their whole tract of land according to the said surveigh and that the said *Ludlows* heires enjoy the remainder of their patent, and *ffurther order* that no other person enjoying or being seated on any part of the said Indians lands possesse the same but to be with all convenient speed removed, and the commissioners appointed by the right honourable governour to enquire into and settle all differences and disputes concerning the said Indian lands.

Whereas Wahanganoche king of the *Potowmeck* Indians acknowledged before the committee appointed for the Indian bufinesse, the sale of that whole tract of land posselt by Mr. *Henry Mees* in *Potowmeck* according to the bounds and marked trees which he confest were marked in his presence and with his consent, *it is ordered by the assembly* that the said *Mees* enjoy the said land to him and his heires for ever.

Whereas Wahanganoche king of the *Potowmeck* Indians acknowledged before the committee for the Indians bufinesse that he sold a parcell of land to Mr. *Peter Austin*, and hath received for the same tenne matchcoates, and also promised to lay out the said *Austins* land with marked trees, *it is ordered by the assembly* that the same being accordingly bounded, Mr. *Austin* enjoy the same to him and his heires for ever.

Upon the report of the committee appointed for settling the Indian bufinesse, *it is ordered by the assembly* that all differences of land between collonel *Gerrard ffowke* and *Wahanganoche* king of the *Potowmeck* Indians be referred to such persons as the governour shall commissionate therein who are fully to end and determine the same.

It is ordered by the assembly upon the report of the committee for the Indian bufinesses that all differences of land between captain *Giles Brent* and *Wahanganoche* king of the *Potowmeck* Indians be referred to the determination of such commissioners whom the honourable governour shall appoint therein.

It is ordered by the assembly that lieutenant colonel *Goodridge* be summoned to appear before the honourable governour and councill at next quarter court to answer the complaint of the king of the *Mattapony* Indians concerning the burning of his *English* house, and that the said Indian king have notice given him to be present.

It is ordered upon the committees report that coll. *John Carter* issue warrants for *William Johnsons* appearance at next quarter court and other persons concerned, and that there the Indian boy detained by the said *Johnson* either to be continued according to his desire among the *English* or to returne to the Indians, but appeale to be open to the said *Johnson* if he shall desire the same on their proceedings.

Mettapin a *Powhatan* Indian being sold for life time to one *Elizabeth Short* by the king of *Wainoke* Indians who had no power to sell him being of another nation, *it is ordered* that the said Indian be free, he speaking perfectly the *English* tongue and desiring baptism.

It is ordered by the assembly upon report of the committee appointed for the Indian bufinesse that the right honourable the governour grant a commission to such uninterested persons as he shall think fitt, to enquire into and examine the severall claimes made to any part of our neighbouring Indians land, and confirme such persons who have justly invested themselves, and cause all others to remove, and that all other differences between *English* and Indians be referred to them, but that appeales be open for all persons who shall conceive themselves agreived by the said commissioners proceedings.

Upon the committees report, *it is ordered by this present grand assembly* that those excellent propofalls presented by the right honourable the governour to the assembly be all drawne into acts except the first article concerning an interstitium being very difficult to be effected.

Whereas

Whereas complaint hath been made to this affembly of the dangeroufnefs of the paffage over the greate fwampe over *Rappahannock* river, by meanes whereof not onely commerce is obftruded but the affaires of the publique retarded alfo; *it is therefore ordered* that the way be amended and a bridge if poffible built over the fame at the charge of *Glocefter* and *Lancafter* countys between which it cheifly lies, and that Mr. *Henry Corbin* and major *David Cant* take care to fee it effected.

Whereas ferioufly examining the evidences taken againft *John Partridge* for feveral blowes given by him to *Thomas Harris* overfeer to captain *Thomas Stegg*, and calling the faid *Partridge* before us to hear what he could anfwer in his defence, moft insolently faid that well he might give him the faid blowes, and ffurther replied that he would be hanged at the doore before hee would ferve in giving fatisfaction, *it is therefore ordered by this prefent grand affembly* that the fheriffe keep him in fafe cuftody, untill the pleafure of the houfe be further knowne herein, for his peremptory behaviour.

It appeares by two evidences in the cafe between captain *John Afhton* and Mr. *George Harwood*, that he the faid *Harwood* hath fpoken words, tending much to the difhonour of the right honourable governour *ffrancis Morrifon* efquire, and to the diffamation and great difcredit of the faid captain *Afhton* by this grand affembly, *it is ordered by this grand affembly* that for his great offence in difhonouring the governour he prefently afke forgiveness in open court upon his knees, and at the next court held in *Warwick* county, he afke forgiveness and acknowledge his error to captain *John Afhton* for defaming him and pay two thoufand pounds of tobacco cofts of fuite.

The comittee report in the cafe of *John Gundry* and *Ann Price* that they find not fufficient evidence prefented for conviction of the faid *Anne Price* according to lawe, nevertheleffe that no infolence may be encouraged, *it is therefore ordered by this grand affembly* that the court of *Elizabeth citty* rehear the caufe, and according as the prefumptions of the offence fhall appeare determine fome meanes of punifhment to the faid *Ann Price* under two yeares fervice, and that major *Hone* and lieutenant collonel *Worlifh* not to fitt att the triall hereof, but two of the adjacent commiffioners of the next county in their ftead.

Upon the humble fubmiffion of *John Partridge* for his peremptory language ufed before us, and at the request of major general *Hamond* ingageing himfelfe for the faid *Partridge* good behaviour is releafed from his comittment.

Whereas *John Milboy* petitioned the honourable governour and councill concerning falfe imprifonment inflicted upon him by collonel *John Stringer* and the reft of the commiffioners for *Northampton* county, which petition was referred to the honourable affembly who find no caufe of action, the faid *Milboy* hath againft the faid commiffioners, but his imprifonment lawfull, and through his own feeking, dangerous carriage and turbulent behaviour, *it is therefore ordered by this grand affembly* fo foone as the faid *Milboy* fhall returne to *Northampton* county that the fherriffe of the faid county take him into prefent cuftody till he give bond with fufficient fecurity for his good behaviour, and to afke forgiveness in open court att the next court held in the faid county for his greate and unjuft fcandalls and infamies caft on the gentlemen of that court and his difturbance in the county, and to pay all cofts of fuite.

In the difference between collonel *Edward Scarbrough* plaintiffe, and lieutenant collonel *Thomas Lambert*, captain *ffrancis Emperour*, Mr. *Edmond Beeman* and Mr. *John Porter* defendants, formerly commiffioners of the county of *Lower Norfolk* referred to this grand affembly is by us found to be illegall in calling a court clandestinely fumoned by them, and erroneoufly proceeding wherein they granted to Mr. *George Abbot* againft the eftate of the faid collonel *Scarborough* for feaven thoufand nine hundred pounds of tobacco and caske with court charges, *it is therefore ordered by this grand affembly* that the faid commiffioners or either of them fo giving judgment as aforefaid fhall make prefent payment of the faid fume of feaven thoufand nine hundred pounds of tobacco and caske with intereft and all cofts of fuite unto the faid collonel *Scarborough* or his affignes, and in cafe execution is ferved on one or more of the faid commiffioners, they to have their releife againft any of the foure proportionably.

Stephen

Stephen Pettus petitioning against *Martin Baker*, late sheriffe of *New-Kent* is not found qualified to prosecute his petition, therefore the cause is dismissed.

The committees report that the great loss and damage sustained by Mr. *William Dromond* through the injustice done by the court of *Boston* in *New England* ought to be repaired, and since the said court have returned no satisfactory answer to the letter of the honourable governour and council of *Virginia*, we are necessitated to find the least of ill expedients to repair the said Mr. *Dromond*, it is therefore ordered by this present grand assembly, there be seized to the value of forty pounds sterling money out of the estate of some persons relating to the said government of *Boston*, which is in consideration of wages due for such a servants time, as was illegally cleared from the said *Dromonds* employ in *New-England*, and doe accordingly order the same.

In the difference betwixt captain *Martin Palmer* and *John Profyter* who married the relict of *William Goffe* concerning one thousand acres of land granted by patent unto captain *Palmer* at *Whorecocke* swampe in the county of *Kent*, and unto *William Goffe* the sonne of *William Goffe* deceased, by a later patent, for the avoiding of all further suites and troubles the said captain *Palmer* hath before us given one halfe of the said one thousand acres of land unto *William Goffe* orphant, and to his heires for ever, reserving to himselfe after survey made thereof the first choice, and if the house now built upon the said land happen to fall in the said *Palmer*s five hundred acres of land, then the said *Profyter* to have the use of the said house, and fiftie acres of land next adjoining thereunto for three yeares next ensuing, and then to returne to captain *Palmer* or his heires, and that Mr. *George Morris* survey or divide the said land, and at the division lieutenant collonel *Abrahall* to be present, which is the request of lieut. coll. *Nathaniel Bacon* esquire in behalfe of the said *Profyter*, and this to beare record of the said division betwixt them, and each party to beare his own charges.

Whereas *Elizabeth Tudman*, alias *Perkins* hath appeared by her agent major *Theophilus Hone*, before this assembly, and there produced an instrument in writing, which upon perusal is found to be rased and obliterated in many parts, and no endorsement testified by the witnesses nor publique Notary, and is by this assembly concluded void in law, at which time the said Major *Theophilus Hone*, who appeared in the behalfe of the said *Elizabeth Tudman*, alias *Perkins* containing twenty and seven acres situate in the maine near *James Citty*, which said twenty acres of land was by a juries verdict of the ninth of *Aprill*, one thousand sixe hundred sixtie and one, found to escheat to his majestie, and that noe heires of the said *Thomas Perkins* was existent, as more at large by the record of the said juries verdict doth appeare, whereupon the honourable *Francis Morrison* did agree and purchase of his majesties treasurers deputies the said twenty seven acres of land formerly belonging to the said *Thomas Perkins*, and had the same granted to him and his heires, &c. as by a patent dated the sixteenth of *May* 1661, more at large doth appeare to this grand assembly who declares that the title and claime of the said *Thomas Perkins*, or any for, from, or by him or them is void, and do confirme to the honourable *Francis Morrison*, his heires, executors, administrators or assignes, the aforesaid twenty and seven acres of land formerly belonging to the said *Thomas Perkins*, situate in the maine neere *James Citty* for ever; and do also record that the aforesaid *Theophilus Hone* who appeared in behalfe of the said *Elizabeth Tudman*, alias *Perkins* who pretended to the chattells personal of the said *Thomas Perkins*, did before us voluntarily disclaime and disowne any title or pretence to the said twenty and seven acres of land.

Upon major *Theophilus Hone* second address on behalfe of *Elizabeth Tudman* alias *Perkins*, the assembly have againe perused the instrument of writing, and findinge no proprietie in *Thomas Perkins* senior unto the estate of his sonne *Thomas Perkins* junior, deceased, have utterly abandoned all claimes to chattells real, but for the personall estate humbly presume that administration may be granted to *Elizabeth Tudman* alias *Perkins*, in behalfe of *Thomas Perkins* upon the personall estate of *Thomas Perkins* junior

junior deceased, and have by these our instructions manuducted the case to the honourable governour and councell for administration.

Upon the complaint of colonel *Edmond Scarburgh*, late high sherriff of *Northampton* county on his majesties behalfe against *John Alford* and *Elizabeth* his wife, *Teige Miskell*, and *William Jump* for rebellion and disobedience which this committee examining, and after a full hearing of all parties, doe report that wee find the said *John Alford* and *Elizabeth* his wife, both by sufficient testimony, their owne confession and ill behaviour before us to be rebellious and insolent persons, and guilty of wounding the said coll. *Scarburgh*, late high sherriff on the head, and *Teige Miskell* and *William Jump* disobedients, *it is therefore ordered by this grand assembly* for reforminge the like disorders, that the said *Alford* and *Elizabeth* his wife, with *Teige Miskell* and *William Jump* be returned by the same conduct that brought them to the county of *Northampton*, and there to be delivered to the high sherriff who is to take security of them for the good behaviour, and at the next court held for the same county, that the said *John Alford* shall receive thirtie lashes on his bare back, and *Elizabeth* his wife twentie lashes, and *Teige Miskell* and *William Jump* tenne lashes a peece, and the said *John Alford* pay all cofts and charges for himselfe, wife and fervants.

In the difference between major *Joseph Croshaw* and captain *Robert Ellison* concerning the bounds of *Marston* and *middle plantation*, parishes and haveing seriously weighed and examined the same, *it is ordered* that the bounds be continued according to an order of court in *Yorke* county held the twenty fifth of *August*, one thousand six hundred and fiftie and six.

Whereas it was ordered the last assembly that uninterested persons of the county of *Charles Cittie* should determine and fix the bounds between the two parishes of *Westover* and *Martin Brandon*, which not being yet putt into effect, it is now further ordered that captain *Robert Wynne* and captain *John Eps* order some of the neighbours to be present with them, and to settle the bounds between them and to return the report to the next assembly.

Whereas information hath been made that one *Edward Dennis* hath, without title or claime, seated himselfe in the Indian towne of *Chickahomini*; *it is therefore ordered* that the said honourable the governour be pleased to send his warrant for the said *Dennis*, and as he finds occasion to give order for his continuance or removall.

Whereas *William Burgh* hath been proved to live scandalously in fornication with the relict of major *John Billingsley*, *it is ordered* that the said *Burgh* be committed and continued in prison untill he give bond with good security, that he shall not keep company with the said *Elizabeth*, and if the said *William Burgh* shall without security given, offer to go beyond the bounds of prison, or if the said *Elizabeth* shall come to him there, then the sherriffe of *Nanzemund* by a (habeas corpus) to be removed to *James Cittie*.

Ordered that *William Burgh* for his scandall and contempt offered to the governour be fined two thousand pounds of tobacco.

Examined and compared with the original and according thereto corrected *per*
Peter Beverley,

Clerk of the House of Burgeffes.

*Ordered That the Publique Levie of twentie five pounds of tob^o and a halfe *per* poll raised this Assembly be paid by the severall Counties.

* This order is not given in *Hening*. It is found in the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1376.

ORDERS OF A GRAND ASSEMBLIE

Held at *James cittie Decemb' the 2^d 1662*

ORDERED that when the flaxe seed sent by M^r *John Bland* for the Countries use shall be safely brought in That the Govern^r receive the same, and be requested to distribute the same to the severall Counties

Ordered That there be paid to the honorable *Thomas Ludwell* Esq^r Secretary of State for y^e seale of the Country by him procured at his charge the Summe of fifty pounds *Sterling* by bills of exchange out of the two shillings 7 h^d this yeare if the totall received will amount to soe much after other debts due by preceeding orders are satisfied, but in case the Collections of this yeare will not extend to the payment thereof either in full or in part, That then all that shall be due upon this order shall be paid by the Auditor Gen^l out of the first bills of exchange he shall receive next yeare of any of the Collectors of the said impost.

Ordered that out of the fines recovered from the Neglectors of planting their Mulberry trees there be paid to those that shall provide fifty thousand trees by the Time Limited by the Act one p^d of tobacco 7 tree encouragement, Provided any one wanting trees to accomplish his number may before or after the time be furnished at that rate.

Ordered That the powder and Shott purchased by the Country of Coll^o *Morrison* Cap^t of the forte be deliuered by the severall Collectors of the Castle duties proportionally to the Judges of the severall Countie Courts in their severall precincts for the use of the severall Counties and upon receipt thereof, they to giue the s^d Collectors their severall discharges.

AT AN ASSEMBLY

Held at *James City* by Prorogation from the _____ of *December*
(1662) to this 10th of *September* 1663, 15 *Caro.* 2^d, *Dei*
Gratia Magnae Britanniae Franciae et Hiberniae Regis Fidei
Defensor, &c.

MAJOR *Edward Griffith* and Mr. *Walter Childs* sent to the governor to acquaint him that the house was met, and to request him to appoint a time when the house should wait upon him to receive his honourable commands.

September 11th, 1663.

THE house called, and orders read, a committee was appointed to examine the election of burgessees newly returned.

Major *Edward Griffith* Chairman.

Captain *Robert Ellifon*,

Mr. *Walter Chiles*,

Major *Nicholas Hill*,

Capt. *Joseph Bridger*,

Mr. *William Presly*,

Capt. *Thos. Walker*.

The oath alleagiance, supremacy and burgesse ministred to capt. *Peter Jennings*, leiut. coll. *Kendal*, Mr. *Thomas Lucas*, Mr. *John Weye*, coll. *Gerd Fowke*, Major *William Andrews*, Mr. *Devoreux Brown*, Mr. *Hugh Yeo*.

September 12th, 1663.

WHEREAS Mr. *John Hill* high sheriff of *Lower Norfolk* hath represented to the house that Mr. *John Porter*, one of the burgessees of that county was loving to the *Quakers* and stood well affected towards them, and had been at their meetings, and was so far an *anabaptist* as to be against the baptizing of children, upon which representation the said *Porter* confessed himself to have and be well affected to the *Quakers*, but conceived his being at their meetings could not be proved, upon which the oaths of alleagiance and supremacy were tendred to him which he refused to take; whereupon it is ordered that the said *Porter* be dismissed this house.

The house is adjourned till *Monday* morning.

Die Lunae September 13, 1663.

A COMMITTEE appointed to consider of the publick affairs.

Major *Griffith*.

Capt. *Jennings*,

Capt. *Ellifon*,

Mr. *Bridger*,

Mr. *Chiles*,

Mr. *Hamylin*,

Mr. *Lucas*.

George the Armenian having proved the making of ten pounds of wound silk it is ordered there be paid him for his encouragement in the levy _____ according to act.

John

John Dolby procuring certificate that he had made and wove nineteen yards of woolen cloth in *North'ton* county, the assembly hath ordered him the encouragement according to act being tobacco.

John Pitte producing certificate that he had built a vessel of 28 tuns in the *Ifle* of *Wight* county, the assembly ordered him the encouragement of accordingly.

Whereas *Mr. Theodorick Bland* hath produced an account of things sent in for the use of the country by *Mr. John Bland*. The assembly hath approved the account and ordered that 207 16 9 be paid to the said *Mr. Theodorick Bland* for the use of his brother *Mr. John Bland* out of the collections in his own hands the year, being the total sum with advance amounts to. And if any errors appear, to be rectified, and whatever the honourable governor and *Mr. Bland* have made use of to be accountable for it to the standing committee of the whole house, and whatever they have that they will not make use of that they be desired to dispose of and give an account thereof to the committee or assembly, and that a letter of thanks be written to *Mr. Bland* in *England* by *Mr. Speaker* as from the house.

Whereas colonel *Edward Hill* received of the county 27 odd money for powder and shot. It is ordered that *Mr. Speaker* be impowered and desired to call the executors of the said coll. *Hill* to account for the same and to receive the powder and shot.

Whereas there appears at present an emergent necessity for raising a guard for the governour council and assembly. It is therefore ordered that there be twenty men and an officer raised by appointment of the honorable governour to attend his person at all such times as his honour shall think fit to command them and especially at the general courts and assemblies; Provided that during the session of the assembly half the said guards shall attend upon the burgeses under the command of an officer of their appointment; and it is further ordered that there shall be raised for payment of the said guard 45,000 lb. of tobacco, vizt. for each souldier 2,000 pound, and for the officer 5,000 to be continued so long as the assembly shall find occasion.

IN conference held at *Mr. Alestons* in *Wickocomoco* in *Virginia* the 2d of *May*, 1663, by the commissioners appointed by the right honourable *Sir William Berkeley* Knt. governour and captain general of *Virginia*, on the behalf of *Virginia*, and the commissioners appointed by the honourable *Charles Calvert* Esq. lieutenant and chief governour of *Maryland* on the behalf of that province.

Whereas his majesty of *Great Brittain, France & Ireland* has taken into consideration the present necessities as well of this colony of *Virginia* as of the province of *Maryland* belonging to the Lord *Baltimore* hath by his order of the 29th of *June* 1662, commanded that commissioners be appointed for each government to meet and consult of the best means of the advancing the only commodities of those countries tobo. We the subscribed commissioners have therefore in obedience to his said majesties royal commands considered several ways of improving the said commodities and have concluded the only best way to be the lessening the great quantities now made which gluts all markets, and of many ways of lessening it, a stint of certain days of planting to be the most fit and of easiest practice, and do therefore conclude and agree.

First. That it be proposed to the respective assembly of each government that no tobacco shall be planted or sowed in either colony in the succeeding years 1664, after the 20th day of *June* upon such forfeiture and punishment as shall be thought fit by the said assemblies effectual for such restraint, and that the said restraint be continued for one year only unless the said assemblies shall think fit to continue it longer.

Secondly. It is agreed on by the commissioners aforesaid that in order to the confirmation of the above said agreements the governour of *Maryland* shall cause an assembly of that province to meet about the middle of *September*, and to send the result of the said assembly unto the governour and assembly of *Virginia* with all convenient speed they may.

And lastly, it is concluded on for the mutual satisfaction of both the said governments that the governour and council of both the said colonies shall be sworn solemnly by commissioners

missioners appointed on either side to take their oaths to do their utmost endeavours to cause the said law for stinting (if confirmed) to be duly executed according to the true intent and meaning of these propositions.

Thos. Ludwell Sec.
Richd. Lee,
John Carter,
Robert Smith,
Henry Corbyn.

Phillip Calvert,
Henry Sewall, Sec.
Edward Koydes,
Henry Coursey.

This is very earnestly recommended to the consideration of the assembly by the governor and council the 16th Septr. 1663.

Thos. Ludwell Sec.

This is by the assembly assented to and ordered to be enacted in case the *Marylanders* signify their assent by *March* court next.

Test. H. R. C. A.

Propositions humbly presented to this honourable assembly.

That the act that every debtor under execution for debt should be detained in prison until he hath paid the debt in kind be repealed, the reason is that because many times our country comodities being not alwaies ready the creditor takes the advantage of that act and forces the debtor to unreasonable compliance.

Secondly, that the act binding men to plant tobacco no longer than the tenth of *July* in every year be repealed because the people of *Maryland* have priviledge to plant as long as they please, foe they having such a priviledge and we bound up it will be a great benefit to them and a ruin to us.

That the act for planting of mulberry trees may be repealed it being very prejudicial to such as want clear grounds and are not in a capacity at present to fulfill the same without great prejudice, and it is humbly conceived that (if it be beneficial) men as they find themselves in capacity will fall upon it without constraint.

It is humbly proposed that the acts concerning hides may be enlarged to calves and deer skins so well as hides, and that a commission throughout the country may be qualyfied by injunction in the act to receive all proofs that shall be presented them for detecting those persons that convey hides or skins out of the country contrary to the act and to give warrants for fumoning witneffes and order to make search for hides and skins.

Calves skins and deer skins included, any perticular justice to fend a warrant for search; 3 or more one being of the quorum to take evidences.

Whereas there is thefts committed dayly on the south side of *James* river by the Indians; as stealing of hogs, robbing of hedges in the night, stealing tobacco and corn out of the fields, and our neighbourly Indians being taxed therewith, say that it is by the *Tufcarodoe* Indians which lie skulking about our *English* plantation and there covertly have underhand dealings with the *English* and can never be taken by reason the law prohibiting the Indians to come within the *English* bounds without badges doth only inflict a punishment upon the Indians so coming but no mulct upon the *English* for not taking such Indians as come in without badges, so by reason of their sinister ends the law is seldom put into execution for prevention of which mischief or peradventure a greater if not timely prevention put a stop to it, *it is humbly proposed* that if any Indian or Indians shall be found at the house of any *English* within the *English* bounds not having a badge with him or them according to law, that then the *Englishman* so entertaining such Indian or Indians pay the like value as is amerced for the Indians to pay, and the one half of both to the informer.

And I will thank, praise, and go on with them in the work.

Your honours most humble servant,

Edmund Scarborough.

7br. 15th, 1663.

To

To the honourable the House of Comons.

Thomas Ludwell Sec. presenteth.

That he being enjoyned by act of assembly to take care that the writts for election of Burgeffes be sent into every county that the returns may be timely made and the assembly meet according to appointment which prevents the great expence the county was formerly at, occasioned by the remifs appearance of a greateft part of the house upon pretence that they had not timely notice for such elections, which injunctions he hath hitherto performed, and when he fails he is liable by the said act to such a fine as the house shall please to lay upon him, and on the contrary he is to receive as a reward for his care and expence a hoghead of tobacco weighing three hundred and fifty pounds for every county; he therefore humbly requests that the said sum now due unto him by the said act, and which may hereafter be so, may be charged upon the public and not on each county; which he would not desire if he judged it unreasonable, but on the contrary it appears to him to be the same thing to the country though it be much better for himself, or if any odds be, it is that small counties are relieved who as it is now laid do pay as much as the greateft, which if you please to grant him he shall receive it as an especial favour as being,

Your most humble servant

Thomas Ludwell.

Granted.

September 16, 1663.

THE house resolved into a gra. committee while some propositions are treated of. Since rewards for the encouragement of the good are as necessary as punishments for the terror of the cruel.

Whether it be not fit to bestow upon *Berkenhead* the discoverer of the horred plot some considerable reward for encouragement of the good affections of others to be publick.

Resolved That *Berkenhead* have his freedom and five thousand pounds of tobacco given him in *Gloster* county and that his master be satisfied in the said county for his time.

Since the least mercy we receive from Gods hands challenge our dayly thanks, whether it be not fit for so transcendent a favour as the preserving all we have from so utter ruin, deserve not to have an annual solemnity celebrated to keep it in remembrance.

Resolved that the 13th of *September* be annually kept holy, being the day those villains intended to put the plot in execution.

Since the charge the country is yearly at for houses for the quarter courts and assembly to fit in would in two or 3 years defray the purchase of a state house.

Whether it were not more profitable to purchase for that purpose then continue for ever at the expence, accompanied with the dishonour of all our laws being made and our judgments given in alehouses.

Ordered that *Peter Petterfon* be allowed for building a vessel of 26 pounds the encouragement according to act being 1,300 tobacco.

It is unanimously concluded and assented to by the governor and counsel that the most equal way of paying taxes is by laying a levy upon land and not upon heads, and it is therefore proposed that [by] the governor and council unto the house of comons accordingly.

William Berkeley.

The house adjourned till to-morrow morning.

September

September 17, 1663.

SINCE the stakes of the old wars about the town are so prejudicial and dangerous to boats landing.

Whether it be not fit to order the townsmen to pull up all the stakes and not to build new ones in the face of the town.

Whether any councillor having been above a year out of the country shall have the privilege of the exemption of ten persons.

Resolved that in regard that exemption was only for such as did personally assist as councillors in the country that they who have been a twelve month out of it should have no benefit of that privilege.

The house adjourned till the afternoon.

Ordered to treat with the governor about a state house. Coll. *William Barber*, coll. *Gerard Fowke*, lieut. coll. *Kendal*, Mr. *Thomas Warren*, excused for sickness, Mr. *Rawleigh Traverse*, Mr. *Thomas Lucas*.

The order of the 2d of *December* 1662 is continued to the time the act is.

September 19, 1663.

THE committee appointed to examine the business of the king of *Potomack*.

Major *Edward Griffith*.

Capt. *Peter Jennings*,

Capt. *Robt. Ellifon*,

Mr. *Joseph Bridger*,

Dr. *Robt. Williamson*,

Major *Rich Hill*,

Maj. *Len. Mason*,

Capt. *Wm. Cockeram*,

Major *Wm. Andrews*,

Capt. *Wm. Ferrar*,

Capt. *Thos. Walker*.

The house is adjourned till the afternoon.

Ordered that what member soever be absent at the beat of the third drum on *Monday* morning shall be fined a hoghead of tobacco.

The house adjourned until *Monday* morning the third drum.

The oath of Burgeffes.

You & every of you shall swear upon the holy evangelist and in the sight of God to deliver your opinion faithfully, justly, and honestly according to the best understanding and conscience for the general good and prosperity of this country and every particular member thereof, and do your utmost endeavour to prosecute that without mingling with it any particular interest of any person or persons whatsoever, so help you God and the contents of this book.

Orders to be observed in the house.

That no burgeffs shall absent himself from attendance on the house (without the leave first obtained of the house or prevented by sickness) when any matter shall be debated of, but that every member shall keep good order and give good attention to the reading or debating of whatsoever shall be proposed or presented to the consideration of the house; and that every burgeffs shall with due respect address himself to Mr. *Speaker* in a decent manner and not entertain any private discourse while the public affairs are treated off.

2. That every member of this house for each time of his absence upon call of the clerk shall forfeit twenty pounds of tobacco, lawful impediments excepted.

3. That the first time any member of this house shall be adjudged by the major part of the house to be disguised with drink, he shall forfeit one hundred pounds of tobacco, and for the second time he shall be so disguised, he shall forfeit three hundred pounds of tobacco, and for the third offence one thousand pounds of tobacco.

4. That upon debate of any thing proposed by the speaker, the party that speaketh shall

shall rise from his seat and be uncovered during the time he speaketh, wherein no interruption shall be made until he hath finished his discourse upon the penalty of one thousand pounds.

5. That no irreverence or [indigne] form of speech be uttered in the house by any person against another member of the house upon the penalty of five hundred pounds of tobacco.

6. That to the end all things may be more orderly discoursed and debated on, no member having once delivered his opinion about any matter proposed, during which time he shall not be interrupted, shall make any further reply about that proposition that time of the debate, that so every one may have liberty to declare his judgment and the confused multitude speaking at once be avoided, upon the penalty of twenty pounds of tobacco.

7. The several fines to be disposed of by the major part of the house upon every *Saturday* in the afternoone.

8. That every member that shall pipe it after the house is begun to be called over, until adjournment or publick licence by consent of the major part of the house in the vacancy from any business, shall be fined twenty pounds of tobacco.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* September the 10th 1663:

WHEREAS the hono^{bl^e} Secretary of the Country for the time being is by act of Affembly enjoyned to fend all writts and Summons for the election or returne of y^e Burgeffes to the Respective Counties and haue allowed for the Same a hh^d of Tobacco containing three hundred and fifty pounds out of each Countie, This Grand Affembly for the more convenience of the same payment thereof haue ordered that the f^d hh^d ꝑ County shall be paid as an entire Summe upon the publike and payment thereof be made in the publike Leuie.

Since it is Evident that the charge the Countrie is at yearly for the houfes of Sessions for the Generall Courts and Affemblyes, besides the dishonour of our Lawes being made and Judgments given in Ale-houfes, would in two or three yeares defray the Charge of a State houfe, *It is Ordered*, that there be a State houfe built of such demensions as the honourable Govern^r who hath bin pleased to undertake it shall find Convenient for the Reception of Generall Courts and Affemblyes, and accommodation of the Committees, Towards the payments whereof, that there be paide this Leuie thirty thousand pounds of Tobacco, and what ever more it shall amount to next yeare

Whereas there is allowed by the Lawes of this Country a priviledge for all Councillors, and tenne persons of their families to be exempted from the payment of Levies which was cheifly in consideration of their attendance on the Service of the Country, and the same being claimed by divers persons in *England* to the great Augmentation of publike taxes, The houfe taking the same into their consideration, haue thought fitt to declare *and accordingly ordered*, that noe Councello^r who is not personally resident in this Country or that hath been a yeare absent out of the Country shall haue the benefitt of that exemption, but that their whole families here shall be giuen in, in the publiq lifts and payment made for them accordingly.

Whereas It was Customary that the masters of Shippes payd the imposition of two shillings ꝑ hh^d for their full Lading, upon losse of the Shipp to haue a Reallowance of the same by reason the masters had noe other securitie from the freighters from whom it was perticularly due, but his bills of lading which by his shippes not arriveing became void; But now the dutie being by his Majesties instructions to be paid by the freighters, before the goods shipped, not any wayes by lawe obliged for the payment, *It is Ordered* that the repayment of the f^d impost shall not be allowed to any person or persons whatsoever.

Whereas there was presented to the Grand Affembly by the Jury of Inquest in *Nanzemund* Countie a list of severall persons, who contrarie to the Lawes of this Country, Some had totally absented themselves from the Church, and hearing of Divine service; Some onely neglecters to Come to Church, Some *Quakers* some that under pretence of marriage, Lived unlawfully together in fornication, the Court ittselfe for not ordering y^e severall Vesttries to divide the parishes into precincts, for bounding of Lands, and the vestrie of *Chuckatuck* for not swaring Churchwardens, *It is therefore Ordered* that the severall persons, Court, and Vestrie be fined soe much as the perticular acts, against breach is by them made, doe impose upon them, and That the Court of *Nanzemund* doe ascertain and issue out warrants to the Sherriff to Collect the same this present yeare, and that the Grand Jury Sherriff and Clerke of the f^d Countie be paide their reasonable penny worths out of those fines and that the rest be employed at the discretion of the Court for pious uses in the same Countie.

Whereas

Whereas It is Evident that the unneccessary feares of the Indians by Some perticular persons hath put the Country to an exceffive charge, *It is ordered* that each perticular River shall in Such cases support their owne charges, A generall warr excepted.

Whereas after many Serious confiderations for building the houfes undertaken by the severall Counties; It appeareth the equallest and easiest way, and most expeditious to build them at the publique charge yearly, *It is therefore ordered* that the perticular houfes already built be paid for in the publiq Leuie, and the perticular Counties that undertook for them be discharged and that next yeare foure houfes more be built, and soe yearly four houfes untill the number of houfes undertaken for by the Counties be accomplished, and then that each perticular County, haue a house assigned to them, and untill then the propriety to be Common, and that the Speaker bee impowered to make and Signe agreements wth any that will undertake them to build, who are to giue good Caution for the effecting thereof with good sufficient bricks, Lime and Timber, and that the same be well wrought and after they are finished to bee approved of by an able Surveyor, before order be giuen them for their pay.

Ordered, That all prisoners for the future pay noe more then five pounds of Tobacco p^{d} day for dyett, and all other charge and fees dureing their imprisonment

Whereas there appears at present an Emergent necessitie for raising a guard, for the govern^r Councill and Assembly, *It is therefore Ordered* that there be twenty men, and an Officer raised by appointment of the honorable Govern^r to Attend his person, at all Such times as his hon^r shall think fitt to Command them, and especially at the Gen^l Courts and Assemblies, *Provided* that dureing the Sessions of the Assembly halfe the S^d Guard shall attend upon the Burgeses under the Command of an officer of their appointment, *And it is further Ordered*, that there be raised for payment of the f^d Guard fortie five thousand pounds of tobacco, *viz*: for each Souldier two thousand pounds of tob^o for the Officer five thousand pounds of tobacco to be continued soe long as the Assembly shall finde occasion.

Whereas there is an omission of an act of assembly providing that many persons possessed with visible estates in this Country by meanes thereof obtained Credit here and contracted severall engagements, w^{ch} estates are often times by accounts out of *England* wholly taken away, and the Country Credits deprived of any Remedy for their just debts which this Assembly taking into their confiderations haue therefore for the present *Ordered*: That in such cases all Courts shall giue prioritie of Judgments for debts contracted in the Country, *Provided* they be claimed within twelve moneths before any forraigne Debts shall be pleadable and that this order which at present cannot, may the next Assembly be passed into an act

Whereas the hon^{ble} the Govern^r hath shewed that in the Intervall of the Assembly there may possibly some emergent occasion present, which may require the advice and assistance of a Committee of this house, *It is therefore Ordered* that a Committee be appointed to treat and consult with the honnourable Govern^r and to Render an account of their results to the next Assembly

Whereas Cap^t Thomas Stegge hath made it evidently appeare that he hath bin at some extraordinary charg here and in *England* in discovering the concealments of maisters of Shippes, in their entries w^{ch} must tend much to the advancement of the publique, *It is therefore Ordered* that he shall be paid for such his good Service twenty pounds *Sterling* out of the moneys that shall be received upon the bills of exchange by him sent for *England*

Whereas John Berkenhead Servant to Maj^r John Smith of *Glocester* Countie did out of his honest affection to the preservation of this Country make discovery of a bloody designe that some mutinous servants had contrived, which had it not bin by Gods mercy thus unexpectedly prevented by a detection of the Principle Authors might haue brought ruine and destruction to this his Ma^{ties} Country, *The Assembly haue Ordered* That the S^d Berkenhead shall haue his freedome giuen and five thousand pounds of tob^o

to

to be paid him this yeare in *Gloster* County out of the publique Leuie, as a reward to him for his good Service and an encouragement to others

Ordered that the publique Levie of forty nine pounds of tob^o and a halfe p poll raised this Affembly be paid by the severall Counties.

[From the Public Record Office, *London*, Colonial Office, Clafs 1, Vol. 18. This paper is not dated, but is endorsed as follows: Remonstrance of the Governor's Councill & Burgeffes of *Virginia*. Recd. 3^d Aug. 1664. Read in Councill 10 August 64.]

To the Kings most sacred Majestie.

*The Governor Councill and Burgeffes of your Majesties Colonie of Virginia
Most humbly Present.*

THAT in Obedience to your Majesties Royall Commands directed to us in your most gracious Instructions, We forthwith upon receipt thereof gave Intimaçon unto the Leifteneant of the Lord *Baltamore* in *Mary Land*, That it was your Majesties pleafure we should appoint Commiffion^{rs} on both sides to treat of the most convenient way of lessning the quantities of Tobacco, thereby to improve the Commoditie for the advantage of both the Colonies, and that accordingly Comiffion^{rs} were appoynted, and on the 11th *May* in the 15th yeare of your Majesties most happy Reigne did Treat of the best meanes for obtaining the good ends aforefaid; And Concluded that restraining the Planters to the 20th of *June* and none to Plant or replant any Tobacco after that day in every yeare was the best expedient for lessning the quantitie and mending y^e qualitie of that our only Commoditie: But the Comiffion^{rs} for *Mary-Land* pretending that they had not a power to impose any such Law upon their Inhabitants without the Consent of their Affembly; The Treaty rested there untill both the respective Affemblyes mett: which was in *September* in the same yeare: At which time your Majesties Affembly in *Virginia* unanimously voted the said Restriction, provided the Inhabitants of *Mary-land* would Conforme themselves to the same, otherwayes to have as full libertie of planting as the said *Marylanders* had: But that most excellent Proposition (not finding the like favourable acceptance in their Affembly was utterly rejected; and your Majesties Princely Care and favor extended both to us and them rendred of noe effect by their obstinate refusall of their Conformitie to the said Proposition: Whereby we hope it will evidently appeare unto your Majestie, that as wee have expressed our ready Obedience to your Majesties Commands so they have neglected the same, and that all the inconveniencies that doe and will fall upon them and us by the too greate quantities of Tobacco made in both places; are only due to their obstinacy.

Wee doe therefore most humbly beseech your Majestie to take the Premises into your Royall Consideration, and by your Princely Care extended to all your Subjects, see to determine of what we have presented to your Majestie, as may be most for your Majesties honor, the Wealth of your Kingdom of *England* and for the Advancement and Prosperitie of both these Colonies.

And Wee shall ever pray that God will preserve your Majesty the Glory of all the Princes upon Earth and the Delight and Blessing of all your Subjects, and perticularly of

Your Majesties

Most Loyall and Obedient

Subjects and Creatures

William Berkeley

Robert Wynne Speaker

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* October the tenth An^o 1665.

WHEREAS It is generally obferved both in generall and Countie Courts that divers good and wholefome acts are omitted in the printed acts, either by miftake of the printer or fome other way, *It is therefore Ordered*, That the honora^{bl} Secretary and M^r *Henry Randolph* viewe the booke of acts that was in force, when the hon^{ble} Govern^r went for *England* laft, and to present to the Govern^r Councill and Grand Affembly boeth what lawes are omitted, and what altered, and the difference between them to the end that boeth the omiffions and alterations may be ferioufly confidered and debated

Ordered that the Selling or difpofeing of any publike houfe in *James Cittie* be (by the request of the houfe referred to the honorable Govern^r and Councill as they fee caufe for the beft advantage.

Whereas for the better conveniencie more eafe and better trade, It is thought fitt, that one or two places in every Countie bee fett out, where the whole trade of the Countie fhall bee and that y^e Church and minifters houfe, the Court houfe Records and Clerks refidence the Sherriffs, & officers and Bayliffs the prifon and ordinaries, and what elfe fhall be thought fitting, fhall be eftablifhed there, and that all goods yearly imported be firft fold there dureing that Space at leaft eight moneths or more and that present care be taken for the merchants present accommodaçon of victualls and Store-houfe Roome upon reasonable rates, for the effecting whereof, *it is Ordered* that this order be publifhed in every County Court yearly in the moneths of *October* or *November*, and all people be fummoned in euerie County to confult at a time and place appointed whether fuch places fhall be eftablifhed for thofe ufes or not, and the Maj^r voate to conclude it affirmatively or negatiuely according to the conveniencie or inconveniency of each Countie

Ordered That two hundred pounds *Sterl.* be presented to the hono^{ble} Govern^r To be paid out of the two Shillings ꝥ hh^d as the gratitude of the houfe for his favourable Remiffion of the tenne Shillings ꝥ hh^d

The difference between the Government of *Virginia*, and the province of *Maryland* concerning the bounds of the S^d Government is humbly referred to the manning of the hon^{ble} Govern^r and Councill in the intervall of the Sefions of this Affembly:

Ordered that 53^{lb} Tob^o ꝥ poll be Levied this yeare

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1376.]

ORDERS OF A GRAND ASSEMBLY

Held at *James Cittie June* the 5th *An^o* 1666.

ORDERED that the Right hon^{ble} the Govern^r be requested to procure three hundred pounds of Silk to be presented to his Ma^{tie} as a Testimony of their humble duties and endeavours to promote more Staples in the Country and that his hon^r be repaid the disbursement by the Country, and further That M^r *Speaker* be impowered in the behalfe of this house to signe the addresse.

JOURNAL OF THE GRAND ASSEMBLY,

Held at *James City* The 23d day of *October*, 1666, by adjournment from the fifth of *June* 1666.

UPON the end of which session it was enacted that the convention of the next should be upon the 25th of *April* 1667, unless the right honourable the governor found occasion to convene it sooner; who pleasing to issue his summons for the appearance of the respective burgesses, this day there appeared.

Capt. *Robert Wynne* Speaker.

<i>Henrico County.</i>	Capt. <i>William fferrar.</i>
<i>Charles City.</i>	Mr. <i>Speaker,</i>
	Capt. <i>Thos. Southcoat.</i>
<i>York.</i>	Lieut. col. <i>Wm. Barber,</i>
	Capt. <i>Danl. Parke.</i>
<i>New Kent.</i>	Coll. <i>William Clayborn,</i>
	Capt. <i>William Berkley.</i>
<i>James County.</i>	Capt. <i>Edward Ramsfey,</i>
	Mr. <i>Thomas Ballard.</i>
<i>James City.</i>	Mr. <i>Theo. Hone.</i>
<i>Surry County.</i>	Capt. <i>Laur. Baker.</i>
	Mr. <i>Thos. Warren.</i>
<i>Isle of Wight.</i>	Adjutant genl. <i>Bridger,</i>
	Maj. <i>Nich. Hill,</i>
	Mr. <i>Robert Williamson.</i>
<i>Nansamund.</i>	Col. <i>John Blake,</i>
	Capt. <i>John Leare.</i>
<i>Lower Norfolk.</i>	Capt. <i>Adam Thorowgood,</i>
	Capt. <i>Wm. Carver.</i>
<i>Elizabeth City.</i>	Col. <i>Leond. Yeo,</i>
	Capt. <i>John Powel.</i>
<i>Gloster.</i>	Adjt. genl. <i>Jenyngs,</i>
	Major <i>Thomas Walker.</i>
<i>Lancaster</i>	<i>Rawleigh Traverse.</i>
<i>Rappahanock.</i>	Capt. <i>John Weye,</i>
	Mr. <i>Thomas Lucas.</i>
<i>Stafford.</i>	Col. <i>Henry Mees.</i>
<i>Westmoreland.</i>	Coll. <i>Nich. Spencer,</i>
	Coll. <i>John Washington.</i>
<i>Northumberland.</i>	Mr. <i>William Presley.</i>
<i>Northampton.</i>	Leuit. Coll. <i>Kendall,</i>
	Capt. <i>John Swavage.</i>
<i>Accomack</i>	Coll. <i>Edward Scarburgh,</i>
	Mr. <i>Hugh Yeo.</i>

Major *Hone*, lieut. col. *John Blake* sent to acquaint the governour that the house attended his honours pleasure; who ordered the several letters from the governour of *Carolina*,

1. The original manuscript gives Colonel *Mees* also as a member of this committee.

Carolina, his honours answer to be read and all his honours letters to the lieut. gov^r and chancellor of *Maryland* and their answers which follow;

These are in his majesties name to impower and authorize the bearer hereof to pass boat and men or fresh horses, where occasion shall require, for the convenience and expedition of the transport of him and his horse over any river or creek, or to guide, direct and conduct him in his passage to *Maryland*, upon business of publick concernment, and his return. For the furtherance and expedition of which passage and return, all magistrates and persons are hereby strictly charged and required to be aiding and assisting to the bearer, and to secure and feed his horses at any place where he shall have occasion to leave them, at their peril. Given at *James City* the 24th of *October* 1666.

Particular planter to the Collector for clearing the said Tobacco But that the Law may still continue in force for *Potomack Accomack* and *Northampton*.

Whereas divers Owners and keepers of Mills in this Country do refuse to grind corn according to turn for the reward and toll already set and appointed by Act.

It is Humbly proposed that what person soever Master Owner or Lessee of any mill shall hereafter refuse to grind as aforesaid may be fined and one thousand pounds of Tobacco for every such Offence and if the Miller so refusing be a Servant to be punished at the discretion of the County Court where the Offence shall be committed and Complained of unless the said servant can prove that what he did was by the Order of his Master which fine to be recovered by any person injured by Action of Debt in the Court of that County where the Action was committed.

Whereas the 77 Act concerning the Insufficiency of fences prohibits any hurt or injury to be done to several Sorts of Cattle and Beasts amongs which Sheep are not nominally included it is proposed that Sheep be hereby declared to be comprehended with the rest in the said Act mentioned.

Whereas the Honourable Secretary *Ludwell* Esq^r hath informed the Assembly that he finds in the Records many patents for great Parcels of Land for which there appears not any Rights upon Records and further that divers patents have been issued and no record extant. The Assembly taking into their consideration the great Trouble and prejudice that may ensue to divers honest inhabitants of the Country in asserting their Titles made thus Invalid by the neglect of former Clerks.

Humbly propose that for preservation of all present Titles and prevention of future Troubles that all Lands held by former Patents of which there is no record extant or to which there are no rights annexed in the records until the date of this present may be held Valid according to the Claims of the Several patentees. (Those defects being found to have happened by the Neglect of the Clerks of those times in not making present Entry of the Rights delivered to them and the casualty of two Several fires whereby many of those Rights with other papers have been destroyed Requesting Mr. Secretary to continue his Care in not Suffering any patents hereafter to pass the Office without its being first compared with the records.)

Whereas the officers of the Militia have complained that divers refractory persons in contempt of the Authority empowering them and to the Ruin of all Military Discipline refused to appear upon the days of Exercise and other times when required to attend on the Public Service.

It is humbly proposed that every person so neglecting to appear shall for every such Neglect be fined one hundred pounds of Tobacco to be disposed of by the militia for the use of the Regiment and that the Commanders return of such forces to the sheriff of the respective Counties may be a Sufficient Warrant of the parties denial of payment to Levy the same by distress. Provided that if before the laying the Levy the party amerced do show to his Commander such Cause for his Absence as by the said Commander shall be Judged reasonable then the party to be excused and the fine not returned.

Whereas

2. For the governor's letter to the lieutenant governor of Maryland and his letter to the governor of North Carolina, see page 35.

3. A part of the text of this paragraph has been lost.

Whereas the present Obstructions of Trade and the Nakedness of the Country do Sufficiently Evidence of what necessity it is to provide for a Supply by improving all Means of improving and Raising Manufactures among our Selves and the Governor's Honour having by apparent demonstrations manifested that our poverty and necessity proceeds more for want of industry than of ability since five women or children of 12 or 13 Years Old may provide Sufficient Clothing for thirty persons with much Ease if they would betake themselves to Spinning which cannot be objected against if Weavers and Looms were provided.

It is therefore proposed that within two Years at furthest the Commissioners of each County Court may be enjoined to provide and Set up a Weaver and Loom in Each of the respective Counties of this Country at the Charge of the County and that no private person setting up a Loom at his own Charge shall Excuse the County from Setting up a Publick one but that every Court neglecting to perform the tenour of this proportion may be fined Tobacco provided that Executing thereof in the Counties of *Rappahannock Lancaster Stafford* and *Westmoreland* who by the Means of their Grounds pretend to be incapable of making provision for the so soon Employment of a Weaver may be respited four Years from the date hereof.

Whereas the Charge of prosecuting of Criminal Persons hath been hitherto usually defraied part by the Publick but most by the Counties wherein they live for avoidance whereof It may be probable that Such lewd Livers may escape punishment by too favourable a censure of their Demerits.

It is humbly proposed that where the person himself convicted hath Estate sufficient to Satisfie the Charge of his prosecuting It may be Enacted for Ease of the public Taxes that such Charge may be paid out of the Estate of the person and the publick and the County obliged to Satisfie only in case none or not Sufficient Estate can be discovered.

Whereas at an Assembly held at *James City March 1664 John Lear* appealed in a Depending difference between him and *Elizabeth Streeter* shewing that whereas the said *Elizabeth* had impleaded him the said *Lear* in the General Court for £25 Sterling due to her for so much paid to *Thomas Bowler* on the said *Lear's* Account he the said *Lear* was no ways Obliged nor Indebted for the same But that being questioned for the same in the Assembly Anno 1658 by Capt. *Edward Streeter* the then Husband of *Elizabeth* The Petitioner made the Business then so Clear that he obtained Order against the said *Edward* for several things due to him with Cofts and damages and the said *Edward's* Suits for this Same dismist which so appearing also that Assembly in 1665 the Suit had then also been dismist but that the Assembly upon the humble Motion of the said *Elizabeth* pretending greater Evidence in this matter was referred to this Assembly Provided that the said *Elizabeth* at the next Court in *Nancemond* County Gave Security for paying the said *Lear* his Damages wherein she failing and the business again taken into Consideration Lieut. Colo. *Jordan* Attorney of the said *Elizabeth* being present who confessed that the said *Lear* again in the said General Court declaring his knowledge in the suit between the said *Elizabeth* and *Thomas Bowler* had by himself and other Evidence made it so fully appear that the said *Lear* himself with his own proper Estate had Satisfied the Debt aforesaid that no further doubt could remain thereof. The Assembly thereupon ordered the suit to be totally and finally dismist and concluded and that the said *Elizabeth Streeter* forthwith pay to the said *John Lear* for his unjust Molestation 1,500 lb. Tobacco Damages with cofts. Execution.

To the Honourable Sir *Wm. Berkeley* Knight Governor &c. And the Honourable Council of *Virginia*.

The humble petition of *Wm. Whittacre* Sheweth.

That he formerly bought of Mr. *Thomas Bushrod* a Mulata named *Manuel* who bought him of Colo. *Wm. Smith's* Assignee as a Slave for Ever but in *September 1644* the said Servant was by the Assembly adjudged no Slave and but to serve as other Christian servants do and was freed in *September 1665*.

Your petitioner most humbly prays he may have satisfaction from the Levy being freed by the Country and bought by your Petitioner at £ 25 Sterling.

The

The Affembly not knowing any Reason why the Publick fhould be anfwerable for the inadvertency of the Buyer or for a Judgment given when juftly grounded as that Order was. Have Ejected the Petition.

Whereas the parifhes of *Lancafter* and *Payankatank* having formerly been united and fince divided into two Parifhes by that divifion became more Senfible of the Inconveniency and Charge have petitioned to be reunited. *It is accordingly ordered* that their petition be granted and the Parifhes reunited and to be called by the name of *Chrift Church Parifh*.

Propofed Whether one or more Members of the houfe be appointed to carry Meffage to the Governor and Council of *Virginia* or an Ordinary Meffenger Employed.

Ordered that thanks be returned to the right Honourable the Governor for his Care for the Difpatch of publick Affairs and that his Honour be requested to appoint fome careful perfon to carry the Meffage to the Governor of *Maryland* to bring the final refult of that province about the Ceffation with all poffible Expedition.

Major *John Weir* Major *John Washington* and Capt. *Will Berkley* are appointed to prefent to the right Honourable Governor the Order and Warrant for difpatch of a Meffenger to *Maryland*.

Upon prefenting the lift of Tithables for *Lancafter* County and in that an Exemption made of ten perfons for Sir *Henry Chichley* as Councellor. *It is Ordered* that the faid ten perfons be added to the Lift fuch Exemptions for abfent Councellors being taken of by the Act of Affembly.

Moft Honoured Sir,

I Muft once more beg your pardon for importuning you to fend us your declaration of the governour and counfels affent to a ceffation, for indeed not only our affembly and courts, but all our commerce have their dependance on the affurance of that our former refults receive no interruption by the alteration of our opinion, and its the voice of all that a ceffation will make fome few merchants venture their goods to us in thefe dangerous times, which otherwife they will keep by them, and then in what a miserable condition will thefe poor colonies be; for however we are at greater diftance from danger, we fhall be the firft that for want of neceffarys fhall feel the preffures of a terrible war. The laft fhip that came to us informs us that the fcales yet hang formidably ballanced and that few will venture to us but on hopes of great gains. This with many other confiderations makes us defire you to haften this meffenger with your anfwer, which we are confident will fatisfie all our hopes and wifhes.

Your moft humble fervant,

William Berkeley.

Jamestown, the affembly fetting 8ber. 24th 1666.

Moft Honoured Sir,

Our affembly is now met to perfect the great bufinefs of the ceffation, but we can move no further in it till your affent be publickly made known to us. The commerce of the whole country is at a ftand till it be fully declared that your neceffary act be abfolutely confirmed by you, and the few merchants that are here refufe to open their ftores till they know on what terms they fhould difpofe of their commodities, and befides other imputations of levity and inconfancy, I am confident few or no fhip will be hazarded to us in the time of fuch extraordinary danger, if we make not good that which we have fo much noifed in the world. Therefore, dear *Sir*, let your concurring affent be fent to us as foon as poffible, you can; by this time we fuppofe your council is met, and therefore hope that this meffenger will bring back your anfwer.

Your moft humble Servant,

William Berkeley.

Jamestown, the affembly fetting, *October* 24, 1666.

The houfe adjourned until to-morrow morning, being the 25th of *October*, at the 3^d beating of the drum.

October

October 26, 1666.

UPON reading the chancellours of *Marylands* letter with the proclamation inclosed, published and proclaiming the observance of the act of cessation, whether the same is conceived by this house to be a sufficient ending of that governments confirmation of their former act, and whether it shall be thereupon determined in the house that the act made for that purpose the 5th of *June*, 1666, is and shall remain in full force and power, for the restriction of planting from the first of *February*, 1666, till the first of *February*, 1667, according to the tenor of the said act, and the right honorable the governour and counsell is requested and impowered further to signify the same by his proclamations to each of the respective counties of that his majesties colony and in it to prescribe such course and penalty as may cause the same to be put in effectual execution.

Ditto Die post Meridiem.

For Propositions.

COLO. *Wm. Clayborn*, Chairman, Colo. *Edmund Scarborough*, Capt. *William Ferrar*, Capt. *Otho Southcoat*, Capt. *Edward Ramsfey*, Capt. *Law. Baker*, Major *Nicholas Hill*, Capt. *John Lear*, Capt. *William Carver*, Colo. *Leo. Yeo*, Lieut. Colo. *Barber*.

For Grievances.

Capt. *Joseph Bridger*, Major *Thomas Walker*, Mr. *Rawleigh Traverse*, Capt. *John Weye*, Lieut. Colo. *Mees*, Major *John Washington*, assisted by Colo. *Bland*, Mr. *William Presley*, Capt. *Henry Filmer*, Lieut. Colo. *Kendal*.

Whereas Several Grievances of several Counties have been presented to the house and divers propositions concerning the publick tendered the house of Burgesses have thought the appointing a Grand Assembly to consider the most Effectual and most expedient means of redress have Ordered the abovenamed Gentlemen being one of Each County to peruse them and give their reports and withal that the Right Honourable the Governor be pleased to add to the Assistance such Gentlemen as his Honour thinks fit.

Upon the petition of *George Liddal* and *John Britton* Shewing that within two Months after *Brittons* arrival the said *Liddal* carried him to Court who adjudged him 16 Years of age whence a Quere arose whether he the said *Britton* Servant to the said *Liddal* were to serve till 21 or 24 Years of Age upon this Nice presumption that being adjudged but 16 Years at the Court when he arrived two months before that Judgement. The house being Sensible that no infallible Judgement of Age can be given have thought fit to declare that the Judge ought to be interrupted of the Age of the Servant when he came in and therefore have Ordered the said *Britton* to serve but five Year.

Major *Walker's* Petition. *Westmoreland* and *Rappahannock* Propositions. Proposals of *York*, Mr. *Secretary's* Propositions, *Northampton* propositions, *Rappahannock* Grievances, *Lancaster* Propositions, *Lower Norfolk* Petition, Remonstrance to the Chancellor, Addresses of *Henrico* County, *Isle of Wight* Grievances—Delivered to the Committee.

John Knight petitioning for Exemption from Levies as being Seventy Years Old the Assembly have ordered that if the County Court think him fit to be exempted from the payment of Levies his petition be granted. 26 October. The house adjourned till to Morrow Morning the third Drum.

27 October 1666.

THE Assent to the proclamation of *Maryland* as full confirmation of the former Act of Cessation assented to by a 2d Nemine Contradicente.

Ordered that Account of the fines be each *Saturday* rendered in the House one half whereof to be disposed of to the use of the house one fourth to Major *Hone* for Collection the other fourth to be allowed and accepted by the said Major *Hone* to *H. Rand[olph]* on Account.

November 1 1666.

A FULL Order to be drawn concerning Mr. *Lear's* bufinels for difmiffion from Mrs. *Streater's* Suit. *Ut Sequitur.*

Slaughter Order. Thomas Lucas Junr. Order.

Whereas there was a propofition from the *Ifle of Wight* County for one of their three Burgefles to be difmiffed. *It is the Opinion and Judgment* of this Affembly That Since no Burgef is admitted without Legal and deliberate Examination of his return that it cannot confift with the Honour of the Houfe to difmifs him from attendance during the Continuance of that affembly of which he is a Member.

To Major *Walker's* petition for Encouragement for planting 50,000 Mulberry Trees out of the fines of Delinquents according to Order of Affembly.

It is Anfwered the time of forfeiture of the fines not being yet expired the houfe is of opinion that no Cognizance Yet can or ought to be taken of this petition.

The Houfe adjourned till Afternoon. The Houfe Called. The Indian Capt. but of a Strange Nation thought fit to produce the Incurfion of that Nation which being thought to be of great Importance to the Country therefore awarded 2,500 lb. Tobacco.

A Committee appointed to treat with the Governor about the laft A&t concerning the Indians and the propofition preferred by Capt. *Ferrar.*

Mr. *Ballard*, Chairman,

Lieut. Colo. *Mees*,
Capt. *Ferrar*,
Major *Weye*,

Capt. *Lear*,
Major *Hill*,
Capt. *Thoroughgood*.

November 2, 1666.

THE Report of a Committee appointed to W. on a Confult with the Hon'ble Governor the laft night was this day returned *ut Sequitur.*

This day was read in the houfe the right Hon'ble Governor's Opinion upon Capt. *Farrar's* Anfwer to the propofition concerning Indians

Major *Wafhington's* Petition *de Land* to be Ordered.

The Governor is pleafed to declare That fince his laft coming from *England* he hath either found certainly Stint or Ceffation of abfolute neceffity. A Stint the beft remedy but of greater difficulty to manage.

Committee to attend the Governor about a treaty with *Maryland* and the Incident Infructions.

Capt. *Joseph Bridger*, Chairman,

Capt. *Peter Jennings*,
Mr. *Thomas Ballard*,
Capt. *Edward Ramfey*,
Capt. *John Weye*,

Lieut. Colo. *Mees*,
Mr. *Wm. Prefley*,
Mr. *Thos. Walker*,
Capt. *John Savadge*.

November 3, 1666.

A COMMITTEE Attended the Governor.
In the Afternoon the Report read and affented and the houfe adjourned.

November 5, 1666.

THE Houfe called. fome Propofitions read and Affented to the Second time. That Mr. *Secretary* be requested to Admit Colo. *Clayborn* and Mr. *Ballard*.

A Committee appointed to propofe the rates of this Country Commodities for payment of publick Debts Minifters and parifh duties Officer's fees fines Quitrents and other Rents that be generally contracted and become due in the Vacant Year from planting.

Colo.

Colo. *Henry Mees*, *Ralph [Raleigh] Traverfe*, *Robt. W'mSon*, *Capt. Weye*, *Capt. Parke*.

Ordered that the Hon'ble Governor be requested to Affist this Committee with one or more of the Council.

November 6, 1666.

PROPOSED.

Whether upon the Governor's Reasons communicated to the house it be conceived that there is a necessity of an Agent to manage the Countries Affairs in *England* if an honourable person would be found fit to be intrusted.

A Committee appointed to treat with the Governor and request his Honour to consider some Hon'ble persons that might be fit and would please to accept the Managing the Affairs of the Country in *England*.

Capt. <i>Joseph Bridger</i> , Chairman,	
Mr. <i>Thos. Ballard</i> ,	Mr. <i>Robt. Williamfon</i> ,
Lieut. Colo. <i>Kendall</i> ,	Lieut. Colo. <i>Mees</i> ,
Capt. <i>John Lear</i> ,	Major <i>John Washington</i> .

A Committee appointed to attend the Honourable Governor for drawing the Instruments for *Wm. Drummond* Governor of *Carolina* and the Instructions for the Commissioners for *Maryland* and to treat also with his Honour concerning his Satisfaction for the Silk presented to this Country by his Sacred Majesty.

Capt. <i>Joseph Bridger</i> , Chairman,	
Capt. <i>Daniel Parke</i> ,	Lieut. Colo. <i>Mees</i> ,
Mr. <i>Thomas Ballard</i> ,	Major <i>Hill</i> .

This is to certify those it may concern that upon request of Major *Thomas Walker* of *Gloster* County I have caused to be counted those white Mulberry Trees under mentioned *Vizt*:

Planted by him or his Order which are now growing and tender in <i>Anno</i> 1664.	13,642
Planted in 1665 found in the abovefaid condition	56,755
	70,397

This abovefaid Account I found to be agreeable and just. Witnefs my hand 17 *May* 1666 in *Virginia*.

Agrees with the Original,	☞ Me <i>Peter Knight</i> .
Received 7 <i>November</i> , 1666	

November 7, 1666.

THE House called and the other propositions read and approved were sent to the Governor for approbation.

But before the house met the Committee attended the Governor's Honour who was pleased to desire Mr. *Secretary* to draw up the Instruments and Instructions who after upon consideration that himself was one of the Commissioners desired the house to appoint some other persons to draw them up.

Upon Reading the Governor and Council's approbation with the alterations annexed they were all gratefully assented to Except the dissent from the Act concerning *lower Norfolk's* Exemption from giving the Lifts of Tobacco to which Mr. *Ballard*, *Capt. Carver*, *Capt. Lear*, *Colo. Yeo* and *Captain Bridger* and *Capt. Thoroughgood* were appointed to acquaint his honour with the reasons inducing them to pass that proposition and to return the Governor thanks for the forbearance of his Silk Money.

Mr. *Ballard* and Mr. *Lear* appointed to take Mr. *Knolls* and Mr. *Hunts* acknowledgment

ment of a Judgment before the Governor and Council. Before the Honourable Governor and Committee &c., The Honourable Sir *Wm. Berkeley* Knight Governor, &c.

Major General *Robert Smith*,

Mr. *Henry Corbyn*,

Colo. *Nathaniel Bacon*,

Colo. *Miles Cary*,

Colo. *Thomas Stegge*.

This 7 of *November 1666* Mr. *John Knolls* and Mr. *Thos. Hunt* appeared before the Court and Confessed Judgment upon the breach of a penal Bond for the Sum of 264,000 lb. of Tobacco and Cask due to the Honourable *Robert Wynn* Speaker of the grand Asssembly and was for the performance of certain Conditions expressed in the said Bond of which they failed and Judgment is Entred accordingly.

Test. *Thomas Ludwell* Secretary.

Proposition about the Repeal of the Act prohibiting the Importation of Salt into *Northampton* County.

Whereas the County of *Northampton* hath Shewed that by a former Act of Asssembly the Importation of Salt into that County was prohibited for the better Encouragement of Colo. *Edmund Scarburgh* who had Erected a Salt Work in *Accomack* but he not furnishing the people's Wants in that County of *Northampton* according to Expectation and the Law restraining their Relief from other places.

It is humbly proposed That the said Act for so much as relates to that County be repealed and Liberty given to any person to Import and Sell Salt as freely as before the making of that Act of restraint as before he might have done. Colo. *Scarburgh* himself having given his full Assent to the premises.

Whereas the Act ascertaining the fees of Surveyors by reason of the means [means] of the Salary (which seems to have been set in times when Tobacco was of a greater Value than can be now expected) both discourages any man of parts Ability and Integrity from Exercising the said function in the well discharging whereof the peace and possession of the Inhabitants of the Country are so much concerned and yet for want of a penalty give every one leave to extort from the people what Sums they please.

It is humbly proposed that for Encouragement of able men and prevention of Extortion the fees limited in the said Act be advanced to double what they were *Viz't* forty pounds of Tobacco for measuring one hundred Acres of Land if the parcel Exceed five hundred Acres if under to be allowed 200 lbs of Tobacco and for the same shall deliver an exact plot of Each parcel Surveyed and measured and if any Surveyor upon reasonable demand (not being by Sickness or any other Lawfull impediments hindred) shall refuse to Measure the Land of any person whatsoever for the Consideration and Satisfaction aforesaid Every such Surveyor shall be fined for such his refusal 4,000 lbs. of Tobacco and for Exceeding The fee 200 lbs Tobacco for Every 100 Acres half to the Party injured half to.....

Whereas in some few frontier Counties the Number of Wolves killed and brought in by the Indians tho' from never so great a distance hath been by some Inhabitants thereof through a Covetous desire of the Incouragement given by Act purchased to the insupportable burden tho' little benefit of the people.

It is therefore humbly proposed That the allowance for Wolf's killed by Indians and the Means of Inquiry and Discovery by whom and where Wolves are killed may be left to the severall County Courts by their Laws to take Order and provide for.

Whereas upon the Establishment of a Cessation It will probably ensue that Creditors may be rigorously importunate in recovering their Debts which if wholly paid in Tobacco will consequently deprive many people of any means to provide for the supply of their necessities for Remedy and Relief thereof.

It is humbly proposed that for all Debts already contracted for to be paid this present Year in Tobacco any debtor paying one half of his debt in kind may have Liberty for the payment of the other half until the tenth of *November 1668* Giving reasonable Security (if required) for the Remaining at the time aforesaid And in Case the Creditors will not stay that time but prosecute his Debtor for payment to be made sooner it shall

be

be in the Liberty and Choice of the Debtor to make tender of his Estate before the next Justice of the peace to Legal Valuation for payment of the said second Moiety *Provided* that if the Debt be under the Quantity of two hhd. of Tobacco It shall not be lawful for the Debtor to prejudice the Creditor by breaking a hhd. of Tob'o and paying a parcel thereof.

And that for payment of publick dues this Year (in respect of the Cessation and Consequent Expectation of advancing the Roll of Tobacco) there be an abatement of the sums formerly allowed.

And that all publick and County debts Ministers parish dues Officers fees fines Quit Rents and other Rents generally that shall become due or Contracted in the Vacant Year from planting may be paid in the Country Commodities at the Rates set this Assembly.

Whereas the County of *Lower Norfolk* lyeth most in this River and therefore not so to be suspected to ship Tobacco without paying the Impost.

It is humbly proposed that the Inhabitants of the said County may have equal Liberty with others to dispose of their Tobacco without the Trouble of the Address of Every

Whereas Lieut. Colo. *John Washington* hath Shewed that he obtained a patent of Land lying in *Westmoreland* and *Rappahannock* Counties part whereof is now included within the bounds allotted by the Grand Assembly to the *Nanzatico* Indians. *It is Ordered* according to the said *Washington's* petition That upon the Indians deserting the said Land he the said *Washington* may be readmitted to enjoy and possess the same by Virtue of his former grant and that no other after Claim may prejudice him in his Right.

Whereas *John Catlet* Gentleman in the behalf of *Francis Slaughter* Orphan hath shewed That *Francis Slaughter* obtained a patent of Land which is included within the bounds allotted by Order of the Grand Assembly to the *Nanzatico* Indians *It is Ordered* according to the said *Catlet's* Petition on the behalf of the said Orphan that upon the Indians deserting the said Land the Orphan may be readmitted to enjoy and possess the same by Virtue of the Grant and that no other after Claim may prejudice him in his Rights.

Whereas *Thomas Lucas* Gentleman hath Shewed that he obtained a Patent of Land lying on the South side of *Rapahannock* River about two Miles above *Portobacco* Town which is now included within the bounds allotted by order of the Grand Assembly to the *Nanzatico* Indians *It is Ordered* according to the said *Lucas's* Petition that upon the Indians deserting the said Land he the said *Lucas* may be readmitted to enjoy and possess the same by Virtue of the former Grant and that no other Claim may prejudice him in his Right.

Whereas *John Petit* a Frenchman by birth but an Ancient Inhabitant of the Country whereof his Marriage abode Children many Services and approved fidelity have Justly made him reputed a Member have petitioned that he might be admitted into a Stricter tye of Obedience to his Sacred Majesty by being made denizen of this Country *It is by the Governor Council and Burgeffes of this grand Assembly granted and Ordered* that the said *John Petit* be made a free denizen of this his Majesty's Country of *Virginia* and thereby Vested and Indulged in all such freedoms liberties priviledges and immunities whatsoever as any Denizen is Capable of by Law or by his Majesty's gracious declaration or anything therefrom Justly Inferred *Provided* the said *Petit* take the Oaths of Supremacy and Allegiance to his Majesty before his Majesty's Commissioners in the Court of that County where he inhabits.

Whereas *John Martin* a Dane by Birth and a Boatwright by Trade hath long lived in this Country and truly and honestly behaved himself towards his Majesty and all his leige people and having full Resolutions to make his constant abode in this Country hath petitioned he might be admitted a Denizen *It is by the Governor Council and Burgeffes of this Grand Assembly Granted and Ordered* that the said *John Martin* be made a
free

free Denizen of this Country of *Virginia* and thereby Vested and Indulged with all such freedoms liberties priviledges and immunities whatsoever as any Denizen is capable of by Law or by his Majesty's gracious declaration or any thing therefrom justly inferred *Provided* the said *John Martin* take the oaths of Supremacy and Allegiance to his Majesty before his Majesty's Commissioners in the Court of that County where he inhabits.

Whereas Andrew Herbert a *Dutchman* by Birth long since removed himself his family and Estate from *Monadas* into this Country and here purchased a plantation and thereupon lived and resolved here to live & Dye his Majesty's faithful Subject hath petitioned he might be admitted a Denizen of this Country *It is by the Governor Council and Burgeffes of this Grand Asssembly granted and Ordered* that the said *Andrew Herbert* be made a free Denizen of this Country &c. *ut in Aliis*.

Whereas William Martin a *Dutchman* by Birth Long since removed himself his Family and Estate from *Dellaware Bay* into this Country and here purchased a plantation and hath since lived in this Country and truly and honestly behaved himself towards his Majesty and liege people and having full resolution to live and die in this Country hath petitioned he might be admitted a Denizen of this Country. *It is Ordered by &c.*

Whereas Peter Godson a *Frenchman* by birth hath Long since lived in this Country a Servant and a Freeman and of the reformed Religion and truly and honestly behaved himself towards his Majesty and his Laws and here purchased Land and Married an *English* Woman and hath here three Children by her and having full resolution to make his constant abode in this Country and to live and die his Majesty's Subject hath petitioned he might be admitted a Denizen thereof. *It is Ordered by &c.*

Whereas John de Young by birth a *Dutchman* hath long since lived in this Country a freeman and Servant and of the reformed Religion and truly and faithfully demeaned himself towards his Majesty and Laws and here purchased Land and Married an *English* woman and had many Children by her and having full Resolution to make his constant abode in this Country and to live and Dye his Majesty's faithfull Subject hath petitioned he might be admitted a Denizen thereof *It is by the Governor Council and Burgeffes of this Grand Asssembly Granted and Ordered* that the said *John De Young* be made a free Denizen *ut in Aliis &c.*

Whereas Cornelius Noel hath long lived in this Country Servant and Freeman and of the Reformed Religion and taken up Land with a full resolution to make his constant abode in this Country and to demean himself as a true and faithful Servant towards his Majesty and his Leige people hath petitioned he might be admitted a Denizen of this Country *It is by the Governor Council and Burgeffes of this Grand Asssembly Granted and Ordered* that the said *Cornelius Noel* be made a free Denizen *ut in Aliis &c.*

Whereas George Liddall petitioned against *John Breton* Shewing &c., wrote before
 —————Oct.—————26.

It is Ordered that the Right Honourable Governor be desired to represent to his most Sacred Majesty That the Country having already been at the Charge of near 100,000 l. of Tobacco towards Erecting a fort at *point Comfort* Do find by Several Inconveniencies in the Situation of that place that it is almost impossible to bring the said fort to any perfection and therefore in the Name of the whole Country humbly Do implore to Excuse us from further prosecuting the said Work.

November 8, 1666.

This I will most willingly Do but it is impossible for me to do it Effectually without some person be appointed and often Urge his Majesty and Council of our Wants and Necessity's and a long Letter will be unmannerly at least to Trouble the King withal Therefore I once more say that if the Asssembly does not pay the Agent he shall not expect more from the Country neither shall he do anything without the Asssembly and let this be recorded.

Your most humble Servant

William Berkeley.

November

November 9, 1666 Die Jovis.

THE Honourable Governor sent Knowledge of his pleasure to the Houfe that two or more of the Council might Joyn whith the Houfe in Granting and Confirming the Sum of the Levy.

The Hunble Answer of the Houfe is that they conceive it their privilege to lay the Levy in the Houfe and that the Houfe will admit nothing without reference from the Honourable Governor and Council unless it be before adjudged or Confirmed by Act or Order and after passing in the houfe shall be presented to their Honours for their approbation or Dissent.

Mr. *Ballard* Major *Weir* and Capt. *Bridger* are appointed to present this Answer to the Governor & Council.

This is willingly assented to and desired to remain on Record for a Rule to walk by for the future which will be Satisfactory to all.

William Berkeley.

A Committee appointed to wait on and treat with the Hon'ble Governor about the Castle Duties and Arrears Granted by his Sacred Majesty to this Country by his gracious Letters toward the Erecting of a Fort and to present the Order and request of the house dated *November* the 7th 1666 concerning the Fort at *point Comfort*.

Capt. *Jennings*, Chairman,

Major *Joseph Powel*,

Mr. *Hugh Yeo*,

Major *Walker*,

Captain *Hen'y Filmer*.

The Right Honourable the Governor's Opinion is that the Castle duties may not be looked back upon further than from the Date of his Majesty's Letter.

Test Thomas Woodward Clerk Committee.

It is Ordered that Mr. *Ralph [Raleigh] Travers* be intrusted & appointed to buy a Drum for the use of the publick and send the same to *James City* by the beginning of next Assembly and be paid for it by the Publick.

It is Ordered that twenty pounds *Sterling* be presented and paid to Capt. *Thomas Cary* Overseer of the Fort Work by the Auditor General out of the Castle duties for his pains and Care in the premises.

That 3. 10. 6. be paid Mr. *Jonathan Newel* as aboves'd for Nails for the said Work
The Houfe adjourned till to Morrow Morning.

November 9, 1666 Die Veneris.

PROPOSED that the Honourable Gentlemen of the Council that shall Go for *Maryland* on the publick Service of Treaty with that province may be presented and paid each of them £20 *Sterling* and each of the Burgesses £10 by the Auditor as a Gratuity for their Trouble they must certainly undergo in that employment whatsoever charge they shall be at in their Voyage to be allowed and paid in the publick Levy.

Sent to the Governor by Major *Hill* Mr. *Hone*.

An Order for concealing Tithables.

The Houfe going down to wait on the Governor's Honour his Honour was pleased to recommend to them the Necessity of an Agent and recommended to them Colo. *Morison* which being put to the Vote *It was proposed* that the Governor's Honour should be requested and Intrusted to make Choice of an Agent and to impower the person by his Honour made Choice of to act as an Agent for this Country in *England* for the Ensuing Year and to proceed according to such instructions as his Honour shall find the Necessities of the Country's Affairs require.

John Goddon petitioning for a Vessel built by him in the County of *Accomack* of the burden of 25 Tuns was not allowed for want of Due Legal proof.

Mr.

Mr. *John Knowles* and Mr. *Thomas Hunt* having forfeited their Bond &c., and for the said sum Confessed Judgement before the Governor and Council Humbly [begged?] the favour of the House who have thought fit to give to the last of *August* Next by which time if not finished the Judgement to be in force and the said *Knowles* and *Hunt* Alledging that by the strict Rules of Law Execution may immediately follow upon their non-performance by the time limited but that in Equity they may find relief as to the penalty or part thereof *It is Granted* on their humble Motion that the said Judgement shall not bar them of any Just relief the said Judgement notwithstanding.

Whereas It is apparent to all that the Establishment of a Cessation from planting will greatly advance the Merchant's profit by giving him time to vend his Commodity and for that Consideration it might be expected that he should make an Abatement of his Debts Yet this Assembly Who have been ever careful not to take away from the Interests of any person have not taken that Course but only for supply of people's necessities and Enabling them to provide for their Subsistence in the Vacant Year from planting have Enacted and by the Authority of the &c.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* Octob^r the 23^d An^o 1666:

WHEREAS informaçon hath bin given to this Affembly that divers perfons either remifs or fraudulent in giueing in their lifts haue omitted or concealed diuers of the tithables within their precinçts, *It is Ordered* by the Grand Affembly that the Sherriffs of the Respective Counties doe after their Collections certifie the number of tithables in their severall lifts, and the names of those mafters of families that haue concealed any, and the names of the Iuftices that tooke the lift, to the end that those that fhall bee found delinquent may be censured according to their merrits, and to returne fuch certificates with the writt for Burgefles to the Secretaries office, whereof they are not to faile.

Ordered That the hon^{ble} Gentlemen of the Councill and Burgefles that goe for *Maryland*, on the publique service of treating with that province may be prefented and paide each of the Councill twentie pounds *Sterling*, and each of the Burgefles tenne pounds *Sterl*: by the Auditor as a Gratuitie for the trouble they muft necessarilie undergoe in that employment, and that whatfoever charge they shall be at in their voyage or Journey fhall be allowed and paid in the publique Leuy.

The house being by the Govern^{rs} hon^r informed of the necessitie of an Agent to mannage the affaires of this Country in *England*, haue *Ordered* that his hon^r be requested, and impowered to make choice of an Agent, and to authorize the person by him made choice of to act as an Agent for this Country in *England* for the ensueing yeare and to proceed therein according to fuch instructions, as his hon^r fhall finde the necessitie of the Country affaires doe require

[Proceedings of the House of Burgessees

September-October, 1667.]

May it please your Honour.

AS this Country in General muſt in Gratitude and Juſtice acknowledge that they have ever Enjoyed Unparalled Happineſs under your Honour's Juſt and Auſpicious Government ſo this houſe ſo often Aſſembling by your Honour's Order and favour, muſt declare themſelves the moſt ungrateful of men if they did not Evidence to all the World that peculiar Care your Honour has ever taken to advance the General good of the Country and to proteſt that and every Individual Member of it and as they muſt in Juſtice own this ſo they muſt for themſelves proteſs that it has been and ever ſhall be their conſtant Endeavour to Evidence their Senſible- neſs of the Favours they Enjoy by their ready Compliance to all your Honour's propoſals for the publick Good Nor did it ever enter into their Thoughts that there was not an abſolute neceſſity for a fort to be erected But after theſe many late Calamities ſuppoſed it Requiſite firſt to attend and Conſider of the means to defray thoſe Charges muſt Neceſſarily be diſburſed about it To which purpoſe at the Inſtant your Honour was pleaſed to Command their Attendance they were framing a Requeſt for ſome of your Honour's Council's Aſſiſtance to Inquire what Moneys were in Bank that they might ſee what addition was fit to be made to it to Erect ſuch a fort as might be for the Honour and Security of this his Majeſty's Colony and to beſeech your Honour to advertiſe them of the moſt Eaſy Means to Effect it they haveing had frequent Experience of your Honour's Conſiderations for the publick Good which was all the intent of their laſt anſwer. Laſtly They moſt humbly beg your Honour not to entertain any Thought of their averſeneſs from ſerving your Honour But that your Honour would pleaſe to Conceive of them that as their firſt care ſhall be, with your Honour & to his Majeſty's Service and to the Honour and Security of this his Majeſty's Colony So the next is and Shall be to teſtifie their Gratitude and to Vindicate your Honour from any Calumny of Malicious perſons may anyway aſperſe and hope that all their Actions ſhall be ſuch as ſhall either invite the Continuance than enforce the Departure of your Honour's (by us) ſo much deſired Reſidence among us whoſe indulging Government in Deſpite of our many fold Calamities render us the happieſt people of our Nation in any of his Majeſty's forreign plantations

Seal by Colo. *Spencer*
Major *Weye*,
Colo. *Kendal*.

September 26, 1667.

A COMMITTEE appointed to attend the Governour and requeſt and receive his Honour's advice about the moſt Effectual Speedy and Eaſy means to erect a fort and with the Aſſiſtance of ſuch of the Council as his Honour ſhould pleaſe to joyne with them to Enquire into the Country's Stock of Money and to make report thereof to the Houſe.

Capt.

Capt. *Jos. Bridger*, Chairman,

Colo. *Nich. Spencer*,
Colo. *Wm. Barber*,
Capt. *John Lear*,
Capt. *Wm. Carver*,

Capt. *Dan'l Park*,
Maj'r *John Weye*,
Maj'r *Thom. Walker*,
Major *Nich. Hill*.

Affittants to the Committee

Mr. *Secretary*,
Colo. *Stegge*,
Maj'r Gen'l *Bennet*,
Colo. *Edw'd Carter*,

A Committee for private Causes.

Colo. *Robert Holt*, Chairman,

Major *John Powel*,
Major *Will Ferrar*,
Mr. *Thomas Lucas*,
Capt. *Edward Ramfey*,

Capt. *Adam Thoroughgood*,
Capt. *Lawrence Baker*,
Capt. *Will Blackey*,
Mr. *Isaac Allerton*.

The Governor's Honor is requested to assign such of his Council as his Honour thinks fit for their Assittance.

Affittants to this Committee.

Colo. *John Baker*, [Blake]
Colo. *Nath. Bacon*.

The Governour's Answer here
to be inserted.

Read the Coppy.

Carver's Petition.

Barber and Park.

Commissions for want of a Lawful prison Referred to the same Committee. By reason of some Collectors not having Given in their Accounts the Committee was disabled to perfect them so Signified the desires of the Council that they might be empowered to treat about a place fittest for a Fort.

Whereupon the House do propose the place for a Fort to be *point Comfort* because his Majesty's Instructions appoint so But it leaves it further to be debated by the Committee with the Honourable Gentlemen of the Council their Assittants.

Report of the Committee.

By reason of the vast Charge that will inevitably accrue in Erecting and Maintaining of a Fort at *point Comfort* and the uselesness of that place there being fifteen foot of water at least a Mile [from?] the Castle and not fifty Men able to bear Arms within four Miles of the place and the want of Good Water there *It is the Report and Opinion of this Committee* that *point Comfort* is not a Convenient place for that Occassion and they do Conceive that the Speediest and Easiest way for the Honour of the Country and the safety of such Ships as shall arrive will be for each River to provide forthwith a Fort to be erected *Viz't* In *Potomeck* River at *Yohocomaco* in *Rappahannock* River at *Chorotoman* in *York* River at *Tindall's* point and in *Nancemond* and *James City* in *James* River and that the Counties of *Warwick Elizabeth City lower Norfolk Nancemond* and *Isle of Wight* bear the Charge of Erecting and Maintaining the Fort at *Nancemond* & the rest of *James* River bear the charge of the Fort at *James City* And that overseers be appointed and empowered to see the speedy Execution of this Work by a time to be limited by this Assembly and a great Penalty laid on the Delinquents.

By Plurality of Voices
assented to

} *Will Berkeley*.

To avoid all Pretences of others against this Order.

September

September 27, 1667.

PROPOSED, whether the Asssembly or the County Courts shall impower Commissioner to Elect and Appoint Overseers for the Erecting of the Several Forts.

Whether the Time for finishing the Forts shall be the End of *April* at farthest.

What fine shall be imposed on the several Precincts.

The Vote referred till to Morrow the Overseers over the Work impowered to pres Workmen and Materials for perfecting the Work and the two next Sessions or County Courts to adjudge the Value.

Ordered That the Requests or Grievances of the Counties of [names not entered] be referred to a Committee to consider of and report to the House.

Colo. *Spencer*, Chairman,

Colo. *Mees*,

Lieut. Colo. *Washington*,

Mr. *Rawleigh Traverse*,

Mr. *Hugh Yeo*,

Major *Hill*,

Capt. *Lear*,

Capt. *Savage*,

Mr. *Warren*.

The House adjourned till the third Drum on *Monday Morning September* the 30th.

Whereas there is an Order for making a Bridge over *Dragon* Swamp the North Side of which is in *Lancaster* County and the other side where the bridge will come uncertain whether in *Gloster* or *New Kent* County *It is proposed* that all three Counties may contribute toward making the said Bridge.

October 1, 1667.

PROPOSED That the Governor please to appoint the Commissioners to Manage the Work but the County Courts to appoint Commissioners to State the Accounts which being proportioned by the several Counties the several County Courts to levy it according to the Number of Tithables.

Whether the Asssembly immediately by themselves or the County Courts by power derived from them shall appoint Commissioners to Manage the Work.

October 2, 1667.

THE House returneth humble thanks to the Honourable Governor for his care for the Regulating of the Excessive and unreasonable Accounts of the Ordinary Keepers and humbly request his Honour and the Council to proceed by their Authority to the Speedy and Effectual Execution thereof in the County of *James City* in Imitation and Assistance whereof the House doth further request and Intend that a Law may be made for the like Course to be taken and prosecuted in each County by the several Justices.

It is ordered that the Commissioners of *Surry* bear the charge of and make payment for a Steer prest for the use of their Soldiers in their Service from the Commissioner of the *Isle of Wight* the Sum of Seven hundred pounds of Tobacco and Cask being due to *Thomas Burlow*.

The House adjourned till the Afternoon.

Whereas there hath been a long time difference depending between the Counties of *Northumberland* and *Lancaster* about their Bounds *It is ordered* that the Bounds prescribed by a former Order of Asssembly bearing date the 10th of *September* 1663 be confirmed and the difference thereby concluded and determined.

The house adjourned.

Whereas it hath appeared that divers persons contrary to an Order of Asssembly of the 10 of *September* 1663 have Erected Wares in the Face of the Town *It is ordered therefore*

therefore that each person delinquent *Viz't* Major *Theophilus Hone*, *John Barber Richard Limney* and *William Stufon* and *Griffeth Dickenson* shall immediately pay two thousand pounds of Tobacco and Cask to the County of *James City* toward alleviating the Levy of this Year.

A Committee appointed to receive the Auditor's Accounts and to enquire what Money or Ammunition there is resting due to the Country.

Colo. *Spencer*,

Colo. *Mees*,
Colo. *Kendal*,
Capt. *Lear*,

Major *Weye*,
Colo. *Washington*,
Mr. *Filmer*.

Ordered that the Hon'ble Governor be requested to Assign one or two of his Council to assist this Committee.

A Committee appointed to consult with such of the Council as the Hon'ble Governor shall appoint about Nominating the persons and Settling the power of the Commissioners for Erecting the several Forts.

Colo. *Clayborn*, Chairman,

Capt. *Bridger*,
Capt. *Jennings*,
Mr. *Allerton*,
Mr. *Traverse*,

Maj'r *Hill*,
Capt. *Carter*,
Maj'r *Walker*,
Colo. *Blake*.

Whereas Major *Thomas Walker* petitioned that according to a former Order for Encouragement of those that should plant more Mulberry Trees than was prescribed by an Act of Assembly to which the said Order had reference and showed that he the petitioner had planted More than his due and claimed the Encouragement accordingly.

The House considering that the Encouragement was to be paid out of the Fines of Delinquents which by reason of the Repeal of the Act did not become due Yet that the Petitioner or Others should not thereby be discouraged from Endeavouring any thing for the publick good have Ordered and accordingly have Ordered that 20,000 l. of Tobacco should be paid to the said Major *Walker* with all Conveniency if it may be, in *York River*, *Viz't* 10,000 l. in the Levy which shall be in the Year 1668 and 10,000 l. in the Levy which shall be in the Year 1669.

The House adjourned until to Morrow

October 3.

IT is the Opinion of the House that Mr. *Ballard's* Account what shall be thought fit to be allowed be paid out of the Publick.

Grace Powel's Petition referred to the Parish.

John Barber's Account to be regulated by the Right Hon'ble Governor and Council and by them adjudged due to be paid by the County.

John Fleet Petition referred to *York County*.

Bartholomew Enol's Petition Referred to *York County*.

Mr. *Haye's* Petition referred to *York County*. Mr. *Hone's* Committee Account referred to Committee.

Ordered That *Edward Halet* by reason of his Age Impotency and Poverty be according to his Petition exempted from payment of Publick Levies.

The House adjourned till Afternoon.

The Report of the Committee about the Fort is wholly confirmed, and being defective in appointing the time and place *It is agreed* the Commissioners meet as soon as possible, *Viz't* *Nancemond* Association 23 October at Mr. *Huff's* plantation. *James City* 24 October at *Westover*. *Potomeck* on the 1 November at Mr. *Nich. Owen's* *Cherry point*. *York* on the 21 October at *John Fleet's* *Tindal's* point. *Rapahannock* 29 October at Major *Ball's* house.

Proposed

Proposed, Whether Beacons or no Beacons.

Resolved, in the Negative.

Whether a Centry be kept at the Cape or no and continued during the War.

Resolved in the Affirmative.

May it please your Honour.

The committee upon Examination of the Auditor's Account find Charges in Capt. *Jenning's* Account twenty pounds for prosecuting of *Morris* and *Whiting* upon Report whereof to the House they have commanded us to acquaint your Honour that a former allowance of 5,000 l. of Tobacco for those and all other Publick Services had been made to Capt. *Jennings* in the last Levy they thought it their Duty to render account thereof to your Honour and request your Honour's further pleasure.

Whereas Capt. *Jennings* brought in his Account for twenty pounds for prosecuting of Mr. *Morris* and Capt. *Whiting* for which have been Satisfied in the Levy, *It is Ordered* that he make repayment thereof to the Publick.

Whereas there is in Capt. *Jenning's* Account Nineteen Pounds Seven Shillings and nine pence Charged for his Disbursements in the late troubles in *Gloster* County. *It is Ordered* that the said Capt. *Jennings* make Repayment of the said Sum to the Publick and that the County of *Gloster* forthwith pay the same to Capt. *Jennings*.

Whereas there appears due to the Country upon the Ballance of Account of Port Duties and 2 s. p hhd. £265. 16s. 8d. as also from Capt *Jennings* £39 7s. 9d. from Mr. *Nich. Smith* a fine appropriated to this use by the Right Hon'ble the Governor 50 Pounds and all other Sum or Sums of Money now due to the Publick be proportionably distributed to the respective Affociations towards defraying the Charge of building and Maintaining the forts and payment of all said sums to such person or persons as the said Respective Affociations shall appoint to receive them in next *April* Court.

May it please your Honour

The Burgeses having called before them *Thomas Harris* about finishing the house he undertook. *Harris* is willing to take the House upon his own account and give good Caution for payment of the Tobacco he received at four Payments which was 30,000 and Cask (besides the Encouragement) in four Years. Mr. *Hunt* offers Caution for finishing his 3 houses and repayment of the Tobacco for the two Houses Mr. *Knowles* was to build in the like to which the Burgeses before advis with your Honor and the Council tho' it was not fit for them to assent.

That the Commiffioners in each Affociation be employed to set a rate upon Men's Labours provisions or any other Necessaries for carrying on the work.

In regard to the Charge Sustained in the Several Counties in the late Troubles accruing due only for provisions and Men's Labours which was all rated in Tobacco would Excessively advance the Public Levy yet by other Means with much Ease be defrayed by the Several Counties. *It is Ordered* that every Court examine and Regulate the Accounts due from their Counties and that Each County support and defray its own Charges.

Upon the petition of *William Carver* it appearing that the Debt which Mr. *Crump* Claimed of the said *Carver* did no way concern goods imported into *Virginia*. *It is therefore the Opinion of the house* that the said *Carver* may have the benefit of the Act concerning forreign debts which being by him Claimed the Assembly hath *Granted and accordingly ordered* the Suit to be dismissed.

Ordered That *Richard Gotley* shall have the benefit of the Act of Assembly granting Seven Years Liberty after the date of the patent for leasing the Land.

Upon the Petition of *John Ford* who hath laid long in prison because he was [un]able to give Bond with Security for £500 Sterling to answer *William Caswell's* suit who was the Attorney for *Edward Chappel* in the Island of *Saint Michaels*. This Assembly taking into consideration that neither the said *Caswell* nor any Attorney for the said *Chappel* do appear to Answer the Petition which is in the nature of an *Audita Querela* and that
the

the said *Ford* produceth two Sufficient depositions upon Oath that he had no Charge of nor did meddle nor make with such goods as the said *Chappel* impleaded him for and withal that it is improbable if not impossible that he being a Stranger here shall find any Security willing to be bound with him in so great a Sum *The Assembly do conceive it fit and accordingly Order* that the said *Ford* be set at Liberty.

Whereas Bertrain a Servant an Alien born hath long Lived in this Country a Servant and freeman and of the reformed Religion who hath a full Resolution to make his abode and to demean himself as his Majesty's true and faithful Subject hath petitioned that he might be admitted a Denizen of this Country. *It is Ordered by the Governor Council and Burgefs of this Grand Assembly and Granted* that the said *Bertram* Servant be made a free denizen of this his Majesty's Country of *Virginia* and thereby Vested and Indulged with Freedoms Liberties priviledges and Immunities whatsoever any Denizen is Caple of by Law or his Majesty's gracious declaration or anything therefrom justly inferred *Provided* the said Servant take the Oaths of Allegiance and Supremacy to his Majesty before his Majesty's Commanders in the Court of that County where he inhabits.

The Petition of *Thomas Read* for Satisfaction for Several Beens by him prest for the Soldiers in *York River* is Referred to the Counties of *York* and *Gloster* County is to pay no More than for what they received of this or other Accounts.

It is Ordered by this Grand Assembly that after the Voluntary departure of the *Chiskiack* Indians for [from] a Parcel of Land of 2,000 Acres formerly granted by patent to Colo. *George Read* in *Anno Dom. 1648* Lying at *Pyankatank* That the said Colo. *Read* have a Continuance and priority of Right to the said Land according to the Original patent for the same and the immediate possession thereof.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie September* the twentieth, 1667:

WHEREAS the Charge Susteyned by Severall Counties in the late troubles accruing due onely for provisions and mens labour, would if all rated in tob^o excessively advance the publique Levie and yett by other means may with much ease be defrayed by the severall Counties, *It is Ordered* That every County Court examine and regulate the accounts from their Counties and that each Countie Support and defray its owne charge.

Ordered That *David Andrewes* being imprest, and haueing served four moneths a gunner for the Country be paid by the auditor gen^l according to the proportion of fifty pounds ꝥ *annum*.

Ordered that Cap^t *Peter Jennings* proceed to profecute all those persons that haue illegally taken away any goods or other furniture out of the wrack of the frigate or other wracks, In consideration whereof and of all former Services he hath done in profecution of any Criminalls or other offenders the house doth order and appoint for his full Satisfaction twenty pound *Sterl*: from the Auditor Gen^l

Ordered That the R^t hon^{ble} the Govern^r for the better effecting the present urgent affaires of the Country be requested if his hon^r think fit to continue the present Sherriffs in their offices y^e next ensueing yeare:

Whereas There appears due to the Country upon ballance of the accounts of two shillings *per* hh^d and port duties: 265^l 16^s 08^d As alsoe from Cap^t *Jennings*: 19^l 7^s 9^d and from M^r *Nicholas Smith* a fine granted to this use, (by the favour of the R^t hon^{ble} the Govern^r) of fiftie pounds *Sterl*: *It is Ordered* that these, and all other Summes of money now due to the publique be proportionally distributed to the Respective affociations towards the defraying the charge of building the severall forts & payment of the f^d Summes made to such person or persons as the Commiçoners of the Respective affociations shall appoint to receiue them in next *Aprill* Court.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* September the 17th Ano 1668.

VPON the petition of *James Cittie* Countie that one of the Countie Brick houfes might be granted y^m for a prifon, The Affembly confidering that fellons, and other publique prifoners are frequentlie brought thither from all parts of the Country *haue granted, and by thefe presents doe grant* them the ufe of one of thofe houfes for that purpose for the tearme of feaven yeares, the Countie at their proper charge fitting the houfe for that ufe, and dureing the tearme keeping it, and when expired leaving it in Sufficent repaire, which the Burgeffes in the Counties behalfe haue obliedged fhall be done

Ordered That the three hundred Sixty eight pounds fourteen Shillings ordered laft yeare to haue bin paid by proportion to the ufe of the Refpectiue fforts in each affociaçon fhall now be p^d by the Collectors in each Riuer to the ufe of the forte in that River, being the Summe of Seauentie three pounds fifteen fhillings to each forte

[From the Public Record Office, *London*, Colonial Office, Clafs 1, Vol. 33.¹]

To the right Worpll the Governor and Counsell of State.

The reasons to be annexed to the anfwere of the Burgeffes w^{ch} they haue allready p^{re}fented.

ffIRST wee humbly intreate your worps to conceave that wee cannot refolve what quantityes of tobaccoe will be yearely made in the Collony in refpect of the vncerten number of people yearely comeing in, and the mortality of people here farre greater fome yeares then others. Soe that wee are not at anie tyme certen of the number of our Inhabitants. And whereas we desire by our anfwere the free Benefitt and vfe of our Co^modity, the reason induceing vs thereunto is, that thereby people may bee encouraged to come out of *England* to plant and inhabite here, whereby the Colony will bee the Better ftrenghened and secured from anie trecherous praçtifes of the Natives, contrary to wch, the retraynte of our Liberty of plantinge will not onely difharten all men from comeinge hither, except fuch as are inforced through wante and poverty But allfoe will caufe many of the Inhabitants here to Leave this Colony, and purchafe the free vfe of their Labour in other plantaçons Soe that the Colony would bee thereby much Weakened and in fhorte tyme, in regard of our yearely mortality wee fhould bee disabled to defend our felves, Cattle and plantaçons from the tyranny of the Indyans. ffurther the limitaçon of a Certen number of plants ᵹ poll hath allready caufed diuerfe of the Inhabitants to fforfake their plantaçons and to neglect the fencinge of grounds, the plantinge of towns, orchards and gardens, the makeinge Inclofures, and paftures for cattle and other vfes, Being neceffitated ffor their p^{re}fente releefe and fubfiftance to remove and plant vpon fuch grounds as would yeald moft Tobaccoe vpon a Plante although they haue fuffered all other inconveniences thereby, and fuch as are not able to remove from their ould and over worne grounds, are Kepte by the Limitaçon of a certen number of plants ᵹ poll in ᵹ petuall poverty and Ingagem^t In regard their Labour vpon foe manie plants will not produce half foe much tobaccoe as others. And ffurther in that wee have desired that there might bee conformity in all his Ma^{ty}s plantaçons ffor the quantity of plantinge. Wee conceave that the Waft and exceffive quantityes of tobaccoe wch are yearely made in the *Cariba* Iflands Being generally twice as much ᵹ poll at the leaft as wee

wth

1. It is not certain to what feffion this paper belongs. In the Calendar of State Papers, Colonial, *America & West Indies*, it is affigned, but with a queffion mark, to the year 1667. Since, however, in the Proceedings of the Houfe of Burgeffes for the feffion of that year (given above) nothing is faid about this "anfwer" of the Burgeffes to the governor and Council, it feems more reasonable to affign the paper to the year 1668 or 1669.

wth the vttermoſt of our indeavours can make, hath beene the onely meanes to Beate downe the price of all Tobaccoes. Soe that wthout a conformity of plantinge in all his Ma^{ty} plantaçons there is very little hopes eyther by the leſſeninge or Betteringe our quantity in this Colony, to advaunce the price.

2) *Secondly* wee humbly intreate your worps to conſider howe ꝑiudicyall y^t will bee to the ſettlem^t of this Colony for vs to propound a ſome or ſtock of monie to bee yearely provided to take of our tobaccoes at a certen price, ffor we conceive that the free vſe and Benefitt of the trade of our comodity will much encourage perſons of quality to adventure themſelves and their eſtates hither when they ſhall haue free correſpondence wth their freinds, and other adventurers in *England*, to bee furniſhed wth yearely ſupplies, and to make the Beſt profitt in the ſale of their tobaccoes, And animate the moſt Induſtrious men in this Colony whoe haue partely freed themſelves from the greedy exacçons of the Merchants here, by exportinge their Tobaccoes yearely for *England* to bee ſoulde for their beſt advantage, and returned in neceſſary comodities, and ſyndeinge themſelves in ſoe good courſe have hitherto reſolved to ſettle their eſtates here for poſterity, and are thereby Enabled in their reſoluçons to erect good Buildinges, plantinge and propagatinge gardens, and orchards, fenceinge and Incloſures for cattle w^{ch} are the onely motives cauſeing every man to accompte that place to bee his ſetled habitaçon where hee hath ſoe voluntarily ſpente his Indeavours W^{ch} on the contrary if wee ſhall bee Denied the free comẽce of our owne comodity, moſt men of ability and induſtry will converte their whole eſtates into tobaccoe and ſoe reſolve to Leave and forſake the Colony and take the oportunity of a ꝑſent price for feare of future alteraçon therein, whoſe examples, yt is to be doubted, that all men that can will followe, ffor prooffe whereof wee can Inſtance diverſe in this Colony whoe fearinge the abridgem^t of their former Libertyes Begin to repent their ſeverall diſburſem^{ts} ſome in good buildinge and others in purchaſinge plantaçons and buyeinge of cattle. Wherefore yt is much to be feared that vnles his Ma^{ty} will bee pleaſed to continue vs in our free Indeavours the future hopes of this Colony will be utterly ſubverted.

3) *Thirdly* wee humbly intreate yo^r worps to conſider howe Inconvenient and ꝑiudiciall yt will bee to build warehowſes and to bringe our Tobaccoe to them, the reaſons wee have in parte ſett downe in our anſweres already ꝑſented. And further the greateſt parte of the Inhabitants are in wante of Boates and not able to procure them Soe that they muſt bee inforced to imparte wth a greate parte of their croppes for the transportaçon of the reſt vnto a ſtore, and when all the tobaccoes of a County ſhall be brought into one ſtore the caſualty of fyreinge the ſame, wch may bee accidentally done eyther by the Indyans or otherwiſe beſide other Daunger of ſpylinge will cauſe diverſe ꝑſons to bee in continuall feare of vtter vndoinge haveinge noe other meanes for the releefe and cloathing of themſelves, their wives children and families, then their ꝑſent cropp. All wch hazard will bee ꝑvented by every man keepinge his owne comodity and deliveringe yt from his howſe

4) Wee humbly entreate your Worps to conſider howe vnpoſſible yt is for vs to giue a generall accompte of the ꝑſent ingagemts of every particular man and the tyme when the debts were made and what thereof is vnpayed, when wee conceive that the third parte of the Countryes Debts at the leaſt were made by perſons Deceaſed, and nowe remayne to bee payed by their Executors or Adminiſtrators whoe can give noe other informaçon of them then that they are ſoe much indebted but for what conſideraçon the ſaid debts were made they are altogether ignorant. ffor further ſatisfaçon Concerninge the ſhowerth propoſiçon wee humbly referre yu to our anſwere already ꝑſented.

5) *Laſtly* wee humbly intreate your worps to conceive that wee are noe way doubtfull of the Lord *Matravers*, or any other whome his Ma^{ty} ſhall be pleaſed to appointe for ſupplyeing vs wth a Coyne. Onely wee deſire that our coyne may bee ſomewhat neere the value, leaſt vpon anie future alteracon yt ſhould bee a meanes to vndoe the whole Colony. And Wee conceive that the ſome of five thouſand pounds *ſterlinge* yearely (as is expreſſed in our former anſwere) will be ſufficyent for the payment of Artificers and workemen.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* October the third An^o 1670.

ORDERED That the Counties of *Henrico* and *Middlesex* for their not compli-
ance with the Lawe enjoying the election of two Burgeffes be fined each of them
two thousand pounds of tob^o to the publike.

Whereas some queftions haue arifen whether ferv^{ts} bought or other perfons
comeing to dwell in any familie neere y^e tenth of *June*, or whether perfons by their
qualities exempted from it before the returne of the accompts to *James Cittie*, but after
the day on which the lifts ought to bee taken are titheable or not *It is hereby Ordered
and declared* that every family and perfon of what quallitie foever fhall be lifted accord-
ing to the Capacitie and number they are off that day to auoide all fuch frauds as may
be ufed by any exceptions to that Lawe:

Whereas Sundry certificates for woolves heads haue bin prefented to the Committee
who not findeing them examined by their Countie Courts nor from thence tranfmitted
to the Affembly as is by a^{ct} enjoyed, *It is Ordered* That they are not to be admitted
untill fuch examina^on made and a Returne y^r of to the next Affembly:

Whereas the Right hon^{ble} the Govern^r hath purchafed for the ufe of the Country
a great quantitie of powder and Shott amounting to one hundred fifty one pounds
five fhillings in part whereof there is paide; 75^l 17^s 9^d. *It is Ordered*, That 85^l 7^s 3^d be
paid to Reimburfe the Govern^r and that the powder and fhott bee diftributed to the
militia of the feverall Counties proportionally:

Whereas there were certaine Summes of Money difburft out of the impoft of two
fhillings 7^h 11^d for Shott gunnes and Carriages, which perticularly belong to the Affocia-
tion of *York River* *It is Ordered* that the fd Affocia^on repay the Same to the Collec^{rs}
out of their port duties for the ufe of the publike:

Ordered that 29^l 17^s 9^d paid the Gu^{ner} at *James Cittie* out of the Impoft of 2^s 7^h
11^d bee repaid to the publike out of the port duties of that Affocia^on.

Whereas it appears that there Remaines in the hands of *Theodorick Bland* Efq^r
422^l 00^s 00^d alledged to confift in goods and debts, *It is Ordered* that the Speaker
of this Affembly Capt *Robert Wynn* receive a perticular account of the fame and take the
goods into his cuftodie, and difpofe of the fame for the ufe of the Publike, and render
an account of his proceedings to the next Affembly.

For Avoiding the Intricafies arifeing in accounts by transferring certificates from
one Collec^{or} to another *It is Ordered* that every Shipp pay the whole duties to the
Collec^{or} of that River where the Shippe rides without admittance of certificates,
unlefs for *Potomack* who by reafon of divers fhips rideing in *Maryland* out of their
precincts are forced to take caution and paffe certificates as formerly.

Whereas the Auditor hath exhibited the accounts of the Severall Collec^{ors} to this
Affembly and fhewed that there is due upon ballance 723^l 14^s and all the Accounts
approved by the Grand Affemblye *It is Ordered* That the Govern^r and Speaker grant
him a difcharge as is ufuall:

Ordered That Maj^r *William Harris* for his Service in the Wefterne difcovery be
paid 25^l L^r *Liggon* tenn pound, and the Souldiers two fhillings and fixpence 7^h day for
man and horfe out of fuch goods of the Countreys as remaine in the hands of *Theodorick
Bland* Efq^r And that M^r *Speaker* and Maj^r *Farrer* Auditt the accounts, fee the Soldiers
paid, and make Report to the next Affembly

Whereas Complaint hath bin made That divers Servants Running away into
Maryland are there deteyned and not fuffered to bee fetcht away without paying for
them a greater Summe then the Servant is worth, *It is the humble request of this houfe*
that the Govern^r hon^r would pleafe to write to the Government of *Maryland* about
fettling fome expedient way for a more friendly correpondence in that perticular,
which will tend to the mutuall benefitt of both planta^ons

ORDERS OF A GRAND ASSEMBLY

Held at *James Cittie* September the 20th Anno 1671.

WHEREAS it was provided by a late order of Affembly that for avoiding confufion in the Collectors accounts noe certificate fhould be admitted but the impoft of the whole Shipp loading be paid for at the port, where the Shipp rode, with an exception of the Collectors of *Potomack* river who are forced to continue that courfe by reafon the greateft part of their Tobacco is fetched away in Sloops now all the County of *Northampton* being in the fame Condition, *It is Ordered* that for the prevention of Fraude each Sloope fetching Tobacco from thence may pay the duties to the Collector there; and y^t Collector bee accomptable to the publike and his Certificate allowed by the Collector cleering the Shipp

Whereas the inhabitants of *James Cittie* haue humbly petitioned this Affembly that they may haue Licence to repaire their wooden houfes, The Affembly taking their reafons into confideration haue thought fitt to grant them libertie to repaire their old wooden houfes but not to build any new ones under the pennaltie impofed in the act

Vpon ferious and mature deliberation of the prefent condition of the forts built in the Severall Rivers in this Country *It is Ordered* by this Grand Affembly that noe further reparation fhall be made of the forts already built in the Countrey but what fhall be fubftantially done wth brick unlefs in fuch places where the expence of a fmall matter may prevent a demolifhing untill fuch time as the ftock of the refpective affociations fhall amount to foe confiderable a Summe, as may render them capable to erect fubftantiall ftructures of brick That in the meane time each affociacon make choice of Some responsible perfon or perfons in whofe hands the money raifeing by the forte duties may be depofited which perfon, or perfons may bee further required to giue fecuritie to the Commiffioners of the affociacons intrufting and empowering him or them to collect the fame, to render them a juft account whenever required, and to make payment of the moneys received according to their order, *and it is Ordered* that all fuch officers as attend upon the forts bee either continued or difcharged at the difcretion of each affociacon; And becaufe there hath bin fome difcontinuance of the meeting of the Commiffioners appointed to take care of the concernes of the forts, and in this time fome dead, fome departed out of the Country; *It is Ordered* that upon the dayes named there bee in each affociation a meeting of the Commiffioners, in cafe of whofe death or abfence the County Court for that Countie they ferved are hereby required and empowered to make choice of others according to act of Affembly to confult & determine of a perfon or perfons to be treafurer or treafurers of that affociation, and of all other matters and things incident to the full putting this order into effectuall execution, and the act of Affembly to which it relates by refult of which Commiçoner or the Maj^r Part of them, or fuch perfon or perfons as fhall be deputed, all things as afforefd are from time to time to be acted and Ordered

**Ordered* that the commiffion of the affociations, *vizt.* *James Citty* ffort doe meet at the ffort the day of and in cafe of bad weather the day following.

of *Nanfemond* ffort doe meet at the fame ffort the 6th of *November* next and in cafe of bad weather the day following

of *Yorke* ffort do meet at the fame ffort the day of and in cafe of bad weather the day following. The fame for *Potomack* the 20th *November* and *Rapahanock* the fame day.

Whereas

* This order is not given in the tranfcript from the Public Record Office but is copied from *Hening*, II, 292. *Hening* alfo prints two of the other orders of the feflion.

Whereas There is at present an emergent occasion of representing to his Ma^{ty} by supplication & addresse the great obstructions of the prosperitie of this Country in generall, and peticularly the dammages like to be sustained by the inhabitants of the Northern parts, by the alteration of their Tenures, and alienaçon from their immediate dependence upon his Ma^{ty} by the interposure of the new grants, frustrating those gracious favours formerly conceded (according to his Ma^{ty}s instructions by his Govern^r and Councill here, as alsoe by the Grants of some Commiçons we conceive obtained under Cullour of promoting his Ma^{ty}s Service, how prejudiciall soever they bee to the propertie of his Subjects *It is Ordered* by this Grand Assembly, That the Govern^rs hon^r doe please with M^r *Secretarie* & the Service of *Henry Randolph* Clerke of the Assembly to cause an humble petition, and addresse shewing these, and all other grievances of this Country to be represented to his Sacred Ma^{ty} by Maj^r Gen^l *Smith* whoe is hereby ordered to be impowered to negotiate the publique affaires in *England* according to the instructions shall be given him, for whose support in that affaire they think fitt and doe order to be paid him soe soone as he arrives in *England* two hundred pounds *Sterl*: And it is further Ordered by this Grand Assembly, That for rendring this address the publique act of the Country his hon^r would be pleased to appoint the twentieth day of *January* next for the time whereon the present Speaker Cap^t *Rob^t Wynne*, Cap^t *Joseph Bridger* and Maj^r *Nicholas Hill*, Members of the house of Burgeses shall attend his hon^r to peruse the Supplication and addresse, and the instructions, and that his hon^r for himselfe, Mr. *Secretary* for the Councill, Mr. *Speaker* for the house of Burgeses doe Signe them:

Whereas There hath bin raised of Late 10,000^l^{bs} of tobacco ꝑ annum as Sallary pretended due from the Country for auditing the Sherriffs accounts of the publique Levie, by vertue of a Commiçon from his Majestie, which this Grand Assembly conceiue to be surreptitiouly procured, and the s^d Sallary soe imposed very præjudiciall to the propertie of the people *have Ordered, and hereby doe Order* that for the future the Sherriffs and Collectors Render account of their Collections of the publique Levie to the County Courts, and that henceforward noe such Sallary be Levied by the publique.

Whereas the hon^{ble} *Edward Diggs* Esq^r hath bin the author and promoter of a hopefull advantagious designe of making silk, and hath rendred other important Services to the Country, *It is Ordered* by this Grand Assembly, That as an Evidence of their gratitude he be paid one hundred pounds *Sterl*: out of the two shillings ꝑ hh^d

Ordered That M^r *Blands*, and all other ballances due from any persons upon the account of the two shillings ꝑ hh^d be paid into the hands of the honorable *Edward Diggs* Esq^r for the use of the Country, excepted M^r *Speakers* 42^l 16^s 7^d which is already Satisfied the Countrey in y^e Levie.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie* September the twentieth fourth: *Anno: 1672:*

ORDERED by this Grand Assembly that an Addresse be made to the Kings Ma^{ty} humbly shewing what we haue done towards the defence of his Ma^{ties} Country, and that wee finde our abilities to fall farr shorte, of what the exigence of the Country will require humbly praying, that his Ma^{ty} will gratioously be pleased to grant us Artillery with armes for horse and foote and y^e S^r *Henry Chichley* L^t Generall of this Collony be desired to write to, and endeavour with the mafter of the ordinance to moue his Majestie in the matter:

Ordered That if any Sherriff in time to come shall presume to make a false Returne of any Burgeffe and be thereof legally convict, shall be fined twenty thousand pounds of tob^o

Vpon the humble petiçon of the inhabitants of *James City*; they are permitted to build out houfes of Timber, *Provided* they are not adjoining to any dwelling house, and that noe fires be made therein unless the houfes shall haue brick Chimneyes.

Ordered by this Grand Assembly that twentieth six pounds of Tobacco ᵀ pole be Levied and raised in the severall and Respective Counties in this Country, and six hundred seaventy two pounds of tob^o for and towards the payment of the publique disbursements this yeare.

To the Kings most Sacred Majestie

Your Ma^{ties} Governour Councill and Burgeffes of your Colony of Virginia.

Most humbly do present

THAT on the 24th of *June* last yo^r Ma^{ties} declaration of Warr against the States Generall of the United Provinces and their Subjects dated at *Whitehall* the 17th of *March* 1671/2 together with yo^r Royall Commands thereupon, directed to yo^r Ma^{ties} Governour and Councill arrived here And that in humble obedience thereunto, on the fourth of *July* next following, Warr was declared here in the usuall Places & manner against y^e said States generall and their Subjects, and for the better profecution of the same, order hath been taken so farr as Wee are possibly able, to put this Colony into a Posture of defence, by hastning the repayre of Our Forts, Musftring our Land Forces of horse and Foot and fixing our Armes. But maie it please yo^r Ma^{tie} vpon Consideration of the whole charge and present Low Value of our Tobacco, Wee find Our Selves unable at Our owne Charge to provide such a Magazine of Artillery and Armes for horse and Foot with Shot and Powder as may so Securely defend us & the Ships trading to us as your Ma^{tie} may expect and Wee desire. And yo^r Ma^{tie} having in yo^r Royall Letter graciously promised us your Favourable Assiftnce, in all our necessities, Wee beleive it Our Duty to present Our Condition to your Ma^{tie} and to pray That your Ma^{tie} will bee graciously pleased to grant Us Such a supply as may bee Sufficient for Our defence against any Enemy; The perticulars whereof Wee have desired S^r *Thomas Chicheley* Master of your Ma^{ties} Ordnance to present to your Ma^{tie} which if your Ma^{tie} shall please to graunt us, Wee doubt not but to defend our Selves against any of your Ma^{ties} or our Enemyes.

God

God of Heaven preserve your Ma^{tie} and graunt That all your Consultations and
 Actions may encrease your Glory and the Good of your Subjects, amongft whom are
 Your Majesties

Moft humble and Loyall
 Servants & Subjects.

Will: Berkeley
 for the Councill
Tho Ludwell Secr.

for the Burgeffes
Robert Wynne Speaker

[From the Public Record Office, *London*, Colonial Office, Clafs 1, Vol. 30.]

Moft honoured S^r

VPON the arrivall of his Ma^{ties} Declaration of Warr and his Royall Commands,
 Wee (fo foone as wee could) declared Warr againft the *Dutch*, and applyed
 Our Selves to the repaying Our Forts viewing Our Militia and Armes, Stores
 of Amunition, and upon the whole do find fome want of Gunns for Our Forts,
 Mufquets, Swords, Piftolls and horfe furniture, with great Shott & powder, which wee
 are the lefs able to provide our Selves of, by the extreame low Value of our onely Commodity
 Tobacco, and therefore Wee have drawne the State of Our condition and pray a Supply
 from his Ma^{tie}, which Wee have prefumed to enclofe to yo^u defiring your favourable
 affiftance in presenting it to his Ma^{tie} and procuring for us y^e Supply wee desire Which
 for all Our Forts cannot well be lefs than Fifty pieces of Ordnance Twenty whereof
 fhould bee Demi Cannon and whole Culverin becaufe Our Rivers are wide, with Shot
 and Powder proportionable and Carriages. One Thoufand Mufquets and as many
 horfe Armes with Swords. Forty Barrells of Powder as a Supply to what Wee have
 fent for: S^r The noble Character yo^u beare doth affure us yo^u will give us your beft
 affiftance, and yo^r Brother S^r *Henry Chicheley* Lieuten^t Generall of This Colony hath
 promifed to ufe his Intereft in yo^u on our behalf, to whofe Letter Wee fhall referr yo^u
 for a more perticular acco^{tt} of our Wants and trouble you no further, but with an affurance
 That Wee fhall alwaies acknowledg your Favour herein. and remayne,

Moft honord S^r

Your moft humble Servants.

William Berkeley

for the Councill

Tho. Ludwell Sec^r

for the Burgeffes

Robert Wynne Speaker

ORDERS OF A GRAND ASSEMBLIE

Holden at *James Cittie*. October the 20th Anno: 1673:

ORDERED That for all such Tobaccoes for which the dutie of two Shillings ꝑ hh^d hath beene paide, and lately taken by the enimie, soe much may be reladen free and acquitted from the dutie. *Provided* That the person that claimes the benefit hereof doe make his quantitie laden and loft as afforefd appeare by his oath, the Collectors Certificate, bill of Loading or either of these three wayes:

Ordered that some persons may be qualified by the R^t Hon^{ble} the Govern^r to treat with y^e Govern^r of *Maryland* for the Prevention of the Clandestine Marriages of persons belonging to *Virginia* by Preifts and Minnifters there.

Ordered That The Charges of a Burgefs with his man and two horses in goeing to and from the Affembly, as also the charge of the f^d Burgeffe with his man and two horses abideing dureing the Session, are intended and meant in and by the act which ascertaines Burgeffes necessary Charges over and besides the personall expence of one hundred and fifty pounds of tob^o ꝑ diem mentioned in that act *And it is further Ordered*, That those Burgeffes who haue not bin allowed by their Counties these necessary charges by reason of any misconstruction of the Lawe be accordingly reimbursed their reasonable Charges in this behalfe sustained

Ordered That M^r *Speaker* be impowered, and he is hereby authorized and impowered to ask demand and recouer of and from the administratrix of *Henry Randolph* deceased, certaine Tob^o & money from him due to the publike, and vpon receipt thereof in the name of the Grand Assembly to pass release.

Ordered That M^r *Secretarie* be assigned the Eastern garret over the Statehouse to make an office of.

Whereas Sundry impotent persons haue petitioned to be exempted from payment of Levies in this case *It is Ordered* That the respective vestries and Countie Courts may leaue such out of their lifts of tytheables as they shall see fitt

Ordered That noe importaçon of horses be admitted contrary to the act:

Ordered That the Govern^r hon^r doe dispose of fifty pounds *Sterl*: out of the impost of two Shillings ꝑ hh^d yearely amongst such gentlemen of the Councill who shall attend the busines of the Assembly after the Gen^l Court busines is dispatcht for the future

Ordered that Noe Collector of the duties of two Shillings ꝑ hh^d be henceforth allowed two and a halfe ꝑ Cent for such small bills as they shall take in their collection unless they shall make it appeare that they haue actually paid or allowed for receiveing the same money in *England* after all deduction of payments by discount here, in *Virginia* haue bin maide.

Ordered That the Countreyes Agent in *England* be advised to moove his Sacred Ma^{tye} That his Majesties Attorney Gen^l for this Collony, may be paid out of his Ma^{tyes} Revenue here.

Whereas This Assembly hath made allowance in the publike Levie for provisions, Pylotage Sloopes and boates pressed and hired for the Kings Shippes, alsoe for releife and accommodation of sick and wounded men from aboard the sd Shippes *Ordered* that noe such charge for the future be imposed upon the Country:

Ordered That Two hundred pounds *Sterling* be presented to the R^t hon^{ble} the Govern^r as a Gratuitie from this Country:

Ordered That one hundred pounds be paid unto S^r *Henry Chichley* L^t Gen^l

Ordered

Ordered That one hundred pounds be transmitted to the Agent in *England* for his present supply

Whereas the Govern^r hon^r hath bin pleased to offer unto the Countrey the Loane of twelve hundred pounds *Sterling* to buy out three of the Pattentees of *Rappahannock* neck for the use of the Country: *It is Therefore Ordered* that his hon^r doe proceede in the sd Purchase to y^e use of the Country: And that the sd money shall be repaid unto him by the Country together with eight p Cen^t Annuall advance untill the same be fully Satisfied.

Ordered That fifteen pounds of Tob^o p pole be raised and Levied upon every Titheable person in this Collony for the discharge of the publique Debts, which have accrewed this present yeare, And that the same be paide to the Sundry persons in the list of the levy mentioned.

ORDERS OF A GRAND ASSEMBLIE

Held at *James Cittie*: September the twentieth first Anno: 1674:

ORDERED That the honorable Coll^o *Francis Morrifon*, M^r Secretary *Ludwell* and Major Gen^l *Robert Smith* Esquires be the Countryes Agents to negotiate our affaires in *England* joyntly if they are on the place or severally in case of death or absence of any of them.

Ordered That one hundred and fifty pounds a peece be this yeare sent to the Acceptance of Coll^o *Morrifon*, and Maj^r Gen^l *Smith*, and one hundred and fifty pounds a peece the next yeare, or such further gratification as shall be thought due by the Grand Assembly to their Qualitie, care endeavour and Succes in this affaire

Ordered That the honourable M^r Secretary *Ludwell* and Coll^o *Daniell Parke* Esq^{rs} shall be accounted and deemed, and they are hereby constituted the Countryes Assignes to receive all Summes of money as shall from time to time be transmitted and sent into *England*, for the use of the Grand Assembly, and to pay the money from time to time to the Agents and take their receipts or otherwise be accountable to the Grand Assembly:

Ordered that in case the Agents shall want or find it needfull to borrow one thousand or two thousand pounds *Sterl*: That then they be by the Authoritie of this Grand Assembly fully impowered to borrow the same on the publique faith of the Grand Assembly, who doe hereby oblige themselves in the name of the whole Country to Repay the same with interest at 6. $\frac{3}{4}$ Cent for a yeare and soe for a Longer time, And if any person or persons within this Collony, shall Lend any Summe or Sumns of money to the Publique, for the better Carrying on of the Afforesd Agency, This present Grand Assembly doe likewise engage the publique Faith That Such person or persons soe Lending their money shall be reimbursed the same, with six $\frac{3}{4}$ Cent: for the same for every yeare they shall be out of their money, And that if they bring in their bills of exchange to the Respective Collect^{rs} emitted to M^r Secretary *Ludwell* and Coll^o *Daniell Parke*, the Receipt of such Collectors shall be Sufficient proove of their debt, And the sd Collectors to giue account of such bills Sent for *England* as aforefd and giue in the Remaining bills to the Next Assembly, And that in Case there shall appeare a necessitie of it before the next meeting of the Assembly the R^t hono^{ble} the Governour is hereby desired to appoint some person or persons in every precinct to endeavour the takeing up of Such Summe or Summes of mony, as shall appeare Necessary upon the aforefd publique Securitie.

Ordered That the respective County Courts at their Levie doe pay and allowe to their Burgeffes the just and Reall expence of his man and horse at *James Citty*; *Provided* the sd Burgeffes, deliver in the account thereof upon their Reputa^on:

Ordered That the Govern^{rs} hon^r take Seaventy Seaven pounds Tenn Shillings and three pence which is due from the affocia^on of *James Citty* fforte in Liewe of seaventy pounds his hon^r was pleased to giue Cap^t *Gardiner* and Cap^t *Cotterill* last yeare

Whereas M^r Secretary hath Complained to this house that by the mallice of Some and ignorance of others who envie the peace and happines of this Collony, it hath bin whispered about this Country, that he the sd M^r Secretary is suspected to haue had private correspondency with y^e Lords *Arlington* and *Culpeper*, and haue bin a Secret Promoter of that patent by them lately obtained of his Sacred Ma^{ty} This Assembly thereupon haue thought fitt to declare that they are abundantly Satisfied of the true Loyaltie; great affection, and good Service of y^e sd M^r Secretary highly manifested to this Collony, and doe therefore adjudge and declare the sd Reports and Whispers to be

be moſt falſe and Scandalous, and that the fomenters thereof when knowne and diſcovered be proceeded againſt as enimies to the peace and wellfarr of this Country.

The affront offered to the Grand Affembly in the perſon of the hon^{ble} M^r *Secretary* by *Gyles Bland* dureing this Seſſion is highly reſented by the houſe of Burgeſſes, and for as much as the ſd *Bland* is not in Towne, and the Seſſion neere upon Cloſing, before he can be ſent for, The houſe therefore doe requeſt the R^t hon^{ble} the Govern^r to iſſue forth his mandate for the appearance of the ſd *Giles Bland* before his hon^r and the Councill of State, the next gen^l Court, in order to a Vindication of the Grand Affembly.

Ordered That the R^t Honourable the Govern^r be preſented with two hundred pounds *Sterling*: As alſoe one hundred pounds to the hon^{ble} S^r *Henry Chichley* to be payde out of the Collection of two ſhillings ꝑ hh^d

Ordered That all the Vndertakers preſent their bills of exchange to the Reſpectiue Collectours by the fifteenth of *January* next, and that the ſd Collectors tranſmitt them to M^r *Secretary* and Coll^o *Dan^l Parke* the Countreyes affignes for Receiueing the money for the publique uſe of the Country:

Ordered That Twelue pounds of Tob^o ꝑ pole be leviéd of and from every Titheable perſon within this Collony, and the ſame payde to the Severall perſons Concerned for and toward the defraying the publique Charge of the Country this preſent yeare.

[Three of the orders for the *October* 1674 ſeſſion are given on p. 325 of Vol. II of *Hening's* Statutes at Large. On the ſame page is given an extract from the Journal for that ſeſſion as follows:

Die Jovis, Oãober 8th, 1674.

To the propoſition from his honour and the councell to aſſertaine the fee of a coroner, *reſolved by the houſe of burgeſſes* that it be officiated as formerly by the next juſtice of peace, who is impowered to direct his warrant to the conſtable or any other perſon as he ſhall thinke meete, to empannell a jury of inqueſt, for which noe fee to be allowed.

The affembly is adjourned till the three and twentieth day of *March* which ſhall be in the yeare 1675, unles there ſhall be occaſion to call it ſooner.]

ORDERS OF A GRAND ASSEMBLIE

Holden at *James cittie*. the Seauenth day of *March*. Anno 1675.

WHEREAS by an Act intituled, *An act for the Safeguard and defence of the Country against the Indians*: Severall quantities of ammunion haue bin proportioned to certaine forts therein named over and besides which quantities there remains the quantitie of about 3051^{lb} of powder *it is therefore Ordered* that the same be distributed amongst the Severall Counties

Vpon the Petition of the *Appomattuck* Indians *It is Ordered* That *Peracuta* an *Appomattuck* Indian by those Indians presented be confirmed their King, that they may have licence to plant and cleare any land not already taken up by the *English*, and that their old Towne be not fired by the *English*, That care be taken to prohibit firing the woods to the prejudice of those Indians, that they may undisturbedly fish and gather Rushes on the heads of the Rivers, provided they come in a peaceable manner and unarmed, And that the like libertie be granted to all other, who are ready to give hostages

Ordered That all Courts of Judicature in the Country take Care that noe intrenchment be made upon the Indians Lands which haue bin sett out to them by Act of Assembly or any other legall Graunt.

Whereas this Assembly thinks it not to consist with the Reputaçon and Safetie of the Country, that these times the person of his Majesties Govern^r of *Virginia* the R^t honourable S^r *William Berkeley* Kn^t be without a Standing Guard, *It is Ordered*, That twenty four men be appointed constantly to attend his hon^r and to be paid by the publike after the rate of 1500^{lb} Tobacco with cask p^{d} *annum*, and that 24000^{lb} be paid to the Govern^rs hon^r if he please to accommodate them at the *Green Spring* with provisions.

Ordered That the Vndertakers doe now pay their moneys still due and that the County C^{tes} where the Sherriffs or Collectors haue bin delinquent be strictly enjoined and required to enquire into the delinquency, and see that the sd Sherriffs or Collectors pay the residue of the sd 50 p^{d} pole and where the Sherriffs or Collectors shall be insolvent, there, their securities to be lyable, and if the Securitie faile Then the County Courts to pay the same.

[On pp. 339 & 340 of Vol. II of *Hening* there is the following additional order:

Ordered that the late act for provideing armes and ammunion be putt into strict and effectuell execution, alsoe that the county courts and militia officers see the smyths accounts for fixing armes, be putt into the collection, and that they be paid according to the act.

This assembly adjourned till the fifth day of *October* next, unless his honour see cause to convene it sooner]

ORDERS OF THE GRAND ASSEMBLIE

Held at *James Cittie* the fifth day of *June Anno 1676*:

ORDERED That noe Coll^o of a Regiment either horfe or foot fhall make any gen^l mufter of their refpectiue Regiments aboue once a yeare except upon emergent occafions, or order from their Superiour officers:

Whereas the affociation for the Lower parts of *James River* Complaine that feuerall Sum^s of tobacco haue bin difburfed towards the building of a fort at *Point Comfort* which fort being never built, *it is therefore Ordered* That the Iuftices and Burgeffes of the Refpectiue Counties make ftrict enquiry what tobacco was paid and to whom, and that Report be made thereof into the next Affembly.

Ordered That the Iuftices of the refpectiue Countie Courts, and Burgeffes make a ftrict enquiry into the prices of all fuch armes as are or fhall be brought into the Seuerall Counties, and if over rated to regulate them.

It is thought fitt and humbly defired that Letters bee addreffed to his Sacred Ma^{ty} for a Speedy fupply of armes and ammunition.

Ordered That Noe Tobacco be Levied in any County for the Commiçoners of the Affociations, but that it be Satisfied out of the fort duties, and that Such expences be noe more then what fhall be neceffary:

Whereas This Grand Affembly is informed that over and aboue the Comanders and Soldiers by a law of this prefent Seffion to be raifed there may probably offer themfelves divers gentlemen and Soldiers as Reformades, Volunteers or Privateers, who will for the Service of the Country againft y^e Common Enemy firft haueing granted to them lawfull Commiçons from the R^t hon^{ble} the Govern^r and Cap^t Gen^l of *Virginia*, barely for the Reward of all lawfull plunder of Indian Enimies Captivated or other goods belonging to the fd Indian enimies, and without any further Reward or Charge from or to the Country, or any part or people thereof, march out and endeavour to kill and Captivate the Comon enimie

Ordered that the R^t hon^{ble} the Govern^r be requested at his owne difcretion, and with fuch Limitations as his hon^r fhall think fitt, to grant Such Commiffions for the beating of drum^s, and raifeing volunteers for Such Service as aforefd, and further that his hon^r bee and hereby is requested to infert in fuch Commiçons a Limmitaçon of men, by each perticular Commiçon, to be raifed, & confinement of the place or places wherein to raife them, leaft upon a further need of forces to be raifed by y^e Country, the great number of volunteeres, who probably may act more for there perticular interefts then the Common good, make the fame difficult. And further that his hon^r be requested in all Such Commiçons as he fhall graunt, ftrictly to prohibit the falling upon or injureing in any fort any Indians, who are and continue in friendfhip with us, and that noe fuch Commiçon be granted before the Countries forces be raifed and Settled:

Ordered That the lifts of Titheables this prefent yeare be taken on or before the 10th of *July*.

Ordered That the Iuftices together with the Representatives in each County make ftrict enquiry what Lands moneyes or other eftate reall or perfonall within their Counties haue at any time heretofore bin given taken up or laid apart for any Charitable or Pious ufes, or for other publique benefitt, and report the fame into the next Affembly.

Ordered That noe boates, men or horfes be impreft for the execution of any publique difpatch, from *James Citty*, but fuch onely as belong to the Citty and County of *James Cittie*; And if any Sherriff or other officer fhall offend herein he fhall be fined one thoufand pounds of Tob^o

Whereas

Whereas the R^t Honourable S^r *William Berkeley* Kn^t our good Governour hath for many yeares moſt wifely, gratiouſly Lovingly and juſtly governed this whole Country, and ſtill continues to governe the ſame with all poſſible prudence Juſtneſs and mercy, This houſe in a deep Sence of the premiſſes doth humbly intreate and requeſt his hon^r that he will pleaſe ſtill to continue our Govern^r And this houſe doth further heartily declare that they cannot Conſent or joyne with his Hon^r in petiçioning the Kings Sacred Majeſtie for his hon^{rs} remoovall from this Government, but on the Contrary in all humbleneſſe and due Submiſſion earneſtly petiçon his moſt Sacred Ma^{ty} that he will gratiouſly pleaſe ſtill to continue S^r *William Berkeley* Kn^t our hon^{ble} Govern^r*

[From the Public Record Office, *London*, Colonial Office, Claſs 1, Vol. 41.]

Die Sabati June 24^o 1676

By the Houſe of Burgeſſes

WHEREAS this Houſe hath conſidered the Compl^t of the people of *Henrico* Com. againſt Cap^t *Tho: Gardner* for Violating the priviledge of a Burgeſſ in the perſon of *Nathaniell Bacon* Eſq returned from *Henrico* Com afforſd to Serve in this houſe, and of damadges about a Sloope by him the ſd *Bacon* Suſteined and the loſſe of armes. *This houſe doth Order* that for Reparacõ of the ſmiffes the ſd Cap^t *Tho: Gardner* pay unto the ſd Eſq *Bacon* Seaventy pounds and further that he apply himſelf to the ſd Eſq *Bacon* and the people and Crave their pardon: And that uppon Such payment and Submiſſion the ſd Cap^t *Gardner* doe take hold and enjoy the afforſd Sloope and armes (wherfoever they ſhall be found) as his proper goods.

[From the *DeJarnette* Tranſcripts, II, 366 ff.]

We yo^r Maj^{ties} moſt Loyal Subjects Y^e Governor Council & Burgeſſes of y^e Grand Affembly of *Virginia*.

In all humble manner p^{re}ſent according to o^r bounden duty In y^e moneth of *March* laſt we carefully tranſmitted to yo^r Sacred Ma^{ty} y^e ftate & condicon of this yo^r Mat^{ies} Coloney of *Virginia* which we hope long long ere now hath approached yo^r Royal view. Therein was ſet forth before yo^r Mat^{ies} y^e Tragical Narrative of many cruel Murders perpetrated by our ancient treacherous bloody enemies y^e Indians & of y^e Preparacons we were making for taking ſatisfaccon of them & to ſecure y^e frontiers, it did then (may it pleaſe yo^r Ma^{ty} ſeem fit to y^e Grand Affembly not to raiſe a flying Army but y^t certain Forts or defenſible places ſho^d be ſettled, which method of war whether it would at this time have proved of advantage or not, we have not y^e opportunity to know, for it met with y^e univerſal diſlike of the people throughout the Countrey And accordingly was laide aſide or at moſt very ſlowly p^{re}ſecuted, the enemy fought all advantages Cut off many of our people, great bodies of y^e enemy got togeth^r & are expected to attempt upon us Such was y^e Terrou^r & conſternaçõ of o^r own people in y^e frontier Countreys that before any regular Army by y^e legal authority of y^e whole Countrey could be form^d thoſe Counties took y^e alarm & got together in Arms Applying themſelves to *Nathaniel Bacon* Eſq^{re} Requeſting him to undertake their defence & lead them forth againſt ye co^mon

* On the copy of the orders of this ſeſſion of Affembly ſent to *England*—in 1678—appears the following note:

All the Acts and Orders of this Affembly are Repealed and made null and voide by his moſt Sacred Majeſties inſtructions and proclamacon, and alſo by the fourth act of the Affembly, bearing date at *Green Spring* the 20th day of *February* Ano. 1676 / 7, intituled, *An act declaring all the Acts, Orders, and Proceedings of a Grand Affembly held at James Cittie in the month of June 1676, Voide, null, and Repealed.*

coñon Enemy, thereby to divert and prevent their Incurfions M^r *Bacon* having fome of his family flain by the enemy found himfelf & his family in danger. Complied with the defires of y^e People when ye fears of the people were awaken'd. All y^e circumfpecon of yo^r Ma^{ties} Governo^r was rendered fruitles, who having his eyes over all parts of y^e Countrey with Indefatigable Induftry was providing for y^e univerfal fafety & thofe peoples forwardnes to a^{ct}ion Anticipating ye Gov^{rs} comands together with y^e concourfe of the people from other parts caus'd Apprehenfions to arife that all was not well in y^e Inten^{co}ns of y^e Leader which was not a little cherifh't by fome who maligning y^e Perfon of M^r *Bacon* had reprefented him as difaffected to y^e Governm^t and one of ill defigns which upon a full Difquifition & perfonal Applicacon of y^e faid Mr. *Bacon* appear'd Groundlefs, who thereupon was reftored unto y^e Governo^{rs} favour And (may it please yo^r moft facred Ma^{ty}) the faid Mr. *Bacon* having fully Manifefted his Inten^{co}ns by effectual fervice & execu^{co}n done upon y^e Enemy the forward proceedings of y^e people though fomewhat irregular in y^e method of their p^rceedings yet not in y^e Matter, which we fince have found manifetly fincere & loyal—The feveral appearances of y^e Enemy upon & almoft round our Borders, their daily mifchiefs, y^e treachery of o^r p^rtended friends y^e Indians unto us Compell us to p^rfecute a Juft war To which purpofe yo^r Ma^{ties} Grand Affembly are now conven'd at S^t *James City* & confidering y^e a^{ct}ivity of y^e f^d *Nathaniel Bacon* Efq^r y^e great forwardnes y^e People almoft univerfally difcover in offering unanimoufly to be led by him as Voluntiers againft y^e common & Implacable Enemy And being fully & fincerely fatisfied of y^e true Loyalty of y^e faid *Nathaniel Bacon* Efq^r to yo^r moft facred Maj^{ty} & good affection to this fervice & governm^t We Yo^r Ma^{ties} Council of State for this Countrey & the houfe of Burgeffes have made it o^r humble requeft to y^e Right Honorable yo^r Ma^{ties} moft Prudent Governo^r to Ifsue forth a Comifion to him y^e faid *Nathaniel Bacon* Efq^r to be General & Comand^r in Chief of y^e forces to be imploy'd in this Indian War which was done accordingly And we are in great hopes by y^e affiftance of Almighty God in fome fhort time to give yo^r Ma^{ty} an Accompt of good Execu^{co}n being done upon them For which & for y^e long & happy Reign of yo^r moft facred Ma^{ty} are y^e Inceffant Prayers of

Yo^r Ma^{ties} Loyal & Obedient Subjects

William Berkeley

Thomas Goodwyn, Speaker

Dated at S^t *James City* June ye 25- 1676.

AT A GRAND ASSEMBLY

Begunne at *green Spring* the 20th day of *February* In the twenty ninth yeare of the Reigne of our most gracious Soueraigne Lord *Charles* the second (by the grace of god) of *England Scotland France* and *Ireland* King Defender of the faith. &c

Theife following Orders were made

WHEREAS it appears that there are feuerall Considerable fumms of money, accruing for the Castle duties and head money, belonging by former Acts of Assembly to the feuerall Affociacions, wherein the same Accrued due, *It is ordered*, That all and euery such fumme or fumms of money already Collected, or which shall hereafter bee Collected, either for forte duties or head money, Bee by the Commissioners of the feuerall affociacions, with all possible expediçion demanded and receiued, out of the hands, of the Respective Collector or treasurers of the same, and forthwith distributed in equall proporçion, according to the number of tythables in each Countey belonging to euery Respective Affociacion into the hands of the Justices of that County and by them Immediately vpon receipt thereof, paide away for the easing and defraying of the Countyes Charge, and whatsoever Collector or treasurer in whose hands any of the saide money, is now lying or shall hereafter Come shall either refuse or delay, to Bee duly accountable for the same, to the Comissioner of the Affociacion to which it belongs, And to make present payment thereof according to the order and directions of the saide Comissioner, to Bee presented as Contemners of Authority, and lyable to Bee sued in any Cort of Record for the same together with Interest and damages to Bee recouered agaynst them for delaying and holding the same in their hands, Contrary to such aforesayd order, And that whensoever it shall bee required, that fortes shall bee Built then each County make payment backe to the Comissioner of their affociacion of all such fumme or fumms of money as they shall haue receiued, that the same may bee Employed and made vse of, towards the building and mantayneing of such fort and for the tyme to Come, whatsoever moneys shall arise, for forte duties and head money and shall not bee expended to the vse of the forte of that Affociacion, that the same bee once euery yeare, in the months of *october* or *nouember*, proportionably payde to each County for the vses aforesaide, and also that the like distribuçion, bee made in the Countyes of *Northampton* and *Accomacke*, and that hereby the Comissioner of each respective affociacion are Inioyned to meete the 22th of *May* next at the vsuall place of meeting, there to Call for such accotts, and make such distribuçion as is aforesayd, and if any such Comissioner shall fayle to meet, then the Numbers mett (not being les than three) are Impoured to demand such accotts, and make such orders & distribuçions as aforesd

It is ordered, That all persons haue hereby Liberty, to sell armes or Ammuniçion, to any of his maiestyes Loyall Subiects inhabiting in this Collony; And that the Indians on the Easterne shore, haue like and equall Liberty of trade, or other wayes with any other our freinds and neighbour Indians

It

It is ordered That An acco^t of the Charge of the warre ag^t the *Sufquehanoc* Indians bee produced examined rated, & reasonable Charge allowed, and borne by the publique.

It is ordered That the prouisions Armes Amunicion, horfes horfe furniture, and necceffaryes for the Indian warre, raifed and fent forth, by Each Refpectiue County, by vertue of the Acts of Affembly made In *June* laft for the firft two months, Bee borne and payd by each refpectiue County, and allfoe thofe northerne fouldiers vnder Comānd of Coll *Gyles Brent* who did onely ferue ag^t the Indians, and did retourne to their due allegiance, and obedience when Coll *Gyles Brent* layde downe his armes, and had promife from the northerne gentlemen and magiftrates for their pay Bee payde by their refpectiue Countyes *It is ordered*, And that all fuch as were fent Burgeffes from their feuerall Countyes to the faide Affembly in *June*, and haue fince behaved themfelues, all along Loyall to the King, and obedient to his gouernor, and did not oblige themfelues to the people to Beare their owne Charges, Bee payde their full pſalery according to the feuerall former Acts and Orders of Affembly in fuch Cafes.

It is ordered, That for the future all County Court Clerkes, are obliged at any tyme (when demanded) to giue a Cobby of the Lift of Tythables in that County to any houfekeeper that fhall require the fame, hee paying for the fee twenty pounds of tobacco and allfo a Cobby of the County Leuie to euery houfe keeper in that County who fhall demande the fame, for the like fee of twenty pounds of tobacco.

It is ordered, That all fuch fouldiers, either allready haue taken, or hereafter fhall take priffoner any of our Indian Enemy, or any other Indian plunder, and att the tyme of taking fuch Indians or Indian goods, then were or which fhall hereafter, bee vnder a lawfull Comānd from due and full Authority, that they retheyne and keepe all fuch Indian Slaues, or other Indian goods, as they either haue taken, or hereafter fhall take, to their owne proper vſe for their Better Encouragement to fuch ſervice

It is ordered, That *John Newton*, who lately Came ouer from *Maryland*, marryed in this Collony, and purpoſes and promifes a ſettlement of himſelfe and family here, haue full force and ſafe lyberty, to tranſport from *Maryland* into this Collony, all fuch horfes mares and ſoles, as he properly, (and *bona fide*) hath belonging vnto himſelfe, and are his owne proper Eſtate, for the prooffe whereof and Clearing the fame, whenſoever the fame fhall bee examined or brought into queſtion, he fhall ſtand bounde to take his Corporall oath vppon the holy Evangelift that all fuch horfes mares and ſfoales which he fhall bring ouer into this Collony are properly his owne, and haue been ſo a long tyme.

It is ordered, That Coll *William Kendall*; maior *John Weſt*, and Cap^t *Charles Scarborough*, bee Included and taken in, within the Kings Maieſtyes proclamaçon of pardon bearing date the tenth day of *october* 1676, and allfo within the Right honorable the gouernors proclamaçon of pardon, bearing date the tenth day of *february* 1676 any thing in the faide proclamaçon notwithstanding, They hauing readily and humbly ſubmitted themfelues to, and Complied with all and Euery the feuerall Iniunçtions Inioyned in the faide proclamaçons, or either or both of them, and hauing acknowledged and made ſatisfaction to the R^t Honorable the gouernor, for the perticular ſcandalls and Iniuries done to himſelfe, which had no relaçon to the King

It is ordered That *Jane Moore* widdow, to the late Capt *William Moore*, who was killed in his Maieſtyes ſeruice, againſt the Rebell *Bacon* before *James Citey*, towards the releife of her and her Childeren, bee payde out of the publique Leuie next yeare foure thouſand pounds of tobacco and Caſke, And that for the future the parrifh wherein ſhe liues, take Care for her and her Childeren if there fhall Bee fuch needs.

It is ordered that *Elliner Senior*, widdow of *William Senior*, who was lately killed in his maieſtyes ſeruice before *James Citey*, bee allowed and payde, towards the releife of her and her Childeren, out of the publique Leuie next yeare Two thouſand pounds of tobacco and Caſke, and that for the future, the parrifh wherein ſhe lives take Care for her and her Childeren, in Caſe of Indigence.

It is ordered That *Margarett Simkler*, widdow of *William Simkleer*, who was killed in his Ma^{ties} service before *James Citey*, Bee Allowed out of the publike levie next yeare fifteen hundred pounds of Tobacco and Caske, towards the releife of her and her Childeren, and that for the future, the parrish wherein she lives, take Care for her and her Childeren

It is ordered, That *Mary White*, the widdow of *John White*, who was lately killed in his maieftyes service, before *James Citey*, Bee paide and Allowed out of the publike Leuey next yeare, one thousand pounds of Tobacco and Caske, towards the releife of her and her Childeren, and for the future, the parrish wherein she lives take Care for her and her Child

It is Ordered, That *Rebecca Sorrell*, the widdow of Cap^t *Robert Sorrell*, who was lately killed in his maiefties service, and his estate since plundered, and taken away by the Rebellers, bee Allowed out of the publike Leuey, foure thousand pounds of tobacco & Caske, and what of her goods Can bee founde Bee returned to her.

It is ordered, That Cap^t *Thomas Gardner*, whome by force of Armes, and apparent violence, was Conftrayned by *Nathaniel Bacon Junio^r*, to signe a Bond to him in *June* last, for the sum of one hundred and forty pounds *Sterll*, for the payment of Seauenty pounds *Sterll* att a Certayne day, Bee not only himselfe, but also his security, or Joynt Bonds man, them, and either of them, their heires Executors and Administrators, for euer hereafter free and discharged from the saide Bond, and all penalties & Condiçions therein sett downe or Conteyned, and that the same from henceforth Bee Null and Voide.

It is ordered that *John Williams* of *Tyndalls* poynte, haue free leaue and full Authority, to take into his possession, Three sloopes, and other Rigging and furniture, which was left with him by severall masters of Shippes, and seized and Carryed away by *Jeremiah Hooke*, in the tyme of the late Rebellion, and all persons whatsoever in whose possession the saide Sloopes Rigging and furniture, or any one or more of them, or any of the saide rigging and furniture shall bee founde are Ordered (on demand) to make deliuey of the same Accordingly.

It is ordered, That whereas *John Young* a seaman, belonging to Capt *Laremoors* Shipp together with others, hath taken from *Henery Trowell*, two Negroes and other goods That the saide negroes and all such goods belonging to the saide *Trowell*, and not Imbezelled, may Bee forthwith deliuered Backe, to the saide *Henery Trowell*, And whereas Capt *Thomas Laremoore*, hath in his possession, a Sloop belonging to the saide *Henery Trowell*, the saide *Thomas Laremoore* is hereby ordered to deliuer the same Backe to the owner or his order, before the saide *Laremoore* depart this Country, it appearing vnder the hands of feuerall Loyall gentlemen that the saide *Henery Trowell* hath Carried himselfe well in those late tymes of rebellion and neuer Joyned with or Assisted the Rebell *Bacon* or his Complices.

It is ordered, that for the present Safety of the genner^l Courte Records, and Secretary office records, and for the Conuenience of the Inhabitants of this Country to haue recourse to them, they Bee remoued to, and kept at M^r *Secretaryes* house att *Rich Necke*, vntill some further order Can Bee taken for them.

It is ordered that *Chefecake* Indians, may quietly and safely retorne to, and abide in their townes, and haue and Inioy equall liberty, with all other our neighbouring freinde Indians so long as they demeane and behaue themselues submissiuely and peaceably to Authority and to the people.

It is ordered, that *Richard Jones* who was wounded and disabled in His maieftyes seruice Att *James Citey*, Bee Allowed Annually out of the publike Levie, five hundred pounds of tobacco, vppon his producing annuall Certificates, from the magistrates or Countey Collector where he liues that hee Continue disabled by reafon of his saide wounds or hurtt

It is ordered, That vppon the Complaynt of feuerall the Inhabitants of *Nantzem'd* County, This Declaritory order stands as followeth, That the Complaint (if true) fett

fett forth great abuses, for which the abused may haue, their Remedy att law ag^t the persons of whome they Complayne, (to witt) Leiff^t Coll *John Leare*, and maior *David Leare*, And that by this order, the County Cort of *Nantzemd* bee admonished for the future, to take such Care, as may preuent such Complaynts.

It is ordered that Euery person within this Collony, being a house keeper, who shall entertayne or haue, residing in their house, any person not well knowne, and hath not yet been residing in the County wherein he then lives att least Nynne Months Immediately before the 20th of this Instant *february*, that hee Bee and stand obliged vpon his perill (of being founde guilty of entertaining of runaway seruants) to Carry all and euery such person, so residing with him, whether as hired seruant sharer in the Cropp or other wayes, within one month after publicaçon of this order, before some one of the Justice of peace, in the County where he liues, and there leaue Certificate with such magistrate, of the discription of such person his age Coulor and Complexion, the place from whence he Came, and the tyme of his abode in that County, to the end Seruants rann away and others fledd for debt in those late rebellious tymes may bee the better founde out and discouered and by that meanes reduced to their due service, and payment of their Just debts

It is ordered, That the prices of provisions, as is hereafter nominated, Bee to the Kings Maieftyes Souldiers Sold att those feuerally nominated rates and no higher

Fresh Beefe:	2 ^d 7 ^s lb.
Dried Beefe.	3 7 ^s lb.
Neate Porke	2 7 ^s lb. ffresh. & 2 ½ ^d 7 ^s lb. salted
Dried Bacon	5 7 ^s lb.
Cocks henns & pulletts	10 7 ^s peice
Capons	15 7 ^s peice

ffor Milke 2^d 7^s quart, vntill the 20th of *May*, and after that one penny the quartt vntill the laft of *September*, then 2^d the quartt vntill the 20th of *May*

ffor Butter 6^d 7^s lb vntill the 20th of *May*, and afterwards 5^d 7^s lb vntill the laft of *September*, and then 6^d 7^s lb vntill the 20th of *May*

ffor Eggs Three a penny:

ffor Indian Corne 2^s 6^d the Bushell.

ffor wheate ffoure shillings the Bush^{ll}

And that in Case any person who Can really spare any of the Aboue nominated provisions shall refuse to sell the same, to the Kings maiesties souldiers, for ready money at the aforefaid prices, that it shall bee Lawfull for any Justice of the peace vpon such Complaynte made, to Issue forth his warrant for such person, and Compell the person so refusing to part with his provisions for ready money at the prices Aforefaide.

It is ordered that speedy Care bee taken, for the Building a good strong sufficient Storehouse, for securing the powder sent in by his most sacred maiefty, and that the saide store, bee Boarded within and without, and well filled vp with Clay or Morter, and double Couered; That there bee also another store house Built which may bee Capable for the recepçon of the other stores of goods, and that the same Bee double Couered And that there Bee also Built a gard house of fixtey foote in length with two outside Chimneys, That Carpenters Bee forthwith Impressed, to doe the worke in Case they Cannot be tryed without Impressing.

It is ordered, That Care bee taken, for the speedy Conveyance of the Boarde tymber appoynted to Bee provided, by the feuerall Countyes (By order of the R^t Honorable the Governor) for the speedy finishing the afore^d houses.

That maior *John Page* Bee Appointed, to ouersee the s^d worke, and to see all things necessary bee provided, and that hee Bee Impoured to Impress all necessary Toolles sloopes Cartes or other things needfull, for the more Speedy Expediting the sayde worke, and bringing necessary boards & other tymber for the same

And that all due Care may bee taken, for the speedy supply of his maiestyes Souldiers with provisions, And Capt *Middleton* propofing, that Six thousand ffoure hundred

hundrd pounds of Beeffe or porke ᵗ month will bee fuffitient for their full fupply; *It is therefore ordered* That the fumm, of 6400 lb of Beeffe or porke, bee forthwith provided, In *James Citey County* And Brought to Co^{ll} *Ballards* or Capt *Otho Thorpes* Landing or to the *middle plantaçon* for the firft month, and Bee there deliuered to the Comander in Cheife, or whome he fhall appoynte, at the rates herein after mentioned to Bee payde in Ready money (*Viz*)

ffor frefh porke, Two pence the pounce, for falted porke two pence halfe penny the pound, and for Beeffe Two pence the pound.

And that vppon Sixteen dayes notice, given to the Sherriffe, of *Charles Citey County* and by him to bee Comunicated, to the Iuftices there, that the fame Care bee taken, and the fame quantity Bee provided, and brought to the places before nominated, or fome one of them for the fupply of the fecond month; And that vppon like notice giuen to the Sherriffe of *New Kent County*, and by him to the Iuftice there, the like Care bee taken, and prouifions made by them, for the Supply of the Thirdd moneth.

And that vppon like notice giuen, to the Sherriffs of *Surry*, and *Ifle of Whight* Countyes and by them to their refpectiue Iuftices, That the faide two Countyes, in equall halues doe provide and furnifh the like quantity, of 6400 lb of Beeffe or porke, And Carry it to the fayde Landings for the fupply of the fourth moneth.

And iff occafion fhall require more & That vppon the like notice, *Yorke Warwick* and *Elizabeth Citey* Countyes bee feuerally obliged, to provide the like quantities, and tranfport the fame to the places Aforefayde for the Supply of the fifth fixth and Seaventh months.

And that the price for Carrage or tranfportaçon of the f^d prouifions bee as followeth

If Thirtey miles or vnder Twelue pence the hundred pound weight

ffrom Thirtey to ffiftey miles Eighteen pence the hundered

If Aboue ffiftey miles Two Shillings the hundred.

It is Allfo ordered that two hundred Acres of Land, or About that quantity Bee Speedily Layed out, and appoynted for the Souldiers, to plant Corne vppon, or fuch other grayne, as they fhall thinke fitt, which land to Bee Laide out, in or neere the *middle plantaçon*, And that Coll *Thomas Ballard*, M^r *James Bray* maior *John Page*, And Capt *Otho Thorpe*, bee desired to Confult with the Inhabitants, about the Laying out the fayde Land for which the owners fhall Bee Allowed reasonable rent by the Country, And if any perfon whole land fhall bee pitched on to bee laide out, fhall refufe to Rent the fame, That in fuch Cafe the R^t Honorable the gouernor, bee requested to Appoynte fome perfons to lay the land out foe Refused, *provided* it bee not fuch Land as is planted or tended by the owner or Tennent this prefent yeare.

And that a fpeedy and Effectuall Courfe bee taken, for the prefent fuply of Carts, for tranfporting the ftoces of goods fent in by his maiefty, to the *middle plantaçon*, and that fome Carefull Active perfon, bee nominated appoynted and Impoured, by the gouernor to fee the fame fpeedily Effected, And that the Allowance for a Carte and fix oxen or foure horfes, bee one hundred pounds of tobacco ᵗ day, and A Carte three horfes or foure oxen eighty pounds of tobacco ᵗ day, And for the Company of Souldiers at the head of *James Riuer*, the magiftrates of the County of *Henerico*, to provide prouifions for them, according to theife rates and prices before mentioned, and that they allfo provide them fo much Land Conuenient as may bee thought fufficient for them, to plant Corne or other graine; That Co^{ll} *Thomas Ballard*, and maior *John Page*, Bee desired to take Care, that two Carts bee allwayes in A readinefs, for the Carrying the f^d frefh prouifions, or other neceffaryes for the vfe of the Souldiers, from Coll *Ballards* or Cap^t *Thorpes* landing to the *middle plantaçon*, for which Cartage the Souldiers are to pay, according to the rates aforementioned, in money at Tenn Shillings the hundered for Tobbaccoe.

And that maior *John Page*, bee by this order, fully Impowred to Ifue out warrants to Commande all neceffary helpe and Affiftance, for the more fpeedy finifhing the fayde worke And each refpectiue Sherrife, Magiftrates or other perfon in what County foever his warrant^s fhall bee directed, fhall Bee Obliged to obey and Execute the fame.

It

It is ordered that for as much as the Armes and Ammuniçon sent In by the Kings maieftety Cannott bee difpofed of vntill M^r *Secretary* Arrives, that therefore it remayne in the publike Magazine, att the *Middle plantiçon*, Vntill the next Affembly, and then to Bee proporçoned to euery Refpeçtiue County, according to theire number of Tythables, and that fuch Countyes, as are in prefent neceffity and want, haue Liberty to addrefs themfelues to Coll *Herbert Jefferyes* (who hath prefered to furnifh our prefent occafions, And takes and receiue of him fuch armes and Ammuniçon, as they fhall haue occaffion for vppon the Countyes Accott, for which Armes and Ammuniçon, euery County fo receiveing, are to Bee Accomptable to the publike, theire proportionate part of the fame, being firft deducted and Allowed them.

It is ordered, that the fix Tunne of leaden fhott, on Board the *Deptford Katch* sent in by his maiefty, bee forthwith taken from on boarde her, and diftributed to the refpeçtiue Burgeffes, for theire Countyes vfe, according to theife following proporçons

	cwt. q ^{rs}		cwt. q ^{rs}		
To <i>Henerico</i> County	3. 2.	} 71.00.	To <i>Middlefex</i> County	3. 2	
To <i>Charles Citty</i> Co.	5. 2.		To <i>Nantzem^d</i> Co.	6. 2	
To <i>Lower Norfolcke</i> Co.	5. 2.		To <i>Lancafter</i> Co.	3. 2	
To <i>Eliz Citty</i> Co.	2. 2.		To <i>Stafford</i> Co.	4. 0	
To <i>Warwicke</i> Co.	3. 2.		To <i>WestmeRland</i> Co	5. 0	49.00
To <i>Yorke</i> Co.	8. 0.		To <i>James Citty</i> Co.	7. 0	71.00
To <i>New Kent</i> Co.	12. 2.		To <i>Surry</i> Co.	3. 2	120.00
To <i>Glofter</i> Co.	14. 2.		To <i>Ifle of Weight</i> Co.	6. 2	
To <i>Northerb^{ld}</i> Co.	5. 0.		To <i>Northampton</i> Co.	3. 2	
To <i>Rappahannock</i> Co.	10. 2.		To <i>Accomacke</i> Co.	6. 0.	

It is ordered that maior *Theophilus Howne* for and in Confideraçon, that he doe well and fubftantially att his owne Coft, Rebuild the two houfes, wherein M^r *Richard Auborne* and *Arnold Caffinett* lately lived in *James Citey*, haue a good and Suffitient leafe of the fame to him his heires and Affignes, for the full tearme of fifty yeares, paying yearly an Acknowledgment to the grand Affembly, or to fuch one or more, as they fhall appoynte to receiue the fame, one Eare of Indian Corne, And that hee or his affignes, doe Constantly Keepe all the fayd buildings in good and fuffitient repaire, and att the expiraçon of the fayd tearme to leaue the faide houfes in good and fuffitient Repaire & Tenñtable

It is ordered, That in an humble addrefs, to his moft Sacred maiefty *it Bee Represented* by the grand Affembly, That the Rice [Rise] foundation and increafe of the late horrid rebellion was in manner following.

The diftempered humor predominant in the Coñon people (the vfuall Caufes of mutinyes and Infurreçtions, grounded vppon falfe humors, Infused by ill affected perfons provoking an itching defire in them, to pry into the fecretts of the grand Affembly of the Country, and to take vppon them to Caluminate and Cenfure the fame, This being heightened by an Intervening accident (*viz*) The firft Incurfion of the Indians vppon the head of *Rappahannock* Riuer, wherein about thirty fix perfons were killed, which Caufed greate murmurrings becaufe fo speedy A reuenge was not taken for it, as their precipitate defires would haue exacted, Not Confidering that warrs, are not to Bee Begunne without Mature deliberaçon Efppecially with our neighbours that had long lived, in Amity and good Correpondence with vs, and that fuddenly it Could not bee well deferned, whether the mifcheife was by them perpetrated, or by fforreign^{rs}, nor regarding the prefent approaching of the grand affemblys meeting, to whome the beft relaçon, that Could poffibly be made of the whole matter was prefented, And which Affembly in the moft prudent manner poffible fettled, the manner wayes and meanes, not only to preuent any further mifcheife, but alfo to punifh and and deftroy the murtherers, and that with all poffible fafety to, and eafe for the Country but the precipitate giddy multitude not being therewith Content, and *Nathaniel Bacon* Junior, finding the multitude in fuch diftempers, and being himfelfe of a ruined fortune, ambitious
and

and defiring Noveltyes, and having defignes to Alleniate this Country, from his maieftyes Royall dominion, and traiteroufly fubieēt it to forreigners (as it fince Appeares by his owne Coffeffion to the minifter that Affifted at his death and by all other his Actions) did with many falfe, though fpecious pretences, declaring to the people, that if they would follow him, hee would deftroy the Indians, att his owne Coft and Charges, giueing himfelfe out to haue great revenues, and thus hauing drawne many perfons (of Inclinaçõn like himfelfe) together not only without Comiffion, but Contrary to Comãd, he marched forth and Killed many of our friend Indians, And being thus Abbetted and affifted, hee Infiuates into, and poffefes the people with Lyberty and free eftate from Bondage, and that he would make the meaneft of them equall with or in better Condition then thofe that ruled ouer them, And the better to Carry on his wicked defigne, hee declares againft the Gouvernor, and many Loyall perfons, tearing them Rebbells and trayters, agaynft the people, Confiscates theire eftates, and diftributes to his followers, Sett priifoners for debt and otherwife at Lyberty, and declares freedome to all feruants, that belonged to any Loyall perfon^e and Lifts them as his Cheife and ftanding Army, and forces many more to follow him in Armes, threatening theire Ruine if they refufed.

It is hereby ordered, That there bee an humble Addrefs, made in the name of the grand Affembly, to his moft facred maiefty, for his pardon for our late Rebellions, And a thankfull Acknowledgment, for his moft gracious aēt of favour, to vs manifested, in his grants fent ouer, to vs vnder his great feale, which our defections might Juftly haue depriued vs of, And that his maiefty according to the example of the King of Kings who promifed to fpare the vnrighteous Citty for the fake of tenn Righteous, would graciously bee pleafed, for the fake of thofe few, who loft theire whole eftates for theire Loyalty, and whome no terrors nor dangers Could affrighte from theire Allegiance, to accept of the repentance of the reft of the people, of this Country fince out of A fence of theire Crimes & enormities, moft of them returned by the vnwearyed paynes, and prudent management, of the honoroble the gouernor, and they returned to theire duty before his maieftyes forces defigned for the reduction arrived here, and that his maiefty would graciously grant thofe priuillidges and Immunities, for which they formerly made theire addreffes by theire Agents. And that in all humility it bee repreftented to his maiefty, the great Inconueniences that daly doe, and for the future muft inevitably fall vpon this his maiefties Collony of *Virginia* by independant gouernment^{ts} neighbouring and bounding it Northerly and Southerly.

1 By which this Country hath Been and daly is depriued of its Inhabitants, many vnder pretence of gayning lands in *Maryland* goe into that plantaçõn whereby the Country is rendered leffe Capable to defend it felfe, and mantayne its Charge; and lands already taken vp, that might bee Leafed, Continue Vncultivated for want of Tennents.

2 Our feruants make theire Escape thither, and all though Care Bee taken by the government there, for theire apprehenfion, yett the Charge of fees to the officers and the vnreasonable demands of thofe that take them, and the Charge to fend after them often exceeds the vallue of theire tyme of feruitude.

3 Our Debtors make theire Escape thither, and theire Lawes being different from oures, and the Charges of theire Courtes exceeding high, makes the Coft and Charges of fuite of tymes eceede the vallew of the debt &

4 That Indians Inhabiting that Country and in peeace and Amity with them, Continue not the like with vs but often offer Iniuries, which wee are not well able to redrefs they being vnder another gouernment, and are allwayes ready to receiue fuch of our enemyes who ffly from vs.

The Ifle of *Kent* granted to, Seated and planted, by Coll *William Clayborne* Senio. and formerly as a member or Limb of this Country, as may appeare by our Records (they hauing fent Deligates, to fitt in this Affembly) and diuerfe other Euidences & demonftrations detayned from vs by the Lord *Baltimore*.

6ly The Aduancement of our manufacture, Tobaccocoe is much depreffed, fince they being vnder another gouernment, Cannot bee by vs Conftreyned, to Agree to fuch Lawes

and

and restrictions as may bee necessary for that purpose, theife and many other Inconueniences might bee Remided and Avoyled, if his maiesty would graciously please, that province and this his maiestyes Country, might live vnder the same Lawes, and vnder the Immediate Influence of his sacred maiestyes Royall government And the like (in most respects) may Bee represented to his maiesty, Concerning that Country which bounds vs on the South, they now harbouring our debtors, and seruants and receiuing such as are fledd from hence for their treason and Rebellion

It is ordered That there may Bee Letters sent from the grand Asssembly, to his Royall highness the Duke of *Yorke*, to Acknowledge our thankfullness for his gracious fauors to vs his maiestyes subiects in *Virginia*, In his gracious promise reported to vs by Coll *ffrancis Moryson*, that those pattents granted to the Countryes detriment should bee Called in, And that his Royall highness would Bee graciously pleased to Continue his fauour to vs by Interceding with his maiesty, to grant what wee now doe or formerly haue by our agents Interceded to his maiesty ffor.

It is ordered That there may Bee a Letter sent from the grand Asssembly to the Lord *Arlington*, to testifie our thankesfullness for his free and voluntarily Act of ffavour to vs in Surrendering vp his Right to his maiestyes grant to him, and the Lord *Culpeper*, And that his Lordship would bee pleased to Continue his fauour to vs, his maiestyes Subiects, by Interceding to his maiesty to grant what wee now doe, or formerly By our Agents, haue Interceded to his maiesty for

It is ordered, That ffine hundred pounds *Sterll*, part of the money raised, by the two yeares ffifty pounds of Tobacco, Ɔ pole, Bee left in *England* as A Banck Stocke for the Countryes vse on all occasions, And the remaying Sum yet due to y^e Country by the money so raised as afore^d, (the Just disburfments of the Countryes Agents being discompted) Bee ordered and disposed of, for the defraying the present Charge of the Country, as the Asssembly shall finde occasion

It is Ordered That whereas *Margarett Thomas*, pretends to haue lent and rented out to *Richard Lawrence* of *James Citey*, Three Bedds and furniture, That vpon due prooff thereof, shee Bee Ordered out of the Estate of the S^d *Richard Lawrence* full satisfaction for the saide Bedds.

To the propofalls in *Yorke* County agrieuances Concerning y^e transportation of wheate and other Commodities of the Countrys growth (tobacco excepted, to the Isles of *Azores* & *Canary* Islands.

Answered that it Bee referred to the next Asssemblies Consideraçon

It is ordered that the County Court of *Yorke*, Bee Inioyned to take Care, That for the future, M^{rs} *Elizabeth Reade*, Bee not oppressed, nor Any thing taken or preft from her, Otherwayes, then According to her Ability and proporçon among her neighbours & equally with them in such Cafes.

It is ordered That whatfoeuer Just Claymes or debts, are yett to Bee made against the Country, and are not already Allowed of, or determined by this present Asssembly, doe stand and remayne, in a generall Reference to the next Asssembly, that the same may bee Examined, and allowed of, According as they shall appeare due.

It is ordered that the $2\frac{1}{2}$ Ɔ Cent, Bee Allowed the feuerall Collectors, as in the Auditors Acco^{ts} of *June* 1675, and *June* 1676, And also Coll *Spencer*, Coll *Washington*, and Coll *Stringers* fifteen Ɔ Cent psalery, But that for the future there shall Bee no more allowed to any Collector of the two shillings Ɔ hoghead either for Collection or remitting Bills of exchange then tenn Ɔ Cent Nor that the Auditor hereafter, bring in Articles of debt in the sayd Accompt for any more then Tenn Ɔ Cent psalery, to euery Collector, vpon penalty of fforsfeiting his owne psalery for the yeare, And that M^r Auditor bee also Inioyned not to Admitt of any Collectors acco^{ts}, But such as is given Vpon Oath.

It is ordered that maior *William White*, bee payde twenty six Shillings eight pence for trading Cloth, deliuered to the *Tuscorora* Indians in *June* last by the direction of the then Asssembly, and that the same bee paide, out of the two shillings Ɔ hoghead.

It is ordered That £38-17-6 for Ammunition and expences att a Council of warr purchased, diftributed and expended, In the beginning of the Indian warre, and paide for by Cap^t *Ralph Wormely* Bee allowed by the publike, as it ftands in the acco^{tt} of 2^s 7^d hoghead dated In *June* 1676.

It is Ordered that M^r *Auditors* Acco^{tt} of 2^s 7^d hogshead, dated *June* 1675, and *June* 1676, bee paft and allowed as they ftand ftated, But that for the future that no fuch Article (as are therein Conteyned) of two and one halfe 7^d Cent, either for payment receipt of money vppon fmall Bills of exchange, bee allowed or brought to accompt vpon any Score whatfoever

It is Ordered that whereas there are feuerall fumms of money due to the publike ftanding out in feuerall hands, and hath for fome Considerable tyme been ftanding out for recouery whereof, and reducing the fame to the publike vfe, that M^r *Auditor genner^{ll}*, bee by vertue hereof, fully Impoured and required, to demand and receiue the fame, And in Cafe of deniall or delay of payment, fhall bee made by any perfon Indebted to the publike Acco^{tt} of 2^s 7^d hoghead, vppon any acco^{tt} whatfoeuer that M^r *Auditor genner^{ll}*, bee by vertue of this order fully Impoured to fue for and recouer the fame to the vfe of the publike as Aforefayd

It is Ordered That Capt *Thomas Gardner*, for keeping and Entertayning *Ifack Godwine*, *John Sanders*, & one by named the *ould fouldier*, bee payd and allowed from and by each & euery of the Three, ffive hundered pounds of tobacco and Caske.

It is ordered That *Gyles Bland*, being prifoner five months and one halfe on Board Capt *Thomas Gardner*, his fhipp, and by the faide *Gardiner* entertayned all the faide tyme, that hee Bee therefore Allowed, out of the eftate of the faide *Gyles Bland*, twenty five pounds *Ster^{ll}*, for fuch entertaynem^{nt} & Impriffonment as aforefd.

It is ordered that *William Niccolls* Tayler Liveing on the *eafterne fhore*, his Acco^{tt} for making Souldiers Clothes, Bee payde by the S^d Souldiers they being Allowed pay for their tyme of fervice.

It is ordered that *Richard Haynes*, lately Serv^t to M^r *Bryan Smith*, Being entertayned and admitted Common hangman for the Country, Bee therefore fett free and that for his price, M^r *William Aylett* high Sherriffe of *Yorke* County, out of his allowance for Executions, pay vnto the fayd *Bryan Smith*, fourteen hundred pounds of tobacco and Caske, And that M^r *William ffisher*, out of his Allowance for execucons, pay vnto the fayd *Bryan Smith* Seaven hundered pounds of tobacco & Caske to bee payde out of the tobaccoes moft Conueniently, ordered to y^e f^d Sherriffe by the publike

It is ordered that for the tyme to Come, the Allowances from the publike to the high Sherriffe for each perfon executed, Bee ffive hunderd pounds of tobacco and noe more.

It is ordered, that 130 ^{lbs} of powder, expended on the *eafterne fhore* by Coll *Southey Littleton* bee payde and allowed for, out of the forte duties off that Affociation

It is ordered that the petition of Coll *William Waters* bee referred to the next Affembly ffor ffurther prooffe

That the petition of *John Green*, for fervice done for the Country Bee Referred for further prooffe to the next Affembly

It is ordered, That the petition of *George Hobfon* Bee Referred to the next Affembly for further prooffe from his Comander

It is ordered That the petition of *Matthew Harrifon*, and *William Berry* Bee referred to the next Affembly for further prooffe from their Comander

It is ordered That the petition of *John Reynes* Bee Referred to the next Affembly for further prooffe, and for that he is reported to haue Beene a notorious Rebell

It is ordered That *William Macons* acco^t of Charge for feuerall Gen^t meeting at his houfe may not bee allowed by the publike, But by the Affociacon, what Concerns them and the reft by the perticular men that fpent the fame &

It is ordered That the petition of maior *John West*, bee referred to the next Affembly for prooffe

It is ordered That whereas *John Stratton*, being Employed as Comiffary on the *Eastern Shore* for prouiding meate for his ma^{tie} service, and hauing Converted the hides Talloe & of all the Beeves killed to his owne vse, As allso sent ouer three hogheads of the faide Beefe to this Affembly, which for want of due salting, was spoyled and throwne away, allthough he had Causion giuen him, in Conuenient tyme to preuent the same, and *John Brooks* hauing two Steares, and one Cow killed for the sayd seruice for which as yet he hath not allowance, that the sayd *Stratten* bee and is ordered hereby to pay him fourteen hundred pounds of merchantable tobacco and Caske for them, and that he allso pay *Samuell Tayler*, who tooke greate paynes in the afore^d seruice of bringing in and killing prouisions for publique seruice, fwe hundred pounds of merchantable tobacco and Caske, for his Care and trouble afore^{sayd}, and that hereby the S^d *Stratten* is discharged for his faide negligence, and from any further payment from [for] the hides & Talloe

It is ordered That for the future, that no Claymes of debt be admitted in the house or brought to publique Acco^{ts}, but such as are first examined in the County Courte where they are expended, & made and prooued vppon oath, and Certificate made from that Courte.

It is ordered That the Right Honoroble the gouernor, Bee presented with fwe hundred pounds *Sterll*, out of the Countreyes money, in the agents or treasures hands In *England* which small (though humble) offer the house most humbly prayes, his honno^r will please to Accept att present, as a token of their Acknowledgment, and thankfullness for his vnwearied Endeauours of the Countreyes good and welfare, And they humbly pray his honnour will beleieue, that were not the Country so low in Condition, they thinke they ought in an higher manner, to make Acknowledgment of their duty and thankfullness to his honnor.

It is ordered That the Honoroble Coll *Herbert Jefferyes*, Bee requested vppon the publique ffayth, to deliuer to the Burgeses of the Northerne Countyes, one hundred and fifty Carbynes with Belts and Swivells, and Tenn Barrells of powder, for the present necessitous seruice, and that he will please to take receipts, from those Gen^l who receiues them, and that those Countyes who haue the sayd Armes and Ammuniçon, bee Accomptable to the next Affembly, for the dispo^{sal} of the same, which Armes to bee proportioned as followeth

Nynty Carbines with Belts and Swevells, for *Northumberland Westmorland And Stafford* Countyes.

And Sixty Carbines for *Rappahannocke and Lancaster* Countyes.

And that the Northerne Burgeses are hereby Impoured, to Agree for vessells or Sloops to the Carry the Armes Ammuniciones and prouisions, of one hundred Souldiers (by Coll *Jefferyes* promised to Bee sent) to the Northerne parts, where the same shall bee order^d to be Landed

And that Tenn horses Bee Impressed, by the Sherrife or Sherriffs, of *Yorke James Citey or New Kent* Countyes, or by M^r *John Wright*, (who by this order is therein Impoured and thereto Comanded) to Carry the Baggage of the faide Souldiers, and that some one of the faide three persons, doe allso Imprefs two guides, to go along with the faide souldiers, whether they shall bee Comanded to goe

In the difference betwixt the Counties of *Northampton* and *Accomacke*, about their Bounds the Burgeses for *Northampton* County, being maio^r gener^l *John Custis*, and Capt *Ifake foxcroft* and the Burgeses for *Accomacke* County, Coll *Southey Littleton*, and Cap^t *William Custis* that whereas it is Alledged, by the *Northampton* County Burgeses, that the diuision of the two Countyes, where now it was made, by the agreement of Coll *Edmund Scarburgh* and Lef^t Coll *Waters*, and that allso att the same tyme, a further agreement was made betwixt them, that whensocuer *Accomacke* County should Inlarge about *Occanoke*, then the lower County should proportionably Inlarge vppon them, *Therefore it is hereby ordered* that the people of the County of *Northampton* by their Representatiues, or whome soeuer else they shall Employ, haue liberty to make

due

due prooffe of fuch Agreement, before fuch one or more perfon or perfons or magiftrates, as the R^t Honoroble the gouerno^r fhall appoynte They giueing publique Notice at the Courte houfe or Church, to the Inhabitants of *Accomacke* County, when they Intend to take fuch euidence, and if it fhall appeare, that fuch agreement and Conclufion was made, betwixt the fayd Coll *Scarburgh*, and Lef^t Coll *Waters*, That then the lower County of *Northampton*, bee Inlarged to the South fide of *Occahanok* Creeke, and no further, and that the faide Creeke Bee the bounds, betwixt the fayd Countyes, and from the Bridge at the head of the Creeke, an eaft line to the Sea borde fide, fhall diuide the fayd Countyes, which matter is to bee determined by fuch perfon or perfons as the gouernor fhall appoynte to take the euidence, And that Coll *John Stringer*, and Lef^t Coll *William Waters*, Bee Admitted as euidences therein.

Whereas maior *John Page* Informes this Affembly, that there are diuerfe things of vallew pertayning to *Matuxon forte* (now Accompted for and belonging to the publique) in fundr perfons hands, which he propofes may bee founde and Receiued to the publique vfe and benefitt

It is therefor ordered that the fayd maior *John Page*, do demand and Receiue all fuch goods into his hands, wherefoeuer hee fhall Come to vnderftand they are, and that he giue accompt thereof to the next Affembly.

Whereas it is propounded and defired, by the Representatiues of the northerne Countyes on the north fide of *Rappahannocke* Riuer, that the fayd Neck may bee diuided into Countyes by lynes running aCrofs from *Rappahannock* River to *Potomacke* River, *It is therefore ordered* that the people in Each County in the whole Neck, bee Conuened to meete and nominate two fuch perfons, as fhall bee thought Capable for each County to treat and Consult about it, *Provided* the people fhall Judge it Convenient to haue fuch diuifion made, and the perfons fo nominated and Chofen, to meet the 20th of *June* next att Cap^t *Thomas Beales*, And that the Choice of fuch perfons bee made in each refpectiue County the Third *tuesday* in *may* next

It is ordered That Cap^t *John Martyne*, deliuer to maior *Lawrence Smith* all the Armes on board his Shipp belonging to the Country, and which were put on Boarde his fhipp either from *West*s poynte, or from on Boarde Cap^t *Granthams* Sloopes, or from *Tindalls* poynte, and that the faide Cap^t *John Martyn*, take maior *Lawrence Smith* his receipt for all fuch Armes, by a perticular Lift thereof, and that he make A Counterpart of fuch lift and Atteft the fame, and deliuer or fend it fafely to the Clerke of the Affembly, *and it is hereby further ordered*, that maior *Lawrence Smith* after his receipt of fuch Armes doe ftrictly veiue the fame, and fuch as he fhall Judge needfull to fend for *England* to bee fixed, that hee forthwith put the fame on boarde Capt *Martyn*s fhipp, if he Can poffibly before he fayles, and take his receipt and order him to gett the fame fixed vppon the Countryes accompt, and if he Cannot fend them by him, then to fend them in fome other fhipp, and order them to the fayde Capt *Martyn* to gett them fixed, and bring or fend them Backe to the Country and deliuer them to the faide *Lawrence Smith* for the which the faide maior *Lawrence Smith*, is to Reimburfe the fayd Cap^t *John Martyn*, and to bee allowed by the publique, out of the Impoft of two fhillings $\frac{1}{2}$ hogfhead in *Yorke* River.

It is hereby ordered, that whereas the ftate houfe being now Burnt downe by that Arch Rebell and traiter *Nathaniel Bacon* the younger, and allfo the houfes in *James City* And for as much as *Tyndalls* poynte is fupposed and accompted, to bee the moft Conuenient place for the Accomodation of the Country, in genner^l to meet att, that therefore the ftate houfe for the time to Come, Bee Built att *Tindalls* poynte.

It is hereby ordered, that the Charge of the late Rifinge in the Northerne Countyes In the fuppreffing of the late Rebellion, Bee proportionably borne by the feuerall Countyes in the Neck, betwixt *Rappahannock* and *Potomack* River, with the addition of the remaying people of *Rapp^a* County on the fouth fide *Rapp^a* River, according to their feuerall numbers of Tythables, and that the prefent Burgefes, for each refpectiue County, meet at the houfe of Cap^t *Thomas Beale*, vpon the fecond *Tuesday* of *Auguft*

next

next, to Bring their Charge and proportion, the same by the pole, as is vfuall in such Cafes, And that according to an order of Assembly in such like Cafes now made, noe Acco^{ts} bee allowed in that meeting but such as are playnly and fully prooued vpon Oath, And that in place of maior *Thomas Hawkins* deceased, Coll *Sam^l Griffen* bee added.

It is ordered That Cap^t *Thomas Laremore* Bee payd by the Country, Sixty pounds *Sterll* to bee drawne out of the money, In the agents hand in *England* towards his greate expence of Shippes prouisions expended among the Countreyes Souldiers aboarde his Shipp.

It is ordered That maior *Robert Beuerly*, as Clerke of the Assembly, Bee and is hereby Impoured to drawe Bills of exchange vpon M^r Secretary *Ludwell*, and Co^{ll} *Daniel Parke* for such fumms of money, as are ordered by [to] feuerall persons by this Assembly and that all such Bills as he shall Draw and subscrib as Clark aforesaid bee punctually paid accordingly to the ten^e of the same by M^r Secretary *Ludwell* or Coll. *Daniell Park* out of the Monys in their hands belonging to the Country and they thereof Discharged accordingly and that a Coppy of of this order attested by the Clark of the Assembly and produced with the Bills drawne bee sufficient aduice of such Bills, and Justification for payment of the same.

It is ordered That this following Testimoniall of the Righte Honoroble S^r *William Berkely* K^{nt} gouernor and Cap^t Generall of *Virginia* Bee put vpon the Assembly Records and A Coppy thereof giuen to the Right Honoroble the Gouvernor.

That the Righte Honoroble S^r *William Berkely* K^{nt} Gouvernor and Cap^t gener^{ll} of his maiestyes Collony of *Virginia*, hath discharged the great trust reposed in him, by his most sacred maiesty, with great Loyalty Justice and Integrity, as appears in that he was the last gouernor, that yeilded up his gouerment, in the tyme of the Rebellion in *England*, begunne in the tyme of his most sacred maiesty, King *Charles* the first of euer Blessed memory, and it is A great argument of his Justice & Integrity in the Adminiftracon thereof, that after this Country had long groaned vnder the Anarchicall Imposicones of those Rebellious tymes, he was in a manner, Inforced by the earnest and Importunate desires of the Country, to Assume the gouern^t agayne which he did with the Aparent hazard of his life, had not his most sacred maiesty that now is been miraculously restored to his Crowne and Dignity, And so well hath this Country flourished vnder his gouerment, and so much Aproved of his Adminiftracon of Justice, that euer since he Accepted the gouerment, and had Confirmacon from his ma^{tie} there neuer appeared in the people, the least desire of Change, but on the Contrary haue by their representatives desired his Continuacon in y^e gouern^{mt} during his naturall life And this house of Burgeses doe vnanimously agree and Beleue, that there is no Imputacon of Corruption or Iniustice Can bee agaynst him, many of this house haue well well knowne his Honno^r this five and twenty yeares and vpwards, and doe Affirme and Attest, that they haue not knowne nor heard, of any wilfull Iniust Judgment giuen or Action Comitted by him in any of his Adminiftrations, And that he hath allwayes had an eare open, to the Complaynt of the meanest or poorest man or weoman, whose access to him hath always been most eafy.

And this house Doe further declare affirme and Attest, that in all the greivances of the people, That haue been yearly brought to the Assembly, It is observable, that neuer any of them had the least reflection, vpon him or his gouerment, as to the Ill managment of it, nor doth any thing Appeare yett of the like nature, against those magiftrates that are Appoynted by him, And this his maiesties people and Country doe most humbly desire, and would accompt it an high act of fauour, that his sacred maiesty will graciously please, to Continue him in the Gouverment.

And Concerning those Scandalls and great abuses, that haue been throwne vpon him, by the Rebellious people, in those late horrid Rebellious tymes, Wee the Burgeses of the house, doe Vnanimously declare, that wee are well knowing and Assured, they tooke their growth from the same Roote, that the Rebellion it selfe did (*viz*) from Ill affected

affected persons, who abused the people by false reports and rumors, Invented only to draw them, into open Rebellion, and propagate their wicked projects and designs of Innovation and subversion of the government, established by his most sacred Majesty, tending Apparently to the Alienation of it from his Majesties Royall dominion, and his Honno^r great wisdom and Loyalty most eminently appeareth in his discreet managment of Affaires in those late distractions, by whose great prudence, this Country was Reduced to its due obedience to his most sacred Majesty, before the arrivall of his Majesties forces, and with the effusion of very little blood.

Whereas *Anthony Hauiland*, having in the late Rebellion, wounded A very Loyall man, then in his Majesties service, and the said *Haviland* in rebellion and open hostility against his Majesty, and his lawfull Governor and government which sayde person by name *Tho Moore* lay A Considerable tyme vnder Cure, Induring great paynes, and being att very great Charges, is thereby greatly Indamaged if not Ruined in his Estate and Livelyhood, If not duly redressed, *Therefore it is ordered*, that the said *Anthony Haviland*, pay vnto the sayd *Thomas Moore* five thousand pounds of merchantable tobacco and Caske, In *Charles Citey* County or *Surry* County, before or vpon the twentieth day of *November* next, And that he the sayd *Anthony Hauiland*, fully pay and satisfie (ouer and aboue the said five thousand pounds of tobacco and Caske) vnto the sayd *Thomas Moore* his full expence Charges and disbursements for his said Cure, and in Case of fayler In payment, that execution Issue agaynst him, or against his estates.

[From the *Winder* Transcripts, II, 136 ff.]

At a Grand Affembly began at *Green Spring*, the 20th day of *February* 1676, these following Orders of Public charge were made and allowed, *viz.*

	lbs of Tobacco
To Mrs <i>Tabitha Browne</i>	3896
To Coll. <i>Joseph Bridger</i>	6278
To <i>Gawen Dunbarre</i>	3800
To Coll: <i>Edward Ramfay</i>	300.
To Major <i>Wm. White</i>	1000
To Mr. <i>George Lee</i>	800
To Mr. <i>John Waters</i>	1000
To Capt. <i>Isaac Foxcroft</i>	3000
To Major Generall <i>Cuftis</i>	74975.
To Capt. <i>Robert Spencer</i>	1800
To Mr. <i>Richard Littlepage</i>	1405.
To Mr. <i>William Archer</i>	3000
To <i>Anne Parsons</i>	400
To Mr. <i>Thomas Taberer for Ed Milner</i>	6375.
To Capt. <i>John Stythe</i>	1000.
To ditto.....	250
To Coll <i>Philip Ludwell</i>	8260
To <i>George Frizell</i>	1800
To Capt. <i>Charles Scarburgh</i>	467
To Capt. <i>James Gilbert</i>	450
To <i>Thomas Barbaredge</i>	1200
To <i>James Garey</i>	562
To Capt. <i>Otho Thorpe</i>	7480
To Coll <i>John Leare and Major Milner</i>	6205
To <i>William Sherwood</i>	290.
To <i>Cornelius Daubenie</i>	800.
To <i>George Thompson</i>	1300.
To Major <i>Theophilus Hond</i>	30321
To Major <i>John Page</i>	2183
To Coll: <i>Nath: Bacon</i>	6380
To <i>Daniel Long</i>	350
To Mr. <i>John Page</i>	520
To Coll <i>William Travers</i>	1724
To <i>John King</i>	2000
To <i>John Lane</i>	400
To <i>Richard Trennie</i>	224
To <i>John Ruffell and Stafford Wilfon</i>	3000
To <i>Richard Saunders</i>	750
To <i>George Hardin</i>	1440
To Capt. <i>Isaac Foxcroft</i>	4000
To Mr. <i>William Aylit</i>	6205
To Mr. <i>William ffisher</i>	8020
To Mr. <i>Humphrey Gwinne</i>	4960
To Coll <i>Augustin Warner</i>	9650
To Coll <i>William Cole</i>	450
To Coll <i>William Clayburne</i>	1200
To <i>Richard Yarberry</i>	6000

To

To <i>Thomas Rabley</i>	2500
To Coll <i>Adam Thorowgood</i>	2000
To <i>Mrs Anna Boate</i>	0272
To <i>George Sudden</i>	1000
To Capt. <i>Francis Pigot</i>	3250
Coll: <i>Tho: Ballard</i>	3645
To Mr. <i>Richard Cock</i>	3500
To <i>Thomas Hill</i> Door Keeper	1500
To <i>Thomas Harminson</i> for several perfons	10347
To Capt. <i>Daniel Jenifer</i>	6025.
To <i>Christian Peterfon</i>	600
To <i>Mrs Elizabeth Read</i>	1000
To <i>Thomas Rabley</i>	200
To Coll <i>Southy Littleton</i>	2194
To Mr. <i>Bertran Servant</i>	1156.
To Capt. <i>Edward Bowman</i>	6897.
To Mr. <i>Henry Hartwell</i>	3000
To Smith's work. <i>Custis and Pace</i>	3000
To <i>Richard Pace</i>	2000
To <i>Alexander Gibfon</i>	4000
To Capt. <i>Edmund Starburgh</i>	969
To <i>Richard Bally</i>	1000
To <i>Arthur Robins</i>	200
To <i>Hendrick Waggaman</i>	400
To <i>Robert Hutchifon</i>	841
To <i>William Taylor</i>	1130
To <i>John Watts</i>	1068
To <i>Timothy Roe</i>	375
To <i>William Silver Thorne</i>	500
To <i>John Stoakley</i>	1001
To <i>John Wife</i>	300
To <i>Richard Hinman</i>	400
To <i>Daniel Darby</i>	75
To <i>George Johnson</i>	580
To <i>John Taylor</i>	325
To <i>George Trevit</i>	400
To <i>James Matts</i>	950
To <i>Teig Anderson</i>	400
To <i>Richard Kellum</i>	741
To <i>William Anderson</i>	3738
To Mr. <i>Teigle</i>	2000
To Mr. <i>Yoe</i>	406
To Mr. <i>Arthur Upshot</i>	950.
To Lieut Coll <i>Tylney</i>	450.
To <i>Nathl. Bradford</i>	1500.
To the Owners of the <i>William and Anne</i>	2000
To <i>Peter Dolby</i>	500.
To <i>Mary Richards</i>	300
To <i>William Osborne</i>	200
To <i>Rowland Savage &c</i>	500
To <i>Dorothy Stinton</i>	5000
To <i>John Chamber</i>	500
To <i>Thomas Wood</i>	2200
To <i>John Goring</i>	3900

To <i>William Chichester</i>	1200
To <i>George Marrable</i> for Beefe	7000
To <i>Jacob Lumpkin</i>	3000
To Mr. <i>Benjamin Harrifon</i>	540
To Coll <i>William Cole</i>	1000
To <i>George Magifter</i>	3600
To Mr. <i>Michael</i>	4220
To <i>William Stephens</i>	1200
To Mr. <i>Bryant Smith</i>	1800
To <i>Thomas Yates</i>	625
To Mr. <i>James Tubb</i>	4000
To Capt. <i>William Tucker</i>	2500.
To Mr. <i>John Hanfon</i> for Swords	2720
To Coll <i>John Stringer</i> for Guns &c	2500
To <i>Henry Read</i>	2000
To Mr. <i>Samuel Oufstein</i>	1300
To <i>William Chapman</i>	1500.
To <i>George Newton</i>	3000
To <i>John Ayres</i>	700.
To Capt. <i>Roger Potter</i>	5000.
To <i>Thomas Read</i>	1500
To <i>Thomas Tabberer</i>	0990.
To Coll <i>Philip Ludwell</i>	5220
To <i>Rodger Rawlins</i>	1000.
To <i>John Williams</i>	1400.
To <i>R. Beverley</i> for his Soldiers	79707
To <i>William Nicols</i>	4400
To <i>Arnold Yardley</i>	1500
To <i>Randolph Holt</i>	360.
To Coll <i>Charles Morrifon</i>	1200
To ditto for his Soldiers	7600
To Capt. <i>William Hartwell</i>	2400.
To Major <i>Hone</i>	2000
To Mr. <i>Needler</i>	1600
To <i>Edward Rovening</i>	1600
To <i>William Singleton</i>	0950.
To Coll <i>Williams Travers</i>	500
To <i>Robert Synock</i>	6000.
To <i>Charles Holden</i>	1200
To Capt. <i>Clements</i>	3009
To Capt. <i>Bray</i> for Soldiers	14175
To <i>Lower Norfolk County</i>	30432.
To Mr. <i>John Robins</i>	1000
To Major <i>Wm. Spencer</i>	3800
To Capt. <i>Wm. Whittington</i>	5050
To Capt. <i>Wm. Tucker</i>	4000
To <i>R: Beverleys</i> Disburfments	49726
To <i>Wm. Randolph</i> 3 affemblys	10000
To Capt. <i>Tho Grantham</i>	3110.
To Mr. <i>James Minge</i>	20000
To Coll <i>George Jordan</i>	9000
To <i>R: Beverley</i> for Services	15000
To <i>Thomas Read</i>	05000
To <i>Robert Wilfon</i>	05000

lbs of Tobacco

To <i>R: Beverley</i> as Clerk of y ^e affembly	20000
To <i>Mr. Speaker</i> 2 Affemblys	20000
To <i>Mr. Secrv</i> 3 Affembly Writs	21000
To <i>Coll Washington</i> and Major <i>Allerton</i>	12000.
To <i>Rich: Jones</i> annualy	500
To <i>Christopher Newby</i> annualy	500
To <i>Mris Rebecca Sorrell</i>	4000
To <i>Mary White</i>	1000
To <i>Margaret Sinckler</i>	1500
To <i>Ellenor Senior</i>	2000.
To <i>Jane Moore</i>	4000.

753669

Charge of *Mattaponie* ffort

To <i>Coll Robert Abrahall</i>	5375
To <i>Coll Wm. Clayborne junr</i>	1600.
To ditto	1595.
To <i>Coll John West</i>	12224
To <i>Martin Palmer</i>	1000
To <i>Jacob Lumpkin</i>	750
To <i>Thomas Green</i>	750
To <i>Serjeant Speries & Serjt. Still</i>	1250
To <i>Tatam Grey. and Herbert</i>	936

25480

Charge of *James River* Fort.

To <i>Coll Ramsfey</i> 2-1/2 mo: pay	1600
To <i>Lieut: Sam: Mathews</i> 2-1/2 mo pay	1000
To <i>Abell Gower</i> Chirurgion	300.
To 4 Horfemen at said ffort 450 p ^a .	1800
To the Drummer	375
To 13. foot foldiers each 313 p ^a	4069.
To <i>Capt. Wm. Bird</i>	1429
To <i>Coll Ramsfey</i> for his Drum	250.
To ditto for his Colours	450
To y ^e Eftate of <i>Capt. Hubert ffarrell</i>	10000
To <i>Mr. Wm. Sherwood</i> p mufket	130
To <i>Edmund Mumford</i> Enfigne	750.
To <i>ffrancis Roffier</i> Serjieant	625.

22778.

Charge of *Appamatix* ffort

To <i>Daniel Clark & Jon. Stythe</i>	2508.
To <i>John Lanhorn & ffra: Rice</i>	8883.
To <i>Eliz: Citty</i> —County Difburfments.	6746.

18137.

Charge of *Rappahanock* ffort

To <i>Coll Philip Ludwell</i>	1800.
To Major <i>Lawrence Smith</i>	4705.
To <i>Sands Knowles</i>	2206.
To <i>George Seaton</i>	1850
To Major <i>Bristow</i>	8661
To Major <i>Smith & Soldiers</i> 2-1/2 mo: pay	31406

50628

Charge

Charge of *Mahixon* ffort

To Capt. <i>Otho Thorp</i>	4457.
To Coll <i>Nath: Bacon</i>	6384.
To Major <i>John Page</i>	10220.
To Major <i>George Liddall</i>	9324
	<u>30385.</u>

Charge of *Susquahana* ffort

To charges from <i>Westmoreland</i>	66721
To charges from <i>Rap^a County</i>	23004
To charges from <i>Northumberland</i>	30889.
To charges from <i>Lancaster</i>	15998.
To charges from <i>Stafford</i>	89741.
	<u>226353</u>

Charges of *Surrey* ffort

To Coll <i>George Jordan</i>	12309
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Charges of *Potom^a* ffort

To Capt. <i>Knight</i> 2 mo: pay.....	1200
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The Several Totals, *vizt.*

753669
25480
22778
18137.
50628.
30385
226353
12309
1200
<u> </u>

Att A Grand Affembly Begunne at *Green Spring* the 20th of *February* 1676: These following Summes of Money were Ordered to be p^d out of the Publique monies in *England viz.*

To: Cap ^t <i>George Purvis</i>	£ 4
To: the R ^t Hono ^r ^b ^l e S ^r <i>William Berkeley</i> Governor for disbursements.....	£828. 8. 10
To Coll: <i>Augustine Warner</i> for disbursements.....	£ 13. 11. 11
To: Capt. <i>John Martin</i>	£ 28. 11. ..
To: Cap ^t <i>Thomas Gardner</i> for Expence of provisions.....	£ 50.
To: Major <i>John Page</i> for Acc ^t of Alderman <i>Jeffreys</i>	£ 88
To: Cap ^t <i>John Confett</i>	£ 5. 5. ..
To: Capt. <i>Thomas Laremer</i>	£ 50.
To: Capt. <i>Tho: Gardner</i>	£ 50.
To: M ^r <i>John Clough</i>	£ 10
To: Cap ^t <i>Tho: Laremer</i> for Expence of provisions.....	£ 60.
To: the Right Honourable S ^r <i>W^m Berkeley</i> Governor.....	£500.
To Major <i>William White</i>	£ 1. 6. 8.
To: Cap ^t <i>Isaac Foxcroft</i>	£ 28.
To: Coll: <i>Augustine Warner</i>	£ 40.
To: Coll. <i>Southy Littleton</i>	£ 61. 9. 3.
To: M ^{rs} <i>Tabitha Browne</i>	£ 15. 11. 8.
To: M ^r <i>John Page</i>	£ 40. 17. 6.
To: Coll. <i>George Jordon</i>	£ 36.
To: M ^r <i>James Tubb</i>	£ 16.
To: Cap ^t <i>Daniell Janifer</i>	£ 24. 2. ..
To Major <i>Isaac Allerton</i>	£ 28. 16. ..
To Major <i>William Spencer</i>	£ 15. 10. 5
To: Coll <i>Southy Littleton</i> for <i>Hendrick Waggaman</i>	£ 1. 12. ..
To: <i>Robert Beverley</i>	£100.
To: Major Gen ^l <i>John Custis</i>	£350. 14. ..
To: Major <i>William White</i>	£313. 6. ..
To: Coll <i>Thomas Ballard</i>	£ 14. 11. 7.
To: Coll <i>Augustine Warner</i>	£ 40.
To: Coll <i>John Washington</i>	£ 80.
Erro ^r Excepted (f ^d) <i>Robert Beverley</i>	2895. 13. 10.
Cl Aff ^m bly	
To M ^r <i>Sam^l Wifeman</i> since the above said Orders.....	5.
	2000. 13. 10

ATT A GRAND ASSEMBLY

Begunn att *Greene Spring* The 20th of *February* 1676/7

THESE following reports made to the howfe of Burgeffes from severall Comittees were read in the howfe and allowed and confirmed by the howfe.

John Kembrow Petitioning for maintenance by reason of his lameneffe is referred to the Pifh where hee lives to sue and petition for fuch maintenance.

Barnaby Kerney Petitioning for powder fhott Armes Sloope hire and severall other neceffarys for Warre preft from him by the Magiftrates of *Nantzem*^d for their Counties vfe by vertue of the Act of Affembly in *March* laft is referred to y^t County for fattiffacōn

The R^t Hono^{ble} his Maj^{ties} Comiffion^{rs} propofing y^t an Acco^t bee given to them of all juft agrievances in the severall Counties and whole Country of *Virginia*. It is anfweared y^t care is taken by this p^{refent} Grand Affembly to redrefse all juft Grievances as will appeare by the severall Acts and orders of Affembly and fuch as are fitt to bee p^{refent}ed to his Maj^{tie} will follow in the Countries humble addrefse to his moft fared Maj^{tie} for his Royall redrefse therein

To their propofall of haueing an Acco^t of the impoft of 2^d ꝑ hh^d how difpofed

The Affembly all along hath beene Exact in receaving the acco^{ts} thereof from the Audit^{rs} and difpofed of it for fuch occations as they found neceffary and convenient for the Countries vfe which acco^{ts} are extant vpon the Affemblys Records of which they may haue a veiw when they pleafe to Comand it

To their propofall of haueing an acco^t of the fhott duties how difpofed &c

It is ꝑvided y^t it bee diftributed into the severall Counties belonging to each refpectiue Affotiaōn towards defraying the charge of the faid Counties as will appeare by an Order of this Affembly

To their propofall about the written laws in force and made this p^{refent} Grand Affembly

It is anfweared they may haue the ꝑvfall of them when they pleafe to Comand it

All other their propofalls are anfweared by severall Acts or Orders of Affembly

To the propofall from *Glocefter* County in their agrievances about the 2^d ꝑ hh^d

Anfweared That it is noe Agrievance haueing alwayes beene employed for the intent and vfes it was firft raifed fince the King was pleafed to confirme the fame & make it a law And by the Affembly ever fince ferioufly Examined and allowed of

To the propofall from *Glocefter* about the 60 ꝑ pole raifed formerly by Act of Affembly.

Anfweared That it is fcandalous and fauo^{rs} of the old leaven of Rebellion and deferves to bee Expunged and the authors fent for to make the Complaint appeare or otherwaies bee punished.

To the propofall from *Glof^r* about the Indians

Anfweared That the R^t Hono^{ble} the govern^r after the firft Murther was Comitted vpon *Rapp^s* River (in which ther was about thirty or forty ꝑfons killed) haueing wth great Care & prudence ordered y^t ꝑte of the Country to bee drawne in fortified howfes vntill the Affembly might put the Country into a pofture of defence, which by the Affembly was fpeedily effected, but their care therein diverted by *Bacons* Rebellion Therefore the propofition is fcandalous and falfe & invented to extenuate their Rebellion

To the propofalls from *Glof^r* about the *June* Affembly Acts

Anfweared Nothing y^t fhallbee ꝑfented to the Affembly for the Countries good but wilbee graunted

To the propofalls from *Glofter* Complaining ag^t ꝑticuler ꝑfons but none nominated

Anfweared

Anfwared The Persons injured are to nominate the Persons injuring them & forthwith prosecute them and they will be redressed but if they do not make it appear then to be accounted scandalous Persons and abusers of his Majesty's and his Government's cause and be severely punished

And those of his Majesty's Loyall and good subjects that have had any thing taken or plundered from them by any of the late Rebels may have the same liberty to prosecute the Law against them

To the Complaint against Major *Robert Beverly* in *Gloster* Grievances

Anfwared Hee Justifies himselfe and as it is laid downe doth say it is not true Concerning which the Governour being sent to by the howse did declare that what Major *Beverly* did was by his Order And further declared that if any of the Armes soe received were properly belonging to *Gloster* Counties people they should have them returned upon demand

To the proposall from *Gloster* County about Armes & Ammunition sent in by his Majesty

It is thought reasonable (if any such there be) y^t they be distributed to each respective County proportionably to the number of Tytheables in them And y^t it be left to the Militia officers of each respective County to appoint either one or more places in their County for a Magazine

To the proposall from *Gloster* about the Burgeses Charges

Anfwared It is conceived the Burgeses Charges is noe Grievance but rather a Clamor many Counties having reduced themselves for their conveniencie vnto such small bounds y^t their number of tytheables are soe small y^t it seemes to them burthensome for the easing of which it is the opinion of the Committee y^t the Burgeses Charges be brought in and laid in the publique leavie.¹

To the *Isle of Wight* Countie Grievances

The Burgeses of the said Countie being by the Committee required to answer whether they were the Counties Grievances declared that they were not delivered to them at the time appointed and y^t many of the propositions were not then read but since Added And y^t they came to them vnsealed and y^t the subscriptions were not Annexed to them, and that the Major part of those that subscribed were Actually in the said Rebellion And cannot owne nor Justifie them to be their Countie Grievances The Opinion of the Committee ratified by the howse is y^t the said Grievances or proposalls are libellous scandalous and Rebellious and that the Chiefe Persons to the subscriptions be sent for and punished according to the Merits of their Crimes

To the proposalls in the *Nantzem*^d Grievances That no Person be paid or allowed for any reall or pretended services

Anfwared It is vnreasonable that Persons should not be allowed for reall services

To the proposall about the Charge of the ffort at *Point Comfort*

Anfwared It is of very antient date and beleived y^t former Assemblies have seriously Examined and looked into it And to the Erecting of a ffort there for the future it is conceived his Majesty's Comissioners have full instructions from his Majesty about it.

To the proposall about the fifty pounds of tobacco per pole & why it was raised

Anfwared The Act of Assembly by which it was raised all Persons y^t are vnfatisfied may have recourse to and receive satisfaction therein

To the Complaint about the bounds of their County

Anfwared former Assemblies have determined it

To the Complaint against Merchants engrossing goods

Anfwared Noe Person are enjoyned to deale with any but are at their owne liberty to dispose of their Tobaccos and other comodities to whome they please

To the prologue and other proposalls not particularly answered

It is conceived they are scandalous libellous and Rebellious

To

1. The manuscript has the following in the margin: Expunged in the howse the latter Pte & other proposalls offered and accepted in the howse.

To the propofall about Sheriffs to bee of the Comiffion in *Yorke* grievances
Anfwared The Laws already made provide fufficiently in y^t Cafe

To the propofall in *Lancafter* Countie Grievances about y^e *Nicomacoe* Indians.

Anfwared That the fame courfe y^t is taken wth o^r other Indians freinds bee taken
wth them

To the propofall about the Indians in Generall

Anfwared The Care and mannagm^t of y^t affaie is by his moft facred Maj^{tie}
Infrucçõs left to the R^t Hono^{ble} the Govern^r and the Hono^{ble} Comiffion^{rs}

To the propofall about hog ftealing

Anfwared Sufficient provideion is made by the former lawes

To the propofall of *Narwick* [*Warwick*] County Grievances y^t taxes may bee
laied vpon land

Anfwared It is conceaved the Pole is the equalleft way

To the propofall in *Surry* County Grievances Complaining againft the Taxes
laied by the Grand Affembly

Anfwared All people ought to acquieffe wth that lawes y^t are made by the Grand
Affembly And whoever fhall oppofe them in hoftile manner to bee deemed Rebels and
p^{er}fecuted accordingly

To the propofall about the feizing of feverall mens Eftates

Anfwared Thofe p^{er}fon y^t finde themfelves agrieved may come and petition to
the Grand Affembly for redrefse during this Seflion and afterwards to the Govern^r
and Councill.

To the propofall in *Stafford* County Grievances Complaining ag^t the Magiftrates

There beeing noe p^{er}fon nominated noe redrefse can bee made but if any vnfattisfied
wth the p^{ro}ceedings or Judgm^t of the Court. Appeales are open.

To the propofall each County may haue liberty to appoint Collecto^{rs} of the
impoft of 2^d p^{er} hh^d

Anfwared The Acts fully provide y^t the Collecto^{rs} bee chofen by the R^t Hono^{ble}
the Govern^r

To the propofalls or Petitions of the Queene of *Pamanky* (*vizt*)

To her petition to haue her lands reftored which fhee formerly held alleaging
her leaving her towne was occationed through her feare of the Rebell *Bacon*
and his Complices

It is thought reasonable y^t her land bee reftored to her provided fhee comply wth
the Acts of Affembly made in *March* laft and all other injuncçions as fhall from time to
time bee enjoyned her by the Grand Affembly

To her fecond petition praying y^t her Indians may not bee entertained nor
imployed by the *Engliſh*.

It is thought convenient that noe *Engliſhman* vpon any p^{re}tence whatfoever imploy
any Indians belonging to the Queene of *Pamanky* to hunt or otherwaies nor entertaine
them in their howfes aboue one night wthout a Certificate from her or by her p^{ro}curem^t
vpon the penaltie of Thirty p^{ou}nds of Tobacco for every night foe entertaining any
of her Indians.

To her prayer y^t fhee may haue the goods reftored to her which fhee left at
her Towne when fhee fledd and were taken away by the *Engliſh*

It is thought reasonable that what of her goods can bee found y^t was foe left as
aforefaid bee againe reftored And that fhee ftand obliged to deliver vp all fuch horfes
and other goods as fhee or any of her Indians tooke away from the *Engliſh* or haue
purchafed from other Indians

To her petition, That to many of her Indians may not bee required on fervice
at once

It is thought convenient that not aboue one third of her Indians bee required on
fervice

To her petition praying that fuch of her Indians as are imployed in the *Engliſh*
fervice may haue the plunder they gett from other Indians.

It is conceived reasonable y^t all such Indians y^t are or shalbee employed in the Countries service haue what plunder they shall gett from other Indians horses Armes and Amunition Excepted. And those to bee returned or delivered to such Person or Persons as shalbee appointed by the R^t Hono^{ble} the Govern^r or other authority appointed vnder him to receave the same

To her petition praying libertye to gather barque from trees from any mans land to build Cabins

It is thought reasonable y^t shee first obtaine leave from the Owners of such land from which shee would gather the same.

To her petition praying liberty to Hunt on the frontier lands and plantacons

It is thought reasonable y^t shee haue libertye to Hunt on the frontiers after shee hath delivered vp her Hoftages According to Act. Provided they nor any of them hunt or passe abroad painted

To her petition wherein shee prayeth liberty to ffish at *Powhite*

It is conceived reasonable y^t liberty bee given to her and her Indians to fish in all convenient places Provided they never fish wthout first giving notice to Cap^t *William Bird* or such other as dwell neare the said places or some other y^t belongs to him or them.

To her petition praying y^t her Indians may not bee abused by y^e *English*

It is thought reasonable y^t if any abuses bee offered by the *English* to them y^t they haue recourse to a Justice of the peace whoe by his warrant may Comand the Person or Persons doing the injurie to appeare at the County Court where they are to afford all due redresse

To her petition praying liberty to Redeeme her Indians and goods

It is thought reasonable y^t shee haue liberty foe to doe (if shee can) And where the termes cannot bee agreed on y^t the matter be determinable by the County Court whose Order therin shalbee binding

[From the *Winder* Transcripts, II, 144 ff.]

A Letter to the Grand Asssembly.

(subscribed as followeth)

To the R^t hon^{ble} the Governor,
the hon^{ble} the Councill,
and r^t worp^{ll} the Speaker,
of the house of Burgeffes now Asssembled-
att *Green Spring*

This to bee Comūnicated to y^r whole Asssembly
from his Ma^{ties} Commiffion^{rs}
for the affairs of
Virginia.

Signed *Sā Wifeman*.

Most honoured Gentlemen.

WEE doe most heartily Congratulate this your happy Convention and returne to your late interrupted Freedome and Liberties from the force fury and Constraint of the late wicked and ruinous Rebellion among you w^{ch} the hand of heaven itselfe (in foe generall a defection) hath defeated and Confounded & most mercifully restor'd your former Peace (to a good degree) without the Aid or assistance of these fforces by his Ma^{ties} (at his greate expence) most graciously designed and sent over for your reliefe and succour, Befeeching Almighty God of his infinite wisdome to direct Councill and Assist you now att this your meeting, in all your debates & Consultations that they may centre in the Glory of God the Honour of his most sacred Ma^{ties} and the happy Restoration, publique Good, and long lasting welfare and resettlement of this foe miserably shattered and lacerated Colony, That thereby
you

you may deservedly Atcheive to yourfelves the name and memorable reputation of the healing Affembly. And that you may the more truly bee ftiled foe, wee hope and defire that you will bee very headful (both for his Ma^{ties} Sattisfaction, your owne and our information) Thoroughly to infpect and fearch fully into the depths and yett hidden roote and fourfe of this late Rebellious diftemper, that hath broke forth and been foe Contagious and Spreading over this whole Country: W^{ch} when rightly underftood and made knowne will beft direct and Indicate to his Ma^{ties} Royall wifdome and your own difcretions what apt & wholfome Laws may bee moft properly applyed not only to prevent the like evill confequences for the future, but alfo fo effectually to ftanch and heale the frefh and bleeding wounds thefe unaturall warrs and Rebellions have caufed among you; that there may bee as few and fmall fcarrs and marques remaine, as you in your prudent care and tenderneffe can poffibly bring them to; which cannot bee better effected (as wee conceive) than by well and advifedly weighing and confulting the p^refent diftemper'd Condition and Conftitution of the generall body of the people, and by treating them accordingly.

As for what is incumbent on us to declare and concerne ourfelves in, wee doe moft heartily affure you. That according to his Ma^{ties} Royall Comiffion granted to us under the greate feale of *England* and his Ma^{ties} Inftiutions therewith given us, wee fhall (purfuant to the power thence derived) moft readily affift promote and advife you to the utmoft of our underftandings and abilities: and fhall conclude ourfelves moft happy fpeedily to returne home to his Ma^{tie} fraught with thofe Burdens, wherewith you have been at any tyme oppreffed and groan'd under, (the particulars whereof are yett unknowne to his Ma^{tie}) which have thus difturbed that peace and Tranquility, which his good fubjects here have foe long enjoyed under his Ma^{ties} moft happy Governm^t which you (by reason of the greate and remote diftance from the ufual place of his royall Refidence) could not foe eafily make knowne unto him, as other his Ma^{ties} fubjects who live at a neerer diftance may. And therefore his Ma^{ties} royall care and Concernm^t for you hath been fuch, as to fend us (his Com^{rs}) purpofely over to you, to the end his Ma^{tie} may by us [be] thoroughly informed of yo^r refpective grievances that have caufed the diftractions aforefaid, which, bee they few or many, great or leffe fhall bee received and moft fincerely reported and represented by us, to his moft gracious Ma^{tie} who out of his Royall Pitie and Compaffion, has been pleafed to promife you a fitt and fpeedy Redrefse thereof, as to his Royall wifdome fhall feem meete.

And fince it hath pleafed his moft facred Ma^{tie} of his owne meer motion (as a matter noe leffe pleafing to God, then emergent to his Ma^{ties} fervice) to comend to our and your care and endeavours the procuring a peace with the Neighbour Indians, wee will in noe wife bee wanting with all earneftneffe to preffe to you the fpeedy profecution hereof and that you will joyne your utmoft endeavours with ours, that it may bee a truly good and juft Peace (fince fuch a one only is like to bee moft fecure and lafting) and that you will pleafe to call to mind how much you all owe to the equitable policie and prudence of the Right Hon^{ble} Governour (here p^refent next under God for yo^r p^refervation and being here att this day, firft by his fuccefffull conquest, next by his wife and juft [peace] formerly made with the Indians; the breach and violation whereof, having been ftill accompanied with foe ill confequences, as well to yourfelves in Generall, by interrupting the ffreedome and debarring you the benefit of your owne Trade and Labours, as alfo the great detrement and loffe which thereby redounds to his Ma^{tie} in his Revenues and Cuftomes in *England*.

And for that in confiderate fort of men, who foe raffly and Caufelefly cry up a Warr and feeme to wifh and ayme att an utter extirpation of the Indians (and are yett the firft that Complayne and murmur att the charge and taxes that on any juft occafion attends fuch a Warr) Wee would wifh fuch to lay their hands on their hearts and ferioufly Confider with themfelves whither it bee not a bafe Ingratitude, a nameleffe Prodigie of Infatuation and neer madneffe in fuch men, as would make a breach with or ftive to deftroy and Extirpate thofe Amicable Indians (who are foe farr from hurting them

or us) that wee must justly confesse they are our best Guards to secure us on the frontiers from the Incurfions and suddaine Assaults of those more barbarous Indians of the Continent, who never can bee brought to keepe a Peace with us, but will still continue our most inplacable and mortall enemies and the more their dayly Murders and depredations are upon us, the more earnestly it inforces this Argument for a Peace with the frontier Indians.

Therefore wee would feigne endeavour to perswade these unreasonable sort of men to consider and understand their own security and interest, and to sitt downe satisfied, that they can quietly enjoy soe large and faire a Portion of their Possessions as they now doe. Enough and more than they either will or can Cultivate to proffitt, and not still covett and seeke to deprive them of more, out of a meere Itch of Luxury, rather than any reall lack of it. Which shames us. and makes us become a Reproach and Byword to these more Morall Heathen.

To conclude this particular, wee shall most earnestly exhort you and them, as you may justly hope and expect the blessing of Almighty God (who is a Lover of Peace and Justice, and that God should prosper this poore Country, and your present consultations that you Endeavour to gaine and preserve a good and just peace and Correspondence with your Indian Neighbours, That they may not hold up their hands and cry out against you, nor call you unjust or perfidious Least God in his own divine Justice should againe make them spectators of our Punishment, and lett them (as hee but lately did) look on, while, like men devoyd of Reason, Religion, Loyalty or Humanity wee were murdering Burning, Plundering, and Ruining one another, without Remorse or Consideration.

Gentlemen,

There is another thing which wee must also recommend to your Consideration (*Viz*) the Reducing the great Salary of the Members of the Assembly to such moderate Rates as may render them lesse Grievous and burthensome to the Country, and this wee cannot but earnestly offer to you, for that his Ma^{tie} hath been pleased to shew himselfe, soe signally concerned herein, as appears both by his royall proclamation to you, and his private instructions to us. In order to an imediate Redresse whereof wee offer you our joint opinion as followeth.

First.

That an Act of Assembly may passe for the future calling of a new Assembly to be elected and chosen every two yeares under the qualifications which the Right Hon^{ble} Governour can declare to you from his Ma^{ties} late instructions sent him over by us whereby to make those of the present Assembly more ready to comply with his Ma^{ties} royall Comands for the Retrenching their former Salaries, whereas by reason of their constant fitting; they receive only and pay not; Which this alteration will well remedy, and make the charge and expence equall, by alternate Receipts and payments and consequently alleviate the present pressure, w^{ch} the people seeme so much concern'd in.

Secondly.

Wee are of opinion that for the future noe Salary bee paid, received or continued to any member of Assembly for any longer time then hee or they shall there personally fitt, and shall cease during the Travelling time of their coming and returning to and from the said Assembly.

Thirdly.

That every Chairman of the severall Com^{tees} of Assembly doe for time to come, draw up their own Reports themselves, whereby to save the Country that great charge of clerkes purposely employed and paid for writing the same, some haveing (as we are informed) 4,000 lbs. of tobaccoe for scarce Twenty lynes Writing.

Fifthly.

That the people of the severall Counties for which you serve as Burgeses may noe longer Complayne of the largeness of your Salaries, nor yourselves of the lessening and retrenching of the same. Wee also Comend to your present care the Regulation and Abatement of the excessive and unreasonable rates sett by Ordinary Keepers, upon all
fort

fort of Liquors; especially in and about *James City* att Affembly times, which seemes to us the true reason, that the Members of Affembly cannot find their Account or bee content with a reasonable Salary because of such excessive rates and prizes [prices] which the Ordinary Keepers, do arbitrarily, and at their own pleasure and Liberty impose upon Liquors and the people. For remedy of which exorbitant abuse, wee desire you will please speedily to consider of providing such good Acts and Lawes as may best reforme and Redresse the same. Which wee conceive must bee done, by bringing down the great prices and rates of Liquors (and other things) and setting such reasonable and moderate rates on the same, as the retailers may afford them for with fitt gaines. And that this Law (soe to be made) may bee the more strictly Inforced and Observed, wee also desire you will lay such a penalti or forfeiture upon the Wilfull Transgressours thereof, as may keepe them within the just bounds and limitts to bee sett and p^rscribed, which wee are of Opinion will bee best effected by transmuting that odious name of Informer, into that more Genuine one of calling such men Conservators of the Law.

This Courfe being taken, the Burgeffes will easily apprehend, that this will bee so farr from being a Diminution of their Salary, that it will rather prove an Augmentation of it: For it is still as Ample as before when this lesser allowance, shall more then suffice, and serve to the same end as the larger did, by loring the said Extravagant rates, which wasted and expended their former Salaries.

As to such other grievances, as are of publique Concernment (as fast as they shall come to our Knowledge and examination) wee shall p^rpare to transmitt them home to his Ma^{tie} for his Royall Redresse.

And for all others, that relate only to private interest of Partie and Partie, Wee shall returne such to you of the Affembly to consider of (as improper for our inspection) and leave them to the remedy of your Laws, already provided, and hereafter to bee made for their just releife therein.

Wee shall wind up all, in this one hearty wish That you may soe unite, accord, and proceed in all your adeous [arduous] enterprifes and Endeavours (tending to the Peace and Refettlement of this distressed Country) that you may putt a timely stopp to his Ma^{ties} Resolves of sending a farr greater force over, then what is already arrived to effect, even what your own ready Conformity and dutifull obedience to his Royall pleasure may (and ought to) doe without it, and can alone prevaile for the recalling home the foldiers that are now here, when his most sacred Ma^{tie} shall find (by your due and humble submission most sincere Repentence, and our true report of the quiet and peaceable Posture of affairs here) that there is noe more need of his Rigour and Justice, but of his Royall grace and favour towards you.

Wee can only add, that wee are upon all occasions most ready to manifest ourselves for our Royall Masters and this (his) Countrys service

Most hon^d friends

Yo^r most faithfully

humble servants,

Herbert Jeffryes,

John Berry-

Francis Moryson.

From our place of Residence att *Swanns Poynte* n^r *James River* this 27th day of *February* 1676/7 in the 29th yeare of his said Ma^{ties} Reigne, whom God long preserve.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1371.]

By his Ma^{ties} Com^{rs} for the affaires of Virginia.

WHEREAS in our late Gen^l Letter to the Governor and Affembly wee have recommended two things, both of them very important to the peace and fettlement of this Country. i. e. The renewing a Peace with the neighbour Indians, and the Redresse of the great Sallary paid to the Members of Affembly, in both which wee have his Ma^{ties} instructions especially to concerne our selves; and for the first the p^rsent Govern^r is particularly order'd to demand our assistance in

in the managem^t and concluding a Treaty with the said Indians; Which though wee have declared by our said letter to the Assembly his Ma^{ties} desire of Peace with the said Indians; yet for that the sole pow^r of Peace and Warr are only inherent to his Ma^{ties} Royall Prerogative. It is therefore to bee understood that that part of the letter relating to the Peace, is not before you of the Councill and Assembly to Judge or determine whether or noe it bee fit or necessary, but only to offer your best Judgem^{ts} and Opinion as to what measures and methods shall most easily safely and honourably Conduce thereto, and no further are you to concerne yourselves in this matter, ffor it is peculiarly in his Ma^{ties} Governour, and is neither in the Councill nor Assembly any further then is aforesd.

As to that of the Salary of the Assembly Members, his Ma^{ties} instructions are peremptory in that particular. You shall reduce the same to such a moderate proportion as may bee noe grievance to the Country. And for the regulation thereof, the Governour shall have our best advice whenever demanded of us.

Therefore this and the foregoing Article wee desire to recom^{end} by you particularly to the Governour as appertaining Solely to his Province. And if hee shall not have space of time sufficient to pursue and accomplish this part of his Ma^{ties} Royall Injunctions, wee shall then, offer them to the Governour that shall Succeed, to act therein as his Ma^{ties} private Instructions doe impower and direct him

Signed

By order of his Ma^{ties} hon^{ble} Com^{rs}

Sā Wifeman.

[From the *Virginia Magazine of History and Biography*, XIV, 278.]

The Commissioners to the House of Burgeses *February 27, 1676 / 7.*

Gentlemen

WHEREAS we have had brought to us certaine papers under the notion of greivances which upon our inspection, proved to be noe better then scandalous libells there being noe names nor proofes to justifie them, wee have therefore thought fitt to returne y^m (as such as wee shall do all others of the like kind for time to come) to you there Burgeses, now mett at this present Assembly, & wth all to lett you, and them knowe that for the future wee doe expect and require, that each Countie who shall have greivances to present unto us, doe send the same sealed up and directed to us, at our place of residence at *Swanns* point in *James* river, under the hands of such as will be ready to prove, and make out to us each article therein upon their respective oaths, which any two of us his Majesties Comi^{con}ers, have full power to administer *Therefore* to the end that noe man may hereafter pretend ignorance, or want of information for the Right drawing of & presenting their greivances aforesaid, *wee doe hereby declare, & explaine to them* that we will receive noe paper of greivance from ye hands of any, but of such onely as are quallified according, as by our late declaration we have exprefly (meaning those who shall best deserve his Majesties Royall pardon, and appeare most worthy of this appointment, without diminution to his Ma^{ties} hono^r, All which wee Leave to you their Burgeses to be the judges and Attestors of.

And wee hereby appoint *Mundayes*, *wednesdayes*, and *Fridayes*, for days of receiving and examination of greivances which wee desire may be forthwith made knowne to each Countie by you their Burgeses, that they may bring them accordingly:

Wee have alsoe sent you a true Coppie of the R^t Hon^{ble} Govern^{rs} warrant signed with his owne hand which we desire may be forthwith published for the better expediting, & effecting what is thereby declared and required, and that there be noe longer delay,

delay, or backwardings in this weighty affaire, whereof his Ma'tie expects our speedy account, A vefsell of advice waiting yo'r motion for her difpatch to *England*, we have noe more at prefent but Remaine.

Your Friends to ferve you,
Herbert Jeffreys
John Berry
Francis Morrifon

Swanns Point Feb. 27th 1676-7.

[From the *Virginia Magazine of Hiftory and Biography*, XIV, 279.]

The General Affembly to the King, *April 2, 1677.*

May it please Your Moft Exc't Ma'tie.

WEE yo'r moft Loyall Subjects the Councill and Burgeffes of yo'r Majesties Colony of *Virg'a* on our Bendedknees implore yo'r Ma'tie to accept of our Sincere and hearty thanks, as for your Royall favours from time to time Conferred upon this Country, foe more especially for your Royall pardon to our laft *June* Affembly, & your *Royall* proclamation of grace and mercy to all the miserable seduced Commonaltie of *Virg'a* and moft of all for the vast expences your Majestie hath bin pleased to difburfe for the Affiftance of your Majesties well affected Subjects, & Servants here, whome noe dangers, nor loffes could terrifie from their Allegiance. The truth of which (although wee are well affured yo'r Ma'tie hath goodnes more abundance then wee can or dare make faults) yett fince of late by reason of those frequent violations of your Royall authoritie established in these parts under the Right hono'ble the Govern'r & Majestracie thereof may be Lyable to question, Wee must humbly begg leave to offer to your Princely confideration, which may in some Measure justifie us fiew from the general imputation, who have bin tryed by fire, and did not our povertie hinder (god and our hearts being witneffes) in Respect of our Loyaltie appeare true gold. In order to which your Ma'ties Royall favour Wee doe represent that your Majesties faithfull Govern'r S'r *William Berkeley* to demonstrate to the world how much more he tendered yo'r Ma'ties hon'r then his ownelife, in prefence of all the Councill and severall of the moft eminent Burgeffes of this Colony did refuse the Petiçon of the whole house of Burgeffes, requesting an unlimited Commiçon to be Signed for that grand Rebell *Nathaniell Bacon* Jun'r with this Proteftation that he would suffer the severest death deviseable rather then consent to an action of foe pernicious consequences, till such time as the whole Councill did present him with a supplication to the same effect attested by their severall hands upon which conceiving that opposition to foe earnest a desire of the Representatives of the whole Country with the Counsell your Sacred Ma'tie had been pleased to appoint him, together with the reasons moveing them to it, being to save the effusion of the blood of foe many your Majesties Loyall Subjects, then apparently & violently threatned by an Atheifticall General & infatuated Soldiery, would possible have rendered him inexcuseable to yo'r Maj'ty with the greatest Regrett immaginable, he at laft signed that power by w'ch this informable Colony for a long time had hardly breath enough left to make her groanings Audible. Further Wee prostrate ourfelves to ye same Royall goodnes for Leave to offer, that though the Generallitie of this Country after the Death of that Notorious Rebell *Nath Bacon* Jun'r (out of the fence of their Almost unpardonable villanies) through the infinite mercy of god whose hand was pleased to Correct us, yet as it manifestly appeares, without designe to confound us, And by the unwearied paines & prudent managem't of the R't Hon'ble yo'r Majesties Govern'r returned to their duty & Allegiance to your Ma'tie before your Ma'ties fforces (more earnestly long'd for by us then a Reprieve by a Dyeing man) design'd for the reducing of this Country were arived: Yet can we never sufficiently pay our thanks for that Signall act of favo'r whereby the Commonaltie of this Colony (pre-poffessed by that grand Rebell that your Majestie well approved his proceedings, and

if

if your Majestie did condiscend soe low as to cast away a Royall thought upon soe Contemtable a place, it would onely be in favour of him, and for his Assistance) are disabused, and now made highly sensible that yo'r Sacred Majestie hath espoused all the injureys offer'd yo'r Majesties Authority here as if they had bin done to your Royall Selfe, which we hope will be a great meane for the future to prevent all Treasons and Rebellions.

To this with your Majesties Royall Leave Wee add humble and hearty desires of pardon for these our unpollisht addressees which can have noe other end, but upon our knees to supplicate your Majestie after the example of the King of Kings whoe would have spared a whole Cittie for the sake of ten Righteous persons, for soe many hundred whoe have bin boeth active and passive in your Majesties cause, and your Ma'tie hath already pardoned the whole Country (except whom your Ma'tie and the Govern'r hath excepted) for which we owe our never dyeing thanks soe to receive us & them to your wanted Royall favour.

The Almighty God prosper yo'r Royall Maj'tie in all peace prosperity, & length of dayes, lett yo'r enemyes be cloath'd with shame & confusion, but upon your owne head lett the Crowne flourish, till it shall please God for a reward of your Princely graces to call your Majestie to change it for an incorruptible Crowne of glorie.

Your Ma'ties Most Thankfull most humble, & most obedient Subjects & Serv'ts ffor & on behalfe of the Councill.

Phillip Ludwell, Dep'ty Sec.

Signed by order of the house,

Augustine Warner, Speak'r.

ffrom the Assembly at *Green Spring, James River.* Dated the 2d of *Aprill 1677.*

[From the *Virginia Magazine of History and Biography*, XIV, 281.]

The General Assembly to the Duke of *York April 2nd, 1677.*

May it Please Yo'r Roy'll Highn's

THE Council and Burgeesses of this lately distressed and almost ruined Colony of *Virginia* by a groundless Rebellion most humbly prostrate themselves at yo'r Highnesses Royall feet for yo'r great and gracious Assistance of us poor Remnant of his Ma'ties Loyall Subjects Signified unto us by the R't hon'ble the Govern'rs Lady, who has often assured us that it was by yo'r Royall Highnesses goodness, that we had soe great, and timely Assistance: For though May it please yo'r Royall Highness the Rebels were reduced to their obedience some weeks before the arrivall of his Majesties forces, yet the certaine knowledge of this Approaching Royall Assistance soe terrified the Rebels that they faintly prosecuted their Rebellion, And the lesse guilty retired or Submitted to the mercy of our Prudent and good Governo'r.

Nor is this all the Benefitt that this Royall aide gives us but it will Secure us for the future, now the disloyall Sensibly feell & see that his Majestie, and yo'r Royall Highness will never be wanting to Assist your Loyall Subjects, the Contrary of w'ch was insinuated to the Rabble, and the Seduced made beleive, that it was indifferent to his Majestie who had the government of the Country, soe his Majestie had the Customes, But this (by us never to be forgotten) gracious assistance will (wee hope) for ever keep them from having such Rebellious thoughts for the future & secure the Countrey from Sedition for many ages.

The Almighty God of Heaven blefs & Prosper yo'r Royall Highness with all blessings of this World & in the world to come may the fruits of yo'r Royall goodness and Piety make you glorious to all eternitie Soe prays.

Yo'r Royall Highness's Most gratefull Most faithfull & Most obedient Servants For and on behalfe of the Councill,

Phillip Ludwell, Dep'tie Sec:

Signed by order of Assembly.

Augustine Warner, Speaker.

From the Assembly at *Green Spring James River* Dat: the 2nd of *Aprill 1677,*

[From the *Virginia Magazine of History and Biography*, XIV, 282.]

The General Assembly to the Duke of York, April 2, 1677.

May it Please your Royall Highness

A TRUE and deep Sence of our owne demerits, and his Maj'ties and your Royall Highnesses most gracious favours layed us low at his Majesties and your Royall feet, in a Right humble acknowledgement of both, the Honnourable Coll'o *Morrison* haveing follicitoufly fought on all occasions to make us truly sensible how much wee all owe to the abundant grace, and free goodness of yo'r Royall highness towards us in passing your Royall promise that those Patents granted to the detriment & preffure of this poore Country should be called in and vacated.

A Deed soe much the more great and eminent in that Yo'r Royall Selfe is (alone) the Originall President and promoter of this great good, and Royall beneficence conferred on us, as Alfoe by the honorable Coll'o *Herbert Jeffreys* report to us, wee stand confirmed in your Royall Highnesses reinstance hereof to him; upon this therefore your owne Royall Pitty, and Compassion that freely wrought and obtained this for us wee are encouraged to hope and on our knees in all humilitie doe Supplicate yo'r Royall Highness to become our gracious and most powerfull intercessor to his most Sacred Majestie (yo'r Royall Brother) to give us his gracious Regard and acceptance of our most Sincere unfeigned Repentance for our late disloyalty, and of our due Submission and ready returne to our former duty, and obedience before his Majesties forces, designed for our Reduction arrived here.

And Soe praying (as wee are in all duty bound) that Almighty God would Crowne all yo'r Royall Enterprizes, with all glory hon'r and Succes we Remaine.

Yo'r Royall Highnesses Eternally obliged and Most devoted humble Supplicants and Servants.

From the Assembly at *Green Spring*, James Riv'r Dated the 2d April 1677.

[From the *Virginia Magazine of History and Biography*, XIV, 283.]

The Generall Assembly to Lord Arlington, April 2, 1677.

Right Honourable:

SINCE the arrivall of the hon'rble Collo. *Francis Morrison* it has still been his diligent Concernment to acquaint this Country, how much wee all owe to your Lordships favour, for that your Lordshipp was noe Sooner sensible how prejudiciall the grants of lands in this Countrey was to the poore inhabitants here, but of yourfelfe you nobly and Spontanioufly at the very first motion threw downe and Relinquist the Right of a Royall Patent intitling yo'r Lords'p to a propriety in certaine lands in this his Ma'ties Colony, And that as Collo. *Morrison* assures us with an alacrietie and profession before his Majestie and his most hon'ble Councill (more free to the Surrender then to the first) accepting of it.

Which is an act of soe honorable a beneficence, soe peculiar soe adequate to yo'r owne hon'r and soe unworthy of us that it Surpassed Our humblest gratitude to express, especially since it was a favor unasked of us, unexpected to us, and unmerrited by us, a president of Generosity, soe Superlatively high, that it will be recorded here, (as it justly deserved) to posteritie to preserve your Lordships memory, as most precious most gratefull to us, and that yo'r Lordships name be ever hereafter mentioned but with this Appendant note of hon'r.

What can we say more, what more desire (next to yo'r Lords'ps long lasting prosperitie) then the happy Continuance of your hon'rs inestimable favours to us.

Your Lords'ps most Devoted, most humble & most gratefull Servants, on behalfe of the Councill.

Phill'p Ludwell, Dep'ty Sec'r.

Signed by ord'r of ye Afs'bly.

Augustine Warner, Speaker.

From the Assembly at *Green Spring*, James River. Dated the 2d April 1677.

General Assembly to Sir *Joseph Williamson*, April 2, 1677.

Right Honourable:

WE haveing sent our most humble & unfeigned Submission to his most Sacred Ma'tie and Letters of thanks to his Royall Highness, and the R't Hon'ble Lord *Arlington*, we held it wholly improper to intermix matters referring to his Majesties Royall interest, and the publique utility of this his Colony in any of the forementioned Letters, But in all humility to acquaint yo'r hon'r therewith, whose province it properly is, to present to his Ma'ty the great inconveniencies that dayly doe, and for the future must inevitably fall upon this his Majesties Colony of *Virg'a* by reason of those independent governments bounding it on the North and South as will appear by the following heads of particulars.

1st. As to the government of *Maryland*, which ingrosses to it Selfe foe great and unlimited priviledges and assumes Such *Ottomon* Tyttles, and Arbitrary Powers, as to try and Punish offend'rs in the name of the proprietor, and administering Oathes of Fealtie without any Salvo to the oath of Allegiance to the Kings Majesty.

2. That by this disunion is not only foe much land seperated from the Crowne but foe many Subjects lost to his Majesty. The inhabitants here frequently deserting this Colony, under pretense of gaineing Lands in *Maryland*, Soe that lands already taken up here (That might else be leas'd out) continue uncultivated for want of Tennants, and upon any dislike or implacency to his Majesties Royall Commands fly over to *Maryland* or *Carolina*, and reside there.

3. Our Servants and Slaves Runn away thither upon any fault Committed, Sul-len humo'r & disgust of theires, and though care be taken there for their Apprehension yet the charge and trouble of sending after them, Fees, officers, and unreasonable demands of those that take them, oft exceeds the vullue of their time of Servitude.

4. Our Debtors often escape thither, where the Lawes being different from ours, and the Charge of their Courts exceeding high, makes the Cofts and charges of Suit oftimes exceed the vullue of the Debt sued for.

5. The Indians that are foe mortally enimy'es to us, are in peace and amity with them, and upon all injuries offer'd us retreat, and are Safe under the protection of their governm't.

6. The advancement of our Commodity of Tobacco is much depressed, and the prices made uncertaine, by reason (they of *Maryland* being under another government) wee are not capable of Regulating our trade by such Lawes and restrictions as may be able to keep them within their just bounds.

7. That the *Isle of Kent* in *Maryland* granted to, and seated, and planted by Collo. *Clayborne* Sen'r and formerly a Limbe, and Member of *Virg'a* as may appear by our Records (they haveing sent Delegates to sitt in this assembly) & divers other Indian proofes, and evidences which is since lopt oft, and deteyned from us by the Lord *Baltimore*.

Lastly and chiefly (though *Maryland* hath bin unconcerned in this late Rebellion), yet if *Maryland* & *Carolina* had bin boeth Subordinate to the King, there had bin Little or noe need of sending forces over from *England* upon this late unhappy occasion, For *Carolina*, (which has noe River betwixt it and us, but is one broad Road) instead of being a Subterfuge to the late Rebels, Trayto'rs and Deferters of *Virginia* (as it hath bin, and still is) would have proved a meanes of quelling securing, and reducing them to their obedience, and might be a meanes to prevent the like for the future if those provinces were reduced under the same Lawes & immediate influence of his Ma'ties Royall power & Government. And not what [that] we desire to have the proprietie to their Lands taken from them; All which we humbly conceive to be noe Less for his Majesties interest than for our owne Publique safetie and advantage: S'r wee are all sensible that this is noe time for us to ask any thing but pardon, yet hope your hono'r will foe some opportune

opportune time, when you will please to think fitt to move his Majestie in our behalfe that those most humble Addressees formerly sent over by our Agents may be revived by his majestie while we endeavor by all wayes possible to deserve yo'r Hono'rs favorable Affittance, and to Regaine his Majesties gracious and Benevolent Aspect towards us.

Your most humble and Devoted Serv'ts.

ffrom the Asssembly at *Green-Spring, James River April: the 2nd 1677.*

[From the *De Jarnette* Transcripts, II, 402.]

To his Majest^s Commiffion^s for y^e Settlement of *Virginia* in these troublesome times of Rebellion & General disturbances.

THE humble Representation of y^e Colony & Asssembly of *Virgin:* shewing That in all y^e time since y^e dissolution of y^e *Virgin:* Patent not only then but ever since they have from time to time received assurances und^r ye Broad Seale of *England* & by many other waies & declarations from y^e then King & ever since from time to time that their Estates should be in all respects conserved & in no fort prejudiced.

During w^{ch} time y^e Petiti^or Co^l *Claiborne* hath been resident in *Virgin:* & enjoyed as a Counfello^r & Secretary of State there y^e benefits thereof And did accordingly by vertue of Commiffions und^r his Majest^s Governm^t & Seal of *Virgin* & by expresse directions from y^e Commiffions und^r y^e Broad Seale of *England* discover & plant y^e Isle of *Kent*.

From this time it continued und^r y^e Governm^t of *Virginia* Warr^s were directed to arrest men at the Isle of *Kent* one man was brought down & tried in *Virgin:* for felony & many were arrested for debt & returned to appeare at *James Citty* & so in many particulars.

It continued und^r y^e Governm^t of *Virginia* untill Lord *Baltamores* Officers came & expelled us by force of armed men severall times but especially they wounded & hanged o^r men without any tryall of Law—or any just cause given They took away all o^r Goods Servants & Cattle there & in like maⁿer they displanted us at *Palmers* Island out of their limits in *Susquohanouh* River All this they did to us though we p^rssented them & gave them Copies of his Majestys Com^{mands} to y^e contrary strictly Com^{manding} them not to molest us to w^{ch} we had no other answer then flightings & contempts.

March 13 1676/7

W Claiborne

[From the *Winder* Transcripts, II, 169 ff.]

Northampton Grievances.

THE Agreevances of y^e Inhabitants in Gen^l to say Houfkeepers and ffreeholders of *Northamp^r* County committed unto theire Burgefes to p^rsent unto yo^r Right Hon^{ble} Gov^{rs} his councill and Burgefes humbly—

Petitioning for Redrefs.

1. *Whereas* our county fom yeares since was contrary to our expectation divided into two Counties to our great Detriment and Lofs notwithstanding y^e great advantage Coll. *Scarborough*, yⁿ made and p^rcured to y^e County of *Acomack* ag^{nt} Lev^{nt} Coll. *Waters* yⁿ his fellow Burgefes; y^e premises dewly considered Desire (as we humbly Conceive) but Reasonable y^t our County may be answerably Inlarged as theirs.

2. That we may have Liberty graunted us to Choofe a new Vestery, and y^t Every three yeares a new vestery may be Chofen.

3. That y^e Act Concerning paying for Killing of Wolves, Beares, wilde Cats & Crows

Crows or y^e Like may be Repealed since no man but will for his own good & security Indevour to y^e utmost to destroy all possibly he can;

4. That any houfkeepers may have a Coppy at any time of y^e Clerk of y^e Lifts of Tithables and by y^e s'd Clerk attested paying Reasonably for y^e same.

5. That no p'son may be sett Tax ffree but by a full board and not by any magistrates p'ticular favor to y^e great opreffion of other poore p'sons.

6. That it may be graunted us to make a free choyse of six house Keepers wth out Interposing of any over Ruling Majeftrate and to Continue y^e Numb^r who may be admited and authorized to fitt Vote affels and Examine y^e Lifts of Tithables yearly at y^e Laying of y^e County Leavy, giving them Lawfull Notice of y^e same to prevent future opreffions, and abuses; as we humbly fuffpect and conclude to have Received heretofore, w^{ch} Reafonable Request if deny'd us; muft and will submit: Then crave (by y^e Reafon) we have a Court of Brothers; Priveledge may be graunted us and Confirmed (if they Continue) to have our choyce of y^e s'd fowre Brothers, two of them only to fitt at our s'd yearly affeffing ye County Leavy.

7. That our County Records may bee free open for Every man to fearch and Require Coppies as their ocasions; frō time to time fhall and may Require at y^e apoynted place and office, paying ye Clerk his Juft fees.

8. That Courts may be kept more duly according to Act of Affembly wth out often Refeuringment¹ at pleasure, without apperent juft caufe to y^e great charge & detriment of y^e People, As allfo fitting at y^e apoynted hours; y^e Contrary forcing people Efpefhally in Winter to Return home and to Comitt their bufinefs unto others to their Lofs and Diffatisfaction, or els expose themselves to trouble and be Bourthenfome to their Neighbours houfen; w^{ch} poffable may be p'vented by early fitting:

9. That we may have Liberty to Appeale in any Dubius Cafe, though depending upon a far fmaller value then Three Thoufand pounds of Tobacco w^{ch} would not heretofore be p'mitted.

10. That no Drink may be fold wthin a mile of ye Courthouse at any of ye court fitting days Considering y^e Detraction of time and y^e Rudeness of people where Drink is fold at Courts neglecting their bufinefs fpending and wafting their Estates Abufing themselves, and Authorety Quarrelling and fighting wth all Imagenary Illconveniences, and Evill concequences thereby Accruing.

11. That no ordinary, or petty Tipling houfe may be allowed in our county: A means to keep young freemen and others from Running into *Maryland*:

12. That there may be a Considerable fine and Stricter Injunction Incerted or added to the act concerning y^e Court to examine their orders in open court and not any p'ticular Majeftrate to prefume y^e same Private at his houfe w^{ch} y^e Clerk contrary to the true Tenure of Law (in force) when often y^e Majeftrate fo doing is not prnt at half of y^e orders entered whereby poffable many illconveniences may arife and Corruption practifed as heretofore on our *Eastern Shore*:

13. The mooving Cafe of y^e s'd act as upon Juft complaint that Sherifs and Clerks may be ordered to doe fomething *Ex Officio* as well as magistrates and other officers. As for attending ye orphants Court when often none or few Acompts be brought in; and ufually done at the county court time; Ditto as to orders and copy of orders; fo conftables, Survayers of highways fummoning y^e People to Choofe Burgefes Returning them fummoning of Juries before need when oftentimes in 3 or 4 Courts not one Caufe is put to a Jury or at Least to moderate their fees, w^{ch} by thofe means and y^e Like they Raife often unreasonable fums and allowed them.

14. That y^e Indians of y^e *Eastern Shore* in *Virginia* may be obliged to Kill a Certaine Numb^r of wolves yearly having a dayly oppertunety by Ranging y^e woods; for Such Satisfactⁿ as may be thought fit wth out y^e p'fit of p'ticular men;

15. That no Sheriff may officiate two yeares together.

1. So in the copy. The context fhows that the word means rifing of the court, or adjournment.

16. That no p'fon may be admitted to beare any office untill he hath bin an Inhabitant five years in ye Place where he fhall officiate, and y^t all thofe not of that continuance may be Difmiffed untill further Tryall of theire fidelity & Truft.

17. That whereas our Shore is Incompaffed wth Sholes Infomuch y^t no Ships but of fmall burden can com to Trade and thofe y^t com but few and Inconfiderable. It may be tacken in confideration and accordingly Ordered y^t no p'fons in our country may be fuffered to Ingrofs any commodaties (as formerly) to y^e great prjudice of y^e commantry; to fay y^t no man fhall within fix weeks or w^t times may be thought conven^t after y^e fhips or vefsell mooring in y^e Creek Buy more yⁿ his own crop doth amount unto; at any ftore;

Wee, ye Inhabetants of *Northampt County In Virginia*, haveing given in our agreevances to our Burgafes doe make choyce of thes tenn men as Truftees to draw our agreevances in A ffull and Ample man^r To be by them Dilivered to our Lawfull Burgaffes

Signed,

Jno. Michael, Seny^r,

Tho: Harmanfon,

John Waterfon,

Richard Lamby,

Thomas Hunt,

Will Spencer,

Jn. Cuftis, Jr.,

Argoll Yardley,

The marke of

Arthur Apfher,

The marke of

Wm. Starling.

[From the *Winder* Transcripts, II, 179 ff.]

Ifle of Wight Grievances.

WEE have feen the declaratione from his Majesties Hon^{ble} Commiffioners to the poore yet his Ma^{tyes} moft Loyall fubjects of the *Ifle of Wight* countie wee have prefumed to return this to your Honors that wee have caufe to believe ther are many perfons who have endeavored to infufe into you verry finifter opinions of our proceedings in relation to the difturbance which was in this country the which to the outmoft of our knowledges and intents wee will declare. Wee haveing a long tyme layen under great oppreffions and evrie year being more and more opprest with great taxes, and ftill doe load us with greater and unnecessarie burdens; it was enacted by the Gov^r and affembly for the building of forts back in the woods upon feverall great mens Lands, under pretence of securitie for us againft the Indians which we perceaving and verrie weell knowing that ther pretence was noe securitie for us but rather a ruine to the countre which was the caufe of our rifeing with intents to have our taxes Lowered not that we rofe in any wayes of Rebellion againft our Moft dreed Sovereigne Lord the King. as by our a^{ct}ions may appeare, for wee noe fooner rofe, but wee fent in a petitione and our agrievances to S^r *W^m Berkeley*, K^{nt}, who was not at home but the Ladie *Berkeley* promifed that fhee would acquent his Hon^r with our bufinefs and by her requift or Comand, wee evrie man returned home, and as for our being in armes wee was commanded thereto by one a^{ct} of Gov^r Counfell and Affembly.

2ly. After this it was the Gov^{tes} pleasure to fend an order for a new election of Burgeffes which was in *May* laft to the beft of our remembrance the which was done according to his order which priviledge wee had not in twelve yeares before, foe wee all expected redrefs from this Affembly but nothing Answered but only to the Indian warr, ther was fifty feven men Leavied for to goe out of the *Ifle of Wight* County under

the

the comand of *Nathaniel Bacon* a perfone whom we knew not nor till that tyme never hard of though notwithstanding in reference to the Command of the Gov^r and Affembly, our men was raifed and fent with two months provifione at which tyme when as our men was gone and under the Comand of Squire *Bacon*, S^r *W^m. Berkeley* was raifing of men againft them in *Glofter* to the quantitie of fower or five hundred men as wee are credibly informed whom when they underftood upon what account they wer raifed told his Hon^r to fight againft ther County men neighbours and friends, they would not, upon which the Gov^r went away and all the great men Whither wee know not and left us as Sheep without a Shepherd to the mercy of the heathen, Yet under the comand of *Nathaniell Bacon* and this as much as wee can fay of this difturbance.

3ly. As to our oppreffions where as Cor^{ll} *Joseph Bridger* for intertaining of Cor^{ll} *W^m. Coole* Cor^{ll} *Charles Morifon* Cor^{ll} *Lambe [Lemuel] Mafone* two or three dayes in dividing of the Counties had between fourteen or fifteen thousands pounds of tobacco from our countrie which wee humbly conceive is on great oppreffion.

4ly. That Cor^{ll} *Bridger* had fined feverall men for not coming to trouping or elfe where which were fined fome one hundred 200; 300; pounds of tobacco all the which wee defire to know to what ufe it is put and that it may be produced for a publeqe good it amounting to feverall thoufands of tobacco, the which as wee doe fuppose Cor^{ll} *Bridger* makes ufe to his own private Intereft.

5ly. Whereas formerly it was accounted a great leavie that was 40: or 50: pounds of tobacco *per* each when we wer not half foe many tithables and a continuall warr to be maintained, and now wee know noe occafione extraordinarie, yet wee paying neer two hundred a head yearly, but for what we know not.

6ly. That great quantities of Tobacco that was Leavied upon the poor people to the building of houfes at *James town*, which was not made habitable but fell down again befor they were finifhed

7ly. That notwithstanding the great quantities of amunitione payd by fhipes for fort duties for the Countries fervice and confiderable fumes of tobacco raifed to maintain a magazine yet upon all occafions wee are forced to provide powder and fhott at our proper charges or elfe fined

8ly. That wee have been compelled to buy ourfelves gunnes, Piftolls and other armes to maintaine feverall of our comanders Hon^{rs} and keep ourfelves from fincing haveing been feverall tymes threaten befor wee could procure them which fome of us bought it at dear rate of them have now taken them away from us the which wee defire to be reftored to us again.

9ly. The more to encourage the Indians againft us they have fent feverall of them out armed to look after our Chriftian Neighbours who are gone fome where to fecure themfelves.

10ly. That feverall P^{r} sons eftates are ceafed and part taken away befor the owners is convicted of any crime, notwithstanding they layed hold of the hon^{ble} Gov^r a^{ct} of indemnitie and have taken the oath of Allegiance to his gracious Māje and fidelitie to his Mājes Gov^r

11ly. Wee defire you our Burgeffes to give none of our eftates away as formerly ye have done, but if ye muft give fuch great fummess difpofe of your own.

12. Whereas it was formerly a cuftome for Sheriffs to remaine in ther place but one year, now it is altered, for they doe find fuch a great benefit by it, that they will buy the office, and hold it two yeares foe that they predominate over the poor comentrie, whereas the Sheriffs are allowed ten pound for evrie hundred that a hoghead containes besides his fellarie, he allowes us but thirtie the which wee defire he may be taken off from it or allow us as much.

13. Alfo wee defire that ther may be a continuall warr with the Indians that we may have once have done with them.

14. Wee defire we may have libertie to choofe our velttries once in three year and that their may noe member of the Court be ther in.

15. That no Counfeller may fit in any inferior Court.

16. Also wee desire that evrie man may be taxed according to the tracks of Land they hold.

17. That Major *Powell* had a hundred pounds of tobacco a day, for goeing along with the Gentlemen who divided the Counties being as wee conceave nothing concerned.

18. And more to exact he had twelve pounds of tobacco *per* pooll to buy us amonitione the which wee never had.

19. Wee desire you our Burgeffes to call to accompt and examine the collectors for the collecting of the 2f and 2d a hogfhead which hath been thes many yeares received but to what use it is put wee the poor ignorant inhabitants knows not, nor how difpofed off being sensible that the Marchant exhaust the same in selling his goods and that wee pay it, and how and by what power and law the Collector demands 2d a hogfhead for what, we doe requist to know and if not Legall to diffanull it for the futur wee doe humbly conceave that the 2f a hogfhead was raifed for to difcharge our Countrie taxes therefor wee desire our Burgeffes to admitt our hon^{ble} Gov^r to have his juft dew out of it, which is 12 hundred pounds a year and the remainder to affist us the poor inhabitants towards thes great burdens and taxes which wee groan under thes many yeares being not further able to bear it.

20. . That by a late Act of the Grand Affembly to load us with further taxes hath enacted forts to be built in severall places of this Collonie, which is as wee humbly conceave for nothing else, but for the private use of some particular perfons and not att all for the commons good neither to our certaine knowledge any wayes, a defence for us, againft our most Barbarous enemies who are as wee humbly conceave to much favoured imboldened and encouraged, to warr with us but not wee with them being bound absolutely to the peace as our aprehensione tells us, by that Act. Wee therefore desire that wee may not be burdened by the building of the fors'd forts nor that wee have any built and that they may be quite taken off and quitted from all and evrie one of the pretended charges that may or shall be presented by any, let them be of what nature and qualitie soever they may be pretended as ane order to the erecting of the afor^d forts wee not being able to undergoe foe chargeable a compulsion wherein ther is nether securitie nor defence.

21. Wee doe also desire to know for what purpose or use the late publique leavies of 50 pounds of tobacco and Cask *per* pooll and the 12 pound *per* polle is for and what benefit wee are to have for it which if it be for our, or our childrens good and that it doth plainly appear foe wee are willing to the payment thereof but otherways those that have received our tobacco to return it us again to the relief of our selves and poor families being verrie unable to pay it.

22. Wee desire to know for what wee doe pay our Leavies evrie year and that it may noe more be layd in private but that wee may have free libertie to hier and see evrie particular for what it is raifed and that ther may noe more fifts be given to noe particular person or persons whatsoever nether in publick or by private, which hath been, one only means to make us poore and miserable.

23. Whereas formerly it was the custome of Master of Shipes to pay ther Castle duties in powder and Shott which was a lastie for this Collony att all tymes, and at war againft our Indian enemy or others which should assault us, now it is as wee understand converted and that dewly altered by paying it in shoes stockens linnen and other Merchantable goods as the Collectors pleafeth, and difpofed of to ther own advantages being noe profit or ease to country or people, nor noe ease to our intollerable taxes therfor we desire yo^r Hon^{rs} to have ane account of this great bank of Mony and wher it lys that it may be produced for the Countrys good and for the futur that it may be payed in Powder and Shott as formerly and remaine as a Magazine for the service of Countrie.

24. Whereas ther is one act that burdens the Countrie with Amercements in the Generall and Countie Courts to know what it is for and to what use it is put and who
hath

hath pocketed it which is against all reason, for many an honest and good paymaster may be sued by too rigid a creditor for what he is willing to pay it if he had it and it is enough to have judgement for his debt and this Amercement exhaust from him beside which is too much to the ruine of the debtor.

25. Whereas there are some great persons both in honor, rich in Estate and have severall wayes of gaines and profitts are exempted from paying Levies and the poorest inhabitant being compelled to pay the great taxes which we are burdened with having a hoghead or two of tobacco to pay for rent and near two hundred yearly for Levies having a wife and two or three children to maintain whither our taxes or not the greater by such favour and priviledges granted them which we desire to be eased of by their paying of Levies as well as we they having no necessity from being so exempted.

26. And as for the oath that was sent down to us by *Nath: Bacon* was first concluded by severall of the militia officers Lieutenant Corn^l *Arthur Smith* being the chief in our Countie, who was with Squire *Bacon* at the *middle plantation* and there received the oath, and by that means we took the oath yet so as Saving our Allegiance to the King.

Whereas there are severall clerks in County courts hath exacted their fees on severall persons and especially upon widows and orphans to both their ruins, we desire that a certaine rate may be put upon the administration And all other fees thereunto belonging.

We also desire you who are his Majesties Commissioners, for to take a view or cause to be taken of the forts that we have here made which have cost the country many hundred thousands pounds of tobacco and that we conceive that one fort at *Point Comfort* had been better and more securer for the King and Country, for had there been a fort there by all mens relatione the *Dutch* had never attempted to come up the river and burned so many ships as they did.

(Signed)

Richard Penney,

a very busy man in these tymes.

John Marshall.

Richard Sharpe.

Richard Jordan, senior,

one of *Bacon's* Representatives.

Edward Miller,

a harmless poor man.

John Davis,

his marke.

one that hath bin in armes ag^t ye Governm^t.

Antho^o-fulgham.

a Busy ^{Person} that brought this paper to the rest to subscribe w^{ch} was written by *Marshall's* Serv^t att the desire of the Subscribers hereof.

[Indorsed]

Isle of Wight Grievances

Brought *March 5*

For the Burgeses

To bee purused and Return'd

To His Ma^{ties} Com^{rs}.

[Signed] *Sa: Wifeman.*

[From the *Winder Transcripts*, II, 228 ff.]

A DUPLICATE of the grievances of ye County of *Rappahannock* taken at a Co^{rt} there held the 13th of *March* 1676 by vertue of a Warrant (to that purpose) from the Right honble Governo^r, whereof the one part to be humbly p^resented to the Right hon^{ble} his Ma^{tie}s Commiffioners, & the other unto the hon^{ble} the p^resent Grand Affembly as followeth *viz*

1st The first thing that wee complaine of to yo^r hono^{rs} is the great want of honest able sober pious & orthodox Ministers the want whereof & of y^e due administration of Divine ordinances have bin the originall cause of the severe Judgments that have fallen upon this Land wherefore it is desired that yo^r honors would be pleased to moove his Ma^{tie} to fend us an annuall supply thereof.

2. That an hon^{ble} peace may be concluded wth the Indians if possible o^r necessities being such as rend^rs us incapable to maintaine a Warr wee not having wherewth to subsist but must of necessity perish if wee make not corne this p^resent yeare, the Indians having already robed most of us of whatever may rend^r life Comfortable

3. That if yo^r hono^{rs} see Convenient to continue a Warr wth the heathen that it may be prosecuted effectually, & managed in such sort that some Counties may not be totally ruined while others live in their full blowne height & happines, flourishing in the profits of their labours w^{ch} they enjoy in peace and quietnes whilest poore *Rappahannock* lies a bleeding whose number of people murdered & estates destroyed can find no parrellell in *Virginia*, yet some of o^r neighbo^r Counties are soe narrow hearted & close sifted as to think it none of their duty to assist us in destroying the blood thirsty Indians, but would willingly leave us to fight the battles of the Republique, or else not to enjoy either freedom or profit, of both w^{ch} wee have bin debarred a long time.

4. That if the Warr be continued wth the Indians that *Rappahannock* County may be exempted from paying any Charge thereof by reason the Indians daily entrenching on us hath rendred us incapable to Contribute anything thereunto being at p^resent left in soe low an estate and condition that it would be a hard matter for us to maintaine life if wee escape an Indian slaughter, w^{ch} will undoubtedly befall us unless yo^r hono^{rs} send men to our assistance, for while wee are tending corne to feed our wives & children the Indians (if wee have no guard over us) would butcher us in our fields, they being soe frequent about us, that wee dare nt stirr from o^r plantations other Counties making crops hath induced o^r freemen to leave us, who are gone to more safe receptives where they may make profit of their labours & if the burden be soe great to individualls who have no charge, wee leave it to yo^r hono^{rs} serious Consideration, how great it must of necessity be to those who have great Charges & nothing wherewth to maintaine them in a Word o^r great feare continuall Danger & Known wants are such that wee want words to exprefs them—therefore leave the redress thereof to yo^r hono^{rs} wifdomes.

5. That yo^r hono^{rs} would be pleased to examine how the sixty p poll w^{ch} was Collected from every tithable two yeares late past, hath bin disposed of the Comonality of this Country being altogether, in the dark & still Ignorant what advantage accrue to them by that great Assesment, & that if the said tax be found by yo^r hono^{rs} to lie dormant in the hands of some perticular Persons that they be forc^t to reimburse the Country.

6. That an account be rendered to yo^r hono^{rs} of the 2^d p hoghead & how disposed of, & if it shall be found his Sacred Ma^{tie} hath not disposed thereof, it is humbly desired that yo^r hono^r would moove his Ma^{tie} in o^r behalfe that he would gratioously please to condiscend that the said Imposition, may for the future goe to defray the publike taxes of this poore Country & that an annuall account thereof may be rendred by the collectors of that duty to the Affembly.

7. That all persons whatsoever pay levie except the aged & Impotent & that every person that shall Informe against any delinquent in this case, & afterwards comply for less than the law allows, that he or they who can prove the same may have the like Judgment against the first Informer, as he had against the delinquent to avoid future fraud.

8. That no man hold more land then what he paid quitrent for & that whoever fhall conceale any land by him holden & not paying the Kings due the firft perfon who Petitions for the fame may have a grant thereof proving the fraud.

9. That none who have freely & Voluntarily affifted *Bacon* in his damnable Con-
piracy may be admitted to fitt as Judges in any Court.

10. That all officers of publique trust may be conferr'd upon none but difcreet & Knowing gentlemen, and that none may be admitted to fitt in the feat of Juftice whose yeares & flender education fpeaks him uncapable to aét in foe high a fphear.

11. That all fhips arriving in this Country, doe for the future pay their caftle & fort duties according to an aét of Affembly made to that purpofe *Viz'* in powd^r & bullet, & that a publique magazeene be raifed for our defenfe.

12. That a Convenient place may be appointed in the center of the Country for the future meeting of the Affembly & that all Generall Courts may be there Kept w^{ch} will be a great eafe to the people of this Country, & that care may be had for the erecting townes in every County in the Collony wth all Convenient fpeed.

13. That if reparations Cannot be had in our great loffes from the other parts of the Country (by reafon) of the poverty thereof occafioned through the late unnaturall Commotions) (to whom wee have bin as a bulwark & defenfe. Regard may be to our great fufferings & Loyallty in the eafe of the publique levies or from his facred Ma^{tie}.

14. That as often as their fhall be occafion for any new election of Burgefles that the freemen of the Country who pay their proportionable parts of all rates of affeffments may be admitted wth the houfekeepers to give their votes for fuch election.

15. That yo^r hono^{rs} would be pleas'd to examine & Know by what Authority Coll *George Mafon* & Major *George Brent* went over into *Maryland* & Killed feveral of the Indians there w^{ch} wee fuppofe was the Originall caufe of the murthers Comitted in o^r Country.

God fave the Kinge.

[figned]

Warwick Cammack

Alex Donyephann

Henry Tandey

Hen: Awley.

Thomas Gouldman.

[From the *Winder* Transcripts, II, 250.]

The Propofalls of *Westmoreland* County to the Grand Affembly of *Virginia*.

Propofe. 1.

THAT there may bee a day fett a part for thanksgiving for reftoring *Virginia* from this late unheard of Rebellion And y^t there may bee an Order to degrade all titles of Honour, that any p^{er}fon hath affumed in the time of that Rebellion.

2. That effectuall meanes may be ufed for the propagation of the Gofpell as fhall be agreeable to the Word of God; prophaine and scandalous Minifters may bee put by, & that the Keeping of the Sabboath day may bee better look' into.

3. That fuch as have bin prophaine scandalous & difaffected and aétive p^{er}sons (to the prefent Governm^t.) in all places of Authority and publique trusts may be enquired into, & fuffer accordingly to the end that the like rebellion may not (w^{ch} God forbid) bee encouraged.

4. That our Records of the County being embezzled & burned there may be great care taken as foone as may bee for the fetling every man in his Juft Right & poffeffion of Land & eftate.

5. That an Adrefs may be made to his Ma^{ty}. in the behalfe of the Country begging pardon for this late Rebellion & empling the Continuance of his favour towards us as he hath formerly bin pleased to bestow upon us.

6. That for the future the publique place of Judicature & Affembly may bee Ordered to bee in the Most Convenient place of the Midle of the Country

7. That the *Sufcahannah* Charge bee bore in the whole country and That the Councillors Salleryes & Tithables may no more bee allowed & y^t no Councillor fitt in County Courts as Judge.

8. That the Right Hono^{ble} the Govern^r bee moved not to call too frequent Affemblyes.

9. That a peace may bee made wth the Indians to the best & most advantage, the *Doegs* to bee excluded & by the Indians y^e peace is made with brought in, in convenient time.

10. That after peace made with the Indians no $\text{\textcircled{P}}$ son directly or indirectly Keepe an Indian to hunt for him or otherwise.

11. That the Countyes may be divided acrofs the neck.

12. That whereas by the Affembly in *June* laft it was enacted y^t 1000 men should bee raifed for the Indian warrs out of the refpective Countyes in this Country. Each County to pay its souldiers & for their provision: but that A^cts of Affembly being made null, by the violence of *Nath: Bacon* Junior. It is desired that an a^ct bee now provided, to enable the refpective County's pay their souldiers Leavyed againft the Indians & for their Provision &c:

[From the *Winder* Transcripts, II, p. 239 ff.]

To the Right Hono^{ble} the Kings Most Sacred Ma^{ties} Com^{rs} for Enquiring into the grievances & preffures of this his Ma^{ties} Country of *Virginia*.

WHE the inhabitants of *James City* County having to our great Joy recd yo^r Hono^{rs} declaracon of the 6th of *ffeb* laft by which we are informed of his Royall Ma^{ties} princely care of this Collony in redreffing our preffures, doe most humbly present these following $\text{\textcircled{P}}$ ticulers, which we humbly conceive to be the great grievances of this Collony, & Causes of these late unhappy rebellion, warrs devaftacons & differences amongft us, and we doe appoint Co^{ll} *Robt. Holt*, & M^r *William Sherwood* to p^rsent these papers the one part to yo^r hono^{rs} the other to the hono^{ble} Affembly of *Virginia*.

1st. Whereas by the 128th a^ct in the printed booke, the Affembly taking into Consideracon the easiest & most probable way to defray the taxes of this Cuntry. did enact that 2^d $\text{\textcircled{P}}$ hhd. should be payable, & employed for the use of the Cuntry, we humbly pray that an acco^t may be given of the 1^d impoft, and that the 1^d A^ct of Affembly be consulted, & fuch Collectors appointed as by that A^ct is provided,—

2^{dy} Whereas severall considerable fums of money are yearly paid for ffort duties & for $\text{\textcircled{P}}$ sons imported into this Collony, as appears by the 132^d A^ct of Affembly we humbly pray that the fame be truly accounted for, & employed to the use intended by A^ct of Affembly, (which was never done)—

3^{dy}. We humbly P^rsent the former free acceffe of the Indians amongft us by their painting, & disfiguring themselves not to be knowne, to be an agreivance, and desire, that if it fhall be thought fitt, that a peace be concluded, wth our neighboring Indians, that then, bounds be fett betweene us & them, and that fuch Indians as upon any meffages, or other emergent occasions, fhall come amongft us, may have badges as hath bin formerly provided by the 4th A^ct of Affembly made in *Septembr* 1663; And for that we have found by wofull experience that diverfe covetous $\text{\textcircled{P}}$ sons to advance themselves by trade with the Indians; have sold very great quantities of powder, fhott, & amunicon to them, when the *Engliffh* have wanted it, and foe the Indians have bin therewith bet-

ter

ter p'vided then our selves, *we humbly propose* that a retrain be put upon such Indian traders, according to an Act of Assembly in Anno 1665.

4^{thly} *We doe humbly Conceive & it is our opinions* that the flow ꝑsecuçon of the late Indian troubles, together with the paym^t for 2 yeares together of the tax of 60 lb of tobaccoe ꝑ poll upon every inhabitant of this Collony, hath bin the greate Causes of these rebellious & Civill Comotions in this poore Cuntry; *we doe therefore pray*, that the reafons & causes for the laid tax may be enquired into & releife therein provided. for that many of us whose tobaccoe we Comonly Sell at 16^s ꝑ C^t, is by that Act of Assembly rated but at 8^s ꝑ C^t And *we pray* y^t an acco^t may be given of the produce of the 1^d tax;

5^{thly} We p^resent the often meeting of Assemblies, which hath bin a great charge to the Cuntry as a grievance, & humbly desire that for the future, an Assembly may be but once in two yeares, & that then there may be a new elleçon by the ffreeholders & housekeepers, And that the ꝑceedings in the Com^{tees} of the Assemblies may be accordinge to the Lawes of *England*, And that the Burgeffes charges may be (at least) mittigated;

6^{thly} That for the Safegard of our lives, & p^reservaçon of our Small estates, and destruccïon of wolves & other vermin, we may have liberty to Keepe guns & freedom to buy amuniçon, and that our armes may be restored w^{ch} have bin taken from us,

7^{thly} We p^resent the great fees taken by Clarks & Sherifes as a greivance, and humbly propose that the same may be regulated for the future, and for that the severall County Courts are answerable for all orphants estates & all ꝑceedings in the County Courts: and that Sheriffes may continue in their office but one yeare, & be appointed as is directed by the 44th printed act,

8^{thly} We humbly present the exempting of severall p^rsons from paying taxes, as by the 55th Act is exempted, as a greivance, and humbly pray that none but the honob^{le} Governo^r & his family, together with poore and impotent people may be freed from publicke & County levies.

9^{thly} *Whereas* severall Indian slaves were taken by the charge & expense of the whole Cuntry, in the late Indian Warrs, but is in the hands of severall private ꝑsons, we humbly pray that they may not be disposed to a private but publicke use & proffitt,

10^{thly}. We humbly propose the raising of our taxes & Cuntry dues, to be by a Land tax, & accordinge to the estate & abillity of the Inhabitants of this Collony,

This is humbly presented by his Ma^{ties} loyall & most obedient subjects

[Signed]

<i>Tho Tilesh</i> [?]	<i>Will Browne</i>	<i>Richard Bardell</i>
<i>George WoodWard</i>	<i>Matthew Collins</i>	<i>John Deane</i>
<i>Alexander Walker.</i>	<i>Nic. Bush</i>	<i>Will: Walker</i>
<i>Jn^o Payne</i>	<i>*Lazarus Thomas</i>	<i>Scarborough Minton</i>
<i>John Kent</i>	<i>*Jn^o. Thomeson</i>	<i>Will: Ecoms.</i>
<i>John Otey</i>	<i>*Rob^t. Partin</i>	<i>*David Davies.</i>
<i>Phill Charles</i>	<i>*Rich^d New</i>	<i>Rob^t Colby</i>
<i>George Saunders</i>	<i>*Henry ffisher</i>	<i>*Wm. Winson</i>
<i>Lawrence Ash</i>	<i>*Alex: Shepard</i>	<i>*John Jerfy</i>
<i>*Richard Pierce</i>	<i>*Jno ffish</i>	<i>*Phill Charles sen.</i>
<i>*John Thaxton</i>	<i>*Rob^t Thomas</i>	<i>Edmund Cowles.</i>
<i>*Rich^d Parker</i>	<i>*Math: Williams</i>	<i>Thomas Hanes</i>
<i>*John Meriman</i>	<i>*Tho: Twine</i>	

* The names which are starred were signed by means of marks.

[From the Public Record Office, London, Colonial Office, Clafs 1, Vol. 39.]

To Y^e Right Honrab S^r W^m Berkeley Kn^t Gou^r and Cap^t Gen^l of Virg^a together wth
 Y^e Honrab houfe of Burgefles and Y^e Honrab his Maj^{ties} Comiff^{rs}
 The Remonfrance and petition of vs the fubjects being all Inhabitants of the
 County of *lower Norfolk*

Moft humbly fheweth

THAT your poore pett^{rs} are greatly Griued and much Injured in thefe feuerall
 Cafes following & humbly Defire Redrefle therein

1^{ft} That your pett^{rs} his Maj^{ties} Loyall fubjects haue been taxed great
 Somes of tob. towards the Erecting of forts. yett neuer the leffe wee are
 Left to the Mercy of all Enemies bouth by fea & Land and therefore humbly defire
 that a fort may be Erected att *point Cumfort* as being the moft Conuenient place (as
 wee humbly Conceau) and that the Charge thereof If poffible may bee defrayed by
 thofe that haue formerly Reçd our tōb for that purpose.

2^{dy} That your pett^{rs} haue p^d tobacoe towards the Rayfing magazins, befides all
 other fort duties w^{ch} was p^tended was taken for that vfe, yett wee haue noe Effectuall
 prouifion made, foe that when any foreigne or domeftick Inuafion is perpretrated wee
 his Maj^{ties} Loyall fubjects are Exposed to many dangers for want thereof, wee therefore
 humbly defire that thofe p^{er}sons, that haue bene Intrufed by the Country for to Collect
 the Same, doe giue a true & iuft accompt of what tobacoe or money they haue Reçd
 vpon that accompt, & that for the future fome Effectuall Courfe may be taken that
 amvnition may nott bee wanting.

3^{dy} That *whereas* your pett^{rs} haue bene taxed & forced to pay 60^{lb} of tob p^{er} poll
 in the yeare 1674 and as much the yeare following w^{ch} tob hath been giuen to M^r
 Secretary *Ludwell* & Coll. *parkes* befides 30 & 50^{ls} of tob for amercem^{ts} butt for what
 purpose wee know nott, more then a Report that fome gen^lmen In *England* haue procured
 a pattent from his maj^{ty} for the quitt Rent of our lands the truth whereof wee yett
 know nott, *wee humbly defire* to know what is done wth our money

4th It is the Request of your humble pett^{rs} that fince wee of this County haue bene
 much Injured and damnified by the Late Rebellion (ag^t w^{ch} wee haue wth hazard of
 our Liues and fortunes according to our allegiance and bounden Duty wthftood to the
 vtmoft of our powers) of w^{ch} wee were noe ways the Caufe, wee humbly pray that wee
 may bee Exempt from all publike Charge that hath or may arife thereby.

5^{dy} *Whereas* his Maj^{ty} hath bene pleased by an aēt of parlam^t to Lay fuch a Cuftome
 vpon tobacoe fhiped and Loaden on bord any fhip or veffell bound to any of his Maj^{ties}
 plantations in America. that all M^rchants or Adventurers muft pay the one halfe of
 their tobacoe for the Impoft of the other halfe, w^{ch} foe much difcourageth all adventurers,
 that your pett^{rs} is Likely to be frufrated of all trade to, or wth his maj^{ties} plantations
 aforefd.

Your pettr therefore humbly fubmitting to his maj^{ties} Laws doe humbly pray that fome
 Lawfull Courfe be taken to fuplicate his Majefties gracious grant, that the poore Inhabi-
 tants of this County (who are Butt fmall Adventurers, and by this meanes almoft
 Ruinated may haue Liberty to Export their tobacoe to any of her maj^{ties} plantations
 wthout paying that Impoft, w^{ch} grant will be the greateft Encouragm^t Imaginable from
 a gracious king to his people;

6^{dy} *Whereas* It hath bene a too frequent praētife in this Country to Receau into
 fauour many p^{er}sons nearely Strangers in the Country and them to dignifie wth places
 of great hon^r profit and trust, and they nott taking Care to officiate Lawfully in their
 places doe many times for the Loue of gayne to Raife themfelves Eftate Extort vnlaw-
 fully Tobacoe from the people wherevpon doeth arife great difcords amongft the people,
 as hath bene manifelt in thofe two grand Rebels *Nathaniell bacon* Ju^r & *John bland*,
 by w^{ch} meanes noe place of trust or authority wthin this Collony butt is many times
 abufed to the vttermoft Ruine of many of his maj^{ties} good fubjects as woefull Experience
 hath

hath Lately made manifest, *your petition therefore humbly prays that for Redresse herein*, that noe Person bee admitted into any office or place of trust whatsoever, that Is nott an antient Inhabitant or natiue of this Collony, and of good and honest Repute, neyther to have two places of authority or offices of trust or profit (or such as shall be presented by the generality of votes wthin the feuerall Countyes of *Virg^a* to the Right Honrab the gou^r in all succeeding times) vnless the Persons whome his hon^r shall p^rferre bee well knowne to him and well acquainted wth their quallities & Conditions

7^{ly} That some strict Course bee taken that noe Person wthin this gouernm^t doe sell any amvnition for war to the Coimon heathen the Indians Thus out of the deepe fence of the Late Sad and Lamentable destruc^tions diuisions & wofull desolations proceeding of the Law, w^{ch} hath hapened in this poore Land, as also of his Most sacred Maj^{ties} Clemency Care Indulgency & bounty, for the due and speedy settlem^t of the Same, the w^{ch} doeth the more Indeare our harts draw & Inflame our affections, and Euer pray to the god of heauen to Multiply vpon him the Choifest of his Blessings & hereafter Crowne him wth Eternall glory soe pray his poore subjects of *Lower Norfolk In Virg^a*

[From the Public Record Office, London, Colonial Office, Class 1, Vol. 39.]

Com^{as} Lancastr fs

Vltimo Die January A^o 1676 At the Courthouse there. Instruc^{co}ns for our Burgeses Co^{ll} *William Ball* and Majo^r *Edward Dale* to bee by them p^rsented to the Asssembly for redresse.

1. **T**HAT the Warr against the Indians bee more speedily and effectually p^rsecuted then hitherto it hath beene.

2. That such course may bee taken with the Indians of *Wiccocomicoe* in the County of *Northumberland* that all people may bee secured from all future feare and Damages It being notoriously knowne that some of them did comitt the murder on the head of *Moratticoe* in the County of *Rappahanock*.

3. That for the future all trade with the Indians bee totally p^rhibited upon paine of Death and confiscacon of estate reall and p^rsonall

4. That if upon due consideracon the Asssembly shall finde it iust and reasonable to continue any Indians in this Governem^t they may bee p^rhibited the use of all Armes whatsoever (bowes & Arrowes excepted) and to entertayne any Stranger Indian whatsoever upon paine of Death and utter extirpacon of that nacon in either case

5. That for such Persons as have suffered any Damadge in their Estates by the Calamities of the tymes Wee Desire it may bee lookt upon as the Chance of Warr and to sett downe with their Losse. It being impossibill for the poverty of this Country to relieue them

6. That the Estates of Delinquents may be converted to the Comfort and releife of the poorest sorte of people who have suffered by the Calamities of these unhappy tymes.

7. That the County of *Rappahanock* being of a very greate Extent may bee Divided into two, or at lease this County and the County of *Middx* bee enlarged out of that, these two Counties being of a very small extent

8. That the 2^s p^r h^d bee employed to the uses & intente it was first rayfed, the Governo^r being first paide his Dues settled upon hym by his Ma^{ties}

9. That for the case of the Inhabitants of this Countrey in geñall, the Geñall Courts for the future bee kept in some pte of *Yorke* River, it being the Center of the Countrey, the benefitt p^rtended or intended by building at *James* towne heretofore being never in any likelyhood equall or answerable to the greate chardge there expended long before the late unhappy firing thereof

10. That the Acte against hogstealeing bee revived and the penalty thereupon due bee Converted to some other use then to the masters, or that hogstealeing may bee adjudged felony as it is by the Lawes of *England*.

11. That for the encouragem^t of ferv^{ts} Wherein, the wealth of this Countrey doth confist they may bee allowed Meate three dayes in the Weeke (*viz^t*) betweene *September & March*, The Islanders buying greate quantities of ffish and meate for their Slaves.

12 That noe Person whatsoever do p^rfume to sell his Serv^t his tyme when neere expired for his Corne and Clothes upon penalty of Loofeing his Serv^{ts} tyme and payeing hym Corne & Clothes unleffe such Serv^t have an estate of his owne, in his hande whereby to doe it or some rela^ons which fhall doe it for hym

13 That the too frequent calling of Affsemblies and the long continuance thereof when called bee p^rvented and that the Acte which inableth the Governo^r and Councill to lay a Levye not exceeding 20^s p^r pol bee reinforced, and if Occasion require a Select Comittée of the p^rceeding Affsembly bee Added to them the examina^on and allowance of whose Acte to be referred to the succeeding Affsembly for Confirma^on.

That the Affsembly should take into their ferious Confidera^on the incapacity of our fforts now in *Virg^o* for Offence & Defence, and the money now in Banck, or which fhall hereafter become due by the fforte duties bee employed for the benefitt of the refpective [Aff]ocia^ons by the purchafeing of Armes and the building of Magazines for the security of the people, there being noe publique places of security, or to retreatate to, in the whole Countrey, as Wee have founde by sad experience in thefe late unhappy troubles.

William Ball Jun^r
Thomas Marshall
Daniel Harrifon
David ffox
Joseph Ball
Nicholas George
Thomas Martyn
Richard fflint
Stephen Chilton
Thomas Carter

Robert Pritchard p^r figne
Andrew Herbert
Stephen Tomlyn
George Neale
Rowland Rowley
Thomas Barker
John Mullis
Anthony Sands p^r figne
W^m Merriman p^r figne
W^m Laxe p^r figne
Richard Merriman p^r figne

Thomas Chatwyn p^r figne
Charles Merriman p^r figne
Jn^o Dering p^r figne
W^m Parker p^r figne
Abraham Bufh p^r figne
Jn^o Wells p^r figne
Jn^o Sharpe p^r figne
George Maples p^r figne
Nathaniel Browne p^r figne

[From the Public Record Office, London, Colonial Office, Clafs 1, Vol. 39.]

[Petition from Surry County, as fhown by the endorfement.]

Imprimis

WHEREAS his moft Gracious Ma^{ty} hath beene moft mercifully pleafed by his Royall proclamation [upon our Submiffion] to pardon our late Difloyalty and Rebellion

Wee Earneftly defire this p^rfent Affsembly to draw up (In the behalfe of the whole Countrey) a moft humble Submiffion to his Moft Gracious Ma^{ty} wth an humble letter of Requeft to his Royall Highnefs the Duke of *Yorke* to Interceed Soe farr (In the Countreys behalfe) to his Royall Brother our moft Gracious and Mercifull King that wee may be In his Ma^{ties} Good Grace and favour againe as formerly and wee doe farther defire that this Affsembly would make An Act of oblivion that no perfon for the future may be abufed by Injurious and provoking names:

(2) *Whereas* The Laft Affsembly Continued many years together from whome we fownd noe Redrefs they being apt to Confirm their former opinions

Wee moft humbly pray y^t for the future wee may have a free Ele^on Every Affsembly

(3) *Whereas* the aforef^d Affsembly by their too frequent meeting (being once Every yeare hath been fownd to be a Continuall Charge and burthen to the poore Inhabitants of this Colloney

Wee moft humbly pray y^t for y^e future y^e Affsembly may not be Called above once In two yeares at moft unles upon Extraordinary occation.

(4) *Whereas* y^e burgeffes of the aforef^d Affembly had 150^{ls} of tob^{co} ꝑ Day for Each member w^{ch} the Affembly ufually Continuing 3 or 4 weeks did arife to great Sums of tob^{co} to the great burthen and grieffe of us his Ma^{ties} poore Subjects

Wee moft humbly pray that for the future the burgeffes Sallary may be moderated

(5) *Whereas* the aforf^d Affembly did ufually give to Severall Gentlemen (for what Service we know not) very great Sums of tob^{co} w^{ch} together wth y^e publique necessary Charge did Raife the Leavy to a great and Exceffive heith

Wee Considering Such liberality to be uncharitablenefs to our Selves w^{ch} by its greatnefs grows oppreffive, doe moft humbly pray y^t for y^e future the Affembly will be more Sparing In their Gifts.

(6) *Whereas* publique undertakings (whether buildings or fortifications) although Exceffive Chargeable, Either through the Inability or negligence of the undertakers have been (after the tob^{co} paide) Either left unfinished or moft Infufficiently donne as to their designed ufe to the great and Irreparable dammage, los, and Griefe of his Ma^{ties} Subjects.

Wee moft humbly pray y^t for the future y^e Affembly will appoint able, Carefull and honeft perfons for y^e due performance of w^t they Shall Injoyne

(7) *Whereas* y^e aforef^d Affembly did Leavy 60^l of tob^{co} ꝑ poll for two yeares together (we being not fenfible of any advantage to the Country by it) did Soe heithen y^e Leavy y^t poore people did Sinke under their burthens not being able to pay their great taxes & utterly difpairing of any Release from their grievous burthens and taxes for y^e future have been a long time much difconted and Grieved: but being Informed by y^e Hon^{ble} Coll fra: *Morryfon* Esq^r one of his Ma^{ties} Hon^{ble} Corniffioners for Grievances y^t his Moft Gracious Ma^{ty} hath been Gratioufly pleased to Returne us our money againe by the Hon^{ble} M^r Secretary *ludwell*. our Grieved and oppreffd harts are Exceedingly Rejoyced and Inlivened & we yeald his Moft Gracious Ma^{ty} all poffible humble and harty thanks for his moft Royall bounty and Compaffion moft humbly praying y^t y^e S^d M^r Secretary may give a Juft Acc^t (of w^t money is due to the Country In his hands) to the Affembly who are desired to difpofe of it Soe y^t y^e people may be Eafed and y^e Country benifitted.

(8) *Whereas* there yearly Came a great publique leavy from *James Citty* wee never knew for what to the great Griefe and diffatisfaction of y^e poore upon whose Shoulders y^e leavy Cheifly lay

Wee moft humbly pray that for y^e future y^e Collectors of y^e Leavy (who Inftead of Satisfaction were wont to give Churlifh Answers) may be oblidged to give An Account In writing what y^e leavy is for to any y^t Shall desire it

(9) *Whereas* 40^{ls} or 50^{ls} of tob^{co} ꝑ poll was formerly Accounted a great Leavy, when there were fewer tythables In y^e Country; our taxes for thefe many yeares have been Soe Exceffive high (Sometimes Exceeding 200^{ls} of tob^{co} ꝑ poll, and the Country noe wayes vifibly advantaged) that Severall ꝑifons not being able to pay their great taxes have deferted his Ma^{ties} Collony by Removeing Into the Southard and Elfewhere.

Wee moft humbly pray that y^e Affembly and our County Court would take all poffible Care for y^e future to Eafe us his M^{ties} poore Subjects of our great burthens and taxes.

(10) *Whereas* y^e 2^s ꝑ hh Impofed ꝑ y^e 128th Act of Affembly, for y^e payment of his Ma^{ties} officers, and y^e Eafement of his Ma^{ties} poore Subjects from their burthenfum and unequal taxes by y^e poll; hath not hitherto produced its moft wifhed effects, our leavys being very farr greater Since than before y^e S^d Impofition

Wee moft humbly pray that y^e Collectors of y^e S^d Impofition may be oblidged to give a Juft Account thereof to y^e Affembly, who are moft Earneftly desired to difpofe of y^e Same for y^e Countrys beft advantage

(11) That notwithstanding y^e great quantities of Amunition p^d for Caftle dueties ꝑ Ships; for y^e maintenance of a publique Magazin; yett upon aney aprehenfions of danger (Either by forraine or our barbarous Enymies) the Country hath been found Soe diftitute

difficultie of Amunition, that it hath been Incapable of any good defence, to y^e greate amazement, terror, and diftraction of y^e Inhabitants

Wee most humbly pray y^e y^e Collectors of y^e S^d duties may give a Just Account of them to this p^resent Affembly, who wee desire to take great Care for the futur that there be (upon all occations and at all times) A Sufficient Magazin of Amunition for the defence of his Ma^{ties} Collony.

(12) *Whereas* wee have been Ready upon all occations to Serve his Ma^{ty} In the defence of his Ma^{ties} Collony upon our owne Expence without pay

Wee most humbly pray that our Commanders, (who are farr better able to Serve wthout pay) may not be p^d by us (as formerly) who were In the Same Service wth them.

(13) *Whereas* Amerciaments upon A^{ct}ions of Deb^t hath been found very grievous and burthenfom poore debt^{rs} not being able to hinder their too Rigiuous Creditors from takeing the benefitt of the law.

Wee most humbly pray y^e for the future y^e S^d Amerciaments may be taken off.

(14) *Whereas* by y^e Rigiuous proceedings of Some Rigid and Spitefull Credit^r debt of 200^l of tob^{co} hath beene Raifed to a weighty ht, to y^e greate oppreffion of y^e poore debtor but y^e gaine of Clerks and Sheriffs

Wee most humbly pray y^e y^e Courts may take Cogni^{ca}nce of noe debt under 450 of tob^{co} but y^e a Justice of y^e peace may be Impowerd to decide any Controversy of y^e vallew.

(15) *Whereas* y^e ordinary Keepers Exceffive Rates for drinke hath been fownd by too fad Experience to have much Impoverished y^e Inhabitants of this Collony

Wee desire y^e their Rates may be moderated and their numerous quantity Suppreft.

(16) *Whereas* Contrary to y^e laws of *England* and this Countrey Severall p^risons have Exercifed the office of high Sheriff 2 yeares (and under Sherriffs have Continued 3 or 4 yeares) together, and after they have beene out a yeare or two have again obtained y^e place of high Sheriff

Wee most humbly pray y^e for y^e future noe p^rison Continue Sheriff above one yeare, and y^e y^e Justices may Exercife y^e office of high Sheriff Successively as they hould their places In Commiffion.

(17) *Whereas* y^e Affembly hath ascertained but Some fees and left y^e Rest to y^e breaft of y^e County Courts, by w^{ch} meanes Sheriffs and Clerks doe often take an advantage to Exact upon Ignorant p^risons; pretending that y^e Court hath formerly allowed it

Wee most humbly pray y^e for y^e future all Sheriffs and Clerks fees may be ascertained and a greate penalty be laide upon Such as Shall Exact [more]

(18) *Whereas* it hath been y^e Custome of our Clerks (by forcing their Service to Exact 3 p^r Cent for Inventoring dead mens Eftates, w^{ch} together wth their other (oppreffive) fees, doe Carry away Soe great a part of y^e Eftate y^e there oftimes Remaines not Enough to pay other Just debts

Wee most humbly pray y^e for y^e future we may not be oblidge to make use of their dear-bought Service.

(19) *Whereas* it hath been y^e Customary use of y^e S^d Clerks to take quarter Court fees for an A^{ct}ion of debt being or Exceeding 600^l of tob^{co} Alledging that they have a Commiffion from y^e Hon^{ble} M^r Secretary Soe to doe

Wee most humbly pray that for the future Any Clerke Exact^g as afor^d upon any Such pretended Comffion may be Severly fined.

(20) *Whereas* by vertue of y^e Right Hon^{ble} Governours Warrent our tob^{co} (although formerly) due hath been Seazed for traiding and Recieveing, Contrary to his Hon^{rs} proclamations prohibiting the Same, w^{ch} proclamations not being ever published or Seene by us

Wee In all Humility desir y^e all tob^{co} Seazed as afor^d may be Released

(21) *Whereas* In Obedience to Last *June* Affembly wee did Supply the late Rebell *Nat: Bacon* Junior with men, Armes, Amunition, and provifions towards the profecution of y^e Indian warr (which wee were oblidge to doe upon a very great penalty) the hon^{ble} Governor not Contradicting it) to our very great Los and dammage.

Wee humbly pray that as wee expect noe Redrefs for our damages already Rec^d for our obedience to y^e S^d Affembly Soe that Affembly may not Increase our Suffring by being further Chargeable to us.

ORDERS OF A GRAND ASSEMBLIE

Begunne at the *Middleplantation* at the house of Cap^t *Otho Thorpe* the tenth day of *October: Anno 1677:*

WHEREAS Severall persons concerned in the late horrid Rebellion doe for feare of due punishment abide and lye out in the woods on the Southside of *James River* and Coll^o *Joseph Bridger* propofeing that it was convenient, That some Course be taken for the bringing of them in, *It is therefore hereby Ordered* that all such persons as lye out as aforesd that will come in to some of his Ma^{ties} Justices of the peace and take the oath of Obedience, and giue securitie for their well abearing within twenty dayes after the publication hereof, shall haue the full benefitt of the Kings Ma^{ties} gracious Proclamaçon of pardon, and the act of indemnitie and free pardon made the last Assembly but in case those outlyers or any of them shall refuse, and not come in within the time aboue mentioned y^t then all and every his Ma^{ties} good Subjects and Leige people, are hereby required and it shall be lawfull for any person, or persons to feize and apprehend, or in case of resistance to kill any of the sd Outlayers and them or any of them to bring in dead or alive, and for his or their encouragement who shall foe apprehend and bring in dead or alive any of the sd outlyers, shall receive and be paid by the publike for every person foe brought in five thousand pounds of Tobacco.

A Petition being presented to this Assembly intituled the Grievances of *Surry County*, in behalfe of themselves and divers others, and subscribed by severall persons some of the cheife of them appeareing personally, and the matter at large enquired into, the paper or peticon is adjudged to be highly Scandalous and notoriously injurious to the Justices of *Surry County* and to the Jurie therein meant, *It is therefore Ordered*, That each Subscriber thereof *viz^t Richard Atkins, Robert Burges, Richard Browne, John Arnemonger, John Rogers, William Symmons, Addam Heath, Edward Green, John Clemons & John Immers* be fined four hundred pounds of Tobacco and Caske to the use of the Countie, and acknowledge their fault two severall Courts holden for *Surry County*, and giue securitie for their future good behaviour and whensoever the writer of the sd paper shall be discovered and made knowne he shall be fined four hundred pounds of tobacco and Casque to the use of the Countie aforesd, and make such acknowledgment, and give such securitie as is enjoyned the Signers thereof, All which sd fines in Tobacco is Suspended from being levied untill the next yeare.

Vpon the propofall of M^r Secretary *Ludwell* Shewing his willingness to accept of money for his Tobac^o due in the publike after the rate of eight Shillings $\frac{7}{8}$ Cent. *It is Ordered* That he be allowed money at the sd rate for thirty thousand eight hundred pounds of tobacco due to him from the Country.

Ordered That one hundred pounds *Sterling* out of the monies due to the Country from M^{rs} *Eliz: Diggs* this present yeare be paid by M^r Auditor when received to the hono^{ble} Sr *Henry Chichley* Kn^t as a present from this house, which they humbly Pray he will please to accept:

Whereas a writing consisting of three Sheetes of paper intituled the humble Remonstrance and address of the inhabitants of *Charles Citty County* was read in the house and the same being adjudged to be highly Scandalous and injurious, not onely to the late hon^{ble} Govern^r Sr *William Berkley* Kn^t but to y^e hon^{ble} Councill of State, to the whole house of Burgeffes, and to the whole Government and Majestracie of this Colony, and consequently extreame abusieue to his Ma^{ties} hon^{ble} Commiçoners to whom they were

were delivered to present to his Sacred Ma^{ty} *It is therefore Ordered* That the Assembly doe purge themselves by putting forth Some Instrument of Justification, and that whensoever the author or wrighter of the sd Scandalous paper shall be found and made knowne, That he or they be punished for the same according to his or their demeritts, which sd Remonfrance was brought into the house by Coll *Edward Hill*.

The Queen of *Pomunkie* by her petition desiring that shee might confirme some Lands by her sold to severall of the *english*, for which shee alleaded to have received certaine payments in part thereof, *It is Ordered* that because it is not consistant with the Lawes of this Country nor with the publique good and Safety of this his Ma^{ties} Collony and the inhabitants therein to permitt such graunts, that therefore all persons whatsoever that have bought any Land of the Queen of *Pomunkie* contrary to Lawe or that doe pretend a Right to any Land appertaining to the sd Queen be and is hereby required to appeare the next Assembly to make good their Claimes, and whomsoever shall not then appeare to make out y^r claimes as aforesd, shall wholly loose the benefitt of any such Claime title or interest, or of any payments made in consideration of any such Lands as aforesd, and these matters be referred untill the next Assembly untill when noe person shall molest or have any proceedings against the Queen.

It is Ordered That the R^t Honourable the Govern^r be presented with two hundred pounds *Sterling*, as a token of thankfullness to his hon^r from this house.

Ordered That Coppies of his Majesties most gracious letter of pardon be drawne out and sent to every County of *Virginia* there to be published, And that M^r *Secretary* be desired to attest the s^d Coppies

His Majestie and the Lords of his Honourable Councill their order bearing date at the Court at *Whitehall* the thirteenth of *July* 1677. being read, most seriously weighed, considered and debated *It is Ordered* by this present Grand Assembly, and the authoritie thereof, That the Assembly begunne at *Green Spring* the 20th of *February* 1676 / 7 be declared to be and was legally called and freely elected, And that the Countries mony in *England* then Ordered to be paid away was for the great ease and peculiar benefitt of the Country: *And it is further Ordered* that a perticular acco^t for what the moneys was raised, bee fairly drawne out of the Assemblies bookes, and delivered to M^r *Secretary Ludwell* to be transmitted to the R^t hon^{ble} M^r *Secretary Coventry* one of his Majesties principall Secretaries of State. And that his hon^r be humbly desired to Communicate the same to the R^t honourable the Lords of the Committee of trade, and that an humble address be made to his Majestie for the Revoaking the sd Order

And it is further hereby Ordered, That *Robert Beverley* Clerke of the Assembly doe drawe bills of exchange first to pay the monies ordered and drawne the last Assembly upon producing the former bills, yett unfent away, which were drawne and delivered by Order of the last Assembly or upon produceing and delivering up the protests of such as have bin sent and then the monies ordered to be paid this Assembly, soe far as there is any of the Countries money in the hands of M^r *Secretary Ludwell* or Coll^o *Daniell Parke* Treasurers for *Virginia*, or in the hands of M^r *Gaiven Corbin* or such other person or persons in whose hands the same is deposited; which bills shall be drawne with condition that the Order of the King in Councill be revoaked

The accounts and negotiacons of M^r *Secretary Ludwell* as treasurer and Agent for *Virginia* haueing bin duely and thorowly weighed considered and debated and found to be legall, just faithfull & greatly serviceable to this his Majesties Countrey; And it being taken notice off that some ill disposed persons have endeavoured to asperse his hon^r in the said trust and negotiation, *It is therefore Ordered* That M^r *Secretary Ludwell* be publicquely Justified as haueing well performed and duly rendred account of his sd Trust and negotiation, and that he haue all due Redrefs against those persons soe aspersing and villifying of him:

Vpon the Claime made by the Lady *frances Berkeley* Widdow and Relict of the R^t hon^{ble} S^r *William Berkeley* Kn^t late Govern^r &c: of this his Ma^{ties} Collony for the Remaineing Sallaries due and yett unpaid to her sd husband. *It is Ordered* that shee be paid

paid forthwith by M^r Auditor from the arrivall of S^r William Berkeley in Novemb^r untill the tenth day of February at which time the present Govern^r arived And for the Remainder of her Ladyships Claime, it is referred to his Majesties order and decission. And Such moneyes as shall foe be ordered by his Ma^{ty} to be paid unto her Ladyshipp that the same be paid by M^r Auditor:

Ordered That such bills of exchange as shall by order of this Assembly be drawne by Robert Beverley Clerke of the Assembly for Satisfaction and payment of the Countries debts according to the severall Orders of the last and this present Assembly be punctually accepted and paid according to the Tenour thereof, And in case they shall be returned protested for non acceptance and non payment, that fifteen p Cent dammages be paid thereon according to the Lawes of this Country with cofts of Suite and cofts of the protest.

Ordered, That Coll^o Nathaniell Bacon Auditor Generall, or such sufficient Deputy as he shall appoint be and is hereby impowered to demand sue for, recover, and receive and upon receipt to acquitt, and discharge in the name of the Grand Assembly all such monies as is due from any person or persons whatsoever to the publique upon protested bills of exchange passed and given for and in consideration of the fifty p pole Anno 1674. & 1675. together with all cofts and dammages thereon due according to Lawe as in Case of protests, and to be answerable for the first principall Summes thereof to the Grand Assembly, and pay the same as is already ordered, or shall at any time hereafter be Ordered by the Grand Assembly And for his paines trouble and care therein to take to himselfe or s^d Deputy all dammages thereon accruing according to Lawe.

And it is hereby further Ordered That the s^d Nathaniell Bacone Auditor or his appointed Deputy be and is hereby impowered to call to account all such undertakers and others who received and disposed the afforesd tobaccoes and haue not yet remitted the whole Summe or Summes of money due thereon, or for the same, and what shall appeare unpaid for into the hands of Thomas Ludwell Esq^r or Coll^o Daniell Parke Treasurers, or their or either of their orders that hee the s^d Nathaniell Bacon Auditor or his s^d Deputy doe demand sue for recover and receive the same in the name and to the use of the Grand Assembly, & upon receipt to acquit and discharge the same for which he is alsoe to be accountable to the Grand Assembly and to pay the same according as they already haue ordered or hereafter shall order for which he shall be paid and allowed upon perfecting accounts thereof the usuall Sallary paid and given in such cases.

Ordered That Maj^r John Page and Cap^t Otho Thorpe be impowered and appointed, and they are hereby impowered and appointed to receive from the R^t hon^{ble} the Govern^r such armes and ammunition as hath been sent into this Country by his Ma^{ty} for the Countries use, and to giue receipt for such as his hon^r shall please to deliver to them, upon which receipt M^r Auditor is hereby impowered and ordered to remitt foe much money to the Lord Treasurer of England as the price of such armes and ammunition shall amount to which his hon^r shall please to make delivery: All which armes and ammunition the s^d Maj^r John Page and Cap^t Otho Thorpe are hereby Ordered Safely to secure untill they shall Receive further order and Comands about the same, *And M^r Auditor is hereby further Ordered* to remitt monies to the Lord Treasurer for payment of the twelve thousand pounds of Leaden Shott received by the Countrey, out of his Ma^{ties} Ketch Depthford the last Assembly, which s^d moneys is to be remitted by M^r Auditor foe soone as he shall haue foe much in bank.

Ordered That the Charge of makeing a Sufficient Ditch about the Magazeen, and alsoe of transporting provisions to the head of James River to his Majesties Soldiers be borne by the publique, & alsoe what other necessary Charges shall accrue thereon

Ordered, That one hundred and tenn pounds of Tobacco p pole be levied this yeare upon the people for the defraying the Publique Charge.

ATT A GRAND ASSEMBLY

Beginning at *James Citty* the 25th *Aprill*, Anno Dni 1679,
Annoq. R. Rs. Car. Scdi XXXI.

WHEREAS diverse complaints have been made to the grand assembly of many greate and greivous exorbitant fees exacted and taken by severall clerks of county courts to the oppression and wrong of his majesties leige people of this colony, and this assembly haveing taken it into their serious consideration how the same may the best be prevented for the tyme to come. *It is hereby ordered* that the consideration and redresse of the said complaints stand referred to the next assembly, and to the end that all fees to be demanded or taken by any clerke for the tyme to come, may be ascertained by law and knowne to all people residing in this colony, that the severall clerkes of county courts or some certaine number of them more or lesse doe prepare and fitt a certaine lyft or schedule of fees not yet already ascertained by law, and present the same to the honourable Secretary for his allowance and approbation, and the same soe ascertained by Mr. *Secretary*, to be presented to the grand assembly in the beginning of the next assembly to the end they may be considered of, and as approved of ascertained by law to be demanded and taken as just fees, which will prevent all such complaints and greivances for the tyme to come.

There being a proposition brought to this grand assembly about clearing the rivers neare the heads thereof from loggs and trees for the better and more securing the passing of sloopes and boates loaden with merchants goods or tobaccos, that this declaratory order be made thereon; *And it is hereby ordered and declared by this present grand assembly* that whatsoever county finds it needfull within the bounds and precincts of their respective counties to cleare the rivers from loggs and trees, which may annoy and endanger boates, and sloopes, such counties by vertue of a by law to be made by themselves may appoint and command the same to be done in such manner, and by such wayes as they shall judge most fitt.

Ordered that all claims from the publike made this present grand assembly stand referred to the next assembly, and what proceedings have beene made this present assembly in the committee of claimes be null and voyd, and that all petitions and claimes presented to this assembly be returned to the burgeses and partyes to whome they belong if they make demand of the same.

Robert Liny haveing complained to this grand assembly, that whereas he had cleared a ffishing place in the river against his owne land to his greate cost and charge supporting the right thereof in himselfe by vertue of his pattents, yett neverthelesse severall persons have frequently obstructed him in his just privilege of ffishing there, and in despight of him came upon his land and hale their sceanes on shore to his great prejudice, aleadging that the water was the kings majesties, and not by him granted away in any pattent, and therefore equally free to all his majesties subjects to ffish in and hale their sceanes on shore, and praying for releife therein by a declaratory order of this grand assembly; *it is ordered and declared by this grand assembly* that every mans right by vertue of his pattent extends into the rivers or creekes soe farre as low water marke, and it is a priviledge granted to him in and by his pattent, and that therefore noe person ought to come and ffish there above low water marke or hale their sceanes on shoare (without leave first obtained) under the hazard of committing a trespasse, for which he is sueable by law.

Forasmuch as Henry Randolph, late clerk of the assembly was by an act of the grand assembly made at *James Citty* the 23d day of *March*, 1662, appointed and made sole notary

tary

tary publique for this colony, in which office and trust he continued untill the yeare 1678, when he dyed, and forasmuch as *Thomas Ludwell*, Esq. succeeded the said place and office, who is also dead, and there being at present none other person appointed and impowered to execute the said office, and *Robert Beverley* clarke of the assembly having bene offered to this grand assembly and adjudged a fitt person for the said trust, place and office; *It is therefore ordered* that the said *Robert Beverley*, clerke of the assembly be appointed, sworne and fully authorized and impowred and is hereby authorized and impowred to use, exercise and performe the office and place of sole notary publique, for and of this his majesties colony of *Virginia*. *And it is further ordered* that for the ease and convenience of the inhabitants of this colony in generall, and all other trading hither, he be inabled and impowred, and he is hereby fully enabled and impowred to depute certaine discreet and sufficient persons throughout this colony to officiate as deputy or deputyes under him, and as such to use and exercise said office and place of notary publique, for which places and within such lymitts and precincts as he the said *Robert Beverley* appoint, to whose protestations, attestations and other instruments of publications as alsoe of those persons by him deputed and sworne as afore said at home and abroad, wee desire all credence may be given.

[From the *Virginia Magazine of History and Biography*, XIV, 359.]

May it Please your most exc't Ma'ty.

THE late intestine divisions of this your Majesties Colony of *Virginia* together with the charge of tedious warr with the Indians who dayly make incursions, and sometimes murders upon us, have reduced us to a poore and distressed estate, and enforced us to interrupt your Majesties more Weighty affaires with this our humble Supplication in behalfe of your Ma'ties Soldiers and our selves, the first of which we have out of the Small Remnants of our Stock furnisht with what necessary for a twelve moneth past, and as in duty bound shall continue our care towards them till yo'r Maj'tie shall be pleased to Commiserate both our Conditions, and in regard of the great losses we have of late sustained we hope your Royall goodnes will pardon our Requests for Remission of all arreares of quitrents due to your Sacred Majestie; and for supply of the excessive charge we must necessarily undergoe in defence of our Frontieres, that for such time as yo'r Royall wifdome shall allowe, the same be to that use appropriated.

That yo'r Ma'ty may be protected by the King of Kings from all temporall and Spirituall enimyes and Reigne long in peace and prosperity, are the incessant prayers of,
Your Ma'ties Most humble and most

obedient Subjects & Serv'ts.

Virgin'a the 17th *May*, 1679.

JOURNAL
OF THE
HOUSE OF BURGESSSES
ATT A
GEN^{RL} ASSEMBLY

Begunne at *James Citty* at the house of Mrs. *Susanne
ffisher* the 8th day of *June* 1680



RICHMOND, VIRGINIA.

MCMXIV.

ATT A GEN^{RL}L ASSEMBLY

Begunne at *James Citty* at the house of M^{rs} *Susanna ffisher* the
8th day of *June* 1680

SEUERALL of the Burgeffes Conven'd at the f^d house & *Ordered* one of the
Writts for Election of Burgeffes to be read.

The Writt directed to the high Sheriffe of *Stafford* was read.

The Seu^{rl} Burgeffes Mett appoint Coll. *Math. Kemp* Coll. *Joⁿ Page* Coll. *W^m Bird* and L^t Coll. *Joⁿ Burnham* to acquaint his Excellencie that the Burgeffes were
mett & waited his Lordf^s pleasure.

They bring answ^r that the Burgeffes should repaire into the Court house

His Lordf^p Sends word he is in the Court house and desires the Burgeffes attendance

The Burgeffes return from his Lordf^p and appoint to meet to morrow at Eight
o clock in the Morning

Die Merc the 9th *June*.

THE Burgeffes Conveen

They call over the names of the Burgeffes return'd

It is propos'd that Coll *Tho: Ballard*, Coll. *Math. Kemp*, & Majo^r *Ifaac Allerton* be Nominated for choyce which shall be Speaker

Coll *Ballard* } Coll. *Ballard* made choyce of, by two voyces being 15 for
Coll. *Kemp* } Coll. *Ballard* & 13. for Coll. *Kemp*.

It being propos'd for Coll. *Ballard* or Majo^r *Allerton*, is agreed for Col *Ballard*

M^r *Speaker* takes the Chayre

The Burgeffes rise and depart

The Burgeffes Convene. Coll. *Kemp*, Coll. *Page*, & Majo^r *Allerton* are by the
rest of the Burgeffes requested to waite vpon his Excellencie and acquaint him with
their being mett together & choyce of a Speaker and pray to know when his Lordf^p
will please they shall present him for his Lordf^s allowance and approbacon

His Lordf^p returns answ^r he will first goe to Church, and that after prayers the
Burgeffes being mett he will Signifie his pleasure to them

The Burgeffes rise & goe to Church. They againe Convene, & goe together to
present M^r *Speaker* to his Excellencie.

His Excellencie approves of & confirms the Speaker, & opens y^e Aff^{mbl}y by a Speech¹

The Burgeffes returne to the house. M^r *Speaker* takes the chayre and the house
adjournes to the beating of the Drum in y^e afternoone.

Die Merc June y^e 9th 1680 Post Merd

THE house mett & called ouer

Coll *White* Majo^r *Armsteed* & Majo^r *Swann* are appointed by the house
to request his Excellencie to appoint Cuncello^rs for giueing the Oathes to
the Respectiue Burgeffes.

To his Excellencie *Tho: Lord Culpeper &c.*

The house of Burgeffes humbly p^rsent

That

¹ This speech was omitted from the copy of the Journal sent to *England*. It will be found, however, on page 147 of this volume.

That they haue of long time been well knowing of the Loyalty faithfulness & good abilities of *Robert Beuerley* their Clerk and humbly pray yo^r Lord^{sh} will please that he be continued and accordingly fworne by those most worthy Gentlemen of the Councell appointed to Sweare the Respective Burgeffes.

& as in all duety bound they shall ever pray &c.

Tho: Ballard Speaker

The aboue petition was Sent to his Lord^{sh}.
by Coll. *Math: Kemp* & M^r *Tho: Barber*.

The Seuerall Burgeffes here vnder named were Sworne by Coll *Niccolas Spencer* Secretary & Coll. *W^m Cole* of the Councell & tooke the Seuerall Oathes of Allegiance Sup^rmacie & of a Burgeffes.

Coll *Thomas Ballard* Speaker.

Coll. <i>W^m Bird.</i>	M ^r <i>Thomas Wythe.</i>	Coll <i>Geo: Mafon</i>
L ^t Coll. <i>Joⁿ ffarrer</i>	M ^r <i>Ed: Mihill</i>	M ^r <i>W^m ffitzhugh</i>
M ^r <i>James Minge.</i>	Coll <i>Lcm: Mafon</i>	L ^t Coll. <i>W^m Peirce</i>
M ^r <i>James Bifs</i>	Majo ^r <i>Anth: Lawfon</i>	Majo ^r <i>Ifaac Allerton</i>
Majo ^r <i>Sam^l Swan</i>	Coll. <i>John Page</i>	M ^r <i>W^m Preffley</i>
M ^r <i>Benj^s Harrifon</i>	M ^r <i>Tho: Barber</i>	fworne—
L ^t Coll. <i>W^m White</i>	M ^r <i>Charles Turner</i>	y ^e 10: <i>June</i> Coll. <i>S^t Leiger Codd</i>
M ^r <i>Tho: Taberer</i>	Coll <i>Math. Kemp</i>	y ^e 11 th {
M ^r <i>Tho: Pitt</i>	Majo ^r <i>Joⁿ Armsteed</i>	
M ^r <i>Henry Mills</i>	Coll. <i>John Burnham</i>	L ^t Coll. <i>W^m Waters</i>
M ^r <i>John Speir</i>	M ^r <i>Abra:Weekes</i>	Cap ^t <i>W^m Whittington</i>
Cap ^t <i>John Langhorne</i>	Majo ^r <i>W^m Lloyd</i>	y ^e 16 th Majo ^r <i>Charls Scarburgh</i>
Cap ^t <i>Rich: Whittaker</i>	Cap ^t <i>Tho: Gouldman</i>	L ^t Coll. <i>Joⁿ West</i>
		y ^e 17 th Majo ^r <i>Geo: Morris</i>
		y ^e 22 ^d Cap ^t <i>David fox</i>

Die Merc. June y^e 9th 1680. Post Mer.

HIS Lord^{sh} returned his Assent to *Rob^t Beuerleys* being Sworne Clerk.

Robert Beuerley takes the Oathes of Allegiance & Sup^rmacie & of Clerk of Asssembly in those following words and is Sworne by M^r Secretary *Spencer* and Coll *W^m Cole*, who alsoe gaue y^e Burgeffes Oath in those following words.

The Burgeffes Oath.

You shall Sweare vpon the holy Evangelists and in the Sight of God as a Burgeffes of this Asssembly that to all things proposed you shall deliver yo^r Opinion, faithfully, iustly, and honestly, according to yo^r best vnderstanding and conscience for y^e Gen^l good and prosperitie of this Countrey and every p^ticular member thereof, And to doe yo^r Endeavo^r to profecute that without Mingling therewith any p^ticular intrest of any person or persons whatsoever.

Soe help you God.

The Clerk of the Asssemblies Oath.

You shall Sweare vpon the holy Evangelists of Almighty God, Well faithfully & truely to Execute and p^rforme the office & trust of Clerke of this Asssembly to the vtmost of yo^r Skill judgment and vnderstanding. The Secretts of this house you shall not disclose.

Soe help you God

His Excellencie Sent to the house his Majesties letter dated the 5th Decm^{br} 16⁹ w^{ch} was forthwith read in the house.

Alsoe three Seuerall bills, Intituled *viz—*

An Act of free & Gen^l pardon Indempnitie & oblivion

An Act for Naturalizacon

An Act for Raifeing a pub^l Revenue for better Support of the Government of his Majes^{ty} Colonie of Virginia. All w^{ch} were deliuered by M^r Secretary & Coll *Cole*

All which were read in the house.

A Coꝛmitte appointed and Sent out to Examine the Writts

Coll. *John Page* Chayreman.

Majo^r *John Armfteed*

Majo^r *Lloyd*

Majo^r *Sam^l Swanne*

Cap^t *John Langhorne*

L^t Coll. *John ffarrer*

M^r *W^m Bolton* is appointed Clerke to this Coꝛmitte.

M^r *Robert Bradley* his petition to be one of the Clerks of the Coꝛmitte read in the houle and he appointed to be Clerke in the abſence of M^r *W^m Randolph*.

The houle adjournes to the 3^d Drum tomorrow morning.

Die Jovis, the 10th June 1680.

THE houle mett & called over

The Orders of the houle read

M^r *Benja: Harrifon* & M^r *James Bifs* Sent by the houle to request Coll *Spencer* & Coll *Cole* to Swear thofe Burgeffes lately come.

Coll *S^t Leiger Codd* is Sworne.

The Report of the Coꝛmitte for Examinaçon of Writts return'd, read in y^e houle voted imperfect, and the Coꝛmitte Sent forth to bring a more ꝑfect report.

The Queſtion put. Whether M^r *John Langfton* return'd a Burgefs Elected for *New Kent* County, by reaſon of the Lawes of this Countrey, and his Majeſties preſent Exception againſt him, be capable of Serueing as a Burgefs in this houle Or Not.

Reſolu'd that he is not capable of Serueing as a Burgefs.

M^r *John Langfton* Sent for to the houle and the Reſolue of the houle read to him and he then bidd to depart the houle.

Ordered that an Addreſs be made to his Excellencie for the iſſueing New Writts for the Election of One Burgefs for *New Kent* Countie in the ſtead of M^r *John Langfton* who is found by the Law & his Majeſties Exception incapacitated to ſerue. Alſoe for a New Writt for *Lancaſter* Countie, They haueing made choyce of Coll. *S^t Leiger Codd* for their Burgefs, who before that was Elected for *Northumberl^d* Countie and hath declared in the houle to Serue for that Countie

The Report of the Coꝛmitte for Examinaçon of the returne of Writts, brought to the houle, and read and allow'd in thofe following words.

Wee of the Coꝛmitte doe finde M^r *W^m Sheerwood* in the Return of the Writts to be duely Elected & returned. And whereas Coꝛmon fame hath aſperſed him to be Conviçt of felonie (if he be found culpable) the Law of this Colonie hath made him vncapable to Sitt in the houle of Burgeffes.

Propoſed by the houle that a Meſſage of thankes be return'd from this houle to his Excellencie of *Virg^{ma}* for thofe great demonſtraçons of his Excellencies care for the good of this Countrey whil'ft his Excellencie remain'd in *Engl^d* and alſoe for thofe Noble propoſalls his Excellencie was pleas'd to make in his late Speech & charge to the houle of Burgeffes, Exprefſing his Lordſhipps free, good, and great intentions for the future good of this his Majeſties Countrey, and the Severall inhabitants thereof. And this houle humbly pray his Excellencie will pleaſe to favo^r them with a Copie of the heads of that his Lordſ^{ps} moſt Noble Specch and charge, to the End they may the better know with all ready Submiſſion to obſerue and purſue the ſame, and to the end the ſame may be imparted in their reſpective Counties w^{ch} they humbly Suppoſe will be for the Gen^l good, and Satisfaction of the Inhabitants thereof.

The above Meſſage Sent by Coll *Kemp*, Coll. *Codd*, Coll *Burnham*, Majo^r *Allerton*, Majo^r *Lawſon*, & M^r *Mills*.

A Coꝛmitte appointed for Conſideration of Propoſitions.

Majo^r *Iſaac Allerton* Chayreman.

Coll. *Mathew Kemp*.

M^r *Henry Mills*

Coll. *John Page*

Majo^r *W^m Lloyd*

M^r *Charles Turner*

Majo^r *Sam^l Swanne*

Coll. *S^t Leiger Codd*

M^r *William ffitzhugh*.

Cap^t

Cap^t *W^m Archer* appointed Clerk of this Co^mitte, refuses

M^r *Richard Auborne* appointed Clerk.

Coll. *S^t Leiger Codd* being demanded of by the house which of the two Counties he made choyce to serue for being return'd Elected Burgefs for *Northumberl^d* County and *Lancafter* County, made choyce and answ^r he would serue for *Northumberland* County.

A Co^mitte appointed for Examina^on of pub^l debts & claimes.

L^t Coll *John Burnham*, Chayreman.

L^t Coll. *William White*

Majo^r *Anthony Lawson*

M^r *John Langhorne*

M^r *Tho: Taberrer*

M^r *W^m Preffley*

Majo^r *Richard Whittaker*

Coll. *Le^muell Mafon*

M^r *Tho: Barber*

Cap^t *Thomas Gouldman*

Coll. *George Mafon*.

M^r *James Minge*.

M^r *W^m Bolton* appointed Clerk of this Co^mitte.

All Perfons that haue any propofitions or Grievances to present to this Gen^l Assembly are to present them to the house by *tuesday* Night or to be Excluded for this present Sess^on.

This house adjournes vntill the Drum beates in the afternoone.

Die Jovis. Post Merid. y^e 10th of June. 1680.

YE house mett & called over.

A Co^mitte appointed to Examine run-away Certificates.

Majo^r *John Armsteed* Chayreman.

L^t Coll. *John ffarer*

M^r *Edward Myhill*

M^r *James Bifs*

M^r *John Spier*

L^t Coll. *W^m Pierce*.

M^r *Robert Bradley* is appointed Clerke of this Co^mitte.

The Queftion put whether an addrefs fhall be made to his Excellencie of *Virg^{no}* to affigne Councell to be joyn'd with the Severall Co^mitte's appointed Or Not.

Refolv'd in the Negatiue

The Queftion put fhall the Vote for Noe addrefs for Councell to be joyn'd with the Co^mitte's be Sent to his Excellency or Not.

Refolv'd in the Negative.

Eliz: Citty County Grievances read in the house and refer'd to y^e Co^mitte of Propofitions.

Warwick County Grievances read in the house and refer'd to the Co^mitte of Propofitions.

The house adjournes vntill to morrow the 3^d drum

Die Ven. June y^e 11th 1680.

THE house mett & called over

M^r *Benja: Harrifon* & M^r *Tho: Wythe* are Sent to request M^r *Secretary* and Coll. *Cole* to fwear Some Burgeffes newly come to Towne.

L^t Coll. *W^m Waters* and Cap^t *W^m Whittington* tooke the Oathes of Allegiance & Sup^rmacie and the Oath of a Burgefs w^{ch} was Adminiftred to them by M^r *Secretary Spencer* and Coll. *William Cole*.

It is propos'd by the house that an Addrefs be made to his Excellencie of *Virginia* to know his Excellencies pleafure about a Co^mitte for private caufes, the house Sup-
pofeing it will be noe hinderance of time.

A Report from the Com̄itte for Examinaçon of Grievances read in thofe following words.

It is the Opinion of this Com̄itte, that the houfe of Burgeffes joyne with y^e paffing his Majesties free and Gen^rl pardon into an Act with the amendm^t of the Misnomer *Langifter*, to *Langstone*

It is likewise the Opinion of this Com̄itte that the houfe of Burgeffes joyne with y^e paffing the Act for Naturalizaçon

It is the Opinion of this Com̄itte that the former Lawes confirmed by his Majesty concerning the imposition of the 2/^s ꝥ hh & Castle dueties be continued, it being most consonant to the p^resent State and condition of this his Majesties poore Countrey, and that the houfe doe most humbly desire to be Excused if they doe not give their approbaçon of his Majesties bill for the same.

The Petition of *John Langstone* to be taken out of the Exception in his Majesties bill read in the houfe. *Ordered* to be Endorsed thereon, That the houfe conceiues the petition ill timed, and that it will be more ꝥper for him to apply himselfe to any^r Affembly.

The houfe adjournes to y^e Drum beating in the afternoone.

Die Ven the 11th of *June*, 1680. *post Mer^d*

YHE houfe mett & called ouer

Ordered that a Note be put up at the Affembly houfe doore to giue notice that all private caufes depending in the Affembly by appeall are refer'd to the Next Affembly.

L^t Coll. *John Carter* tooke the Oathes of Allegiance and Sup^rmacie and y^e Oath of a Burgefs all which were administred to him by M^r Secretary *Spencer* & Coll. *W^m Cole*.

The houfe adjournes vntill the 3^d drum to morrow morning.

Die Satur. post Mer^d y^e 12th June. 1680.

THE houfe Mett & called ouer.

The Report from the Com̄itte for the Examinaçon of Grievances read in y^e houfe the second time

The bill of free & Gen^rl pardon pafst the Second time.

The bill for an Act of Naturalization pafst a Second time

A Vote. Shall the Report of the Com̄itte of Grievances concerning the bill Sent in by his Majesty for the im̄position of 2/^s ꝥ hh. & castle dueties be confirmed or Not *Resolu'd* in the affirmatiue by plurality of Voyces.

The Petition of *frances Lady Berkeley* read in the houfe about 300^l due, and *Ordered* to be read againe on *Munday* morning.

The Petition of the inhabitants of *black water* & *Curratack* read in the houfe and refer'd to y^e Com̄itte of Grievances.

Majo^r *John Armsteed* and M^r *W^m ffitzhugh* are sent by the houfe to acquaint his Excellency that this houfe hath nothing to offer to his Lordsh^p this afternoone.

The houfe adjournes to the 3^d drum *Munday* forenoone.

Die Mars y^e 15th June 1680.

THE houfe Mett & called ouer.

The Petition of M^r *Edw: Sanderson* read in the houfe & refer'd to be read when the Com̄ittes report comes into the houfe about claimes.

The Petition of the Vper parrish of *Stafford* County read in the houfe about y^e wounding of *Thomas Poore* and releife for the parrish disburfments vpon him

The

The Question, fhall the pub^l pay for the cure of the man mentioned in y^e Petition Or Not.

Resolu'd in the Negatiue.

The Petition of *W^m Chapman* read in the houle and therevpon *Ordered* that 2000^l of tobacco be this yeare levied & p^d to y^e f^d *W^m Chapman*, to the intent he may thereby be Enabled and fury'd in his passing for *England* to gett cure and if he fhall not pafs for *England* but ftay in the Countrey, that then after two yeares Expired he be henceforward paid one thoufand pounds of tobacco añually for his releife dureing his impotencie.

Ordered that all pub^l claimes or run-awai Certificates be brought to this houle by *friday* Night y^e 18th instant or not to be receiued dureing this Seffion.

The houle adjournes to the beating of the drum.

Die Merc the 16th *June* 1680.

THE houle Mett & called over.

The Petition of *Alice Harris* read in the houle.

The Question fhall there be any thing given her in Charity or not.

Resolu'd in the Negatiue.

James Wilkinfon Orphant of *James Wilkinfon* his petition read in the houle in thofe following words.

That yo^r petitioners father &c.

Ordered that y^e good Services & Sufferings of *James Wilkinfon* according as the petition truely Setts forth be put vpon record to the End Succeeding Affemblyes may confider the petitioner accordingly when he fhall come to full age.

The Petition of *John King* read in the houle.

The Queftion fhall *John King* be allow'd any thing for his p^tended Services as interpreter or Not.

Resolu'd in the Negatiue.

The propofitions of *Charles Citty* Burgeffes read in the houle & refer'd to the Comitte of Grievances.

Vpon the Petition of Coll. *Tho: Clayborne* for remoueall or Sale of Certaine Stray Horffes in his poffeffion 'tis *Ordered* by the houle that his Excellencie be made acquainted therewith, and humbly requested to Signifie his pleasure concerning the Same, there being an Act of Affembly declareing all Such Horffes vnclaimed fhall be Sold for the vfe of the publike.

Coll. *Codd*, Coll *Mafon*, & Majo^r *Armfteed* Sent with the aboue Meffage.

The houle adjourned to the Next Drum

Majo^r *Charles Scarburgh* and L^t Coll *John West* tooke the Oathes of Allegiance and Sup^macie, and the Oath of a Burgefs and were Sworne by M^r Secretary *Spencer* and Coll *W^m Cole*.

Post Merc.

Y^E houle Mett & called ouer

Coll *Cuthbert Potters* Petition about fraight p^d for great Gunns read in the houle and refer'd to Comitte of claimes.

The Propofition of the Inhabitants of *Northampton* about Horffes read in the houle and refer'd to the Comitte of grievances.

The Petition of Coll. *W^m Kendall* about his Agencie in thofe following words read in the houle.

To his Excellencie, The honor^{ble} Councell & R^t Worfp^l houle of Burgeffes

W^m Kendall of Accom^k Countie, Gen^l

Sheweth.

That at a Grand Affembly

[Space left here in original.]

Ordered

Ordered by the house that Coll *Kendalls* petition be return'd to him as being imperfect for Not Nominating therein Coll. *Southy Littleton* his being joyn'd with him in the Agencie, with the time he continued therein before his death

Proposition of *Midd^x Countie & Glos^r County* about Serv^{ts} Indentures & Certificates read in the house and refer'd to y^e Comitte of propositions

The proposition of *Henrico County* concerning Indians read in the house and refer'd to the Comitte of propositions.

The Bill of free & Gen^l Pardon read in the house and past the 3^d Vote *Nemine Contradicente*

The bill for Naturalizaçon read in the house & past the 3^d Vote *Nemine Contradicente*

The house adjournes vntill tomorrow y^e 3^d Drum.

Die Jovis. y^e 17th June 1680.

THE house Mett & called Over, all the Members appeare

Majo^r *George Morris* tooke the Oathes of Allegiance & Sup^rmacie and y^e oath of a Burgefs which were administred to him by M^r Secretary *Spencer* & Coll. *W^m Cole*.

Coll. *W^m Kendall* his petition on behalfe of himselfe & Coll. *Southy Littleton* dec^d as Agents was read in the house.

Ordered that Coll *Kendall* deliuer into the house an Acco^t of the whole Agencie as alloe of the Expence and charge thereof.

Coll *Kendall* delivers in Certaine papers Indorfed *viz.*

Albanie the 25th 7^{br} 1679. Coll *Kendalls* Pposition to y^e *Maquese*

Albanie the 26. 7^{br} 1679. *Maquese* answ^r vpon Coll *Kendall*

Agent for *Virg^{na}* proposition

And read in the house.

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The Examinaçon of the papers & Mañage of the Agencie is refer'd to y^e Comitte of propositions & Grievances.

The bill Sent in by his Majesty for raiseing a pub^l Revenue for the better Support of the Governm^t of his Majesties Colonie of *Virginia*, read in the house the 3^d time.

The Queſtion. Shall the Report of the Comitte of Grievances concerning the bill Sent in by his Majesty for the imposition of 2/^s ꝑ hh. & Cattle dueties be confirmed. Or Not.

Resolu'd in the affirmatiue by pluralitie of Voyces.

The propositions of *Surrey County* Burgeffes read in the house & refer'd to Comitte of Grievances.

The Petition of the Inhabitants of *Pamunkey* read in the house and referr'd to Comitte of Grievances.

The Petition of the Lady *Berkeley* read in the house & therevpon *Ordered* that there be a full and plaine Representation of her Lady^{sh} Right to the Money therein Mentioned Sent from this Assembly to his Majesty with their humble Adrefs and request to his Majesty that the same be paid her, and that the Countrey may Not Suffer by double paying the Money.

Accom^k propositions and Grievances read in the house & refer'd to Comitte of Grievances.

Coll *Ed: Hill* his Petition for Certificate of Behauior read in the house—Wherevpon it is *Ordered* that a full and true Certificate from this house be giuen thereof to his Excellencie, with their humble request that his Excellencie will please Soe to Rep^sent him to his Majesty, as his Constant Loyaltie and Services deserue.

The house adjournes to the beating of the Drumme.

Die

Die Ven. the 18th of June. 1680.

THE house Mett & called Ouer

Vpon his Excellencies returne to the adrefs of the house about the Horffes in Coll. *Tho. Claybornes* petition mentioned. It is *Ordered* that it be Entred on the Journall that y^e said *Clayborne* shall make Certificate to M^r *Secretaries* office of the said Horffes, as the Law enjoynes, and giue informaçon thereof to the Next Asssembly.

The Report of the Co^mitte of Grievances concerning the Agencie of Coll. *W^m Kendall* & Coll. *Southy Littleton* read in the house in those following words.

It is the Opinion of this Co^mitte, that Coll. *W^m Kendall* hath fully Executed his Agencie to *New York* according to his instructions & that he be rewarded according

The Report Confirm'd & further *Ordered* that the Children of Coll. *Southy Littleton* be considered for that part of the Agencie which he performed dureing his lifetime.

Ordered that the Report of the Co^mitte of Grievances vpon the three bills Sent in by his Majesty, be Sent to his Excellencie & the Councill.

The Question. Whether shall a debate about his Majest^{ies} bill concerning y^e 2/^s ¶ hh. be reassumed by this house with limitations or not.

Resolu'd in the Negatiue.

June y^e 18th
1680.

To his Excellencie Tho: Lrd Culpeper &c.
And to the Hono^{ble} Councill

The house of Burgeffes Present.

That in three Severall Votes they haue vnanimously assented to the bills Sent in by his Majesty Intituled. *An Act of free & Gen^{ral} pardon, indemnity & Obluion. & An Act for Naturalization.*

And the Report of the Co^mitte concerning the bill Intituled *An Act for raiseing a pub^l Revenue for the better Support of the Governm^t* (being in those following words.

It is the Opinion of this Co^mitte that the former Lawes confirmed by his Majesty concerning the imposition of the 2/^s ¶ hh. and Castle duties be continued. It being most consonant to the p^{re}sent State and condition of this his Majesties poor Countrey, And that the house doe most humbly desire to be Excused if they doe not giue their approbaçon of his Majest^{ies} bill for the same) being put to y^e Question Whether the said Report should be confirmed Or not, Was in three Severall Votes *Resolu'd* in the affirmatiue.

The aboue Message Sent by Coll. *Burnham*, Coll. *Carter*, Major *Armsteed* & Cap^t *Mills*

Virginia June
y^e 18th 1680

By the house of Burgeffes.

Coll. *Edw^d Hill* of *Charles Citty* Countie haueing by his Petition to this house Sett forth that for causes to him vnknowne and to his vnsupportable grieffe he lyes vnder his Majesties Royall displeasure, and praying this house would be pleas'd to giue such Certificate to his Excellencie *Tho: Lord Culpeper* his Majest^{ies} L^t and Gov^{ern} Gen^{ral} of *Virg^{nia}* of his behaviour and deportment in his life and conuersation before, and demeano^r, actings, loyalty, & Sufferings in the late vnhappy distractions of this Countrey as by the house may be thought justly due. They doe therefore hereby Certifie and declare to his Excellencie and to all the world that the abouesaid Coll: *Edward Hill* is and hath alwayes been of good fame & cleare reputation in his life and Conuersation, and that he hath not in the least been Stained with any vnjust or vnworthy action, which will alsoe at large appeare by Certificate giuen him from the whole Court and Militia Officers of *Charles Citty* Countie, and from the Court of *Henrico* Countie. That we haue knowne him a Member of the house of Burgeffes for Severall yeares where he behaued himselfe with prudence & integritie, and the very last Asssembly was Burgeffs for *James Citty*. And we doe further testifie that the said Coll *Edw^d Hill* was alwayes

Loyall

Loyall to his moſt Sacred Majeſty in the late vnhappie Rebellion in this Countrey & did doe Seuerall good Services towards the reducement of this Countrey to his Majeſties Obedience whyle his wife and children were kept prifoners vnder *Bacons* Comãd, and his Eſtate plundered carried away, ruin'd, & deſtroyed, w^{ch} may likewiſe appeare by Sr *W^m Berkeley* late Governor his Certificate. This houſe doth therefore moſt humbly moue his Excellencie not only to giue full credit to this our Certificate, but Soe to rep^tent it to his moſt Sacred Majeſty, that y^e integrity honeſty, inocencie & Loyalty, of the ſaid Coll *Ed: Hill* may be made knowne, to the end he may Noe longer lye vnder his Royall diſpleaſure.

Signed by ord^r of the houſe.

Tho: Ballard. Speaker.

The houſe adjournes vntill tomorrow 3^d drum.

Die Satur. y^e 19th June 1680.

THE houſe mett and called ouer.

His Excellencie Sends word by Mr *Henry Heartwell*, Clerk of the Councell that he deſires from the houſe that his Majeſties three bills vnder the broad Seale be Sent to him

Debated in the houſe whether the Said bills ſhall be return'd by Some members of this houſe or by the Clerke.

Reſolu'd that they be return'd by Members of the houſe & y^e Clerk to attend them *Ordered* to be Sent by Coll. *Carter*, Majo^r *Scarburgh* Coll *Bird* & Majo^r *Lloyd* with the Clerke attending.

Debated immediately whether the Said bills vnder his Majeſt^s broad Seale ſhall be Sent by the foure Members aboue appointed or in what other maⁿer they ſhall be Sent.

Reſolu'd that they be Sent by the Gentlemen Nominated, with Mr *James Minge* and Cap^t *Gouldman* added.

The Petition of Coll. *Cadwallader Jones* for releife read in the houſe.

The Queſtion ſhall his petition be taken into y^e Conſidera^çon of the houſe Or Not *Reſolu'd* in the affirmatiue by plurality of Voyces.

Vpon the motion of Coll *John Burnham* (being ſick & indifpoſed) that another Chayreman be appointed in his place. It is *Ordered* that Coll. *W^m Bird* be appointed Chayreman in his place and that Coll *Burnham* (with his Conueniencie) doe continue to aſſiſt in that Comitte.

July y^e 19th 1680.

By his Excellencie

Vpon the receipt of the Vote of the houſe of Burgeſſes on his Majeſt^s bill of 2/^s 7^h vnder the broad Seale, a Conference is appointed to be held at the houſe of Mr *W^m Sherwood* on *Munday* foure of the clock in the afternoon with ſuch Members as the houſe of Burgeſſes ſhall appointe of theirs, and thoſe of the Councell appointed for this conference are, Coll. *Niccolas Spencer*, Coll *Nath^l Bacon* Coll. *Joſeph Bridger* & Coll. *William Cole*.

Signed by his Excellencies Comãd

Hen: Heartwell Cl Gen^{tl} Aff^mhly

80

Queſtion. Shall Coll. *Cadwallader Jones* haue releife vpon his petition from the Countrey or not.

Reſolu'd in the Negatiue by plurality of Voyces.

Ordered that the Clerke doe informe & acquaint the houſe on *Munday* that Majo^r *Whittaker* this day abſented himſelf from y^e houſe & ridd out of Towne without leaue.

Reſolu'd by the whole houſe that they joyne in the Conference appointed by his Excellencie, And this houſe appoints Coll. *John Page*, Majo^r *Iſaac Allerton* Majo^r *Charles Scarburgh*, Coll. *John Carter* Majo^r *John Armſteed*, Coll *Joⁿ Burnham*, Majo^r

W^m

W^m Lloyd, M^r William ffitzhugh, L Coll. W^m Waters & L^r Coll. John West to attend the Gentlemen of the Councill at the place appointed for the conference.

Coll. West D^r Spiers and M^r Prefley are Sent to his Excellencie with the Refolue of the houle.

The houle adjournes to the 3^d drum on *Munday* morning.

Die luna June y^e 21^{ft} 1680.

THE houle mett & called ouer

The Petition of *Henry Hacker* for charitable releife read in the houle.

The Question. Shall the houle giue releife or not. *Refolu'd* in the affirmatiue

What shall be giuen. *Refolu'd* Six thousand pounds of tobacco.

The Petition of Coll. W^m White on behalfe of *James Citty* parrish read in the hous And therevpon *Ordered* for the finishing the Church at *James Citty* there be fourteen thousand pounds of tobacco this yeare levied and paid into the hands of Coll *William White* for the vse abouefaid.

Ordered that those Gentlemen appointed on *Saturday* laft by the houle to joyne in the Conference with the hono^r^b^le Councill therevnto appointed, doe giue acco^t of their proceedings therein to this houle.

The houle called over

The Gentlemen appointed for the Conference deliver the effects of their Conference
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The houle desires time to consider of the report brought in by the Gentlemen appointed for the conference.

The houle adjournes vntill tomorrow morning the third drum

Die Mars. y^e 22^d June 1680.

THE houle Mett & called ouer

Cap^t *David ffox* tooke the Oathes of Allegiance & Sup^rmacie, & the Oath of a Burgels w^{ch} were administred to him by M^r Secretary *Spencer* & Coll *Cole*.

The Report of the Co^mitte for Examina^on of runaway Certificats read in the houle & allowed.

The houle adjournes vntill tomorrow morning the 3^d Drum.

Die Merc. the 23^d of June 1680.

THE houle mett & called ouer.

The Reports of the Co^mitte of Grievances read in the houle.

The Question shall 25. or 20. Soldiers be continued at y^e Seu'all respectiue fforts

Refolu'd twenty five.

The Question shall the Charge of the fforts, Soldiers wages provissions and other Necessaries be borne by the Pub^l or not.

Refolu'd in the affirmatiue.

The Question. Whether from the Report giuen from those Gentlemen appointed for the Conference of the arguments in that conference held a further debate for the passing or not passing his Majest^es bill about the two shillings 7d hogthead shall be reaffumed by this houle or not.

Refolu'd in the Negatiue by plurality of Voyces. 17 yea's. 21. Noe's

The houle adjournes vntill the beat of drum in the afternoone.

Die Merc post Merid^m y^e 23^d of June 1680.

THE house Mett & called ouer

The Vote of the house about the not Reaffumeing his Majesties bill of y^e 2/^s ¶ hh Sent to his Excellencie by Coll. *Carter*. L^t Coll. *Waters* Major *Lloyd* & Cap^t *fox*

A Comitte appointed to Examine the list of Clerks fees and make report thereof.
L^t Coll. *John West* Chayreman.

M^r *James Minge*. Major *Geo: Morris*. Cap^t *W^m Whittington*.
Thomas Scott appointed Clerk of this Comitte.

The house adjournes vntill to morrow the 3^d Drum.

Die Jovis the 24th June 1680.

THE house Mett & called ouer.

The Petition of *Malute, alias Michaell Wood* read in the house

His Excellencie Sends word to the house by M^r *Henry Heartwell* that he Expects the Attendance of this house at the Court house at three a clock in y^e afternoon

This house appoint, Coll *John Page*, Coll *Nath. Kemp*, Coll *S^t Leiger Codd* and Major *Sam^l Swanne*, to acquaint his Excellencie that the house will attend his Comands now Sent to this house, at the time & place appointed.

They returne answer, that they have acquainted his Excellencie that this house will attend his Comands at the time & place appointed.

The Question. Shall the fforts be continued or Nott
Resolu'd in the Negatiue. 15. yea's. 18. Noes.

The Question shall the places for the Townes be appointed by y^e Burgeffes of this house, Or by the ffree holders in Each Countie.

Resolu'd the places to be appointed by y^e Burgeffes of this house
The house adjournes vntill the Drum beates in the afternoone.

Post Merid.

THE house Mett & called ouer

John King Interpreter his Petition read in the house, & *Ordered* therevpon that he be allowed one yeare wages as Interpreter

Coll. *Codd*, Coll. *White*, Major *Armsteed* and M^r *Preffly* are appointed by y^e house to acquaint his Excellencie that this house attends his Lordsh^{ps} pleasure when they shall attend him at the Court house.

The Petition of the Credito^{rs} of *Gyles Bland* read in the house.

His Excellencie Sends for the house of Burgeffes to attend him at y^e Court house.
They forthwith goe.

The Burgeffes returne to the house, and being called ouer all appeare.

M^r *Speaker* Surñes vp his Excellencies Speech, and Severall of y^e members reminde the house of Seuerall parts thereof, vpon which the Question ¶pos'd is.

Whether the debate concerning the bill, Intituled *an Act for raiseing a pub^l Revenue for the better Support of the Governm^t* shall be reaffumed by this house or not.

Resolu'd in the affirmatiue. 23. yea's. 16. noes.

Ordered that his Excellencie be acquainted with the Vote of the house for reaffumeing the debate about the bill of the 2/^s ¶ hh.

The Question. Whether shall their be an addrefs from this house to his Excellencie for a Copie of the heads of his speech, this day made to the house or Not

Resolu'd in the Affirmatiue.

*Virg^{na}**To his Excellencie.**By the house of Burgeffes.*

This house humbly Signifie to yo^r Excellencie that they haue Voted the reaffuming y^e debate about his Majest^{ies} bill, Intituled *An Act for raiseing a pub^l Reveñue &c* And for the better Satisfieing & clearing such doubts, as haue lately happened & been vrg'd in this house concerning the passing or Not passing the said bill, this house most humbly pray yo^r Excellency will please to favour them with a Copie in writeing of that yo^r Lordsh^{ips} most Excellent speech lately by yo^r Lordsh^{ip} deliuered in Words concerning the Same, to the end it may be imprinted in the apprehentions & memory of every individuall member thereof. And this house humbly pray yo^r Lordshipp will please to remitt the said bill into the house.

The afores^d Address, Sent by Coll. *Page*. L^t Coll. *White*. Majo^r *Charls Scarburgh* and Majo^r *Lloyd*.

They bring answer that his Excellencie will giue the house what Satisfaction he can, as to the heads of his Speech, and that he will forthwith returne the bill to the house.

His Excellencie Sent his Speech, and the bill for the 2/^s 7^h to the house by M^r *Secretary* & Coll. *Cole*, M^r *Heartwell* Attending with the bills.

The bill Sent in by his Majesty about y^e 2/^s 7^h read in the house.

His Excellencies Speech read in the house, in those following words.

M^r Speaker, & you Gentlemen of the house of Burgeffes.

Yo^r Yesterdayes Vote is the occasion of my Sending to you now, I was Sorry to receive yo^r first Vote of agreeing but to two of his Majesties bills but totally Surprized with this (that carries with it the agravation of admitting a conference to noe other purpose but los of time) which is totally vnparliamentary and will make the Exercize of Affsemblies, (which as most necessary ought to be most easy) wholly impracticable, if not impossible, Except the house of Burgeffes p^tend to the Sole Legislatiue power w^{ch} noe house of Com^{ons} in *England* ever did 'till first voted away both King & Lords. It lookes as if you could giue noe reasons (which I am Sure you alwaies will doe for all yo^r actions) or as if you were affraid to be convinced, this concerns futuritie as well as the p^{re}sent and therefore I desire you to lay aside that irreguler proceeding which never can be vsfull and therefore I assure my selfe you will resume the debate.

Though the maⁿagers of the last Conference haue I am Sure giuen most strong reasons for the Councells vnanimous concurrence to the Acts, yet Since I am on this Subject I shall offer mine alsoe both as to the Right of the King, and the prudentiall considera^õns of this time. That his Majesty hath vndoubted right to Collect it, and by every ones consent here is by his Representatiue the head of the Assembly, and that the first Act is perpetuall I am Sure none will question, Now if in Joyntenancie the King by y^e Com^{on} law (in force before Statute law) take the whole, much more shall he haue the p^{re}ference in a different application of vses for that only can be the question. for you may as well presume he will take away yo^r free holds as Act contrary to the Act which carries in Negatiue words (to noe other vse or purpose whatsoever &c) 'twas with noe Small difficulty I did in yo^r behalues and in Some Sort my Owne too (for my intrest is considerable) obtaine the inserting those words and both in that and the transaction about y^e Audit^r I p^tend to haue done you Service whether you interprett it foe or not, but to take away all Scruples I offer after the passing the Act not only to assist you but to joyne with you as a party in a petition to his Majesty (though in noe Sort I question it) that the money may alwaies remaine here, that it be applied and accompted for too from time to time to the Countreys vse as the King shall direct, and that the Audit^{or} be chosen & allow'd as formerly And I doubt not of his concurrence to yo^r full content, but feare it Otherwaies. ffor the prudentiall reasons, Consider the affaires of the Quitt Rents Consider yo^r pub^l Credit and levies consider the Kings favour in every thing you may aske even to a cessa^õn or otherwaies in this low ebb of tobacco and then reflect if it be *tanti* for you not to concurr, in a thing y^e I am assured y^e King on Mature debate in Councell judges his owne & will foe vse

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it and that more freely than if this Act pass. All these considerations must be laid at the door of those that oppose it, though I assure myselfe that in a business so clear neither the ignorance, or too much or too little wisdom of any wilfull persons will prevail upon you to obstruct or retard the service of the Country which hitherto (except by the lowness of tobacco) hath neuer had a more likely & comfortable prospect, & I doubt not but this nights debate of yours will fully settle all business to his Majesties content & your wellfare of this Colonie which is my chiefest Concern

The Question. Whether his Majesties bill Intituled, *An Act for raising a public Revenue* &c. Shall pass or Not, all former Acts of Assembly relating to the raising your 2/s of the Cattle duties & head money being repeal'd & made void.

June your 24th 1680. Resolv'd in the affirmative.

The house adjournes to the 3^d drum to morrow morning.

Die Ven. the 25th of June. 1680.

THE house mett and called over

The Petition of the Inhabitants of *New Kent* County read in the house about your Division of the Countie.

Ordered that the former Order of Assembly be confirm'd with the Alteration only of free holders only to give their Votes for the Division of the Countie.

The Question. Whether upon a prayer for an Explanation by this house of a dubious Law, the house will Enter Upon Explanation thereof Or Not

Resolv'd in the affirmative *Nemine Contradicente.*

The Question. Shall the efforts be continued or not

Resolv'd in the affirmative.

The Question, what Number of Soldiers shall be continued at each fort Whether twenty or 25.

Resolv'd Twenty

Shall the Question about be alter'd or Not. Resolv'd it shall Not

The Question, Whether his Majesties bill Intituled *An Act for Raising a publique Revenue* &c shall pass or not. All former Acts of Assembly relating to your Raising your 2/s of the Cattle duties & head Money being repeal'd & made void

Resolv'd in the Affirmative

Resolv'd by the house, that an humble Address be made to his Excellencie that a Conference be held at such time and place as his Excellencie shall appoint, of Some of the honorable Councill and Some Members of this house for clearing such doubts as seem to arise about passing your bill sent in by his Majesty Intituled *An Act for raising a public Revenue* &c. & their humble desire is that it may be this afternoone: The Burgesses appointed by the house for this Conference are, Coll. *John Carter*, Major *W^m Lloyd*. Mr *John Spier*, Cap^t *Tho: Gouldman*, Coll *John Page* Major *Isaac Allerton*, L^t Coll. *W^m Waters*, Major *Charles Scarborough*, Major *Sam^l Swann* & Mr *W^m Fitzhugh*.

L^t Coll: *Joⁿ West*, Coll. *Joⁿ Farrer*, Mr *W^m Pressly* & L^t Coll. *Pitt*, are Sent by the house with this address to his Excellency

His Excellencie Sends word by Mr *Heartwell* that those Gentlemen of the Councill formerly in the Conference will attend this afternoone at three a clock at Mr *Sheerwoods* to joyne with the Members of the house in the 4^d Conference.

The house adjournes to the beat of drum in the afternoone.

Post Merid. the 25th of June. 1680.

THE house mett & called Over.

The Gentlemen appointed for the Conference are Sent to your place appointed.

The Gentlemen returne

They report that the issue was left, whether there should be limitations in the Act about the bill, which could not be concluded vntill the Councill had advised with his Excellencie.

M^r *ffitzhugh* Major *Lloyd* and M^r *Minge*, are appointed by the house to direct y^e Clerk in the drawing vp the limitations & Restrictions necessary to be added to the bill Intituled. *An Act for raiseing a pub^l Revenue &c.* And to present the same to be read in the house tomorrow for allowance or otherwaies as shall be agreed and concluded on.

The Reports of the Comitte of Grievances haueing been three times read in the house are *Ordered* to be Sent to morrow morning to his Excellencie & the Councill for their perufall confideraçon and allowance, together with the Severall Counties Agrievances, and all other Propositions on which the said reports are grounded

The house adjournes vntill to morrow morning the 3^d Drum

Die Saturn.

THE house mett & called over

The Reports of the Comitte of Grievances & propositions, Sent to his Excellency and the Councill by Coll. *Carter*, & Coll. *Geo: Mafon*, together with the Counties Grievances and propositions on which the Reports are grounded

M^r *Bolton* is Ordered to attend the Gentlemen.

The Question whether this house shall take Notice of any claimes on pub^l acco^t preceeding the *Green Spring* Asssembly Or Not

Resolu'd in the Negatiue.

The Question. Whether his Majest^s bill Intituled *An Act for raiseing a pub^l Revenue &c.* shall pass or not. All former Acts of Asssembly relateing to the raiseing the 2/^s p hh. the Castle duties & head money being repeal'd & made voyd.

Resolu'd in the Affirmatiue.

His Excellency Sends word by M^r *Heartwell* that he desires the house to continue Sitting Some time for that he has Something to offer to them.

The house returns answer they will waite his Excellencies Comands.

His Excellencie returns M^r *Heartwell* to acquaint this house that y^e Consideration of what he intends to send to the house requires time to p use the Acts of Asssembly and therefore he desires the house to be Sitting at three a clock in the afternoone.

The house returns Answer to his Excellencie by M^r *Whittington* & M^r *Harrison* they will attend at the house as his Excellencie Comands.

His Excellency Sends to Speake with the Clerke, the house Orders him forthwith to goe.

His Excellency obserues Misdates in the Prouisoes Sent to be added to the bill Intituled *an Act for raiseing a pub^l Revenue &c* which are mended by the Clerke, and reported to the house and allow'd.

June the 26. 1680.

To his Excellency & the hono^{ble} Councill

The house of Burgeffes most humbly propose

That those following Provisoes may be added to the Bill Intituled, *An Act for raiseing a pub^l Revenue &c.* And be part & parcell thereof. *viz—*

Provided alwayes and it is hereby Enacted and declared by the Authority afores^d that the Act of Asssembly in the printed booke (Intituled *imposition of 2/^s p hh.*) made at a Grand Asssembly held at *James Citty* the 23^d of *March* 1661. Alsoe one other Act intituled *an Act for the imposition of 2/^s p hh.* made at *James Citty* the 2^d of *Decemb^r* 1662. Alsoe one Act in the printed booke intituled *Castle duties to be p^d* made at a Grand Asssembly holden at *James Citty* the 23^d *March*. 1661, and all oy^r former Acts for the raiseing or levieing of 2/^s p hh. impost vpon tobaccoes Exported out of this his Majest^s Colonie of *Virginia*, or for raiseing or levieing of Castle duties toñage or head money be and are hereby by Vertue of this Act fully repealed and made Void to all intents and purposes any thing in this Act or any other law, Statute, Custome, vsage, or instructions whatsoeu^r to the contrary Notwithstanding. Provided alsoe and it is hereby Enacted and declared by the Authority aforesaid that the privileged
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of *Virg^{na}* Owners of Shippes Expressed & Sett downe in the 134 Act in the printed booke intituled *priviledge of Virginia Owners* made at *James Citty* the 23^d March 1661. And one Act made at *James Citty* the 20th of *Octobr* 1669 (intituled *an Act for freing Virg^{na} Owners from Castile dueties*) shall be and are hereby meant and intended to be in full force pow^r and Vertue to the benifitt vse and p^riviledges of all and every such Owner or Owners, any thing in this Act, or in any other Act, Law, Statute, Custome, v^rlage, Or instructions whatfoeu^r to the contrary Notwithstanding.

Coll. *Bird*, Majo^r *Swanne*, Majo^r *Armsteed* & M^r *ffitzhugh*, are Sent by this house to carry the propofalls to his Excellency & Councell

The Question put, Shall M^r *Sanderfon* Sheriffe of *James Citty* County in full of his Acco^t and attendance, be allow'd thirty thousand pounds of tobacco, or twenty five thousand pounds of tobacco.

Resolu'd twenty five thousand.

The house adjournes vntill the Drum beates

Post Merid

THE house Mett & called Ouer

Coll. *S^r Leiger Codd* & Majo^r *Charles Scarburgh* for there going out of Towne without leaue and thereby Neglecting their due attendance in this house are fined One hundred pounds of tobacco each man to be p^d to the vse of the pub^l & discounted out of the levies in their respectiue Counties.

His Excellency Sent into the house by M^r Secretary *Spencer*, Coll. *Bacon* & Coll. *Cole*, a Petetion directed To the Kings most Excellent Majefty in those following words.

To the Kings Most Excellent Majefty.

The humble Petition of the Gen^{rl} Assembly.

Sheweth

That yo^r Petitioners haue with their hearty thankes imbraced yo^r Majest^{ys} Act of free & Gen^{rl} pardon & Oblivion. And passed the 2^d Act of Naturalization.

That Relyeing On yo^r Majesties Justice, and vpon Affurance from the L^t and Govern^{or} Gen^{rl} here that the Act intituled *an Act for the raiseing a pub^l Reveñue for the better support of the Governm^t* is only to Succeed in the place of Severall former Acts of Assembly made here. viz—*An Act for the imposition of 2^s ꝑ hh.* made at *James Citty* the 23^d of *March* 1661. An Act intituled *an Act for the imposition of 2^s ꝑ hh.* made at *James Citty* the 2^d of *Decembr* 1662. And an Act intituled *Castile dueties to be paid* made at *James Citty* the 23^d of *March* 1661. And in Noe Sort intended to raise a double imposition, as alsoe vpon the repealing the said three Acts in vsuall maⁿer here & providing by another Act that *Virginia Owners* shall be free from the dueties therein Mentioned as formerly they haue, likewise with all cheerfulness passed the said Act intituled *an Act for the raiseing a pub^l Revenue for the better Support of the Government.* But in regard there is Some question whether the said former Acts for raiseing moneys can be regularly repeal'd by Act of Assembly here without yo^r Majesties Expre^s consent, Or without yo^r Majesties particuler instructions to yo^r Lieut^{ant} and Governo^r Gen^{rl} of this Colonie, which the Lord *Culpeper* hath not but only in Gen^{rl} Tearmes Especially Since your Majefty hath been made acquainted therewith, & the same is mentioned in yo^r instructions to yo^r late Govern^r *S^r W^m Berkeley* beareing date the 12th of *Sep^r* 1662. and as by some conceiued confirmed thereby. ffor remouea^l thereof and the full quieting and Satisfaction of the mindes of yo^r loyall Subjects of this Colonie, Wee humbly begg and Expect yo^r Majesties confirma^on of the said Repeale. And yo^r Gen^{rl} Assembly doth further represent to your Majefty that it is absolutely Necessary for your Service and the welfare of this your Colonie, that the office of Auditor of this Colonie being a place of the greatest trust and consequence should be Executed by Some deserueing person residing here in whose fidellity & Conduct this Countrey may be Satisfied and noe other. And haueing been informed by his Excellencie of a grant Surrepitiouly

Surreptitiously obtained from yo^r Majesty of that place by one *Elwayes* which would haue been ruinous to this yo^r Colonie and which by his Lordshipps application to yo^r Majesty was rejected and laid aside to our great content and for which we returne yo^r Majesty our most humble thankes, for the prevention thereof for the future and that yo^r Majesty may be freed from the like importunities, and none but fitt persons may Execute the same, in whom yo^r Majesties Colonie may haue full assurance, and of whom by reason of the distance of the place, yo^r Lieut^{nt} and Gouverno^r here is the best judge,

Your Gen^{ral} Assembly doth humbly Supplicate yo^r Majesty that the f^d Auditor may be first recomended to your Majesty by yo^r Said Lieut^{nt} and Gouverno^r Gen^{ral} as formerly, out of Some of the fittest persons, then residing in this Colonie for that great trust and noe others and afterwards confirmed by your Majesty in Such Ma^{ner} as hath hitherto been practized

June the 26th 1680.

To his Excellencie.

The house of Burgeffes humbly Present

That according to the Propositions Sent to yo^r Excellency and the hono^r^{ble} Councell this morning this house with an vnanimous Consent haue voted the passing the bill Intituled *An Act for the raiseing a pub^l Revenue for the better Support of the Governm^t &c.* With the provisoes therewith Sent to be added as part & parcell thereof. And this house even Now haueing receiued from yo^r Excellency the forme of a Petition to his Majesty intimating the passing a Certaine bill for the repealing Severall former Lawes raiseing an impost of 2/^s p hh. and certaine other duties called Cattle dueties, toⁿage and head money, and praying his Majesty for confirmation thereof will giue his Royal assent, for that with all Cheerfulness they haue passed the said Act, Intituled *an Act for the raiseing a publique Revenue &c.* This house in all humillity Signifie to yo^r Excellency, that they caⁿot with Safety pass the said bill without the Additions & provisoes (mentioned to yo^r Excellency & the Councell) be added and included as part & parcell of the said bill; And humbly pray yo^r Excellency and the Councell will please to Assent to the said Additions and provisoes, that the said bill may Soe pass into an Act of this Generall Assembly, and noe otherwaies.

Sent with this. Majo^r *Allerton*, Coll. *Kemp*, Coll. *Page*, & Coll. *White*,
The house adjournes to the 3^d drum. *Munday morning.*

Die Luna the 28th June. 1680.

THE house Mett & called Over

The booke of the Reports of the Co^mitte of claimes partly read in the house.

The house adjournes vntill drum beats in the afternoone.

Post Merid.

THE house Mett & called over.

Att a Gen^{ral} Assembly begunne at *James Citty* the 8th of *June* 1680

frances Lady Berkeley, Setting forth to this assembly that there is due to

her deceased husband S^r *W^m Berkeley* K^{nt} his Majesties late Governo^r of this his Colonie of *Virginia* three hundred pounds *Ster^t* for Salaries (as Governo^r) yet vnpaid from the time he Exerciz'd the said Governm^t to his great cost & Expence from the tenth day of *ffeb^r* 1676 / 7 to the tenth day of *May* 1677. Which said S^ume by ord^r of Assembly held at *Middle plantation* the tenth day of *October* 1677. was deposited in M^r Auditor *Bacons* hands and by him Remitted into the hands and keeping of *John Jeffreys* Esq^r of *London* Merch^t there to remaine vntill his Majesty should giue directions concerning the same. And further declareing to this Assembly, that shee hath been much prejudiced for want of a right representation to his Majesty and hath not (though demand made thereof) receiued the said moneys Soe justly due as

aforesaid

aforefaid. And making fresh Suite to this Affembly that she may forthwith be paid the f^d Sume Soe deposited and due vnto her as Relict and Executrix of S^r W^m Berkeley aforefaid. The Councill and house of Burgefes of this present Affembly doe vnanimouly and in all humillity Certifie to his most Sacred Majesty, that the said Sume of three hundred pounds Ster^t is legally due vnto the said Lady Berkeley as Executrix aforefaid, as well by Vertue of his Majesties Royall instructions as by Act of Affembly in that case provided. (both which ascertain the Governour^s Salary) for that the Right Hono^r^{ble} S^r W^m Berkeley, personally in this his Majest^s Colonie of Virginia. duely Exercized the office of Governour from the said tenth day of *February* to the aforefaid Sixth day of *May*, And therefore most humbly Supplicate yo^r Majesty will please to Order the ready payment of the said three hundred pounds (Soe deposited) to the Lady Berkeley, as not only justly due to the said Merritts and Services of the said S^r W^m Berkeley from this Colonie, but as it is the legall right of the Petitioner. who in case of non-payment may alsoe haue recourse to this Colonie, for the Same againe. And this Affembly doe humbly pray his Excellencie *Tho: Lord Culpeper* his Majest^s Lieut^{nt} and Governour Gen^{ral} of Virginia, will please to transmitt this humble Address to his most Sacred Majesty and giue his Assistance in procureing his Majesties Spedie grant thereof. And as in duety bound they shall euer pray &c.

Signed by ord^r of y^e Councill

Nicco: Spencer Secretary

Signed by ord^r of y^e house of Burg^s

Tho: Ballard Speak^r

The question, Shall Coll *Kendall* haue fifty pounds & Coll *Littleton* thirty pounds Ster^t for their Negociation.

Resolu'd Each thirty pounds Ster^t

The Question. Shall any tobaccos be allow'd for claimes of Caske and not claimed before this day being too late according to the Order of the house and publique Notice giuen to bring all Claimes.

Resolu'd in the Negatiue.

The Question shall M^r *James Turner* be allowed the twenty pounds Ster^t Ordered him by the Comitte or Not.

Resolu'd in the affirmatiue.

The house adjournes vntill to morrow the 3^d Drumme.

Die Mars. the 29th of June. 1680.

THE house Mett & called Ouer

The Question is *Tindalls* point a fitt place for the State house or Not
Resolu'd in the Negatiue. 18. Yea's. 21. Noes.

The Report of the Comitte of Claimes, the Report of the Comitte for Examinacon of Run-awayes Certificates, and the Report of the Comitte for Clerkes fees Sent to his Excellency and the Councill by Coll *John Page*, Majo^r *William Lloyd* and Coll *George Mason*.

The house adjournes to the beat of Drum in the afternoone.

Post Merid.

THE house Mett & called Ouer

The Burgefes Nominate the places for the Townes in y^e Seu^l Counties
viz.

Henrico Countie. Att *Vienna* where the Court house is.

Charles City Countie. Att *flower de hundred* Ouer against *Swynyards*.

Surrey County. Att *Smiths* ffort

James City County, at *James City*

Isle of Wight County at *Patesfeild* at y^e parting of *Pagan* Creek

June

1. This should be, of course, *Varina*.

[In the original a space of about 3-4 of a page is left here.]

June y^e 28th 1680.

The Councell haueing considered the house of Burgeffes Propositions for Provisoes to his Majesties bill for the imposition of 2/^s p^r hh. &c. Doe Vnanimously consent to the same.

To the house of Burgeffes

Tes^t Henry Heartwell Cl^r Conf^r

Vpon the Petition of Coll *Nathaniell Bacon* Auditor It is Ordered that the Old ballances of *Richard Woodward* being thirty pounds fowre shillings and *John Knowles* being Seaven pounds fourteen shillings be discharged out of his booke as vnrecoverable and desperate debts.

Coll *Page*, Coll *Waters* & M^r *Minge* are by the house Sent to his Excellency to know his Excellencies pleasure whether the three bills Sent in by his Majesty shall be drawne in the same Style & words as they come in with the provisoes Annext Or in the vsuall Style of the former Lawes of this Countrey, and alsoe to take his Excellencies direction in the Stile of the other Lawes made this Affsembly.

They bring word they shall all be drawne in this Style, as well those bills Sent in by his Majesty, as all other made this Affsembly, to Say all in his Majesties Name &c.

The house adjournes to the 3^d Drum to Morrow Morning.

[No date is given in the copy.]

THE foure thousand pounds of tobb in Majo^r *Ifaac Allertons* hands is p^rsentent him by this house

A Conference is desired between the Councell & the Burgeffes about the Severall Reports of the Comitte of Grievances and the returnes thereon from his Excellency and the Councell, appointed thereto by the house.

Majo^r *Ifaac Allerton* Coll. *Math Kemp*. Coll. *John Page*. M^r *Charles Turner* M^r *Henry Mills*, Majo^r *William Lloyd*. Majo^r *Sam^l Swanne*. M^r *W^m ffitzhugh* Majo^r *Charles Scarburgh*. Coll *W^m White*.

Coll. *W^m Waters* & Coll. *ffarrer* are appointed to acquaint his Lordshipp that the house desires Such Conference, and prayes his Excellencie to appoint the time and place.

The house adjournes to the beat of drum in the afternoone.

Post Merid.

THE house Mett, & called Ouer.

Coll *S^t Leiger Codd* for his departing from the Affsembly without leaue is fined by the house One hundred pounds of tobacco according to y^e Rules of the house

That part of a former Petition to his Majesty relateing to the Auditor^s Office is Ordered by the house to be drawne into a petition to be Sent to his Majesty for that purpose.

A Comitte appointed to draw vp Reasons to render to his Majesty for a Cessation.

Coll. *W^m Bird*. Coll. *John Carter*, Cap^t *John Langhorne* M^r *James Minge* Coll. *John Burnham*. Cap^t *Thomas Gouldman*. M^r *W^m Bolton* appointed Clerke.

June the 29th 1680.

By his Excellencie.

That being ready to Serue the Countrey and the house of Burgeffes the best I can in the buisiness of the Cessation according to their desire I would be glad to receiue their reasons to Offer to his Majesty & y^e Councell for the better effecting thereof.

Signed by his Excellencies Comands.

To the house of Burgeffes.

Hen: Heartwell Cl^r Gen^rl Aff^mbly

The Petition of M^r *Joⁿ Quigley* for Eighty foot of the Countreys houses read in the house

Ordered

Ordered that he haue a grant for fifty yeares of the houfes petitioned for vpon Conditions that he beginnes to reparaire the fame within One yeare & finiſh the fame in two yeares and pay one Eare of Indian Corne annually for an Acknowledgment & constantly keep the fame in good reparaire, and Soe leaue them at the Expiration of y^e leafe

The Report of the Comitte appointed to draw vp reasons for a Cessacon was read in the house *viz*—

The Cessation we thinke Necessary for those reasons following.

The great quantities of Tobacco made as well in this Colonie as in *Maryland* & other plantations of his Majesties Dominions & else where, hath rendred the price of this Commodity Soe low and despicable, that the great Induftry of this Colonie being noe otherwayes employed is vtterly discouraged and the fruites of their labour in this behalfe not Suffitient to furnish them with cloathes to hyde their Nakedness.

That the incurffions of Indians and the late diftractions hath been occasion that our Stockes of Cattle haue been destroyed and lessned the quantity of Provisions, Soe by this meanes our Endeavours may be applied that way to be able Comfortably to Supply our Selues in that kinde, and the other plantations that want the like Conveniencies.

If otherwaies in very few yeares we will be compel'd to leaue planting this Commodity for ever to the great prejudice of his Majesties Customes accruing therefrom, and this Colonie reduced to vtmost Extremite.

That in this Vacancie we may be at leisure to put in Execution the present Act for Townes, Soe much desired and of foe great advantage to this poore Colonie.

These amongst many other are humbly reported.

The Report past the house and Sent to his Excellencie & the Councill by L^t Coll. *John West* & Cap^t *John Langhorne*.

The house adjournes vntill to morrow the 3^d Drum.

Die Jovis the p^{mo} July 1680.

THE house Mett & called over

The bill for Continuering the fforts read in the house and allow'd.

The house adjournes to the beat of Drum.

Post Merid.

THE house mett & called Ouer

A Comitte Appointed to Examine y^e Bill drawne by *Rob^t Beuerley* Clerk concerning the Townes and make report thereof.

Majo^r *Iaac Allerton*, Coll. *John Page*. Major *Charles Scarborough* M^r *William ffitzhugh* & Coll. *William Waters*.

His Excellencie Sends word by M^r *Henry Heartwell* that he desires Some of the Gentlemen, w^{ch} were on the Comitte of claimes may be Sent to meet foure of y^e Gent^{l^m} of the Councill, in a Conference about some things relateing to y^e reports of y^t Comitte Appointed for this Conference.

Coll. *Burnham* M^r *Minge*, Coll. *George Mafon*, Coll. *W^m White* Majo^r *Anthony Lawfon*, Majo^r *Richard Whittaker* Cap^t *Gouldman* M^r *Taberer* & Coll. *Bird*

His Excellency Sends word to this house by Coll. *Bacon* *viz*—That he hath taken care for the payment of his Majesties Soldiers quarters in *Yorke County*, & *James City* Countie, which he must make payment of out of his owne Salaries.

His Excellencie Sends word by M^r *Heartwell* that he desires a Conference to morrow morning betwixt some of the Councill and Some of y^e Burgeffes about provideing provisions for the Soldiers at the fforts.

The

The house appoints, Coll. *Joⁿ Page*, Coll. *Kemp*, Coll. *Bird*, Coll. *Carter* Coll. *Burnham*, Coll. *White*, Major *Armsteed*, and M^r *Charles Turner* to returne his Excellencie the thanks of this house, for his Excellencies great care for payment of the Soldiers quarters in *Yorke & James Citty* Counties, and to acquaint his Excellencie that the same shall be fully Entred on the Journall.

*By the house of Burgeffes
To his Excellencie.*

That Seuerall of his Majesties Soldiers haueing for long time been quartered on the inhabitants of *James Citty* and *Yorke* Counties and their quarters not paid. And his Excellencie haueing Signified to this house that he hath taken care to pay the same out of his owne Salaries. This house thinke it their duety to returne his Excellencie there humble thanks for his Noble care therein.

The Question shall Coll. *Charles Morrison* be allowed ten pounds
Resolu'd in the Affirmatiue.

The Question, shall *Hugh Cambell* be allow'd ffifty pounds or fforty pounds.
Resolu'd fforty pounds.

The Question shall M^r *Rowland Place* his claime of thirty Seaven pounds Nineteen shillings three pence, be allow'd Or not.

Resolu'd in the affirmatiue.

The Question. Shall there be a Generall Reference of all iust Claimes brought in to this Assembly (and not allow'd) to the next Session of Assembly and all other claimes not brought to this Assembly to be for ever barred

Resolu'd in the affirmatiue.

The Question, Shall the Report of the Comitte in Coll. *Potters* claime about freight for Gunnes &c. be confirm'd Or not.

Resolu'd in the affirmatiue.

M^{rs} *Diggs* her claime for Corne is allow'd by the house according to the Comittees Report fifteen hundred & fforty pounds of tobacco.

The Report of the Comitte, for Cap^t *Richard Taylor's* pay is confirm'd by the house.

Ordered That the Clerk of the Assembly deliver into M^r *Secretaries* office One of the largest bookes of the Lawes.

The Question. Shall M^r *Henry Heartwell* as Clerk of the Gen^l Assembly haue Eight thousand pounds of tobacco, or fve thousand pounds of tobacco.

Resolu'd fve thousand pounds of Tobacco.

The house adjournes vntill to morrow the 3^d Drum

Die Ven y^e 2^d of July. 1680.

THE house Mett and called Over.

July y^e 1st 1680

To his Excellencie.

By the house of Burgeffes.

It is humbly Presented.

That Seuerall of his Majesties Soldiers haueing for long time been quartered on the inhabitants of *James Citty* and *Yorke* Counties and their quarters not paid. And yo^r Excellencie haueing Signified to this house that you haue taken care to pay the Same out of yo^r Excellencies Salaries The house doe thinke it their duety to returne yo^r Excellencie their humble thanks for yo^r Noble care therein.

The aboue acknowledgm^t Sent back and another Sent to his Excellencie as appears hereafter in the Journall.

The bill Intituled *an Act for Cohabitation and encouragement for trade and Manufacture* read in the house and allow'd and *Ordered* to be Sent to his Excellencie and the Councill for allowance & approbacon

The

The Gentlemen appointed for the presenting the bill and for returning his Excellency thanks for his care for paying the Soldiers quarters in *James Citty County & Yorke Countie*, & to Signifie to his Excellencie that Some Gentlemen of the house will Spedily waite vpon the Gentlemen of the Councill at the Conference are.

L^t Coll. *West*, Cap^t *Goldman*, M^r *Preffly*, M^r *Turner*.

The Gentlemen appointed for the conference about Soldiers ¶viffions are

Coll. *Page*. Coll. *Bird*. Major *Lloyd*. M^r *Harrifon*. Major *Allerton*. Major *Swanne*. M^r *ffitzhugh*. Major *Scarburgh*.

The Gentlemen returne from the Conference.

They Report to the house, that the Councill propose that the Charge accruing for Maintenance of the Soldiers and Garrifons now Establihed by a Law needs not of its Selve occation the charge of calling an Affsembly to lay a levie to defray the same, and that therefore the house will now ¶pofe the convenientest way how the charge thereof fhall best be defrayed without calling any^r Affsembly.

A Co^mitte appointed to make Computation of the Charge of the Garrifons for one yeare.

Coll. *Joⁿ Page*, Coll. *W^m White*, L^t Coll. *John West* M^r *James Minge*.

The house adjournes to the beat of drumme.

Post Merid.

THE house Mett & called over.

A Co^mitte appointed to Examine M^r *Auditor^s Acco^{ts}* of y^e 2/^s ¶ hh.

And that relateing to the fifty ¶ poll. Coll. *John Page*. Coll. *Math. Kemp*.

Major *Sam^l Swanne* Coll. *John Carter* L^t Coll. *John Burnham*.

A Co^mitte appointed to proporcon the levie.

Major *Ifaac Allerton*. Coll. *George Mafon*. Major *Charles Scarburgh* Coll. *W^m White*. M^r *James Minge*.

Robert Beverley Clerk to this Co^mitte.

The Co^mitte for Computacon of the charge of the Garrifon Report to the house that the charge will be forty seaven ¶ poll and that there will be. 13929 lb^s of tobacco, in deposito.

The Report it Selve Sent to his Excellencie & the Councill by [Name omitted.]

The bill for the Continueation of the Garrifons Sent to his Excellencie & the Councill by [Name omitted.]

July y^e 2^d 1680.

To his Excellencie.

By the house of Burgeffes.

This house Signifie to yo^r Excellencie that there is allow'd to M^r *Hen: Heartwell* by the Co^mitte in full of his Acco^t for pub^l buifines five thousand pounds of tobacco and Caske, And vpon the Motion from the hono^r^{ble} Councill this house haue voted him five thousand pounds of tobacco & Caske more for Services done for the Countrey this present Seffion of Affsembly, to which Sumes they humbly pray yo^r Excellencies Affent.

Tef^s RB Cl Aff^mbly

Sent by Cap^t *Gouldman*. D^r *Spiers* and M^r *Preffly*.

80

July the 2^d 1680.

To his Excellencie.

By the house of Burgeffes.

It is humbly Presented.

That Severall of his Majesties Soldiers haueing for long time been quartered on the Inhabitants of *James Citty* and *Yorke Counties* and their quarters not paid. And yo^r Excellencie haueing Signified to this house by M^r *Auditor Bacon* the great care you haue taken with him for the Spedy Satisfaction thereof, who hath vndertaken imediately

to

to discharge the Same, This house in all humillity returne their hearty thanks to his most Sacred Majesty, and desire yo^r Excellencie to signifie the fame to his most Sacred Majesty.

Vpon the debate in the house about allowances to M^r *W^m Sheerwood* and M^r *Thomas Rabley*. It is *Ordered* to be Entred On the Journall, that in confideraçon of the building one New Sixty foot house twenty foot wide One New twenty foot Square house *English* frame vnder pinned with brick, flowr'd with Sawen boards, fil'd on y^e infide & Sealed and double covered, alsoe one house Sixty foot long New Covered, all at the Countreys charge, which with the Rent of 8000 pounds of tobacco being 2000 £ ann. next Lady day, this house adjudges Suffitient allowance & Satisfaction.

The house adjournes to the third drum to morrow morning

Die Saturⁿ y^e 3^d July. 1680.

THE house Mett & called over

Severall bills for Lawes read in the house and allow'd and *Ordered* to be Sent to his Excellencie and the Councill.

Sent by Cap^t *Langhorne*, and Cap^t *Gouldman*.

The Question. Whether vpon the propofalls from his Excellencie and the Councill relateing to M^r *Heartwells* paines and care this Affsembly, there shall be allow'd him fifteen thoufand, or tenn thoufand pounds of tobacco.

Resolu'd by the Major Votes that he haue ten thoufand pounds of tobacco in the whole for his said paines and care this Affsembly, but that this shall not be drawne into president.

By his Excellencie

I conceiue my Selfe and the Councill, haue had very small attendance this Affsembly, but by *Henry Heartwell* who hath taken a great deale of paines and care, and therefore I concurre with the Councill that he ought to be allowed fifteen thoufand pounds of Tobacco for those Services.

July y^e 2^d 1680

Tho: Culpeper.

To the house of Burgeffes.

To his Excellencie.

July the 3^d 1680.

By the house of Burgeffes

It is Signified. That the Question in this house being Whether M^r *Henry Heartwell* for his paines and care this Affsembly, shall be allowed fifteen thoufand, or ten thoufand pounds of Tobacco. It is the *Resolue* of this house by Majority of Voyces that he be allow'd ten thoufand pounds of tobacco, and this house humbly pray yo^r Excellencie that it may be accepted and that it be not drawne into president.

Signed by Order of the house.

Tho: Ballard Speaker.

Sent by Cap^t *Langhorne* & Cap^t *Gouldman*.

The house adjournes to the beat of Drum.

Post Merid.

THE house Mett & called Ouer

The Question. Whether for the future ten out of the hundred or tenn aboue the hundred shall be deducted in the Collecto^{rs} acco^{ts} for their Salaries.

Coll. *W^m Kendall* being admitted into the house returnes thanks for the acceptance of his Services in his Agency and acco^{ts} brought to them which is accepted by the house and he made acquainted therewith by M^r *Speaker*.

By his Excellencie.

Although I thinke *Henry Heartwell* hath deserued more then ten thoufand pounds of tobacco, yet I acquies in it hoping the house of Burgeffes will consider him another time.

The

The case of M^r *Cadwallader Jones* is distinguishable from others by the good & Extraordinary Services he hath done and therefore hope the house of Burgeses will consider him another time.

As to the business of M^r *Potter*, my Selfe and the Councell desire to be Satisfied how his claime is made out vpon Oath.

July the 3^d 1680

Tho: Culpeper.

To the House of Burgeses.

As to the Act Intituled *an Act prohibiteing the transportaçon of English moneys and fforreigne Coynes &c. and Setting a Valuation thereon* His Excellencie and the Councell doe persist in their former Opinion; that the best way of doing it is by address to his Majesty.

3^d July 1680.

Hen Heartwell Cl Gen^rl Aff^mbly

80

July the 3^d 1680.

To his Excellencie.

By the house of Burgeses.

This house in all humillity Signifie to yo^r Excellencie that they haue considered yo^r Lordshipp's Intimaçon of Seuerall disbursements made by yo^r Lordshipp in *England* for and on behalfe of this Colonie, and doe most readily & thankfully accept yo^r Excellencies offer for reimbursement thereof and accordingly haue Ordered that M^r *Auditor Bacon* out of the first moneys which shall come to his hands from the impost of 2/^s 7^d hh. doe pay yo^r Excellencie the Summe of one hundred and ffifty pounds *Ster^t* which Summe yo^r Lordshipp is pleased to Signifie yo^r acceptance of for greater disbursements.

And this house being fully assured and deeply Sencible of the great favours this Countrey hath receiued by yo^r Excellencies vnwearied endeavours for the good thereof and which they rejoyce in beleieving they shall dayly receive by yo^r Excellencies Government, doe most earnestly and humbly pray yo^r Excellency will accept as a thankfull offer of their due acknowledgment, five hundred pounds *Ster^t* w^{ch} they alsoe haue Ordered M^r *Auditor Bacon* to pay to yo^r Excellencie out of the moneys which shall be raised by the impost of 2/^s 7^d hh. as the same shall come to his hands. It being an offering (though farre vnworthy yo^r Excellencies acceptance yett) agreeing with the low condition of this poore Countrey.

Signed by Order of the house.

Tho: Ballard Speaker

The house appoint. M^r *Speaker*. Coll. *Page*. Coll. *Kemp*. Coll. *Waters* Coll. *Carter*. Coll. *Pierce* Major *Scarburgh* & Coll. *Bird* to waite on his Excellencie with the Order of the house aboute written.

They bring back word, that his Excellencie hath rec^d the paper, which he will peruse, and returne answer to the house on *Munday* morning

The house adjournes 'till *Munday* morning the 3^d Drum.

Die Luna the 5th of July. 1680.

THE house mett & called Over.

Ordered that the Clayme of Coll. *Milner*, as it was passed this Affembly in the Comittee be allow'd and paid him out of the tobaccos deposited last Affembly in M^r *Bressiers* hands in *Nantzemond* County.

Seuerall bills for Lawes and Orders read in the house and *Ordered* to be Sent to his Excellencie and the Councell for perufall and allowance.

Coll *John Page* acquaints this house that he hath in his hands 2700 lb^s of the Countreys tobacco, to Say 1500 for ffort goods, and 1200 for Countrey boards.

The bills for Lawes and Orders Sent by L^t Coll *West* & M^r *Abr: Weekes*.

The house adjournes to beat of Drumme.

Poft

Post Merid.

THE house Mett and called Ouer.

A Comitte appointed for proporçoning the Tobaccoes to be levied Next yeare for defraying the Charge of the Garrifons. Majo^r *W^m Lloyd*. Majo^r *Anth. Lawfon*, Cap^t *James Bifs* M^r *Tho: Gouldman* M^r *Robert Bradley* is appointed Clerke.

L^t Coll. *John West* and Cap^t *Mills* are Sent by the house to acquaint his Excellency that there are Severall Addresses to be drawne to his Majesty, and this house humbly pray his Excellency will please to appoint M^r *Secretary* or whom elce he shall thinke fitt to draw the same in Order to dispatch of this Asssemblies buifines.

They bring answer that his Excellencie will take care to haue them done.

The house adjournes to beat of drum.

Same day the house Mett & called ouer

July the 5th 1680

By his Excellencie

Coll *Phillip Ludwell* and Majo^r *Richard Lee* are by his Excellencie appointed to be of a Comitte for the drawing the Severall addresses to his Majesty to joyne with such persons as the house shall appoint for that purpose and to meet immediately at M^r *Sheerwoods*.

Signed by his Excellencies Comands

To the house of Burgeffes

Hen: *Heartwell* Cl. Gen^rl Aff^{mbl}y

80

July y^e 5th 1680

By the house of Burgeffes.

Coll. *John Page*, Coll. *William Bird* and Coll. *John Carter* are appointed to joyne with the Gentlemen of the Councell appointed by his Excellency in a Comitte for the drawing the Severall Addresses to his Majesty.

The house adjournes vntill to morrow the 3d Drum.

Die Mars. the 6th of July. 1680.

THE house Mett and called over

The Petition of *Hugh Owen* and *Robert Perry* read in the house. And the Question put Whether any thing shall be allowed or not.

Resolu'd in the Negatiue.

The house adjournes to the beat of Drum.

Post Merid.

THE house Mett and called Over

The Petition of *George Lee* read in the house, in those following words

To his Excellencie &c.

George Lee.

Humbly Sheweth. That Whereas there is the ruines of two brick houfes burnt in the late Rebellion [The rest of the petition omitted.]

The 6th of July 1680

This petition is refer'd to the house of Burgeffes but its the Opinion of his Excellencie & the Councell that Coll. *Nath^l Bacon* may haue one of the houfes on the same tearmes. The house Coll *Bacon* desires is the same which did belong to M^r *Auborne*.

Hen: *Heartwell* Cl Gen^rl Aff^{mbl}y

Majo^r *Scarburgh* Coll. *West* Majo^r *Swanne* & Coll *Geo: Mafon* are Sent by the house to acquaint his Excellencie, that the Lawes and other p^rceedings of the house are ready

for

for reading when his Excellencie pleases to comãd & alfoe to acquaint his Excellencie that this houfe desires his Excellencies affent to M^r *George Lee* his Petition.

They returne and bring anfwer that his Excellency will Spedily Send to the houfe and that his Excellency & the Councell thinke that there is more reafon that Coll. *Bacon* haue the houfe, then M^r *Lee* as being more likely Spedily to build it.

His Excellencie Sends by M^r *Heartwell* for the A^ct^s of Affembly & pub^l orders to be brought by this Clerke to him, that he may read & ¶ufe them before Signeing.

The Clerke is *Ordered* to carry them to his Excellencie, & forthwith goes.

The houfe adjournes vntill tomorrow morning the 3^d Drumme.

Die Merc. the 7th of July, 1680.

THE houfe Mett & called Ouer

*July the 7th 1680. To his Excellencie,
By the house of Burgeffes*

This houfe Signifie to yo^r Excellencie that they haue Ordered the Articles in M^r *Auditor*^s acco^t dated *June* the 21st 1680. to be Expreffed & written. *viz*

To his Excellencie *Tho: Lord Culpeper* &c. as Governo^r from the 25th of *March* 1679 to the 25th of *March*, 1680. vpon acco^t of Salaries, Twelue hundred pounds *Sterling*.

To his Excellencie *Tho: Lord Culpeper* for Salaries as Governo^r from the 25th of *March*. 1680. to the 11th of *July* Next, being the Compleat end of his third yeares Governm^t is 3 1-2 Moneths at twelve hundred pounds ¶ *an*: three hundred and fifty pounds.

And this houfe alfoe hereby intimate to yo^r Excellencie that they acco^t noe more then One thoufand pounds ¶ *añ*: due from the Countrey for the Governo^r^s Salary, and that for as much as it hath been heretofore vsuall, añually to pay the former Governo^r^s two hundred pounds more as a gratuity from the Countrey Soe they moft readily & willingly continue the Same to yo^r Excellencie, And humbly pray yo^r Excellencie will please Soe to accept the fame.

The aboue Adrefs *Resolu'd* Not to be Sent to his Excellencie

The Adrefs from the houfe about a Ceffation &c. Sent to his Excellencie and the Councell by Coll. *W^m White* & M^r *Minge*.

The houfe adjournes to beat of Drumme.

THE houfe Mett

They repaire to the Governo^r & Councell in the Court houfe.

The Lawes and Orders are read. & Subscribed by his Excellencie & M^r *Speaker*

His Excellencie adjournes the Affembly to the 15th day of *ffebb*: Next.

[With the copy of the Journal of the House of Burgeses for 1680 there were sent to *England* copies of the following papers: Address of the House of Burgeses dated *June 9, 1680*, to Lord *Culpeper* desiring that Mr. *Robert Beverley* be appointed clerk of the House, with Minute of the Council of the same date endorsing the request of the House; Petition of the General Assembly of *Virginia* to the king; Address of the General Assembly to the king; and a part of the Return of the Council to the Report of the Committee of Grievances. These papers follow in the order given.]

To his Excellencie Thomas Lord Culpeper Baron of Thorfway his Majesties Lieu' & Gouvernor Gen^l of Virginia.

The house of Burgeses, most humbly Present.

THAT for many yeares past they haue been well knowing and Sensibly experienced of the great faithfulness and ready abillities of *Robert Beverley* their Clerke in the due Execution of that part of the Services of this house, and to the great dispatch thereof, for which reason together with the most Signall demonstracons of his Loyalty to his Majesty & good Services to this his Colonie, This house doe most humbly pray yo^r Excellencies approbacon and allowance that he may be continued therein, It being their Vnanimous Choyce, And that yo^r Excellency will Comand his being forthwith Sworne to the Execution of that Office by those most worthy Gentlemen of the Councell now appointed to Sweare y^e Respective Burgeses.

And as in duety bound they shall ever pray &c.

Signed by Order of the house of Burgeses

Thomas Ballard Speaker.

ffrom the house of Burgeses
Conven'd at *James Citty* y^e
9th of *June* 1680.

At A Councell held at *James Citty*,
June y^e 9th 1680

Present

S^r *Henry Chicheley* Lieu^t Governor

Coll. *Niccolas Spencer*

Coll. *Jos^{ph} Bridger*

Coll. *Nath^l Bacon*

Coll. *Ralph Wormley*

Coll. *Robert Smith.*

Coll. *John Custis.*

Coll. *W^m Cole.*

Majo^r *Richard Lee*

Coll. *Augustine Warner*

Thomas Swanne Esq^r

Vpon the Address of the house of Burgeses to his Excellencie desireing M^r *Robert Beverley* to be continued their Clerk the whole Councell by his Majesty appointed for this Colonie, doe declare that vpon their well knowing of M^r *Beverley* they are fully Satisfied his integritie, abillity and Loyalty deserues the Character the house of Burgeses haue represented him vnder, and are of Opinion it will be for his Majesties and this Colonies Service that he be by his Excellencie accordingly admitted to the Execution of that place.

To the Kings most Excellent Majesty.

The humble Petition of the Gen^l Assembly of Virginia.

Sheweth.

That yo^r Petitioners haue with their hearty thanks Embraced yo^r Majest^{ies} Act of free and Gen^l pardon and Oblivion. And passed the Second Act of Naturalization. That they haue with the like Zeale for yo^r Majesties Service with all Alacrity passed the other Act of yo^r Majesty Intituled *an Act for raising a pub^l Revenue for the better Support of the Governm^t of this yo^r Majesties Colonie of Virg^{na}* wth such Necessary & important provifoos as to yo^r Majest^{ies} Gen^l Aff^{m^{bly}} here seemed by the said Act intended,

and

and moſt conducing to yo^r Majeſties Service and welfare of this yo^r Countrey. And we humbly beſeech yo^r Majeſty that the ſaid Act of indempnity the Act for Naturaliza-
 çon, and the Act for raiſeing a pub^l Revenue &c with the proviſoes there mentioned
 may be confirmed by yo^r Majeſt^y Royall Affent. And yo^r Gen^l Affembly doth further
 Repreſent to yo^r Majeſty that is abſolutely neceſſary for yo^r Service and the welfare
 of this yo^r Colonie, that the office of Audito^r of this Colonie being a place of the greateſt
 truſt and conſequence ſhould be Executed by Some deſerveing perſon reſideing here,
 in whoſe fidellity & Conduçt this Countrey may be Satisfied and noe other, And haueing
 been informed by his Excellency of a grant Surreptitiouſly obtained from yo^r Majeſty,
 of that place by one M^r *Robert Ayleway* which would haue been ruinous to this yo^r
 Colonie, and which by his Lordſ^ſ application to yo^r Majeſty was rejected and lay'd
 aſide to our great content and for which we returne yo^r Majeſty our moſt humble
 thanks. ffor the p^rvention thereof for the future, and that yo^r Majeſty may be freed
 from the like importunity and None but fitt perſons may Execute the Same in whom
 yo^r Majeſties Colonie may haue full affurance, and of whom by reaſon of the diſtance
 of the place yo^r Lieut^{nt} and Governo^r here is the beſt judge. Yo^r Gen^l Affembly
 doth humbly Supplicate yo^r Majeſty that the ſaid Audito^r may be firſt recomnded
 to yo^r Majeſty by yo^r ſaid Lieut^{nt} and Governo^r Gen^l as formerly, out of ſome of the
 fitteſt p^rſons then reſideing in this Colonie for that great truſt and Noe others and
 afterwards confirmed by yo^r Majeſty in Such māner as hath hitherto been praçtized.
 And leaſt we ſhould Seem guilty of a Great omiſſion in point of duety we beſeech yo^r
 Majeſty to accept our thanks for diſmiſſing the Petition of M^r *Tho: Sands* being highly
 Senſible how great a defalcation the grant of it would haue made in that ſmall Revenue
 raiſed for the Support of yo^r Majeſties Government here, and for the gracious conces-
 ſion that the Governo^r for the time being ſhould be acquainted for the future with all
 matters relateing to this your Dominion, And alſoe an Order as favourable and ad-
 vantageous to our peace againſt the importaçon of the *Scotch* Conviçts.

That God almighty will grant yo^r Majeſty yo^r hearts deſire here and hereafter
 is the conſtant prayers of

Your Majeſties moſt Loyall and moſt dutifull Subjects.

Tho: Culpeper

Tho: Ballard Speaker.

To the Kings moſt Excellent Majeſtie.

*The humble Adreſs of the Councell and Burgeſſes of this Gen^l Affembly in this yo^r
 Majeſties Dominion of Virginia.*

Humbly Rep^renting

That the great quantities of our only Co^modity tobaccoes, made here in *Maryland*
 and other yo^r Majeſties plantations hath brought the price thereof Soe low, and thereby
 our Neceſſities Soe great that without applying Some Spedy remedie for redrefs thereof
 yo^r poore diſtreſſed Subjects here caⁿot much longer Subſiſt. And after due conſider-
 ation had of all wayes and meanes whereby we might releiue and eaſe o^r ſelues from this
 great preſſure and affliction we at preſent lye vnder can finde none probable or likely
 but a Totall Seſſation from planting tobaccoes this Next yeare which will abate the
 quantitie, and advance the co^modity and alſoe for the future preferue yo^r Majeſties
 Cuſtomes which muſt neceſſarily abate if we be throwne vpon the Neceſſity of leaueing
 it of our Selues. Wee therefore humbly pray yo^r Majeſty will be gratiouſly pleaſed
 by yo^r Royall proclamaçon to enjoyne a totall Seſſation from planting tobacco in this
 Countrey, *Maryland & Carolina* this Next yeare 1681. And that we may better hope

to

to obtaine, we haue humbly intreated his Excellencie *Tho: Lord Culpeper* yo^r Majest^{ies} Lieut^{nt} & Govern^{or} Gen^{ral} here, to present this our humble address, and withall to represent to yo^r Majesty the great distres we lye vnder for the want thereof and the advantages we shall necessarily gaine thereby by advancement of our Stockes of Cattle &c. And the reducing vs to Townes which this Vacancie from planting will vndoubtedly help forward, the Method and ma^{ner} thereof we humbly present to yo^r Majesty by a bill to w^{ch} we humbly Supplicate your Majesties Royall Assent and confirmation, Not doubting but yo^r Majesty who from time to time has encouraged vs therevnto, will out of yo^r Royall Clemencie encourage vs therein by granting the inhabitants there some im^munities, though to a small diminition of yo^r Owne Treasur

Wee therefore humbly implore you will be gratiouly pleased to Remitt the one penie $\frac{1}{2}$ pound to all that shall Constantly and actually inhabite in any of the Said Townes Shipping of their Owne proper Tobaccos from thence to any yo^r Majesties plantations and One halfe penne $\frac{1}{2}$ pound out of yo^r Customes to such inhabitants Shipping tobacco and Sending it to any yo^r Majesties ports in *England, Wales* or Towne of *Berwick* vpon *Tweed*, which im^munities granted for Seaven yeares will sufficiently replenish the Townes with many and Opulent Inhabitants, the true representation whereof we hope his Excellencie yo^r Majesties Govern^{or} Gen^{ral} will Send to yo^r Majesty and Supplicate yo^r Majesty on our behalues.

And for the better advance of Trade and Cohabitation, we humbly pray yo^r Majesty will be gratiouly pleas'd to giue your Royall assent that it may be Lawfull for vs to inhance 25. $\frac{1}{2}$ Cent. vpon yo^r Majesties and all forreigne Coines imported hither, over and aboue there Currant Valuc, with a prohibition for the Exporta^{cion} thereof vpon Such Severe penalties as shall be agreed on by the Gen^{ral} Asssembly the impost of two shillings $\frac{1}{2}$ hoghead and Castle dueties &c being paid in monies *Ster* as formerly.

Our Necessities haue already forced vs to trouble yo^r Majesty with soe many and Soe great addresses, and petitions, that we are almost ashamed to make our last address, which is to begg yo^r Majesties pardon for y^e former.

Your Majest^{ies} long happie and prosperous Reigne here and an Eternall Crowne hereafter, is the dayly prayers of Yo^r Majesties most loyall and obedient Subjects

Signed by Order of y^e Councill

Nicco: Spencer Secretary

Tho: Ballard Speaker

The Councill and Burgeffes of this Gen^{ral} Asssembly in Concurring with his Excellencies Speech in demonstrating the Estate of affaires in Relation to the Indians and other things therein contained. doe present These following reasons.

ffirst they are grounded vpon the late unhappie tumults Stirred vp by *Bacon* and his Complices, wherein the private concerns of many of the most considerable Estates in the Countrey were almost ruined, thereby depressing the flourishing and prosperous Estate of the publique Weall which consists in the happiness of its individualls, as the whole doth of its parts.

Secondly this contracted great debts to the Pub^l Necessity Compelling that Excellent and well deseruing Govern^{or} *S^r W^m Berkeley* and those who loyally adhered to him to giue large Credits and larger promises to Such as would help towards the restauration of the Countrey to his Majesties Obedience, and those debts thus contracted grew to soe great a Magnitude (though great and almost vnjust abatements were made to mens claymes in two Asssemblies Succeeding those troubles, and great Sums of money and tobacco were paid to diuers credit^{ors}) yet were those Asssemblies constrained to adjourne many more claymes to be regulated and discharged by the Succeeding which Now falls to the Lott of this present Session accompanied with many more accruing due by New disturbances made by the Indians Swollen to the greater Magnitude by the inevitable delay of laying the pub^l levie, for though by his Majest^{ies} Command, Peace was made with y^e Neighbour Indians, yet according to the faithles
and

and Savage Nature of those people the Country was but ill assured thereby, many Murthers and depra-dations haueing been done vpon his Majest^{ies} Subjects Since the peace was made, this Exposed the Country to finde out New wayes for its Security and that againe contracted great Expence, *viz.* the Erecting of Garrifons at or Neer the heads of the great Riuers besides guards in other places of knowne danger for prevention of the Sudden and Sculcking incurfions of the ill assured Neighbour Or pretended forreigne Indians.

Thirdly the Sending of Agents for *New York* (by the Assistance of Sr *Edm^d Androfs* to make peace with the *Seneca's*, a farre distant and remote Nation, who in their Excurfions from their cold, Barren, & Rockie Country & Soyle, into a Climate more happy & desireable haue infested the frontiers of this Country & done many Murthers, and depra-dations, whether induced by the Neighbo^r Indians in amity with vs, or moued by the prospect of its p^rsent weake and indefencible māner of habitation is not yet resolued though with good reason both to be Suspected, Since by the report of the retrieved Captiuies, Some of them haue been seen to be amongst them. These things haue been & still are y^e causes of great levies & Expences to this Country, indeed greater then its p^rsent depressed condition can well beare, did not the most Necessary defence of this his Majest^{ies} once flourishing Country Most absolutely require it. And as evill accidents are Seldome without their Concomitants, Soe the low price & Value of its Only Manufacture tobacco doth agravate & heighten its Misery, for though by Gods blessing there is such plentie of it as might well Support every man in his private capacitie, and enable him to contribute liberally to the pub^l whereby good Stypends might be giuen to those in Military employments &c. for the defence of the Country, yet Such is the vn-happines of it that it will Not Supply the Soldiers with cloathes for their Wages, Nor armes and aⁿnition for the Service they are in, Neither can the Country hope for any redrefs in this their deplorable Estate, vnless by his Majesties Most Sacred Authority the great quantities of y^e Specie (by Some Expedient Most agreeable to his wisdome) be abated

[A small space left here in original.]

Here follows part of the returne of y^e Councill to y^e Reports of the Comitte of Grievances.

Vpon the Second part of the first proposition of *Lancast^r* and other Counties propositions concerning the Governo^r and Councill laying a pub^l Levie of twenty pounds p poll His Excellencie and the Councill are Vnanimously of Opinion that it would be for the ease of the Charge of y^e Countrey according to the Directions of a former Act in that case made and provided, acco^t thereof being giuen to the next Gen^ll Affem-bly

To the 7th proposition of *York* County, about Cask. His Excellencie and Councill agrees with the Report of the Comitte but there being Noe directions about the weight of each Caske, that it be provided that if the Receiuer of tobacco doe Not agree to y^e tare of the hogheads, the tobacco to be vn-cased & y^e hogh^ds weighed & allowance to be made accordingly.

[Speech made by Lord *Culpeper* to the General Affem-bly, *June* 9. 1680. From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1376.]

Gentl

It is now almost three yeares Since it first pleased his Ma^{ty} Vpon y^e death of Sr *W^m Berkeley* to Comissionate me his Leiv^t & Gouno^r Genn^l of this his great & most Considerable Colony though to me y^e time hath seemed much Longer, haueing been Contrary to my Inclinaçons deteined from you on other services by y^e Kings Exprefs Comands for Nothing Less should haue hindered me, Besides y^e difadvantage of succeeding such a person, I am fully sensible of my weakenes to vndergo so great a weight but as during my absence in *Engl^d* I haue not bin Totally vn-serviceable to you So I shall alwayes Continue my vtmost endeavo^r for y^r welfare not onely by hindering oppreffions, Asserting

y^e

y^e Liberties & distributeing Equall and Speedy Justice but by Improveing to y^e Vtmost all oppertunities that may Contribute to y^r prosperity The Effect of w^{ch} you shall rather finde deeds then any more words on that Subject—

Had not my owne desires prompted me to begin a Speedy Acquaintance and Correspondency wth you y^e Kings Comands of giueing him a full State and Informaçon of this his Countrey, w^{ch} Can by no meanes be so well don as by a Genn^l Affsembly would haue obliged me to Call it, but besides those Implications I haue his particular Comands to tender you y^e three Acts following w^{ch} vpon mature Consideraçon wth y^e Advice of y^e privy Councell, he hath sent you by me vnder y^e great seale of *England* wth full power to giue y^e Royall Assent to them, By y^e first Intituled *an act of free & Genn^l Pardon Indempnity & oblivion* his ma^{ty} hath pardoned all persons wh^{tevr} Except *Bacon* y^t died & *Lawrence* y^t fled away & such as were Condemned by Legall Juries, by w^{ch} meanes onely Estates are forfeitable wth an Exclusion of Some few Ringleaders from Publiq, Employments, To w^{ch} is anexed a Clause to Confirme Judiciall Proceedings & another to p^rvent y^e Licencious defamaçon of y^e Gounm^t & magistracy I shall Add nothing to it but onely Informe you that as his ma^{ty} hath forgot it himself, he doth Expect this to be y^e Last time of y^r Remembring y^e Late Rebellion & that he shall Look vpon them to be ill men that shall Rub y^e Sore by vseing any future Reproches or termes of distinctions wh^{tevr} this I hope will Intice those Cheifely Concerned therein to vse their vtmost Indeavo^{rs} to Expresse their Gratitude by their futur Comportm^t & all of you to Recouer y^t favo^rable Impression in y^e mind of y^e best of Kings, w^{ch} y^r vnspotted Loyalty in y^e time of y^e Epedemicall Rebellion in *England* & y^r late submission to y^e then vsurped powers (y^e Last of all his dominions) had Justly Acquired to this Colony The second is an Act for Naturalizaçon to Invite persons to Come to this place by makeing y^e Same as Ready & Easy as is Possibile to w^{ch} is Added a Clause to Confirme such bad Titles as in y^e nonage of this Colony Could not be prevented & w^{ch} Can'ot but be very vsfull to you The third is an addiçonall act about y^e two shill^s ꝑ hhd & c^a w^{ch} must necessarily Improve y^t Reuenue by p^rventing fraudes & abuses in y^e paym^t thereof.

I am further Expressly Comanded to Acquaint you that his ma^{ty} haueing in Councell Concluded on y^e Necessity of haueing one or more Townes in y^t Country (wthout w^{ch} no oth^r naçon ev^r begun a plantaçon, or any yet thrived as it ought) & observed y^t all other meanes haue bin vnçeffefull, hath in ord^r therevnto Resolued as soone as Store-houfes & Conveñeys Can be provided to prohibite shipp^s tradeing here to Load or vnload but at Certaine fixed places to be appointed vnder Necessary Penalties in y^e denominaçon whereof & all other Circumstances y^t may make y^e thing practicable, He thinks fit to take his measures by advice from hence—He doubts not but in a matter of such Consequence sev^l difficulties will occur & as Little but y^t on due Examinaçon they will be Remedied

In y^e Last place I am ord^d to acquaint You wth his ma^{ties} Ler^r to me (w^{ch} wth y^e acts shall be forthwith sent you) by w^{ch} you will finde Care had been taken before y^e Adresse Last yeare for y^e paym^t of y^e Quart^{rs} & Soldiers till y^e first of *July* Last for y^e punctuall Execuçon whereof I haue Employed two Considerable Justices (& now members of y^e Affsembly) to Adjust acco^{ts} between Landlord & soldier vpon whose Return some time this weeke y^e mony shall be paid I haue also repayed to m^r Aud^r *Bacon* those sum^s he advanced To y^e Guñers in their need & haue also paid their Quarters due any where in the Country amounting to a Considerable Sum (& dismissed them y^e service being absolute necessary to prevent y^e growing Charge to his mai^{ty}) but y^e doing of that hath disenabled me for y^e present to pay y^e Arrears due in *Nanzemond* & y^e *Isle of Wight* Counties, but in *may* next, I will see y^e Country paid out of my owne Sallery in Case by any Accident y^e Com^{ts} of y^e Treasury should faile therein you will by y^e fd Letter ꝑceiued (notwithstanding y^e Return & opinion of som persons to y^e Contrary) his ma^{ties} Gracious Resolution, on my Representaçon of paying his forces himselfe out of his owne purse from time to time without Expecting any thing from hence but Credit for Quarters at 0.2.0 ꝑ weeke to be paid at ev^{ry} Yeares End & yet in that Case to I shall ease You of one halfe

halfe for I will pay y^e Quarters of my owne Company punctually my self, The other part of y^e Letter Concernes y^e Quit rents, w^{ch} I had also long since represented vnto his ma^{ty} wherein as soon as he shall be fully Informed of y^e ftate you are in, & Your Readines & Cheerfulnes for his service & y^r owne good

I doubt Not but such measures will be taken both for y^e past & future as wilbe Satisfactory to all Interests (that I haue therein shall never stand in Competition to yours) & Conduce to his ma^{ty}'s service, & y^e good of this Colony, To w^{ch} my vtmost Indeav^{rs} shall be alwaies Ready

I would be glad to be fully Informed of y^e ftate of Affaires in Rela^{cion} to y^e Indians, to severall of whom on y^e Return of S^r *John Berry* & Coll *Moryson* I am to deliver presents from his ma^{ty} I haue form^{ly} vnderstood it would be for Y^r Service to Lay open y^e Trade with them, if you find it so I shall most Readily Concurr, for tis my Resolution to do all things may be for y^e publiq³ good—without Considering any private Int'rest & therefore I Leave it to yo^r serious Considera^{cion}

If you haue any greivancies, you Can'ot haue a better time to offer them, all in my power shall be forthwith Effectually Remedied on y^e place, & if there be any of a higher nature You may Affure your selves of his ma^{ties} gracious dispo^{sition} to do y^e like

I hope in this present Cheapnes of Tobacco, you are not vnprovided of some propofalls for y^e good of y^e Country, tis a thing I am not yet recent in, & I am sure deserves Your most Serious Considera^{cion}.

Laftly I Require you to be very Exact in ftateing y^e publiq³ debts & to take Notice Your selves & so informe Y^r Respective Counties, y^t y^e present Levies are for past vses, & if you please from hence forth to draw a Line, I shall take Care y^t no Vneceffary charge shall be vndertaken nor no neceffary one but wth y^e Least Expen^{ce}, for some meanes must be vsed to moderate y^e Exceffive Levys by Tithables

I haue now nothing more but to desire your Speedy Resolu^{cion}s, & to Consider y^t I am bound vp by Inftru^{cion}s on Report of y^e Late Com^{rs} to Admitt you to sitt but few dayes, & since y^e *Oxford* fregate hath ftayed so long I would be willing to giue his ma^{ty} an account by y^e Cap^t thereof of y^e Comands he sent you, for y^e p^{ar}ticular accounts You may take a further time but pray Rembr^e y^e Season of y^e Yeare & entertaine no private Causes this Affembly.—

AT A GEN^{RLL} ASSEMBLY

Begunne at *James Citty*. June the 8th 1680 In the 32^d yeare of the Raigne of o^r Sov^raigne Lord King *Charles* the second &c.

THESE following Orders of Affembly were made. *Viz*

It being propofed to this Affembly whither Servants configned to Merchants for Sale be lycable for payment of their levies if not fold or difpofed before the tenth of *June*. *It is declared by this Affembly* that fuch Servants foe vnfold ought not to be lifted as tytheables that yeare

A Propofition being brought to this Affembly for giueing Rules to try Serv^{ts} Indentures comeing into this Countrey, and divers blanke indentures and Office Certificates Signed by the Office keeper or Register or Deputie Register, and Sealed with the Office or Register Seale being produced to this Affembly, whereby it maniftly appears Such Indentures and office Certificates cañot reafonably in themfelues without better teftemonie or at leaft great circumftance be accounted Valid & good And becaufe many and different Arguments and proofes may appeare for or againft fuch as may happen to be produced. *This Affembly doe declare* that the former Lawes doe Suffitiently direct concerning Indentures, And that all iuftices are obliged to giue judgment in Such matters when they come before them according to fuch prooffe by Evidence or otherwaies as fhall be manift to them, and according to the beft of their judgments theirin

It being Propofed to this Affembly. Whether it is in the Power of Sheriffs vpon Entry of A^{ct}ions, againft Mafters, Marin^{rs}, or others belonging to or on board any Shipp or Shipp^s rideing at Ancho^r in the Refpectiue Riwers, Ports or harbo^{rs} of this his Majef^{ty} Colonie to Enter on board any Such Shipp or Shipp^s or other Veffells rideing in the River or Rivers Rhode or harbour appertaining to and accounted within the p^rcin^{ts} of that Countie whereof he is Sheriffe, and there Serue Such Arrest or procefs as the Entry of the A^{ct}ion or Warrant directs. *This Affembly doe declare*, that it alwayes was and ftill is within the Authoritie and power of all Sheriffs and their lawfull Deputies, to make Arrests, and Execute Warrants as well on board Shipp^s and other veffells rideing in the limitts or p^rcin^{ts} of their Counties or Rivers or harbours adjoyneing therevnto equall and alike with their Authoritie and power on land in their Countie in like cafes, and this to continue in force, vntill there be Courts of Admiraltie Setled.

The Petition of the Inhabitants of *Pamunkey Neck* praying that they may be made a Parrifh and it being Averred to this Affembly that part of that Neck belongs to *S^r Peters* parifh foe farre as *Johns Creek* and to the Ridge of the f^d Neck, this Affembly doe declare and Order that they haue liberty to make a Parifh downwards from the faid *Johns Creek* and Soe vp the Ridge on *Mattaponie* Side, if they thinke Convenient.

Vpon the confideration and Examina^õn of the Clayme of m^r *Auguftine Moore* for a flock bedd, feather Bolfter and Green Rugg, and alfoe one other Rugg impreffed from m^r *Thomas Wythe* This Affembly declare the fame ought to be remitted to *Elizabeth Citty* Countie for payment for the Same by reafon of a former Order of Affembly, that all claimes of this Nature are to be fatisfied by the Countie from whence they come.

Ordered that Coll. *Charles Morrifon* be paid by m^r *Auditor* out of the impoft of two fhillings ꝑ hoghead, ten pounds *Ster^t* for his Expence trouble and Charge about the Indian Woman, which is to be in full of his acco^t brought to this Affembly in that affaire.

Whereas there is an Article of 6200 lb^s of Tobacco part of the Sum^e of 14370 lb^s of tobacco, levied this Affembly for m^r *John Quigley* and is charged for Medicines delivered to *Robert Synock* as Surgeon to *Rapp^a Garrison*, and there being by Law only five pounds

pounds *Ster*^l appointed to buy Medicines for each fforte. *It is therefore Ordered* that if it fhall appeare to the Court of *Rapp*^s that the faid *Synock* ought to allow the Overplus then he the faid *Synock* fhall difcount the fame out of what he is to receiue from this pub^l *Levie*. And Major *W^m Lloyd* and Captaine *Thomas Gouldman* are desired to Sequefter and returne an Acco^t of fuch Ouerplus vnto the next Affembly that the publike may be reimbursed.

Coll *Cuthbert Potter* haueing made appear to this Affembly by his Oath made to an Acco^t of perticulers that he difburfed One hundred and three pounds three fhillings for the freight of fforty foure great Gunnes with great fhott and pouder fuiteable for them, and alfoe for other difburfments by him made in fhipping of the faid Gunns pouder and Shott for this Colonie. And making further Oath that he difburfed the faid Summe on acco^t aforefaid in the Moneth of *March* 1673. And from that time payes intrest for the fame after the rate of Six *per Cent*. ¶ *Añ*: And praying for allowance thereof from the publike *It is therefore Ordered* that he be paid by m^r *Auditor* out of the impoft of two Shillings ¶ hogfhead, or out of the Affociation money where the faid Gunnes pouder and Shott were delivered proportionally, the faid Summe of One hundred and three pounds three fhillings *Ster*^l with intereft after the rate of Six ¶ *Cent*. ¶ *añ*: from the time of his difburfing the faid Moneys to the day he fhall be reimburs'd the fame. *Provided* it appears by the Oath of the Owners Mafters, Purffers, Or others that the Money was paid to them by the faid *Cuthbert Potter*.

It is Ordered That m^r *Hugh Cambell* for his care trouble and Expence in Sending into this Colonie an Indian Woman from *Bermudas* as alfoe for his firft cofts difburfed for her price there, be paid by m^r *Auditor Bacon* out of the impoft of two fhillings ¶ hogfhead forty pounds *Ster*^l moneys.

It is Ordered that Coll. *William Kendall* one of the Agents fent to *New Yorke* from this Colonie be paid by m^r *Auditor Bacon* out of the impoft of two fhillings ¶ hh. for his difburfments and Salary of Agencie in full ballance of his accounts now rendred to this affembly one hundred fifty eight pounds fifteen fhillings. And that Coll *Southy Littleton* dec^d his Executo^r be paid as aforefaid, thirty pounds *Ster*^l for the Service he did in the faid Agency whilft he liued.

Coll. *George Liddall* is by this Affembly impowred and *Ordered* to Sell all Such Armes as are in his poffeffion w^{ch} belong to the publike, and alfoe to giue a juft accompt thereof to the Next Affembly without being further called thereto.

Vpon the Petition of *John Kimborough*. *It is Ordered* by this Affembly that he be allowed as an añuall penfion from the publike, One thoufand pounds of tobacco and Caske ¶ *añ*: dureing his Naturall life.

Ordered That *Rowland Place* Efq^r be paid by m^r *Auditor* out of the impoft of two fhillings ¶ hogfhead thirty Seaven pounds Nineteen fhillings three pence being for Armes impreft from On board Captaine *Gilbert* belonging to him and made vfe of for the Countreys Service.

Ordered that m^r *James Turner* be paid by m^r *Auditor Bacon* out of the impoft of two fhillings ¶ hogfhead, twenty pounds *Sterling* for Soc much due to him from the publike.

Ordered that Two thoufand pounds of Tobacco and Caske be this yeare levied and paid to *W^m Chapman* now dwelling in *Glofter* County and that after two yeares be Expired (if he continues in this Countrey) he be dureing his impotencie and lamenefs gott in the Service of this Countrey añuually paid by the publike, One thoufand pounds of tobacco & Cask in the County where he then liues, towards his Maintenance and releife.

Ordered that the good Services & Sufferings of *James Wilkinfon* dec^d according as his Sonnes Petition truly Setts forth be put vpon Record, to the End Succeeding Affemblies may confider his Sonne y^r Petitioner when he fhall come to full Age.

The Petition of Coll. *William White* on behalle of *James City* parrifh being read, *it is thereupon Ordered*, that for the finifhing the Church at *James City* there be fourteen thoufand pounds of tobacco this yeare levied and paid into the hands of Coll *William White* for the vfe aforefaid

Ordered

Ordered that the Clerke of the Affembly deliver into the Secretaries Office one of the largest bookes of the Lawes.

Ordered, that those Armes in Coll. *Bacons* hands impreft from on board Cap^t *Granthams* Shipp, be by him fafely kept vntill the next Affembly fhall giue Order about them.

M^r *Auditor Bacons* acco^{ts} of the impoft of two fhillings 7^d hogfhead for the yeares 1677. 1678. 1679. & 1680 are paft and allowed by this Affembly as the Same are Stated, the ballance due from the Countrey to m^r *Auditor* in the Accompt dated the twenty firft of *June* 1680 being One hundred & forty pounds nineteen fhillings thre pence

M^r *Auditor Bacons* acco^{ts} of the Remaining part of the Monies due on the fifty 7^d pole are paft & allow'd by this Affembly, on ballance whereof their appears due to the Countrey in m^r *Auditor Bacons* hands Two hundred Sixty foure pounds one fhilling *Ster^t* With which Summe he is hereby ordered to pay Such Summes of money as are by this Affembly Ordered to be paid to Coll *Kendall* Coll. *Charles Morifon*, m^r *Hugh Cambell* and m^r *James Turner*, and make himfelfe D^r for the remainder in the Next yeares accompt of the two fhillings 7^d hogfhead.

Ordered that One hundred and Sixteen 7^d pole be levied and paid this yeare, for defraying the pub^l debts. And that forty Seaven 7^d pole be levied and paid this Next enfueing yeare for defraying the charge of the fowre Garrifons at the heads of the Riuers this Next enfueing yeare, according to an Act of this Affembly.

Vpon the Petition of Coll. *Nathaniell Bacon* for a leafe for fifty yeares for the Two houfes in *James Citty* now lyeing in Ruines, formerly poffeffed by m^r *Richard Auborne* and *Arnall Coffina* together with the lands belonging to them. *It is Ordered* that the faid Coll. *Bacon* haue a leafe of the fame granted him his Executo^{rs} Adminiftrato^{rs} and Affignes for fifty yeares aforefaid, with fuch Conditions, limitions, and Covenants on his part to be performed as is vfuall in fuch cafes, and as hath been offered to this Affembly for the faid houfes by m^r *George Lee*, who alfoe petitioned for a leafe for the Same.

Vpon the Petition of Coll. *Phillip Ludwell* for a leafe for fifty yeares for the two houfes in *James Citty* now lyeing in ruines, the One that houfe where the goale was kept And the other that next adjoyneing to it, together with the lands belonging to them. *It is Ordered* that the faid Coll. *Phillip Ludwell* haue a leafe of the faid houfes granted to him, his Executo^{rs} Adminiftrato^{rs} and affignes for fifty yeares aforefaid, with fuch conditions limitions & Covenants on his part to be performed as is vfuall in Such cafes, and directed to be exprest and Sett downe in y^e leafe to be giuen to Coll. *Nathaniell Bacon* by Order of this Affembly.

Vpon the Petition of m^r *George Lee* for a leafe for fifty yeares for the two houfes on the Eaft End of thofe lately granted to Coll. *Phillip Ludwell* and now lyeing in ruines, together with the lands belonging to them. *It is Ordered* that the faid m^r *George Lee* haue a leafe of the fame granted to him, his Executo^{rs} Adminiftrato^{rs} and affignes for fifty yeares aforefaid (*Provided* they be the Countries houfes) wth fuch Conditions limitions, & Covenants on his part to be performed as is vfuall in fuch cafes, and as is directed to be Exprest and Sett downe in the leafes to be giuen Coll *Bacon* and Coll. *Ludwell* by Order of this Affembly
Prayer for y^e Council^r

Ordered, that his Excellencie be defired, on behalfe of this Countrey to pafs and confirme all Such leafes as this Generall Affembly haue this prefent Seffion Granted to Severall perfons for the Tearms and vnder the Conditions & limitions as is Exprefsed in the feveral Orders.

The houfe of Burgefles in all humillity Signifie to your Excellencie [Here follows the addrefs from the Houfe of Burgefles to the governor made *July* 5 and given in full in the Journal. See *ante*. In the margin of the manufcript appear thefe words: "Not out of y^e New Revenue"]

His

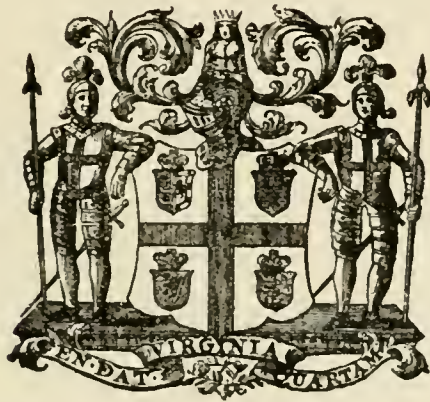
1. So in the copy. The prayer (or petition) is, however, not given.

His Excellencie is desired to Order and Require the high Sheriffe of *Lower Norfolk* Countie, to demand and Collect the Rents and levies of all the Inhabitants of *Black Water* and *Curratuck*, for lands that they hold by patent from this Colonie. And if the Government of *Carolina* shall disturb them for the payment of such dues, that then the Sheriffe of *Lower Norfolk* be Authorized and impowred to defend them in the payment of Such Rent justly due to this Colonie, And likewise that his Excellencie, be desired to write to the Government of *Carolina* to the intent the Inhabitants of *Black Water & Curratuck* may Not be disturbed

Ordered that *Robert Beverley* Clerke of the Assembly, doe deliver to his Excellencie a Copie of the Report of the State of the Countrey, confirm'd by the house and the Councill.

JOURNAL
OF THE
HOUSE OF BURGESSES
AT A
GEN^{LL} ASSEMBLY

Held at *James Citty* by Prorogation from the 8th day
of *June* 1680: to the 15th *feb:* following and from
thence [by further Prorogations] to the 18th of
Aprill 1682



RICHMOND, VIRGINIA.

MCMXIV.

AT A GEN^{LL} ASSEMBLY

Held at *James Citty* by Prorogation from the 8th day of *June* 1680: to the 15th *feb:* following and from thence [by further Prorogations] to the 18th of *Aprill* 1682

Die Mart: Aprill: 18th 1682

SEUERALL of the Burgeffes conveened, *Ordered* one of the writts for election of Burgeffes to be read:

The writt for *James Citty* County directed to the Sherriff of *James Citty* County was read in the house

The Burgeffes mett together with M^r *Speaker* adjourne untill to morrow the third drumme.

Die Mercur: Aprill the 19th 1682

THE house mett and called ouer

A Committee appointed and sent out to examine the writts

Coll^o *Lemuell Mafon:*

M^r *W^m Fitzhugh:*

M^r *James Minge:*

Maj^r *Sam^{ll} Swann:*

M^r *Charles Turner:*

Robert Bradley is appointed Clerke of this Committee

This house adjournes till afternoone, the beat of drumme:

Post Merid:

THE Committee appointed to examine the writts returne, there reporte is confirmed by the house:

Coll^o *William Bird*, Cap^t *Rich^d Whittaker*, M^r *Jo^s Spier*, and M^r *Thomas*

Tabererer are appointed by the house to request the Govern^r to appoint some one or more of y^e Councill to fweare the new elected Burgeffes:

They returne and say, The Govern^r desires to speake with M^r *Speak^r*

The house desires M^r *Speaker* to wait upon the Govern^r at his request, & appoint Maj^r *Henry Whiteing*, M^r *William Sherwood*, M^r *Rich^d Whittaker*, M^r *W^m Fitzhugh* and M^r *Thomas Clayton* to attend M^r *Speaker* with the Clerk:

M^r *Speaker* returnes, and acquaints the house, that the Govern^r hath informed him that by late instructions from his Majestie he is not to suffer the Burgeffes to fitt and therefore noe need of fwearing new Burgeffes, & that his hono^r promifes to call the house before him to morrow, when he will acquaint them with his Majesties instructions:

The whole house vnanimously vote that there may forthwith be an humble address from the house to the Govern^r for the Continuance of this Aff^{bly}

Ordered: A Committee appointed to prepare an Address forthwith to be presented to the Govern^r in ord^r to the continuance of this Affembly & to present the same to the house for approbacon:

M^r *James Minge* Maj^r *Sam^{ll} Swann*, M^r *William Fitzhugh*, M^r *William Sherwood* M^r *Thomas Clayton* Cap^t *John Matthews* and M^r *Christop^r Robinson* are appointed for this Committee and the Clerke of this house to attend their Commands.

Tho: Scott is appointed to attend them as Clerk:

The house adjournes to the beat of drum:

About

About 11: at night the house mett at beat of drum and are called ouer

The returne of *Eliz: Citty County* writt read in the house, and M^r *Thomas Jarvis* & M^r *Edw^d Mihill* admitted Burgesses

The Committee returne with the addrefs for continuance of the Asssembly, rough drawn which is read in the house and approoved, and ordered to be entred in the journall book for a record of this house; and forthwith fairly transcribed in order for sending to the Govern^r & Council:

Ordered that y^e Clerk of this house doe early to morrow morning deliuer to Maj^r *Geo: Morris* Cap^t *Rich^d Whittaker*, M^r *James Bifs*, and M^r *Hen: Mills* the faire copy of the addrefs, and that they doe immediately thereupon, wait upon the Gouvern^r and present the same to him from this house

This house adjournes to, tomorrow morning the second druñ:

The Addrefs follows

To the R^t hon^{ble} S^r Hen: Chicheley Kn^t his Ma^{ties} Dep^{ty} Govern^r, and to the hono^{ble} Council of State:

The humble Addrefs, and supplicaçon of his Ma^{ties} most humble distressed & loyall Subjects of this his Ma^{ties} Countrey of Virg^a in all humility present: R^t hono^{ble}

That wee our most dread and most gracious Soueraignes most humble and loyall Subjects the Burgesses for the sd Countrey in the gen^l Asssembly now Asssembled, ouerwhelmed and oppressed with greife, and ineffable Sorrows through our dolefull & most pierceing apprehensions, and fears of an adjournm^t as to us seems most sensibly intimated upon our humble application to yo^r hono^{rs} and yo^r hono^{rs} discourfe & returne to our Speaker. Yet wee comforted with the sweet affurances of his Ma^{ties} & yo^r hono^{rs} superlatiue grace and goodnes, and of the hearty sincerity of our most Candid intentions and proceedings whercon with humble confidence we shall euer relye in all humility beseech yo^r hono^{rs} that the tryed loyalty and dutifullnes of as long approoued faithfull and deuoted loueing Subjects as euer serued or liued under the most gracious of all Soueraignes may not be eclipsed by misapprehensions of this our most humble and Submissiue addrefs, and supplication, but that yo^r hono^{rs} through the Sunshine of yo^r owne cleer judgments would candidly vouchsafe to consider the sincere intentions of this our humble petiçon resolued upon by the uniuersall voice of this house, and passionately submitted to yo^r most gracious fauo^{rs} humbly setting forth *viz:*

1st That this miserably indigent poor Country whose last expiring hopes were onelie Cherrished with the flattering promises of some most happy result of this Aff^{bles} consultations and already subjected to at least one halfe of the charge of fourteen dayes fitting by the meeting of the burgesses who from all parts of this drooping Countrey haue passionately waded through all the great and manifest dangers of the great unusuall and exceffiue inundaçons and Itormes, to the eminent danger of our liues to attend the same, that the expence and charge of iffueing the writts, transmitting them to the feuerall Counties preparaçons of prouisions and other incidents to a gen^l Asssembly, will well nigh (if now adjourned) fall as heauy upon us and that to noe purpose, as if the Asssembly continued, besides the gen^l amazem^t, and diffatisfaction like an unexpected deaths wound, it will be to the people in generall whoe will be infinitely more affected and better satisfied cheerfully to beare y^e vastest charges of a Session, then to gaine much more by a Suddaine dismission haueing generally entertained such high affurances of a happy result therefrom

2^{dy} At this Criticall juncture of time and affaires we conceiue, there is an absolute & if truely considered, indispenfible necessity for an Asssembly, which if dismist now must proue of fatall and ruinous consequence to our Little all, and must be reconueen'd shortly or at furthest at the fall, which will accumulate exceffiue doubly trebbled charges and taxes on the people, without the wished returne of any Comparable benefitts this Season now presents us with, being what now foe opportunely offers itselfe for the immediate preferuation subsistence and establiishment of his Majesties Country, and our security and happines like past houres will irrecouerably be slipped by us, and wee onely left to wish at best:

3 The ineffable Calamity, under which the gauled Country at present roares our sole Staple Commodity tobaccos being soe loft and vile a drugg that wee are noe wayes able to force a miserable Subsistence from the same but generally brings us in debt of which we are all to our deare experience most deeply sensible which is impossible to be improved or advanced by any other wayes or meanes, then by an Assembly which Calamities, if force of penne, witt, or words Could truly represent as it is, the sad repentments would force blood from any Christian Loyall Subjects heart, especially a true Lover of this Country, whilst our expectations of reliefe wholly relyes on this Assembly now convened'd, which if abortively discharged 'tis highly to be feared, will add disperacion to misery w^{ch} God of his infinite mercy prevent

4^{ly} Our late allarrums by the Indians on our frontiers this Season of the yeare annually exposing us to the knowne dangers of our Common enemy of whose attaques wee are in dayly dread and horro^r of our neighbouring Indians joyning with them, and to aggravate all this it is credibly reported the Soldiers are forwith to be disbanded, and consequently the garrisons well settled for the security of the Country dismantled, which by noe wayes wee humbly conceive can bee reinforced, and fully strengthened without the advice and consideration of an Assembly because from them must come their pay and provisions for their maintenance, which will be of dangerous consequence in itselfe alone in this juncture when forreigne enemyes are dayly expected to invade us, and our neighbour Indians by most inhabitants, are justly to be dreaded if we doe not protect them against the *Senecaes*, the which without an Ass^{ly} wee are utterly incapable of.

5^{ly} If the soldiers should be disbanded, and not receive their full pay, and arrears which wee knowe is not frequent will give them occasion of murmuring; the which if added to the dissatisfaction of the Country in gen^l by the thus breaking up of this Assembly, might prove of dangerous, and irrecoverable Consequence to this Country and his Majesties interests therein:

Lastly That in the ordinary Course of Justice in matters of greatest import amongst many particular persons, appeales have bin made and waighty causes otherwayes transmitted to the Assembly held in *Aprill* 1679, and thence referred to that of *June* 1680, when by an express from his Ex^{ty} noe private matters were to come in debate during that Session Since which time two yeares are well nigh now elapsed, and if noe Assembly at pres^t shall be holden great inconveniences will ensue if not a totall fayleur of Justice: All which wee in all humility submit to the just ballance of yo^r hono^{rs} mature considerations and judgments with all zeale of hearts and Soules most passionately praying that it may please the Almighty dispenser of all wisdom to inspire yo^r hearts and mindes with a true Sence of our manifest miseries dangers, and Calamities, that wee his Majesties most Loyall Subjects may receive the great consolation of a propitious answer to this our humble address, for the Continuance of this Assembly to a Session, whilst wee in all sincerity most heartily pray

God blefs his Majestie and yo^r hono^{rs} and euer Subscribe: from the house of Burgeses
this 19th *Aprill*: 1682:

Die Jouis the 20th Aprill: 1682

THE returne of the writts for *Yorke* County and for *Accomack* County read in the house and allowed

Maj^r *George Morris* Cap^t *Rich^d Whittaker* M^r *James Bifs*, and M^r *Henry Mills* returne answer to this house that they have d^d the address of this house relating to the Continuance of the Assembly. to the Govern^r early this morning, and report to the house that his hon^r sayd he would rise early, and as soon as the Councill came together he would make them acquainted with it and Signifye the same to the house.

Die

Die Jouis the 20th of Aprill: 1682

Post merid:

MR *Chilton* comes to the house, and is bid goe forth a while and shall be called by and by:

Ordered that M^r *Chilton* be sent for into this house to be enquired of his errand, he is enquired for at the door but is not there.

The question whether the message sent yesterday from this house shall be reinforced to the Govern^r to intreat the govern^r to send Councill to swear the new elected Burgeffes *Resolved nemine Contradicente* in the affirmatiue.

Ordered that Maj^r *Charles Scarburgh* Maj^r *Joⁿ West*, M^r *W^m Fitzhugh*, Maj^r *Sam^l Swann* M^r *Hen: Mills*, and Maj^r *Thomas Gouldman* be appointed by the house to waite upon y^e Govern^{or} and to reinforce the message sent yesterday to his hon^r that he will please to appoint some of the Councill to swear the new elected Burgeffes, and to acquaint his hon^r

That this house taking into consideration that there are diuers writts returned nominateing the new election of Diuers Burgeffes, which doe accordingly appeare and for as much as by the Lawes of *Engl^d* and the constitution of this Countrey new elected Burgeffes are not to be admitted to a vote, before they haue taken the oaths of Allegiance and Supremacy, and this house being very desirous of being full, to the end they may make more full and better answers to w^t the R^t hono^{ble} the Govern^r shall require doe therefore reinforce the message of yesterday by their aboue nominated Burgeffes to the Govern^{or} that he will forthwith please to appoint Councill for the swearing the new elected members now present

The messengers are accordingly sent and they goe out.

M^r *Edw^d Chilton* comes into the house, and sayes that the Govern^{or} expects M^r *Speaker* and the house of Burgeffes to wait upon him presently in the Court house.

Ordered that Coll^o *William Loyd*, Capt: *Rich^d Whittaker* Coll^o *Joⁿ Farrar* and M^r *James Minge* doe waite upon the govern^{or} and informe him that a messenger lately came into the house as from the Govern^{or} whom this house not knowing they cannot take notice of, and that this house doe pray his hon^r when he pleases to send any message to this house he will please to use the accustomed manner therein, to the end they may take due notice thereof, and accordingly giue their respects

Maj^r *Charles Scarburgh* &c brings answer that the Govern^{or} is now at dinner and sayes that after dinner he will call the Councill and consider of it:

The house adjournes to the beat of drumme.

Coll^o *W^m Loyd*: &c: goe upon their message.

They returne and say the Govern^{or} sayes to them that he expects M^r *Speaker* and the house to waite upon him according to his directions yesterday:

Ordered that Maj^r *Charles Scarburgh* Maj^r *Joⁿ West*, M^r *W^m Fitzhugh*, Maj^r *Sam^l Swanne*, M^r *Hen: Mills* and M^r *Tho: Goldman* doe wait upon the Govern^{or} to remind him of his promise about the late message *viz^t* that his hon^r will please to appoint Councill to swear the new elected Burgeffes, for their better enabling to observe his hon^{rs} Commands.

They goe out and Returne and say the Govern^{or} seems to be in passion and sayes he will heare noe more messages, and has sent for M^r *Speaker* and the house oftentimes to come and heare the Kings Letter, and did further add the New Burgeffes shall not be sworne

Ordered by the house that the Clerk doe forthwith Reade to the house all the entries, and passages in the journall from the beginning of the first dayes meetings of this house according to the teno^r of the Govern^{ors} writts to this present time.

The question whether this house shall waite upon the Govern^{or} upon the returns those Gentlemⁿ: brought upon their message sent upon, or that this house shall waite the Govern^{ors} other exprefs Commands

Resolved

Resolved that this house according to the antient and good practice thereof. doe not obserue or attend any message brought to them by their own members further yⁿ the whole house from time to time shall think fitt, And that in answer to the present Question put, they are Resolved not to trouble the Governo^r by an uncertaine waiting upon his hon^r but will dutifully expect his hono^{rs} Commands as all along heretofore has bin used for their attendance which they will respectfully obserue

This house adjournes to the beate of the Drum any time this evening and if noe drumme beat this evening, then to the second drumme to morrow morning

Die Vener: the 21st of Aprill: 1682:

THE Question a paper presented by M^r *Sherwood* to the house, whether the same shall be read or not

Resolved nemine contradicente in the affirmatiue, the paper read

Ordered that the paper presented by M^r *Sherwood* be read a Second time wth amendm^{ts} the paper read a Second time, *Ordered* that the same be forthwith entred in the journall book of this house, and forthwith fairly transcribed and sent to the Governo^r and Council by Maj^r *Charles Scarburgh* Maj^r *John West* &c

They are sent with the paper and directed by the house that if the Council be not with the Governo^r to acquaint his honor the house ordered them to Leau it wth them, and doe pray him to Communicate it to the Council with the first Convenience The words follow

To the R^t hono^{ble} his Ma^{ties} Deputy Governo^r of Virg^a and to the hono^{ble} Council of State.

The house of Burgeses

Humbly present:

This house haueing taken into their consideracons yo^r hono^{rs} returne of their message sent by Maj^r *Charles Scarburgh*, and feuerall other members of this house to pray yo^r hono^{rs} to appoint Council for swearing the new elected Burgeses of this house, which was return'd them in the following words or Signification, That yo^r hono^{rs} would receiue noe more messages from this house & that yo^r honors sayd, you had sent for them oftentimes to come and heare y^e Kings Letter, and that the new Burgeses should not be sworne, for the last of which they are heartily sorrowfull and being desirous with most hearty submission to obey his Majesties and yo^r honors Comands, yet fearing it may be for his Majesties differvice in the hazard of this Countreys ruine, should this Assembly be adjourned or prorogu'd without longer Sitting to make the Same a Session and without reasons rendred them for their Satisfaction, doe most humbly pray yo^r hono^{rs} will please (as the feuerall Governo^{rs} of this Countrey in such cases haue all along bin used to doe and practice) to transmitt his Maj^{ties} Letter in that case to this house for their perusal, in which if there be noe latitude allowed but that without exception his Ma^{ties} Commands this Assembly shall not fitt they shall most readily and obediently Submitt themselues to it, and use their utmost endeauours to Satisfye therewith their respective Counties whom they represent. And if as they hope his Majesties Letter necessarily must, it shall admitt of an exception or prouiso for the Continuance of this Assembly, they will forthwith use their utmost endeauours, and humble applications either by conference with yo^r hon^{rs} or otherwise, to shew the absolute necessity why this Assembly ought to continue, This great and needfull fauour they humbly hope your honors will not denye them, and as in duty bound they shall ever pray for yo^r hon^{rs} wellfaire and prosperity:

M^{rs} *Charles Scarburgh* &c: returne from their message, and report to the house that they haueing deliuered their message to the hand of the Governo^r and prayed his hon^r in the name of the house, that he would please to Communicate it to the Council as soone as possible, The Governo^r first read the paper, and very mildely made answer, and promised that he would call the Council together and communicate the same to them, and giue an answer thereof to the house

An abridgem^t of Reasons in the late address from this house to the Govern^r & Councill why there is an absolute necessity for this present Assemblyes continuance to a Session being presented to this house, *It is ordered* that they be entred upon the journall book as the Reasons of this house, and that the Clerk doe prepare and giue to the respectiue Burgeffes of euery Seuerall County a faire Coppye und^r his test boeth of the Address at large, and alsoe of those abridged reasons drawne out thence, and that further the Clerk of this house doe not refuse to make the same pub^l by giueing coppies under his test to such as will desire and pay him for the same.

Ordered that Coppies of any part or the whole proceedings of this house be by the Clerk of this house deliuered under his test to any person that shall desire and will pay for the same.

Reasons rendred by the house of Burgeffes why there is absolute necessity for the present Assemblyes continuance to a Session.

ffirst. The Burgeffes are all mett from the seuerall parts of the Countrey, most of them with great labour difficulty, and danger by reason of the exceeding badness of the weather, and great inundations caused by long and continued raines altogeay^r unusuall to happen in this Countrey, and the charge of holding this Assembly is thereby more then halfe contracted.

2ly: The whole Countrey are unanimously desirous of an Assembly at this time hoping thereby to finde releife in this their miserable and lost Condiçion, that this house doe unanimously declare they fear if it be now discontinued wthout being suffered to sitt, the necessities and discontents of the people may turne to desperaçon

3ly: Many of the people in diuers parts of the Countrey are in great feare & dread of the sforreigne Indians speedy comeing downe amongst us, as for some years past they haue annually done, and that if there be noe courtes taken to preuent it, our neighbour Indians will submitt themselves to and joyne wth them, which if soe will in all likelyhood proue ruinous to this whole Countrey and either there is reason to reinforce the garrifons at the heads of all the Riuers, or to call those few in that are kept there at the Countreys great charge, and as the matter is now mannged to little or noe purpose

4ly: They heare that his Ma^{ties} Soldiers are forthwith to be disbanded, which will not onely take away neer halfe the number of the Soldiers already placed in the severall garrifons at the heads of the Riuers, but alsoe leaue his Majesties Magazines and stores naked and ungarded which they doubt may prove of dangerous consequence

5ly: If the Soldiers should be disbanded, as Common fame giues out they are, and not wholly paid, and they should thereupon not quietly submitt themselues and lay downe their armes, their joyning with the discontents of the people may occasion the hazard if not utter Ruine of this his Ma^{ties} Countrey and people

6ly: That diuers causes of great waight haue long layd before the Assembly, which are come there both by Appeales and transmissiion from the Governo^r and Councill, more perticularly since the Session held A^o 1679 which is now well nigh four yeares, if noe Assembly should now hold, great inconveniencies will thereupon arise, and possibly will be accounted a fayleur or denyall of Justice:

The house adjourned to the beat of the drum in the afternoon.

Post merid:

A MESSAGE recd from the Governor in those following words read in the house
By his Ma^{ties} Dep^{ty} Govern^r &c

M^r Speak^r

I did seuerall times yesterday send *Edw^d Chilton* Cl: of the Councill to require you and the house of Burgeffes to come to me to the Courthouse, where my selfe with the Councill were, there to impart to you and them some Commands I haue recd from his Ma^{ty} but you then came not, which I admire at I haue now sent the sd *Edw^d Chilton*

Chilton & doe require you, that you with the house at the beat of the Drum in the afternoon attend me at the Courthouse, where I shall impart to you his Majesties Commands
Apr: 22^d 1682

Hen Chicheley

Ordered by this house that authentique Coppies of the journall booke, and all proceedings therein during this time of their meeting be by the Clerk of the Aff^{bly} transcribed and attested, and severally deliuered to some such members as the house shall appoint that may take care to transferr them to *England* to be there presented to the hon^{ble} Sr *Lyonell Jenkins* his Ma^{ties} principall Secretary of State, and that the respective members be further desired that they take what further care they can that the hono^{ble} M^r *Secretary* be humbly moued by them truly to represent to his Ma^{ty} the pressures and Calamity the Country now Lyes under by preuenting this Conuention:

Maj^r *Charles Scarborough* and Capt: *Thomas Jarvis* are nominated and appointed by this house in the aboue trust, and the Clerk of this house is hereby *ordered* to prepare and make ready two severall coppies at Least for each severall gent^m and deliuer them fairly written and attested in order for their being sent forward by the first Conuenance, in different shippes

M^r *W^m Fitzhugh*, and L^t Coll^o *Farrar* are sent by this house to acquaint his hon^r that the house is ready to attend his Commands

They bring answer that the Gouverno^r sayes he will be immediate ready for them:

M^r *Speaker* and the house of Burgeses repaire to the Gouverno^r and Council into the Courthouse to attend his Commands

They returne, and M^r *Speaker* takes the Chaire.

M^r *Speaker* reports to the house that the Gouverno^r was pleased to impart to this house part of a Letter from his Majestie, relateing that his Majesties pleasure was to disband the two foot Companies from and After *Christmas*, unless the Govern^r Council and Burgeses should desire to haue them continued to which his Majestie would gratioously condiscend provided the Affembly would raise there pay, out of the Countreys Revenue

Cap^t *Matthews*, and M^r *Anth: Lawson* are sent to the Gouverno^r to Acquaint his hono^r that the house are preparing an answer with all possible expediçon

This house haueing considered what was read to them by Coll^o *W^m Cole*, the Govern^r and the rest of the Council being present, and by the Gouverno^rs directions being part of a Letter from his Ma^{ty} Signifyeing his Ma^{ties} pleasure to disband the two foot Companies of Soldiers now in *Virg^o* unless the Gouverno^r Council and Aff^{bly} shall desire to haue them continued, to which his Majesty would gratioously condiscend provided the Affembly would pay them out of the Countries reuene raised, and to be raised doe now signifye to yo^r hono^rs that they cannot doe duly as they ought, consider of soe weighty a matter for his Majties best service before the new elected members be Capacitated for their votes by takeing the oaths of Allegiance and supremacy, And therefore this house doe renew their former request, to the hon^{ble} Gouverno^r to appoint Council to administer the sd oaths to all the new elected Burgeses; And this house doe alsoe pray yo^r hono^rs will please to transmitt the Originall Letter it selfe, or if that may not be a Copy of such part thereof, as concernes the house to know, to the end they may be the better enabled and directed to giue the same all dutifull respect.

The aboue written went directed to the Governo^r and Council From the house of Burgeses this 21st *Aprill: 1682:*

Coll^o *William Loyd* and Cap^t *Thomas Goldman*, M^r *Tho Taberner*, and M^r *Thomas Barber* are appointed by the house to carry the aboue written message

They goe on the message

By his Majesties Dep^{ty} Govern^r &c

I doe hereby nominate and appoint Coll^o *William Cole* and *Ralph Wormley* Esq^r two of his Majesties Council of State to administer the oath of Allegiance and Supremacy as Alsoe the oath of a Burges to every new elected member of this Affembly

Aprill the 21st 1682

Hen Chicheley:

M^r

M^r *William Sherwood* M^r *Tho: Clayton* &c. tooke the oath of Allegiance and Supremacy; and the oath of a Burgeſſ which was adminiſtred to them by Coll^o *W^m Cole* and *Ralph Wormley* Eſq^r two of the Councill:

A meſſage from the Gouverno^r and Councill by the hand of Coll^o *Bridger* who deli-
 uered the ſame in theſe following words, *viz^t*

M^r *Speak^r*

I am ſent to the houſe with this paper wherein is Contained Copy of that part of his
 Maty's Letter which concerns this houſe and it is examined and Compared wth the
 Originall and attested by the Clerk of y^e Councill, the words contayned in the paper
 are *viz^t*

Charles Rex

Truſty and wellbeloued wee greet you well, whereas wee haue bin pleaſed by our
 order in Councill bearing date the 22^d of this inſtant *Nouember* to direct y^t the payments
 made out of the Receipts of our exchequer in *eñgld* for the maintenance of the two ffoot
 Companyes now in our Colony of *Virg^a* as well officers as private Soldiers, and other
 perſons belonging to them ſhall ceaſe and determine at *Chriſtmas* next, and that the ſd
 Companyes be then diſbanded unleſs our Govern^r Councill and Aſſembly of *Virg^a* ſhall
 deſire and agree to pay them out of the Revenue raiſed or to be raiſed within our ſd
 Colony for that purpoſe whereunto we are willing to giue our Royall Affent

Copia Vera Teſt.

Dated at *Whitehall* this
 30th *Nouember* 1681:

Edw^d Chilton Cl Coñ:

This houſe adjourns to to morrow the Second Druñ:

Die Sat: Apr: 22^d: 1682.

THE writt from *North'ton* County and returne thereupon read in the houſe and
 allowed to be good:

The orders of the houſe read:

Cap^t *W^m Whittington* & M^r *Edw^d Mihill* appointed by the houſe to requeſt
 Coll^o *W^m Cole* and *Ralph Wormley* Eſq^r they will pleaſe to come and ſweare M^r *W^m*
Hardridge a new elected Burgeſſ for *Westmor'l'd* County

The queſtion whether according to the uſuall Cuſtome the ſpeak^r of the houſe haue
 the firſt nominaçon of the members of the houſe for a Comm^{tee} and the houſe to allow
 or diſapprove of the ſame, or whether the firſt nomination of the Committee be by the
 houſe

Reſolued that the firſt nomination of the members for a Committee be (as heretofore
 hath bin) firſt by the ſpeaker to be allowed or diſallowed as they pleaſe

Coll^o *Carters* Letter read in the houſe praying excuſe from being obliged to his
 attendance at the houſe.

Ordered That a meſſenger be forthwith ſent from this houſe to Comãd Coll^o *John*
Carter one of the Burgeſſes for *Lancaſter* County his immediate attendance at y^e houſe
 and that M^r *Speak^r* Signe a warrant for the ſame

A Committee appointed for the examinaçon of greivances & conſideration of pro-
 poſitions:

Maj^r *Charles Scarburgh*

M^r *James Minge*

Maj^r *Hen: Whiteing*

M^r *W^m Sherwood*

M^r *Chriſtop^r Robinſon*

M^r *Tho Jaruis*

Cap^t *W^m Ball*

Maj^r *Sam^l Swann*

M^r *W^m Fitzhugh:*

M^r *John Spier*

M^r *William Randolph* is appointed Cl: of this Committee, and that he be ſworne
 to faithfullneſs and Secrecy by M^r *Speaker* as a Majeftrate of *James City* County before
 he be admitted Clerke

Ordered

Ordered that all persons that haue any propositions or greivances to this Aff^{bly} doe present the same to this house by *Saturday* noon the 29th of this instant *Aprill*, or to be excluded for this present Session, except the house shall see cause to receiue the Same

M^r *Tho Clayton*, M^r *Joⁿ Bucknar* and Maj^r *John West* are appointed by the house to giue the thanks of this house to the R^t Hono^{b^{le}} the Govern^r for appointing the hon^{b^{le}} Councello^{rs} for the swearing their new elected Burgeesses and communicateing to them that part of his Majesties Letter concerning the disbanding the Soldiers that relates to this house and to acquaint his hon^r that this house are takeing all possible care to giue full and humble answ^r to the same, and in order thereunto haue made Choice of an able Committee to enquire into the State and Condiçon of the Countrey, and the aggreiuances thereof, to whom this house will forthwith referr the consideration of the sd Letter, and order they shall bring their report to this house, which when done shall be forthwith Signified to his hono^r and the hono^{b^{le}} Councill of State

A Committee appointed for private Causes

Coll^o W^m Bird

M^r *Benj: Harrison*

L^t Coll^o *Anth: Smith*

Coll^o *Lemmuel Mafon*

M^r *John Bucknar*

Maj^r *George Morris*

Lt Coll^o *John West.*

Cap^t *Tho: Gouldman*

M^r *Lancelott Bathurst* is appointed Clerk of this Committee

This house adjourned till *Monday* the 24th *Aprill* to y^e fec^d drum

Die Lun: 24th: Aprill 1682

MR *Speaker* informes this house that he hath sworn M^r W^m *Randall* Clerke to the Committee of aggreiuances &c. according to the directions of the order of this house.

M^r *William Fitzhugh* speakes *viz^t*

M^r *Speaker*

Among other the greiuances brought from euery perticular County I haue here the perticular greiuances of our County, and gen^{ll} greiuances of y^e Country which I now humbly offer to this houses consideration, the frequent practice of Parliamentary proceedings upon their first beginning is to looke upon and see after the proceedings of precedent Sessions and from thence to make the first stepp of their affaires grounded upon weighty reasons well to consider what was done, w^t was left to doe, and what was necessary to be done, giues a great light for the present what is first fitt to be entred upon, how necessary and indispenfibly suitable to our affaires at present to looke a little back to the last Session, may be easily conceiued when we consider that most of the acts past were to pass the Royall assent before the full consummation thereof, or indeed before they could be said to be Lawes, as appears by the words in all the sd acts, in order therefore to gaine that royall Assent, the gen^{ll} Aff^{bly} then mett tooke care to have them fairly transcribed, and presented to his Majestie, as in the journall book of this house appears of great advantage to us, if the King in his princely wisdom should haue thought fitt to haue granted the same, but now M^r *Speaker*, although it is not two yeares quite since those were sent away, yett the Conueniency of two shippings coming to us hath elapsed, and not one word from his most gracious Ma^{ty} hath appeared in the Country to our knowledge in that affaire, I haue and dare say euery one here haue soe dutifull an esteem of his Ma^{ties} most gracious fauours towards us, and Royall Condescensions to anything requisite to our well being that we must imagine his Sacred Ma^{ty} would upon the humble representation of the same, haue giuen a most favourable answer to the same especially to our Lawes sent home without whose Royall assent his Ma^{ty} well knowes of what vigo^r and force they are off; I shall take upon me to enquire the reasons but dare averr it to be a thing indispenfably necessary the consideration of this grand Affem^{bly}

Aff^{ly} Therefore M^r *Speaker* I humbly moue that a Committee may be appointed to inspect the whole Journall book of the Last Sessions, and that they may make report to the house of the same, and that a fure way be propofed and certaine cares taken to represent the Same to his Ma^{ty} Together with the State of the Countrey, as it now ftands for I humbly Conceiue it to be as neceffary to cleare all ambiguities and doubts, and to take away all objections to Lawes formerly made, especially if they are found expedient for the Countrey as it is to make new Lawes, Therefore I hope this motion will not be thought unseasonable, but by this house thought most reasonable, and indeed their prime Consideration, considering that the objectors doe not quibble or play upon the words or Letters of the Law or abiguously interprett any clause prouifoe or Limmitations therein but they strike at the root and very heart and effence of the Law doubting whether it be a Lawe or noe till the Royall Assent obtained and here promulgated, then the advantage we justly promised to ourselues in our addressees if his Ma^{ty} should haue bin graciously pleased to haue granted all or any of them, might if that *unum neceffarium* I mençoned before about the Lawes, had not binn soe important, was worthy the Consideration of this house, to take into their serious consideration, and to take such care that his Ma^{ty} may haue the same humbly represented to him together with the full remonstrance of the present State of this Calamitous Countrey

This house approves of the motion and speech of M^r *William Fitzhugh* Seconded by feuerall other the members of this house and unanimously consented to by all and doe order and resolve: that a Committee be appointed to Consider of the same and make reporte thereof to this house, and doe ord^r the Clerk of this house to forthwith enter the same into their Journall bookes of this house, and from thence drawe a faire Coppie and attest the same presented to the Select Committee for their guide therein:

Ordered that *James Ellis* a messenger from Coll^o *John Carter* be called into the house to speake his message, he deliueis a deposition in writeing, which is *viz*

The deposition of *James Ellis* of the County of *Lancaster* deposeth and fayth That Coll^o *John Carter* one of the Burgesses for the County of *Lancaster* is not in Condition to come to towne by reason of a great defluxion of humors that hath fallen upon feuerall parts of him likenes greuious paines and a loofness w^{ch} hath soe weakened him that he is not capeable of riding nor indeed can hardly walke and further sayth not

Jurator coram me James Minge Apr: 24th 1682:

Ordered that M^r *James Minge* a Majestrate of *James Citty* County be desired by this house to withdraw, and sweare the sd *Ellis* to his deposition ready drawne and presented:

Coll^o *S^r Leiger Cod*, M^r *Tho: Clayton &c*: are appointed by this house a Select Committee to inspect into the journall book of the last Sessio and all the records of this Countrey or such as they shall find occasion to inspect, and M^r *Secretary* is by this house desired to permitt them or any one or more of them from time to time to haue free recourse, and inspection into such Records as are in his hands, and they are ord^d by the house upon such inspection to make report to this house

M^r *Edw^d Harrison* is appointed Cl: of this Com^{tee} and M^r *James Minge* a magestrate of *James Citty* County is desired to withdraw and sweare the sd *Harris* to faithfullness and Secrecy as Clerk afforefd

M^r *Speaker* acquaints this house that yesterday upon the Govern^{rs} Comand he waited upon his hono^r who desired that there might be as great an expedition used as might be in the returne of an answer to that part of his Majesties Letter relateing to the Soldiers and presented to the house, and that he returned answer to his hono^r that he Conceiued the State of y^e Countrey must first be enquired into and that then he was well assured the house would be as expeditious as possible in returning an answer which is the unanimous resolution of this house

Maj^r *Geo: Morris* and Coll^o *Farrar* are ord^d by this house to acquaint his hon^r that there are two new elected Burgesses yet unsworne and that because Coll^o *Cole* is not in Towne, that his hon^r would please to appoint another gent^m of the Councill in his roome to sweare the sd Burgesses.

Vpon

Vpon the depofition of *James Ellis* this houfe think fitt to excufe the attendance of Coll^o *John Carter* foe long as he fhall Continue ill and Remitt the former order for fending a meffenger wth M^r *Speakers* warrant for him:

Maj^r *Otho Thorpe*, and M^r *Martin Scarlett* tooke the oaths of allegiance and Supremacy an oath of a Burgefs, which were adminiftred to them by Coll^o *Rich^d Lee* and Coll^o *John Curtis* two gent^m of the hon^{ble} Councill: the greiuances of feuerall Counties read in the houfe and it is by this houfe generally ordered that all the greiuances and propofitions already brought in or to be brought in to this Aff^{ly} may be fent without further reading to the Com^{tee} appointed to examine and reporte the fame being attefted by M^r *Speaker* or the Clerke of this houfe.

M^r *Fitzhugh* fpeakes *viz'*

M^r *Speaker*:

I humbly offer that Councill are abfolutely neceffary to be added to this Committee of priuate Caufes, becaufe the pra^{ct}ice is foe continued from y^e Beginning and firft fettlem^t of Affemblyes in this Country yett I doe Concurr with the gentle^m that before fpake as to the Parliamentary proceedings in *Engl^d* wherein noe Committee appointed by the houfe euer did or ever will defire the affiftance of any of the Lords, but I muft begg this fauo^r to diftinguifh betwixt the nature of this Com^{tee} and all other Committees, for there was never fuch a Committee appointed by the Parliament in *Engl^d* becaufe the houfe of Lords is the onely Court, and the prime and Supreme Court of Judicature in the na^{co}n and to which Court onely a writt of error from a judgment in the Kings bench lyes, the houfe of Commons are efteemed onely the grand inqueft of y^e nation and cannot adminifter an oath, therefore uncapeable of appointing fuch a Committee, is the onely deuiation which wee make from the Parliamentary proceedings of *Engl^d*, which method for a long time hath continued unaltered and truely I am of opinion hath bin rather indulged then allowed by reafon of the State of our Country for that the gen^{ll} Court is an hon^{ble} body conftituted of the Govern^r & Councill w^{ch} is the upper houfe in our gen^{ll} Aff^{ly} and whoe ftand here wth us in the quallity the Lords Spirituall and temporall are there, Now confidering the ftate of our cafe the conftant ufage of appeales from that hon^{ble} Court, it was requifite by the conftant ufage and continuall pra^{ct}ice that thofe Caufes by a Com^{tee} compofed of fome prime members of the houfe of Burgeffes whoe affifted wth fome of the Councill fhould determine thefe appeales which makes them capeable to try them for excentricall and irregular would it feem to any rationally man that Caufes of *Meum & Tuum*, and of fuch great confequence as doubtlefs moft of thefe are fhould be tryed by fuch a Court that haue not power in themfelues to adminift^r an oath, the Loweft Courts in *England*, foe much as the Court of Byponders^r haue power to adminifter, Then would it not feem unreafonable that a Com^{tee} of fome number of Burgeffes fhould be efteemed a more Supreme Court, and examine the caufes pleadings and judgm^{ts} w^{ch} haue bin by the Govern^r and Councill tryed, and yet in y^r conftitu^{co}n not Capeable of adminiftring an oath, then the very words in the appeale imports as much, for if appeale is made to the Affembly then I demand by w^t rule thefe gent^m can make the Burgeffes the Aff^{ly}, for I conceiue y^e Aff^{ly} to confift of Gouvern^r Councill and Burgeffes, then if the appeale be to all, then the tryall muft be before a felect number of fuch a body and not by the Burgeffes alone, becaufe the appeale is gen^{ll}

The houfe adjournes untill the afternoon

Post merid:

A MESSAGE from the gouern^r in thefe words *viz'*
 M^r *Speaker* haueing rec^d a Comand from his Ma^{ty} for difbanding the Soldiers here unlefs the gen^{ll} Aff^{ly} fhould think fitt to continue them on the Countreys pay & haueing fome time fince defired yo^r aduice in it, I expect yo^r refolu^{co}n precifely by 5 of the Clock in the afternoon of this pr^{'nt} 24th of *Aprill* it being
 of

1. This is evidently a miftake for Court of Piepowders, "a fummary court formerly held at fairs and markets to adminifter juftice among itinerant dealers and others temporarily prefent." (See *Murray's New Englifh Dictionary*.)

of great importance that the foldiers should be discharged since his Maty has declared he will pay them noe longer then to the 1st of this instant *Aprill*:

Apr: 24th 1682:

Hen Chicheley

This houle haueing read the late meffage from the R^t hon^{ble} the Governour directed in the aboue recited words & haueing considered the importance thereof doe make humble answ^r to yo^r hon^r, that that part of his Ma^{ties} Letter sent by yo^r hon^r to this houle on *friday* last in the afternoon they have Committed to a Com^{tee} to consider and report, who haue alsoe in charge & directione to enquire into the State and Condiçon of the Countrey and the agrevances y^{of} and report the same to y^e end the best courses may be taken for redrefs and security for the whole the w^{ch} when done they will forthwith signifye the same to yo^r hono^r and the hon^{ble} Councill and doe now againe signifye to yo^r hono^r that they continue the same resolute and humbly report to yo^r hono^r that they humbly suppose the other parts of his Ma^{ties} Letter relateing to the foldiers directs and Commands the manner (as is usuall in such cases) of first paying of their quarters, and then paying the foldiers the remainder of their pay, and not to disband them till such paym^{ts} are made w^{ch} this houle humbly conceives is not yett done, nor cannot very suddainly be performed, and that whilst necessary time is spent in the performance thereof this houle will wholly devote themselues to enquire into the State and condiçon of the Countrey, to the end they may the better know how they may giue due answ^r whether to continue or discontinue the Soldiers, and doubt not but as soon as yo^r hon^r shall be able to certifiye them of y^r quarters being discharged, and Soldiers pd of and thereby in readines to be disbanded they shall alsoe be in Readines if not before that time to giue yo^r hon^r their full resolve and humble answ^r to that part of his Matyes letter, which is come to their knowledge, till when they humbly hope it is noe hinderance to the paying of their quarters and Salaryes and pray they may therefore not be precipitated to giue an inconsiderate answ^r in soe waighty an affaire.

Ordered that Collo *S^t Leger Cod*, Maj^r *John West* & M^r *Tho Gouldman* doe forthwith carry to his honor the resolve of this houle in answ^r to his late meffage to M^r *Speaker*

They carry the meffage and returne & report to the houle that they haue d^d the same to the Govern^r fitting in Councill

Ordered that the Committee of greivances doe fitt *de die in diem*

The houle adjournes till afternoon: or in case the drum beat not this evening then to morrow morning second drum

Aprill 25th 1682

MR *Speaker* offers to the Consideraçon of this houle that there is late intelligence come to towne that fforraigne Indians haue lately bin and now are disturbing the *Maryl^d* inhabit^{ts} and whether the enquiry into the truth thereof be not necessary, to the end if the same be true it may not be found needfull to add

that as a further reason to the hon^{ble} Govern^r, why he will not soe suddainly pres an answ^r to his Maties letter relateing to y^e continueing or discontinueing of the Soldiers

The question whether the Committee of greivances be sent for to giue their immediate attendance in the houle or not

The Com^{tee} appointed to inspect the Records are ordered to meet and fitt *de die in diem*

Resolved in the negatiue:

The houle adjournes to the beat of drum.

Post merid:

MR *Speak^r* acquaints the houle that a little before dinner he reed a meffage from the Govern^r by the Cl: of the Councill desireing him that as soon as the houle mett to giue him notice

Coll^o *W^m Bird*, & Cap^t *Jo^s Matthews* are sent by the houle to acquaint the Govern^r that the houle are mett

A bill for ascertaining the bounds of *James Citty*, and granting immunities to the same &c read in the house

The question shall the bill pass

Resolved in the affirmative, *nemine Contradicente*

A bill prohibiting Justices that are Collectors from taking the list of tytheables read in the house

A message from the Govern^r by M^r *Edw^d Chilton viz'*

M^r *Speaker* The Govern^r expects yo^{rs} and the house of Burgessees attendance upon him in the Courthouse immediately.

M^r *Speaker* and the house goe to attend his hono^r

They returne back

M^r *Speaker* acquaints the house that it hath pleased the Govern^r to prorogue this Aff^{bly} untill the 10th of *November* next, and doe bids them all heartily farewell:

Hereafter follows the words of his Ma^{ties} Letter read by M^r Secretary *Spencer* to M^r *Speaker* and the house of Burgessees in y^e open Courthouse:

Charles Rex

Trusty and welbeloued wee greet you well, Whereas wee intend within few moneths to direct our Right Trusty and welbeloued *Thomas L^d Culpeper* to repaire into his governm^t of our Colony of *Virg^a* with the Significations of our pleasure upon the severall particulars proposed unto us by him concerning the same, Wee haue therefore thought fitt hereby to direct and Require you not to call an Aff^{bly} or ¶mitt them to sitt vntill the 10th of *November* next ensueing the date hereof, Vnles by the Consent of seauen or more of our Councill you shall find it necessary to conuen the same before that time, and doe wee bid you farewell: Giuen at our Court at *Whitehall* the 21st of *January* 1681 / 2 and in the 33^d yeare of our Reigne

The direction was *viz'*

To S^r *Henry Chickley* Kn^t our L^t Govern^r and Comander in Cheife of our Colony of *Virg^a*

Which being read the Govern^r said thus

In pursuance of this lett^r and obedience to his Majest^{ies} commands I doe prorogue you to the said tenth day of *November* next.

ATT A GENERALL ASSEMBLY

Began att *James Citty* the 10th day of *Nouember* 1682 These
ffollowing Orders of publique charge and leuy were made

<i>Lower Norfolk County</i>	Tobacco lbs.
To y ^e County for laying out y ^e towne according to Law	540
To 6 troopers 9 daies by the R ^t Hon ^{ble} the Dep ^{ty} Gouvern ^r order	2040
	2580

<i>Rappahanock County</i>	
To the County for laying out the towne according to Law	540
To Coll <i>Cadwallader Jones</i> for a horse & mare killed att y ^e Garrison	2160
To ditto for entertaining y ^e <i>Seneca</i> Indians by the Gouvern ^r s order	5400
To <i>Thomas Swinborne</i> for a horse killed att y ^e Garrison	1080
To <i>Henry Williamfon</i> for a horse dead att y ^e Garrison	1080
To <i>Robert Tomlin</i> for ditto according to appraifement	2000
	12260

<i>Northampton County</i>	
To Co ^{ll} <i>Daniell Jenifer</i> for laying out the towne	540
To <i>Nath^l Walker</i> for himfelfe boate & hands bringing publique Letters to his Excellency to <i>Greene Spring</i>	648
To ditto for 16 ^{lb} <i>Sterling</i> pay for 8 men by y ^e R ^t Hon ^{ble} S ^r <i>W^m Berkeleys</i> ord ^r being Referred from laft assenbly to this	3456
To ditto for disbursements for accompt of the publique	1080
To <i>Agnes Powell</i> for a drum & pistoll loft in y ^e Countries Seruice	302
	6026

<i>Accomack County</i>	
To Co ^{ll} <i>Daniell Jenifer</i> for laying out the towne	540
To Cap ^t <i>Edm^o Scarburgh</i> for Juries & publique Seruice	4354
	4894

<i>Elizabeth Citty County</i>	
To <i>Adam Bowtewell</i> for Conueying a prifoner from Coll <i>Morrisons</i> to Coll: <i>Coles</i>	216
To <i>Samuell Peirce</i> for Conueying a letter of importance to the Countrie to Coll <i>Bacons</i>	113
	329

<i>Surry County</i>	
To <i>W^m fforeman</i> for publique Messages by the Govern ^r s order	162
To M ^r <i>ffrancis Mafon</i> Sherriffe for Jurors fees & other disbursements	2268
To <i>Nich^o Withrington</i> fferryman for transporting Indians	950
	3380

To

	Tobacco lbs.
To <i>Thomas Bufby</i> Interpreter for 2 yeares & halfe.....	10000
To ditto for Indians accomodation att <i>D^r Lees</i>	1170
To ditto for Indians accomodation att <i>M^r Rablyes</i> wth Cask for both.....	1000
To ditto for 4 Matchcoates paid Indians by the <i>Gouern^rs</i> order.....	432
	12602

Warwick County

To the County for laying out the towne.....	540
To <i>W^m Cole Esq^r</i> for a horse loft at <i>James Riuer Garrifon</i>	1296
To y ^e <i>Seuerall</i> <i>ϕ</i> sons hereafter named for carrying publique Letters and other publiq Seruices Viz ^t <i>Jⁿ Gammon</i> 108 <i>Jⁿ Gibbs</i> 108 <i>Rich^d Bigby</i> 54 <i>James Loyd</i> 75 <i>Jⁿ Brown</i> 32 <i>James Cathon</i> 32 <i>Jⁿ Mallecott</i> 16 <i>W^m Mott</i> 226 <i>Jⁿ Prickloue</i> 48 <i>Jⁿ Ridge</i> 16 <i>Rob^t Holeman</i> 48 <i>W^m Townsend</i> 48 <i>Sam^l Chappell</i> 48 <i>Kathary Chappell</i> 32 <i>Jⁿ East</i> 16 <i>W^m Merriott</i> 64 <i>W^m Draper</i> 64 all.....	1035
To <i>Cap^t John Langhorne</i> Sherriffe for publique Seruice.....	650
To <i>Cap^t John Matthews</i> <i>ϕ</i> ditto.....	945
To <i>M^r Francis Rice</i> for Impreffing man & horse.....	40
	4506

To the *Seuerall* Garrifons as ffolloweth

To <i>M^r George Brent</i> & <i>M^r W^m ffitzhugh</i> undertakers for <i>Potomeck</i> Garrifon for themfelues Commanders officers Soldiers and Indians according to Law.....	174832
To ditto for Caske for the faid Tobacco.....	14786
To ditto for arrears of caske not allowed in 1680.....	3695
To <i>Cap^t Geo: Cooper</i> for disbursem ^{ts} for Sundry <i>ϕ</i> ticulers for y ^e use of <i>potomeck</i> Garrifon & for fixing of armes & keeping 2 Indian prifoners..	4200
To <i>M^r Geo: Brent</i> & <i>M^r W^m ffitzhugh</i> for one Moneth <i>ϕ</i> uifion for 40 Supernumeray Soldiers att <i>potomeck</i> Garrifon being the time they Continued there before they could bee disbanded, after y ^e Law made for y ^e Same, & alfo for a L ^t & Cornetts pay one month y ^e fame time.....	8046
To <i>Coll W^m Byrd</i> undertaker for <i>James Riuer Garrifon</i> for himfelfe Commander officers foldiers & Indians according to law.....	174832
To Caske for the faid Summe.....	14786
To ditto for 5 horfes loft & to an Indian <i>ϕ</i> cure of a wounded man.....	6048
To ditto for almost a monthes <i>ϕ</i> uifion for 40 fupernumerary foldiers.....	6480
To ditto for a moneths pay for a L ^t & Cornett being y ^e time they ferued after they ferued in 1680 before they could bee disbanded.....	1566
To <i>M^r Abell Gower</i> Chirurgion att <i>James Riuer Garrifon</i> for 25 daies after hee was paid in 1680 and before his discharge.....	764
To <i>Cap^t John Langhorne</i> undertaker for <i>Mattaponi</i> Garrifon for prouifions according to Law caske included.....	89998
To ditto for arrears of caske in 1680.....	1400
To <i>Coll George Lyddall</i> for himfelfe as Comander of <i>Mattaponi</i> Garrifon officers foldiers horfes Indians and arreares of caske in 1680 according to Law caske included.....	104330
To ditto for diuers disbursements att y ^e faid Garrifon.....	4266
To <i>Maj^r Rob^t Beuerly</i> undertaker for <i>Rappahanock</i> Garrifon for himfelfe the Comander officers foldiers Indians Boates and all other disbursements for y ^e faid Garrifon w th caske included.....	188844
To ditto for laying out <i>Gloc^r</i> and <i>Middlefex</i> Townes.....	1080

<i>Ile of Wight County</i>		Tobacco lbs.
To Maj ^r <i>Allen</i> for laying out y ^e towne.....		540
To Cap ^t <i>Henry Applewaite</i> Sherriffe for y ^e whole charge of Boate Jurors Euidences &c aboute y ^e Criminall <i>Gileris</i>		5697
		6237

<i>Yorke County</i>		
To Coll <i>John Page</i> for 2 barrells of meale for his Maj ^{ties} foldiers tranported to <i>Potomeck</i> and <i>Rappahanock</i> Garrifons		259
To Maj ^r <i>Otho Thorpe</i> Sherriffe for feuerall disburfem ^{ts} and Seruices to the publique for the Garrifons ufe.....		1081
To M ^r <i>Francis Page</i> Sherriffe for publique Seruices.....		2494
To W ^m <i>Coman</i> for Boate & hands 3 daies in publique Seruice.....		129
To <i>Robert Roberts</i> for publique Seruice.....		486
To M ^r <i>Rob^t Cobb</i> Sherriffe for publique Seruice.....		2003
To M ^r <i>Richard Moor</i> Sub Sherriffe for publique Seruice.....		3834
To M ^r <i>Rob^t Read</i> & <i>George Robinfon</i> for paffages of diuers Φ sons ouer <i>Yorke</i> fferry on y ^e publique Seruice.....		1765
To Coll <i>Nathaniell Bacon</i> for 4lb 10 ^s <i>Starling</i> paid <i>John Ely</i> for porke impreft for the ufe of his Maj ^{ties} Soldiers		963
		13014

<i>Charles Citty County</i>		
To Coll <i>Daniell Clerke</i> for his horfe impreft for 4 daies.....		86
To M ^r <i>James Minge</i> for laying out y ^e towne.....		540
		626

<i>Gloucester County</i>		
To <i>Abraham Cluny</i> fub fherriffe for publique Seruice.....		1404
To <i>James Crabtree</i> for preffing boate & hands & conueying publiq lett ^{rs}		184
To M ^r <i>Dunbar</i> for fferrying diuers Φ sons on y ^e publique accompt.....		1738
To ditto for his Sloope prouifions money & Seruices aboute the priuateers..		1555
To <i>Edward Creffild</i> for 12 daies in Conueyance of Criminalls.....		453
To W ^m <i>Elliott</i> Sub Sherriffe for himfelfe 6 men & a boy in bringing the Affembly Records to towne.....		1101
To M ^r <i>Ri: Younges</i> eftate for a horfe dead att <i>Rappahanock</i> Garrifon....		1080
To W ^m <i>Chapman</i> a poor man hurt & difabled in the Countries Seruice according to a former order of affembly.....		1080
		8595

<i>New Kent County</i>		
To <i>Edm^o Bankes</i> for ferrying on the publique accompt		3951
To <i>Edm^o Bacon</i> for prouifions for Amoft one moneth for 40 Supernumerary foldiers att <i>Mattapony</i> Garrifon.....		6480
To <i>Benj^a Birckley</i> for a horfe dead att the Garrifon.....		1080
To <i>Cornelius Daubney</i> as interpreter upwards of two yeares.....		9000
To Coll <i>Nath^l Bacon</i> for Tobacco paid <i>John Babb</i> for tranfporting his Maj ^{ties} foldiers to <i>Mattapony</i> Garrifon.....		2160
To <i>David Wickliffe</i> as interpreter for two yeares.....		8000
To <i>Richard Tunftall</i> for a Steer impreft for y ^e Countries Seruice.....		648
To <i>Mofes Dauis</i> for y ^e ufe of his houfe in quartering Soldiers.....		432
To <i>Cornelius Daubney</i> <i>Stephen Tarlton</i> <i>Robert Anderfon</i> <i>John ffleming</i> <i>Peter</i> <i>Musly</i> and <i>Mofes Dauis</i> Jurors aboute the Criminall <i>Blackwell</i>		2721
		T o

	Tobacco lbs.
To the County for laying out the towne.....	540
To <i>W^m Meredith</i> Carpenter for worke att <i>Mattaponi</i> Garrifon.....	577
To <i>Christopher Carlton</i> f ditto.....	577
To Maj ^r <i>Morris</i> & Cap ^t <i>Mallory</i> for prouifion for them.....	638
To <i>W^m Atkinson</i> fferryman tranfporting on y ^e publique accompt.....	297
To <i>Rob^t Sorrell</i> for a horfe dead att <i>Mattaponi</i> Garrifon.....	1080
To <i>William Phillips</i> for prouifions for the Countries Seruice.....	1296
To M ^r <i>Charles Turner</i> for 5 hoggs impreft by the Gouvern ^{rs} order for the ufe of the publique.....	540
	40017

Westmerland County

To M ^r <i>Lawrence Washington</i> for a horfe & armes loft att <i>Potomeck</i> Garrifon according to appraifement.....	3600
To <i>Jn^o Price</i> for a horfe loft att y ^e f ^d Garrifon f apprifement.....	2300
To y ^e widd ^o of <i>Randoll Kirke</i> for publique Mefgages.....	678
To <i>Tho Pope</i> for a horfe loft in y ^e Garrifon according to Apprifem ^t	3024
To <i>Vincent Cox</i> for a horfe loft there according to apprifement.....	2620
To M ^r <i>Spence</i> for impreffing & Conueying foldier to <i>Rapp^a</i> Garrifon.....	1080
	13302

Middlefex County

To <i>Richard Drew Thomas Penny</i> and <i>Jn^o Rafcomb</i> for yo ^r attendance att towne as evidences for his Maj ^{ty} againft <i>ffloyd</i>	777
To <i>Maximilian Petty</i> Sub Sherriffe for publique Seruice.....	3639
To <i>Coll Cuthbert Potter</i> Sherriffe for Conueying prifoners.....	2084
To Maj ^r <i>Beuerly</i> for Tobacco by him p ^d to y ^e Sherriffe for Runawaies the fame not being before leuyed.....	1000
	7500

Henrico County

To Maj ^r <i>Tho Chamberlaine</i> for his trouble man horfes 8 Indians in feekeing one <i>Phillip German</i> Supposed to bee murdered and going to Seuerall Indian townes & to <i>Carolina</i> by y ^e Hon ^{ble} Gouvern ^{rs} order being on y ^e faid feruice fix weekes.....	3240
To y ^e Sherriffe for Jurors wittneffes &c aboute a Criminall.....	4500
To the County for laying out y ^e towne.....	540
	8280

Nanfemond County

To Co ^{ll} <i>John Lear</i> for prouifion in y ^e Countries Seruice.....	4015
To the County for laying out y ^e towne.....	540
To <i>Thomas Jernegan</i> for Carrying a letter to <i>Carolina</i>	432
	4987

Stafford County

To <i>Tho: Odenill</i> for a horfe dead in y ^e Countries Seruice.....	1296
To M ^r <i>ffra: Hamersley</i> for Tob allowed M ^r <i>Brent</i> & not raifed in 1680.....	1728
	3024

Northumberland County

To <i>Jn^o Julian</i> Chirurgion of <i>Potomeck</i> Garrifon for 25 daies.....	764
To M ^r <i>Jn^o Hayny</i> for laying out y ^e towne.....	540
	To

Tobacco lbs.

To Cap ^t <i>Tho: Matthews</i> for transporting letters betweene y ^e R ^t Hon ^{ble} Gouern ^r & y ^e Lord <i>Baltemore</i> & for entertaineing y ^e Secretary of <i>Mari-land</i> , when on publiq Seruice.	1058
To <i>Jos: Long</i> his Expençe as Euidence ag ^t y ^e priuateers y ^e Courte.	712
	<hr/>
	3074

Lancafter County

To Cap ^t <i>W^m Ball</i> for arreares of caske.	2786
To M ^r <i>George Hayle</i> for laying out the towne.	540
To <i>Thomas Chowny</i> for ferrying men & horfes by y ^e Gouern ^r s order.	129
To ditto p expences of Messengers on y ^e publique by Coll <i>Lees</i> order.	194
	<hr/>
	3649

James Citty County

To the Hon ^{ble} Secretary for 45 writts for the Election of Burgeffes att 350 p writt according to Law.	15750
To <i>Jn^o Tallent</i> for transporting foldiers to <i>James Riuer Garrifon</i>	1034
To <i>Rob^t Peters</i> for one daies worke in the publique Seruice.	20
To <i>Dan^{ll} Workeman</i> for 127 ^{lb} of porke for y ^e faid Soldiers	205
To <i>W^m Brisco Smith</i> for worke aboute y ^e prifon and prifoners.	3601
To Cap ^t <i>Armiger</i> for 4 mens expences who brought y ^e Records.	501
To <i>Bridges ffreeman</i> for ferrying on y ^e publique accompt.	464
To Maj ^r <i>Samuell Weldon</i> Sherriffe of <i>James Citty County</i> for his attendance att Gen ^{ll} Courtes & other publique Seruice by him & his officers p formed <i>Nouem^r Gen^{ll} Court</i> & affembly not included.	31940
To <i>Tho: Rabby</i> for 7 men & horfes bring <i>Harrifon</i> & <i>Manly</i> prifon ^r s to towne	756
To ditto for his Sloop men & prouifions 14 daies carrying the Countries powder to <i>Newport News</i>	1512
To ditto for his Entertainment of Indians.	388
To M ^r <i>W^m Sherwood</i> & M ^r <i>Tho: Raby</i> for rent of 120 foote of houfeing att <i>Middle plantation</i> being in full for one year and 9 moneths ending the 25 ^o <i>Decemb^r</i> Infant.	3780
To <i>Rob^t Wilfon</i> Drummer for 2 yeares & an halfe attendance on the Generall Courte & affembly.	8640
To Cap ^t <i>W^m Armiger</i> for the use of y ^e Affembly Roome this Seffion and <i>Aprill</i> laft & for the Councell Chamber Candles &c.	16200
To M ^r <i>Thomas Clayton</i> for his Chamber for y ^e Comittees this Seffion and <i>Aprill</i> laft.	2160
To M ^r <i>Sanderfon</i> late Sherriffe of <i>James Citty</i>	8312
To <i>Thomas Raby</i> a <i>dutchman</i> for 9 daies to carry bedding to the Garrifon for the foldiers.	194
To <i>Jn^o Seabright</i> for his Seruant for the fame.	194
To <i>Robert Ashurst</i> 10 daies goeing to the Honourable Secretary.	378
To <i>Hugh Owen</i> being Comanded by the Hon ^{ble} L ^t Gouern ^r in order to y ^e fuppreffion of y ^e late difturbances and for feueral difburfements.	1836
To Doctor <i>Lee</i> for entertaineing 2 foldiers by y ^e Gouern ^r s order.	658
To Coll <i>William Browne</i> for 2 yeares and $\frac{1}{4}$ Rent for the Generall Court office	4860
To M ^r <i>Henry Gawler</i> for prouifion for Indians	129
To M ^r <i>John Seabright</i> for the fame.	270
To M ^r <i>Edward Chilton</i> for his care and paines in fettling and alphabetting the Records in the Secretaries office & for Recording many publique letters and papers and Proclamations and all other publique Seruices to this day.	20000

To

	Tobacco lbs.
To <i>Robert Bradly</i> Clerke of a Comittee for this Seffion and <i>Aprill</i> and p cask	6480
To <i>Lancelott Bathurst</i> for ditto.....	6480
To <i>W^m Bolton</i> Clerke of a Com ^{tee} for this Seffion assigned Coll <i>Bacon</i>	4320
To <i>William Randolph</i> Clerke of a Comittee for this Seffion and <i>Aprill</i> and p caske.....	6480
To M ^r <i>Tho Blayton</i> C ^l of a Com ^{tee} for this Seffion & p caske.....	4320
To <i>Lazarus Thomas</i> doorkeeper for this Seffion and <i>Aprill</i>	2430
To <i>Joseph Preston</i> doorkeeper p ditto.....	2430
To <i>John Hobson</i> p ditto.....	2430
To <i>Thomas Morris</i> p ditto.....	2430
To <i>George Southing</i> in <i>Rappahanock</i>	5000
To M ^r <i>George Lee</i> for a Chamber for y ^e Com ^{tee}	1000
To feuerall Jurors in <i>Gloc^r County Viz^t To John Bremer John Caruer Augustine Hart Thomas Boswell and W^m Smith</i> each of them 180 in all.....	900
To Maj ^r <i>Beuerly</i> C ^l of the Affembly in <i>Aprill</i> laft.....	6000
To M ^r <i>Speaker</i> for 2 Affemblyes.....	21600
To the p ^{re} sent C ^l of the Affembly.....	21600
To Cap ^t <i>Thomas Gardner</i>	5000
To Maj ^r <i>Ro: Beuerly</i> mistaken by the Com ^{tee} in the casting his accompt of the Garrifon.....	6000
To <i>John Kinborough</i> of <i>New Kent</i> his pension 2 yeares.....	2160
To <i>Edward Harrifon</i> C ^l of a Comittee.....	2000

The publique Charge for the taking up Runawaies this p^{re}sent year 1682.

To Seuerall p ions as p the Reporte of the Com ^{tee} in the Seuerall Counties <i>Viz^t of Henrico</i>	1300
To ditto in <i>Charles Citty</i> County.....	7100
To ditto in <i>James Citty</i> County.....	3100
To ditto in <i>Surry</i> County.....	200
To ditto in <i>Ifle of Wight</i> County.....	1000
To ditto in <i>Nansmond</i> County.....	1600
To ditto in <i>Lower Norfolk</i>	5800
To ditto in <i>Elizabeth Citty</i> County.....	1400
To ditto in <i>Warwick</i> County.....	4100
To ditto in <i>Yorke</i> County.....	200
To ditto in <i>New Kent</i> County.....	4500
To ditto in <i>Gloc^r County</i>	4200
To ditto in <i>Middlefex</i> County.....	3000
To ditto in <i>Lancaster</i> County.....	1700
To ditto in <i>Westmerland</i> County.....	2600
To ditto in <i>Northumberland</i> County.....	1000
To ditto in <i>Rappahanock</i> County.....	200
To ditto in <i>Accomack</i> County.....	3200
To ditto in <i>Northampton</i> County.....	400
	46600

These Somes ffollowing being in Deposito in the hands of the feuerall persons hereafter named being deducted out of the whole Summe of the publique charge *Viz^t*

In the hands of Coll <i>William Byrd</i>	832
	In

	Tobacco lbs.
In the hands of Coll <i>George Mafon</i> of <i>Stafford</i>	596
In the Court of <i>Lower Norfolke</i>	10908
	12336
The Summe of all the tithables being 15162 att 89 p^{d} pole amounts to....	1349418
Which is proportioned to bee paid in the Seuerall Counties of this Country as followeth	
<i>Henrico</i> County 471 tithables att 89 p^{d} pole is.....	41919
	42019
To the Sherriffe for Sallery.....	3811
To Maj ^r <i>Thomas Chamberlaine</i>	3240
To the Sheriffe for Jurors wittneffes &c.....	4500
To the County for laying out y ^e towne.....	540
To <i>Jn^o Watfon</i> 200: to <i>W^m Hatcher</i> 200 Runaway.....	400
To <i>Lewis Watkins</i> 200 to <i>John Watkins</i> 200 p^{d} ditto.....	400
To <i>Hugh Davis</i> 200 <i>ffrancis Ally</i> 200 p^{d} ditto.....	400
To <i>Giles Carter</i>	200
To Cap ^t <i>Randolph</i>	3955
To Coll <i>W^m Byrd</i>	24573
	42019

Charles Citty County

Tithables 714 att 89 p^{d} pole is.....	63546
To the Sherriffe for Sallery.....	5777
To M ^r <i>Thomas Blayton</i>	4320
To Coll <i>W^m Byrd</i>	45723
To Coll <i>Daniell Clerke</i> for his horse impreft	86
To <i>Law: Buckner</i> 2 Runawaies 400.....	400
To <i>Edward Phillips</i> 1 ditto 200.....	200
To <i>W^m West</i> 1 ditto 200 to <i>James Bankes</i> 1 ditto 200.....	400
To <i>W^m Stroude</i> 1 ditto 200 to <i>James Tigbin</i> 1 ditto.....	400
To <i>Drury Stitch</i> 1 ditto 200 <i>Jn^o Parrish</i> 1 ditto 200.....	400
To <i>Jn^o Hodges</i> 1 ditto 200 <i>Edw^d Jordan</i> 1 ditto 200.....	400
To <i>Edw^d Reddish</i> 3 ditto 600 <i>Tho: Hockady</i> 2 ditto 400.....	1000
To <i>John Turner</i> 1 ditto 200 <i>James Gunn</i> 1 ditto 200.....	400
To <i>James Gun</i> 5 ditto 1000 <i>Sam^{ll} Russell</i> 1 ditto 200.....	1200
To <i>W^m Crofs</i> 1 ditto 200: <i>Sam^{ll} Russell</i> 1 ditto.....	400
To <i>Drury Stitch</i> 1 ditto 200 <i>Jn^o Parrish</i> 1 ditto 200	400
To <i>Tho Davis</i> 1 ditto 200 <i>Walter Shibly</i> 1 ditto 200.....	400
To <i>John Turner</i> 1 ditto 200 <i>Walter Shibly</i> 1 ditto 200.....	400
To <i>Boufer</i> 1 ditto 200 <i>Walter Shibly</i> 1 ditto 200.....	400
To <i>Joshua Meachum</i> 1 ditto 200 <i>Jn^o Baxter</i> 1 ditto 100	300
To M ^r <i>James Ming</i> for laying out y ^e towne.....	540
	63546

James Citty County

Tithables 982 att 89 p^{d} pole is.....	87398
To Sallery for Collecting.....	7945
To <i>John Tallent</i>	1034
To <i>Rob^t Peters</i>	20
To <i>Daniell Warkman</i>	205
To <i>Bridges ffreeman</i>	464

To

	Tobacco lbs.
To Robert Wilfon.....	8640
To M ^r Sherriffe in parte.....	25000
To M ^r Speaker.....	10800
To Tho: Rably a dutchman.....	194
To Robert Ashurst.....	378
To Hugh Owen.....	1836
To Doctor Lee.....	658
To Henry Gawler.....	129
To John Seabright.....	270
To Doctor Lee more.....	1000
To Charles Barham 1 Runaway 100 Ed Callis 1: 200.....	300
To J ⁿ Bell 1 ditto 200: Edward Challis 1 ditto 200.....	400
To Thomas Berry 1 ditto 200 Tho Atkinson 1 ditto 200.....	400
To J ⁿ Baptist 1 ditto 200 Rob ^t Bradly 1 ditto 200.....	400
To Henry Walling 1 ditto 200 Wm Bond 2 ditto 400.....	600
To John Hickes 1 ditto 200 J ⁿ Warbleton 1 ditto 200.....	400
To Mich ^l Withers 1 ditto 200 J ⁿ Maynor 1 ditto 200.....	400
To Robert Greene 1 ditto.....	200
To Lazarus Thomas doorkeeper.....	2430
To Joseph Preston doorkeeper.....	2430
To John Hobson doorkeeper.....	2430
To Thomas Morris doorkeeper.....	2430
To Rob ^t Bradly.....	4000
To Coll W ^m Byrd.....	12005
	87398

Surry County

Tithables 486 att 89 $\frac{7}{8}$ pole is.....	43254
To George Prince one Runaway.....	200
To W ^m fforeman.....	162
To M ^r francis Mafon.....	2268
To Nich ^o Withrington.....	950
To Thomas Busby for Seuerall.....	11602
To L ^t Coll Milner.....	5600
To Coll W ^m Browne.....	4860
To Coll W ^m Byrd affigned John Green.....	1080
To the Sherriffe for Sallery.....	3932
To Coll Lear affigned M ^r Hartwell.....	2215
To Co ^l Byrd.....	10385

43254

Ifle of Wight County

Tithables 735 att 89 $\frac{7}{8}$ pole.....	65415
To the Sherriffe for Sallery.....	5947
To Maj ^r Arthur Allen for laying out y ^e towne.....	540
To Cap ^t Applewaite for disburse ^{ts} $\frac{7}{8}$ a Criminall.....	5697
To Rich ^d Reynolds 1 Runaway 200 Jacob Darden 2 ditto.....	600
To Edm ^o Hinton 1 ditto 200 Edw ^d Hineckson 1 ditto.....	400
To L ^t Coll Thomas Milner.....	8000
To Coll W ^m Byrd.....	25697
To Cap ^t Langhorne.....	2065
To M ^r Speaker.....	4787

To

	Tobacco lbs.
To Coll <i>Lyddall</i>	10955
To <i>Henry Gawler</i>	727
	65415

Nansemond County

Tithables 755 att 89 p pole is.....	67195
To the Sherriffe for Sallery.....	6108
To Coll <i>Lear</i> for prouision.....	1800
To the County for laying out the towne.....	540
To <i>Tho Jernegan</i> for carrying publike letters.....	432
To <i>George ffloyd</i> 2 Runawaies.....	400
To <i>John Babb</i> 1 ditto.....	200
To <i>Lawrence Gonfallus</i> 3 ditto.....	600
To <i>John ffereby</i> 2 Ditto.....	400
To L ^t Coll <i>Milner</i> C ^t Alf ^{blv}	3000
To Coll <i>W^m Byrd</i>	51015
To M ^r <i>W^m ffitzhugh</i>	2700
	67195

Lower Norfolk County

Tithables 694 att 89 p pole is.....	61766
A Deposito in the Court Ann ^o 1680.....	10908
	72674

To Sallery.....	5615
To the County for laying out y ^e towne.....	540
To 6 troopers 9 daies.....	2040
To <i>Jn^o Hopwood</i> 3 Runawaies <i>Adam Keeling</i> 5 ditto.....	1600
To <i>Jn^o Sulliuant</i> 1 ditto <i>Henry Spratt</i> 1 ditto.....	400
To <i>W^m Chichester</i> 1 ditto <i>Henry Spratt</i> 2 ditto.....	600
To <i>John Sulliuant</i> 3 ditto <i>Jacob Johnson</i> 4 ditto.....	1400
To <i>Rich^d Bonny</i> 2 ditto 400 to <i>W^m Wallis</i> 1 ditto 100.....	500
To <i>Tho: Morris</i> 1 ditto 100 <i>Tho Mafon</i> 1 ditto 200.....	300
To Coll <i>Adam Thoroughgood</i> 4 ditto.....	800
To <i>Langley</i> 1 ditto.....	200
To Coll <i>W^m Byrd</i>	25932
To M ^r <i>Edward Sanderfon</i>	8312
To Maj ^r <i>Sam^l Weldon Sherr: James Citty</i>	4204
To <i>W^m Brisco</i>	3601
To <i>Edward Harrifon</i>	2000
To <i>Rob^t Bradly</i>	2480
To M ^r <i>W^m Sherwood & Tho Rably</i>	3780
To M ^r <i>Thomas Rably</i>	2656
To M ^r <i>Thomas Clayton</i>	2160
To M ^r <i>Jn^o Seabright</i>	194
To <i>W^m Bolton</i> affigned Coll <i>Bacon</i>	3360
	72674

Elizabeth Citty County

Tithables 287 att 89 p pole is.....	25543
To Sallery.....	2322
To <i>Adam Boutewell</i> 216 to <i>Sam^l Peirce</i> 113.....	329

To

	Tobacco lbs.
To <i>Baldwin Sheppard</i> 200 to <i>Gabriell Dunn</i> 200.....	400
To M ^r <i>Tho: Wyth</i> 200 to <i>John Pehim</i> 200.....	400
To Maj ^r <i>Wakelyn</i> 200 to <i>Tho Jones</i> 200.....	400
To <i>John Sheldon</i>	200
To Coll <i>W^m Byrd</i> assigned Cap ^t <i>Armisted</i> for y ^e Com̄.....	7312
To Cap ^t <i>Jn^o Langhorne</i> in $\bar{\text{P}}$ for <i>Mattaponi Garrifon</i>	14180
	25543

Warwick County

Tithables 306 att 89 $\bar{\text{P}}$ pole.....	27234
To Sallery.....	2475
To the County for laying out y ^e towne.....	540
To Coll <i>W^m Cole</i>	1296
To <i>Jn^o Gañon</i> 108 <i>Jn^o Gibbs</i> 108.....	216
To <i>Richard Bigby</i> assigned M ^r <i>Bolton</i>	54
To <i>James Loyd</i> 75 to <i>John Browne</i> 32.....	107
To <i>James Cathon</i> 32 to <i>John Mallicott</i> 16.....	48
To <i>W^m Mott</i> 226 to <i>John Pricklo</i> 48.....	274
To <i>Jn^o Ridge</i> 16 to <i>Rob^t Holeman</i> 48.....	64
To <i>W^m Townsend</i> 48 to <i>Sam^l Chappell</i> 48.....	96
To <i>Zachary Chappell</i> 32 to <i>Jn^o East</i> 16.....	48
To <i>W^m Merriott Jun^r</i> 64 to <i>W^m Draper</i> 64.....	128
To Cap ^t <i>Langhorne</i> late Sherriffe.....	650
To Cap ^t <i>Matthews</i> now Sherriffe.....	945
To M ^r <i>ffrancis Rice</i>	40
To Cap ^t <i>Jn^o Langhorne</i> for <i>Mattapony Garrifon</i>	16153
To M ^r <i>Hen Cary</i> 300 to <i>Jn^o Perkins</i> 100 <i>Chr: Crompton</i> 200... ..	600
To <i>Symon Robinfon</i> 100 <i>Xpher Muschamp</i> 400 <i>Jn^o Wyn</i> 200... ..	700
To <i>W^m Ellingsworth</i> 100 <i>Thomas Merry</i> 600.....	700
To <i>John Badgett</i> 200 <i>Matthew Jones</i> 200.....	500
To <i>Jn^o Linton</i> 600 <i>Jude Morgan</i> 200.....	800
To <i>ffrancis Rotherick</i> 200 <i>Rob^t Browne</i> 600.....	800
	27234

Yorke County

Tithables 1041 att 89 $\bar{\text{P}}$ pole is.....	92649
To Sallery.....	8422
To Coll <i>Jn^o Page</i> for meale &c.....	259
To Maj ^r <i>Otho Thorpe</i> for difburfements &c.....	1081
To M ^r <i>ffrancis Page</i> Sherriffe.....	2494
To <i>W^m Coman</i>	129
To <i>Robert Roberts</i>	486
To M ^r <i>Robert Cobb</i> Sherriffe.....	2003
To M ^r <i>Richard Moor</i> under Sherriffe.....	3834
To M ^r <i>Rob^t Read</i> & <i>George Robinfon</i>	1765
To Coll <i>Nath^l Bacon</i>	963
To <i>Thomas Rece</i> 1 runaway.....	200
	59000
To Cap ^t <i>Jn^o Langhorne</i>	5000
To L ^t Coll <i>Milner C^l</i> of the Affembly.....	1000
To <i>Thomas Busby</i> assigned to Maj ^r <i>Thorpe</i>	6013
To M ^r <i>Speaker</i>	6013
	92649

<i>New Kent County</i>	Tobacco lbs.
Tithables 1802 att 89 P pole.....	160378
To Sallery.....	14580
To <i>Edmund Banckes</i>	3951
To <i>Edm^o Bacon</i> for prouifion &c.....	6480
To <i>Benjamin Buckley</i> for a horfe.....	1080
To <i>Cornelius Daubny</i> interpreter in full.....	9000
To <i>Coll Bacon</i> for T ^{ob} paid <i>Jn^o Babb</i> &c.....	2160
To <i>Richard Tunstall</i> for a Steer.....	648
To <i>Mofes Dauis</i> for the ufe of his houfe &c.....	432
To <i>Cornelius Daubney Stephen Tarlton Rob^t Anderfon Jn^o ffleming Peter Maffy & Mofes Dauis</i> Jurors.....	2721
To the County for laying out the towne.....	540
To <i>W^m Meredies</i> Carpenter.....	577
To <i>Christop^r Carleton</i>	577
To <i>Maj^r Morris</i> and <i>Cap^t Mallory</i>	638
To <i>W^m Atkinfon</i> fferryman.....	297
To <i>Robert Sorrell</i> for a horfe.....	1080
To <i>W^m Phillips</i>	1296
To <i>M^r Charles Turner</i> for hoggs.....	540
To <i>Jn^o Kinboroughs</i> penfion.....	2160
To <i>Coll Lyddall</i> for himfelfe and foldiers.....	93375
To ditto for difburfements.....	4266
To <i>George Major</i> and <i>James Moore</i> 1 Runaway.....	200
To <i>Tho: Motly</i> 1 ditto 200 <i>Rob^t Major</i> 1 ditto 200.....	400
To <i>Alexander M^cKenny</i> 2 Runawaies.....	400
To <i>Thomas Wilkins</i> 1: 200 <i>Tho Dauy</i> 1: 200.....	400
To <i>Rich^d Anderson</i> 1 ditto 200 <i>Jn^o Ingram</i> 1 ditto 200.....	400
To <i>Jn^o Epperson</i> 1: 100 <i>Geo: Alues</i> 1: 200.....	300
To <i>Richard Barrow</i> 1: 200 <i>John Armerer</i> 1: 200.....	400
To <i>M^{rs} Lewis</i> 3: 600 <i>Tho: Motro</i> 1: 200.....	800
To <i>Jn^o Willoughby</i> 1: 200: <i>George Polegreen</i> 1: 100.....	300
To <i>Lancelott Bathurft</i> 1: 200 <i>Hen: Collier</i> 1: 100.....	300
To <i>Rob^t Twine</i> 1: 200 <i>Lyonell Morris</i> 1: 200.....	400
To <i>Edward Walton</i> 1 ditto.....	200
To <i>Edward Chilton</i>	3000
To <i>Lancelott Bathurft</i>	6480
	160378

<i>Gloucefter County</i>	
Tithables 2005 att 89 P pole is.....	178445
To y ^e Sherriffe for Sallery.....	16222
To <i>Abraham Cluny</i> fub Sherriffe.....	1404
To <i>James Crabtree</i>	184
To <i>M^r Dunbarr</i> for ferrying.....	1738
To ditto for his Sloope &c.....	1555
To <i>Edward Creiffild</i>	453
To <i>W^m Elliott</i> for himfelfe & men bringing y ^e Records.....	1101
To <i>Ri: Youngs</i> eftate for a horfe.....	1080
To <i>W^m Chapman</i> by a former order of Affembly.....	1080
To <i>Jn^o Bremer, Jn^o Caruer, Auguftine Horte Tho: Bofwell, and W^m Smith</i> each of them 180.....	900
To <i>Somerfett Dauis</i> 2 runawaies 400 <i>Hen: Pritchard</i> 1 ditto.....	600
To <i>Edward Gwin</i> 1 ditto 200 <i>Edw^d Waller</i> 1 ditto 200.....	400

	Tobacco lbs.
To Charles Roan 3 ditto 600 Edw ^d Waller 1 ditto 200.....	800
To Rob ^t Searle 1 ditto 200 Tho: Royston 2 ditto 400.....	600
To Rob ^t Meredith 1 ditto 200 Jn ^o Browne 2 ditto 400.....	600
To George Ludlow 6 Runawaies.....	1200
To M ^r W ^m Randolph assigned Rob ^t Beuerly.....	2525
To M ^r Edw ^d Chilton.....	5000
To Cap ^t W ^m Armiger.....	5000
To Coll Cadw ^o Jones Comand ^r of Rapp ^o Garrifon.....	21000
To M ^r W ^m ffitzhugh.....	10000
To M ^r Rob ^t Beuerly undertaker for laid Garrifon.....	65043
To Coll Jones assigne of Rob ^t Beuerly.....	39000
To W ^m Bolton assigned Coll Bacon.....	960
	178445

Middlesex County

Tithables 546 att 89 P pole.....	48594
To Sallery.....	4418
To Maximilian Petus sub Sherriffe.....	3639
To Rich ^d Dines Tho: Penny & John Rafcomb.....	777
To Coll Cuthbert Potter Sherriffe.....	2084
To Maj ^r Beuerly for Runawaies.....	1000
To ditto for laying out Gloc ^r & Middlesex townes.....	1089
To Jn ^o Seares 1 Runawaie Jn ^o Effsam 1 ditto.....	400
To W ^m Daubny 2 Runawies Jn ^o Seares 1 ditto.....	600
To Matthew Hudson 2 ditto Esq ^r Wormely 4 ditto.....	1200
To Esq ^r Wormely 1 ditto Richard Day 1 ditto.....	400
To W ^m Summers 1 ditto Jn ^o Refte 1 ditto.....	400
To Rob ^t Beuerly for Error in casting up.....	6000
To ditto for caske for f ^d	480
To ditto for allowance as Clerke Aprill Affsembly.....	6000
To ditto for caske.....	480
To M ^r W ^m ffitzhugh & M ^r George Brent undertakers for Potomeck Garrifon.....	19636
	48594

Mem^r the 2 fummes of 480 for caske mentioned to Maj^r Beuerly
in this proportion are here to bee paid although not leuyed,
being deducted out of his due in Gloc^r County in Leuie
thereof.....

Lancafter County

Tithables 421 att 89 P pole is.....	37469
To Sallery.....	3406
To Cap ^t W ^m Ball.....	2786
To M ^r Jn ^o Hayle for laying out y ^e towne.....	540
To M ^r Tho: Chewning for fferrying.....	129
To ditto for expences of Messengers.....	194
To Henry Rumfey 1 Runaway.....	200
To Charles Dodman 1 ditto Tho Hayden 1 ditto.....	400
To Jn ^o Roades 1 ditto 100 W ^m Nash 1 ditto 200.....	300
To W ^m Therryatt 1 ditto 200 Rob ^t Wilson 1 ditto 200.....	400
To ffra Thornton 1 ditto Rob ^t Shoult 1 ditto.....	400
To M ^r W ^m ffitzhugh & M ^r Geo: Brent undertakers for Potomeck Garrifon.....	28714
	37469

<i>Westmerland County</i>	Tobacco lbs.
Tithables 695 att 89 $\frac{7}{8}$ pole is.	61855
To Sallery	5623
To M ^r <i>Lawrence Washington</i>	3600
To <i>John Price</i>	2300
To the Widd ^o of <i>Randoll Kirke</i>	678
To <i>Thomas Pope</i>	3024
To <i>Vincent Cox</i>	2620
To M ^r <i>Spence</i>	1080
To Cap ^t <i>Thomas Gardner</i>	5000
To J ⁿ <i>Baker</i> 1 Runaway W ^m <i>Baker</i> 3 ditto	800
To <i>Nath^l Pycroft</i> 1 ditto <i>Thomas Reeues</i> 2 ditto	600
To <i>James Hofkin</i> 2 ditto <i>Abraham ffield</i> 1 ditto	600
To <i>Benedi^d Cole</i> 2 ditto 300 <i>Jonah Williamson</i> 1 ditto 100	400
To <i>John Ward</i> 1 ditto	200
To M ^r <i>Secretary Spencer</i>	12000
To <i>David Wickliffe</i> interpreter	4000
To M ^r <i>George Brent</i> & M ^r W ^m <i>ffitzhugh</i>	19330
	61855

<i>Northumberland County</i>	
Tithables 624 att 89 $\frac{7}{8}$ pole is.	55536
To Sallery	5049
To <i>John Julian Chirurgion</i>	764
To M ^r J ⁿ <i>Hayney</i> for laying out y ^e towne	540
To Cap ^t <i>Thomas Matthews</i>	1058
To <i>Jofias Long</i>	712
To <i>Rowland Williams</i> 1 Runaway <i>Hen: Gafcoim</i> 1 ditto	400
To <i>Tho Matthews</i> 1 ditto <i>John Roach</i> 1 ditto	400
To <i>Ralph Warrington</i> 1 ditto	200
To Cap ^t <i>George Cooper</i>	4200
To <i>Thomas Odonell</i>	1296
To <i>David Wickliffe</i> Interpreter	4000
To M ^r <i>Hamersly</i>	1728
To M ^r <i>George Brent</i> & M ^r W ^m <i>ffitzhugh</i>	35189
	55536

<i>Stafford County</i>	
Tithables 407 att 89 $\frac{7}{8}$ pole	36223
Deposito in the hands of Coll <i>Geo Mason</i>	596
	36819
To Sallery	3293
To M ^r W ^m <i>ffitzhugh</i> & M ^r <i>Geo: Brent</i>	32930
The deposito in Coll <i>Masons</i> hands to bee p ^d to ditto	596
	36819

<i>Rappahanock County</i>	
Tithables 1053 att 89 $\frac{7}{8}$ pole	93717.
To Sallery	8520
To the laying out the towne	540
To Coll <i>Cadwallader Jones</i>	2160
To <i>Thomas Swinborne</i>	1080
To <i>Henry Williamson</i>	1080

To

	Tobacco lbs.
To <i>Robert Tomlin</i>	2000
To Coll <i>Cadwallader Jones</i> for entertaining Indians.....	5400
To <i>George Southing</i>	5000
To <i>Richard Cawthan</i> 1 Runaway.....	200
To Coll <i>Jones</i>	40000
To M ^r <i>W^m ffitzhugh</i> & M ^r <i>George Brent</i>	27737
	93717

Accomack County

Tithables 583 att 89 p^d pole.....	51887
To Sallery.....	4717
To Coll <i>Jenifer</i> for laying out y ^e towne.....	540
To Cap ^t <i>Edm^d Scarbrough</i> for Jurors &c.....	4354
To <i>John ffenn</i> 1 Runaway <i>Rob^t West</i> 1 ditto.....	400
To <i>Nath^l Bradford</i> 1 ditto <i>Hen Read</i> 2 ditto.....	600
To <i>Peter Pritchard</i> 1 ditto <i>Sampson Taylor</i> 2 ditto.....	600
To <i>Iaac Henman</i> 1 ditto <i>W^m Thorowton</i> 1 ditto.....	400
To <i>Peter Walker</i> 3 ditto <i>Arthur fframe</i> 1 ditto 100.....	700
To <i>W^m Smith</i> 1 ditto 100 <i>Nath^l Macon</i> 1 ditto 200.....	300
To Coll <i>Jenefer</i>	200
To M ^r <i>Secretary</i>	3750
To Coll <i>Cadwallader Jones</i> Comander of <i>Rapp^a Garrison</i> assigned to Maj ^r <i>Beuerly</i>	12841
To M ^r <i>W^m ffitzhugh</i> & M ^r <i>George Brent</i>	584
To M ^r <i>Edward Chilton</i>	12000
To Cap ^t <i>W^m Armiger</i>	7165
To Maj ^r <i>Samuell Weldon</i>	2736
	51887

Northampton County

Tithables 555 att 89 p^d pole.....	49395
To Sallery.....	4490
To Coll <i>Daniell Jenifer</i> for laying out y ^e towne.....	540
To <i>Nath^l Walker</i>	648
To ditto for 16lb <i>Ster^t p^d</i> by S ^r <i>W^m Berkleys</i> order.....	3456
To ditto for other disbursements.....	1080
To <i>Agnes Powell</i>	302
To <i>Walter Mannington</i> 1 Runaway.....	200
To <i>Benjamin Stratton</i> 1 ditto.....	200
To Cap ^t <i>Armiger</i> assigned Coll <i>Kendall</i>	4536
To Maj ^r <i>Robert Beuerly</i>	4000
To ditto more which is to lye in Deposito in the Collectors hands by ord ^r of the Generall Affsembly.....	6000
To M ^r <i>Geo: Brent</i> & M ^r <i>W^m ffitzhugh</i>	23943
	49395

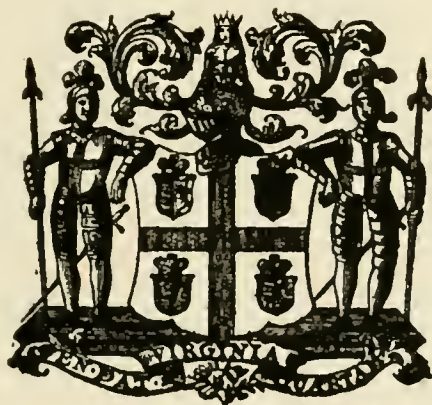
This is a true Copie of the publique Allowances and proportions of paym^{ts} thereof, made att an Affsembly begun att *James Citty* the 10th day of *Novemb^r* 1682 Examined & attested

p^d *Tho Milner C^l* affsembly.

Tytheables.....	15162
Which at 89lb Tobacco p^d Poll make.....	1349418 lb T ^o :
Which at 10 ^s p^d Cent amounts.....	6747lb 1 ^s 6 ^d S ^t

A
JOURNALL
OF THE PROCEEDINGS
OF THE
HOUSE OF BURGESSES
ATT A
GEN^{LL} ASSEMBLY

Begun at *James Citty* the sixteenth day of *Aprill* 1684
and in the six and thirtieth year of the Reigne of
our Soueraigne Lord *Charles* the second by the Grace
of God King of *England Scotland ffrance* and *Ireland*,
&c.



RICHMOND, VIRGINIA.

MCMXIV.

A
JOURNALL
 OF THE PROCEEDINGS
 OF THE
HOUSE OF BURGESSES.

Att a Gen^l Assembly Begun at *James Citty* the sixteenth day of *Aprill* 1684 and in the six and thirtieth year of the Reigne of our Soueraigne Lord *Charles* the second by the Grace of God King of *England Scotland France* and *Ireland*, &c.

Wednesday Aprill the 16th 1684.

IN THE House where the Burgeses of late haue vsually sate at *James Citty*.
 The writt for Elec^on of Burgeses for *Henrico* County is Read being p^rsent.

ffor <i>Henrico</i> County Coll ^o <i>John ffarrar</i> Cap ^t <i>W^m Randolph</i> <i>Charles Citty</i> County Coll <i>Edward Hill</i> M ^r <i>James Minge</i> <i>James Citty</i> County Coll ^o <i>Thomas Ballard</i> M ^r <i>William Sherwood</i> <i>James Citty</i> M ^r <i>Henry Hartwell</i> <i>Surry</i> County Major <i>Arthur Allen</i> <i>Isle of Wight</i> County M ^r <i>Joseph Woory</i> Cap ^t <i>Henry Applewaite</i> <i>Accomack</i> County Major <i>Charles Scarborough</i> L ^t Coll ^o <i>Daniell Jenifer</i> <i>Northampton</i> County Coll ^o <i>W^m Kendall</i> M ^r <i>John Custis</i>	<i>Nansemond</i> County M ^r <i>John Braffear</i> Major <i>Barna. Kearne</i> <i>Warwick</i> County Cap ^t <i>John Matthewes</i> Cap ^t <i>Miles Cary</i> <i>Yorke</i> County Cap ^t <i>ffrancis Page</i> M ^r <i>Joseph Ring</i> <i>Glocester</i> County Major <i>Hen: Whiteing</i> Coll ^o <i>Thomas Pate.</i> <i>Stafford</i> County Coll ^o <i>George Mafon</i> M ^r <i>W^m ffitzhugh</i>
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Who being informed by M^r *Edw^d Chilton* that His Exl^{cy} is indifposed and desires them to adjourne

They doe accordingly adjourne to nine of the Clock tomorrow morning.

Post

Post meridiem

HIS Exl̄ncy haueing signified his pleasure that the House should meete this afternoon.

The members accordingly mett and feuerall of them doe Attend vpon His Exel̄ncy to acquaint him they are Ready to Receiue his Com̄ands.

They Returne and Reporte his Exl̄ncy was pleased to expresse it his pleasure that the House doe chuse their Speaker, And if they shall finde it Conuenient, it be don before the sermon tomorrow morning.

And they adjourn to the second dr̄m to morrow morning.

Thursday April the 17th 1684.

THE Burgeffes meet and proceed to the Elec̄on of a Speaker.

Coll^o *Thomas Ballard* and Coll^o *W^m Kendall* and Coll^o *Edw^d Hill* being by feueral members propofed it is, *Resolved* It be first put to the uote whether Coll^o *Ballard* or Coll^o *Kendall* shall stand

And Coll^o *Ballard* is Chosen by the majority of Votes, & then *Resolved* that it be put to the uote whether Coll^o *Ballard* or Coll^o *Hill* shall be speaker.

And the major uote are for Coll^o *Edward Hill*.

Resolved That M^r *W^m ffitzhugh* be put to the Vote with Coll^o *Hill* whether shall be speaker.

And Coll^o *Hill* hath the majority of Votes.

Resolved that it be put to the Uote, whether Coll^o *Hill* shall stand or Major *Charles Scarburgh*.

And. Coll^o *Hill* hath the majority of Votes.

And Coll^o *Hill* is by Coll^o *Kendall* and Coll^o *Ballard* placed in the Chaire.

Coll^o *Ballard*

Coll^o *Kendall*

Major *Allen*

Maj: *Swann*

Coll^o *Le Mafon*

M^r *ffitzhugh*

and M^r *W^m Sherwood*

are appointed by the House to waite upon his Exl̄ncy and to acquainte him they haue made choice of a speaker.

They Returne and Report that they haue dd. [delivered] the message and that His Exl̄ncy faith he is Ready to Receiue the Attendance of the House.

And the House doth Accordingly waite upon his Exl̄ncy at the Courte House

M^r *Speaker* maketh the vsuall petiçons to his Exl̄ncy which are granted

M^r *Speaker* and the Rest of the members Ret. And by the vnanimus vote and Consent of the House L^t Coll^o *Thomas Milner* is Continued and Confirmed Clerk of the Affembly.

A Com^{tee} appointed for the Examination of the Returnes of writts and Elec̄ons.

M^r *W^m ffitzhugh*

Coll^o *Daniell Jenifer*

Coll^o *Lemuell Mafon*

Cap^t *W^m Randolph*

M^r *James Minge*

And M^r *Henry Randolph* is appointed Cl. of this Com^{tee}

Resolved That the whole Body of the Burgeffes Accompany M^r *speaker* to the Church and back to the House

The House being Returned doe appointe and desire

Cap^t *ffrancis Page*

M^r *Joseph Ring*

to Giue the thankes of this House to M^r *Rowland Jones* for his sermon preached this day before the Gen^l Affembly.

And *Resolved* that the Com^{tee} for y^e Examinaçon of y^e Returnes of writts, and Elec̄ons doe meet this afternoon and Report their opinions to the House wth all Conuenient Expedition.

The House adjournes to the first Drum.

Post

Post meridiem

THE Houfe mett

Cap^t *Francis Page* Reportes that he hath giuen the thanks of this houfe to M^r *Rowland Jones*.

The Com^{tee} for the Examination of the Returnes and Elec^{cons} giue in their Reporte by M^r *W^m ffitzhugh*, w^{ch} is Read by him,

Resolved that an Adresse be made to His Exl^{ncy} to Affigne some of the Hon^{ble} Councill to adminifter the v^lual Othes. To fuch Burgefes. whofe Elec^{con} and Returne this Houfe hath approued, and

Major *Allen*

L^t Coll^o *farrer*

Cap^t *Jⁿ Matthews*

M^r *W^m Wilfon*

Cap^t *Miles Cary*

M^r *Tho: Allomby*

doe waite upon His El^{ncy} wth this Adresse.

The names of the Burgefes Approued. by the Houfe to be Duely Elect^d and Returned withoute any objection are as ffolloweth, after next para:

Major *Allen* & the Rest of the members sent to his Exl^{ncy} Return and Report they haue dd the Message and his Exl^{ncy} will fforthwith affigne some of the Councill to Answer this Houfes Request.

ffor *Henrico*.

L^t Coll^o *John farrer*

James Citty County

Coll^o *Thomas Ballard*

Cap^t *will: Randolph*

M^r *W^m Sherwood*

Charles Citty

James Citty

Coll^o *Edward Hill*

M^r *Henry Hartwell*

M^r *James Minge*

Middlesex

Surry

M^r *Abraham Weekes*

Major *Arthur Allen*

M^r *Richard Parrott.*

Major *Sam^l Swan*

Lancaster

Ifle of wight.

Cap^t *Dauid ffox*

M^r *Joseph Woory*

Stafford

Cap^t *Henry Applewaite*

Coll^o *George Mafon*

Nanfemond

M^r *William ffitzhugh*

M^r *John Brassear*

Westmerland

Major *Barna: Kearnie*

L^t Coll^o *Isaac Allerton*

Eliza: Citty County

Cap^t *Lawrance Washington*

M^r *W^m Wilfon*

Accomack

M^r *Thomas Allomby*

Major *Charles Scarburgh*

Warwick County

L^t Coll^o *Daniell Jenifer.*

Cap^t *Jⁿ Matthews*

Cap^t *Miles Cary*

New Kent

Coll^o *Jⁿ West*

Cap^t *Joseph ffofter*

Glocester

Major *Hen: Whiteing*

Coll^o *Thomas Pate*

Rappahannock

M^r *Henry Abrey*

Cap^t *George Taylor*

Coll^o *W^m Cole*, and Coll^o *John Page* two of The Hon^{ble} Councill come into the Houfe and bring with them his Exl^{ncy} Com^{iffion} under the Seale of the Colony as ffolloweth.

By His Ex^{llency}

I Doe hereby Com^{iffionate} Authorize and Impower Coll^o *W^m Cole*, and Coll^o *Jⁿ Page* Two of his Ma^{ties} Councill of fstate of this his Ma^{ties} Colony and dominion of *Virgn^a*

to

to Administer the othes of Allegiance & fupremacy as likewise the oth of a Burgeffe to euey Elected member of this affembly Giuen under my hand and feale of the Colony this 17th day of *Aprill* 1674.

Effingham

Which is Read in the Houfe.

And accordingly the oth of Allegiance the Oth of Supremacy & the Oth of a Burgeffe is Adminiftred to thofe members whofe names are before mençoned, *Viz'*

L ^t Col ^o <i>Jn^o farrar</i>	Cap ^t <i>John Matthew's</i>
Cap ^t <i>W^m Randolph</i>	Cap ^t <i>Miles Cary</i>
Coll ^o <i>Edward Hill</i>	Coll ^o <i>John West</i>
M ^r <i>James Minge</i>	Cap ^t <i>Joseph ffofter</i>
Coll ^o <i>Thomas Ballard</i>	Major <i>Hen: Whiteing</i>
M ^r <i>W^m Sherwood</i>	Coll ^o <i>Thomas Pate</i>
M ^r <i>Henry Hartwell</i>	M ^r <i>Henry Abrey</i>
Major <i>Arthur Allen</i>	Cap ^t <i>Geor: Taylor</i>
Major <i>Sam^{ll} Swann</i>	M ^r <i>Abraham Weekes</i>
M ^r <i>Joseph Woory</i>	M ^r <i>Richard Parrott</i>
Cap ^t <i>Hen: Applewaite</i>	Cap ^t <i>David ffox</i>
M ^r <i>Jn^o Brassfar</i>	M ^r <i>W^m ffittzhugh</i>
Major <i>Barna: Kearnie</i>	Major <i>Char: Scarborough</i>
M ^r <i>W^m Wilfon</i>	L ^t Coll ^o <i>Daniell Jenifer</i>
M ^r <i>Tho: Allomby</i>	

The orders of the Houfe Read and Confirmed

Resolved That whenfoeuer any member of this Houfe fhall arife from his feate according to a former Ord^r of this Houfe to fpeak Debate or deliuer any matter to the fpeaker the member foe arifeing from his feate fhall ftand in his place, withoute aduancing forward thence untill he fhall haue don fpeaking und^r y^e penalty of 20^l of Tobacco.

And it is *ordered* That this order be inferted and added to the former Orders of this Houfe for y^e more decent Regular & orderly proceedings thereof.

Vpon the debate of the matter upon the Returne of the *Lancafter* writt Reported from the Com^{tee} of Elecçons.

Resolved it be put to the Queftion

Whether the Returne made upon *Lancafter* writt of Coll^o *Codd* for Burgeffe for that County, bearing date the 31^t of *March* being y^e day of Elecçon, be a due & legall Returne or not.

Resolved Nemine Contradicente That the Returne of Coll^o *Codd* is a due and Legall Returne.

Vpon debate of the matter of the Returne of *Northampton* Writt, Reported from y^e Com^{tee} of Elecçon

Ordered that Cap^t *Isaac ffoxcroft*, The Sherriff of *Northampton* County be Called into the Houfe who appears.

And being demanded by M^r *Speaker* if Coll^o *Kendall* were fairely Elected by the people he affirmed he was.

And was thereupon ordered to withdraw.

Ordered that Coll^o *Kendall* and M^r *John Cuftis Jun^r* be fent for into the Houfe.

M^r *John Cuftis* who was Sherriffe at y^e time of the Elecçon of *Northampton* County owning the Returne upon the writt to be his own handwiteing is therefore Required to fubfcribe the fame w^{ch} is accordingly don in the Houfe.

And thereupon it is

Resolved That Coll^o *W^m Kendall* is duely Elected and Returned Burgeffe ffor *Northampton* County.

Ordered That his Exlñcy be adreffed from this Houfe for a writ for Elecçon of a Burgeffe for *Northampton* County in the Room of M^r *John Cuftis*, who is adjudged by the Houfe not in Capacity to ferue as Burgefs, for that he was Sher. at time of Elecçon.

Ordered

Ordered that Cap^t W^m Armiger fherriffe of *James Citty* doe giue notice to M^r *John Cufstis* That he is Comanded not to depart from *James Citty* until further Ord^r from this Houfe.

Vpon the petiçon of *Edward Roffe* for the Place of Drumner to the Affembly and Gen^l Courte, and it being Recomendēd by his Exlⁿcy and *Rob^t Wilfon* Late Drummer haueing Refigned

The Said *Edward Roffe* is admitted and Confirmed Drumner for y^e Gen^l Affembly and Gen^l Courte, foe long as he fhall therein well behaue himfelfe.

Vpon Reading the Complaine of feuerall the Inhabitants of *York County* Concerning the Elecōn there, It is ordered y^t y^e Sherriffe of *Yorke* be fent for to appeare before this houfe to Answer the faid Complaine on *Munday* next.

Refolued that Cap^t *ffrancis Page* and M^r *Joseph Ring* are duely Returned, And it is accordingly ordred that they may be admitted into this Houfe.

M^r W^m *ffitzhugh*

M^r W^m *Sherwood*

M^r W^m *Wilfon*

M^r *Tho: Allomby*

Coll^o *Jn^o West*

Coll. W^m *Kendall*

Are appointed to attend upon his Exlⁿcy with an addresse for a writt for *North^{ton} County*

Ordered That one of the officers attending this Houfe doe giue Notice to M^r *Thomas Barber* Sheriffe of *Yorke* of this Houfes order for his appearance here on *munday* next, and alfoe to the Complaiñants M^r *Henry Jenkins* M^r *Thomas Mountfort* or one of them.

The Houfe Adjournes to the third drūm to Morrow.

Thursday *Aprill* the 17th 1684.

MAY it please yo^r Exlⁿcy

The Houfe of Burgefles upon Examinaçon of the Returnes of writts for Ellecc^{ns} doe finde that M^r *John Cufstis* was Returned for the County of *Northampton* but the Houfe hath adjudged that the faid *Cufstis* cannot ferue as a Burgefse for y^e Said County for that he was fherriffe at y^e time of y^e Elecōn and is therefore difallowed by this Houfe.

The Houfe of Burgefles therefore pray yo^r Exlⁿcy to Command another writt may be provided for yo^r Exlⁿcys fignature to be tranfmitted to the Said County of *Northampton* for the Elecōn of a Burgefse for the Said County as hath bin formerly accuftomed.

ffriday *Aprill* the 18th 1684

THE Houfe mett and Called

The Members Yefterday appointed to waite upon his Exlⁿcy with the Adrefs for a writt for *Northampton* County goe out.

They Returne & Report his Exlⁿcy promifed it fhould be Answered forthwith.

Refolued that his Exlⁿcy be addrest for a cobby of his fpeech Yefterday to this Houfe and it is Referred to

Coll^o *Ballard*

M^r *ffitzhugh*

M^r *Minge*

Major *Scarburgh*

To Draw the Adrefs and p^rsent to the Houfe.

Refolued and ordered that the feuerall Clerkes of the Com^{tee} who fhall be Retained and employed by this Houfe fhall at all times hereafter be enjoyned to affift the Clerke of the Affembly in writeing tranfcribing and Copying fuch papers writeings Acts and other things as fhall be neceffary Required by the Clerke of the Affembly for the dis-
patch

patch of Buiffineffe either during the feffion or at the Breaking or Rifing up of Affemblys when they are not employed in their proper places as Clerkes of Com^{tees} or Attending on them and this Houfe will Confid^r of fome Reward according to their merritt for this Extroardinary feruice.

Refolued that fuch fherriffe as hath not made due returne of the writts of Elecçons according to Law fhall be proceeded againft as the Law directs and it fhall be Referred to the Com^{tees} of Grieuances when appointed to Confider of the manner of proceedings ag^t them.

The Members appointed to draw vp the addrefse deliuer in the fame by Coll^o *Ballard* w^{ch} is Read by M^r *fittzhugh* at the Table and approoued by the Houfe and ordered to be faire drawne and p^rented by

Coll ^o <i>Ballard</i>	M ^r <i>fittzhugh</i>
Maj: <i>Scarburgh</i>	M ^r <i>Minge</i>
Major <i>Allen</i>	Cap ^t <i>Cary</i>
Coll ^o <i>Pate</i>	Cap ^t <i>ffofter</i>
Major <i>Whiteing</i>	Cap ^t <i>Matthewes</i>

The Addrefse

April the 18th 1684

To His Excellency

The Humble Adrefs of the Houfe of Burgefles.

May it Pleafe yo^r Excellency

Vpon the prefentaçon of their Speaker in obedience to yo^r Exlñcys Co^mands you did then declare to them his Ma^{ties} Gracious Inclinations and Royall Commands to the Affembly together with yo^r Exlñcy's Readineffe and willingneffe to further any neceffary thing for the good of this dominion, by yo^r moft Excellent fpeech at that time deliuered to the Gen^{ll} Rejoyceing of all, Therefore that they may more Readily proceed in Obedience To His Moft Sacred Ma^{ties} and yo^r Exlñcys Commands they moft Humbly pray the Communication of that fpeech or the heads thereof to the end they may more Considerately aduife thereupon & tranfmitt to their pofterity an Act of Grace and fauo^r foe worthy their Remembrance.

The Gentlemen who waited upon his Exlñcy with the Addrefse Reporte P Coll^o *Ballard* they haue deliuered the Addrefse and he is pleafed to anfwer, he will take care to haue it drawne and it fhall be tranfmitted to this Houfe.

Vpon Petticon of *Rob^t Bradley* to this Houfe for his Continuance in his place of C^l of a Com^{tee}

The Queftion is Put whether M^r *Bradley* fhall be Continued or difmiffed.

Refolued that he be Continued and fharpely admonifhed by M^r *Speaker* and put in minde of the greate affront offered to this Houfe at the end of the Laft Affembly.

Refolued by the Houfe that upon the firft vacancy of a Clerks place M^r *Samuell Goofe* who hath Pettitioned this Houfe fhall be admitted into the fame.

M^r *Hartwell* and Cap^t *Randolph* Defire to waite upon Coll^o *Cole* and Coll^o *Page*, and pray them to come into this Houfe to fweare fome Burgefles whose returnes are approoued fince they were here yefterday,

Coll^o *Cole* and Coll^o *Page* come into the Houfe and adminifter the Othes of Allegiance Supremacy and the Oth of a Burgefse to,

Coll ^o <i>W^m Kendall</i>	Coll ^o <i>Geo: Mafon</i>
Cap ^t <i>ffran: Page</i>	M ^r <i>Jos: Ring.</i>

And *Rob^t Bradley* called into the houfe is fharpely Reproued & admitted to be a C^l of a Com^{tee} upon his humble fubmiffion.

M^r *Yates* who is P mitted C^l to L^t Coll^o *Milner* C^l of the Affembly fworne.

Major <i>Allen</i> chair ^m	Major <i>Swan</i>
Major <i>Kearnie</i>	M ^r <i>Randolph</i>
M ^r <i>Hartwell</i>	

Are

Are desired to make inspeccon into the Lawes Concerning Returnes of Writts ffor Eleccon of Burgeffes, and Report what penalty they finde ought to be Inflicted on Sherriffs that make undue Returnes of such Writts.

The Houfe Adjournes to the next Drum.

April the 18th post meridiem

THE Houfe met and Called

The Writt of Eleccon for *Lower Norfolke* brought into the Houfe and the Return Read and allowed.

Vpon the Request of M^r *Hen: Jenkins* it is ordered that these p^rsons following viz' *Rich: Trotter Jn^o Cuffins Tho: Roberts Sam^{ll} Singnell Sam^{ll} Toplady John Metcalfe* make their appearance before this house, to testifie their knowledge upon a Complaint made ag^t M^r *Tho: Barber* fher. of *Yorke* County by M^r *Hen: Jenkins* and M^r *Tho: Montfort* and others Inhabitants of *York* County on *munday* next, And M^r *Montfort* to giue notice to y^m

M^r *Hen: Hartwell*

M^r *W^m Randolph*

Are appointed to Intreate Coll^o *Cole* and Coll^o *Page* to come into this Houfe to Administer the Othes &c to Coll^o *Lem: Mafon* & Cap^t *W^m Robinfon*.

Major *Arthur Allen* for the Rest of that Com^{tee} giue in their Report to the Houfe that they finde the 50th act in the printed booke, fines Every s^{her}iffe 2000 pounds of tobacco that makes an undue Returne.

And thereupon M^r *Jn^o Cuffins* being Called into the Houfe is fined & Ord'ed to pay for making an undue Returne, Two thousand pounds of tobacco, to the vse of the Publique.

Coll^o *W^m Cole*, and Coll^o *Jn^o Page* come into the Houfe and administer the Othes of Allegiance supremacy and the Oth of a Burgeffe to Coll^o *Lem^{ll} Mafon* and Cap^t *W^m Robinfon*

Vpon the Application of M^r *Isaac ffoxcroft* Sher of *North^{on}* made to this Houfe for direccon in the Writt of Eleccon. now Issued for *North^{on}* County It is the Vnanimous opinion of the Houfe that it is not in this P^{ar}ticular Cafe of expedicon of necessity that the s^{her}iffes doe obserue their Exact Rules. P^rscribed in the Acts of Asssembly in giueing notice to the Inhabitants. of the County of the Intended eleccon, But that he may in Cafe of Expedition Issue oute his P^rcepts Requireing the seuerall Conftables in the Said County to warne in all the ffreehold^s within their seuerall p^rcinets to come in at and to the time and place by him in his p^rcept to be assigned,

The Last Asssembly held at *James Citty* the 10. of *November* 1682 haueing Recomend- ed the Bills Concerning Escheates and Compositions to the Early and speedy Consideration of this p^rsent Asssembly, It is ordered that those two Bills concerning Escheates and Compositions, w^{ch} past the Houfe of Burgeffes the last Asssembly, with the endorfem^{ts} made upon them by their Hon^{rs} Be Referred to the Com^{tee} of propositions and Grieuances to Confid^r thereof and frame another bill with such Additions claufes and prouisoes as shall be found most fitting. and to Report the same to the Houfe with y^e first matters they shall haue under their Consideracon.

The Peticon of Cap^t *ffoxcroft* Read

Resolved that the peticon is fully Answered

M^r *Chilton* brings into the Houfe His Exlūcys Speech made to the Houfe yesterday upon presenting the Speaker, w^{ch} is Read in the Houfe.

Coll^o *Thomas Ballard*

M^r *W^m ffitzhugh*

Major *Scarburgh*

M^r *Minge*

Major *Allen*

Cap^t *Cary*

Coll^o *Pate*

Cap^t *ffoster*

Major *Whiteing*

Cap^t *Matthewes*

Are

Are Appointed to waite upon His Exl̄ncy, and to p̄sent him the Humble thanks of this Houfe for his noble and Generous Condefcention in tranfmitting to this Houfe at their Humble Request the Copie of his Speech And to affure his Exl̄ncy in the name of this Houfe that they will take the fame into fpeedy and ferious Confideration.

Coll^o *Ballard* and the Reft of the Members Report by him that they haue ꝑformed the Charge and His Exl̄ncy was pleafed to fay That he Rec^d uery Kindly the Houfes acknowledgem^t That the matters tended to his Ma^{ties} feruice and the weale of this Colony and did giue his ꝑticular thanks to the Houfe for the ꝑticular expreffion of their ufeing expedition in the Confideration of it.

The Houfe adjournes to y^e 3^d drúm.

Saturday April the 19th 1684.

THE Houfe mett and Called.

Northumberland County Writt Read and allowed by the Houfe.

Att the Request of this Houfe, Coll^o *W^m Cole* and Coll^o *Jⁿ Page* come into The Houfe and doe Adminifter the Othes of Allegiance fupremacy and the Oth of a Burgeffe to Coll^o *Ifaac Allerton* Cap^t *Law: Washington* Burgeffe for *Westmer^{id}* and to M^r *Peter Prefly* and M^r *Knight* for *Northumberland*.

Major *Scarburgh*

M^r *James Minge*

Major *Allen*

Cap^t *Miles Cary*

M^r *Hartwell*

Maj: *Sam: Swan*

Are defired and appointed to Repaire to M^r *Secretaries* office to get a Copie of his Exl̄ncy's Comiffion and to infpeñt the Records and to p̄sent to the Houfe and Report what they fhall finde may be of vfe to the Houfe and to giue in their Report to the Houfe on *Munday Morning* & at all times dureing this Seffion they are likewise apointed to draw up an addrefs to his Exl̄ncy that he will pleafe to Coñmunicate to the Houfe whether his Exl̄ncy hath any other Matters from his Ma^{tie} Relateing to this Houfe, and y^r p̄sent proceedings then he hath already made known unto them and if any fuch that his Exl̄ncy will pleafe to Communicate them in ord^r to their more fpeedy Confideraçon of the Houfe, And to p̄sent the fame to y^e Houfe.

A Com^{tee} apointed to Infpeñt the Journall of the Laft Affembly and all other Journalls, and papers, Bookes &c belonging to the Houfe of Burgefles And to Reporte to the Houfe what they fhall find therein y^t may be of vfe or import to the Houfe. And alfo fuch matters and things whether Bills Ord^{rs} or Refferences &c of any Kind foever from y^e laft Affembly.

Coll^o *Allerton*

Maj: *Hen: Whiteing*

M^r *Sherwood*

Cap^t *Jos: ffofter*

M^r *W^m Randolph*

M^r *fittzhugh*

Cap^t *Page*.

Resolved that the Queftion be put whether the Addrefse laft mençond fhall be drawn up by the Com^{tee} where Maj: *Scarburgh* is Chairmⁿ by that Com^{tee} where Coll^o *Allerton* is Chaireman

Resolved it be don by that Com^{tee} whereof Major *Scarburgh* is Chaireman and that they p̄sent it to the Houfe wth all expediçon.

A Com^{tee} appointed for Propofitions & Grieuances.

Coll^o *Tho: Ballard* C.

M^r *James Minge*

M^r *W^m ffitzhugh*

Major *Scarburgh*

Major *Whiteing*

Major *Allen*

Major *Kearnie*

Cap^t *Cary*

Ordered that Coll^o *Ifaac Allerton* be Added to this Com^{tee} and alfoe M^r *W^m Sherwood*, and Coll^o *Codd*.

A Comtee Appointed for Priuate Caufes.

Coll^o W^m Kendall C.

Coll^o Daniell Jenifer

Coll^o Jⁿ Weft

M^r Rich^d Parrot

Coll^o Geo: Mafon

Coll^o Lem^{tt} Mafon

Coll^o S^t Leger Codd

Cap^t ffrancis Page

Cap^t Taylor

M^r Peter Knight.

Ordered that the Comtee of propofitions and Grievances doe draw up a Congratulatory Addrefse to his Ma^{tie} to exprefs & Teftifie the Exceeding Joy and fatisfaccon of this houfe and the whole Country for the late moſte miráculous deliuerance w^{ch} it hath pleafed Almighty god to vouchsafe his Ma^{tie} from the feuerall hellifh Horrid trayterous plotts and Conſpiracies ag^t his moſt ſacred ~~þ~~ſon His Royall Highnefs, And the Gouvern^m and alſoe to Teftifie the great ſenſe we haue of his moſt Royall care & Gracious fau^r towards Vs his poor Subjects in this Country in prouiding and ſending for our Gouvern^r a perſonage of ſuch extraccon and worth and poſſeffor of all noble qualifications.

A Comtee appointed for the Examinacon of y^e publiq Claíms & Debts.

Major Sa^m: Swan

M^r Joſeph Ring

M^r Hen: Hartwell

Cap^t W^m Robinſon

Cap^t Joſeph ffofter

M^r W^m Wilſon

M^r Abra: Weekes

Reſolved that an Imediate Addrefse be made to His Exln^{cy} for Counfell^{rs} to be Affigned to the Comtees as hath formerly accuſtomed.

Coll^o Thoſ Ballard

Maj: Cha: Scarburgh

M^r Rich^d Parrott

Coll^o Thomas Pate

Maj: Hen: Whiteing

M^r W^m ffittzhugh

Coll^o Lem^t Mafon

Maj: Sam: Swan

Maj: Ar: Allen

Coll^o Dan: Jenifer

Are appointed to waite upon his Exln^{cy} And to Informe his Exln^{cy}, That this Houfe in order to their ſpeedy proceedings in thoſe affaires for w^{ch} they haue been Conueened haue appointed the feuerall Comtees for Propofitions and Grievances. A Comtee for Priuate Claufes and a Comtee for the Examinations of the publiq Claimes and doe therefore pray his Exln^{cy} that he will pleaſe to affigne ſome of the Hon^{ble} Councill to the feuerall Comtees for Conſultation, according to y^e Antient Conſtitution and pra^{ctice} of the Affemblies of Virg^a And to informe his Exln^{cy} That the feuerall Chairemen of the Comtees ſhall waite upon his Exln^{cy} with the liſt, of their feuerall Comtees names at ſuch time as his Exln^{cy} ſhall pleaſe to appointe.

Ordered that M^r Thomas Blayton be C^l of the Comtee of propoficōns and Grievances.

Coll^o Ballard and the Reſt of thoſe Members that were appointed to waite upon his Exln^{cy} Reporte by Coll^o Ballard that they haue deliueered the Meſſage and his Exln^{cy} was pleaſed to promiſe This Houfe ſhall Receiue Anſwer in y^e afternoone.

A Comtee Appointed for the examinacon of Certificates for takeing and Apprehending Runawaies

Coll^o Tho: Pate Chaireman

Cap^t Applewaite

M^r Braffear

Cap^t ffox

M^r Woory

M^r Thomas Allomby

Ordered That M^r Hen: Randolph be Clerke of y^e Comtee of Claimes.

Ordered That Cap^t W^m Randolph be added to the Comtee of Claimes.

Ordered That M^r W^m Bolton be appointed Clerk to y^e Comtee of priuat' Cauſes.

That M^r Rob^t Bradly be C^l of the Comtee for examination of the Certificates for apprehending Runawaies.

M^r Lancelet Bathurſt is appointed Clerke to the Comtee for Inſpection of the Journalls &c.

Ordered

Ordered That Coll^o *Daniell Jenifer* be Added to the Com^{tee} for Inspecting the Records in the Secretaries office. And M^r *Ed. Harrison* to be Clerke of that Com^{tee}
The Houfe adjournes to the Afternoon.

Post Meridiem.

THE Houfe mett

M^r *Chilton* brings a message from his Exl^{ncy}, That His Exl^{ncy} Comands the Houfe to Attend him at the Courte houfe.

And accordingly the whole Houfe doe attend upon his Exl^{ncy} in the Courte houfe and being Returned.

M^r *Speaker* deliivers the some of his Exln^{cys} speech as ffolloweth

Gentlemen

I doubt not but you haue heard and Considered his Exln^{cys} speech to this Houfe euen now wd w^{ch} in Effect is That he Rec'ed a message from this Houfe to haue Councill added to y^e Com^{tee} of this Houfe, That he was sorry to see or heare of such obstruc^{ions} in the begining of this Affembly, And that we tooke no notice of his Exl^{ncy} the Lord *Culpepers* Command Rec'ed from his Ma^{tye}, That noe appeals should be from the Gen^{ll} Courte to the Affembly, w^{ch} he openly declared in the Gen^{ll} Courte but since we had not he did then declare to us that he had Rec^{ed} Commands from his Ma^{tye} That there should be noe Appeals from the Gen^{ll} Courte to the Gen^{ll} Affembly, and therefore since there were noe priuate Causes to be tried he Could not thinke it necessary that Councill should be Assigned to the other Com^{tee} And therefore desired us to withdraw and proceed to the buifneffe of the Affembly w^{ch} now Gentlemen lies before you.

Resolved That the Com^{tee} appointed to Ad^{ress}e his Exl^{ncy} for his further instruc^{ions} from his Ma^{tye} Relateing to this Houfe doe most especially mind the Instruc^{ion} men^{tioned} by his Exl^{ncy}, Concerning Appeals to the Gen^{ll} Affembly from the Gen^{ll} Courte, And that they doe likewise signify and declare, That as to what his Exl^{ncy} was pleased to say Concerning his Ma^{tye}'s Pleasure in that p^{ar}ticular, declared by the Lord *Culpeper* in open Courte. The Houfe is not sensible of any such publiq declara^{ion} Or Expreffion: But on the Contrary this Houfe doe find That by the Lord *Culpepers* Answer to this Houfe of date 21^e december 1682. he Concurred with this Houfe in Referring all priuate Causes to the next Affembly, And therefore soe much the Rather doe they pray, That the Originall Instruc^{ions} may be vouchsafed to the veiw of this Houfe and alsoe his Exl^{ncy}'s Comission & Instruc^{ions} and pray it may be Recorded in the Records belonging to this Houfe.

M^r *W^m ffitzhugh*

Maj: *Scarburgh*

Major *Allen*

M^r *Minge*

Col^o *Jenifer*

M^r *Sherwood*

With the Clerke of the Affembly are Appointed to prepare an Answer from this Houfe to his Exl^{ncy}'s speech made this Afternoone in the Courte Houfe

Major *Scarburgh* deliivers into the Houfe the Ad^{ress}e w^{ch} is Read at y^e Table by M^r *ffitzhugh*.

w^{ch} is Approoued by the Houfe and ord'ed to be fair written, and

Coll^o *Kendall*

Cap^t *Washington*

Maj: *Whiteing*

Coll^o *West*

Coll^o *Pate*

Cap^t *ffoster*

Cap^t *Page*

Are Appointed to waite upon his Exl^{ncy} with the Ad^{ress}e following

Saturday

Saturday Aprill y^e 19th 1684

MAY it please yo^r Exlñcy.

The Gen^l Affembly of *Virg^a* being by the 26th printed Act of Affembly yet unrepealed Impowered as a Courte of Judicature to heare and determine all such Caufes as by appeales from the Gen^l Courte fhould be brought before them, w^{ch} by Cuftome had their firft hearing before a felect Com^{tee} for that purpofe Affited by fome of the Hon^{ble} Councill And from them Reported to the Houfe of Burgefles And by them Reheard And then by Consent of y^e Gen^l Affembly finally determined This Houfe did Humbly Conceiue that According to the Said Cuftomes and Conftituçions it was their Inherent Right and priuiledge to enjoy the fame, And thereupon did make their Humble adrefse to yo^r Exlñcy for Councill to affift at the like Com^{tees} vpon the Hearing of fuch appeales But this Houfe at their Attendance vpon yo^r Exlñcy. by yo^r Comand Receiueing answer y^t we took no notice of his Exlñcy the Lord *Culpepers* Comand Reçed from his Ma^{tie} That noe Appeales fhould be from y^e Gen^l Courte to the Affembly And that he had openly declared the fame in the Gen^l Courte.

The Houfe of Burgefles doe Humbly Anfw^r yo^r Exlñcy.

That as to that yo^r Exlñcy was pleased to Say Concerning his Ma^{ties} Pleasure in the matter of priuate Caufes declared by the Lord *Culpeper* in open Courte. This Houfe is not fenfible of any fuch Publiq declaraçon or expreffion of the Lord *Culpepers* but on the Contrary This Houfe doe finde that by the Lord *Culpepers* answer to the then Houfe, dated the 21st december 1682. He Concurred with the Hon^{ble} Councill and the Houfe in Referring all priuate Caufes to the next Affembly which feems to this Houfe a Confirmation of what the Houfe had before Reçed from the Hon^{ble} L^t Gouvern^r y^e 28th *November* 1682. That if betwixt that time and the next Seffion of Affembly his Ma^{tie} fhould not please to giue p^{ar}ticular direcçons in the matter of proceedings in Appeales in priuate Caufes to the Affembly then they fhould be heard and determined by Councill Affifting in Com^{tees} after the forme and manner of priuate Caufes in Affemblyes held before the yeare 1680. And that the Councill would for the better Satisfacçon of the then Houfe of Burgefles Joyne with them therein w^{ch} the Councill accordingly did.

And therefore the Houfe of Burgefles doe pray yo^r Exlñcy that y^e Originall Inftreucions from his Ma^{tie} may be Vouchsafed to y^e View of this Houfe. That from thence as upon the furer and more fatisfactory ground's they may Yield their Ready obedience thereunto.

Ordered That noe member of this Houfe fhall p^rsume to departe oute of *James Citty* without leaue obtained from M^r *Speaker* and that if any member y^t fhall obtain fuch leaue from M^r *Speaker* fhall not, Be in this Houfe by 10^e of the Clock on *Munday* morning, He fhall in both the faid Cafes pay the fūme of 200 pounds of tobacco.

The Houfe adjournes to *munday*.

Munday Aprill the 21th 1684.

THE Houfe mett

Coll^o *Kendall* and the Rest of the Members appointed on *Saturday* laft to waite upon his Exlñcy with the ad'reffe Report by Coll^o *Kendall* that they deliuered the ad'reffe to his Exlñcy and he was pleased to promife a fpeedy answer.

Ordered That His Excellencies Speech be Read.

Ordered That the Speech now Read be Comitted to the Confideraçon of the Com^{tee} of propofitions and grieuances.

Coll^o *W^m Cole* and Coll^o *Jn^o Page* at the Houfes Request come in and Adminifter the Oth of Allegiance the oth of fupremacy and the Oth of a Burgefse to Coll^o *S^t Leger Codd*.

Cap^t

Cap^t Jⁿ Matthews is added to y^e Com^{tee} for Examinaçon of Certificates for Run-awaies.

Resolved That the proposition made by M^r Sherwood concerning the Clergy of this Country be Referred to y^e Com^{tee} of the propositions and grieuances.

Ordered that Coll^o Pate Cap^t ffofter and Major Allen doe expresse y^e thankes of this Houfe to M^r Doyly for his fermon yesterdayer before y^e Gen^l Affembly.

Resolved That the Queſtion ſhall be putt

whether the Com^{tee} for inſpecting the Journall of the laſt Affembly &c ſhall proceed according to the firſt deſigne of this Houfe. And p^rſently goe out or whether the matter deſigned for their Conſideraçon ſhall be Referred to the Com^{tee} of propoſiçons and grieuances.

Resolved That y^e Com^{tee} for inſpecting the Journall be Continued and that they forthwith proceed.

Resolved That all propositions and Grievances ſhall be giuen into the Houſe by Saturday Noone next at furtherſt and that all propositions or grieuances that ſhall not be brought in by that time ſhall be excluded ffor this Seſſion.

The Houſe adjournes to the afternoón.

Post Meridiam

THE Houſe mett

Yorke County Grievances & propositions Read in the Houſe and Comitted
Nanſimond County Grievances Read and Comitted.

Coll^o W^m Cole and Coll^o Jⁿ Page bring into the Houſe from his Exl^{ncy} his Ma^{ty} Inſtrucçons to his Exl^{ncy} Concerning Appeales in priuate Cauſes.

Which is *Ord^red* to be Read.

Rappahannock County propositions and Grievances Read and Comitted.

M^r Thomas Barber She^r of Yorke called into the Houſe To Anſwer y^e Complaint of M^r Jenkins M^r Mountfort and other the Inhabitant's of Yorke County And the Petiçon is Read.

Vpon ſerious and mature debate of the matter Concerning the publication of the writt for Elecçon in Yorke County.

Resolved that the Sherriffe of York hath made a due Returne of that writt And Cap^t Page And M^r Ring the Burgeſſes for the ſaid County of Yorke It appearing to this Houſe y^t y^e Sherriffe had don his duty towards the Publication of the Writt.

The Houſe adjournes till to morrow morning.

Tuesday April the 22th 1684.

THE Houſe mett. And the Com^{tee} for inſpecting y^e Recórds in y^e Secretaries office goe oute.

The *Iſle of Wight* County Grievances Read and Comitted.

Stafford County Grievances Read and Comitted.

Lancaſter County Grievances Read and Comitted

Accomack County Grievances Read and Comitted

Eliz: Citty Grievances Read and Comitted.

The Houſe Adjournes to the next Drúm.

Post meridiem

THE Houſe Called and adjour'n to the Third Drúm to mórow morning.

Wednesday

Wednesday April 23^d 1684.

THE Houfe mett.

The Com^{tee} for inspecting the Journall &c giue in their Reporte by Coll^o *Iaac Allerton* w^{ch} is Read, and M^r *Moore*s Claime and M^r *Lees* and M^r *Littlepags* Referred to the Com^{tee} of Claimes and the Rest of the Reporte is approved by the Houfe and is Referred to the Com^{tee} of propositions & Grievances.

The Report of the Com^{tee} for inspecting the Records is Deliuered in ¶ Major *Scarburgh* and ord^{red} to be Read.

Resolved That An Adresse be made to his Exl^{ncy} That he will please That His Exl^{ncys} Comission for the Governm^t of this Dominion together with such Instruc^{cons} from His Ma^{tye} as doe relate to our Concerne, The Asssembly may be brought, Into this Houfe to the end they may be seen viewed & entred upon Record in y^e booke belonging to this Houfe as hath bin vsuall in the like Cafes for Comissions and instruc^{cons} of the Gou^{rs} heretofore Appointed by his Ma^{tye} in this Country.

And it is also Resolved That M^r *Secretary* be Requested That he will send the Lord *Culpeper*'s Comission and Instruc^{cons} to the end they may be entred upon the booke of this Houfe there to Remaine upon Rec^{ord}.

Coll^o *Allerton*

Coll *Codd*

Coll^o *Pate*

Cap^t *Randolph*

M^r *Sherwood*

&

M^r *ffitzhugh*

Are appointed to ad^{resse} His Exl^{ncy} with this Vote and for y^e Comission and Instruc^{cons}

And in y^e name of this Houfe Humbly to pray his fauourable Concession thereunto

And the Request to be made to M^r *Secretary* for y^e feuerall Comissions and Instruc^{cons} of the Lord *Culpeper* is Referred to y^e Com^{tee} for inspecting y^e Records And y^e they doe further inspect y^e Records and Report to the Houfe what they find there relating to y^e Quit-Rents.

Resolved That it is a Greate grievance to y^e Country, That it is denied to y^e freemen of this Country to haue free acceffe to y^e Records in the Secretaries office and to haue Copies from thence of such matters as are there upon Record as doe concerne their liberties or estates.

And it is therefore Ord^{red}, That it be Referred to y^e Com^{tee} of propositions and Grievances to Confid^r of some expedient for the Redresse of y^e said Grievance and to Report y^e same to y^e Houfe.

The Petti^{con} of M^{rs} *Sarah Bland* Read in the Houfe.

Resolved That M^{rs} *Bland*'s peti^{con} doth not Regularly lye before this Houfe.

Coll^o *Allerton* Reportes That his Exl^{ncy} hath promised to answer to y^e vote by him p^{re}sented,

The whole Report of the Com^{tee} for inspecting the Records is Referred to y^e Com^{tee} of propositions and Grievances.

Yorke County Grievances Read and Comitted

Northumberland Grievances Read and Comitted

Glocester County Grievances Read and Comitted

Surry County Grievances Read and Comitted

The Houfe adjournes to y^e first Drūm

Post Meridiem

THE Houfe mett

The feuerall Grievances of *Lower Norfolke* and *Linhouen* Read & Comitted.

Middlesex Grievances Read and Comitted

The Hon^{ble} M^r *Secretary* *Spencer* and Coll^o *Phillip Ludwell* two of the Hon^{ble} Council of State, Come into the houfe & together, with his most sacred Ma^{tyes} Comission

to

to his Exlñcy *ffra.* L^d *Howard* Baron of *Effingham* his Ma^{tie} L^t and Gou^r Gen^{ll} of *Virg^o* bring the following Message

By his Exlñcy.

Whereas I haue this day by some memb^{rs} of yo^r Houfe rec^ded an Adresse, That I would p^rmitt my Comiffion w^{ch} I haue Rec^ded from his most Sacred Ma^{tie} to be Gou^r of this his Colony & dominion of *Virg^o* to be brought into yo^r Houfe to y^e end it might be seene p^rufed and entred upon Record in the Bookes belonging to yo^r Houfe, That I might gratify yo^r Requeft and giue demonftraçon how heartily willing I am to giue you all encouragem^t in yo^r proceedings you'l herewth Receiue my Comiffion and as to yo^r desire of my instructions as Soon as I haue p^rufed them what I may, shall be likewise Communicated to you as far as it is fit and neceffary. *Effingham.*

And his Ma^{tie}s Comiffion to his Exlñcy is Read in the Houfe.

The Com^{tee} for infpcting the Records bring in a 2^d Report according to their laft order which is Read in the Houfe.

Ordered That his Exlñcy the Lord *Howards* Comiffion be Recorded in the bookes belonging to this Houfe.

Refolued that

	Coll ^o <i>Tho: Ballard</i>	
Coll <i>Kendall</i>		Maj. <i>Whiteing</i>
Cap ^t <i>Washington</i>		Cap ^t <i>Cary &</i>
	M ^r <i>Sherwood.</i>	

doe forthwith waite up'on his Exlñcy to Expreffe the thankes of this Houfe, for his most noble and Gener'ous Condefcention to this Houfes Request in fending his Comiffion by thofe Hon^{ble} Gen^t of the Councill to the view and p^rufall of this Houfe and to Affure his Exlñcy That it shall be Returned to him as Soon as poffible it can be tranfcribed

Coll^o *Ballard* and the reft of y^e members with him, Reporte that they haue deliuered the Message and his Exlñcy was pleased to expresse, That he did hope as we did find in him a Ready Compliance to all our Reasonable demands, Soe when we fhould receive the other p^rarts of his Instructions, we would apply ou^r felues to the speedy debates and difpatch of thofe Affaires some of which he had Noted were of moment, that lay before us.

The Houfe adjourns to the third drum to morrow.

Thursday April 24th 1684.

THE Houfe mett.

And a propofition of M^r *George Knights* of *Northumberland* County Read and Comitted,

Seuerall pap^{ers} of Instructions and Orders of the Councill mençoned in the fecond Report of the Com^{tee} for the Infpection of the Rec^ords Read, Concerning aduancement of forreign Coines, Sallary to the L^t Gouvernour Concerning the Act of Cohabitaçon and the Leuying or Raifeing of fines and penalties &c and Comitted.

Coll ^o <i>Ballard</i>	Coll ^o <i>Codd</i>
Major <i>Allen</i>	M ^r <i>Sherwood</i>
Major <i>Scarburgh</i>	Cap ^t <i>Cary</i>
Coll ^o <i>Lem: Mafon</i>	Maj: <i>Swan.</i>

Are appointed to waite upon his Exlñcy with his Comiffion from his Ma^{tie} and the gratefull acknowledgement of this Houfe for the fatisfacçon they haue, (by his Exlñcys fau^r in y^e p^rufall of the fame.

They Repórt by Coll^o *Ballard* that they haue deliuered the Comiffion to his Exlñcy, and haue moued for the Instrucçons And he was pleased to Anfwer that they were prepareing but they were foe much the Longer ere we had them for that care was taken that nothing of them might be omitted that might be of vfe to us.

The Houfe adjourns to the afternoon

Post

Post Meridiem

THE Houfe mett

Ordered that Coll^o *Kendall* be added to the Committee of Clai mes, And that he be Chaireman of that Com^{tee} at y^e defire & request of Maj: *Swan*.

That there be further ad'ed to y^t Com^{tee}

Coll^o *Leñ: Mafon*

Coll^o *Geo: Mafon*

L^t Coll^o *Jenifer*

Cap^t *Randolph*.

Ordered that all manner of Clai mes to this Affembly be brought into y^e Houfe by *Munday* Night Next or to be ejected this Seffion.

That all propofitions and Grievances to this Affembly fhall be put into the Houfe by *Thursday* the firft of *May* or not to be Reēed this Seffion.

The Com^{tee} for propofitions and Grievances and the Com^{tee} of Clai mes

And the Com^{tee} for Runawaies Certificates Goe oute.

Coll^o *Codd* is added to the Com^{tee} of propofitions and Grievances.

The Houfe adjourns till to morrow

ffriday *Aprill* 25^e 1684.

THE Houfe mett.

And M^r *Secretary* fends into the Houfe a Copie of his Matys demife & Grant to the Lord *Arlington* and the Lord *Culpeper* of 25^e of *ffebr:* in the 25^e Yeare of His Mat^{ies} Reigne.

Coll^o *W^m Byrd* and Coll^o *Christopher Wormely* bring into the Houfe fuch of His Exlñeys inftrucōns from his Ma^{tie} As his Exlñey thought fitt to Comūnicate.

The Houfe adjourns to the afternoon.

Post Meridiem

THE Houfe mett.

And *Ordered* that the Inftructions Communicated from his Exlñey to this Houfe, and fent this morning by Coll^o *Byrd* & Coll^o *Wormely* be Read and Referred to the Confideraçon of the Com^{tee} of propofitions & Grievances.

And the Houfe adjourns till to Morrow.

Saturday *Aprill* y^e 26th 1684.

THE Houfe mett.

The Com^{tee} of propoficōns and Grievances Reporte to y^e Houfe by Coll^o *Ballard* that they haue made fome progresse in their buifneffe, and what they haue Agreed upon is by him p^refented and Read by the Clk.

That parte of the Reporte of the Com^{tee} w^{ch} Relates to y^e Printed booke Entitúld *a Compleat Colection of y^e Laws of Virg^a* now in force is allowed & approou'd by the Houfe & it is,

Resolved That an adrefse be made to his Exlñey That the Said Bookes may be Su'preffed, And that he will please y^t Cap^t *Jⁿ Puruis* who is faid to haue publifhed and Imported diuers printed Copies of the faid Booke, w^{ch} are found to be uery falfe and Imperfect, be Comanded forwith to appeare before his Exlñey And this Gen^l Affembly to anfwer for his Mifdemeanor in prefumeing to publifh withoute Licence a booke of y^t title and Contents to y^e Greate Scandall and Contempt of y^e Gouernment of this his ma^{ties} dominion.

To the Second parte of y^e Reporte of y^e Com^{tee} of Propoficōns concerning the Grievance of the Inhabitants of *Northumberland* County Concerning their pattents the Houfe is of Opinion and accordingly it is *Resolved*,

That

That his Exlñcy bee ad'reft in the behalfe of y^e S^d Inhabitants, Setting forth y^e whereas y^e S^d Inhabitants of *Northumberland* County and others y^e Inhabitants of *Potomeck neck* haue taken up diuers tracts of land there and haue bin at Greate Charge to Seate y^e fame, & haue enjoyed y^e fame many yeares, and haue many times since y^e takeing up the fame made their application according to the vsuall Custome in such Cafes by y^e reft of y^e Inhabitants of this dominion for Pattents for their land, and Yet haue not obtained y^e fame, The Houfe of Burgeffes therefore in behalfe of y^e fd Inhabit^{ts} of *Northumberland* and y^e Reft doe pray his Exlñcy, that they may haue their Seuerall Parcels of Land, Soe taken up Seated and enjoyed Soe many yeares, Granted and Confirmed to y^m and their posterity by pattent under y^e fame Conditions as his moſte ſacred Ma^{ties} Subjects of the other partes of this his dominion doe Hold and enjoy their Lands from his Ma^{ty}

To the 3^e parte of the Reporte of that Com^{tee}

Resolved That an ad'reffe be made to his Exlñcy and the Hon^{ble} Councill that they will please to Joyne with this Houfe in an Humble ad'reffe to his Ma^{ty} That his Ma^{ty} would be Gratiouſly pleased to Grant of his meere Grace and Royall fauour to y^e Inhabitants of this Country. That Appeales may lye and be made from y^e Gen^{ll} Courte to y^e Gen^{ll} Affembly According to y^e Laws and antient Práctice of this Country ꝑmitted & allowed by his moſte Sacred Mat^{ty} and his Royall father of euer bleſſed Memory.

Coll^o *Allerton*

M^r *W^m Sherwood*

M^r *fittzhugh*

M^r *Rich: Perrott*

M^r *Jos: Woory*

M^r *Peter Presly*

Cap^t *Taylor*

Coll^o *Jn^o West*

Are appointed to waite upon his Exlñcy with y^e Seuerall Adreffes according to the Votes of this Houfe this morning.

To His Exlñcy and the Hon^{ble} Councill.

Saturday April y^e 26^e 1684.

May it please yo^r Exlñcy & Hon^{rs}

The Com^{tee} of Propoſitions and Grievances haue this day giuen in a Reporte to this Houfe of a printed Booke entituled *a compleate Col'edion of y^e Lawes of Virg^a* w^{ch} they Report to be uery falſe and Imperfect.

The Houfe of Burgeffes doe therefore Humbly pray yo^r Exlñcy, That y^e ſaid Bookes may be ſuppreſſed, And that you will be pleased, That Cap^t *John Puruis* Comander of y^e Shipp Duke of *Yorke*, who is Said to be y^e publiſher and Importer of diuers printed Copies of y^e fd Booke, be Comanded forthwth to appeare before this Gen^{ll} Affembly to Anfwer for his miſdemeanor in preſumeing to publiſh withoute Licence a booke of y^e title & Contents, to y^e Great Scandall & Contempte of y^e Gou^r of this his Ma^{ties} dominion.

And whereas y^e Inhabitants of *Northumberland* County & other y^e Inhabitants of *Potomeck Neck* within this his Ma^{ties} dominion haue taken up diuers tracts of land there and haue been at Great Charge to feate fame & defend y^e Same And haue poſſeſſed y^e fame many yeares & haue ſince their takeing up ther'of made their application at diuers times, according to y^e Vſuall Custome in ſuch Cafes uſed by y^e Reft of y^e Inhabitants of this dominion for the obteneing of pattents for y^e Said land and Yet haue not obtained any whereby y^e ſaid lands might be ſecured to y^m y^e fd Inhabitants their he^{rs} & Aſſignes.

The Houfe of Burgeffes therefore in behalfe of y^e ſaid Inhabitants of *Northumberland* County and y^e other aforemençoned doe humbly pray yo^r Exlñcy That they may haue their ſeuerall parc'ells of land by them taken up ſeated held & poſſeſſed as aforeſaid and what lands ſhall be by them or any of them hereafter taken up Granted and Confirmed to them and their posterity by pattent und^r y^e fame Condiçons, as his moſte ſacred Ma^{ties} Subjects of y^e other ꝑts of this his Dominion doe hold & enjoy their lands from His Ma^{ty}

The Houfe of Burgeffes doe further Humbly pray yo^r Exlñcy, & the Hon^{ble} Councill y^t you will be pleased to Joyne with this Houfe in an Humble ad'reffe to his moſt ſacred

Ma^{ty}

Ma^{tie} That he would be Gratiouſly pleaſed of his Great Grace and Royall fauo^r to y^e Inhabitants his Ma^{ties} Subjects of this Dominion that Appeales may lye and be made from y^e Gen^l Courte to y^e Gen^l Affembly according to y^e Lawes and Antient practice of this Country ꝑmitted and allowed by his moſt ſacred Ma^{tie} and his Royall father of euer bleſſed Memory.

The Houſe adjournes to *Tueſday* in y^e afternoon,

Tueſday Aprill 29th 1684.

Poſt Meridiem

THE Houſe Mett

The Second Writt for *Northampton* County Returned is Read Whereon Cap^t *John Cuſtis* is Returned Burgeſſe & approoued by the Houſe.

The Anſwer to the Adreſſe of *ſaturday* laſt to his Exl^{ncy} is Read in the Houſe,

The Copie of his Exl^{ncys} Anſwer to the ad^{reſſe} of the 26th *Aprill*.

By his Exl^{ncy}.

M^r *Speaker*

To the 3 propoſalls offered to mine & the Councils Conſidera^{co}ns from yo^r Houſe you will herewith Receiue y^e following, I hope ſatisfactory Returnes.

To yo^r firſt propoſall my ſelfe & the Council doe conc^{urr} in yo^r preſentment of y^t Booke, Intituled *a Compleate Collec^{co}n of y^e Lawes of Virg^a* to bee ſuppreſſed & to y^t Intent & purpoſe an order of Council is already made And ſhall ſpeedily Goe forth, into all Counties ord^{ring} ſignifying & declareing to each Reſpectiue Countie in this his Ma^{ties} dominion, not to Receiue admitt or allow in any Courte of Judicature the aforeſaid Booke or any pte therⁱⁿ Contained to be the Lawes of this his Ma^{ties} Colony & dominion of *Virg^a* & Whereas you preſent Cap^t *John Puruiſ* as the author thereof he ſhall receiue my reprehention for y^t his preſumption & forwardneſſe.

Whereas It is preſented as a Grievance of the *Northern Neck* y^t they are under uncertaine condi^{co}ns as to their Lands pattents not Iſſueing to y^m as to other Inhabitants of this dominion, His Ma^{tie} oute of his Great Goodneſſe Grace & fauour has been pleaſed to take y^e ſame under his Royall Conſidera^{co}n, in w^{ch} I doe dayly expect to Receiue from *England*, And by y^e ariually of y^e next ſhip (doe hope) ſhall Receiue ſuch direc^{co}ns as may affure the Inhabitants of y^e *northern Neck*, y^t their Lands will be Confirmed unto y^m under the ſame tenures as y^e reſt of his Ma^{ties} ſubjects of this Colony hold their Lands, Therefore cannot take this to be a ſuitable time to make any representation of it to his Ma^{tie} leaſt we ſhould ſeem to Anticipate y^e Intentions of his Ma^{ties} Goodneſſe to us, But, in caſe matters ſhould ſoe interuene y^t this concerne between this & the meeting of y^e next Gen^l Affembly be not Comoded, my ſelfe and the Council will then readily Joyne with y^e Houſe of Burgeſſes in a fitt Representa^{co}n of y^e ſame to his Ma^{tie}

And whereas you requeſt y^t an humble ad^{reſſe} be made to his Ma^{tie} That appeales may lye open as formerly from y^e Gen^l Courte to y^e Gen^l Affembly. It is what I can in noe ꝑte admitt of his Ma^{tie} haueing been pleaſed by his Royall inſtruc^{co}ns to direct & command, That noe appeales be open to the Gen^l Affembly but from y^e Gen^l Courte to his Ma^{tie} in Council which Method as its my duty I ſhall ſtrictly obſerue, But in caſe it be apprehended that y^e aſcertained ſ^ume of one hundred pounds *ſter* ſett for appeales be too Low & eaſy & may giue vexa^{co}us ſpiritts the occaſion of too frequent appeales I and the Council will Joyne with your houſe in an humble ſupplication to his Ma^{tie} That his Ma^{tie} will be pleaſed to giue his Commands that noe Appeales ſhall be ꝑmitted under the Reall Value of two hundred pounds *ſter*

Aprill 24th 1684

Effingham

Coll^o *W^m Cole* and Coll *Jⁿo Page* at y^e Requeſt of this houſe come & Adminiſter the Oths of Allegiance & ſupremacy & y^e Oth of a Burgeſſe to Cap^t *John Cuſtis*.

The

The Com^{tee} of Claimes Giue in a Report by Coll^o *W^m Kendall* which is Read.

Vpon the debate of this Report w^{ch} is Concerning the encouragem^{ts} upon the Manu-
factories of Linnen, woollen &c, *Ordered* y^t y^e further Debate of this matter be referred
to another meeting of this Houfe.

A Bill intituled *an Act for altering the time of holding Gen^l Courtes*, Read in the
houfe y^e firft time & ordered to be againe Read to morrow morning.

An adrefse Reported to y^e Houfe from y^e Com^{tee} of propofitions and Grievances
Concerning Appeales to *England*, Coll^o *Codds Cafe*, Read & amended & ordered to be
faire Written and prefented to his Exl^{ncy} by

Coll^o *John Weft*

Cap^t *Washington*

Cap^t *Matthewes*

Cap^t *Page*

M^r *Allombly*

Cap^t *Taylor*

L^t Coll^o *ffarrer*.

Cap^t *Jⁿo Cuftis*.

To his Exl^{ncy} *francis Lord Howard Baron of Effingham his Ma^{ties} Liu^t And Gow^r*
Gen^l of Virg^a with the Hon^{ble} Councill of state.

Aprill 29^e 1684.

The Adrefse of the Houfe of Burgefles.

Humbly p^rfeneth

That whereas by his Exl^{ncys} Anfwer to y^e adrefse of this Houfe And by his facred
Mat^{ies} Inftroc^{ions} Co^municated to this Houfe, It is thereby p^rmitted, for any p^rfon
being unfatisfied with the Judgem^t of the Gen^l Courte. To appeale to his facred Ma^{tie}
in Councill from any fuch Judgement Exceeding the Reall Value of one hundred pounds
giueing security & p^rforming what other Injunc^{tions} y^e Inftroc^{ions} aforefd doe Require,
Which Grace of his facred Ma^{tie} to us his Loyall Subjects, we cannot but ap^rehend in
y^e moft dutifull fence. Yet forasmuch as it is Already apparant of how euill Confequence
fuch Liberty may be by the Aduantage Ill difpofed p^rsons may take by falfe & malicious
fuggeltions not only to vex & moleft nay utterly Ruine p^rsons of honeft & Quiet difpofi-
cion, but alfoe to Libell and asperfe the Gou^{nm} an instance whereof is moft pregnant
& vifible, in M^{rs} *Sarah Bland* who (as it is upon noe infuffient Grounds belieued hath by
fuch like pra^{ctice} obtained Order from his Ma^{tie} in Councill to Compell Coll *S^t Leger Codd*
to appeare at the Councill Table there to Anfwer a fuit in Law fully heard & determined
here by the Judgem^t of the Kings Gou^r & a full Councill in y^e Gen^l Courte upon the
verdi^{ct} of an able Jury p^rfuant and aGreeable to the opinion of the R^t Hon^{ble} the then
Lord Chiefe Juftice *North*, And the Reft of the then Hon^{ble} Judges of y^e Courte of Co^mon
Pleas; Dated the Eleuenth day of *November* 1679

Wee therefore Humbly pray yo^r Exl^{ncy} in the Behalfe of the faid Coll^o *Codd* y^t
upon Confideracon of thefe falfe informa^{cons} upton [upon] w^{ch} y^t mandate requireing his
appearance there feemes to be Granted may be fufpended, till a full & true informa^{con}
may be giuen to his facred Ma^{tie} Concerning it & his Royall pleasure known therein as
hath bin y^e Method of fformer Gou^{rs} in y^e like Cafes.

The Houfe adjour^{ns} to y^e Drum for y^e houfe to Morrow.

Wednesday Aprill the 30th 1684.

THE houfe mett.

A Bill Entituled *An act for Altering the time of holding Gen^l Courtes* Read
y^e fecond time & ordered to be engroft,

A Bill Entituled *Repealeing too former acts, Concerning fherriffs takeing*
Baile, and directing what baile fhall be taken hereafter Read the firft time & ordered to
be againe Read.

The Peti^{con} of M^r *Rich: Littlepage* of *New Kent* County Read in y^e houfe & Referred
to the Com^{tee} of propofic^{ions} & Grievances.

The houfe adjournes to y^e next Drum for y^e Houfe.

Thursday

Thursday May 1^e 1684.

THE Houfe Mett.

Propofitions from *New Kent* Read and Comitted to that Com^{tee}

Vpon Reading the firft Reporte of the Com^{tee} of Claimes Concerning the encouragem^{ts} for manufacture of Linnen, Woollen, Hatts &c and after a long & ferious debate of the fame, and this Houfe being Certainly informed from y^e Representatiues of feuerall Counties in this Country, That are Considerable Claimers from the publiq for y^e fd Encouragem^t, that the people of their Refpective Counties haue declared That they haue by the profecuting & following y^e manufacture of Linnen & Woollen Cloth been fufficiently Convinced of the Benefit Aduantage and facility of fuch a manufacture w^{ch} is a uery Great and Considerable encouragem^t for their P^rfeuerance in y^e fame & haue declared at their meeting for y^e giueing in their Grieuances to y^e Affembly, That they are uery willing & well Contented for the Leffening of the publiq Charge of the Country not only to Haue y^e Act of *November* 1682 for the Encouragem^t aforefd Repealed for y^e future but alfoe to Relinquifh & acquit what encouragem^t is now due unto them y^e feuerall Claimers by Virtue of y^e faid Act of *November* 1682 And it is thereupon Vnanimoufly

Refolued That a Bill be framed by y^e Com^{tee} of propofitions & Grieuances, & Reported to the Houfe for the Repeale of y^e faid Act of y^e 10th of *Novem:* 1682 for encouragem^{ts} & for the Acquittal of what is Already due & y^t ther'in prouifion may be made for y^e fecuring & indempnifying of y^e feuerall Claimers by uirtue of that Act from all Clerks fees & other Charges that Haue acrued to them or any of them in order to y^e Obtaining the faid encouragem^t from y^e publiq foe y^t they may not recieue any prejudice thereby;

The Petiçons of Coll^o *Geo: Lyddall* & Cap^t *Jos: ffofter* of *new Kent* for allowinge for Ranging in the time of the late troubles from the *Seneca* Indians Read and ther'upon.

It is put to the Queftion

Whether upon any fuddain inroad incurfion or inuafion of y^e Indian enemy or other into any County in this Country, The Militia officers & foldiers of fuch County ought not of Duty to theire utmoft power and ftrength to defend their County or whether they ought to receiue pay from the publiq for y^e fame,

Refolued that the Militia officers & foldiers in each County of this Country ought in Cafe of fudden Inuafion or Incurfion of any Indian Enemy or other to defend their Counties to their utmoft power & abillity wth out any allowance from y^e publiq for y^e fame.

Vpon the fecond Article of y^e 2^d Report of the Com^{tee} of Claimes Concerning M^r *Chiltons* Claim for Tranfcribeng the Pattents, It is *ordred* that the Com^{tee} doe take y^e fame into further Confideraçon & Report their opinion thereon to y^e Houfe in their Gen^{ll} Report.

The Bill, intituled *an Act for Altering y^e time of holding Gen^{ll} Courts.* Read y^e 3^d time & pafte the Houfe.

Ordered y^t it be p^refented to his Exlⁿcy & Councill for their affent.

A Bill Intituled *an Act Repealing two former Laws Concerning Sherriffs taking baile & directing what Baile fhall be taken hereafter* Read the fecond time & ordered to be Engroft and againe Read to Morrow.

A Bill Intituled, *an Act Concerning Efcheates & Compoziçons* Read y^e firft time.

A Bill Intituled *an Act for the better preferuation of y^e peace of Virg^a & preuenting unlawfull & treasonable Affociations* Read y^e firft time.

Vpon Reading the Report of the Committee of propofitiçons &c concerning the Rebuilding the State houfe at *James Citty*, And the Charge thereof paid out of the 2 fhillings 7^d hh^d

Refolued that An Adrefle be made to his Exelⁿcy to morrow morning in order thereunto,

Vpon the fecond Article of y^t Report Concerning the Reuifeing digefting, Correcting and amending the Lawes.

Refolued

Resolved that his Exlñcy and the Council be adrest, That some of the Hon^{ble} Council may be assigned to Joyne with such Gentlemen as shall be appointed by the House of Burgeffes, to the end aforementioned to make Report to the next Affsembly.

Cap^t *Page*

Cap^t *Cuftis*

M^r *Allomby*

&

Cap^t *Washington*

Are Appointed to acquaint M^r Auditor *Bacon* from this House that it is their desire & Request to Receiue an acco^t of y^e 2 shillings ꝑ^d hh^d and to pray him to Assigne some Conuenient time y^e begining of next weeke when they shall Receiue y^e same from him.

A Bill Intituled *an Act ascertaining y^e Bounds of Warwick County* Read y^e first time.

The House Adjournes to y^e Drúm for y^e House to Morrow.

Friday May 2^d 1684.

THE House Mett

Cap^t *francis Page* Reportes That he (with y^e Rest of y^e Gentlemen thereto appointed) Hath Acquainted M^r Auditor *Bacon* with the Request & desire of the House Concerning y^e Accompt of y^e 2 shill ꝑ^d hhog^d And that he said y^t he would waite upon his Exlñcy to know his pleasure therein.

And further doe Report y^t afterwards Cap^t *page*, with y^e Rest being Called unto his Exlñcy, His Exlñcy sd he thought y^e House of Burgeffes had known better then to haue medled with y^t w^{ch} did not belong to them,

It is Referred to y^e Committee of propositions & Grieuances to draw up an Adresse to his Exlñcy, praying that this House may Receiue an Accompt of y^e 2 shi^{ll} ꝑ^d hh^d wherein they are to lay down the Reasons for w^{ch} this House doth require y^e same from M^r Auditor *Bacón*. & in order thereunto they are to inspect y^e Journall of y^e Affsembly of *June* 1680 And all other book's papers Records &c y^t may giue them any light or information therein, And to Report y^e same to y^e House with all Conuenient Expediçon. And y^t y^e Clerké of y^e Affsembly be attendant to this Com^{tee} in this Affaire.

Coll^o *Tho: Pate*

Cap^t *Applewaite*

Cap^t *fox*

M^r *Brossfar*

M^r *Woory*

M^r *Allomby*

M^r *Perrott*

M^r *Knight*

Are Appointed to waite upon his Exlñcy with y^e following Adresse. According to y^e note of yesterday.

May it please yo^r Exlñcy

The House of Burgeffes haueing under their Confideraçon y^t part of his sacred Ma^{ties} Instrucçons to yo^r Exlñcy Concerning y^e speedy Rebuilding of *James Citty*.

As a Testimony of their Ready obedience & Compliance to his Ma^{ties} Desires, And Royall Instrucçons doe humbly propose to yo^r Exlñcy. And the Hon^{ble} Council, That forthwith y^e fstate House at *James Citty* y^t was Burnt down by *Bacon* & the Rest of y^e Rebels in the time of Rebellion, may be Reedified, And that yo^r Exlñcy will be further pleased, That such money out of his Ma^{ties} Reuenue of two shill ꝑ^d hh^d And fort Duties as is undisposed of now or hereafter shall be to other vses, may be appropriated to the use of His Ma^{tie} and the Colony towards y^e Rebuilding of y^e sd fstatehouse, and other offices necessarily Requisit thereunto, The P^{re}sent Indigency and want Amongst y^e Generality of y^e Inhabitants being uery Great.

The House of Burgeffes doe further Humbly pray yo^r Exlñcy, y^t you will please to Assigne some of the Hon^{ble} Council to Joyne with such Gentlemen as shall be (by An Act to y^t end made) Appointed & Impowred to Reuise, Correct Digest, and amend y^e Lawes of this Colony, And Report y^e same to y^e next Gen^l Affsembly, Which is by this House Judged a Work of necessity, & will be of Aduantage And Reputation to y^e Country.

Coll^o *Pate* & the Rest of y^e Gentlemen Return and Report they haue deliuered y^e Adresse.

The

The Bill Intituled *an Act Repealing two former Acts Concerning Sherriffs takeing Baile & directing what Baile shall be taken hereafter* being Read y^e third time, It is put to y^e Question.

Whether this Bill shall passe, or be Rejected.

Resolved That the Bill be Ejected.

The Bill Intituled *an Act for y^e better preferuation of y^e peace of Virg^a and preventing unlawfull & treasonable Affotiations*—Read y^e second time & Ordred to be Engroft.

A Bill Intituled *an Act Concerning Escheats & Composiçons* Read y^e second time and Ordered to be Engroft.

A Bill Intituled *an Act Ascertainning y^e Bounds of Warwick County* Read y^e second time.

Vpon the Question whether this Bill shall be againe Read.

Resolved, In the Affirmatiue

The House Adjournes to y^e 3^d Drúm to Morrow.

Saturday May the 3^e 1684

THE House mett.

The Adresse to his Exlñcy. Reported from y^e Comt^{ee} of Grievances. Read approoued & sent to his Exlñcy by

Coll^o Pate

Cap^t ffox

M^r Woory

M^r Perrott

M^r Broffear

M^r Allomby

Cap^t Matthewes

Cap^t ffofter

They Acq^t the House they haue deliuer'd the Adresse.

Wheras by Act of Affembly made Anno 1680, Intituled *an Act for Raifcing a publick Reuenue for the better support of y^e Government of this his Ma^{ties} Colony of Virginia*, It is there inferted as Grounds and Reasons for passing y^e said Act, That there is a Great & Continuall Charge Required for the maintenance of y^e Gou^r & feuerall other officers and ꝑ^{so}ns as alsoe for the fort & fortifications, besides many other Contingent expences absolutely necessary for y^e support of the Governm^t of this Colony—In pursuance of y^e full intent & meaning of former Acts laying such imposition for Defraying y^e publick Charge w^{ch} according to y^e true intent thereof hath euer been accounted for to y^e Gen^{ll} Affembly, by a Com^{tee} to y^t purpose appointed thereby to preuent y^e peruerting y^e Vses & intentions of the said Imposition, and soe determined to be the true intent of y^e said Act by y^e full Conceffion and Resolue of the Lord *Culpeper*, Late Gouern^r as at large Appears upon y^e Journall of this House in his speech & other answers and Resolues there Remaining. And forasmuch as upon the Request of this house made to y^e Auditor *Nathan^{ll} Bacon* Esq^r & a Report to this house from his Exlñcy thereupon seeming to Imply, y^t it was besides the Intent of y^e said Law y^t y^e said Imposition of 2 shill: ꝑ hog^d ought to be accounted for to y^e Gen^{ll} Affembly, as formerly when as by the expresse words of y^e sd Act, it is sd y^t it shall be Employed To support the Governm^t, and supply Contingent Charges as before expresse & to & for noe other use intent or purpose whatsoever—this house doe thereupon humbly Conceiue y^t not only the Gou^r and Governm^t officers and fortifications & other known & Certain Charges are thereby to be supported, but alsoe such Contingent and uncertain Charges as may accrue soe far forth as y^e said Imposition is sufficient to defray are to be Alwaies supplied & maintained which to prooue, this House for Argument doe humbly Conceiue first although y^e Instating y^e said Reuenue in his Ma^{ties} something in a different method in words from y^e former Act as his Ma^{ties} Royall prerogatiue requires may be Construed a Voluntary relinquishment of any Right to Receive accompts of y^e sd Reuenue yet y^e uery import of y^e sd Law & the uses therein Limited doe plainly denote y^t the former Vlage & custome of accounting for y^e same was not in the least therby Altred or infringed but only y^e Law in words

Reduced

Reduced to a more proper Method & y^e Effect & Execution thereof Referred to y^e former Constant use & practice for all Contingencies being not possible to be foreseen or p^rvented it had bin unnecessary to haue foe explained y^e intent of y^e fd Law if it had not bin thereby intended to make Appeare by account whether such Contingent Charges Could out of y^e fd Reuenue be supplied or not.

May it please yo^r Exlncy

For these Reasons this House did send to M^r Auditor *Bacon* their Request y^t they might Receiue accompt of y^e fd Reuenue and doe now humbly pray yo^r Exlncy to haue y^e same under yo^r Consideration and Vouchsafe yo^r Exlncys Order & Comand to y^e said M^r Auditor *Bacon* that this house may accordingly Receiue an accompt thereof.

The Com^{tee} of Claimes Giue in a Report by Coll *Kendall* And it is Concerning y^e suiñe of 98000 pounds of tobacco pd by M^r *Secretary* to y^e soldiers (as is Conceiued by y^e Com^{tee}) out of y^e Quit-Rents as Attorney of y^e R^t Hon^{ble} y^e Lord *Culpeper* and it is referred to y^e Com^{tee} of propositions & Grieuances to Consider enquire & Report to y^e House by what power y^e Quitrents haue bin Receiued by y^e said Lord *Culpeper* to y^e intent y^e Claime of M^r *Secretary* for y^e fd 98000 pounds of tobacco may be Answerred.

The Bill Intituled *an Act for y^e ascertaining y^e Bounds of Warwick County* Read y^e 3^d time.

Vpon y^e Queftion putt
whether this Bill shall passe

Resolved y^t y^e Bill pass & be p^resented to his Exlncy & Council for their Assent.

A Bill Intituled *an Act Concerning Escheates & Compositions* Read y^e 3^d time, and past y^e House.

A Bill Intituled *an Act for y^e better preservation of y^e peace of Virg^a and preuenting unlawfull & treasonable associations* Read & past the House.

All w^{ch} 3 last bills past with a bill intituled *an Act for Altering y^e time of Holding Gen^l Courts* are Carryed to his Exlncy & y^e Council for their Assents, by

M^r *Hen: Hartwell*

Cap^t *Cuftis*

M^r *Randolph*

Maj: *Kearne*

Cap^t *Taylor*

&

M^r *Woory.*

They Returne & Acquaint the House they haue d^d y^e Bills to his Exlncy.

The House Adjournes to y^e Beat of drum for y^e House.

Munday May 5th 1684

THE House mett.

A Report from y^e Com^{tee} of propositions & Grieuances dd into y^e House
By Coll^o *Ballard* is Read & Ordered the ffollowing Adresse be forthwith sent to his Exlncy.

To His Exlncy.

The Humble Adresse of y^e House of Burgefes.

Whereas his Ma^{ty} by his Instruccōns to yo^r Exlncy Communicated to this House thought necessary y^t a house should be built for the Residence of you our Gou^r & such other Gou^r as his Ma^{ty} shall at any time hereafter please to Appoint.

The House of Burgefes in pursuance thereof do humbly propose to yo^r Exlncys Consideration the most fitt place for y^e purpose aforesaid, together with a modell of such house as alsoe an estimate of y^e Charge of building to y^e end this house may Consider of y^e most pro^{fit} & Ready meanes for defraying y^e Charge of building & finishing y^e same.

M^r *Chilton* brings from his Exlncy two of y^e Bills of y^e 4 sent from this House on *saturday* last viz^t the Bill Intituled *an Act for the preservation of y^e peace of Virg^a & preuenting unlawfull and treasonable associations.* Assented to with some propofalls of amendm^{ts} w^{ch} being 3 times Read in y^e house are Allowed.

The other a Bill Intituled *an Act for Altering y^e time of holding the Gen^l Courte* which is alsoe assented to.

Together

Together alloe with 2 Meffages in writing which follows.

By his Exlncy.

M^r Speaker

Myfelfe & y^e Councill referred to y^e Confideraçon of yo^r houfe y^e petiçons of Coll^o *Lyddall*, Cap^t *ffoster* & others on y^e behalfe of themfelues & feuerall Inhabitants of *New Kent* & other Counties for fatisfaction for feruices by them well ꝑformed this winter ag^t y^e Co^mon enemy y^e *Seneca* Indians, in y^e extremity of weather to their Great hazard, charge & care co^manded thereunto by y^e well ꝑformed care of y^e then president & Councill for y^e preferuation of y^e Inhabitants of y^t part of his Ma^{ties}, Country whereby not only y^e Inhabitants were preferued in their liues & fortunes, but likewise our neighboring Indians, relieued, defended & protected, & if fuch feruices muft paffe unrewarded & unfatisfied, It will be impoffible for me to ꝑforme y^e duty incumbent on me as his Ma^{ties} Liu^t and Gou^r Gen^l of this Dominion in defending preferueing and protecting his Ma^{ties} *English* Subjects, or Indians, either in their liues or fortunes ag^t y^e incurfions & inuafions of our known & Co^mon enemy y^e Indians to w^{ch} by y^e manner of our feating & inhabiting we lye foe open, y^t it requires for y^e defence thereof fuch feruices both in time and accidents, y^t cannot be forefeen by y^e Gouvernm^t but as y^e uery prefent occafions requires, I muft therefore defire you & enjoyne you to take y^e fame under your better confiderations, & for y^e fame to make fuch fatisfaction, as his Ma^{ties} Subjects may be encouraged to manifeft their ready Duty for y^e preferuation of y^e Inhabitants, in cafe of fuch accidents, & I his Ma^{ties} Gou^r enabled to ꝑforme my part, with y^e aduice of y^e Councill, in takeing & ꝑforming fuch fitt meafures, for y^e preferuation of his Ma^{ties} fubjects, as time, accidents & occafions may & will require.

Effingham.

May 3^d 1684.

M^r Speaker,

Whereas by y^e Adrefse of yo^r houfe to me in y^e aõtion between M^{rs} *Bland* & Coll. *Codd* you defire a fufpenfion of his Ma^{ties} order requireing Coll^o *Codds* appearance either in ꝑfon or by his Attorney duely qualified, to Anfwer y^e determination of his Ma^{tie} in Councill therin, his Ma^{ties} order is poffitiue, & requires my obedience, & therefore I may not, nor ought to fufpend it, but to y^e intent his Ma^{tie} & Councill may be fully informed, how fairely, regularly & Judicioufly this Gen^l Courte here has proceeded in all partes of y^t fuit, & how unfairely & untruly y^e matter has been reprefented by M^{rs} *Bland*, I fhall order y^e fame to be truly & fully ftated & humbly prefented to his Ma^{tie} & Councells Confideraçons, by which (I cannot doubt) but y^e Gouvernm^t will be Righted, my obedience teftified, & y^e ends of yo^r defires answered.

Your propofall of Rebuilding y^e principall feat of Judicature, in *James Citty* hath been by me & y^e Councill Considered, & Concurr with you in opinion, that it is a moft neceffary worke to be done and fhould with all freeneffe and Readineffe haue granted the Charge thereof to haue been Carryed on by his Majefties Reuenue, if there were any money in banck undisposed of which hath fallen yearly far fhort of anfwering thofe payments and falleries, his Majefty by his Royall Commands has been pleafed to direct to be made & paid out of it, And the Reuenue is thereunto now Considerably in arrear, if it had not, you had been eafed of many petitions (for feruices don for yo^r and the Countries preferuation) Referred to yo^r houfe this Affembly for fatisfaction, but as a fitt meanes for the Carrying on of that worke I muft remind you of his Ma^{ties} Inftitution for the Raifeing a duty on Liquers Imported, as the moft eafy meanes for the better Support of the Government which fhall be solely appropriated to that and the like good publique vfes, to y^e beft benefitt and honour of the Government & will be Raifed by an Infenfible Charge to the Inhabitants, which as it Requires your moft ferious Consideration, for I muft enjoyne you to y^e fame.

Whereas you prefented me with a bill afcertaining the Bounds between *Warwick* and *York* Counties, I fhall Giue direõtions forthwith for y^e Laing out the bounds of the aforefaid Counties, purfuant to his Ma^{ties} Royall Authority deriued unto me by his Majefties

Majesties Comission under the broad seale, willing, impowering & Comanding me to ascertain y^e bounds of Counties w^{ch} I shall doe by faire & euen meanes by appointing & authoriseing fitt & unconcerned Persons to bound the same.

Myselfe and the Councell haue Considered your bill formed and presented Concerning Escheates and Compositions in which you haue soe extended the words of his Ma^{ties} Royall Charter that your desire therein seem unlimited and to giue a Right of descent Contrary to the Course of Law if it were in Cafes of Just Right of Inheritance whereas the words of the Charter in its exprefs words Grants that Royall fauour noe farther then to y^e present possessor and as I cannot think fitt to extend the words of his Majesties Grant to those large Construções soe neither doe I take this a proper time or season to offer to his Ma^{tye} any thing of this nature, his Majestie haueing by his Royall Grant passed & Confirmed y^e same unto the R^t Hon^{ble} Henry Earl of Arlington as alsoe to the R^t Hon^{ble} Thomas Lord Culpeper and (out of his Intended Grace and fauour to the Inhabitants of this his Colony) hath the same now under his Royall Consideration therefore to aske now may be soe ill timed that it may be taken for an anticipation of his Ma^{ties} good intentions of fauour to his subjects of this his dominion but to the Intent you may soe far Receiue satisfaction as is fitt at p^{re}sent to be done such measures shall be taken in the Granting of Escheates as his Ma^{ties} Royall Charter in its Literall parte directs and soe to be obserued untill I Receiue the signification of his Majesties Royall pleasure therein,

His Majesty has been pleased by his Royall Instruction to Comand me with the assistance of yo^r Councell to take care that all the Lawes now in force be reuised Considered and Represented to his Ma^{tye} for his approbaçon, or disallowance of the same which I shall accordingly make my care to be drawn into one Compleat body against the next Assembly pursuant to his Ma^{ties} Royall Instruction to the intent the same may be presented to his Ma^{tye} that we may Receiue the signification of his Ma^{ties} Royal pleasure either in the Approbation or disallowance of them.

Effingham

The Com^{tee} for y^e examination of y^e Certificates for apprehending of Runawaies bring in their Report by Coll^o Pate.

Major Swan

Cap^t Applewaite

M^r Broffear

M^r Weekes

M^r Abry

Cap^t ffox

are Apointed to waite upon his Exl^{ncy} with y^e Adresse Concerning The House for the Gou^r

They Returne & Report by Major swan that they haue dd y^e Adresse and his Exl^{ncy} saith the House shall forthwith Receiue an Answer thereto.

Vpon the Message from his Exl^{ncy} Concerning y^e Claimes of Coll^o Lyddall and Cap^t ffofter of new Kent

Vpon Debate thereof it is Ordered, That Coll^o West & Cap^t ffofter doe withdraw.

Resolved That Coll^o West and Cap^t ffofter by Comunicating y^e vote of this House without order of this House and by Cap^t ffofter takeing away & not Returning his petition haue highly infringed the priuiledges of this House Contrary to their duty, And it is therefore ordered, That y^e said Coll^o West and Cap^t ffofter doe presently acknowledge their fault and submitt themselues and beg Pardon of the House for y^e same, And that they be sharply Reprehended by M^r Speaker,

The following Adresse Ordered to be sent to his Excellency.

To his Exl^{ncy}

May it please your Exl^{ncy}

The House haueing this Day Rec^d a Message by the hands of M^r Chilton Concerning the petitions of Coll^o Geo: Lyddall & Cap^t ffofter wherein yo^r Exl^{ncy} desires & enjoynes the House of Burgeses to take y^e matter of y^e Id petiçons under their better Consideraçon Which y^e House haueing duely weighed & Considered & haueing Examined y^e Journall

nall Cannot find y^t by any order or vote of this houfe you^r Exlñcy & y^e Councell haue Re'ced any accompt of y^e proceedings in y^e matter of y^e fd peticons, upon w^{ch} they doe Conclude y^t y^e Grounds of y^e Meffage from yo^r Exlñcy to this Houfe, Concerning y^e fame is upon the imformation of fome ¶ticular ¶fon Contrary to y^e priuiledge and vfuall ¶ceedings of Affembles.

And therefore y^e houfe of Burgefles, doe humbly pray yo^r Exlñcy not to Receiue any informations of y^e proceedings of this Houfe, fo as to Ground any Refolution thereupon, unleffe they fhall Come to yo^r Exlñcy in Regular manner, according to y^e vfuall form and prañtice in Affembly proceedings.

The Houfe adjournes to y^e Afternoon

Post Meridiem

THE Houfe mett.

Cap^t *Cuftis*

M^r *Weekes*

M^r *Allomby*

Cap^t *ffox*

L^t Coll^o *ffarrer*

are appointed to waite upon his Exlncy with the Ad'reffe in anfwer to his Meffage concerning Coll^o *Lyddall*, & Cap^t *ffoster*.

Cap^t *ffoster* & Coll^o *West* being fent for by y^e houfe feuerall times & delaying to appeare are brought into y^e houfe by y^e Sherriffe, & being acquainted with y^e order of this Houfe by M^r *Speaker*, & Admonifhed to make their fubmiffion according to y^e faid Order, which they Contumacioufly and obftinately Refufeing,

The Houfe doe therefore Order that the fd Coll^o *John West*, & Cap^t *ffoster*, be fufpended & y^t y^e Sherriffe of *James Citty* doe forthwith take y^e faid Coll^o *Jn^o West* & Cap *Joseph fofter* & them Comitt to their Chamber to w^{ch} they are ftrictly Confined till further order from y^e Houfe.

Cap^t *Cuftis* & y^e Reft of thofe Gentlemen Report y^t they haue deliuered the Ad'reffe to his Exlñcy, and that he was pleafed to fay, That he thought y^t y^e petition of Coll^o *Lyddall* & Cap^t *ffoster* had bin wholly Rejected by the houfe, and that if there were any Miftake it was on his fide and he would amend it for y^e future.

Refolued that an Adrefse be drawn & prefented to y^e houfe to Morrow morning Reinforceing y^e houfes former request with y^e Reafons for y^e fame Concerning y^e Accompt of y^e Reuenuue of 2 fhi^{ll} ¶ hh^d and fort duties.

It is Referred to y^e Com^{tee} of propofitions and Grieuances to draw up an adrefse to his Exlñcy concerning y^e Efcheates & Quit rents haueing Regard to his Ma^{ties} Gracious Charter to this Country in Anfwer to his Exlñcys Meffage This day Re'ced Concerning it & alfoe to fett forth y^e neceffity of this houfes Joyning fome Gentlemen with their Hon^{rs} in y^e Reuifeing & Correcting the Laws of this Colony in anfwer to y^e laft part of his Exlñcy^s Meffage.

A Bill Intituled *an Act for y^e Repealing of y^e Act for encouragement of y^e manufacture of Linnen & woollen Cloth*, Read y^e firft time.

Ordered y^t M^r *Wilson*, and M^r *Allomby* giue y^e thankes of the Houfe to M^r *Page* for his fermon Yefterday

The Houfe adjournes to y^e 3^d drum to morrow.

Tuesday May y^e 6th 1684

Post Meridiem

THE Houfe Mett

Vpon a Motion made for Coll *West* and Cap^t *ffoster* that they might haue Copies of the Refolues of this houfe w^{ch} Concernes their Confinem^t

Refolued That they ought to petition to the Houfe.

The petition of Major *Benerly* Read, & it is Referred to y^e Com^{tee} of Claimes.

M^r

M^r *Chilton* brings 2 Letters from his Exlñcy w^{ch} he sd his Exlñcy Recommended to the P^{ro}ufall & Consideration of y^e house both w^{ch} are Read & Comitted to the Consideration of the Com^{tee} of propositions & Grievances.

An Adresse Reported from y^e Com^{tee} of Grievances by M^r *ffitzshugh* Read in the house and approued and ordered to be engroft.

Vpon a Motion, made by Coll^o *Kendall* from the Com^{tee} of Claimes y^t wheras there are feuerall Claimes now lying under their Consideration from *New Kent* in w^{ch} they cannot well proceed without Conference with Coll^o *West* & Cap^t *ffoster* now under Confinement.

The house doe therefore Impower the sd Com^{tee} to fend for y^e said Coll *West* and Cap^t *ffoster* by some officer attending this house to the end they may goe on in the finishing their Report.

A Bill for Repealing the Act for Encouragement of Manufactures of Linnen & Woollen Cloth, Read the second time, Ordered to be engroft,

A Bill Intituled *an Act Repealing the former Act of Cohabitation and directing a way more practicable for that purpose & for building of townes* Read y^e frst time & Ordered to be againe Read to Morrow.

Ordered that the two following Adresses be p^{re}sented to his Exlñcy by

Coll ^o <i>Pate</i>	Cap ^t <i>Page</i>
Cap ^t <i>Cuftis</i>	Cap ^t <i>Wafington</i>
L ^t Coll ^o <i>farrer</i>	Cap ^t <i>ffox</i>
M ^r <i>perrott</i>	M ^r <i>Knight</i>

To his Exlñcy

May it please yo^r Exlñcy

The House of Burgeffes by an humble Adresse to yo^r Exlñcy dated the third instant did humbly supplicate yo^r Exlñcy for the accompt of 2 shillings ꝑ hoghead and fort Duties to w^{ch} your Exlñcy hath not yet bin pleased to Return any Answer, And this house haueing now under Consideration diuers matters Relateing to his Ma^{ties} Reuenue here find it necessary they should be acquainted how high y^e same doth rise to y^e end that they may take y^e better measures in their proceeding therein, and therefore doe againe supplicate yo^r Exlñcy y^t you will be pleased to let them Receiue an accompt of y^e said Reuenue of 2 shi^{ll} ꝑ hoghead & fort Duties in such Conuenint time as yo^r Exlñcy shall Judge Requifite. That the further proceedings in y^e afore^d Affaires may not be impeaded thereby.

May 6. 1684

To his Exlñcy

The Humble Answer & Adresse of the House of Burgeffes.

That we haue a Royall Charter from his sacred Ma^{ties} from under the Great Seale of *England* wherein we are Assured of an Imediate dependance upon his Ma^{ties} and the full Enjoyment of our Antient Vsages & Customes, & a full and further Confirmation of our Law Concerning Escheates together with a settlement who of Right ought to be purchasurs and the Rate should be paid for y^e same wherein there is no xception, of any former or other Grants, nor by our diligent searck made Can we finde any that Contradicts, or in the least infringes the same And whereas it is objected to us That our desires, in our bill of Escheats seem unlimited & to giue a Right of Defcent Contrary to the Courfe of the Common Law, To w^{ch} we humbly offer that his sacred Ma^{ties} of his Royall Grace in his said Charter hath departed with his Right to such Lands under such Considerations, & our bill only directs on whom the settlement of that Right which his Ma^{ties} hath bin pleased to giue ought to deuolue together, with other Clauses settling Reasonable ffes in y^e officers Appointed for y^t purpose whose former unreasonable demands, are too well known, & by all Concerned sufficiently felt,

S^r Wee haue upon yo^r Exlñcys Returne about the Reuifeing our Lawes dilligently & Consideratly Examined those feuerall Instruc^{cons} you were pleased to Communicate to us and in them find nothing of the Reuifeing of the Lawes, and humbly offer that Alteration

tion

tion addition or diminution to any Law Quite takes away the force & vigour thereof w^{ch} is not againe to be Recouered, but by the Legislatiue power w^{ch} by his Ma^{ties} Gracious fauour is Granted, to be in y^e Gen^l Affembly together wth his Royall Allowance thereto Therefore we Conceiue That that Reuifeing and Consideration which in it selfe implies Alteration And amendment, Cannot be begun but by y^e Aduice and Consent of the whole Gen^l Affembly, And after don & $\text{\textcircled{P}}$ formed cannot legally passe without their Approbation Allowance & Confirmation.

Wherefore we humbly pray that y^e bill Concerning Escheates may passe and that y^e Lawes according to our former humble desires may be Reuifed Corrected & mended with y^e Addition of some $\text{\textcircled{P}}$ sons by this house.

May 6. 1684.

Vpon Reading a Report of the Com^{tee} of Claimes Concerning feuerall fums due to feuerall $\text{\textcircled{P}}$ sons employed about y^e skinns feized the last Affembly on Board Cap^t Hall

Resolved that y^e feuerall fums ordered to be paid by y^e house of Burgeffes to the feuerall $\text{\textcircled{P}}$ sons employed about y^e skinns be now paid them by y^e publiq & foras-much as the matter about y^e Judgem^t of the Hon^{ble} Gouvernour and Councill now lies before the Kings Ma^{tie} in Councill the further Consideration thereof is Referred to y^e next Affembly.

The House adjournes to y^e 3^d drum to morrow.

Wednesday May 7th 1684

THE House Mett.

A Bill Intituled *an Act to Repeale the Act Giueing encouragements for the Linnen and woollen Manufacture* Read the 3^d time & past y^e house *Nomine Contradicente* and it is *Ordered* that it be presented to the Gou^r and Councill for their Assent.

The Bill Intituled *an Act Repealing the former Act for Cohabitation and directing a way more practicable for that purpose and for building of Townes* Read the second time.

The House being diuided Concerning a Clause in y^e said Bill Concerning bringing and felling tobacco at the Appointed places and Concerning y^e forfeiture of Tobacco at other places shipt of or sold and about the time y^e Act shall take place.

Resolved that the Question shall be putt

Whether the bill shall stand with a further Limitation of time to be Added for y^e putting y^e same in Execution or not.

Resolved in y^e Affirmatiue

And that y^e Amendments as to time be Read, and that y^e bill with the Amendments be engroft and Read againe to morrow.

Vpon the Motions of feuerall Burgeffes in Behalfe of their Counties who are inconueniently scytuated for one place and mooueing that for y^e Conuenience of those people who liue remote from y^e places appointed,

It is put to the Question whether such Counties as are soe scytuated: and will: build another towne at some such other Conuenient place as they shall agree upon besides the place in y^e Act nominated, may doe the same or whether there shall be but one towne in a County.

Resolved there shall be but one Towne in a County.

A Priuate Bill Intituled *an Act Enabling Rich: Littlepage Sen^r to sell Land for payment of the Debts of Samuell Oufin Deceased* Read y^e first time in y^e house.

Vpon the Question whether this Bill shall be againe Read or Ejected

Resolved the bill be Ejected the House.

Vpon Reading a Report from y^e Com^{tee} of propositions & Grieuances Concerning a Vote in the said Com^{tee} where the said Committee vpon y^e vote was Equally deuided

It

It is put to the Question

Whether there shall be Garrisons with forty men at y^e head of y^e fower Great Rivers or whether it shall be againe Referred to y^e Com^{tee} of propositions &c. to Consider of some other way in order to the defence of y^e County.

Resolved That it be Referred to the Com^{tee} of propositions & Grievances to Consider of some other way for the defence of the Country.

Coll^o *W^m Kendall* brings in a Report from y^e Com^{tee} of Claimes, That haueing sent for Coll^o *West* and Cap^t *Jfofter* in order to their Report upon y^e Claimes of *New Kent* County according to an order of this house Yesterday it is *Ordered* that the Note sent by Coll^o *Kendall* to them for their appearance, and their Answer thereunto be entred upon y^e Journall of this house and that y^e Com^{tee} of Claimes doe proceed tomorrow morning to y^e finishing their Report of Claimes,

The Coppyes ffollow.

Wednesday May 7th 1684

By the Chaireman of the Committee of Claimes

Coll *West* & Cap^t *Jfofter*

Gentlemen by Order of y^e house of Burgeffes I am to Require you & doe desire you to appear at y^e Com^{tee} & Answer, to y^e feuerall Claimes of yo^r County y^t y^e Inhabitants thereof may not be prejudiced by yo^r Abfence, *W^m Kendall*.

Coll *Kendall*

S^r we haue Reced yo^r Vote by y^e Sherriffe but being fuspended by y^e whole house, belieue we cannot be Restored or be Capable of Complying with your Request without Ample Restoration from y^e house else we should be glad to perform our duty in that behalfe w^{ch} is from

Your Humble seru^{ts}

John West

Jos: Jfofter

A Report from y^e Com^{tee} of propositions and Grievances Concerning y^e difference between the parishes of *Wallingford* & *Wilmington* Referred from y^e Assembly *Novem^r* 1682 to this, Read,

Resolved That since it is within his Exl^{ncy} the Gou^{rs} Comission of Instructions the matter of y^e difference between y^e fd two parishes doth not lye before this House.

The House adjournes to the 3^d Drum to Morrow.

Thursday May 8th 1684

THE House Mett. & Called.

A petition of Coll^o *West* and Cap^t *Joseph Jfofter* presented to this house Acknowledging their fault and humbly begging the pardon of this house being Read It is *Ordered* That y^e fd Coll^o *Jn^o West* and Cap^t *Jfofter* be forthwith sent for by M^r *Sorrell* the Messenger attending this House, And that their peti^{con} be entred in the Journall

And the said Coll^o *John West* and Cap^t *Joseph Jfofter* Comeing into the house and owning the petition & submitting themselues their Confinement is by the House taken of and they are Readmitted to their places, and ordered to pay their fees.

To the Hon^{ble} M^r Speaker & y^e R^t Worship^{ps} the House of Burgeffes.

John West and Jos: Jfofter humbly sheweth

That yo^r peti^{con} being by the House Confined to their Chamber for some Ac^{cons} that were Affrontiue and not agreeing to the Rules of the House (Though by yo^r pett^{rs} neither Intended nor offered as a Contempt or Affront) but being don wholly out of zeale to serue the people and County whom they Represent, Yo^{rs} pett^{rs} therefore prayes
the

the Houfe to forgiue and pafs the fame by, they being forry, And willing to make fuch acknowledgment, as the Houfe fhall think neceffary, And that they may be Reftored as members of the Houfe

And they fhall as in duty bound pray &c

John Weft

Jos: ffofter

The Houfe Adjournes to y^e Afternoon.

Post Meridiem

THE Houfe Mett

And M^r *Speaker* Acquaintes the houfe he hath Reced 2 Mefſages from his Excellency which are as follow

May 7th 1684

M^r *Speaker,*

I uery well accept of your Adrefſe propoſeing to my Conſideration the moſt fitt place for the erecting an houſe for me yo^r preſent Gouvernor and Succeeding Gou^{rs} purſuant to his Ma^{ties} Inſtruction, in the ſame, which as I take it to be a good effect of yo^r ready obedience, to his Ma^{ties} Royall Inſtruction, ſoe I uery kindly accept yo^r early deſires, of my being accomodated, with a fitt & ſuitable houſe in y^e beſt and moſt agreeable part of the Country, in which I muſt own myſelfe, as yet too great a ſtranger, as to be poſitiue in my Choice, & therefore muſt take a longer time to uiew and Conſider, where & in what partes will be moſt agreeable and ſuitable, for all Conueniencies for y^e Gou^r to reſide in, of which I fhall haue time, betwixt this & the next Affembly fully to Conſider & Conclude on and therein fhall not only Regard the Gou^{rs} Conueniency, but likewise y^e Eaſe and aduantage of you y^e preſent Inhabitants and yo^r poſterity

Effingham

May 7th 1684

M^r *Speaker,*

In my Anfwer to yo^r propoſall, for the Rebuilding the ſtate houſe in *James Citty*, I therein acquainted you, that his Ma^{ties} Reuenue was Conſiderably in arrear, to thoſe payments and falleries appointed by his Ma^{tie} to be made and paid out of it, which Generall Anfwer (I find by yo^r late adrefſe ſignifying yo^r deſires to be permitted to receiue an accompt of y^e reuenue of two ſhillings ꝑ hoghead and fort duties) hath not giuen you full ſatiſfaction, and therein you ſet forth y^t you haue under yo^r Conſideration diuers matters relateing to his ma^{ties} reuenue, which you ſeem to ſay you cannot proceed in, untill you haue imſpected the ſame, though his Ma^{ties} Reuenue of this Colony hath been duely accounted for with the Lords of his Ma^{ties} Treafury, to whom it is only anfwerable, yet to aſure you of my willingneſſe to giue ſatiſfaction & to the intent yo^r affaires may not be impeaded, as alſoe expecting, that when upon yo^r inſpection of M^r *Auditors* accompts, you fhall thereby underſtand, that y^e reuenue anually falls ſhort of the falleries and payments to be made out of it, you will Cheerfully and without delay, proceed to y^e anfwering his Ma^{ties} expectations, In Raiſeing a duty upon Liquors imported, whereby to ſupport y^e Charge of the Government, out of thoſe Conſiderations, I haue ordered M^r *Auditor Bacon* to produce his laſt yeares accompt of the two ſhillings ꝑ hoghead & fort duties, to your Houſe as tranſmitted to the Lords of his Majeſties Treafury there allowed and paſſed.

To the bill prepared and preſented by yo^r houſe concerning eſcheates and Compoſitions, myſelfe and the Councell, after we had duely Conſidered ſeriously weighed and fully debated all parts thereof, returned you our opinions, both as to y^e particular branches and Generall Contents, and thereby aſſured you, that the Gracious & fauourable grant in his Ma^{ties} royall Charter in Eſcheates, ſhould be duely obſerued and performed

formed according to the exprefs words of y^e Charter, which affurance, Could not doubt, but y^e it carried with it fuch full fatisfaction, that I could not haue expected your thus infifting, To which I can only add that as I may not, nor can extend his Ma^{ties} royall Grant, beyond its own exprefse words, foe neither will I fuffer any diminution or leffening of his Majefties Grace & fauour granted therein to his Subjects, and for yo^r fuller fatisfaction, do giue you my word, I fhall giue fuch directions in the proceedings of Efcheates, That his Ma^{ties} Subjects therein fhall haue y^e full benefitt, as by the words of his Majefties Charter is giuen & Granted to his Ma^{ties} Subjects of this Colony, which as I hope is the full of what you therein Aime att, foe I haue good Grounds to beleieue, that between this & the meeting of y^e next Affembly. I fhall receiue affurance, that his Majeftie has been pleafed to Compenfate his Grant made to the R^t Hon^{ble} *Henry Earl of Arlington* and *Thomas Lord Culpeper* of the Efcheates and Quitrents, in y^e f^d Grant Contained, and y^e he'el be gratioufly pleafed to appropriate them to y^e Chiefe benefitt of this his Gouernment of *Virg^a* if by an ouer hafty and Miftimed defire, we doe not feem to direct, Rather then to fupplicate his Majefty where and when to beftow his Grace & fauour

In yo^r Adrefse about the reuifeing of y^e Lawes, you fay you haue confidered my Inftuctions, which I Communicated unto you, and in them you find nothing of reuifeing the Lawes, as I haue Communicated unto you fuch partes of my Inftuctions, as I found fitt & neceffary, for his Ma^{ties} & the Countries feruice, in y^e prefent Juncture of our affairs, foe I cannot belieue you expect the knowledge of all his Ma^{ties} Royall Inftuctions, for y^e better performing The truft, Charge & powers reposed in me his majefties L^t and Gou^r Generall for the carrying on of his Majefties affaires in this Gouernment, therefore am y^e more concerned, at your return it feeming to Queftion the Certainty of my Inftuction for y^e reuifeing y^e Lawes, as formerly fignified unto you becaufe I haue not in all its exprefse words offered it to you^r view, in w^{ch} fhall forme my duty by following the method therein laid down unto me. And as in my former refponfe, foe doe affure you I fhall make it my Care that the Lawes be reuifed with directions for fuch obseruations & Confiderations as fhall be found neceffary to be made in y^e body of the Lawes. And foe to bee Reported to y^e next Gen^l Affembly, for their Confideration & Approbation, to y^e Intent they may be accordingly by the Gen^l Affembly humbly p^refented to his Ma^{ty} as the body of the Laws of this Colony, for his approbation, difallowance or Confirmation of the fame as in his Gratiouf will and pleafure he fhall find fitt,

Effingham

Vpon his Exl^{ncy}'s Meflage in Anfwer to the Ad'reffe of this Houfe concerning the Bill, concerning Efcheates &c. now lying with their Hon^{rs} It is Referred to the Com^{tee} of propofitions & Grieuances to inspect the Bill w^{ch} pafte y^e houfe of Burgefles laft Affembly Concerning Efcheates and to draw another bill for the fame & Report it to the Houfe. And the reft of y^e faid Meflage is alfoe Referred to y^e Confideration of the faid Committee.

A Bill Intituled *an Act Repealing an Act Concerning the purfuit of Runawaies*. Read the firft time.

A Bill Intituled *an Act Repealing the 42^d & 43^d Act of the printed Lawes, & for building prifons in each County, and for Affertaining Rules to each prifon* Read the firft time.

A Report from the Com^{tee} of propofitions and Grieuances deliuered into y^e Houfe by the Chaireman upon a Reference of a Report from the Com^{tee} of Claimes Concerning y^e fume of 98000 pounds of tobacco Claymed by M^r fecretary *Spencer* as the attorney of the Lord *Culpeper*- Read in the houfe.

Refolued That the faid 98000 pounds of Tobacco pd by M^r *Secretary* as Attorney of the Lord *Culpeper* is part of the Quitt rents which were Receued by order of the Lord *Culpeper*, & being by the Hon^{ble} M^r *Secretary* paid to y^e foldiers is a Great eafe to y^e poore Inhabitants of this Country, And that it was well paid being for the publiq use, and fhall be accompted for when his Ma^{ties} pleafure fhall be fignified concerning the fame.

The Com^{tee} of Grieuances haueing made dilligent fearch and Enquiry, and after ferious debate and Confideration. haue Reported, That noe good and Rightfull power doth appeare for y^e Receiueing of the Quitt rents by his Lordfhipp

Upon

Upon Reading the third time

A Bill Intituled *an Act Repealing the former Act for Cohabitation and directing a way more practicable for y^r purpose & for Building of Townes.*

Itt is put to the Question whether the words *bought and sold* & the words *buy & fell* shall be Continued or obliterated in the Clause Concerning tobacco and Goods & merchandizes to be Exported.

Resolved That the words *bought and sold* and the words *buy & fell* in the said Clause be obliterated, & its accordingly obliterated in the Bill.

The House being devided Concerning the putting the Question for y^e passing of the said Bill.

It is put to the Question whether the Question shall be now putt for the passing of the Bill or deferred till to morrow morning

Resolved That the Question, whether the said Bill shall pass or be Ejected be now putt.

And the Question is accordingly put and it is

Resolved that the Bill be Ejected

And the House adjournes to y^e 3^d drúm to morrow

ffriday May the 9th 1684.

THE House mett, and Called ouer

M^{rs} *Macons* petition Read & Referred to the Com^{tee} of Claimes.

A Bill Intituled *an Act Repealing the 42^d and 43^d Act of the printed Lawes and for building prisons in each County & ascertaining Rules to each prison* Read the second time and Ordered to be engroft.

A Bill Intituled *an Act Repealing the Act concerning the pursuite of Runawaies* Read the second time and Ordered to be engroft.

M^r *Chilton* brings a message from his Exl^{ncy} and it is that his Exl^{ncy} Commands the Attendance of y^e House att the Councell Chamber.

And accordingly the House doe attend upon his Exl^{ncy} in the Councell Chamber, and being Returned M^r *Speaker* acquaints the House with the substance of his Exl^{ncys} speech as followeth—

Gentlemen

I hope it may not be Altogether unnceffary a little to Refresh yo^r memories of his Exl^{ncys} Speech & I Desire you will seriously apply yo^r selues soe to acquit this House that it may not lye under any mistaken Censure.

The purport of what his Exl^{ncy} was pleased to deliuer was, that we haue been here almost a month & there was not soe much don as might haue Reasonably been expected that he knew not well how he should answer it to his Majestie or we to the people y^r sent us, That he hath not Received from this house any satisfaction, in what at y^e opening of this Assembly he desired in his Speech, and those Instructions he Receaued from his Ma^{ty} Communicated by him to this House, as that of the twenty ¶ pole nor the Imposition upon Liquors, which he was pleased to promise should be well husbanded for the use & benefitt of this Country, neither had he reced any thing Concerning the defence of y^e Country from y^e Indians, neither of that soe much desired by his Majestie. The building of Townes, & further put us in mind that he could lett us sitt but few days longer.

Gen^r Although all these things haue been under the Consideration of y^e Com^{tee} Yet its necessary for our Just Vindication that his Exl^{ncy} shall find by yo^r dilligente and prudent dispatch of those affaires w^{ch} I now Recommend to you that we haue not bin Ill husbands of our time.

Coll^o *Ballard*

Cap^t *foster*

Cap^t *Cuftis*

Cap^t *Cary*

Maj: *Allen*

Cap^t *Applewaite*

Are appointed to waite upon his Exl^{ncy}. and to acquaint him in y^e name of this house that they haue Considered his Exl^{ncys} speech this afternoon in the Councell Chamber

and

and that ther's feuerall things Related to in his fpeech, that are now preparing in this houfe & will foon be Ready to be p^rented to his Exln^cy & the Councell, and they like-wife Carry with them a bill p^aft this houfe Intituled *an Act to Repeale the Act Giueing encouragement for the Linnen and woollen manufactory.*

Coll^o *Ballard* Reports that they haue deliuered y^e Meffage from this houfe, and that his Exln^cy vpon his Information of the progreffe & proceedings of this houfe he was pleafed to exprefse fome fatisfaction, & faid nothing fhould be wanting on his parte as he hoped fhould not be on this houfes to expedit y^e prefent affaires.

M^r *William ffitzhugh* haueing fatisfied the houfe of fome extraordinary and Emergent Occafion y^t Requires his prefence att his own houfe, hath obtained leaue from y^r houfe to goe home.

Maj: *Arthur Allen*

M^r *James Minge*

M^r *Hen: Hartwell*

Cap^t *ffrancis page & Cap^t Washington*

Are appointed to waite upon M^r Auditor *Bacon* to infpect & Receiue y^e accompt of two fhillings $\frac{7}{8}$ hogthead and fort duties, and make Report to this houfe:

A Bill Intituled *an Act for the better fupply of the Country with Armes and amunition.* Read y^e firft time.

A Bill Intituled *an Act for y^e better defence of the Country,* Read the firft time and Comitted.

The houfe adjournes to y^e 3^d drúm to morrow.

Saturday May 10th 1684.

THE Houfe mett and Called ouer.

M^r *Speaker* Acquaintes y^e houfe that his Exln^cy this day told him y^t hee had omitted (in his laft fpeech to this Houfe) one part of his Ma^{tie}s Inft^ructions which was that all fines impofed by vertue of any Law of this Colony fhould be Leuyed & Expreft in the Acts to be to his Ma^{tie} for y^e publiq ufe of the Colony, And that he informed his Lordf^{pps} that in fuch Lawes as now were made it was and would be foe prouided According to his Ma^{tie}s Inft^ructions. And then his Exln^cy faid y^t it ought to be prouided that the penalties in all former Lawes, of this Country fhould be foe exprefed and appropriated by a Law now to be made and prouided to that end.

Refolued That as it hath bin now pra^tized this Seflion: foe his Majesties Inft^ruction Concerning y^e penalties and forfeitures fhall be for the future duely obserued. The peti^con of Cap^t *George Brent* Commander of the twenty men in *Stafford* being Read in the Houfe for Extraordinary Seruice, And the Report of y^e Com^{tee} of Claimes thereupon, Cap^t *Brent* is Called into the Houfe Examined & Difmift.

And forasmuch as it doth Appeare, That y^e faid Cap^t *Geo: Brent* hath by his prudent Manage & Good Condu^ct, $\frac{7}{8}$ formed Good feruice for y^e Country not only with his Soldiers in their proper ftation, but Alfoe upon the Hon^bie prefedents Command (when y^e *Seneca* Indians infested thofe partes) marcht to y^e Affiftance of Cap^t *Jones* And the Inhabitants of *Rappahannock* of whose feruices this Houfe hath Receaued Good Accompt And to the end that fuch merritt & the labour & trauaile of his foldiers may not be unrewarded, and for y^e encouragm^t of others to be dilligent & viggillent in y^e $\frac{7}{8}$ formance of their Duty. The Houfe of Burgefles haue *Refolued*, That the fd. Cap^t *Brent* be paid by the publique the fome of one thoufand pounds of tobacco, as a Gratuety And his Corporall be paid four hundred pounds of tobacco, & to each of his men, Two hundred & fifty pounds of tobacco: As a ffree and voluntary Beneuolence from this Houfe.

Vpon the Report of the Com^{tee} of Claimes concerning a Claime of Major *Robert Beuerly* for y^e fume of 14000 pounds of tobacco Claimed y^e laft Affembly. & not then, Leuyed. The Houfe being fufficiently fatisfied of the Juftneffe of his Claime.

Refolued y^t y^e fame 14000 pounds of tobacco & Caske, be now Allowed & paid to y^e faid Major *Beuerly* out of y^e publiq

An Adresse to his Ma^{tie} Reported from y^e Com^{tee} of propositions & Grievances—
Read & Ordered to be faire written.

And Alfoe another Ad'refs to his Exln̄cy, praying him to prefer y^e Adrefs to his
Ma^{tie}

A Bill Intituled *an Act Repealing the Act Concerning y^e purfuite of Runawaies*, Read
y^e third time, And paf^t y^e Houfe.

A Bill Intituled *an Act Repealing y^e forty fecond & forty third Act of y^e printed Lawes,
And for Building prifons in each County, & for Afcertaining Rules to each prifon* Read the
third time & paf^t the Houfe.

A Bill Intituled *an Act for y^e better fupply of y^e Country with Armes & Amunition*
Read y^e Second time & Ordered to be engroft.

A Bill Intituled *an Act for y^e better defence of the Country* Read y^e fecond time and
Ordered to be engroft.

A Report from y^e Com^{tee} of propositions & Grievances Concerning Armes, Read
and Ordered to be Engroft.

Maj: Scarburgh

L^t Coll^o ffarrer

M^r Weekes

M^r Minge

Cap^t Taylor

M^r Perrott

Cap^t Robinfon

Are appointed to waite upon his Exln̄cy with two Bills the one Intituled *an Act Repealing
the 42 & 43 Act of the printed Lawes, & for building of prifons in each County and for
Afcertaining Rules for each prifon*, The other *an Act Repealing y^e Act Concerning y^e purfuit
of Runawaies*, & with y^e following Adrefse.

To His Excellency.

The Humble Adrefse of the Houfe of Burgefles, Informs yo^r Exln̄cy that there are
diuers parcells of Armes Remaining in y^e Hands of y^e Hon^{ble} Coll^o Bacon, Maj: Lawrence
fmith, M^{rs} Mildred Warner Relict of Coll^o Auguftine Warner deceafed, And of Coll^o Jn^o
Weft.

And doe Humbly pray yo^r Exln̄cy, That you would be pleased to Comānd them
and what may be found in any other hands into his Ma^{ties} ftore there to remain for y^e
ufe of y^e Country.

*To his Exln̄cy Francis Lord Howard Baron of Effingham his Ma^{ties} L^t And Gou^r Gen^{ll}
of Virginia.*

Att a Generall Affembly Held at *James Citty*, within his Ma^{ties} dominion of *Virg^a*
the Sixteenth day of *Aprill 1684* Anoq 36^e *Caroli 2^{di}* *Regifer.* [Regis]

His Ma^{ties} Loyall faithfull and obedient Subjects the Houfe of Burgefles of the faid
Affembly moft humbly praies yo^r Exln̄cy, on the behalfe of themfelues And the reft of
y^e Inhabitants of this his Ma^{ties} faid Colony and Dominion to prefer to his moft facred
Ma^{tie}

The Humble Adrefse hereunto annexed.

May 10^e 1684.

To the Kings moft Exln̄t. Majeftie.

Moft Gracious & dread Soueraigne

That we yo^r Ma^{ties} Loyall fubjects within yo^r dominion of *Virg^a* (The laft fubmitting
to a forced defection from our Loyaltie in y^e late National Diftractions, and the firft of
yo^r Ma^{ties} Subjects within yo^r dominion, That Returned to their Loyaltie euen before
yo^r Ma^{ties} happy Reftauration) fhould be foe late in our humble Adrefse to yo^r moft
Exln̄t Ma^{tie} fince y^e difcouery of thofe many Late Horrid plotts and traitorous Conspira-
cies ag^t y^e life of yo^r facred Ma^{tie} his Royall Highneffe yo^r Ma^{ties} Deareft Brother, and
the beft of Gouernm^{ts} Eftablifhed in Church & State, would ouerwhelme Vs with Grief
& Astonifhment did not y^e Exceffive Contentment we Receiue from the wonderfull
Goodneffe of Almighty God, in yo^r Ma^{ties} and Royall Brothers moft happy preferuation
raife us euen to an extafie of Joy, & Gladneffe And therefore Although our Great diftance
of place from yo^r Ma^{ties} Royall Court hath Conftained us to be foe late in the prefenting

our

our Duty, yet we humbly befeech yo^r Ma^{tie} to belieue, that we are and euer will be Conftant and Quick in the expreffion thereof, And humbly acknowledge ourfelues bound to manifeft to yo^r Ma^{tie} and all the world our humble and Gratefull apprehentions of the happineffe we enjoy under yo^r Ma^{ties} moft Gracious, and Gentle Gouvern^t and for yo^r care in prouideing us fuch Juft prudent And Hon^{ble} Gou^{rs} and more Efppecially yo^r Ma^{ties} late Manifefta^{co}n thereof, in our prefent prudent Juft and noble Gou^r yo^r Ma^{ties} Liu^t and Gouvern^t Gen^l *ffrancis* Lord *Howard* of *Effingham* who is pleafed to giue us Affurance of his Conftant Refidence amongft vs. to Compleat the many Bleffings and fauors we Receiue from yo^r Moft Sacred Ma^{tie} And howfoeuer fome ill men within yo^r *Europian* dominions to Accomplifh their black defignes, to fubuert the Gouvern^t fliely infinuate to the Credulous people Caufeless feares, and falfe Jealoufies of Arbitrary power growing upon vs, Yett are we Soe Senfible of yo^r Sacred Ma^{ties} Conftant manifeftation of yo^r Great Grace and fauour to us with our Affured hope of the Continuance of our Long Enjoyed Lawes and Vſages, as to Acknowledge our felues ſecure from the Leaſt apprehention of yo^r Ma^{ties} Altering yo^r Royall inclination towards us by any miſrepresentation whatfoeuer, And that yo^r Ma^{tie} may ſee that we are not poſoned, or like to be foe by any Seditious, or Giddy headed diſturbers, or unruly violaters of yo^r Ma^{ties} peace, we doe unanimoſly and hartily Affure yo^r Sacred Ma^{tie} That we will defend yo^r Ma^{tie} preferue yo^r Royall perſon yo^r Heirs and Lawfull Succeſſors, And the Gouvern^t by Law eſtabliſhed both in Church and ſtate, with the Laſt dropp of our Bloods, and utmoſt of our fortunes, from which Reſolutions neither force fraud, feare nor flattery ſhall euer deterr afright, nor ꝑſuade us. Which our hartly ſincere Reſolutions, wee humbly befeech yo^r Sacred Ma^{tie} Gratiouſly to accept, with the humble offers of our daily pray^{rs} to God. That he would happily Continue yo^r Ma^{ties} Long and Glorious Raigne ouer vs.

Yo^r Ma^{ties} moſt humble, Loyall and obedient Subjects.

The Houſe Adjournes to *Munday* the 3^d Drum.

Munday May the 12^e 1684.

THE Houſe Mett and Called.

A Bill intituled *an Act* aſcertaining the fees of *Eſcheators*, and ſherriſſs in finding *Eſcheates*. Read the ſecond time and Ordered to be Engroft.

The Houſe adjournes to the afternoon

May the 12^e 1684.

Poſt Meridiem

THE Houſe mett & Called.

A Bill intituled *an Act* for the Better ſupply of the Country, with Armes and Ammunition. Read the 3^d time and paſt the houſe.

A Bill intituled *an Act* for the better defence of the Country. Read the third time and paſt the houſe.

The Gen^t Appointed to Receiue y^e Accompt of the two ſhillings: ꝑ hhd from M^r Auditor *Bacon*, giue in their Report ꝑ M^r *Hartwell*, that they haue been with M^r Auditor *Bacon* & haue from him Re^{cd} a Copie of the Accompte ſubſcribed ꝑ M^r Auditor of the two ſhillings ꝑ hhd. and port duties. *July* the 19^e *Ano* 1683. w^{ch} is deliuered into the Houſe and Read.

And upon Conſideration thereof, & the Addreſſe made to his Exln^{cy}, by this houſe, Concerning the Building the State houſe, It is Referred to

Coll^o *Kendall*

Coll. *Geo: Maſon*

Cap^t *fra Page*

M^r *Hen: Hartwell*

Cap^t *Robinſon*

Major *Allen*

and M^r *Sherwood*

To Conſider of the Building of the State houſe, and to make Report to this houſe, by *wedneſday* Morning what y^e Charge thereof may be & what other things may be neceſſary

for

for the Consideration of this house in order thereunto, and they have power to treat and Confer with any workmen, or others Concerning the same, & also to Report to the house what proposals shall be made by any who may be willing to undertake y^e same.

A Bill, intituled *an Act for Lessening the Levies by poll, and laying an imposition upon Liquors*, deliuered in to the speaker by the Chaireman of the Com^{tee} of propositions and Grievances, Read the first time.

The House adjournes till y^e 3^d drum to Morrow.

Tuesday May the 13^e 1684.

THE *Act Repealing the Act Concerning the pursuit of Runawaies*. Returned Assented to.

A Bill intituled *an Act Repealing the 42 & 43 Acts of the printed Lawes and for building of prisons in each County and for ascertaining Rules to each prison* Returned from his Exln^{cy} and Councell with amendments proposed.

To the first amendment of the words *Justices of the peace* in the Room of the word *Courtes* it is Assented to by the house of Burgeses with this Addition (*in their Sessions*)

To the second concerning the bounding — — *the Rules with pales or pallasadoes and to be but 120 feet square.*

The House doe pray it may be left to the discretion of the Justices of the County (as by the Act) prisoners for Debt being to giue security which is esteemed the best pallasado.

To the Last The House assents the words (*for a perpetuall Memoriall*) shall be omitted

The Bill to Repeale the *Act giueing encouragement for y^e Linnen & woollen manufacture* being Returned from his Exln^{cy} and Councell with the proposition following (*viz*)

May 12th 1684.

By his Excellency and Councell.

Both the Honour & Justice of this Act enjoynes satisfaction to be made to y^e p^{rs}ons y^t haue Complied in making manufactures as by the same is Required, and the faith of the Country being therein giuen, It is fitt and Reasonable that satisfaction be accordingly Ordered and to the intent that noe Claimer may be barred of the Justnesse of his Claimes It is proposed that Claimes for encouragment arising from this Act stand Referred to the next Generall Assembly for satisfaction if desired, and that notice be giuen in all Counties. That according to y^e direction of the said Act all Claimes may be Righted and then p^rsented and that from henceforth the Act be Repealed.

In Answer to w^{ch} this House doe Returne.

That it is not inconsistent with Justice to passe this Act as it is for that y^e Claimers themselves (as it is therein exprest) haue Voluntarily Relinquished their Claimes, And therefore pray the Act may be Assented to by you^r Exln^{cy} and Councell.

A Bill intituled *an Act ascertaining the fees of Escheators and sherriffes in finding Escheats* Read y^e 3^d time & past y^e house.

An Answer from his Exln^{cy} to an Adresse of this House Concerning Armes, *viz*

By his Excellency

M^r Speaker

I very well accept of your Adresse of y^e 10th instant concerning Armes which I had sometime before made my care, to be Called in and secured And shall be Lodged in y^e most fitt and agreeable places for his Majesties seruice and the security of the Country.

May 12^e 1684.

Effingham

A Bill intituled *an Act for Lessening the Levies by the pole, and laying an Imposition upon Liquors* Read y^e second time.

Vpon debate of the imposition upon wine brandy Rum and other Liquors, mentioned in y^e said Bill and the house being diuided Concerning y^e same,

It is put to the Question whether the Question shall be put.

whether it shall be 3^d or 4^d ʒ Gallon, or 2^d or 4^d ʒ Gallon.

Resolved that y^e Question shall be putt whether there shall be 2^d ʒ Gallon imposed on the said Liquors imported or 4^d ʒ Gallon, which being accordingly foe put

It is *Resolved* that the Imposition shall be 2^d ʒ Gallon.

Ordered that the bill be engroft and Read againe to Morrow Morning.

The Bill Concerning prifons and Rules Returned from his Exlnēy & Councell is Remitted to them.

The Bill for Repealing the Encouragements Returned from his Excellency and Councell is Remitted to them.

The Bill for the better defence of the Country.

The Bill for y^e better Supply of y^e Country with Armes and Amunition.

The Bills ascertaining fees of Sherriffs and Escheat^{rs} all which are transmitted to his Exlnēy and Councell for their Assent by

Major Allen

Cap^t *Matthewes*

Cap^t *Cary*

Coll^o *Lemth Mafon*

M^r *Abrey*

Cap^t *fox*

M^r *Brassfar* &

Cap^t *Applewaite*

They Report they haue deliuered the bills to his Excellency.

The Houfe Adjournes to y^e afternoon

Tuesday May the 13th 1684.

Post Meridiem

THE Houfe mett and Called.

M^r *Speaker* acquaintes the Houfe he hath Receaued a proclamation from his Excellency takeing off the prohibition of the Exportation of wheat & the Meale therof which his Exlnēy desired might be publisht in y^e houfe that foe it might be made known in y^e feuerall Counties in the Country.

And it is accordingly Read in the Houfe.

A Bill Intituled *an Act appointing portes for preuenting of frauds and better secureing his Ma^{ties} Customes*, Read in the Houfe the first time.

The Committee appointed to Consider of the Rebuilding the State houfe, Giue in their Report which is Read in the Houfe.

Vpon the debate of the matter about the Rebuilding the state houfe

Resolved That it be put to the Question

Whether the ftate houfe at *James Citty*. shall be forthwith Rebuilt or whether the Rebuilding thereof shall be Referred to y^e Consideraçon of the next Asssembly.

Resolved that the Rebuilding of the ftate houfe at *James Citty* be Referred To the Consideration of the next Asssembly.

The Committee of Claimes Giue in their Report which the Houfe proceeds to Read.

The Houfe Adjournes to y^e 3^d drum to Morrow.

Wednesday May the 14th 1684.

THE Houfe mett and Called

Seuerall Bills Returned from his Exelnēy & Councell *viz^t*

The Bill to Repeale the *Act for encouragements* not assented to, but wth this note

May 13th 1684.

By his Exlnēy & Councell.

An Act prepared Repealing the *Act for encouragements &c.* without mention of any Claimes which haue accrued thereby will be assented to.

E. Chilton C^t G. A.

An

An Act for the better supply of the Country with Armes & amunition, Affented to with the Addition of a Clause for euery Respective Company & troops Exerciseing once in three months and euery Regiment yearly on the first thursday in October.

An Act Repealing the 42^d, and 43^d Act of the printed Lawes & for building prisons in each County and for ascertaining Rules to each prison the words not exceeding 80 poles square being added in the Clause for the Laying out the Rules which being Read 3 times is affented.

A bill Intituled *an act for the better defence of the Country* (with notes objections and alterations to be made therein) as followeth

By his Excellency & Councill.

M^r Speaker

In the act for y^e better defence of y^e Country, it is propofed y^t in y^e eleuenth line y^e word *complete*, be omitted, because thirty horse is Rather a small party then a Compleat troop.

and whereas in the 16 line it is said, *in Case y^e full number of thirty men compleatly Mounted, armed and provided as aforefaid cannot be raised by such as shall uoluntarily offer them felues, for that seruice, that then it shall and may be lawfull to and for y^e Chief officers of the Militia of the upper partes of each riuer, & they are hereby impowred and authorized upon application to them or any three or fower of them made by the Cap^t or Chief commander to imprefs &c w^{ch} application ought to be made to y^e Gou^r or in his abfence to y^e Comāder in Chiefe to Iffue forth his warrants for y^e raifeing foe many men as fhall be wanting to compleat the number of thirty men appointed by this act, in case foe many fhall not voluntarily offer themfelues, & not to y^e Chiefe officers of the Millitia it being derogatory to his Majefties authority & not to be permitted or allowed.*

Whereas this Act appoints a Corporall to be the next imediate officer to y^e Cap^t in whofe abfence he is to comand in w^{ch} comand that he may carry the better weight. It is propofed, y^t inftead of a Corporall a lieutenant be appointed, & that his pay be advanced to fix thousand pounds of tobacco and Caske

Whereas in this Act the word *publiq* is frequently made ufe of, it is thought fitt that it be omitted, and y^e word *Country* inferted, it being more agreeable to fubjects that lue under a Monarch.

Whereas in y^e fixth line of the fecond fheet this act direct^s, that euery Soldier neglecting his duty fhall be liable to fuch fines and forfeitures, as therein mençoned befides The paines and forfeitures which by martiall law may be inflicted, the inflicting of martiall law is upon Crimes of a great nature & is in the power of y^e Gou^r to direct Comiffions, for the fame, therefore its propofed this Clause be omitted.

It is propofed, for y^e better encouragem^{ts} of Soldiers in this seruice prouifion be made for thofe difabled or maimed, y^e former to haue an annuell penfion for his maintenance from the Country, the latter to haue his Cafe effected at y^e fame Charge.

Twelue hundred pounds of tobacco is adjudged too fmall a rate to purchase a boat fit for the seruice intended by this act, a greater allowance is therefore thought fitt y^t it may be feruiceable in carrying fix, eight or more horfes ouer at a time.

Whereas by this act it is directed, that fuch and foe many of y^e twenty troopers now in seruice, as fhall be willing to be lifted in thefe new troopes fhall be preferred before any others. it is fit they be foe admitted, prouided y^e Commander has no Juft exception againft them.

Vpon aduice or difcouery of the enemies approach or incurfion, the Cap^t or Liu^t ought forthwith to giue intelligence to the Gou^r and in his abfence to the Command^r in cheife, that his Commands be forthwith fignified, untill w^{ch} time y^e Cap^t is only to act the defenfue part, unles the enemy Committs acts of hoftility *vis^t* either in burning houfes, or killing or maiming any of the inhabitants.

It

It is propofed that there be a Clause in this Act to provide for the safety of y^e South fide of *James River*, in case of any Attacke as there is for *Accomack & Northampton Counties*.

These amendments made this act is assented to.

May 13 1684.

E. Chilton C^l Gen^l Assembly.

In the propofall y^e the word *Compleat*, it is agreed & y^e word *Compleat* is omitted.

To the second concerning the Millitia officers of the Counties power it is Assented to and that the words shall bee.

That then his Exln̄cy the Gow^r and in his absence the Commander in Chiefe for the time being is desired (upon application to him made by the Cap^t or Chiefe Comānder of such troop) to Issue forth his warrant for y^e raising so many men armed and appointed as a foresaid as shall be wanting to Compleat the number of thirty men by this act appointed.

To the third, that y^e word *Corporall* shall be made *Lieutenant* and that his pay shall be five thousand pounds of tobacco ᷑ annuum.

To the fourth agreed the word *Country* shall be vsed in the sted of publiq.

To the fifth the Clause shall be Omitted.

To the sixth a Clause shall be prepared and added to that purpose.

To the seventh Its Conceiued 1200 is Sufficient.

To the eight It shall be inferted (*and against whom there is no Just excep̄con.*)

To the ninth the words, *to some one or more of the Nearest Chiefe officers of the Millitia* are intended only for the more fure and expedetious Intelligence to the Gow^r or Comander in Chief, And as to the Acts of hostility This Houfe desires they may be thus explained, either in burning or forcible entring into our houses or by killing maiming or carrying away of the Inhabitants or killing or Destroying or Carrying away their Stocks or Goods.

To the Laft it is assented to be Generall.

Major *Scarburgh*

Major *Allen*

and

Cap^t *Randolph*

Appointed to Consider of the Return made by his Exln̄cy and the Councell vpon the bill for Repealing the encouragem^{ts} and to Report to the Houfe further Reafons for the reinforcing the houfes Request for the Assent of his Exln̄cy and the Councell to that Bill.

The petition of M^r *Richard Littlepage* Recommended By his Exln̄cy and the Councell Read and Referred to the afternoon.

The Houfe proceeds to y^e Reading the Report of the Com̄ittee of Claimes.

And whereas it appears that in the yeare 1680, M^{rs} *Ann Morris* of *Henrico County* had due to her the some of one thousand pounds of tobacco and Caske from the Country for a horse Bridle and Saddle lost which being then allowed her by y^e Assembly was by mistake in the proportioning the Leuy made payable to *Maurice Boucher* of *Charles Citty County* and there Leuyed, It is therefore Ordered that Maj: *John Stith* then Sherriff of *Charles Citty County* doe pay the said 1000 pounds of tobacco and Caske to the said M^{rs} *Ann Morris* to whom the same doth of Right belong and her Receipt to be his sufficient discharge.

The Houfe Adjournes to y^e afternoon.

May the 14th 1684.

Post Meridiem,

THE Houfe mett and Called

The Gentlemen appointed to Consider of further Reafons for passing the bill for Repealing the Act for encouragements Report.

That they find the encouragements therefore due already satisfied to the Contentment of the Claimers who haue desired their Reprehensatiues in the Repeale thereof to signifie y^e same as a Ground of y^e Repeale, and the ᷑ sons who obtained

Certificates

Certificates Refused to fend them to the entent their Consent might more effectually appear, soe y^e A^ct in Justice & honor being fully Complied with it would be thought Injurious to inforce a Credit^r to accept a debt who doth voluntarily and fully acquitt the same, which is approued by the house.

The House againe Refumes the debate of M^r *Littlepages* petition.

M^r *Littlepage* and his Councell admitted into the House, being heard.

The Bill intituled *an Act Enabling Richard Littlepage sen^r to sell lands for payment of the debts of Samuell Oufin dec'd* Read the second time.

It is put to the Question whether the bill shall be againe Read.

Resolved the Bill be againe Read.

The Bill intituled *an Act for the Lessening of the Leuy by pole and Laying an Imposition on Liquors.* Read the third time.

It is put to the Question whether the imposition shall stand as now it is wth two pence $\frac{7}{8}$ Gallon upon y^e liquors, or whether the imposition shall be aduanced to a Greater some.

Resolved that the imposition be two pence $\frac{7}{8}$ Gallon.

It is put to the Question whether the bill shall pass.

Resolved that the Bill passe and be p^resented to the Gou^r & Councell for their Assent.

A Bill intituled *an Act appointing portes for preuenting frauds and better securing his Ma^{ties} Customs* Read y^e second time & Ordered to be engroft.

The House Goes on in the Report of y^e Committee of Claiimes.

Vpon Reading y^e petition of M^r *W^m Sherwood* for possession of his House, which hath been made use of for a Magazeen at *middle plantation*,

Reported from y^e Com^{tee} of Claiimes it is the opinion of this House that M^r *W^m Sherwood* haue possession of his said house, deliuered him the 24th day of *June* next.

In the *New Kent* Claiimes Coll^o *West* Claiime for 1080 pounds of tobacco by him paid for 6 Barrells of Indian Corne. deliuered the *Chicomania* Indians by order of the late president, who engaged that the said Coll^o *West* should be paid for the same, The House therefore is now Contented that the same shall be allowed Coll^o *West*, but doe *Resolue* that there shall be noe more Claiimes of that nature allowed for the future nor this be brought or alledged for a president,

M^r *W^m Sherwood*

M^r *Hen: Hartwell*

Cap^t *Custis*

M^r *Presly*

Cap^t *Robinson*

M^r *Wilson*

Major *Kearnie*

M^r *Allomby*

are appointed to waite Vpon his Excellency and Councell with the Bills now Ready.

The House Adjournes to y^e 3^d drum to morrow.

Thursday May 15th 1684.

THE House Mett & called ouer,

fforasmuch as a Bill intituled *an Act for Lessening the Leuies by y^e pole and laying an imposition unpon liquors*, past this house yesterday, and forasmuch at it is exprest in that bill y^e y^e said Imposition is for the Raifeing of money for building a Court house and place of Judicature for y^e setting of the Generall Courte and Meeting of the Gen^l Assembly, &c. The House haueing thereupon Refumed the Debate about Rebuilding the Court house at *James Citty* out of that money.

Resolved that the same debate shall be againe Refumed when y^e bill shall bee past or assented to by his Excellency & Councell.

M^r *William Sherwood* and the Rest of the Gentlemen named last night goe out with the 4 bills amended, to present them to his Exln^{cy} viz^t those fower bills by his Exln^{cy} yesterday Remitted to this house and alsoe one other bill which past the House yesterday, intituled *an act for Lessening Leuies by the pole and Laying an Imposition unpon Liquors.*

The

The Report of the Com^{tee} appointed yesterdayer to Consider of further Reafons to be presented to his Exln̄y for passing y^e bill for Repealing y^e Encouragm^{ts} is alsoe sent with this Addition.

The House of Burgeffes approoue of this Report and desire it may be p^resented (with the bills &c) to his Exln̄y & Councell and doe earnestly pray their Assent.

M^r *Sherwood* and the Rest Report that they haue deliuered the feuerall bills to his Exln̄y.

Vpon Debate of Coll *Kendalls* Claime for 30^l *ster* by him paid by Order of S^r *William Berkely* to the fouldiers at *Accomack*.

Resolved that the said Coll *Kendall* shall be paid the said somme of thirty pounds *sterling* out of y^e first money shall be in stock out of the Reuenue of two Shillings $\frac{7}{8}$ hog-head and port duties.

Vpon Report of the Com^{tee} of Claimes, upon the Claime of Cap^t *W^m Soane*. for extraordinary seruice.

Resolved that Cap^t *Soane* hath don no more then his duty and therefore ought to be Contented with his pay by Act of Asssembly allowed him.

Vpon Report of the Committee of Claimes upon the Claime of Cap^t *W^m Armiger* the House doe Confirme the Report.

Vpon the pet̄on of *David Wickliffe* interpreter to the *Nansiticoa* Indians for an Augmentation of his Sallery, The Question is put whether *David Wickliffe* shall haue any Reward for Extraordinary seruice Reported by feuerall of the members of this House or his Ordinary Sallery onely.

Resolved he shall haue as a Reward of his Extraordinary seruice of which the house is informed one thousand pounds of Tobacco.

Vpon debate of M^r *Chiltons* Claime for transcribing into New bookes about 3000 old pattents upon w^{ch} the Com^{tee} haue Reported 20000 pounds of tobacco and Caske as his Reward.

The Question is put whether 5000. pounds of tobacco more shall be added to M^r *Chiltons* Reward or not.

Resolved the Report of the Com^{tee} shall stand at 20000 pounds of tobacco & Caske.

And that M^r *Chilton* doe p^rfect Examine and attest y^e same according to the Report of the Committee.

The House doe approoue of y^e Com^{tees} Report Concerning M^r *Chiltons* Claimes.

The House Adjournes to the afternoon.

Post Meridiem

THE House Mett and Called.

Vpon debate of the Allowance to be made to M^{rs} *Ann Macon* for the Asssembly Room the 2 Chambers ouer head for the Clerkes office and the Com^{tee} Chambers and the Councell Chamber for two Generall Courtes.

It is put to the Question

Whether there shall be allowed for y^e said House & Chambers 12000 pounds of tobacco includeing the 1400. Reported by y^e Com^{tee} or 10000 in all.

Resolved there be Allowed 12000 pounds of tobacco the said 1400 therein included.

The Accompt of *Edward Mallen* for his Charge in *James Citty*, when Employed as Gunner upon his Exln̄ies Reception at *James Citty* and alsoe a Reward for his seruice there being Considered by the House.

They are of opinion he ought to be paid out of the port duties five pounds. *ster*.

The petition of M^r *John Clayton* Clerke for Allowance for his Attendance at *James Citty* this Asssembly by his Excellencies speciall Order.

The House of Burgeffes are of opinion he merritts five pounds *ster*. to be paid out of the Reuenue of two shillings $\frac{7}{8}$ hoghead, according to Act of Asssembly.

Its

Its put to the question whether M^r *Blayton* Clerk of the Com^{tee} of Grievances shall have any Additionall Allowance more then Reported from y^e Com^{tee}

Resolved that M^r *Blayton* shall have a 1000 pounds of tobacco added to his former Allowance for this Assembly.

The House having under their Consideration the Claime of *John Cole* of *Accomack* Reported from the Com^{tee} of Claimes,

Resolve the Report of the Com^{tee} upon y^e Claime of y^e *fd Cole* be approved.

The Bill intituled *an Act appointing portes for preventing fraudes and better securing his Ma^{ties} Customes*, Read the third time.

It is put the Question whether the bill shall pass yea or no.

Resolved in the Affirmative.

It is *Ordered* to be presented to his Exln^{cy} and Councell for their Assent by

Coll *Tho: Ballard*

Col *Jfa Allerton*

Maj: *Cha: Scarburgh*

M^r *W^m Sherwood*

Cap^t *Miles Cary*

Maj: *Hen: Whiteing*

M^r *W^m Wilfon* &

M^r *Hen: Hartwell*

They Return & Report *Th^o Ballard* they have presented y^e bill to his Exln^{cy}

A Bill intituled *an Act enabling Richard Littlepage sen^r to sell lands for payment of y^e debts of Samu^{el} Oustin deceased*, Read the third time.

And it is put to the Question whether this bill shall pass yea or no.

Resolved in the Affirmative

M^r *Chilton* brings into y^e House severall bills from his Exln^{cy} & Councell as followeth *viz^t*

A Bill ascertaining fees for sherriffs and Escheat^{rs} in finding Escheats with this Endorfements *Viz^t*

May 15th 1684.

By his Excellency.

As to this Act in Gen^l I thought I had given you satisfaction when I gave you an Assurance such Measures should be taken in y^e Grant of Escheates, as his Ma^{ties} Royall Charter in its literall partes directs from which duely Considered Resolution I cannot Recede.

An Escheator is his Ma^{ties} officer of Great trust, And one thousand pounds of tobacco and Caske, or five pounds *ster.* is but a Moderate Allowance for such services, and three hundred and fifty pounds of tobacco & Caske to y^e sherriffe for his Care paines and trouble in Impannelling and attending Juries we are willing therefore that an Act be past to that Intent,

The places for finding offices of Escheates ought to be according to direction of his Ma^{ties} writt,

Effingham.

And it is Referred to Coll^o *Ballard* Major *Allen* and M^r *Sherwood* to Consider of Reasons to be sent to his Exln^{cy} and Councell for their passing the said bill, and Report them to the House tomorrow Morning.

An Act for y^e better supply of y^e Country wth Armes & Amunition assented to.

An Act Repealing y^e 42^d & 43^d Acts of the printed Lawes and for building prisons in each county, and for ascertaining Rules for each prison assented.

An Act to Repeale y^e Act giueing encouragement for linnen & woollen manufecture assented.

The Bill intituled *an Act for y^e defence of the Country* with proposition for amendments which is alsoe Comitted to Coll^o *Ballard* Maj *Allen* & M^r *Sherwood*.

Coll^o *Kendall* Cap^t *Washington* and Coll^o *West*, Appointed to waite upon his Exln^{cy} and Councell with y^e Reportes of y^e Com^{tee} of Claimes & Allowances of this house and Report of y^e Com^{tee} of Certificates for Runawaies.

A proposition from his Excellency Concerning by Lawes as followeth

By

By his Excellency

Mr Speaker

finding y^e amongst the bills you haue presented me with you haue not taken any notice of his majesties Instruction directing a new Law to be passed in y^e Gen^l Assembly empowering Counties or Parishes to make by Lawes provided the by Lawes soe to be made be not in force nor take Effect without y^e approbation of the Gou^r and Councill, I haue thought fitt to Remind you of y^e same and do expect you will forthwith apply yo^r selues to y^e frameing of such an one

May 15th 1684.

Effingham.

The Consideration thereof is Comitted to Coll^o Ballard Major Allen, & M^r Sherwood.
The Houfe Adjournes to y^e 3^d drum to Morrow.

Fryday May 16th 1684.

THE Houfe Mett and Called

An Adresse Reported from the Com^{tee} of propositions and Grievances from y^e Houfe of Burgeses to his sacred Ma^{ty} Read (as followeth) and it is approved and Ordered to be faire written

To The Kings Most Excellent Majestie The Humble Address and supplication of yo^r Ma^{ty} humble & Loyall subjects the Burgeses of your Majesties Generall Assembly in your Majesties dominion of Virginia.

Whereas in full Conformity to yo^r Ma^{ties} Commands in that behalfe some of the Inhabitants of this Country haue of Late been bound ouer to Answer the determination of yo^r Ma^{ty} in Councill for Matters of *meum & tuum* arising here, Wee humbly beseech yo^r Sacred Ma^{ty} to take into yo^r Royall Consideracon, How Grievous & Ruinous it will be to yo^r Subjects here, ffor It seems Almost Impossible how fundry matters of fact arising here can there be tried being exceeding difficult for a Case of Intricacy to be soe stated and the proofes soe sufficiently Certified, but that other Matter may necessarily fall within y^e plea and soe other fact arise to be Cleared up for want whereof the Cause is lost the parties delayed and with expences Ruined, And it hath not till now been presidentially since y^e first settling this Colony as wee can find that any such Causes haue been hence remooued. The Courfe through this Long series of time hath been by appeales from County Courts to Generall Courtes and thence (if cause were) to y^e Gen^l Assembly which Consisted (as now it doth) of yo^r Ma^{ties} Gou^r Councill & Burgeses the highest Court in this Colony as hath been obserued by y^e Gou^r & Councill in their Order made in the Cafe of M^{rs} Bland. and where Causes haue been soe heard & Determined there hath been Alwaies obserued a Generall Satisfaction & Acequiescence of all persons how Querilous soeuer in such determinations, Yet if it shall seem Good to yo^r sacred Ma^{ties} Wisdom for Appeales neuertheless to lye open for *England* wee then with the like humillity pray that the same may not be for matters under the Reall Ualue of three hundred pounds *sterling*, And that sufficient sureties be giuen before yo^r Ma^{ties} Gou^r & Councill here to pay all Cofts and damages in Cafe the Judgement be affirmed there, By yo^r Ma^{ty} in Councill.

And that yo^r Ma^{ty} would further be pleased to take into yo^r Royall Consideration, That we yo^r Loyall Subjects, out of whose Labours & Industry in the Manufactory of our staple Commodity tobacco accrues to yo^r Ma^{ties} Reuenue more then twice soe much as we our selues haue for such our Labour, we and whose Ancestors for an honest Liuelihood, the enlargement of yo^r Ma^{ties} Dominions & aduancement of your Reuenue haue left our Natiue Soyle, Aduentured and still doe Aduenture our Liues, fortunes and all that are deare to us, The Inhabiting a Barbarous and Malancholy part of the world, Debared of yo^r Ma^{ties} prefence and most of those other Comforts our Natiue soyle affords, And Continually subject to the Incurfions Inroads, Rapines, Cruell Murthers, and depredations, of a skulking, Cruell, inhumane Barbarous Enemie, all w^{ch} we undergoe, with

Loyall

Loyall and obedient hearts, And that all this Notwithstanding (which we know cannot but affect your Ma^{ties} Royall heart towards us) doe not (as we conceiue) at this day participate foe much of your Royall Grace, and bounty, as your Ma^{tie} is Gratioufly pleafed to extend to moft of the Laffer, and moft inconfiderable Corporations within yo^r Ma^{ties} Kingdom of *England*—for that euen fuch Corporations, by your Ma^{ties} faid Grace & fauour haue power & Authority to make & Enact Lawes, Ordinances & Statutes, for the Welfare, Aduantage and Good Gouvern^t of their Corporation (foe they be not Contrary to the Lawes of *England*) which Lawes and Ordinances yo^r Ma^{tie} hath not been pleafed to take power to yo^r felfe to Recall and make void, And w^{ch} Grace hath by fundry Comiffions, Letters and Inftuctions of yo^r Ma^{tie} and yo^r Royall progenitors been indulged to us till of late fome Acts and Statutes by yo^r Ma^{ties} Gou^r Councell and Burgefles in Gen^l Affemblies made haue been Repealed, and declared voyd by proclamation, yo^r Ma^{ties} faid Gen^l Affembly not Confulted Contrary to the Eighty eight Act of our Lawes printed by Allowance in *England*, in the thirteenth yeare, of yo^r Ma^{ties} Raigne, and Contrary to the Antient vſage in that Behalfe, And that yo^r Moft ſacred Moft ſacred Ma^{tie} for the Comfort of us yo^r Loyall Subjects and our pofterity, And further Affurance of yo^r Grace & fauour towards us will Gratioufly pleaſe to Continue the aforeſaid Antient vſage and to grant that fuch Lawes Statutes, and Ordinances, as by the Authority of yo^r Ma^{ties} Gou^r Councell and Burgefles of yo^r Gen^l Affembly of *Virg^a* ſhall be ordained for the welfare Aduantage, and Good Gouvern^t of this yo^r dominion, as neer as may be agreeable to yo^r Ma^{ties} Lawes of yo^r Realm of *England*, May haue the force of Lawes until they ſhall be declared voyd, and Repealed by the ſame Authority of yo^r Ma^{ties} Said Gen^l Affembly or at leaſt untill yo^r Moft ſacred Ma^{tie} doe receiue the Grounds & Reaſons, for making thoſe Lawes, from yo^r Ma^{ties} Gou^r Councell and Burgefles, of yo^r Gen^l Affembly here.

And further we do humbly preſent to yo^r Ma^{ties} Royall Conſideration, That the Great, if not the only maintainance we haue is by our Comodity Tobacco, the Lownefs of the price whereof as for many years paſt foe ſtill renders vs Generally unable to maintain our ſelues and famillies, but in a mean and indigent Condition and how unable we are to ſupport, and beare the many Great Charges payments and expences that are and will be Neceſſary for defence againſt the Rapines. Roberies, ſpoiles, and affronts dayly Comited, and Giuen by yo^r Ma^{ties} and our Barbarous heathen Enemie, all w^{ch} we are forced diſhonourably to ſuffer, at their hands, to the Reproach of the *Engliſh* name, to their Great Encouragement, to the Ruine of many of vs yo^r Ma^{ties} Subjects in our ſtocks of Cattell, horſes, hoggs, and other Eſtate which frequently they Kill, and deſtroy not only to ſatiſfie hunger, or for their ſuſtenance, but as we haue Juſt Cauſe to belieue out of Contempt diſdaine & of deſigne to prouoke and affront us, and that from the ſame inability, indigency and pouerty of vs yo^r Ma^{ties} poore Subjects, we haue been Conſtrained diſhonourably to ſuffer our Neighbour frindly Tributary Indians, who were Generally ſuppoſed to be our out guards, and ſure Intelligencers of the Approaches of ſorraine Indian Enemies to be Cutt off, we not till of late intermedling though obliged by Articles to protect them from fuch forreiners, The terror whereof hath forced thoſe few remaineing of the neighbour Indians to draw inwards foe that few (if any) of theſe are to be found at the head, or to the weſt of the Great Riuers, on our frontiers to giue us warning of the Approaches aforeſd.

And Although we are well Affured and Muſt beare Teſtimony of the Great Care, and vigilence of our Late Gouvernors, and the Hon^{ble} the Councell, in their proceedings, in a matter of this difficulty as hauing a thorough, and near proſpect into the nature of the Enemy, and our Great incapacity, and unfittneſſe to Carry on ſuch a War, as would be effectual, And haue ſince our preſent Gou^r the Lord *Howards* happy Arriueall, the like Good prooffe, and full Affurance, that his Exln^cy will giue Aduantage to all the poſſible Meanes, he ſhall finde needful to be put in Execution, for the protection defence and ſafeguard of this yo^r Ma^{ties} Country, and of us yo^r Ma^{ties} Subjects therein, yet neuertheleſſe we doe beſeech yo^r Ma^{tie} further to take into yo^r Royall Conſideration,

That

That the present settlement of but thirty horsemen, at the heads of each of the fower Great Riwers which (at Best) can serue for little other then scouts and to Range for discovery of the Enemy, and of no sufficiency to engage any Considerable body of them, should they make warr upon vs. (as it may be suspected) will alone arise to aboute five hundred thousand pounds of Tobacco Annually, which yet is the least of feuerall other necessary disbursements and payments Assessed for Publique Countie and parish Charges, which being all amassed together, It will be altogether Impossible for us to beare the Charge of a Warr, unless yo^r Ma^{tie} out of yo^r abundant Goodnesse would Gratioussly be pleased in some Measure to Contribute to the Charge thereof.

And as we ought not presume to Anticipate yo^r Ma^{ties} Royall Bounty or direct your Measures herein, soe we humbly pray yo^r Ma^{tie} to belieue y^t wth thankfull hearts we acknowledge yo^r Royall fauour to us in Remitting y^e paym^t of the Quitt rents which for feuerall yeares were not taken, and which as we were assured (by those Hon^{ble} Comm^{rs} sent by yo^r Ma^{tie} into this Country *Ano* 1676-7) yo^r Ma^{tie} had Remitted for y^e space of 21 yeares the better to enable us, to Contribute towards y^e defence and other publiq Charges of this yo^r Ma^{ties} Country.

Yet neuertheless for these three yeares now last past the said Quitt rents without any apparent Authority from yo^r Ma^{tie} haue been taken & Conuerted to other vses.

And we doe humbly supplicate yo^r Ma^{tie} y^t you will be pleased to signifie yo^r Royall Pleasure that y^e said Branch of yo^r Reuenue arising from y^e Quitt rents may not be so diuerted in time to come, but solely appropriated & applied to y^e defence and other publiq uses of this yo^r Ma^{ties} Dominion.

And we Yeild to yo^r most sacred Ma^{tie} our most humble thanks in behalfe of our selues and the whole Country, as for all other yo^r Royall Bounties & fauo^{rs} soe more especially for those Church Bibles and other Bookes lately brought in by his Exln^{cy} the Lord *Howard*, for y^e vse of y^e feueral ¶ishes, w^{ch} not fully answering yo^r Ma^{ties} Royall designment (the parrishes here being Numerous) we further humbly supplicate yo^r Ma^{tie} will Gratioussly be pleased to enlarge yo^r Royall Bounty for supply of the wanting ¶ishes.

These our most humble petitions and supplications encouraged by y^e experience we haue of yo^r Ma^{ties} most princely Royall and Gracious Inclination to fauour your poor & Loyall subjects, (prostrate at yo^r Ma^{ties} Royall feet) wee Humbly p^rsent. Beseeching Almighty God of his Infinite Goodnesse, to Vouchsafe yo^r Ma^{tie} along happy and Glorious Raigne ouer Vs.

M^r *Speaker* Acquaints the Houfe with a Message he hath Reçed from his Exln^{cy} which is Read as followeth

By his Exln^{cy}.

M^r *Speaker*

The last night I Reçed a Resolue of yo^r house. upon a Report of y^e Com^{tee} of propositions grounded upon a Report of a Refference of the Com^{tee} of Claimes, in a Claime made by M^r Secretary *Spencer*, as Attorney of y^e R^t Hon^{ble} *Thomas* Lord *Culpeper*, for ninety eight thousand pounds of tobacco with Caske, paid by y^e Directions of the R^t Hon^{ble} the Lord *Culpeper* to y^e soldiers, y^e standing Guards at y^e heads of y^e Riwers, w^{ch} tobacco, as y^e Lord *Culpeper* Aduanced it, out of tobacco properly his own Right: and that for present six months pay to y^e soldiers, then in y^e Countries seruice, who had declin^d their seruice and left y^e Country unguarded, (noe fund being prouided for them) if he out of his Great Care for y^e safety of y^e Country, had not made that disbursement, soe I must tell you, I cannot but be Concerned, to find you make an hesitation, in Reimbursing that tobacco, which was aduanced for yo^r preferuation & seruice, and that out of the undoubted right of y^e Lord *Culpeper*, By the Grace and fauour of his Ma^{tie} to him w^{ch} as I ought not, soe shall not presume, to belieue otherwise, then my Lord *Culpepers* right, haueing his Ma^{ties} Grant for it, untill his Ma^{tie} shall other wise signifie his pleasure to me therein, I doe therefore expect, you doe y^e Lord *Culpeper* the like Right and Justice, in appointing y^e paym^t of his Claime, as to others Concerned

in

in Claimes, by yo^r houle allowed, and that he Receives his Juft proportion in each County, where it was difburfed as by Receipts may be made Appear.

May 15^e 1684.

Effingham.

Vpon the Reading of y^e Laft Meffage from his Exln^cy It is Referred to

Major *Allen*

M^r *Minge*

Maj: *Scarburgh*

Maj: *Swan*

and M^r *Sherwood*

to draw up an Anfwer to the Meffage and forthwith Report y^e fame.

The bill for Afcertaining the fees of Efcheat^{rs} and Sherriffs in finding efcheats Returned from y^e Com^{tee} together with Reafons for y^e paffing of y^e bill by his Exln^cys Their Hon^{rs} Read & ordered to be againe fent to his Excellency with y^e faid Bill.

May y^e 16. 1684.

May itt please yo^r Exln^cy,

In anfwer to yo^r Exln^cys and the Councells propofition of the 13th infant for omitting y^e laft fentence in y^e bill for the better defence of the Country *Viz* killing or deftroying or carrying away our ftocks and Goods, the Burgeffes doe humbly Conceiue, that as the violent and forceable entring on or into our houfes, killing or deftroying of our Cattell, horfes, hoggs or other part of our ftocks, Captiuating or Carrying away our ¶fons, or any of our feru^{ts} or famillies, Robbing or fpoyling us of our goods, by force, are all, or any of them acts of felony in a Subject and by our Law may be refifted to y^e death, of a fubject going about or attempting fuch Act, foe are they acts of hoftility in an enemy and ought in an hoftil manner to be Refifted euen to the killing or deftroying of fuch enemy, or other fforraign power, for naturally euery one may vindicate his own Right, And this is the Law of Nations, & frequent pra^{ct}ice, for if a fhip of warr or any other fhip belonging to y^e fubjects of an other prince or ftate, (though in league or amity with his Ma^{ties}) fhall Affault any fhip or vefsell, belonging to his Ma^{ties} Subjects, with intent only to robb them. (but more efpecially if they doe rob or forcably enter into them) it is Lawfull for his Ma^{ties} Subjects to defend themfelues euen by killing or deftroying fuch as fhall Goe about to rob them, and foe in y^e Cafe of any other theeues or robbers, that fhall attempt to breake into our houfes, it is lawfull to refift them and kill them in defence of our perfons houfes & Goods befides, this was y^e frequent and antient pra^{ct}ice in our natie Country ag^t pirates *Scots* & northern borderers, to this may be added y^e tame and patient fuffering, the many Robberies murthers, and fpoyles. Comitted by y^e Indians on our fellow fubjects, Kinmen and neighbours (in w^{ch} euery indiuiduall ¶fon is wronged and all lye under y^e indignities and publique damage of this Country) and we may fay if itt were but only y^e affronts put on vs to victuall and waite on them, in a feruile manner euen with hats of doth uery much debate the honour, and Reputation of our *english* nation and incourage y^e Indians in their infolencies for w^{ch} reafons (with many more too long to trouble yo^r Exln^cy with) we conceiue it abfolutely Neceffary and doe pray y^e Laft Clause of our humble Adrefs to yo^r Exln^cy yefterday Contained in thefe words (*either in burning or forcibling entring into our houfes, or by killing, maiming, or Carrying away any of the Inhabitants, (or killing or deftroying our ftocks, or Goods)*) may Continue & be added to y^e faid bill for defence of y^e Country, only with this Addition *if they be taken in y^e fact*. And to the end our neighbouring & frindly indians may be the better known, we humbly pray yo^r Exln^cy to Command, that Notice be giuen to all & euery our neighbouring Indian nations, & tributaries, that they. doe not for the future paint or difguife themfelues, & that if they Come into or about our Plantations painted and difguifed, they will be accounted enemies & this is agreeable to the Lawes of *England* about *Aegyptians* difguifeing themfelues w^{ch} is felony by the Statute 1. & 2. *phillip* & *Mary*. Cap: 4. & the 5 *Eliz*: Ca 20th; And in humble reply to yo^r Exln^cyes & Councells anfwer to the bill Entituled *an Act afcertaining the fees of Efcheat^{rs} and Sherrifs finding Efcheates*. That we reft fatisfied with his Ma^{ties} Grace and Bounty in his Charter in y^e faid Bill men^coned but haucing found that Contrary to the intent of his Ma^{ties} faid Grant diuers

diuers perfons by indirec^t furrupitious meanes Already haue and here after may obtaine pattents & Grants of lands Efcheatable, who were not in poffeffion nor Could p^rtend to any fauour or Grace by y^e faid Charter, and thereby debarred fuch p^rfons to whom by his Ma^{ties} faid Charter y^e fame ought to haue been Granted, The intent and meaning of the faid Bill is only to deter other p^rfons who are not in poffeffion, or within the extent of his Ma^{ties} Grace in y^e faid Charter held forth from anticipating or preuenting thofe other for whom y^e faid Grace is Really intended.

And as to efcheat^{rs} and Sherriffs fees we humbly offer that by y^e ftatute of the 23^d of *Hen: 6* Cap: 17. noe Efcheator fhall take aboue forty fhillings for the execution of one writt in one County and that only when his labour, and Coft require it, otherwife he ought to take leffe on paym^t of forty pounds and by the Statute of y^e 33 of *Hen: 8*: Cap: 22. the Efcheat^r fhall forfeite fiue pounds if he take for y^e finding an office of land, not exceeding fiue pounds p^r annum. aboue 15 fhi^{ll} *Viz'* for his own fee 6^s 8^d for writeing y^e office 3^s: 4^d for the Juries Charges 3^s and for y^e officers aboue, that are to receiue y^e Office 2 fhillings, foe y^t we Conceiue we haue in the Bill much exceeded y^e Allowances giuen by thofe ftatutes, and as to y^e place for finding offices we Concieve it ought to be at y^e Court houle, in Court time, for by diuers Statutes it is expreffly required to be publique, In fome Good town, the Sherriffs will be Eafed in fummoning Jurors, and there will Alfoe be the Tales in Cafes of Challenge, Wherefore be [we] befeech yo^r Exln^cy that the bill as it is may paffe.

The Houfe Adjourned to y^e Afternoone

Post Meridiem

THE Houfe met & Called.

The Propofall rec^d from his Exc^{ll^y} laft night Concern By Lawes being then Referred to Coll *Ballard*, Maj^r *Allen* & M^r *Sherrard*

They now giue in their Report (*Viz'*)

His Exln^cys other Meffage of y^e 15th Instant Concerning the Repealing or Altering of y^e Lawes. Inabling Counties and p^rifhes to make By Lawes being Confidered of It is y^e Opinion of this Com^{tee} y^t it is too late at this time to enter upon y^e debate thereof, and y^t it be Referred to y^e Confideration of the next Affembly. This Report is approued by y^e houfe

Refolued y^t it be fignified to his Exln^cy.

May y^e 16^e 1684.

May it please yo^r Exln^cy

The Houfe of Burgeffes haueing duely Confidered of yo^r Exln^cys Meffage laft night Reçed Concerning the By Lawes doe pray yo^r Exln^cy y^t it may be Referred to y^e next Affembly, forasmuch as its Conceiued by this houfe, y^t it may be now too late to enter upon y^e debate thereof.

Which is fent to his Exln^cy by Major *Whiteing*, Cap^t *Washington* and M^r *prefly*.

Together with y^e bill Concerning the Efcheat.

The Bill for Defence of the Country

The Adreffè about y^e fame.

And the Bill enabling M^r *Littlepage* to fell lands to pay M^r *Ouftins* Debt.

M^r *Speaker* Acquaintes y^e houfe he hath Reced from his Exln^cy y^t Bill for y^e impofition upon Liquor fent from this houfe, with fome notes thereupon which are Read as followeth.

By his Exln^cy & Councill

M^r *Speaker*

Yo^r well defigned bill for eafeing the taxes and leuies p^r poll by laying a duety upon thofe Liquors in this bill expreffed has been Confidered, and, as it is Intended, for the Good ufes and benefitt of the Gouernment, and laid upon a Commodity not abfolutely neceffary for y^e well being and fupport of the Inhabitants, It is therefore propofed, that

three

three pence ʒ Gallon be raised vpon all liquors, as by this bill expreffed, w^{ch} sume may aduance a proportionable fund, for y^e Good vses it is Intended for, as y^e ʒ^d sent building the state house pursuant to his Ma^{ties} Instruction, and this is offered unto you that we may be y^e better enabled to Carry on those Good and necessary workes intended for y^e use & honor of y^e Governm^t & the ease of the Inhabitants and doe Conceiue this imposition cannot Answer the ends intended, unless aduanced to three pence ʒ Gallon, because y^e prouision made for encouragem^t of *Virginia* Owners, w^{ch} if passed, as in the bill expreffed, exempted all liquors imported in such Vessels to be free of the duty imposed by this bill, w^{ch} will not neer answer y^e ends you did intend it for, for it will be a meanes for all traders into this Colony to Croud all liquors here imported into those vessells, and may open a way for Great & unauoidable frauds, it is therefore proposed, y^t y^e exemption of the duty by this bill Imposed be only to y^e liquors of the Inhabitants, who import their own liquors in their own ships, being *Virginia* built.

The last prouiso in this Act directing y^t all monies arising from this Act shall be accounted for to y^e Gou^r Councill & Burgeses of the Gen^l Assembly and bee Conuerted to y^e vses by them directed, seemes to imply y^t those money's cannot be employed, but at y^e time of y^e Assembly, w^{ch} may much take of from y^e present necessary vses y^e monies thereby Raised may be employed for, It is therefore proposed, y^t during y^e Interualls of the Sessions of Assemblies, y^e Gou^r & Councill by the act may be impowered to employ y^e moneys, y^t shall be raised by this Act. to y^e Vses, as by y^e act expreffed, & to noe other vses whatsoever, & to be paid by the feuerall Collectors to y^e Auditor, & by him to be accounted for from time to time to y^e succeeding Assembly.

It is proposed, y^t y^e forfeitures mentioned in this Act be as in forfeitures of y^e like nature, one third to y^e King, one third to the Gou^r & one third to y^e informer or feizer.

May 15. 1684.

E. Chilton C^l. Gen^l Aff^{ly}

May it please yo^r Exlny & Hon^{rs}

To the first of y^e proposition for Raifeing y^e imposition to 3^d ʒ Gallon

Resolved y^t it be Raised according to his Exlny's proposition.

To the second Concerning y^e priuiledge of the Inhabitants of *Virg^a* a Clause shall be Added in these words

And for y^e preuention of ffrauds y^t may be Vfed in Colouring & Concealing of Rum Brandy Wine and other liquors in this Act menconed Imported in Vessells belonging to Virginia upon pretence y^t y^e same doth belong to the Inhabitants of this Country, Be it enacted by y^e Authority aforesd. That all Masters. of shippes or vessells belonging to Virginia shall upon entry of their Shipp or Vessells with y^e Collector make true entry of vpon Oth not only of y^e quantity of Rum Brandy Wine, and other Liquors herein before mentioned Imported in their Shippes or Vessells but alsoe by whom the same were loaden to whom Consigned and to whom to y^e best of their Knowledge, y^e same doe belong or appertaine.

To the 3^d it shall be y^t y^e Money Raised or to be Raised by Virtue of y^e Imposition aforesaid shall be Constantly paid and accounted for by y^e Collectors thereof to y^e Auditor for the time being and by him to the Gou^r Councill and Burgeses of the Gen^l Assembly. And Conuerted by them to the Vses directed accordingly to the true Intent and Meaning of this Act and to and for noe other use intent or purpose Whatsoever.

To the Last It shall be accordingly don.

A Message from his Exlny for a Conferance about the Indian Affaire *viz*

By his Exlny

M^r Speaker

The debate of the Indian Affaire being of the Greatest moment to the security of the Country seeing you Rest not well satisfied with my last well grounded Resolution, I desire a Conference may be forthwith held about y^e same with such of the Councill as I shall appoint and that you'l speedily nominate some members of yo^r house to manage y^e Conferance that there be no further delay and y^t you Returne me their names.

May 16 1684.

Effingham

In

In Compliance to yo^r Exlnēys desire

Coll *Isaac Allerton*

Maj: *Cha: Scarburgh*

Cap^t *W^m Randolph*

Coll *Will: Kendall*

M^r *James Minge*

Coll *Geo: Mafon*

and *Major Swan*

Are appointed for the Conference with fuch of the Hon^{ble} Councill as yo^r Exlnēy fhall appoint in the Indian Affaire.

This is fent by Major *Whiteing* and Coll *Jenifer*.

And the Bill for y^e Imposition upon Liquor with y^e Anfwer to his Exlnēys propofitions thereupon is Carryed back by Cap^t *Page* & M^r *Wilfon*.

By his Exlnēy.

I doe hereby apoint M^r Secretary *Spencer*, Coll. *Joseph Bridger*, Coll^o *W^m Cole* and Coll^o *Jn^o Page*, fower of his Ma^{ties} Councill of State to Manage y^e Conferrance with fuch members as are appointed by the Houfe of Burgefles, in y^e p^refent debate of y^e Indian Affaires and that this Conferrance be held in the old Councill Chamber and when y^e Councill are Ready I will fignifie the fame to you:

May 16 1684.

Effingham

The Report of the Com^{tee} of propofitions & Grievances Read.

Vpon Reading a Report of the Com^{tee} of propofitions & Grievances vpon a Queftion upon P^ropofition Concerning Voters att y^e Ellecōn of Burgefles

Refolued That it is the undoubted Right of euery P^rifon who holds Lands tenements or hereditaments for his own life, for y^e life of his wife, or for y^e life of any other P^rifon or P^rifons to vote in Elecōn of Burgefles for y^t County where fuch Lands or tenements doe lye.

The Houfe Adjournes to y^e 3^d drum to Morrow

Saturday May 17^e 1684.

THE Houfe Met & Called.

The Petition of Cap^t *John Cufstis* a Burgefle for *Northampton* County for Remiffion of a fine of two thoufand pounds of tobacco for an undue Return of a writt being Read.

And the Houfe haueing well weighed his Reafons and Allegations, and finding that the fame was Rather an error of Judgement then of will, and the faid Cap^t *John Cufstis* being after vnanimoufly Elected and Duely Returned a Burgefle for y^e faid County, the Houfe doe therefore Remitt the faid fine of 2000 pounds of tobacco.

The Gentlemen Appointed for the Conferrance are Desired to Acquaint the Hon^{ble} Gentlemen of y^e Councill, Appointed by his Exlnēy that they are Ready to waite upon them in Order to the Conferrance.

The Houfe Adjournes to ten a Clock a *Munday* Morning y^e 3^d beat of drum.

Munday May 19th 1684

THE Houfe Mett and Called.

The Gentlemen Appointed for y^e Conference, Giue in their Report by Coll^o *Allerton*.

And thereupon thefe words *viz^t either in burning or forcible entring into our houfes or by killing maiming or Carrying away any of y^e Inhabitants* are inferted between y^e 14th and 15th lines of y^e bill for y^e defence of the Country, w^{ch} being 3 times Read are Affented, and the bill is fent up to his Exlnēy and Councill by Coll^o *Codd* and Cap^t *Randolph*.

Vpon

Vpon a Report of y^e Com^{tee} of Grievances, upon a Grievance from *Lyn hauen* in y^e County of *Lower Norfolke*, Coll *Lemth Mafon* and Cap^t *W^m Robinfon* doe waite upon his Exlncy with y^e following Adrefse—

To his Excellency.

May it please yo^r Exln̄y,

It hath bin Represented as a Grievance from y^e Inhabitants of *Lower Norfolke* in y^e yeare 1680 y^t they were disturbed in the peaceable poffeffion of their Lands w^{ch} they held under that Gouverm^t by y^e Gouvernement of *Carolina* vpon which it pleased y^e Right Hon^{ble} the Lord *Culpeper* then Gou^r at y^e Instance of y^t Affembly to make an order & impower the Sherriffe of *Lower Norfolke*, to demand and Receiue of all y^e Inhabitants of *black water* and *Corotuck*, y^t held Lands by pattent from this Colony, Quitt Rents and Leuies and if y^e Gou^r of *Carolina* fhould disturb them for payment of fuch dues then y^e Sherriff was impowered to defend [defend] them in y^e paym^t thereof

Notwithftanding w^{ch} y^e bounds between y^e faid Gouverm^t and this is not yet eftablifhed and afcertained whereby many inconueniencies doe daily happen to fuch of y^e Inhabitants as doe Confine thereon.

for Remedy whereof the Burgefles of this Affembly doe humbly pray yo^r Exln̄y that you will be pleased y^t y^e faid Bounds may be Afcertained, or that you will please y^e fume [fame] may be Represented to his Moft Sacred Ma^{tie} to the end y^t y^e Inhabitants there y^t doe belong to this Gouverm^t may accordingly yeild their obedience there unto.

A Report of an Adrefse to his Exln̄y in Anfwer to a Meflage from him Concerning y^e foīne of 98000 pounds of tobacco, Claimed by M^r Secretary *Spencer* as Attorney of y^e R^t Hon^{ble} the Lord *Culpeper*, Read.

and upon Debate thereof.

It is put to y^e Queftion whether y^e faid Adrefse fhall be prefented to his Exln̄y or not.

Refolued That it be p^refented to his Exln̄y.

M^r *Chilton* brings from his Exln̄y and Councell

The *A^d* for y^e better defence of y^e Country, affented to.

The Bill enabling *Richard Littlepage* fenior to fell lands for y^e paym^t of y^e debts of *Samuell Oufin* decēd affented to.

M^r *Chilton* likewife informes M^r *Speaker* y^t his Exlncy Requires y^e fight of y^e Claimes of y^e feuerall Counties.

In Anfwer to w^{ch} Meflage

Coll^o *Kendall*

Cap^t *Randolph*

Major *Swan*

M^r *Hartwell*

Cap^t *Applewaite*

Are appointed to waite upon his Exln̄y and Councell with y^e Claimes and the Clerke of y^e Com^{tee} of Claimes is to attend upon them.

A Bill Intituled *an A^d for Lessening y^e Lieues by y^e poll and laying an imposition on Liquors*. Returned from his Exln̄y & Councill with the Indorfement thereon which is Read as followeth

May the 19th 1684.

By his Exlncy & Councell

It is propofed y^t in this bill the Exemption of y^e duty by this bill impofed be only to y^e Liquors of y^e Inhabitants who import their own Liquors in their own fhips being *Virginia* Built, for if it fhould be otherwife granted the fame would not be worthy of y^e name of an Imposition of a duty Raifed for his Ma^{ties} and Countries feruice,— And for preuention of fraud its likewife propofed y^t euery p^rfon to whom any of y^e aforefaid liquors fhall be Configned fhall upon their Oths declare y^e quantity foe imported that *Bona fida* properly & foly belong to them.

And to y^e Intent y^t his Ma^{ties} Inftuctions be effectually put in execution in building y^e principle Seat of Judicature at *James Citty* it is propofed That you forthwith agree,
with

with such *Persons* or *Persons* as will undertake y^e same, for payment thereof to be made out of such monies as shall be Raifed by this Bill and y^e y^e same be agreed for this p^rsent Gen^l Affembly.

E. Chilton C^t Gen^l Affembly.

Coll^o *Ballard*

Coll *Kendall*

and Major *Kearne*

Are desired to waite upon his Exlnēy with the Reafons y^t were sent y^e 16^e Instant from this houle for passing y^e bill Concerning *Escheat^s* and Sherriffs fees, in finding *Escheates* now found on y^e table supposed left by M^r *Chilton* amongst other papers, deliuered to M^r *Speaker*, but the Bill not Returned.

They are in y^e name of y^e House of Burgefes to pray his Exlnēy y^t the bill may be Returned, and to Acquaint him that then this Houfe will proceed upon the bill for y^e imposition Reced now from their Honnou^s with their Indorsement.

Coll *Ballard* Reports they haue waited upon his Exlnēy and that he was pleased to say y^e said paper came in by Miftake and y^t y^e bill shall be forthwith amended and sent to this Houfe.

Vpon the propositions from his Exlnēy and Councell upon the bill for the imposition upon Liquors.

To that, That the exemption of y^t duty be only to y^e Inhabitants who import their own liquors in this[their] ownships being *Virginia* built,—We pray it may be extended to such who import their own liquors in their own Veffels, Really & *bona fida* belonging to *Virginia* because The time of y^e Continuance of this Law will not permitt y^e Inhabitants to build any Veffels whereby to Reap any benefitt, by this exemption to encourage them to build

To that for y^e preuention of fraud, the Burgefes doe Assent y^t it shall be enacted y^t euery perfon to whom any of y^e Liquors in y^e bill mençoned shall be Configned, shall upon his Oth declare, if Required y^e Quantity imported that doth *bona fida* properly and solely belong to him.

To the proposition Concerning Re Building y^e ftate houfe at *James Citty*.

Resolved that upon y^e passing of y^e said Bill for y^e imposition upon Liquors this houfe will proceed accordingly to agree with such *Person* of *Persons* as shall be willing to undertake y^e Building, to be paid out of the said imposition, who shall be Agreed with, if possible before the Rifeing of this Affembly.

M^r *Chilton* brings in y^e bill Concerning the *Escheates* together with a Message as followeth,

By His Excellency.

M^r *Speaker*

To you^r Bill prepared for *Escheates* my selfe & the Councell by a former Answer Returned you Assured you all partes thereof were duely Considered, and as to what you there insift as to Compositions It was possitiuely Affirmed unto you, y^e fauour of his Mat^{ies} Grant of two pounds of tobacco *per* Acre shall be strictly obserued by all Concerned therein, and as to y^e *Escheat^s*, and Sherriffs fees. they are Set at as moderate Rates as *Persons* serueing in those ftations would possibly be thought to be Rewarded with, therefore I expect you will not further insift on this.

Effingham

May 19th 1684.

The Houfe Adjournes to y^e 3^d drum to Morrow.

Tuesday May 20^e 1684.

THE Houfe mett & Called.

Coll^o *Lem^l Mason* and M^r *Weekes* Are Added to those members who are to attend upon his excellency.

And they Carry up the Claimes & alfoe y^e Answer of y^e houfe, to the last Message, from his Excellency concerning the 98000 pounds of tobacco, Claimed by M^r *Secretary*.

They

They Also Carry up y^e Humble Adrefs Reported y^e 16^e Infant to his Ma^{tie} and Also a fhort Adresse to his Exlnēy praying him to ꝑfer the fame to his Majestie.

Coll^o *Kendall* and thofe Gen^t Return and Report they haue deliuered to his Exlnēy the Adresse, to himfelfe that to his Ma^{tie} the Anfwer to his Exlnēys Meffage and the Claimes.

To His Exlnēy Francis Lord Howard Baron of Effingham his Ma^{ties} Li^t and Gou^r Gen^l of Virginia.

Wee his Ma^{ties} Humble and Loyall Subjects, the Burgeffes of y^e Gen^l Affembly humbly pray yo^r Exlnēy to prefer to his Moft facred Ma^{tie} this our humble fupplication hereunto annexed,

To his Excellency

The Humble Reply of the Houfe of Burgeffes of y^e Gen^l Affembly to his Exlnēys meffage of y^e 15^e Instant to this Houfe.

That had not this Houfe had many Reafons to doubt of y^e Rt Hon^{ble} y^e Lord *Culpeper* title to y^e quitt rents but alsoe diuers affurances y^t y^e faid Lord, had no Right or title thereunto they had not at firft made y^e demur to the Allowance of the 98000 pounds of tobacco & Caske Claimed by M^r Secretary *Spencer* for his Lordfhips ufe as they did, but when we had Considered of that Claime & upon our beft inquiries finding no prooffe y^t his Lordfhip y^e Lord *Culpeper* had any Title to y^e Quitt Rents out of w^{ch} y^e Said 98000 pounds of tobacco & Caske was paid, we did Conceiue and ftill doe y^t we Could not Anfwer it to y^e Country by whom we are intrufted to raife fuch a fume on them for y^e paym^t of y^t fupposed debt, and yet leaue y^e Country undifcharged of y^e firft payment thereof, for if the Quitt rents be not due to y^e Lord *Culpeper* (as we haue Great Caufe to belieue) then is y^e payment thereof by us to his Lordfhip made in our own wrong, and foe are we ftill Liabile to y^e payment thereof when his Ma^{ties} or yo^r Exlnēy fhall be pleafe to Require it, Now it may pleafe yo^r Exlnēy to be informed True it is y^t in the yeare 1673, there was endeau^rs fett on foot by y^e R^t Hon^{ble} *Henry* Earle of *Arlington*, and y^e fd *Thomas* Lord *Culpeper* for obtaining a Leafe or demife from his Ma^{tie} of y^e whole Colony of *Virginia* (excepting the *Northern Neck*) and that their Lordfhips had proceeded foe far therein y^t fuch a leafe or demife came from his Ma^{tie} to y^e fignet office, where it being taken notice of by y^e Hon^{ble} Major Gen^l *Smith* our then Agent in *England* aduertifement & a Cobby thereof was by him fent to our then Gou^r S^r *W^m Berkeley* who imediatly Called an Affembly to whom he was pleased to Communicate y^e aduife his honour had, and alsoe to fauour them wth a ꝑufall of the faid Cobby, w^{ch} being debated in y^t Affembly, and found y^t y^e fame was derogatory and in prejudice of many Royall Conceffions and Grants from time to time made by his Ma^{tie} and his Royall Progenitors in fauour to his Colony, by impofeing new Rents and feruices, Altering y^e forme of other tenures, Compelling us to Re-furueys and new pattents impofeing fines and Compositions on Surplufage lands at their will and pleafure by nominateing of Sherriffs Efcheators, Suruey^rs and other officers and in effect diuefting y^e Gouvern^t of thofe Juft powers, and Authorities by w^{ch} this Colony had hitherto been kept in peace & tranquility and all mens Rights and properties duely Adminiftred and preferued unto them & other y^e euill Confequences thereof to this Country, well weighed produced y^e Aët of Gen^l Affembly made by Prorogation y^e 21^e day of *September* 1674. Intituled *An Ad for an Adresse and fupplication to be made to y^e Kings moft excellent Ma^{ties} for y^e staying or Countermanding of the faid leafe or demife*, And for y^e better enabling y^e Agents for this Country to profecute fuch our fupplication a uery heauy tax, of 120 pounds of tobacco ꝑ poll was by that Aët impofed and Leuyed on y^e Country (as by y^e faid Aët to w^{ch} we humbly Refer yo^r Exlnēy doth & may appear) w^{ch} Great & burthenous Leuie, was one, if not y^e main Caufe of thofe populer heats y^t gaue fomentation to y^t Horrid Rebellion w^{ch} afterwards enfued, but before his Ma^{ties} pleafure could be known here, y^t Horrid Rebellion (w^{ch} with fhame we defire may not be remembered) burft forth, but howeuer his Ma^{tie} out of y^e Abundance of his Royall mercy and bounty was moft Gratioufly pleased (w^{ch} we Remember with Admiraçon and all humble and hearty Gratitude) in y^e hight of our Malignancy not
only

only to fend vs his Royall Gen^l pardon, But alsoe his Royall Charter, dated at *Westminster* y^e tenth day of *October* 1676 wherin he was Gratiouſly pleaſed to declare and Grant That his Ma^{tieſ} ſubjects from time to time inhabiting *Virginia*, ſhall haue their Imediate dependance upon y^e Crown of *England* under y^e Rule and Gouvern^t of ſuch Gou^r and Gou^{rs} as his Ma^{tie} his heirs and ſuceſſ^{rs} ſhould appoint, and of, & upon noe other P^{er}ſon or P^{er}ſons whatſoeuer, w^{ch} other Gratiouſ Grants and Conceſſions, as by y^e ſaid Charter under his Ma^{tieſ} Great ſeale of *England* (Remaining of Record amongſt y^e Records. of y^e ſecretaries office. Reference being thereunto had) doth & may at large Appeare and to this we may add, That y^e Hon^{ble} *Herbert Jeffries* Elq^r S^r *John Berry* and *Francis Morifon* Elq^r his Ma^{tieſ} Com^{rs} did Affure in his Ma^{tieſ} name, y^t [his] Ma^{tie} had Granted the Quitt rents for one and twenty yeares, to and for the vſe of this his Ma^{tieſ} Country, and y^t y^e R^t Hon^{ble} *Henry Earle* of *Arlington* did moſt Nobly (in Councell his Ma^{tie} being preſent) ſurrender and acquitt his pretentions to y^e ſaid demife, & did at y^e ſame time declare, That he did make y^t ſurrender more freely and willingly then euer he Reçed it, for w^{ch} y^e Affembly ſent their Letter of thanks to y^e ſaid Earle. (as by y^e Journall of y^e Affembly held at *Green ſpring Año* 1676, doth and may Appear) Now, may it pleaſe yo^r Exlnçy theſe things being premiſed, Pardon vs we humbly beſeech yo^r Exlnçy, if we ſtill belieue that his Lordſhip y^e R^t Hon^{ble} the Lord *Culpeper*, hath not any Right or title to y^e Quitt rents by him Claimed and w^{ch} yo^r Exlnçy, ſeemes to belieue to be his Due, for,

1^{ſt} *fiſt* if he had had any ſuch Leaſe or demife Legally Granted, how came it to paſſe that he neuer produced ſuch Grant all this while to be made publiq, and timely Recorded amongſt our Records as it ought to haue been) being about eleuen yeares ſince, for we know his Lordſhip is too frugall a huſband to forego ſuch a Reuenue had it been his undoubted Right, as is Alledged,

2^{ly} If his Ma^{tie} had y^e 25. yeare of his Raigne granted y^e Quittrents Eſcheates, Sherriffs, office Refurueys and upon ſurplus lands Compoſitions at pleaſure &c. to his Lordſhip As is pretended his Ma^{tie} three years after would neuer haue Granted y^e ſame things to us, his Ma^{tieſ} Subjects here, as by y^e ſaid Recited Charter doth and may appeare he hath done.

3^{ly} If his Ma^{tie} had Granted to y^e ſaid *Thomas* Lord *Culpeper* all y^e Lands in *Virg^a* w^{ch} in [wthin] the boundſ of y^e ſaid demife or Leaſe, and all ſuch lands as ſhall Eſcheat, together with y^e feuerall offices of Eſcheat^{rs} ſherriffs, ſurvey^{rs} &c, as is pretended. how came it to paſſe his Lordſhip waued his own title and pretentions thereunto, and ſoe farr owned his Ma^{tieſ} Right as Contrary to y^e ſaid demife to Grant all y^e ſaid Lands and offices as his Ma^{tieſ} Gou^r And for his Ma^{tieſ} vſe referuig y^e Rent to his Ma^{tie} as hath euer heretofore been Accuſtomed, and as if no ſuch leafe or demife were made, or as if he y^e ſd Lord *Culpeper* had no title thereunto.

4^{ly} Wee are Credibly informed That y^e ſaid Leaſe or demife neuer paſt under y^e Great ſeale as by Law it ought nor any further then y^e ſignett office. (if it did paſs there, of w^{ch} there is yet noe prooffe) but was there on our humble ſupplication ſtopt, and noe further proceedings made thereon.

5^{ly} As it is a uery ſtrong preſumption y^t noe ſuch leafe or demife was euer legally paſt, ſince it could neuer be may [made?] appear, ſoe can't we but be ſtrangely ſurprized when of late, and ten years after its date we finde an eſerole or written paper (pretended to be a Coppy of y^e ſaid demife without any warrant or Authority, or any manner of prooffe either by producing y^e ſaid leafe or demife under any of his Ma^{tieſ} ſeales (as indeed it ought to be) or ſoe much as any manner of prooffe of its being a true Coppy thereof, or of y^e Inrollm^t thereof, vnduely entred amongſt y^e Records of y^e ſecretaries office, w^{ch} ſtrange and unpreſidentiaall Act alone (had we no other reaſon) would be ſufficient to excuſe vs from Conceding to y^e Lord *Culpeper* title to the Quittrents.

6^{ly} If y^e ſaid leafe or demife had paſt y^e Signett or priuy ſeale, nay if it had paſt y^e Great ſeale, (which we haue Good Cauſe to belieue it did not) Yet forasmuch as ſuch matter neuer appeared nor being publiſhed or made known to vs, nor at any time Legally entred

entred upon or Amongst any of our Records as all such matters haue been accustomed (and as we Conceiue ought to be) nor there Yet being any manner of prooffe y^t such lease or demise was euer Granted, We most humbly beseech yo^r Exln^cy, to be informed That we cannot answer it to our Counties for whom we serue, willingly to pay ou^r Rent (due to his Ma^{tie}) or Attorn tennants for our Lands to any other P^{er}son whatsoever saue to his Ma^{tie}, Especially since his Ma^{tie} by his before Recyted Charter hath Granted, that we shall be his tenants only, and shall hold our Lands of him his heirs and success^{ors} & of none other P^{er}son whatsoever.

ffrom all w^{ch} premisses with most humble submission to yo^r Exln^cy we Cannot but Conclude y^t without breach of the trust Reposed in vs. as aforefaid we may not Concede that y^e said Lord *Culpeper* hath any Right or title to The aforefaid 98000 pounds of tobacco & Caske, or any other part of y^e Quittrents aforefaid, or to y^e paym^t of y^e said so^me to y^e Hon^{ble} M^r *secretary* for his vse, but on y^e Contrary say y^t his Lordship the Lord *Culpeper* hath wrongfully taken and demanded y^e same, howeuer yo^r Exln^cy hath bin informed of y^e matter.

To w^{ch} we may add That if as y^e Assembly aforefaid in *Ano* 1674. Considering the euill Consequences had reason Although, at soe Great a Charge, & burthen to y^e people as 120 pounds of tobacco P^{er} poll to oppose y^e said demise as by that Act may Appear, soe haue we still y^e same, and diuers other Reasones with all our humble endeou^{rs} still to oppose the same.

1st *First* for that since the date of the said pretended demise we haue taken all our Grants from his Ma^{ties} Gou^r not doubting of his Ma^{ties} title and Authority, And not from y^e said demisees or Lessees, and should the said demise proue valid all such Grants would be voyd.

2^{dy} That should y^e said demise be Good, we should be lyable to pay all y^e Arrears, of Quittrents, and it may be in Money, w^{ch} now being soe much in Arrear, most people not being able to pay y^e same would forfeit their lands to their utter ruine.

3^{dy} That should we pay our Quitt Rents to the Lord *Culpeper* as he Claimes on the said demise, it would in Law amount to an attornm^t to his Lordship. and a dizezin to y^e King's Ma^{tie} which may likewise be a forfeiture of our Estates.

4^{dy} That y^e termes and Condiçions y^e Lord *Culpeper* by y^e said demise hath power to hold us unto. (and w^{ch} we haue little hopes will in the least be Remitted, or mitigated should we Come under the same) are soe uery Grievous and intollerably burthenfome, we should neuer be able to bear them.

For all w^{ch} Reasones we the Burgeesses of the Gen^l Assembly, as well for ourselues as all his Ma^{ties} Subjects of *Virginia*, doe most humbly pray yo^r Exln^cy not to expect from vs y^e said 98000 pounds of tobacco and Caske. Claimed by y^e Lord *Culpeper*, as aforefaid, Protesting neuertheless that we are and Allwaies shall be Ready & willing to pay y^e same as is most due, to his Ma^{tie} or his Gou^r when y^e same is for his Ma^{ties} vse demanded of vs.

Vpon debate of y^e Message from his Exln^cy, Rece'ued with y^e bill about Escheates, Returned from his Exln^cy.

Resolved that y^e bill Intituled *an Act ascertaining y^e fees of Escheat^{rs} and sherriffs in finding Escheates*, be againe faire written and P^{re}sented to his Exln^cy & Councell, without omitting any part of y^e bill as now it is, and y^t Reasones be drawn up for y^e Reinforcing y^e Request of y^es House for y^e Assent of his Exln^cy and Councell to y^e said Bill.

Resolved that the following Reasones may be P^{re}sented to his Exln^cy & Councell wth y^e bill.

May it please yo^r Exln^cy

The bill Concerning Escheates and w^{ch} yo^r Exln^cy hath Returned with a Message to this House yesterday did pass this House upon uery mature and deliberate consideration, as haucing been in debate the last Assembly, And Referred by the Right Hon^{ble} the Liu^t Gou^r and Councell to the Ariuall of y^e R^t Hon^{ble} the Lord *Culpeper*, and the

next

next Affembly when they were pleased to fay they should haue unerring Grounds from whence to draw Conclusions, and upon this and y^e many Greiuances Complaintes y^e haue Come to this Affembly from diuers Counties of many & Greuious Exacçons upon y^e Inhabitants.

The House did pass and present y^e Bill to yo^r Exlnçy hoping as they still doe y^e by yo^r Exlnçys and y^e Councells assent thereunto. The Inhabitants might be for y^e time to come secured against unreasonable Compositions, & Exacçing officers, some instances whereof are hereafter mençoned.

In *Surry* County the Case of *Rob^t Key* who was forced to pay fifty or sixty bushells of wheat for Composition for one Acre of land,

In *Nanfmond* County in y^e Case of *Israell shepherd* a Tennant in possession upon a parcel of land Escheated, for want of heires of one *Akerland* and one *Spring* brother of y^e halfe blood of y^e said *Akerland*, who both sueing for y^e Grant of y^e escheat of y^e said land being about 4 or 5 hundred Acres, It was Giuen to M^r *Roger Jones* of whom y^e said *Shepherd* purchased the Grant and was forced to pay at least 60. pounds *sterling*.

In *James City* County one *John Dorman* who was told y^e land he liued on escheated for want of 3 witnesses to a will, and y^e Jury finding specially y^e two witnesses was Alwaies in *Virginia* accounted Good, yett he was Constrained to pay three pounds fee to y^e Escheat^r and three hundred and fifty pounds of tobacco to y^e Sherriffe, Although y^e Land did not Escheat, with many other of this nature from most of the Counties, too long to enumerate.

To y^e Escheat^rs and sherriffs fees this House doe humbly Conceiue y^e sume of five hundred pounds of Tobacco, to be Altogether sufficient, if y^e Escheat^r were Resideing in y^e County, as by y^e law of *England* he ought to Doe.

Vpon these Considerations, we humbly pray yo^r Exlnçy and the Councell that the said Bill may haue yo^r Assent that soe we may proceed to y^e other matters now in hand remaining, And Come when it shall please yo^r Exlnçy to a happy Conclusion of this Session.

Coll^o *Lemuell Mafon*

M^r *Peter Knight*

M^r *Thomas Allomby*

Cap^t *John Custis*

Appointed to present y^e aboue Reafons, with y^e bill to his Exlnçy & Councell which they Report they haue deliuered

And the House Adjournes to y^e afternoon

May 20^t 1684. Post Meridieum

THE House mett and Called.

M^r *Speaker* Informes y^e House he hath Reçed from his Exlnçy the Bill for Portes sent to his Exlnçy, and Councell on *Thursday* last and with it y^e following Message, And a part of y^e Instruction from his Ma^{tie} Concerning the Act of Cohabitation.

By his Excellency and Councell.

M^r *Speaker*

Your Bill prepared for y^e Cohabitation differs uery little from y^e Act made in 1680, except it be in y^e title and number of places appointed for Cohabitaçon this Going under y^e denomination of portes and y^e under y^e denomination of townes. This Appointing two in a County, in some places three and y^e only one in a County, w^{ch} att one and y^e same time to raise Twenty Townes out of Noe Towne did seem Impracticable, w^{ch} together with Injoyning goods, there to be brought before stores were prouided for y^e security of them was a Materiall matter for w^{ch} his Ma^{tie} thought fitt to suspend y^e execution of y^e former Act & for y^e same Reason y^e like may be expected upon this if it were passed into An Act, And to y^e end yo^r House may be better satisfied for what Reason his Ma^{tie} thought fitt to suspend y^e execution of y^e former Act, you will herewith Receiue
his

his Ma^{ties} Order for y^e fame, as Also y^e report of the Com^{rs} of y^e Custome house thereupon, as likewise his Ma^{ties} Instruc^{on} beareing date y^e 3^d day of *december* 1683. The former Act is not Repealed but only suspended, therefore Cannot proceed to y^e passing of any new Act in this Nature untill haue Represented unto his Ma^{tie} our present Condition. That noe Stores are as yet provided at those places by that Act Appointed nor Conueniencies for landing of Goods which when provided as by that Act Appointed we may expect to Receiue his Ma^{ties} Commands for masters to Ride with their ships load & unload their Goods at those places, and the other part of this Act to be performed
May 19^e 1684.

E Chilton C^l Gen^l Assembly

And our will and pleasure is that such part of y^e act of Cohabitation as Concerns the landing of Goods and shipping off tobacco, Continue suspended untill our further direction be known therein pursuant to our Order in Councill dated the 21^e of *december* 1681. according to w^{ch} you are to Govern y^r selfe.

a Copie *Effingham*

M^r *Chilton* Brings into y^e House y^e bill Concerning Escheat^{rs} and Sherriffs fees in finding Escheates, with a Message in writing as followeth—

By his Excellency

M^r *Speaker*

As to yo^r Return to my Answer upon y^e bill of Escheates, you say you had maturely and deliberately Considered y^e fame, w^{ch} my selfe & y^e Councill had fully don on all partes thereof, and did not doubt but y^t you would haue rest satisfied with y^e Assurances therein Giuen you, y^t all Compositions *de futuro*, should be directly according to y^e Grant & fauour exprest, in his Ma^{ties} Gracious Charter w^{ch} wth Reiterated Repetitions of Assurances you doe here receiue, and as to y^e fees to y^e officers both to y^e Escheator and Sherriffe they were as moderately sett as in those stations can be expected in w^{ch} finding yo^r positiueneffe I haue Caused y^e Clerke to transcribe a Clause in my pattent from his Ma^{tie} (w^{ch} you will herewith receiue) Giueing & Granting unto me not only power to Commiffionate and appoint all Judiciall officers, but likewise to ascertain their fees. by uertue of which power I shall appoint Escheat^{rs} their fees, in finding y^e offices as likewise y^e Sherriffs for doing their partes.

And as to y^e Instance, of *Rob^t Kay* w^{ch} you Complain of, for the Composition of one Acre of land, for fifty or sixty bushells of wheat you had done right if you had exprest y^t there was a good Mill vpon y^t acre of a Considerable value, w^{ch} cannot be Concieued to Come within y^e words of y^e Charter for two pounds of tobacco $\frac{1}{2}$ Acre

And as to *Akerlands* land y^t did Escheat, it was a fauour of y^e Lord *Culpeper* bestowed upon his seruant M^r *Roger Jones*, whilst present in his Gouvern^t

And lastly to *John Dormer* although y^e office was not found, both the Escheat^{rs} and Sherriffs fees were justly due, their paines & trouble being y^e fame seeing y^e office was held.

Effingham

May the 20^e 1684.

And we doe hereby giue and Grant unto you full power and Authority with y^e aduice & Consent of our said Councill to Erect Constitute and Establish such and soe many Courtes of Judicature, & publique Justice within our said Colony & dominion as you and they shall thinke fitt and necessary for y^e hearing & determining of all Causes as well Criminall as Ciuell according to Law & equity & for awarding of execution thereupon with all Reasonable & necessary powers Authorities fees & priuiledges belonging to them as alsoe to Comiffionate and appoint fitt persons in y^e feueral partes of our said Colony to administer y^e Oths of Allegiance and Supremacy unto such as shall be Obliged to take y^e fame. and we do hereby Grant unto you full power And Authority to Constitute & appoint Judges, in Cafes Requifite, Comm^{rs} of Oyer & terminer, Justices of y^e peace, Sherriffs, and other necessary officers and Minifters, within our said Colony.

A Coppie of a Clause of my

Lord *Howards* Pattent

E. Chilton C^l Gen^l Aff^{ly}

The House Adjournes to y^e third drum to Morrow.

Wednesday

Wednesday May 21^o 1684

THE Houfe mett and Call'd

A Letter from Coll^o Byrd to his Exln̄cy, and by him Communicated, is Read,

The Report of y^e Com^{tee} of Claimes Returned from his Exln̄cy & y^e Councill with fome Additions and propofitions for Alteration,

Together with Another Meflage Concerning Quittrents.

And alfo Another Meflage Concerning y^e Adrefs to his Ma^{tie} fent from this Houfe yefterday.

Which being read Major *Scarburgh* & Cap^t *Jfofter* are defired to wait upon his Exln̄cy, to pray him to tranfmit to y^e houfe, The Adrefse to his Ma^{tie} fent to his Lordfhip yefterday, To w^{ch} his Exln̄cy Relates in his Meflage, to the end they may Confider thereon.

And they bring y^e Adrefse into y^e Houfe.

By his Exln̄cy and Councill.

M^r *Speaker*

As to my Lord *Culpepers* undoubted Right to y^e Quittrents, we had thoughts, that you had receiued full fatisfaction by our meflage of y^e fifteenth instant, fent to your houfe by the Clerke of the Generall Affembly.

And whereas you doe infift upon what his Ma^{tie} Comm^{rs} fhould Report, wee Conceiue it ought to be taken only for report, nothing appearing, y^t y^e Lord *Arlington* furrendered his Right to his demife from his Ma^{tie} of y^e Quittrents, and y^e fame Cannot be thought to be foe, feeing by a late deed recorded in M^r *Secretarys* office, and prooued before him it appears his Lordfhip Alienated the fame to y^e Lord *Culpeper*.

To yo^r firft queræ you propofe *viz* if y^e Lord *Culpeper* had any fuch leafe or demife legally granted &c. you refolued in two former parts of yo^r Adrefse, firft in acknowledging to haue receaued a Copie from Major Gen^l *Smith*, then Agent for *Virg^o* and fecondly in Coll^o *Morrifons* affirming, y^t y^e faid Lord *Arlington* furrendred his Right, w^{ch} could not be, except fuch deed had paffed, and in y^t you contradiçt yo^r felues.

As to y^e fecond Quaræ it is Conceiued that y^e Charter only Confirmes our lands fettles Compoſitions, & in noe waies difpofes of the Quitrents, nor to whom Compoſitions for efcheates, ſhall be paid, his Ma^{tie} haueing by a former Grant fetled them on the Lord *Arlington*, and Lord *Culpeper* for terme of yeares. therefore it cannot be taken in any-waies to deftroy or inuallid his Ma^{ties} Grant to y^e Lord *Arlington* and Lord *Culpeper*.

To the 3^d if the Lord *Culpeper* did not exerciſe all y^e powers & priuiledges in his Grant Contained, nor did not ſtrictly take all the profitts & aduantages therein mentioned, his moderation cannot in any waies be taken to leſſon or deftroy his Grant.

To y^e 4th we conceiue y^t this is not y^e firſt Grant, that his Ma^{tie} has been pleaſed to paſſe under y^e priuy ſeale, & whereas you ſay, y^t it was ſtopped by our ſupplication, & y^t there were noe further proceedings thereon, wee take y^t to be only report, being the firſt time that euer we had heard of it, and nothing appearing to us upon record.

To yo^r fifth quera that fuch a demife was legally paffed, & y^e Quitt rents by uertue thereof well receiued doth appear by M^r Auditor *Bacons* annually returning to y^e Lords of the treafury, a particular rent roll of euery County & y^e rents thereof receiued paid to y^e uſe of y^e Lord *Culpeper* admitted and allowed as well paid in y^e Right of y^e Lord *Culpeper* which M^r Auditor *Bacon* has Already affirmed to yo^r Com^{tee} & whereas in y^e fame quaræ, you unfitly ſeem to queſtion, whether any fuch demife was produced to be recorded in y^e ſecretarys office, becauſe the Originall is not there to be produced, in w^{ch} if y^e uerity of y^e records ſhould be queſtioned becauſe y^e Orriginals are not in being, it would thereby deftroy many deeds & Grants, Juſtly made & paffed.

To the ſixth, whereas in this quaræ, it is queſtioned whether fuch demife euer paffed y^e broad or priuy ſeale, becauſe not publiſhed we conceiue y^t the non-publication of it can in no waies leſſen y^e right of y^e Kings Grant, and it likewise conceiued, it was legally entred upon record, for y^t Grants from the King, cannot be tied to limitation of time,

as

as you seem to hint at our law Limitting time for acknowledging of deeds, w^{ch} was only made to provide against fraudulent deeds under w^{ch} Construction, we hope you will not presume, to take his Ma^{ties} demise to y^e lord *Arlington* & y^e Lord *Culpeper* neither can y^e payment of y^e quitrents to y^e lord *Culpeper* be taken as an attorn^t to y^e lord *Culpeper*, our lands being held of y^e kings Ma^{tie} who may dispose of his quit rents, as his Ma^{tie} in his Gracious favour shall think fitt, And whereas you doe say y^t should y^e demise be good, we should be liable to pay all the arrears of quit rents, & it may be, In money, if you have any such fears or doubts, it is apprehended a readier course cannot be taken, then by this your stiff questioning y^e Right of his Ma^{ties} Grant to y^e lord *Arlington* and lord *Culpeper*, by w^{ch} his Ma^{ties} displeasure may be soe drawn upon vs, as to require y^e arrears of Quitt rents

May 20^e 1684.

E. Chilton C^l Gen^{ll} Assembly

Resolved that this is not a full Answer to y^e reasons sent by this House to his Exln^cy concerning y^e demise to y^e R^t Hon^{ble} Earle of *Arlington* & Lord *Culpeper*, & that it doth not appeare, That y^e lord *Culpeper* hath or had any Just Right to Receive his Ma^{ties} Quitt rents by uertue of any such demise

By his Excellency

M^r *Speaker*

I this day received a paper from your house, being an Adress to his sacred Ma^{tie} Consisting of many partes.

The first being an humble supplication, y^t noe Appeales may lye open, for reasons therein expressed, but if it shall seem Good to his Ma^{tie} that appeales shall lye open that none may be permitted to be under the reall value of five hundred pounds *ster* & y^t sufficient securities may be given to pay all Costs & damages in case y^e Judgm^t be affirmed.

The adrefs soe worded, I cannot thinke fitt to passe his Ma^{tie} haueing been pleased to signifie his pleasure, that Appeales shall lye open, for reliefe of his subjects In all Causes of the reall value of one hundred pounds *ster* to w^{ch} as its my duty I shall yeild all due obedience.

But in case you will compose your selves to prepare an humble adfres to his ma^{tie} humbly setting forth how grievous & ruinous it may be to his Ma^{ties} subjects here to haue appeales lye open for too small a somme, as one hundred pounds *ster* & humbly supplicate his Ma^{tie} that noe appeal shall be under three hundred pounds *sterling* of w^{ch} there are few Judgments here passed, my Selfe & y^e Councill will joyne with you therein.

M^r *Speaker*, whereas in another part of yo^r adrefse, you propose y^e lawes made by y^e Gou^r Councill and Burgeses of y^e Gen^{ll} Assembly may haue y^e force of lawes, untill y^e same be made void and repealed by y^e same authority of y^e said Gen^{ll} Assembly.

The same is soe great an entrenchm^t upon y^e royall authority y^t I cannot but wonder you would offer at it. But in case in y^e same adrefse, you will humbly supplicate his Ma^{tie} y^t all laws here made & enacted by his Gou^r Councill & Burgeses. of his Gen^{ll} Assembly, being according to our duty humbly presented to his Ma^{tie} for his Ma^{ties} & Hon^{ble} Councils considera^on. of y^e same, in case his Ma^{tie} should please to disaproue of any of them & y^t his Ma^{tie} would out of his grace & fau^r only signifie his suspension of y^m untill his Gou^r & Councill shall humbly represent to his ma^{tie} y^e grounds & reasons of making such laws & when such representation is made, y^t yⁿ his ma^{tie} may be pleased to signifie his approba^on or disallow^c of the same, in w^{ch} my Selfe & the Councill will joyne with you.

But as to y^e other partes of y^e Adrefs they are soe unfitt to be presented to his ma^{tie} y^t I cannot admit any part of them to pass. unless y^t w^{ch} is concerning y^e Bibles, & other bookes brought in by me, of which I haue wrote to my Lord Bishop of *London* already in your behalves.

May 20^e 1684

Effingham.

The Claimes Returned from his Exln^cy and Councill with y^e Additions and Alterations, debated.

It

It is put to the Question whether the 98,000 pounds of tobacco Claimed by M^r Secretary *Spencer* as Attorney of the R^t Hon^{ble} the Lord *Culpeper* or shall be now Leuyed and paid to M^r Secretary *Spencer* as demanded or not.

Resolved in the Affirmatiue, And that it be paid in the Counties where the fame was disburs^t.

The Claime of M^r *Chilton* is debated
of Coll^o *Kendall*, and allowed in tobacco.
of the Attorney Generall
of Cap^t *Bacon*
of *Hugh Owen*
of Cap^t *Armigar*

And the Houfe adjournes to y^e afternoon.

Post Meridiem

THE Houfe Mett and Called.

Vpon debate of y^e Claime of Coll^o *George Lyddall*, Cap^t *Jfofter*, M^r *Story* now Recommended to the houfe by his Exln^cy & Councell. It is put to the queftion whether Coll^o *Lyddall*, Cap^t *Jfofter* & M^r *Story*. for themfelues, and their foldiers fhall be Allowed, fifteen thoufand or twenty thoufand pounds of tobacco

Resolved that they fhall haue twenty thoufand pounds of tobacco, out of which Coll^o *Lydall* fhall be paid fifteen hundred pounds of tobacco & Caske Cap^t *Jforfter* thirteen hundred pounds of tobacco, and to M^r *Story* twelue hundred pounds of tobacco and Caske and the Reft of y^e Twenty thoufand pounds of tobacco fhall be Equally diuided among^t y^e men by y^e Comand^r

And that y^e quarters of the faid Command^{rs} and Soldiers fhall be paid and borne by y^e County of *New Kent*

Major *Kearne* & Cap^t *Applewaite*

Carry back y^e Claimes to his Exln^cy and Councell with y^e Anfwer of this Houfe to y^e Alterations, Amendm^{ts} & further Allowances.

And Report they haue deliuered it to his Exln^cy

Cap^t *Cary*, and Cap^t *Cuftis*

are appointed to Carry back y^e bill for impofition to his Exln^cy together with the Anfwer of this Houfe of y^e 19th infant to his Exln^cy and Councells propofalls thereon who report they haue deliuered it,

And y^e faid bill is Returned affented with Alterations.

M^r *Chilton* brings a Meffage from his Exln^cy y^t he expects y^e attendance of the whole houfe in the Councell Chamber

And the Houfe doth accordingly attend his Exln^cy.

And being Returned M^r *Speaker* acqu^{ts} the houfe the fubftance of his Exln^cy Speech, was Concerning the Allowance of y^e Clerke of y^e Gen^{ll} Affembly and the Attorney Gen^{ll}

Ordered y^t Reafons be drawn up ag^t to Morrow Morning & p^refented to this Houfe, for y^e houfes proceedings in their Allowances to y^e Clerkes. and difallowance of y^e Claime of M^r *Attorney Gen^{ll}*

Major *Samuell Swan*, is Added to the Com^{tee} appointed to treat & agree about y^e building of y^e ftate houfe.

And the houfe Adjournes to y^e 3^d drum to Morrow.

Thursday May 22^e 1684.

THE Houfe Mett and Called.

The Report of y^e Com^{tee} appointed to treat and Agree with fome undertakers for the building of the ftatehoufe, Read in the Houfe & is approoued with all the amendments.

The Com^{tee} with y^e faid Report doe waite upon his Exln^cy and Councell,

Cap^t *Cary*, and Cap^t *Cuftis*

are

are appointed to waite upon his Exlnēy and to acquaint him that is the humble request of this house that they may haue a p^rsent admiffion to his p^r fence.

They Report they haue deliuerd this Meffage and his Exlnēy was pleased to declare his willingnesse to receiue y^e attendance of the House.

M^r *Chilton* brings word his Lordf^{pp} is Ready to Receiue the Houses attendance.

And the House doe waite upon his Exlnēy & p^rsent y^e Congratulatory adrefse to his Ma^{tie} And to his Exlnēy to prefer y^e fame to his Ma^{tie}

The Adrefse of y^e 16. instant w^{ch} was p^rsent to his Exlnēy for p^rferrance to his Ma^{tie} and Returned being now Altered and amended.

It is put to the Question whether y^e said Adrefse shall be p^rsent againe to his Exlnēy with y^e humble Request of this House to p^rferr y^e fame. to his Ma^{tie} or not.

Resolved in y^e Affirmatiue.

The Report of y^e Com^{tee} for Contracting for the building the state house, Returned from his Exlnēy, affented, and it is Referred to M^r *W^m Sherwood*, to draw the Articles between his Exlnēy and the Speaker in behalfe of y^e Gen^{ll} Affembly And the Hon^{ble} Coll^o *phillip Ludwell* for y^e Rebuilding the state house.

Coll^o *Scarburgh*

Cap^t *Page*

M^r *Ring*

Are appointed to wait upon his Exlnēy wth the Reafons, in Answer to his Exlnēys speech yesterday.

The petition of Coll^o *Nathaniell Bacon* to the Gou^r Councell & Burgeffes of this Gen^{ll} Affembly, Referred to this house by his Exlnēy and Councell. for a stack of building belonging to the Country, formerly Granted to *phillip Ludwell* Esq^r for 50. yeares. Being Read. And the Hon^{ble} *phillip Ludwell* Comeing into this house and declareing that he did voluntarily Relinquish the said lease or Grant.

Resolved that the said Building or Ruine of two houses be leased to the Hon^{ble} *Nathaniell Bacon* Esq^r for fifty yeares now to Come under the same Condiçions and Limitations and prouisoes as are Contained or intended in or by y^e Order of *June 1680.* or in y^e Order thereupon made at y^e Affembly y^e 10th of *nouember 1682.*

Resolved That the granting of any lands that escheate to his Ma^{tie} to any other person then to those that haue Right thereunto by his Ma^{ties} Gracious Charter or shall take a greater Composition then in y^e said Charter. is exprest is a breach of his Ma^{ties} Royall Charter granted to this Country bearing date at *Westminster*, y^e 10th day of *October* in y^e 28th yeare of his Ma^{ties} Reigne and a Griouance to his Ma^{ties} Subjects of *Virginia.*

The House Adjournes to y^e Afternoon.

May it please yo^r Exlnēy

When this house waited upon yo^r Exlnēy yesterday by your Comānd you were pleased to expresse yo^r Repentment of the Houses proceedings, in the Allowances, to the Clk. of the Gen^{ll} Affembly, And the Clerke of y^e Affembly, And the vote Concerning the Attorney Gen^{ll}, In w^{ch} we take it our duty, to giue yo^r Exlnēy all manner of satisfacion.

1^o Twenty thousand pounds of Tobacco & Caske hath bin the Constant Allowance to the Clerke of the Affembly, for about twenty years now last past, as needfull to giue Encouragem^t to p^rsons of Competent Ability, and reputation to undertake an employment of such p^rformance and Truft.

2^o. This Employment Labour, and Care by the Method, now vsed in Affembly proceedings And by the many transcriptions of the Journalls, Aëts, Leuies and other things sent for *England* by order of the R^t Hon^{ble} the Lords Com^{tees} of his Ma^{ties} Councell for trade, & fforreign plantations, is uery much increased, Besides the many other things that increaseth the Bulke of this Houses Journall more then formerly, with his Great expences, these long Affsemblies, & maintaining two Clerks, at his own Charge, for the more redly transcribing of bills. and other Matters, dureing the setting of the house, where he must of necessity, giue his Attendance

Whereas

Whereas we humbly Conceiue the Clerk of the Gen^l Affembly, hath Little more (as Clerk of the Gen^l Affembly then y^e Journall of yo^r Exln^cy and the Councell Proceedings) and is at noe more Charge than his Attendance here, on his other profitable employment requires. And the Clerke of the Gen^l Affembly, hath bin known distinct from the Clerke of the Affembly, but since the Gen^l Affembly 1680. when that moſte unfortunate vote (for this Country of ſeperating the Hon^{ble} Councell, from y^e Com^{tees} of this Houſe paſt ſince which Ten thouſand pounds of tobacco, at moſt w^{ch} this houſe hath Continued, was by the Affembly Judged a ſufficient recompence for ſuch employment, And as to the Attorney Gen^l the Houſe doe humbly Conceiue he is undoubtedly one of thoſe officers, mentioned in that Act of *June* 1680, for raiſeing That Reuenue And ſoe prouided for by the Act, beſides that there are many forfeitures, confiſcations, and other things accruing to his Ma^{tye} in w^{ch} his employm^t lyes and particularly y^e late obtaining a Judgm^t ag^t the Eſtate of *Samuell Ouſtin*, deceaſed, for a debt due from that to the Eſtate of *Anthony Arnold*, forfeited to his Ma^{tye} and others of the like nature, out of w^{ch} we did humbly conceiue might properly be Refunded, the Reward of ſuch Performances.

All which we humbly ſubmitt to yo^r Exln^cys Conſideration, Affureing yo^r Exln^cy, That we ſhall not wittingly offer, at any thing that ſhall not ſuite with our duty, And Allegiance, to our Gracious Soueraigne The Honor and Reſpect we Acknowledge and declare Juſtly due, to yo^r Exln^cy, and the diſcharge of the Truſt Repoſed in vs w^{ch} is the Utmoſt of Deſires and intentions.

Poſt Meridiem May 22^e 1684.

THE Houſe Mett and Called

The Articles between his Exln^cy and M^r *Speaker* on the one part & Coll^o *Phillip Ludwell* for the Rebuilding the ſtate houſe, Read approved by the houſe and ſent to his Exln^cy.

M^r *Chilton* brings in a Meſſage in writing from his Exln^cy as followeth-
By his Excellency,

M^r *Speaker*

When I commanded yo^r houſe yeſterday to attend me. I gaue you in Charge the Conſideration of M^r *Attorney Gen^l*s four yeares ſeruice, for w^{ch} no ſatisfa^{co}n as yet, has bin aſſigned, though the quantity of tobacco propoſed for his ſeruices is ſoe low & mean y^t it dos not Anſwer his moderate expences in attending his Ma^{tyes} Seruices, nor equall with y^e Salleries you allow to y^e Clerks of yo^r Com^{tees} and whereas you inſiſt y^t he be ſatisfied, out of his Ma^{tyes} Reuenue w^{ch} you y^t ſelues haue ſeen and know to be Conſiderably in arrear, & nothing from thence can be expected, therefore I expect you make prouiſion for him, as vſuall, and as giuen in Charge.

In yo^r Anſwer to what I gaue you in charge in Relation to the Clerk of the Generall Affembly, as to the Allowances, I expected you ſhould haue made to him for his ſeruices done this Gen^l Affembly, Its ſoe unfitt for me, and the Councell to paſs, & ſoe unbecom^{ing} you to offer being Tenn Thouſand pounds of Tobacco, to him, as Clerke of the Gen^l Affembly when at the ſame time you haue appointed to yo^r own Clerk Twenty Thouſand pounds of tobacco. It is ſuch an inconfiſtency, with y^e Station that they both ſerue, in that I cannot but be Concerned at it, and therefore muſt tell you, that if you doe not doe the Clerk of the Gen^l Affembly, equall Right with the Clerk of the Affembly I ſhall be forced to Reduce his Sallery proportionably to what you ſeem to Apprehend the Clerk of the Gen^l Affembly may deferue their ſeruices paines and Care being Equall.

And whereas you offer yo^r opinions, that the Allowance to the Clerk of the Houſe of Burgeſſes by Reaſon of two Clerks which you ſay he keeps for tranſcribing Matters paſſing, in the Affembly, is but reaſonable.

To it, its Concerned it may be Reaſonably anſwered that by Copies of the Acts for euery County, he hath an allowance ſufficient for the ſatisfa^{co}n of the Clerks, he keeps.

I therefore, expect that you doe accordingly Consider it, and ascertaine to the Clerke of the Gen^l Assembly as I shall passe to the Clerk of the Assembly.

And as to the other partes of his Claimes, I expect you Consider them, and to make those Allowances, which in reason and Justice he deserues, and it is allowed by you to others, that we may noe longer dwell upon these small matters. but Close this Assembly.
May 22^e 1684. Effingham.

Vpon Reading of this Message.

Resolved, that a Conferance be prayed with some Gentleman of the Hon^{ble} Councill and such members of this House, as shall be appointed thereto.

May it please yo^r Exln^cy

The House of Burgeesses haueing Read yo^r Exln^cys last Message about the Attorney Gen^l And Clerke of the Gen^l Assembly, pray yo^r Exln^cy, that you will be pleased to Admitt of a Conferance between some of the Hon^{ble} Councill by yo^r Exln^cy, and such Members of this House, as shall be appointed to that end.

Cap^t *Page* &c bring word his Exln^cy will Admitt the Conference.

Coll^o *Thomas Ballard*

M^r *William Sherwood*

Maj: *Char: Scarburgh*

Coll^o *Allerton*

M^r *Minge*

Are appointed to Manage the Conference with such of the Hon^{ble} Councill, as his Exln^cy shall appoint about y^e buisnesse of the Attorney Gen^l and the Clke of the Gen^l Assembly.

M^r *Chilton* brings a Message that his Exln^cy commands the Attendance of the whole House.

And the House doth Accordingly wait upon his Exln^cy, in the Councill Chamber. And being Returned

M^r *Speaker* Acquaintes the House, That his Exln^cy pleased to say the Address to his Ma^{ty} this day deliuered to him, was uery acceptable & well Conceiued And that he and the Councill would Joyne with this House in the same, with some Alterations, And that the house should suddenly receiue the same from them And it should be presented in the name of the Gen^l Assembly.

The Gen^t Appointed to mannage the Conference with M^r *Secretary*, & Coll: *Bridger* appointed by his Exln^cy, Giue in their Report by Coll: *Ballard* and M^r *William Sherwood*.

Whereas this House hath maturely and deliberately debated M^r *Chilton* Clerke of the Gen^l Assemblys Claimes, and the Report of the Com^{tee} of Claimes thereupon, and finding that in feuerall Articles for extraordinary seruice he is Already Allowed 8515. pounds of Tobacco, and Caske & alsoe the some of 1450 pounds of Tobacco and Caske, w^{ch} with the sume of 10000 pounds of Tobacco, and Caske amountes to the some of 19940 pounds of Tobacco and Caske, which is neare equall with the Allowance of the Clke of the Assembly, who hath not Charged for any extraordinary seruice. Altho he hath don much such seruice for w^{ch} nothing is brought to accompte.

Resolved That the said Allowances are sufficient for the said M^r *Chiltons* seruices, and that he ought not to be Allowed any more by this House.

Vpon full debate of the matter Concerning the Attorney Gen^l and Consideration of two votes of the House of Burgeesses of the last Assembly of the 13th, and 15^e of *december* 1682.

Resolved That the said Attorney Gen^l ought not to be paid his fallary out of the Pole leuy.

Ordered That *Joseph Preston* one of the Door keepers of this House be for the time to come freed, and exempted from all publiq. & County Leauies.

Coll. *Allerton*

Cap^t *ffoster*

Cap^t *Cary* and

Cap^t *Mathewes*,

waite upon his Exln^cy with the address, and supplication to his Ma^{ty} And that to his Exln^cy, to preffer the same, and Alsoe the votes, about M^r *Chilton*, & the Attorney Gen^l

To his Exln^cy Francis Lord Howard Baron of Effingham his Ma^{ty}s L^t and Gou^r Gen^l of Virg^a

Wee his Ma^{ties} moſt Humble and Loyall Subjects, the Burgeſſes of the Gen^l Affembly, humbly pray yo^r Exln^cy to preſerr this our humble ſupplication to his Moſt ſacred Ma^{tie} as the ſame is now Altered. and Amended, And if it ſhall not pleaſe yo^r Exln^cy ſoe to doe that then you would pleaſe to returne the ſame, and extend yo^r fauo^r to this houſe, with direction whereby the ſame may come to his Majeſties Royal View.

The houſe Adjournes to, to Morrow Morning

Friday May 23^d 1684.

THE Houſe Mett and Called.

M^r W^m *Sherwood*, and M^r *Henry Hartwell*, doe waite upon his Exln^cy, with the Articles for Building the State houſe, in order to the procureing his Signature thereto.

M^r *Hartwell* Reportes, that his Exln^cy was pleaſed to ſay (upon y^e preſenting the Articles) that it depended all upon the Cloſing of the Affembly, & when he Signed other Matters, that Alſoe might be don.

The vote of this Houſe yeſterday ſent. to his Exln^cy & Councell Concerning the two houſes to be Granted to Coll: *Bacon*, Returned from his Exln^cy and Councell with their Affent, that a Leaſe ſhall be drawne.

A Meſſage from his Exln^cy, ꝑ M^r *Chilton*, viz^t

By his Exln^cy

M^r *Speaker*

Your houſe yeſterday deſired a Conference with ſome Members of the Councell, in Order to the Claimes of the Clk of the Gen^l Affembly, and an Allowance for his ſeruice, which was hoped had he gott a Right underſtanding, and a ſettlement of the Matter, It being Reſepreſented to me that y^e Conference between the Gen^l of the Councell and the Members of yo^r Houſe, was ſoe near to an Agreement, that I could not haue expected theſe delays. The ſeruices, paines. and trouble of the Clerk of the Gen^l Affembly, dureing y^e time of the ſeſſions of the Affembly, being both one and the ſame, with y^e Clerke of the Affembly. Therefore in all Moderate Judgments it caⁿot be thought, but that their Reward, ſhould be Equall, and as ſoe, I ſhall be ready to paſſe it w^{ch} with the Allowances, by yo^r houſe Already giuen for his Extroordinary ſeruices though it be meane) to the intent that this preſent Seſſion may be Cloſed, I ſhall admitt it ſoe to paſſe, therefore expect noe further time be waſted in this nature.

As to the ſeruices of the Attorney Gen^l It is fitt, in fower yeares time, hee be Conſidered, w^{ch} if by yo^r houſe now diſcharged, Endeauors ſhall futurely be y^t prouifion be made that neither I nor you be troubled in this nature, And ſhould not now if the Revenue had not bin in Arrear, therefore lett not ſoe Juſt a matter dwell with you for the expence of ſoe much time, and Charge. as it hath Already don in w^{ch} I expect yo^r Compliance.

May 23^d 1684.

Effingham

M^r *Chilton* brings Another Meſſage from his Exln^cy, with the Adreſſe to his Ma^{ties} ſent laſt night, and acquaintes the Houſe, his Exln^cy deſires the Sight of the ſtate of the Claimes, w^{ch} is ſent ꝑ M^r *Wilson*.

By his Exln^cy.

M^r *Speaker*

The Adreſſe w^{ch} you laſt night preſented me with. I and the Councell haue Conſidered it, and find it in all its partes to be the ſame with the former, except the ſome upon Appeales, w^{ch} in that was five hundred pounds *ſtar*, In this three hundred pounds *ſtar*, To yo^r former I gaue Anſwer, and affured you if you would prepare an humble Adreſſe to his Ma^{ties} Conſiſting of ſuch partes, as might be fitt for the Gen^l Affembly, to ſupplie his Ma^{ties} Grace and fauour in my ſelfe and the Councell would Joyne with you,

but

1 The text appears to be here hopeleſſy corrupt, though the general ſenſe is clear.

but finding this to be the same, and soe unfitt to be presented, I cannot but so resent it as to tell you that if you will not better Consider, what is becomeing yo^r house to offer I (as its my duty) shall not suffer any matter of this nature to pass this Gen^l Assembly. Therefore unlesse you can better temper yo^r selues in preparing an Adresse, fitt and becomeing dutifull Subjects, I must and shall require you to sett this wholly aside.

May the 23^d 1684.

Effingham.

Resolved that the following answer, and adresse be humbly presented to his Exln^cy
May it please yo^r Exln^cy

The House of Burgeses haue seriously Considered yo^r Exln^cys Message euen now Rec^d in answer to the votes of this house, sent yo^r Exln^cy, last night concerning M^r Chilton, and the Attorney Gen^l

The subject of those votes was uery maturely weighed and debated, & upon such grounds & Reasons Resolued, That we Cannot Receed from it without betraying the trust reposed in us by the County that sent vs.

And wee pray yo^r Exln^cy to belieue that upon none but such Grounds we would spend this time that now passes to the Great increase of the Countries Charge, and impediment of our priuate affaires, And therefore humbly pray, that yo^r Exln^cy will be pleased we may proceed to the Cloeing of the Assembly.

This is sent by Coll^o Kendall and M^r Knight.

A Message from his Exln^cy as followeth.

By his Exln^cy.

M^r Speaker

The Adrefs which you yesterday in person attended with the House of Burgeses presented me with directed to his Most Sacred Ma^{tie} my selfe & the Councell haue now fully Considered, and are of opinion, that a Conference aboute the same will be the most proper Meanes to Answer both our & yo^r expectations, Its therefore proposed that a Conference be held about the same, without delay and that you Returne me the Names of those members of yo^r house, as shall manage the same to Joyne with M^r Secretary Spencer, Coll^o Bridger. and Coll Ludwell, whom I haue assigned for that purpose.

May 23^e 1684.

Effingham

Coll^o Ballard

Coll Isaac Allerton

Coll. Dan: Jenifer

Cap^t W^m Randolph

M^r Jam: Minge

M^r W^m Sherwood

Are Appointed by the house of Burgeses to manage the Conference with those Gen^l of the Hon^{ble} Councill assigned thereunto by yo^r Exln^cy.

The House adjournes to the afternoon.

Post Meridiem

THE House Mett and Called.

It is put to the Question

whether the House of Burgeses. haueing first made their humble supplication to his Exln^cy, the Gou^r to offer their humble adrefs to his Ma^{tie} representing therein, the state of the Country, And being by his Exln^cy the Gou^r denied such their humble supplication, may not (Referuing to his Exln^cy and Councell all due Respect) in an humble dutifull and Loyall manner vse some other Lawfull meanes to procure such their humble Adresse to the view of his Sacred Ma^{tie}

Resolved That it is the undoubted Right, & priuiledge of the House of Burgeses in an Humble dutifull, and loyal manner, by an Humble Adresse, to Represent the State of the Country, to his Ma^{tie} And by any Lawfull means endeauour the preferring such humble Adresse to his Ma^{ties} view.

M^r

Mr *Chilton* brings Another Message from his Exln̄cy. and acquaintes the house the Hon^{ble} Gen^t of the Councill assigned to the Conferrance, are Ready in the old Councill Chamber.

By his Exln̄cy

Mr *Speaker*

To haue Receiued Earliar assurances from you of yo^r desires, foe well to haue husbanded yo^r time, as yo^r laft Message intimates (which I haue frequently minded you of) would haue been much to my satisfac̄on, & to lett you see how desircous I am thereof, I take yo^r first Motion thereto and am therefore content for the present to pass the satisfac̄on, for the seruices of the Clerke of the Gen^l Assembly, As is by you presented, Soe as that for the future the satisfac̄on by you giuen to the Clerk of the Gen^l Assembly, And to yo^r Clke be not brought into president which I shall take Care to preuent by Reducing Regulateing and moderateing all imoderate Sallaries to a fitt proportion (w^{ch} time will not now Allow) as may tend to the ease of the Gouvern^t pursuant to his Ma^{ties} Royall instruc̄on therein, And to the intent we may speedily end this unthrifty session (by you not Considered) untill this yo^r seeming Good husbandry in this yo^r laft Juncture, I Require you to proceed to proportion the Leuy.

May 23^d 1684.

Effingham

Coll^o *Allerton*

Cap^t *Cary*

Maj. *Kearne*

Mr *Hartwell*

Major *Swann*

Coll^o *Jenifer*

Cap^t *Randolph*

Cap^t *Page*

Are appointed a Committee for the proportioning the Leauy, and they are to take what Clerks belonging to the house, they shall thinke fitt.

The Gen^d appointed for the Conference with the Gen^d of the Councill aboute the Congratulatory Adresse to his Ma^{ties} Report by Coll: *Ballard*: who deliuers the Adresse, that the Councill are willing to Joyn with this House in y^e said Adresse.

It being put to the Question whether the Adresse to his Ma^{ties} shall goe in the name of the House of Burgeses only, or in the name of y^e Councill and Burgeses.

Resolved it shall goe in the Name of the House of Burgeses only.

The House Adjournes to the 3^d Drum to Morrow.

Saturday May 24^e 1684

THE House Mett and Called.

Whereas Major *Hen: Whiteing* of *Gloucester*, Mr *Abraham Weekes*, Mr *Richard Parrott* of *Middlefix*, Cap^t *Dauid ffox* of *Lancaster*, And Major *Charles Scarburgh* of *Accomack*, haue to the Great Contempt of this House, and the Neglect of their duty, without leaue or Licence obtained, departed from y^e Gen^l Assembly, It is the unanimous Resolue of the House of Burgeses, that the Sherriffe of the said Respective Counties, doe Collect from each of them the said Maj: *Hen: Whiteing*, Mr *Abraham Weekes*, Mr *Rich^d Parrott*, Cap^t *Dauid ffox* And Major *Charles Scarburgh*, the some of one thousand pounds of tobacco. And in Cafe of Refusall to destraine for the same, And to be accomptable to y^e next session of Assembly, And the Clerk of the Assembly is hereby enjoyned yⁿ to giue Notice of this Order to the end enquiry be made how the same hath been executed,

A Bill intituled *An Act, for the publiq Leuy*, Read the first time.

The said Bill Read the Second time.

The said Bill Read the third time, And passd the House, and Ordered it bee presented to his Exln̄cy, and Councill for their Assent, By Mr *Hartwell* and Major *Swan*.

Mr *Sherwood*

Cap^t *Randolph*

L^t Coll^o *ffarrar*

&

Cap^t *Custis*,

doe waite upon his Exln̄cy with the Congratulatory Adresse to his Ma^{ties} and the vote of this House, Concerning the Councils Joyning therein.

Coll

Coll *Thomas Pate*, M^r *W^m Sherwood*, and the Clke of the Affembly are appointed to fend the Addresse from this Houfe, to his Ma^{tie} to *Edward pate* Esq^r and to desire him it may be deliuered to M^r *Blaythwaite* to be represented to his Ma^{tie}

And M^r *Speaker* is Desired by the Houfe to signe it.

Coll^o *pate*, And Cap^t *Cary* waite upon his Exln̄cy to Acquaint him the Houfe of Burgefes, are Ready to waite upon him, with the Lawes.

Vpon the Motion of the Burgefes of *James Citty* County and of the Burgefes of *James Citty*, for afcertaining the Bounds of *James Citty*, for Encouragement of Building therein, It is ordered by the Gou^r Councell, and Burgefes of this Gen^l Affembly, That the Bounds of the faid Citty, begin on the West fide of *Sandy Bay*, and foe down *James Riuer* to *William Brifcos Run* and from thence North North East to the *Back Creek*, and up that Creek to the place it began.

Which being p^rented to his Exln̄cy, by M^r *Hartwell*, is thus Returned.

By his Exln̄cy.

Orders being difagreeable to parliamentary Proceedings. I cañot Conceed to let this pafs as an Order, but am Equally willing with you, that it bee Reduced into an Act, to be paffed this Sefions, or Referred to the Next w^{ch} will be more proper, much time being Already wafted.

May. 24^e 1684

Effingham.

A Meffage being brought, That his Exln̄cy is gon to the Court houfe, And expects the houfe.

The Houfe doe attend upon his Exln̄cy, and Councell in the Court Houfe.

The Acts are Read, Signed by his Exln̄cy, and M^r *Speaker*, And his Exln̄cy doth in his Ma^{ties} name difolue the Affembly.

A Coppie of his Exln̄cy the Lord *Howard's* Speech at the opening of the Affembly.
Gentlemen

Since it hath pleased his moft facred Ma^{tie} to thinke mee worthy to ferue him in this Circumftance I doe own my Selfe very happy that hee hath sent mee hither, not foe much in Relation to the place as the worthinefs of the perfons Inhabiting in it ffor *Gentlemen* I obferue in you fuch an Intire Conformity to the Church and Readinefs to Teftifie yo^r Loyalty to his Ma^{tie} That I Confequently promife my felf an happy Iffue of my Endeavours which next to the fatisfaction that I have within mee that they fhall bee always Zealous for his Ma^{ties} fervice, and you would Crown my wifhes.

M^r Speaker and you Gentlemen of the houfe of Burgefes

I am full of Joy that I can on fuch good grounds acquaint you that his Ma^{ties} Thoughts of Care nay Thoughts of kindnefs too for this his Collony and Dominion dayly Encreafe Some Signall Teftimony whereof I haue been in dayly expectation you would ong ere this haue been witnefses of, others as many here p^rent doe Know, are perfe^tting for your Advantage and more ftill I am Confident are in his Ma^{ties} Breaft fome of which hee hath Comanded mee to Communicate vnto you

That hee is much Concern'd and thinks it ftrange that this Colony which hath preceded moft of it's Neighbours in Antiquity fhould bee foe late in Acting what would Conduce foe much to Its own Advantage. I meane as to the building of Towns It might very Reasonably bee Concluded that the Reputation that this Method hath given to other places fhould long ere this have ftimulated y^u to have followed their good Examples But fince that hath not I hope the great security and Benefitt (which is Evident) they Enjoy by It will foe farr Encourage you, that you will bee noe longer deficient to your-felves in foe materiall a point And here I cannot omitt Remarkeing his Ma^{ties} great goodnefs to you, for it is his desire that the matter may bee foe Ordered & digefted That It may bee as ferviceable & eafy to every particular planter & Inhabitant as in all It's Circumftances It will beare.

His Ma^{tie} will omitt nothing on his part to make you profper And therefore hath Comanded mee to lett you know That Notwithftanding the many Solicitations and
Advantagious

Advantageous Offers that have been frequently made him for suppressing the Indian Trade yet his Concerne is soe great for the welfare of this Colony that hee hath Ordered that It shall bee free and open

Therefore since his most sacred Ma^{tie} hath Manifested soe much Grace towards you I doe not Question but you will bee zealous in performing your duties to him and exprefs it particularly now by your ready Compliance with his desires w^{ch} are these That here may bee a Law Impowring the Governo^r for the tyme being with the advice of the Councell to Raife a Leavy as there shall be occasion Not exceeding Twenty pounds of Tobacco ¶ poll for defraying the Contingent Charges of the Governm^t which at p^rsent is soe straitned that It hardly answers It's own occasions And in this *Gentlemen* his Ma^{tie} hath Relation still only to your ease and Benefitt for hee is Contented that the Accompt & disburstm^t of that Leavy bee Inspected into by the succeeding Assembly.

Here is another thing *Gentlemen* which his Ma^{tie} did Expect the last Assembly would have prevented you in That they would have had soe great Regard to the safety and felicity of this his Maj^{ties} Governm^t that they would have made a Law to declare their Detestaçon and abhorrence of that horrid and matchless madnes of plant Cutting And by it likewise have secured the property of every Inhabitant in this Collony But hee doth not Question but their Negligence and omission will bee fully and amply supplied by your dilligence and Duty.

I hope I need not desire you to take into your serious Consideraçons the weighty Concerne of the Indian Affair. In which without Complement I speake it to you I have soe much Sympathized with every person that hath been dampnified or Terrified by them, That I have had more disturbance for your sakes by it then I am Confident I shall otherwise dureing my happines of staying with you.

There is another thing very worthy to bee Considered and in that I desire your advice and assistance That his Ma^{ties} Militia of this his Colony and Dominion may bee soe Modelled that it may bee of great ease to every person and may Import more to the Hono^r of his Ma^{tie} and your Safety then at present I Judge it doth I hope it may bee so Methodized that It may bee less Chargeable to you & much more serviceable in securing the Country ag^t the fforraign Indians then the Measures at p^rsent are taken I have only this to add that I am Confident through the great vigilance and prudent Conduct of your late honourable Governo^rs there is nothing of private greivances that doe Accur to Impede your Intention of the publike afaires Therefore I Earnestly Recomend to you the Carefull and Speedy dispatch of them by both which you will very Effectually testifie your service to his Ma^{tie} and to those whom you Represent.

ATT A GENERALL ASSEMBLY

Begun att *James Citty* the 16^o day of *Aprill* in the Thirty sixth
 yeare of His Maj^{ties} Raigne And in the yeare of our Lord
 1684.

These following Orders of Publique Charge and Levy were made

Rappahanock County

[Tobacco lbs.]

To <i>Jn^o Seymor</i> for himfelfe & horfe ten days in y ^e Countries Service.	00324
To <i>Rich^d Cawthorne</i> Cheife of the men Imprest by the late presidents Order for the Removall of the <i>Rappahanock</i> Indians for ten days service him- felfe and horfe allowance for Caske Included.	00324
To <i>Rob^t Cade</i> for Eight days in the same service.	00086
To <i>Geo: Keifeild</i> for a horfe the same tyme.	00129
To <i>Jn^o Smith</i> for Nine days the same service.	00097
To <i>Henry Woodmitts</i> for his horfe the same tyme.	00146
To <i>Jn^o Clerke</i> for himfelfe & horfe Nine days.	00243
To <i>francis Brown Jun^r</i> for Ditto.	00243
To <i>Thomas Day</i> for himfelfe and horfe four days.	00108
To M ^r <i>Jn^o Waters</i> for himfelfe & horfe Nine days.	00243
To <i>Rob^t Mills</i> for himfelfe and horfe.	00243
To <i>Jn^o Meader</i> Ⓕ ditto.	00243
To <i>Jn^o Evens</i> Ⓕ ditto.	00297
To <i>Jn^o Williams</i> Ⓕ ditto four days.	00108
To <i>David Romee</i> Ⓕ ditto five days.	00135
To <i>Henry Williamfon</i> for his man & horfe in y ^e same service.	00135
To <i>Jn^o franklyn</i> for himfelfe Nine days.	00097
To Maj ^r <i>Henry Smith</i> for his horfe the same tyme.	00145
To <i>Rob^t Gaines</i> for himfelfe & horfe.	00270
To <i>Nicholas Pally</i> for himfelfe & horfe Nine days.	00243
To <i>Tho: Crow</i> Ⓕ ditto.	00243
To <i>Jn^o Wells</i> Ⓕ ditto.	00243
To <i>Tho: Munday</i> for seven days.	00189
To <i>Jn^o fforgifon</i> for nine days.	00243
To <i>Tho: Harmur</i> for his man and horfe 9 days.	00243
To M ^r <i>Edw^d Chilton</i> for Ditto 9 days.	00243
To <i>Abraham Browne</i> for 9 days.	00243
To <i>Daniell Browne</i> for 9 days.	00243
To <i>Edw^d Mofeley</i> for nine days.	00135
To <i>Ro^b Paine</i> for 4 days.	00108
To <i>Maurice Roberts</i> for himfelfe 9 days.	00097
To <i>Walter Phillips</i> for his horfe y ^e same tyme.	00146
To <i>Rich^d Tayler</i> for himfelfe & horfe.	00243
To <i>Rich^d Stokes</i> for Ditto.	00243
To <i>Rob^t Parker</i> for his horfe 2 days.	00032
To <i>Jn^o Price</i> for himfelfe & horfe 10 days.	00270
To <i>Walter James</i> for ditto 9 days.	00243
To <i>francis Stafford</i> for ditto 4 days.	00108
To <i>Jn^o Cheeck</i> for ditto 9 days.	00243

To

To <i>Vincent Pafs</i> for ditto 9 days.....	00243
To <i>Rob' Tomlyn Jun'</i> for his Sloop Boat & 3 men in the f ^d service for tffporting y ^e Indians Corne from the 5 th of <i>January</i> to y ^e 2 ^d <i>ffbruary</i>	01296
To <i>Rob' Tomlyn sen'</i> for securing the Indians Corne his men Cart Oxen &c and transporting Indians.....	00540
To <i>Henry Aubrey</i> for severall services & difburftm ^{ts}	00864
To <i>Henry Tandy Jun'</i> for 10 days.....	00270
To Co ^{ll} <i>Cadwallader Jones</i> Comander of the Troop of this County for pay for himfelfe his Corporall 19 foldier for one year four Months to End the 14 th of <i>May</i> next 65320 the furre of 24500 pounds of Tobacco & Cask being paid by the late p ^{ri} fidents Order deducted Remaines due.....	40820
Caske.....	03265
To Ditto for pay for himfelfe as Cap ^t two Corporalls 18 Soldiers and 20 horfes for 10 days which the[y] ftayed at theffort after they were paid Laft Affembly.....	02485

57400

Northampton County

To Co ^{ll} <i>W^m Kendall</i> for 30 pounds <i>ffter'</i> difburft for the Countries service formerly as appeares.....	06480
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Yorke County

To M ^r <i>Rob' Read</i> for fferrying severall perfons in the publique service over <i>Yorke River</i>	00502
To M ^r <i>Tho: Barber</i> Sheriffe for severall services.....	05791
To Cap ^t <i>Fran: Page</i> late Sheriffe ꝑ ditto.....	02608
To Coll ^o <i>Jⁿ Page</i> for transporting Armes.....	00324
To <i>Jⁿ Babb</i> for Boat hands ꝑ provisions &c.....	01026
To M ^r <i>Joseph Ring</i> for mending Armes.....	04860

15111

Charles Citty County

To Cap ^t <i>James Bifs</i> late Sheriffe for Jurors Charges and other Expences about a Criminall.....	02808
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Surry County

To <i>Tho. Busby</i> Interpreter to the Southerne Indians for one yeare and halfe	06480
To <i>Nicholas Witherington</i> for transporting Indians over <i>James River</i>	00648
To Coll ^o <i>W^m Brown</i> for One yeare and halfe Rent for the Secretaries Office at 2000 ꝑ Annu w th Caske.....	03240
To <i>Jame Caen</i> for goeing to <i>Lower Norfolke</i> w th a packett.....	00216

10584

Glocester County

To <i>W^m Chapman</i> for his yearely pention.....	01080
To <i>W^m Hansford & W^m Thornton Thomas Comp Ro: Bryan Benjamin Clements and Rich^d Whitehead</i> Juro ^{rs} vpon Tryall of the plant Cutters for 12 days attendance at <i>James Citty</i>	03888

04968

Warwick County

To <i>ffra: Redderick</i> for Carrieing the Lord <i>Culpepers</i> Letters aboard <i>Bradley</i>	00064
To <i>Tho: Merry</i> for his Boate 2 dayes 43 To <i>W^m Mott</i> for ditto one day 16	
To <i>Tho: Jones</i> ꝑ ditto 16.....	00075

To

To <i>Rich^d Thorp</i> for carrying an Exprefs to Coll ^o <i>Bridger</i> 32 and to <i>James Lee</i> for ditto 32 and to <i>Sam^t Chappell</i> for his Boat 43	00107
To <i>Tho: Ellet</i> for goeing on a Message about the privateers 16 <i>Geo: Wright</i> for his horse 16 To <i>Henry Tompson</i> for himfelfe & horse 48 and to <i>James White</i> f ditto 48	00128
To Cap ^t <i>Rich^d Whittaker</i> for severall publike services in his Sheriffalty	01080

1454

Westmorland County

To <i>David Wickliffe</i> Interpreter his ufual Sallery for a yeare and Quarter	05400
To Coll ^o <i>W^m Peirce</i> and <i>Rich^d Steereman</i> for 2 horfes loft	04320

09720

Stafford County

To Cap ^t <i>Geo: Brent</i> Comander of the Troop for One Yeare four Months pay Ending 9 th <i>May</i> for himfelfe his Corporall and 19 foldiers 65320 whereof paid him by Order of the late p ffident 24500 due 40820 and for two Messengers by him sent	41620
and Caske for the same	03329

44949

Henrico County

To Cap ^t <i>W^m Soane</i> Comander of the Troop of this County for pay for himfelfe from the fifth of <i>March</i> 1682 till the 9 th of <i>May</i> 9452 of which 4000 paid him by M ^r <i>Prfident</i> which being deducted Remaines and Caske added	05888
To the Corporall of the said for the tyme aforefaid 1500 being paid by M ^r <i>Prfident</i>	02199
To the 19 foldiers of the said Troop 19000 being paid them by M ^r <i>Prfident</i> Remaines Caske Included	27847
To Cap ^t <i>W^m Soane</i> for pay for himfelfe two Corporalls and 18 foldiers for 10 days	02485
To M ^r <i>Tho. Batt</i> for service done by Comand of Coll ^o <i>Byrd</i>	03240

21659

Elizabeth Citty County

To M ^r <i>Baldwin Shepheard</i> for Charge for Jurors Witneffes & other Charges about a Criminall	03930
To Ditto more allowed for the fame	00987
To <i>Quintilian Gothrick</i> for 16 pounds of powder	00259
To <i>Jⁿo Smith</i> and <i>Henry Royalls</i> horse 4 days	00129
To <i>W^m Wilfon</i> for his Boat and 4 hands on an exprefs to <i>James Citty</i> about the privateers	00129

05434

Middlesex County

To Major <i>Robert Beverley</i> not Levyed laft Assembly	15120
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James Citty County

To <i>Rob^t Wilfon</i> Drumer for one yeare 4 mo ^o fallery	04320
To <i>W^m Drew</i> for his horse on Publique service	00064
To Coll ^o <i>Tho: Ballard</i> for his Cart Carrying Amunition from the Guard to <i>Archers hope</i> severall tymes	00432

To

To Maj ^r <i>Samuell Weldon</i> late Sheriffe for severall publique services about Criminalls.	19190
To <i>W^m Briscoe Smith</i> for Irons and other trouble about Criminalls.	01705
To Doct ^r <i>Lee</i> for Entertainm ^t of Indians &c.	01360
To <i>Jⁿ Seabright</i> for Entertaining Indians.	01346
To <i>Edward Sorrell</i> for his perticular Attendance this affembly.	00540
To D ^r <i>Jⁿ Totan</i> for Cureing a Soldier wounded at <i>James River</i> Garrison.	00864
To Cap ^t <i>W^m Armiger</i> Sheriffe of <i>James City</i> for publique service.	14143
To M ^r Secretary <i>Spencer</i> for 22 writts for Eleccon.	07700
To M ^r <i>Edward Chilton</i> for 5 days himfelfe and horfe in apprehending <i>Somerfett Davies</i> and <i>Black Austin</i> by Order of the R ^t Hon ^{ble} the L ^d <i>Culpeper</i>	00270
To M ^r <i>Tho: Rably</i> for his Sloop ten days goeing to <i>Accomack</i> by my Lord <i>Culpepers</i> Order.	00432
To Cap ^t <i>W^m Armiger</i> for the picture of the Kings Armes for the Geñall Courte making the Chair and mending &c.	01242
To M ^r <i>Edw^d Chilton</i> in part for what was Ordered him out of the Eftate of <i>Somerfett Davies</i> being 2150.	01430
To Ditto <i>Chilton</i> for Caske for his tobacco levied laft affembly.	01600
To D ^r <i>Geo: Lee</i> for a horfe loft at the Garrison.	01080
To M ^r <i>Chilton</i> for tñscribing pattents into a new booke.	21600
To M ^r <i>W^m Sherwood</i> for one yeare and halfes Rent for his house at <i>Middle plantacon</i> made vfe of by the Country.	03320
To M ^r <i>Edw^d Chilton</i> for severall services.	09196
To <i>Rob^t Bradley</i> for feizing the skins Ordered laft Affbly.	02000
To M ^r <i>Rably</i>	01500
To M ^r <i>Harding</i> for his Sloope.	02000
To <i>W^m fforeman</i>	01200
To L ^t Co ^{ll} <i>Milner</i> ꝑ Order of laft Affembly.	01728
To the Eftate of <i>W^m Macon</i> for Entertainm ^t of a Meffenger eight days by the Late ꝑfidents Order.	01065
To M ^{rs} <i>Ann Macon</i> for the Comitte Chamber and trouble of her house this ꝑsent Affembly.	01512
	£ 102899

New Kent County

To Cap ^t <i>Edm^d Bacon</i> Comander of the Troope of this County for himfelfe his Corporall & 19 Soldiers from y ^e 20 th <i>March</i> 1682 to the 9 th of <i>May</i> next 56096 ¹ ² tobacco and Cask out of w ^{ch} fufie 24500 p ^d by M ^r <i>President</i> being deducted Remaines 31596 and for Cask for the fame 2528.	034124
To <i>Geo: Smith</i> Interpreter for one yeare and halfes Sallery from the 30 th <i>September</i> 1682.	006480
To <i>Rich^d Yarburgh</i> for his service severall tymes in difcovering the <i>Senerca</i> Indians and other publique service w th Co ^{ll} <i>Byrd</i>	001620
To <i>Geo: Polgreen</i> for publique Service.	001155
To <i>Jⁿ Kinborough</i> for his penfion by Order of Affembly for one yeare and halfe ending 20 th <i>May</i>	001620
To Coll ^o <i>Jⁿ West</i> for Corne dd the <i>Chickahominie</i> Indians by M ^r <i>Presidents</i> Order.	001080
To <i>Geo: Wilson</i> for getting provision for the <i>Rapp^h</i> Indians and Quartering Coll ^o <i>Byrd</i> and his men.	001122
To M ^r <i>Rich^d Littlepage</i> for a fteer to the Indians by Order of M ^r <i>President</i>	000600
To <i>W^m Overton</i> for 3 days on the Countries service.	000081
To <i>Jⁿ Griffin</i> for goeing on severall Meffages in the Countries service.	000183

To

To <i>Geo: Jones</i> for horfes Boats hands &c Impref ^t	000221
To <i>Jn^o Glen</i> for his Mare three days in the Countries fervice	000048
To <i>David Herd</i> for his Boat and hands two days in Conveying a Meffenger from the Prefident to Cap ^t <i>Story</i>	000108
To <i>Bryan Smith</i> for Entertainm ^t of Meffengers and other publique Services found due by the Com ^{tee}	001307
To <i>Jn^o Diggafon</i> for Carrieing a Letter to L ^t <i>Story</i>	000021
To <i>James Turner</i> for Carrieing provifion to <i>Mattapanie</i>	001296
To <i>Henry Marr</i> for Quartering Coll ^o <i>Byrd</i> Cap ^t <i>Armiger</i> and 5 other Gentle- men who were Comanded into that Country by the Hono ^{ble} M ^r <i>Prefident</i>	000432
To <i>W^m Walklett</i> for a horfe Loft in the fervice	001080
To M ^{rs} <i>Sara Clayborne</i> for ferrying in the Countries fervice	001329
To <i>Stephen Crump Smith</i> for fixing of fome of the Kings Arms by Order of Cap ^t <i>ffofer</i>	000540
	<hr/>
	£ 054447

The Clerkes of the Committees

Viz^t

To M ^r <i>Rob^t Bradley</i>	004320
To M ^r <i>Lancellot Bathurft</i>	004320
To <i>Henry Randolph</i>	005400
To M ^r <i>Tho: Blayton</i>	004320
To <i>Edu^d Harrifon</i>	002160
To M ^r <i>W^m Bolton</i> formerly Clk of the Comittee of private Caufes to Com- penfate his Charge in attendance	001080
	<hr/>
	021600

The Doore Keepers

To <i>Lazarus Thomas</i>	001620
To <i>Joseph Preston</i>	001620
To <i>Jn^o Hobfon</i>	001620
To <i>Thomas Morris</i>	001620
	<hr/>
	006480

Additional allowances

To <i>Edu^d Sorrell</i> more ordered	001500
To <i>David Wickliff</i> Interpreter	001450
To <i>Tho: Osborne</i> for a horfe	000850
To Cap ^t <i>Armiger</i> more for feveral services	002400
	<hr/>
	006200
To M ^{rs} <i>Ann Macon</i> for the Affembly Roome the two Chambers over it for the Clks office the Councell Chamber two Courts Candles &c	010600
To M ^r <i>Henry Gawler</i> for the p ^{re} sent Councell Chamber	002000
To Ditto for Entertaining Indians	000300
To D ^r <i>Lee</i> now made appeare for his horfe appraifed at 1300	000300
To <i>Lancelott Bathurft</i> more	001080
To <i>Thomas Blayton</i> more	001080
To <i>Joseph Preston</i> for Extraordinary fervice	000540
To <i>Edu^d Rofs</i> Dru ^m er for halfe a yeares Sallary from the 15 th <i>Aprill</i> laft . .	001620
To <i>W^m Sherwood</i> for a Chamber for the Committee of Greivances and other trouble of his houfe	002500
	<hr/>
	026220

To

To Coll ^o <i>Edw^d Hill</i> Speaker.....	11000
To L ^t Coll ^o <i>Milner</i> Clk of the Affembly.....	021600
	<hr/>
	032600
	<hr/>
To M ^r Secretary <i>Spencer</i> Attorney of his Exl ^{ncy} the Lord <i>Culpeper</i> for foe much paid to the foldiers at the heads of the Respective Rivers being. Cask.....	098000 007840
To M ^r <i>Edw^d Chilton</i> Clk of the Gen ^l Affembly.....	010800
To four Boats 1200 each w th Cask.....	005184
To Cap ^t <i>Brent</i> and his foldiers.....	006642
To Cap ^t <i>Armiger</i> Addition.....	004428
To <i>Hugh Owen</i>	001500
To Coll ^o <i>Lyddall</i> Cap ^t <i>ffoster</i> and Cap ^t <i>Story</i> for themselves and Soldiers as ᠙ Order.....	021600
	<hr/>
	155994

There is found due to severall perfons by Act of Affembly for takeing
vpp Runawayes as followeth

In <i>New Kent</i> County.....	3200
In <i>Yorke</i> County.....	2200
In <i>Warwick</i> County.....	1200
In <i>Lower Norfolk</i> e.....	1100
In <i>Nansmond</i> County.....	0800
In <i>Elizabeth Citty</i> County.....	0500
In <i>Charles Citty</i> County.....	4400
In <i>Lancaster</i>	0400
In <i>Middlefex</i> County.....	0900
In <i>Accomack</i>	1400
In <i>Henrico</i>	1700
In <i>Rapp^{ct}</i> County.....	0400
In <i>Westmer^{td}</i>	1000
In <i>James Citty</i> County.....	2200
In <i>Gloucester</i> County.....	1300
	<hr/>
	22700

The sume of the whole charge of the country to this Affembly
am^{ts} to the sume of 702423 of Tobacco Sallary Included
Teft.

Tho Milner
C^l Affembly

ATT
JAMES CITY IN VIRGINIA.
THE
JOURNALL
OF THE
HOUSE OF BURGESSES

Wednesday October the 20th 1686.



RICHMOND, VIRGINIA.

MCMXIV.

Att James Citty in Virginia.

THE
JOURNALL
OF THE
HOUSE OF BURGESSES

Wednesday October the 20th 1686.

THIRTY one of the Members being met in the Affembly room the Writt for *Nantzemund* Countie is read.

They command the Clerke to acquaint his Excellencie of their being met together.

His Excellencie returnes his desires of their coming before him in the Courthouse.

They immediatly go to wait on his Excellencie.

They return into the Affembly room & agree to meet to morrow morning nine a clocke.

Thursday October the 21st 1686.

ABOVE thirty of the Burgefes met in the Affembly room of w^{ch} his Excellency is made acquainted by some of the Members who return & report, they have acquainted his Excellencie, that all the Burgefes are met in Towne according to the Writts except three, and attend his Excellencies Comands, vpon which his Excellencie appoints the Choice of a Speaker, by such as are mett.

Major *Arthur Allen* is chofen Speaker by the Major Votes & takes the Chayre.

Coll. *Thomas Ballard*, M^r *C^r Robinson*, Coll. *Dan^r Jenifer*, Cap^t *John Smith*, M^r *Arthur Spicer* & Cap^t *francis Page* are appointed by the house to acquaint his Excellencie, with their choyce of a Speaker, and request his leave for presentation of him to his Excellencie.

They return & report his Excellencies Answer is That in y^e afternoon, when the Drum beats (the house being met) he will give directions for such presentation.

The house adjourns to afternoone two a clocke.

Post meridiem

THE house mett.

Major *Sam^r Swann*, Cap^t *John Custis*, Coll. *Jo^r Armistead*, Cap^t *Randolph* & Cap^t *Applewhite*, are sent by the house to acquaint his Excellencie, that the house are mett & wait his Comands.

They return & bring his Lord^{sh} Comands for the house to waite vpon him, and present their Speaker.

The house immediatly attend his Excellencie, with their Speaker who is approved, and makes the vsuall petitions which are granted.

They returne into the house.

M^r

M^r *Arthur Spicer*, Cap^t *W^m Wilson*, Cap^t *Iaac ffoxcroft*, Cap^t *W^m Robinſon*, Major *Styth* & M^r *Leer*, are ſent by the houſe to requeſt his Excellencie, in the name of the houſe, for a Copie of his Excellencies Speech.

They return & acquaint the houſe with his Excellencies promiſe thereof.

A Comiſſion appointed for Examination of the Returns of Writts for new Elections.

M^r *C^r Robinſon*, Cap^t *W^m Randall*, Cap^t *Joⁿ Cuſtis* and Cap^t *Applewhite*, are appointed the Comiſſion.

Major *Sam^l Swann*, Cap^t *Joⁿ Smith*, Cap^t *W^m Hardidge*, M^r *Richard Littlepage* & Major *Harwood*, are appointed by the houſe to pray his Excellencie will aſſigne Councell to adminiſter the Vfuall oaths to the new elected Burgeſſes.

This Houſe adjourns 'till nine a clocke to morrow morning.

ffryday. October the 22. 1686.

THE houſe mett & Called over.

The Report of the Comiſſion appointed for Examination of the Returns of New Elections read & allowed.

Coll. *Richard Lee* & Coll. *C^r Wormeley* two of the Councell bring into the houſe the Copie of his Excellencies late ſpeech, which was forthwith read.

Coll. *Daniel Jenifer*, Coll. *John Weſt*, Coll. *Lemuell Maſon*, Cap^t *William Ball*, and Cap^t *Richard Whitaker* & Cap^t *Henry Batt* are ſent by the houſe to give his Excellencie, the thanks of this houſe for the favour of the Copie of his late ſpeech, which this houſe will forthwith take into their moſt Serious conſideration.

Gentlemen

I am glad to meet you here againe & the more becauſe thereby you have an opportunity by your better Compliance, to give an aſſurance that you are Sencible of thoſe Errors were committed at your laſt meeting, I canot recommend to you a better method to do it then effectually to conſider what I then propounded to you in my ſpeeches, which through the ſame miſtakes (that I may give them the gentleſt tearms they will bear) were not answered, as expected, to them therefore I referre you, and ſhall only add, that for the better Settlement of his Majeſties Militia of this Colony, I find it abſolutely neceſſary that there be other & better meaſures preſcribed then at preſent there are, That thoſe who ſerve the King in that Station may not ſeem to do it by Courteſie, but by Comand. And that you take it into your care, better to adjuſt the tare of *Virginia* hogheads, then the preſent law doth, it being ſo much for the eaſe of the Comiſſioners of his Majeſties Cuſtoms in *England* and for your own advantage if duely conſidered And here I canot omit to acquaint you, that the Law for the Impoſition of three pence ꝑ gallon Vpon liquors is almoſt expired I am confident you are all ſo well ſatiſfied of the eaſe of that duty, & the advantage from it, that you will thinke it requiſite to augment it rather then to Suffer it to terminate.

I haue *Gentlemen* you See propoſed but little new matter to you that we may make this a ſhort & happy Seſſion, which I hope I need not preſs you to, when you conſider, what I have now intimated, & likewise the great charge, which was brought & continued on the Country, by your laſt long ineffectual meeting, w^{ch} who was the occaſion of, I dare refer it to your ſelves to be the judges.

Virginia ſs.

By his Excellencie.

I doe hereby Nominate, Order & appoint the hon^{ble} Coll. *John Page* & Coll. *John Leer*, two of his Majeſties Councell of State of this Colonie to adminiſter the oathes of Allegiance & Supremacie, as likewise the oath of a Burgeſſ of this preſent Aſſembly. Given vnder my hand and the Seale of the Colonie this 22th day of *October* 1686.

Effingham.

Major *Thomas Yowell*, Cap^t *Iaac ffoxcroft*, M^r *Sam^l Hayward* and Cap^t *ffrancis Page*, tooke the oathes of Allegiance & Supremacy, & y^e oath of a Burgeſſ which were adminiſtered

administred vnto them, by the hono^{ble} Coll. *John Page* & Coll. *John Leer* purfuant to the above written Comiffion.

A Comittee appointed for Examination of Grievances & Propofitions.

Coll. *Thomas Ballard* Chairman

Cap^t *John Custis*

M^r *William Wilfon.*

Cap^t *John Smith*

M^r *C^r Robinfon*

M^r *Arthur Spicer.*

Cap^t *ffrancis Page.*

M^r *William Hardidge.*

A Comittee appointed for Examination of Publique Claims.

Coll. *Daniel Jenifer* Chairman.

Coll. *John Armistead.*

Major *Sam^l Swan*

Cap^t *William Randolph.*

M^r *Henry Heartwell.*

Maj^r *Jo^s Styth.*

ffryday the 29th of this instant *October* is appointed for the latest time of receiueing Propofitions Grievances or publ. Claimes which the Clerke of this house is Ordered forthwith to make publique.

This house adjournes vntill two a clocke in the afternoone.

Post Meridiem

THE house Mett.

The book of proceedings at the last Meeting of Affembly reported to the house by the then Comittee appointed for Examination of Grievances & Propofitions, together with all other the proceedings & Reports of that Comittee, are now comitted to the Comittee of Grievances & Propofitions to Examine & Report.

The book of Proceedings at the last meeting of Affembly Reported to the house by the then Comittee appointed for Examination of Publique Claims together with all other the proceedings & Reports of that Comittee, are now comitted to the Comittee, appointed for Examination of Publique Claimes to examine & report.

His Excellencies late Speech is Comitted to the Comittee for Examination of Grievances & Propofitions.

This house adjournes vntill to morrow nine a clocke.

Saturday October the 23^d 1686.

THE Report of the Comittee of Claimes relateing to M^r *Chiltons* Claim of twenty thousand pounds of tobacco & Caske, allowed to him the last Affembly held *Anno. 1684.* for transcribing feveral old Patents being read in the house.

Coll. *Lemuell Mafon*, M^r *Thomas Leer* M^r *Mathew Kemp* and M^r *Richard Littlepage*, are appointed by the house to wait vpon the hono^{ble} Secretary & acquaint him with the said report and that this house doe pray his honor will please to direct that M^r *Chilton* doe forthwith comply with his obligation to the house in that affair.

The Journall of the last meeting of Affembly is Comitted to the Comittee of Grievances & Propofitions to inspect, and Report what fhall be found needfull to this house, and that they forthwith proceed therein.

This house adjournes vntill two a clock in the afternoone.

Post Meridiem

THE house mett & adjourn vntill *Munday* morning nine a clocke.

Munday

Munday October the 25th 1686.

THE house met.

New Kent Counties Propofitions, read in the houfe & Comitted to the Committee of Grievances & Propofitions.

Surry Counties propofitions read in the houfe and Comitted to the Committee of Grievances & propofitions.

Refolv'd by the houfe that the Committee of Grievances and propofitions doe take into their confideration the preparing a bill for a law for the Regulating & leffening the Vnreafonable charge brought vpon the Country by Sherrifes &c Occafioned by Criminals & otherwaies and Report the fame to this houfe.

The Report of the Committee for Grievances & Propofitions being read in the houfe, is referr'd to be again read in the afternoone.

Refolv'd that the thankes of this houfe be given to M^r *Deuel Pead*, for the Sermon by him yefterday preached in the afternoon, & that M^r *Speaker* will pleafe to doe it.

Refolv'd that the thankes of this houfe be given to M^r *Rowland Jones* for the Sermon by him yefterday preached in the forenoon & that M^r *Speaker* will pleafe to doe it.

Post Meridiam

THE houfe met & called over.

The Confideration of the lawes relateing to Negroes are committed to the Committee of Grievances & propofitions, to Examine and Report what additions or amendments are needfull to be made.

Vpon Reading the Report of the Committee of Grievances and propofitions, relateing to the fee of 200^l of tob^o for affixing the Seale.

Refolv'd by the houfe *Nemine Contradicente*. That an Addrefs be made to his Excellencie for takeing of the fame, and that the Committee of Grievances & propofitions doe prepare fuch addrefs, for the Confideration & allowance of the houfe.

Vpon a debate in the houfe about preparing a bill for Regulating abufes in makeing & packing tobaccos.

The Queftion, Shall the bill be drawn fo as to limit a time after which no tobacco to be planted.

Refolved in the Affirmative.

The Queftion. Shall the time limited in Such byll be the laft of *June* or tenth of *July*.

Refolv'd The laft day of *June*.

The Petition of *Gawen Dunbarre* about a Negro Slave being flain in firing Guns at *Tindals Point*, read in the houfe and *Refolv'd*.

That the Country is no waies oblig'd to make Satisfaction in that cafe, and doe therefore eject the petition.

The Report of the Committee of Grievances & Propofitions being read in the houfe, it is *Ordered*, that the feverall *Refolves* of the houfe be entred in the Margin of the faid Report.

The houfe adjournes vntill to morrow morning Nine a Clocke.

Tuesday October the 26th 1686.

THE houfe Mett.

The Gentlemen of the Committee of Grievances & Propofitions makeing Report, that Coll. *Thomas Ballard* their Chairman being taken very lame, cañot poffibly attend the Committee & defireing that fome other Member of the houfe may be added to y^e Committee & Such other as the houfe fhall thinke fitt, appointed *protempore* to fill the chayre, to the end the bufinefs of the Committee may not Suffer delay

delay. M^r *Christop^r Robinson* is appointed by the house whilst Coll. *Ballard* continues absent, to take the chayre, And Coll. *Arthur Smith* is added to that Committee.

A Propofition from *New Kent* Countie about an Impofition on Certain Comodities, imported & exported was read in the house & comitted to the Committee of Grievances and Propofitions.

The Grievances of *Warwicke* Countie, read in the house & Comitted to the Committee of Grievances & Propofitions.

This house adjourns vntill two a clocke in the afternoone.

Post meridiem

THE house mett.

The Grievances of *Northampton* Countie, read in the house & Comitted to the Committee of Grievances & Propofitions.

The Grievances of *Stafford* Countie read in the house & Comitted to the Committee of Grievances & Propofitions.

The Grievances of *Westmorland* Countie, read in the house and Comitted to the Committee of Grievances and propofitions.

Resolu'd, that the Clerke of this house doe prepare the bill for difabling Countie Courts to make by lawes, with a provifoe that the Countie Courts may Notwithftanding haue power to lay the Countie Levy and bring the Same to be read in the house.

Resolu'd that the Clerke of this house doe prepare a bill againft making Seconds & Slips, and planting tobaccoes after the laft day of *June*, and bring the fame to be read in the house.

The house adjourns Vntill tomorrow nine a clocke.

Wednesday the 27th of October 1686.

THE house mett.

Cap^t *Ifaac ffoxcroft* Cap^t *Henry Applewhite*, Cap^t *W^m Ball* & M^r *Sam^l Hayward*, are appointed by the house with the firft conveniencie fo far to examine the tranfcribed booke of Patents brought into the house by M^r *Edward Chilton* with the Originals as they fhall fee caufe for & to make report to this house.

Cap^t *David ffox* & M^r *Henry Jenkins* are appointed by the house to enquire of M^r *George Mafon* (now fick in Towne) whether his father provided a boat for the garrifon in *Potomack* River and to make Report thereof.

They Report that he is ready to pay backe the tobacco, the boat not being provided by his father.

Coll. *Lemuel Mafon*, M^r *Tho: Leer* Cap^t *Richard Whitaker* & Cap^t *Henry Jenkins* are appointed by this house to fignifie to M^r Auditor *Bacon*, that this house doe defire & expect from his hono^r a perfect & full acco^t of the 3^d ℥ gallon vpon liquours with all convenient fpeed.

Coll. *Thomas Ballard*, Major *Sam^l Swanne* Cap^t *ffrancis Page* and Cap^t *W^m Robinfon* are appointed to draw up a charge againft L^d Coll. *W^m ffitzhugh*, in the name of this house, and report the Same with all poffible conveniencie.

This house adjourns vntill to morrow nine a clock.

Thursday October the 28th 1686.

THE house met & adjourn vntill two a clocke in the afternoone.

Post Meridiem

THE houfe mett.

Coll. *Lemuel Mafon* &c bring into the houfe an acco^t from M^r *Auditor* of the 3^d $\frac{7}{8}$ gallon vpon Liquors.

A Bill prohibiting Countie Courts to make by Lawes read in the houfe and pafst the firft vote.

A bill entituled No Seconds or Ships &c. Read in the houfe and pafst the firft vote.

A bill repealing the 7th Act of Affembly made at *James City* the 16th day of *Aprill* 1684. Entituled, *An Act for the better defence of y^e Country* read in the houfe & pafst the firft Vote.

A byll Reftraining Negroes going armed, read in the houfe & pafst the firft Vote.

Cap^t *Ifaac foxcroft* &c Report that they have with M^r *Edward Chilton* examined what was needfull in the tranfcribed booke of Patents all except one paper & that M^r *Chilton* is ready to make oath to the truth of the tranfcription of the whole booke.

Major *Sam^l Swann* & Cap^t *francis Page* are appointed to wait on the honorable M^r Secretary *Spencer*, & to acquaint him with an agrievance brought into this houfe, complaining that thirty five pounds of tobacco is charged by the Clerk of M^r Secretaries Office more then formerly for every patent. And that this houfe defires he will carefully enquire into the matter, & give his directions that for the future noe fees be charged from the Office, but what are allowed by the fetled lawes of this Country, and to Report M^r Secretaries Anfwer to this houfe.

Refolu'd by the houfe that the Complaint brought from *Stafford* Countie of haueing paid three Burgefles this laft meeting of Affembly and the Record thereof, from that Countie making Mention of 4000^{lb} tob^a being Levied to L^t Coll *W^m ffitz-hugh* as a Burgefes be added to the charge made by this houfe againft the Said Coll. *ffitz-hugh* by the Gentlemen appointed to draw vp the faid Charge.

The letter from the Corniffioners of his Maj^{ty}s Cufoms to the Lord Treafurer being the Report on the Addrefs from this houfe, was fent to the houfe by his Excellencie read, & Ordered to be Entred into the journall.

May it Please your Lordfhip.

In Obedience to your Lord^{ps} Comands fignified to to vs by M^r *Guy* the 23^d pafst, vpon an Addrefs of the Affembly in *Virg^{nia}* touching the new Impofition on tobacco, we haue confidered the fame, & find there is no more therein then we haue before heard from the Merch^{ts} dealing in that Comoditie, and that the mifchiefs that befall the planters are rather from the abundant quantitie of tobacco, that's made, then from the impofition, And we humbly offer our Opinion as we did formerly in the cafe of Sugar that it is not advifeable to make and alteration of the Dueties as they now ftand vntill his Majeftie fhall have had the experience of it at leaft a year.

All which is humbly Submitted to your Lordfhips confideration.

D. North

Jo. Werden

Ch. Chayne

W^m Dickinfon

Tho: Chudley.

This houfe adjourns vntill to morrow two a clock afternoone.

ffryday Octob^r the 29th 1686.

Post Meridiem

THE houfe met.

M^r *C^r Robinfon* &c Report to the houfe, that they had in Obedience to the Comands of the houfe attended his Excellencie, about directions for the maner how his Excellencies propofes the Settlement of the Militia, to which his Excellencie was pleafed to make anfwer that this afternoon he would confider thereof, with the Councell and fend his propofals to the houfe.

A bill Restraining Stone horfes vnder fourteen hands high running at large read in the house & paft the first Vote.

An Addrefs to his Excellencie about the payment of quit rents prepared by the Committee of Grievances & propositions read in the house, approved & Ordered to be put vpon the journall & fairly tranfcribed to be sent to his Excellencie.

To his Excellencie Francis Lord Howard Baron of Effingham, his Maj^{ty} L^t & Governor Gen^l of Virginia.

The House of Burgeffes now affembled at James City humbly p^{re}sent

That for many years before the happy Restauration of his late Majesty of blessed memory, & since such his happy restauration by a law of this Country, made Anno 1661/2. the quitt rents due to his Majestie for all lands in this his Majesties Colonie & Dominion of *Virginia* have been paid & accepted in tob^o at the rate of 2^d p lb And your Excellencie haueing been pleas'd publicuely to signifie that for time to come, according to instructions from his Maj^{ty} to your Excellencie your Excellencie would com^{and} & expect the same, should every year be paid in Curr^t *English* monie, according to the tenor & at the times & dayes mentioned in all Patents for lands. And the inhabitants of this Country not being possibly able so to doe, there being noe Specificall monie in this Country, nor possibilitie of such to be procured from *England*, his Majesties Lawes forbidding the transportation thereof, They have vnder the deep sence of that difficulty, most humbly moved from their Respective Counties, that your Excellencie be intreated by an humble addrefs to permit & grant that the quit rents due for all lands be paid & discharged by Tobaccos, at the prices & rates of 2^d p pound. This house doe therefore in the name of themselves and all the freeholders of this his Maj^{ty} Dominion, humbly pray your Excellencie, that the quit rents may be so continued to be discharged, it being not only ruinous but vtterly impossible to make payment thereof in specifical monies as the Patents provide.

An Addrefs to his Excellencie about Revifeing of the lawes prepared by the Committee of Grievances & Propofitions read in the house, approved of, & Ordered to be put vpon the journall, & fairly tranfcribed to be sent to his Excellencie.

To his Excellencie Francis Lord Howard, Baron of Effingham his Majesties L^t & Governor Gen^l of Virginia.

The house of Burgeffes now affembled at James City, humbly p^{re}sent.

That whereas Severall propositions haue been presented for revifeing the whole body of the lawes, within this his Maj^{ty} Colonie & Dominion of *Virginia* whereby they may be made fit by an humble addrefs to be presented to his most gracious Majesty for his Royall assent & confirmation & whereas this house in their consideration of the premises, doe in their journall of the last Asssembly find, that your Excellencie was pleas'd to promise to make it your care, that the lawes should be revifed with directions for such observations and considerations as should be found necessary to be made therein, & then Reported to the then following Asssembly for their inspection & observation, to the intent they might by the Gen^l Asssembly be humbly presented to his Majestie as the body of the lawes of this his Majesties Dominion, for his Royall confirmation. And the house of Burgeffes now affembled haueing as yet recieved noe intimation from your Excellencie, of any such Revifeall & Conceiueing the same most necessary to be done humbly pray your Excellencie, that if the said lawes are so revifed & prepared, you will please to transmit them to this house, for their perufall & consideration.

An Addrefs to his Excellencie about the Seale of the Colonie & fee set for affixing the same, prepared by the Committee of Grievances & propositions, Read in the house, approved of, and Ordered to be put vpon the journall, and fairly tranfcribed to be sent to his Excellencie.

To his Excellencie Francis Lord Howard Baron of Effingham his Majesties L^t & Governor Gen^l of Virg^a

The house of Burgeffes now affembled humbly P^{re}sent

That the Seale first most gratiouly granted to this Country by King *James* the first of blessed memory, and since by his Royall Successors on the humble addreffes of

the

the Inhabitants of this his Majesties Dominions to this time as gratiouſly confirmed, was both at its firſt grant & ſeverall confirmations afterwards procured & purchaſed, at the proper charge & expence of this Country, & accordingly all along made uſe of, as an authentique atteſtations to all their patents, grants &c without fee, reward or other impositions, vntill your Excellencie in *Aprill* Gen^l Court 1685. was pleas'd to declare & ſpeedily after to ſet forth your proclamation, comāding the payment of two hundred pounds of tobacco for affixing the ſame which publication of your Excellencies pleaſure, as it has prevented ſeverall from taking out their Patents vnder the Seale, from y^e ſecretaries Office, and deterred many more from entring new ſeats of land, to the great prejudice of his Majesties Revenues in the quit rents, ſo it has cauſed all the inhabitants in generall, to preſent it as a great preſſure, innovation & grievance to this Affembly, Wherefore the houſe of Burgeſſes on behalfe of themſelves & all the freholders of this Country humbly ſupplicate your Excellencie, That the Rights, priviledge and benefit of the ſeale, may be continued to them as formerly without fee, your Excellencies proclamation about the ſame called in, & the whole imposition lately comāded forthwith taken of.

A bill prohibiting Countie Courts to make by lawes read & paſt y^e 2^d vote.

A bill entituled *no Seconds or Slips* read & paſt the 2^d vote.

A bill repealing the Act entituled, *an Act for better defence of the Country* read & paſt the ſecond vote.

A bill Reftraining Negroes going armed read the ſecond time.

The Queſtion. Shall the bill paſs as it is or with amendments.

Reſolu'd, that it be amended, & Major *Sam^l Swann*, Cap^t *John Cuſtis* & Cap^t *Iſaac foxcroft* are appointed by the houſe to bring the ſame with neceſſary amendments.

Major *Sam^l Swan* Reports from M^r *Secretary*, that in anſwer to the meſſage from this houſe, he was pleas'd to ſay, that in the paſſed ſum^r as ſoon as he vnderſtood that M^r *Chilton* had ſent out ſuch fees, he had comāded him to forbear any further demand of ſuch fee, except in the Northward Necke, where the inhabitants for their ſecuritie deſire to have Record made of their Survey & Entry of Rights in his Office but if they ſo pleaſed to haue it, he would for them alſo for the time to come forbear the Recording ſuch Survey & Rights & demanding ſuch fee.

The Charge drawn vp againſt L^t Coll. *W^m fitzhugh* read in the houſe & approved.

Coll. *Thomas Ballard*, Major *Sam^l Swann*, M^r *Arthur Spicer* Cap^t *W^m Randolph* & Cap^t *Iſaac foxcroft* & Cap^t *Francis Page* are appointed by the houſe to manage the ſaid Charge againſt Coll. *fitzhugh*.

Reſolu'd by the houſe that M^r *Martin Scarlet* & M^r *Sam^l Hayward* make anſwer to ſuch Interrogatories as the Gentlemen appointed to manage the charge againſt Col. *fitz-hugh* ſhall put to them And the ſaid Gentlemen are alſo empowered to interrogate what other perſons they ſhall thinke fitt.

This houſe adjournes vntill to morrow morning Nine a clocke.

Saturday October the 30th 1686.

THE houſe mett.

A bill Reftraining Stone horſes vnder fourteen hands high ruīng at large, read in the houſe the 2^d time & paſt the 2^d Vote.

A paper Entituled *Articles of charge againſt M^r Martin Scarlett* one of the Members of this houſe, coming referr'd from his Excellencie & the Councell being read, & the houſe obſerueing the ſaid paper not to come in the name of any perſon or perſons whatſoever *Reſolu'd* by the houſe that a meſſage be ſent to his Excellencie & the Councell requeſting to know who it was that preſented the ſame before them & obtained the ſaid reference M^r *C^r Robinſon*, Cap^t *Joⁿ Cuſtis*, M^r *W^m Hardidge* & M^r *Mathew Kemp* are appointed to goe on the ſaid meſſage.

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The acco^t sent into this house by M^r Auditor *Bacon* of the imposition of 3^d ℥ gallon vpon Liquors not being thought full & perfect.

Coll. *Lemuell Mafon*, M^r *Thomas Leer*, Cap^t *Richard Whitaker* & Cap^t *Henry Jenkins* are appointed by the house to acquaint his honor that this house desires & expects a full cleer & perfect acc^t of the same from the beginning of the said Imposition to this time, as also an acco^t of the 2^s ℥ hh. & fort duties from the time his honor last gave acc^t thereof to this house.

The Comittee of Grievances & Propositions are appointed by the house to prepare a byll for Townes & Report the same to the house.

Also to prepare the byll about Runawayes with the additionall claufe according as they have reported, also all other bylls already reported by them & Refolu'd by the house.

A byll prohibiting Countie Courts to make by Lawes, read the third time & paf^t the third vote.

A byll entituled *Noe Seconds nor Slips* read the third time & paf^t the third vote.

A byll Repealing the Act Entituled *An Act for the better defence of the Country* read the 3^d time & paf^t the 3^d vote.

This house adjourne vntill *Munday* ten a clocke.

Munday November the 1st 1686.

THE house mett & adjourn vntill nine a clocke tomorrow morning.

Tuesday November the 2^d 1686.

THE house Mett.

Coll. *John Armistead*, Coll. *Lemuell Mafon*, Coll. *Arthur Smith*, Coll. *Jo^h West*, Cap^t *Henry Applewhite* & Major *Thomas Yowell*, are appointed by the house to carry to his Excellencie & the Councell those following bylls.

A byll prohibiting Countie Courts to make by lawes.

A byll declareing the 107. Act^s of Aff^v to be in force.

A byll Repealing the Act Entituled *An Act for the better defence of the Country*.

Also to present to his Excellencie those following Addresses.

An Addres about the imposition of 200. lb of tobacco vpon y^e Seale.

An Addres about the quit rents.

An Addres about the Reviseall of the Lawes.

The byll Reftraining horses ruining at large Read in the house.

The Question. Shall the byll paf^s *interminis* [*in terminis*] or not.

Resolu'd in the affirmative & paf^t the third vote.

The byll Reftraining Negroes going armed brought into the house by Major *Sam^l Swanne* &c with the amendments read.

The Question. Shall it paf^s with the amendments or not.

Resolu'd in the Affirmatiue.

Coll. *Armistead* &c. return & report their deliuey of the bylls & addresses.

A byll about Runaway Servants read in y^e house & paf^t y^e 1st vote.

A byll directing tares vpon tobacco hogheads, read in the house the first time & paf^t the first vote.

A byll directing Court dayes in *Accomacke* Countie read & paf^t the first vote.

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1 This is not clearly written in the original.

A byll declaring *Maryland* debts recoverable read & past y^e 1st vote.

A byll for advancement of manufactures of the growth of this Country, read in the house the first time & past the first vote.

The Address to his Excellencie Reported by the Committee of Grievances & propositions about Reviving Lawes by proclamation, which stood Repealed by Act of Assembly, read in the house & allow'd.

Resolv'd that the same be entred vpon the journall & fairly transcribed to be sent to his Excellencie.

To his Excellencie Francis Lord Howard Baron of Effingham his Majesties L' & Governor Gen^l of Virginia.

The house of Burgeffes now assembled, humbly Present.

That they willingly acknowledge his Majesties Authoritie in Repealing or declaring Voyd any of the lawes or Acts of Assembly made in this his Majesties Dominion of *Virginia*, not haueing the Royall Assent but cannot consent or allow that any Act of Assembly which hath been repealed by the same Authoritie, that gaue it being can be revived or reinforced so as to haue the force and strength of a law, by any Order or Proclamation whatsoever. And therefore this house cañot but looke vpon that part of your Excellencies proclamation of the 19th June 1684. whereby the 6th Act of Assembly made in the year 1680. Entituled, *An Act about Attornies fees* is declared to be by his Majesties Speciall Comand revived & in the full sence & strength of an Act of Assembly, to haue proceeded from some mistake or misinformation, They being well assured of his Majesties gracious inclinations, declared by himselfe that he will maintaine the Established Government, and defend all his subjects in their just Rights & Liberties, wherefore this house doe in the name of themselves & all the Comons of this his Majesties Dominion of *Virginia*, humbly pray that your Excellencie will publiquely declare that part of your proclamation for Reviving the said law to be Voyd, and that the said law stands Repealed by an Act of Assembly made at *James City Anno. 1683.* intituled *An Act Repealing the 6th Act of Assembly of June 1680, about Attornyes.*

The Address to his Excellencie Reported by the Committee of Grievances & Propositions about Licencing Schoolmasters read in the house & allowed.

Resolv'd that the same be entred vpon the journall & fairly transcribed to be sent to his Excellencie.

To his Excellencie Francis Lord Howard Baron of Effingham his Majesties L' & Governor Gen^l of Virginia.

The house of Burgeffes now assembled, humbly present.

That whereas your Excellencie has been pleased by your late precept to comand that all Schoolmasters should make their personall appearance at *James City*, there to receive your Excellencies License & approbation to teach & that none Shall be admitted to that Office before they haue there taken out such a qualification and whereas this house doe too Sencibly vnderstand from their Respective Counties, that severall knowing skilfull Schoolmasters leave of their imploy because they are vnable out of such small allowance as they yearly have to endure the charge they are now necessarily exposed to, for the procuring of their Licenses to teach. This house doe therefore in the Name of themselves and all the inhabitants of this Countrey, humbly pray that for the greater ease of such as are willing to employ themselves in so necessary an vndertakeing, your Excellencie would please to appoint in every Countie, some One of such person or persons as to your Excellencie shall seem most fit, for the due examination of them, & that such persons vpon their well approueing their Capacities, may likewise haue power from your Excellency to grant them a license for so moderate & reasonable a fee, as in the like cases is vsuall & Customary to be paid in *England*.

This house adjournes vntill two a clocke in the afternoone.

Post

Post Meridiem

THE house met.

Resolu'd by the house that a Copie of the Charge against L^t Coll. *ffitzhugh* be drawn fair & sent to his Excellencie & the Councill, & that M^r *C^r Robinson*, Cap^t *Joⁿ Custis*, M^r *W^m Hardidge* & M^r *Mathew Kemp* doe wait vpon his Excellencie with the Same, and acquaint his Excellencie, that this house doe pray his Excellencie to assign a day for their prosecution of the said Charge against the f^d L^t Coll. *W^m ffitzhugh*.

The same Gentlemen are also appointed to acquaint his Excellency that this house doe request his Excellencie will please to call before him M^r *Edward Chilton* to make oath to the trueth of the transcript of the booke of Patents & to cause a Record to be made of such oath.

A byll for Townes, Ports &c read in the house & past y^e 1st vote.

This house adjournes vntill to morrow morning nine a clocke.

Wednesday November the 3^d 1686.

THE house mett.

A Byll restraining Negroes going armed read the 3^d time & ejected.

A Byll about runaway Servants read in y^e house & past the 2^d vote.

A Byll directing Court dayes in *Accom^t* read y^e 2^d time & past y^e 2^d vote.

A Byll declareing *Mary^{l^d}* debts pleadable read & past the 2^d vote.

A Byll for advancem^t of manufactures read & past the 2^d vote.

A Byll directing tares vpon tobacco hoghd^s read & past the 2^d Vote.

A Byll repealing the Act against Strikeing ffish read & past y^e 1st Vote.

A Byll for Townes, Ports &c read in the house & past the 2^d vote.

This house adjournes vntill two a clocke afternoone.

Post Merid^m

THE house met & adjourns vntill to morrow nine a clock.

Thursday the 4th November 1686.

THE house met.

M^r *Speaker* reports to the house, that last night M^r *Ew^d Chilton* brought to him certain returns in writeing, w^{ch} he said he was commanded by his Excellencie to deliver to him, and further that his Excellencie Said that he appointed *Saturday* forenoon, for the prosecution of the charge against Coll. *ffitzhugh* & expected the house should then be ready to attend it, and in answer to the question who it was that presented the paper entituled, *Articles of charge against M^r Martin Scarlet*, the same was presented by Coll. *ffitzhugh* and the reference thereof to the house of Burgesses was obtained by him. And that his Excellencie would some time this day send for the booke of transcriptions of Patents, see M^r *Chilton* make Oath thereto & cause a Record to be made thereof as this house desired.

To his Excellencie & the Councill

Vpon Reading severall bills transmitted from this house to his Excellencie & the Councill & the returns thereon made, this house obseruing the returns & marginall notes thereon not to come in the vsuall maⁿer as heretofore, but in other words & stile,
and

and this house not well knowing from whom the Said Returns come, whether from his Excellencie & the Councill or from the Councill only & consequently in doubt how to resolve thereupon, doe therefore humbly pray your Excellencie & the Councill to Certifie to this house how they shall accept the said returns, whether from your Excellencie & the Councill together as an assent to the bylls or from the Councill by themselves as their Concurrence only.

Coll. *Daniell Jenifer*, Cap^t *Joⁿ Custis*, M^r *Richard Littlepage* & M^r *Sam^l Hayward* are appointed to deliver this message to his Excellencie & the Councill.

Gentlemen

I haue rec^d your proposition relating to the Reviseing the whole body of the lawes of this his Majesties Colonie of *Virg^{na}* w^{ch} I have formerly & now doe make it my great care, with all due circumspection to be revised, & for the more regular & better considering of the lawes, I sometime since appointed a select number of worthy & discreet Gentlemen of his Majesties Councill as a Committee to consider of all & every individuall law & laws of this Colonie, & to report the Same to me & the Councill in full Councill, as it is a worke of great consideration, so it takes a proportionable time for the well effecting of it. Its now in hand with, and a fair progress therein made, and shall make it my care, that it be thoroughly proceeded in, and when fully finished & fair transcribed, the House of Burgeses shall have knowledge of it.

By his Excellencies Command.

Nov. 3. 1686.

E. Chilton Cl. Gen. Ass^{embly}

Vpon reading certaine propositions for methodiseing & forming the Militia. *Resolu'd* Vnanimously by the house, that the same cannot be put in practice, without bringing an insupportable charge upon the inhabitants of this Country.

A Byll Regulateing the Charge of Criminals read in the house and past the first vote.
This house adjournes 'till two a clocke in the afternoone.

Post Meridiem

THE house met.

A byll Repealeing the Act restraining Strikeing ffish read & past y^e 2^d vote.

A byll directing Court dayes in *Accom^k* Countie read & past y^e 3^d vote.

A byll directing *Maryland* debts pleadable read & past y^e 3^d vote.

A byll for advancement of manufactures read & past y^e 3^d vote.

A byll about Runaway servants read & past the 3^d vote.

A byll directing tares vpon tobacco hogheads read & past y^e 3^d vote.

A byll for Townes Ports &c Read in the house & past the 3^d vote.

Coll. *Joⁿ West*, Major *Thomas Yowell*, M^r *Thomas Barber*, M^r *Leer*, M^r *Batts* & M^r *Anderson* are appointed by this house to present to his Excellencie & the Councill these following bylls.

A byll Restraining Stone horse ruining at large.

A byll directing tares vpon tobacco hogheads.

A byll about Runaway Servants.

A byll for advancement of manufactures.

A byll directing *Maryland* debts pleadable.

A byll directing Court dayes in *Accomacke* Countie.

Also to present to his Excellencie these following addreffes.

The Addres about Repealing Lawes by Proclamation.

The Addres about Schoolmaster's Licenses.

M^r *Chilton* brings into the house a written message, w^{ch} is read.

M^r Speaker & *Gentlemen of the house of Burgeses*.

His Excellency & the Councill this day receiued a written message from your house, saying, that you observed that Returns made to bylls remitted to your house, were not in the vsuall manner as heretofore, but in other words & stile, & desired to be satisfied from

from whom the said Returns came, whether from his Excellencie and Councell conjoynd, or from his Excellency & the Councell distinct; In which that you may receive full satisfaction, his Excellencie doth declare himselfe a distinct body from the Councell, and that you may please to accept those returns to your bylls solely from the Councell. This Method his Excellencie hopes may give an easy dispatch to busines, and remove all doubts of mistakes, being as near as possible our Circumstances will admit us to come to that great body of the Kingdom of *England*.

That answer returned unto your house by his Excellencie relating to the Reviseall of the Lawes was Signed by his Excellencies Command & not by his Excellencie for if it had been otherwaies, it would have been a diminution to the great Comission his Excellencie beares, for his Excellencie to haue signed to an Answer to your House in return to a Paper signed only by the Clerke of your house and not by your Speaker.

Novemb^r the 4th 1686.

E. Chilton C Gen^l Aff^{m^bly}

This house adjournes vntill to morrow morning nine a clocke.

ffryday Novemb^r the 5th 1686

THE house met.

Coll: *West* &c. Report to the house the delivery of the severall bylls and addreffes by them sent.

This house adjourns vntil two a clocke afternoone.

Post Meridiem

THE house mett.

M^r C^r Robinson, Cap^t W^m Hardidge, Cap^t Joⁿ Smith, & Cap^t Joⁿ Custis are appointed by the house to waite vpon the hono^{ble} Councell & to acquaint them, that this house desires a conference with them by some of their Members, whom they shall appoint about the Returns by them made vpon Severall bylls for lawes fully voted in this house and that they will please to appoint the time & place for such conference.

The Report of the Committee of Claims read & recomitted.

This house adjourns vntill tomorrow morning nine a clocke.

Saturday November the 6th 1686.

THE house met.

A byll Regulateing the charge of Criminals read in the house & past the second vote.

A byll Repealing the Act Restraining Strikeing fifth past y^e 3^d vote.

Coll. *Dan^l Jenifer, Coll. Joⁿ Armistead, M^r Henry Heartwell, and Major Joⁿ Styth* are appointed by the house to present to his Excellencie & the Councell the Reports of the Committee of Claims for the years 1685 and 1686.

This house adjourns vntill *Munday* morning ten a clocke.

Munday the 8th Novemb^r 1686.

THE house met.

A Byll Regulateing the Charge of Criminals read & past y^e 3^d vote

November the 8th 1686

By his Excellencie.

M^r Speaker & Gentlemen

As to your Address concerning the quit Rents, I answered it at your last meeting so fully, that I thought there had been no room for a Second motion, I am sure no reason
for

for it, since I then informed you, It was his Majesties perticular Comānd to me, & what you are obliged to by the Condition of your patents, which makes me wonder the more at this your addrefs, & the more still, becaufe I then conceded, through the difficulty of paying them in Specie, that they should be paid in tobacco at one peny $\frac{3}{4}$ pound, w^{ch} is not neer now *ad valorem*, as you your Selves very well know, and still the lesf reason you have to be diffatisfied, becaufe that his Majestie hath not only been pleased to pardon my Concession to you at that time but for the future by my intercession, to allow that that method shall be admitted of, neither doth his Majesties favor stop there, but hath been gratioufly pleased out of his Royall bounty to Order the produce of his Quit rents to be deposited here for the advantage of this his Majesties Dominion, as his Majestie shall be pleased from time to time to direct, & so consequently will circulate for your Seuerall benefits.

Signed by his Excellencies Comānd.

E Chilton C. Gen^l Ass^{mbly}

November the 8th 1686

By his Excellencie.

M^r Speaker and Gentlemen.

I haue rec^d from you an Addrefs relateing to Schoolmasters in that as in all other matters, I shall give you all reasonable satisfaction and therefore am to tell you, that what Comānds to me I have giuen therein are purfueant to his Majesties Speciall Comānds to me, as by the Inftruction herewith sent vnto you, you may observe, in which not being so forward, as it was expected I should haue been, my memory was therein refreshed by the Lord Bishop of *London*, and as I am Comānded to haue it performed, so I am desireous to have it done with as much ease & encouragement to the inhabitants, as possible may be and as testimonies thereof I will direct, that Examination shall be taken of the fitness & abilities of persons presented for Schoolmasters by the next of his Majesties Councill of this Colonie, & vpon his approueing of the persons they shall be accordingly lycenced for Schoolmasters, with whom I shall cause to be left blanke lycenses vnder my hand & seale to be filled up with the name & names of such person & persons approued of, for which shall be required no more then a Small fee to my Clerke for the writinge the same. Signed

By his Excellencies Comānd.

E Chilton C Gen^l Ass^{mbly}

His Majesties twenty Seauenth Inftruction.

And we doe farther direct, that noe Schoolmaster be henceforward permitted to come from *England* & to keep School within our Colonie of *Virginia* without the Lycense of the s^d Bishop, and that noe other person now there, or that shall come from other parts be admitted to keep school without your licence first had.

Cop. Ver.

Effingham

Vpon Reading the returnes Sent from the Councill, relateing to the Report of the Comittee of Claimes, whereby the Councill propose, that Cap^t *Duke's* Claim may be allowed proportionable to Cap^t *Heartwells* allowance or Cap^t *Heartwells* Claim reduced proportionable to Cap^t *Dukes*.

Resolu'd, that Cap^t *Heartwells* Claim be reduced proportionable to Cap^t *Dukes* and in order thereto Cap^t *Heartwells* claim is recommitted to the Comittee of publick Claimes to examine anew, and Regulate the same as the Law directs.

M^r C^r Robynson, Coll. *Dan^l Jenifer* Major *Sam^l Swanne*, Cap^t *W^m Randolph*, Coll. *Joⁿ Armistead*, Cap^t *Joⁿ Smith* Cap^t *ffrancis Page* & Cap^t *Joⁿ Custis* are appointed to manage the conference with the hono^{ble} Councill about the returnes by them made vpon feuerall bylls for lawes.

M^r Wilfon & *M^r Barber* are appointed to acquaint the hon^{ble} Councill therewith.

This house adjournes vntill two a clocke afternoone.

Post

Post Meridiem

THE house mett.

Coll. *Arthur Smith*, Major *Harwood*, M^r *Kemp*, & M^r *Hayward* are appointed to carry those Seuerall bills to his Excellencie & y^e Councill.

The byll for Townes.

The byll about Criminals charges.

The byll about Strikeing ffish.

This house adjournes vntil tomorrow nine a clocke.

Tuesday November the 9th 1686.

THE house met.

Resolu'd, by this house that the Committee of Claims do enter upon & examine all Sherrifs acco^{ts} brought either to this or the last meeting of Affembly, and that they regulate the same according to law, and make report thereof to this house.

In anwser to the Returns made by the hon^{ble} Councill to y^e Report made by the Committee of Claims. As to the Claim made by Coll. *Ifaac Allerton* Sherrif of *Westmorland* County for 748 lb. tob^o it being a charge occationed by the escape of Coll. *Talbot* from his imprifonment this house conceiues the publique noe waies lieable to pay the same and doe therefore pray your hono^{rs} will allow the Report of the Committee in that article as this house already haue done.

To the Claim made by the Sherrif of *Westmorland* Countie for 1800 pounds of tobacco & Caske for an horse loft being impreft for the convoying of an Evidence against *Peter Rely*, this house doe further inform your Hono^{rs} that the Law prescribes what satisfaction in such cafes Evidences are to haue from the publique which is already in the said Report allowed to those Evidences against the said *Rely* and consequently nothing due from the Country for the los of such horse, and doe therefore pray your hono^{rs} will allow the Report of the Committee in that article also as this house haue already done.

To the Claim of Cap^t *Duke* this house haue resolu'd that Cap^t *Heartwells* claim be reduced proportionable to Cap^t *Dukes* & in Order thereto haue recomitted Cap^t *Heartwells* Claim to be examined anew and regulated accordingly.

To the Claim of M^r *Edward Chilton* for Extraordinary Service performed as Clerke of the Secretaries Office, this house considering well the Report of the Committee in that cafe, and the Resolue of the house thereupon doe conceive that 5000. lb of tobacco & Caske is a sufficient Reward for such serives, and doe therefore pray your hono^{rs} will allow the Report of the Committee in that Article as this house haue already done.

To the Claim made by Coll. *Lyddal* of of *New Kent* Countie, this house take leaue to informe your hono^{rs} that at an Affembly held *Anno*. 1684. the said Coll. *Liddall* was allow'd a reward for his service in an Article of allowance of 20000 h^o of tobacco to himself & others for Services done in 1683. Notwithstanding this house conceiues the publique noewaies chargeable for such his Service, the Law prescribing such charge to be born by each perticular Countie where it happens, which other Counties in like cafe haue by this house been adjudg'd to doe.

Resolu'd, that a byll be drawne for the continuation of the impost upon Liquors & Reported to this house, And that M^r *C^r Robinson* M^r *Arthur Spicer*, Cap^t *Joⁿ Smith* & Cap^t *ffrancis Page* are appointed to draw the byll.

Also a byll for Raifeing a Levie to discharge the publique debts.

Cap^t *Joⁿ Custis* Cap^t *W^m Hardidge*, Cap^t *W^m Robinson* & M^r *Brassier* are appointed to acquaint his Excellencie, that this house make it their humble Suite, his Excellencie will please to make his returnes to this house how he is pleas'd to anwser their humble
addreffes

addressees w^{ch} lie before him. They are also to deliver this houses answer to the hono^{ble} Councill about their returns vpon the report of the Committee of the Committee of Claimes.

Vpon Reading the Petition of *Robert Wilson* Drummer. The Question shall this house award him pay for beating the drum to the Gen^l Courts or not.

Resolv'd in the Affirmative and that he be paid 2000. lb of tobacco & Caske for that service.

Vpon the Reading the Petition of *Robert Wilson* Drummer for his allowance for beating the drum to *Aprill & October* Gen^l Courts last past, this house well weighing & considering their proceedings at their last meeting find the drummer that then attended discharg'd from that imployment wth a resolution to avoid that charge for the future & haue accordingly at this meeting proceeded without any such Officer. Yet nevertheless the said *Wilson* being commanded by his Excellencie to beat at the aforesaid Gen^l Courts this house are willing to allow him for the said service 2000 ^{lb} of tob^o but declare it to be noe publique charge and doe Resolue for the future to make noe such allowance.

The byll Regulateing the charge of Criminals with the Returne of the Councill upon the Same, being read, the same is preferr'd to be again Read & considered of by the next Assembly.

This house adjourns vntill to morrow morning nine a clocke.

Wednesday November the 10th 1686.

THE house Mett.

M^r *C^r Robinson*, M^r *Arthur Spicer*, Cap^t *John Smith* & Cap^t *Francis Page* are appointed to acquaint M^r Auditor *Bacon*, That this house desires he will for the time to come require from the feuerall Collecto^{rs} of the imposition of 3^d gallon vpon liquors a perticular acco^t of the time of Entry of such Liquors, the name of the Shipp, Maisters name and Owner of the said Liquors imported to the end such acco^t may also be rendered to this house.

A byll directing how Publique Claimes shall come, read in the house and past the first vote.

A byll continueing the imposition vpon liquors read y^e 1st time.

A byll for raiseing a publique levie read the first time & past y^e 1st vote.

This house adjournes vntill two a clock in the afternoone

Post Meridiem

THE house mett.

The amendments to the byll about Seconds & Slips read in the house and allowed & ordered to be put in the fair engrosment.

His Excellencies Returne to the Adress about the Seale read in the house and ordered to be entered upon the journall.

By his Excellencie.

M^r Speaker & Gentlemen.

I haue receiued from your house this meeting Seuerall Adresses to all which I haue made as gentle & full returns, as their nature admitted & required & such as I hope, have been agreeable to all Interests, & by a right vnderstanding remoued all rubs & difficulties, and so make the way plain & easy to an happy conclusion, this you receiue in answer to your adress relating to the small fee appointed to be paid for all Instru-ments passing vnder the Seale, w^{ch} is presidentiall in all parts of the Kings Dominions & here only differenced in the meanness of the fee, to what is paid in all other parts of his Majesties Plantations, and whereas you moue, it hath not been required before the time of my Government, none of my hono^{ble} Predeceffors had the like reason of demanding it,

it, as I by Comission haue, vnles the R^t hon^{ble} the Lord *Culpeper*, who did not continue actually here in his Government above six weekes after the arrivall of his Lord^{sh} left Comission, directing & empowering his Lord^{sh} as my Comission doth me to keep & use the Seale, and as it was a new direction, so it cañot be Supposed, his Maj^{ty} would impose that Service on his Governor Gen^l of this his Dominion, of keeping and vsing the Seale, but upon a suitable consideration, in some fort answerable to the dignity of his Majesties Seale, w^{ch} is made so easy that in no part would be excepted against, especially considering how Authentique it makes all Instruments, to which it is affixed, and if Lands to be patented cañot bear the addition of so small and necessary a fee to make them good in law, they cañot be worth the Sealing, and as his Majesty hath been pleas'd to appropriate to the office of Governor the keeping & using the Seale. So neither can it be reasonably expected, I should neglectfully pass by the moderate profits of that part of my place of Governor & otherwise then what shall be moderate & just, I will neuer offer at, this therefore being my due, am not to recede from.

November 9th 1686.

By his Excellencies Comand

E. Chilton C Gen^l Assembly.

M^r *C^r Robinson*, M^r *Arthur Spicer*, Cap^t *John Smith*, Cap^t *Francis Page* Coll. *Arthur Smith* & Major *Sam^l Swanne*, are appointed to prepare an Answer to his Excellencies return to the Addres about y^e fee put vpon the Seale & report the Same to the house.

His Excellencies Return to the Addres about the Reviveing Repealed Lawes by Proclamation, read in the house.

By his Excellencie

M^r Speaker & Gent

By a twelue moneths consideration I did not doubt but should haue found you truly fencible of that great mistake, in endeavouring to Struggle with the prerogative, but instead of expressing your fence thereof, by calmness of Spirits, I haue lately received from you an Addres of that nature, that with grief of spirit, I tell you Nothing can be more afflicting unto me, then to find, his Mg^{ty} Subjects of this his Dominion, immediately after their expressing so much loyalty, as they did to his Maj^{ty} upon his accession to his Imperiall Crown, to question the bounds of Prerogative & especially in so vnfit expressions, as to say, you can neither consent nor allow that any Act of Assembly repealed by the Same Authoritie w^{ch} gaue it being, can be revived or reinforced by Proclamation, In it you ought to have well considered under what different Circumstances his Majesties Subjects of his Plantations are to those of his home Subjects of his great Kingdom of *England*, & how that we are to be Governed from time to time by his Majesties Instructions, & that his Majesty hath referued to himselfe the Prerogative Right of Repealing Lawes by Proclamation, which though you do seem to grant, yet it is with such Reserves, that it is no other Right of the Prerogative, then as you thinke fit to grant, Since you will suffer your judgements to be so mislead, out of tenderness vnto you, I will make it my part to undeceive your judgements & tell you, that as his Majestie out of his Royall Goodnes unto the Inhabitants of this his Plantation has been gratiouly pleased to grant a power unto his Gen^l Assembly to make Lawes, so it is with this restriction that they shall be under his good pleasure either to be continued or repealed by his Proclamation, and as this must not be denied to be the Right of the Royall Authoritie, so now to speake directly to your case; If a Law be made by the Gen^l Assembly, and that hath the force of a law, vntill his Majesty sayes it shall not be a law and if his Majestie hath not thought fit to disallow of any such law made, but that a succeeding Assembly shall find necessary by a law to repeale such law formerly made, & upon the presenting the law repealing to his Majestie, his Maj^{ty} shall please to command the repealing law to be made void, that must be allowed to be no Law, and thereby to haue no other force, then if it had neuer been a law, then by consequence the King signifies the first law made to stand in force, he haueing declared his pleasure that he allowes it to be a law, because he hath thought fit to Repeale the repealing Law.

And

And *Gentlemen* to Speake of the laft part of your Addrefs, wherein you fay that you looke upon that part of the proclamation to haue proceeded from Some miftake or mifinformation, I muft in it tell you and that in as gentle termes, as the matter will bear, the miftake is in you, for the Proclamation is purfueant to his Majesties Comands to me, to which by all Loyall duty I am bound, & from which I will never fwerue, therefore for you to aske of me to declare that part of the Proclamation void, is to aske of me to be difloyall, difobedient & vnfaithfull in the performance of that great Truft his Majestie has been gratioufly pleas'd to intruft me with, in which I am Resolued to be faithfully dutifull & Constantly loyall, Be you foe & steddily apply your Selves to the bufines, for which we are met that we may make this an happy Seflion.

Novemb^r 9th 1686.

By his Excellencies Comand

E. Chilton C Gen^l Aff^{mbl^y}

This houfe adjourns vntill tomorrow morning nine a clocke.

Thursday November the 11th 1686.

THE houfe met.

M^r Chilton brings a meffage that his Excellencie defires *M^r Speaker* and the houfe to attend him forthwith at *M^r Sherwoods* great room.

The houfe Send to call in the Comittees in Order to attend his Exc^y Comands

M^r Speaker and the houfe go to wait upon his Excellencie.

They return & *M^r Speaker* takes the Chayre & reports the heads of his Lordships Speech. *viz.*

That his Excellency declares his admiration that he hath not rec^d any acco^t of a byll for the continuation of the law, imfposing a duety on liquors &^c & w^{ch} would be fo beneficiall in general, and yet injurious to no one in perticular, as also that he had not rec^d any anfwer or returne to the proposition about forming the Militia of this his Majesties Dominion, both which he now recomended to our especiall confideration, and his Excellencie was likewise pleased farther to acquaint us that he had lately receiued his Majesties Royall Comands (which he then comunicated to us) for the repealeing the Act of Assembly allowing the payment of his Majesties quitt rents in tob^o at 2^d ꝑ h^s & left it to our confideration whether 'twould be most convenient or satisfactory to us to haue the said law repealed by proclamation or by a law to be by this present Gen^l Assembly made for that purpose.

The Resolue of the houfe made the 4th instant about the propositions for methodizeing & forming the Militia is again read.

Coll. Ballard, *Coll. Mafon*, *M^r Hardidge* & *M^r Applewhite* are appointed by the houfe to inspect the lawes already made relateing to the Militia & to confider of & prepare an anfwer about the propositions for methodizeing & formeing the Militia sent to this houfe, & make report thereof.

Cap^t W^m Randolph & *M^r Richard Littlepage* are added to this Comitteee.

By the houfe of Burgeffes.

May it Please your Excellencie. This houfe haueing in confideration your Excellencies late return to their humble addres relateing to the Reviveing Repealed Lawes by proclamation, doe therein obferve & take notice that your Excellencie declares that that proclamation is purfueant to his Maj^{ty} Comands to your Excellencie, to which to the end they may as their duty is giue all ready humble & due obedience, they most humbly pray your Excellencie will please to tranfmit to them in writeing that part of his Maj^{ty} Comands and instructions.

Resolu'd by the houfe that *M^r Speaker* Signe the aboue addrefs to his Excellencie & that *Coll. West*, *Major Yowell*, *Major Harwood* & *Cap^t Ball* are appointed to present the same to his Excellencie.

A Bill directing how Publique Claims Shall come paſt the 2^d vote.

The Gentlemen of the Committee of Claims are appointed to carry to the hono^{ble} Councell, theſe following engroſt bylls. *viz.*

A byll about Runawayes.

A byll declareing *Maryland & North Carolina* debts pleadable.

A byll revieuing the Act about Manufactures &c

A byll repealing the Act about Strikeing fifſh &c

A byll aſcertaining dayes for Courts in *Accom^{ts}* Countie.

A byll directing y^e tares of tobacco hogheads.

A byll about Seconds & Slips.

A byll for y^e improueing the breed of horſes.

A byll for repealing the Act Entituled *An Act for y^e better defence of the Country.*

And to requeſt their Hono^{rs} they will pleaſe forthwith to tranſmit the ſame to his Excellencie for his aſſent.

This houſe adjourns 'till two a clocke afternoone.

Poſt meridiem

THE houſe mett.

His Majeſties letter about the Quit rents read in the houſe.

Reſolv'd that the ſame be committed to the Committee appointed to prepare an Anſwer to his Excellencies returne to the addreſs about the Seale, or any three of them, and that they doe prepare a byll for repealing the Act about payment of Quit rents, according to his Maj^{ty}s Comands in the ſaid letter & Report the Same to this houſe.

M^r *C^r Robinſon* &c Report the Reply prepared in anſwer to his Excellencies returne to the addreſs about the fee put upon the Seale w^{ch} is approved by the houſe & Coll. *Joⁿ Armiftead*, M^r *Henry Heartwell*, Cap^t *Joⁿ Cuſtis*, Cap^t *W^m Randolph*, M^r *Thomas Leer* & M^r *W^m Wilſon* are appointed to preſent the ſame.

By the Councell

M^r Speaker & Gentlemen.

We haue diligently conſidered your Returnes made to ours vpon the Report of your Committee of Claims, and much wonder to ſee your backwardneſs in difallowing ſo many juſt dues, but in none ſo much as that of the Clerke of the Secretaries Office, who to all your knowledges is indefatigable in takeing paines for the Countries Service, for which he receiues not the leaſt reward, but what he may reaſonably expect from your houſe, his Services haue been great, his Claim moſt moderate, and the greateſt part thereof for the proſecution of Criminalls, w^{ch} by a law of your own making ought to be paid, & if not preferred, yet at the leaſt ought to be equally allowed with Sherrifs claimes, who moſtly claim by Cuſtom. We deſire that his Claim may this time be allowed, or at the leaſt have an equall allowance with the laſt year, which if granted, we are content that the vote paſſed by your houſe for the annuall allowance of five thouſand pounds of tob^o & Caſke to the Clerke of the Secretaries Office futurely take place.

Nov^r 11th 1686.

Nathaniell Bacon.

Reſolv'd, that M^r *Edward Chilton* vpon the deſire of the Councell be paid 9196^{ls} tob^o being the equall ſum Ordered him by the houſe laſt meeting of Affembly.¹

Cap^t *Cuſtis*, M^r *Barber*, M^r *Kemp* & Cap^t *Batts* are appointed to preſent the engroſt bylls to the hono^{ble} Councell, & requeſt they will with all poſſible conveniencie preſent them to his Excellencie for his Aſſent.

This houſe adjourns vntill to morrow nine a clocke.

ffryday

¹ The amount voted was 9196 pounds of tobacco, of courſe, and not hogheads, as is given in the copy.

ffryday. Novemb^r the 12^e 1686.

THE houle mett.

A byll Repealing the Act of Asssembly, Entituled *Quit Rents how to be paid*, read in the houle the first time & put to the Question.

Shall the Bill pass or be ejected.

Resolv'd, that the byll be ejected.

M^r *Chilton* brings into the houle the engroft bylls agreed to by the Councell who were desired by the houle to present the Same to his Excellencie for his assent, and declares to the houle that the Councell Comanded him to acquaint this houle that the last night they presented the same to his Excellencie, and that he was pleased to answer that he was willing to pass all such bills, as were agreed to by the Councell, whensoever the house of Burgesses should desire it, but vntill they came to be fully passd, he would not giue any perticular assent.

May it please your Excellencie.

This houle haveing lately adrest your Excellencie, that you will please to favour them with a Copie in writing of that part of his Majesties Instructions to your Excellencie relating to the Reviveing Repealed Lawes, And also about the fee your Excellencie hath been pleas'd to put vpon the Seale, doe most humbly pray your Excellencie will please to favour them with your answer to those their addressses.

M^r *C^r Robinson*, Cap^t *ffrancis Page*, Cap^t *Jenkins* and Cap^t *Ball* are appointed to carry this message. Also to returne his Majesties letter about the Quit rents to his Excellencie.

This houle adjourns vntill two a clocke in the afternoone.

Post Merid^m

THE houle Mett.

M^r Speaker and Gentlemen.

His Majesties Instructions repealing the repealed law about Attornies which you desire a sight of, was an Instruction to me from his late Majestie of euer blessed memory, and not foreseeing any occasion, that I should haue of it, I left it at home, otherwise would haue satisfied your desires in that, But I hope, you do not thinke that I would haue aduentured vpon so high a point of the Prerogative as to haue Repealed a law by proclamation, if I had not been commanded by his Majesty so to do.

November. 12th 1686.

Effingham.

M^r Speaker & Gentlemen

As to your address concerning the small fee on the Seale, I must still inform you, that you are mistaken in your apprehension of it, for it is not laid or imposed as a duty as you term it, but by an Order of y^e Court of Chancery, that whoever will haue the advantage that any Patent or Instrument be authenticated vnder his Majesties Seale shall render such an acknowledgement, in honor to it, It is in the power of all Courts to make Rules binding to themselves, when it doth not oblige others without their voluntary compliance, This being noe otherwise, and so a just perquisite of my Governm^t I shall not recede from it, with which answer I desire you to rest satisfied & proceed to affaires of greater moment, that we may speedily end this Sessions.

November. 12th 1686.

Effingham

Resolv'd that his Excellencie be again adrest for the takeing of the fee put vpon the Seale, and that M^r *C^r Robinson*, Coll. *Joⁿ Armistead*, Major *Sam^l Swanne*, Cap^t *Joⁿ Smith* & Cap^t *John Custis* doe prepare such address and report the same to the houle.

A Byll directing publique Claimes read the 3^d time & recomitted to Coll. *Jenifer*, M^r *Heartwell*, Cap^t *Randolph* & Major *Styth* to make necessary amendments therein & report the Same to the houle.

A Byll continueing the imposition vpon Liquors read & passd the 2^d vote.

A Byll for raifeing a publike levie read & pafte the 2^d vote.

Vpon Reading the former Refolve of this houfe about the propofitions fent to this houfe for methodifeing & formeing the Militia.

Refolu'd, that there be added to the fame, that this houfe conceive the lawes already made doe Sufficiently provide according to the abilitie of this Country for the Safety thereof, and for forming and methodizeing the Militia this houfe conceiue it properly belongs to his Excellencie as his Maj^{ty} L^{ty} & Governor Gen^l of this his Majefties Dominion of *Virginia*.

Coll. *Smith*, Cap^t *Robinfon*, M^r *Wilson* & Cap^t *Whitaker* are appointed to acquaint his Excellencie that this houfe requests his Excellencie will pleafe tomorrow in the forenoon to pafs Such bills as are already fully voted in this houfe & agreed to by the hono^{ble} Councell.

This houfe adjourns vntill to morrow morning nine a clocke.

Saturday the 13th November. 1686.

THE houfe mett.

Refolu'd, that there be eight thoufand pounds of tobacco & Caske levied this prefent year to the Ufe of M^r *Edw^d Chilton* for & in confideration of the tranfcribing two bookes of old Records now brought into y^e houfe and that the Same lie in depofito, vntill the f^d M^r *Chilton* haue Alphabatted, examined & compared the Same with the Originals and authenticated them by makeing Oath to their agreem^t with the Originals before Some one of the hono^{ble} Councell, Vpon whose Certificate that the fame is fo done, the party in whole hands the f^d Sum is depofited is to make payment thereof to the faid *Edward Chilton*.

A byll directing publike Claims with the amendments read & pafte the 3^d Vote.

M^r *Chilton* comes & acquaints the houfe that his Excellencie is ready in y^e Court houfe to pafs Such bylls as are ready & haue been agreed to by the Councell.

M^r *Speaker* & the houfe goe to attend his Excellencie with the feuerall bylls agreed to by the Councell, w^{ch} are ready & figned by his Excellency & M^r *Speaker* from one to nine.

They return into the houfe & M^r *Speaker* takes the Chayre.

Novembr 13. 1686.

M^r Speaker & Gentlemen.

Vpon a ferious Confideration of the Report of your Co^mittee of Claims we find you referr'd his Excellencies, Coll. *Birds* & M^r *Jennings* Claims relateing to the *New Yorke* voyage to the further Confideration of your houfe, as yet we haue had no farther advice, what you have done therein, we therefore defire to be fatisfied in that.

At our laft meeting there was a Petition prefented by Cap^t *Brent* to y^e Gen^l Affembly wherein he defired for the encouragement of his feating and building a Town at the head of *Potomack* River thofe perfons that would adventure there to habit might be exempted from payment of publike Levies, for fome few years, w^{ch} was recommended by vs, & approved on by you, we therefore thinke fit that the Same be now confirmed, there being fo fair a progreff made vpon it that vndoubtedly will contribute to the Gen^l advantage & fecuritie of the whole Colony.

By Co^mmand of the Councell.

E. Chilton C. Gen^l Aff^{mbly}.

Refolu'd, that the Scuerall Claims for difburfements on the *New Yorke* Voyage viz.

By his Excellencie	£ 93 .. 05 .. 01
By Coll. <i>Bird</i>	£168 .. 14 .. 10½
By M ^r <i>Edmund Jennings</i>	£ 35 .. 04 .. 00
To: <i>Richard Yarborough</i> as Interpreter	£ 20 .. 00 .. 00
To: Cap ^t <i>Ifaac</i> for hyre of his Veffel	£150 .. 00 .. 00

Be paid by M^r *Auditor* out of the impoft of three pence $\frac{3}{4}$ gallon according as was refolu'd the laft meeting of Affembly.

This houfe adjourns vntill two a clocke afternoone.

Post

Post Meridiem

THE house mett. M^r *Speaker* leaves the chayre, and the house resolues into a Grand Co^mittee, Coll. *Dan^l Jenifer* is put in the Chayre.

M^r *Speaker* takes the Chayre. Coll. *Jenifer* Reports That M^r *Speaker* be presented with ten thousand pounds of tob^o & Caske.

The Clerke of the Affembly twenty thousand pounds of tob^o & Caske.

The Clerke of the Gen^l Affembly ten thousand pounds of tob^o & Caske.

Resolu'd, that *Barnabas Watfon* be continued keeper of the Affembly & Gen^l Court roomes & that he be allowed for the same aⁿually one thousand pounds of tobacco & Caske.

Coll. *Jenifer*, M^r *Heartwell*, M^r *Randolph* & Maj^r *Styth* are appointed to present the Reports of the Co^mittee of Claimes to y^e hon^{bl^e} Councill.

This house adjourns vntill morning Nine a clocke.

Munday the 15th November 1686.

THE house mett.

The byll continueing the Imposition upon Liquors Read & past y^e 3^d vote.

Cap^t *Randolph* & Cap^t *Jenkins* are appointed to carry the byll about publicke Claimes & byll continueing the imposition vpon liquors to the hono^{bl^e} Councill & pray their concurrence.

This house adjourns vntill to morrow morning nine a clocke.

Tuesday the 16th Novemb^r 1686.

THE house mett.

Resolu'd, that M^r *W^m Sherwood* be paid by M^r *Auditor* out of the impoft of 3^d f gallon twenty five pounds *Sterl* for the use of his great Hall, back room on the Same floor & Cellar &c according to agreem^t made the last meeting of Assembly being for one years rent beginning the the then next meeting of his Excellencie & the Councill.

Resolu'd, that Coll. *Phillip Ludwell* be paid by M^r *Auditor* out of the impoft of 3^d f gallon, thirty pounds *Sterling*, for fitting up M^r *Secretaries* Office according to agreement made the last meeting of Affembly.

Whereas in the Report of the Co^mittee of Claims there is ten pounds *Sterl*. Ordered to M^r *Edmund Jenings* as a gratuite for his Voyage to *New Yorke* It is now *Resolu'd* that five pounds *sterl*. be added thereto & that M^r *Auditor Bacon* pay the whole fifteen pounds *Sterl*. to the s^d M^r *Edm^d Jenings* out of the impoft of 3^d f gallon.

A Co^mittee appointed for Proportioning the Levie.

Coll. *Daniell Jenifer* Chayrman.

Coll. *John Armistead*

M^r *Henry Heartwell*.

M^r *C^r Robinfon*

Cap^t *W^m Randolph*.

Maj^r *Sam^l Swanne*

Cap^t *ffrancis Page*

Resolu'd, that all papers & Evidences remaining in this house relating to the charge of L^t Coll. *W^m ffitzhugh* be deliuered to M^r *George Brent* the King's Attorney Gen^l by M^r *Speaker*.

This house adjourns vntill to morrow morning nine a clocke.

Wednesday

Wednesday the 17th November 1686.

THE house met.

Coll. *Jenifer* & the Committee appointed to proportion the Levie Report that the same being Sum'd up, amounts to one hundred & four pounds of tobacco ꝑ pole, and that they haue proportioned the same to the feueral Creditors of the Country.

The byll for Raifeing 104 lb ꝑ pole read the 3^d time & past y^e 3^d Vote And sent to the hono^{ble} Councell for their Concurrence.

Resolu'd that for the time to come no sberifes or other persons whatsoever shall be allowed any fee or other claim from the publique but such as come authentiquely proued to the Asssembly & are likewise by Law positively asserted to be paid.

This house haueing Seuerall times dureing this Sessioe adrest his Excellency for the taking of the imposition of 200^{lb} tob^o imposed by his Excellency for affixing the Seale to Patents & other Instruments it being a fee not ascertained by law nor at any time heretofore taken or demanded, and not prevailing by their humble Addresses to obtain releif from the said imposition, are necessitated to enter in the journall of this house this their vnanimous Resolve.

That the said Imposition of 200^{lb} of tobacco laid vpon the Seale by the Single Authoritie of the Governor is not only vnpresidentiall here but contrary to Law & oppressiue.

Resolu'd, that M^r *Henry Heartwell* doe take care & he is hereby desired to provide against the next Sessioe of Asssembly, a Convenient table & *Turky* worke Carpet for the Asssembly room also three *Spanish* tables for the Office & Committee rooms, two dozen of *Russia* leather Chayres six Lanthornes, six large brass Candlestickes, & Candle Snuffers and six Sconces & that he be paid for them by the next Asssembly.

Resolu'd that the bookes of Records, journalls, papers & all other writings belonging to the Asssembly be and stand now committed to *Robert Beverley* the present Clerke of this Asssembly, And that he be (and be stiled) keeper of them & that he take care to preserve them Safe & haue them forthcoming & ready to make delivery thereof to the house of Burgeses the next succeeding Gen^l Asssembly.

This house adjournes vntill two a clocke afternoon.

Post Meridiem,

THE house met. M^r *Chilton* brings a message from his Excellencie that he is now in the Court house ready to pass those laws that are ready.

M^r *Speaker* & the house go to attend his Excellencie

JOURNALL

OF THE

HOUSE OF BURGESSSES

AT A

GENERALL ASSEMBLY

Begun att *James Citty* the nineteenth day of *Aprill* 1688 And in the Fourth Yeare of the Reigne of our Soueraigne Lord King *James* the Second of *England, Scotland, France & Ireland* &c And from thence continued by prorogation to the 24th of the same Month.



RICHMOND, VIRGINIA.

MCMXIV.

JOURNALL

OF THE

HOUSE OF BURGESSES.

Die Martis 24^o Apr^s

THE Burgeffes meet and attend his Excellency.
Receiue his Comānds to returne to their houfe & make choice of a fpeaker.
Major *Arthur Allen* is Elected Speaker and placed in the Chair.
Is prefented by the Houfe to his Excellency.

Is approued By his Excell^{ty} & makes y^e vfuall Petitions w^{ch} are granted.

They returne to the Houfe, M^r *Speaker* takes y^e Chair & reports to the Houfe the heads of his Excellency's Speech.

Francis Page presents to the Houfe a Comiffion from his Excell^{ty} vnder the Seal of the Colony to be Clark of the Houfe of Burgeffes which is read as followeth.

Virg^a fs: *By his Excellency.*

fforafmuch as I *Francis* Lord *Howard* Baron of *Effingham* his Maj^{ty} L^t & Governour gen^l of *Virginia* am by his moft Sacred Majefties fpeciall Comānds given at his Ma^{ty} Court at *Windsor* the frft day of *August* 1686, & in the Second year of his Maj^{ty} Reigne required vpon the convening Affemblies to appoint a fitt perfon to Execute the Office of the Clark of the Houfe of Burgeffes, In obedience to which Comānds of his moft Excellent Majeftie I the faid *Francis* Lord *Howard* Baron of *Effingham* &c being well affured of the Loyalty Integrity and ability of you Cap^t *Francis Page* of the Execution and performance of the faid place & Office & truft thereto belonging have thought fitt and hereby do by & with the advice & approbaçon of the Councill of State Ordaine Nominate & appoint you the faid Cap^t *Francis Page* Clark of the Houfe of Burgeffes with power to take receive and enjoy to your own vfe & behoof all fees dues & perquifites to the faid place vfuallly belonging or appertaining & that you Continue Clark to the Houfe of Burgeffes till I fhall fignify my Will & pleafure to the contrary, Given vnder my hand & the Seal of the Colony this twenty fourth day of *April* Anno Domini 1688.

Effingham

The Houfe adjournes to 4 of y^e Clock *post meridiem*.

Post Meridiem

THE Houfe mett.

A Comittee appointed for the Examinations of Elections & returns.

Coll. *Thomas Milner* Chairman.

Majo^r *Samuel Swan*

Cap^t *W^m Hardedge*

M^r *Christ^r Robinfon*

& Cap^t *Miles Cary*

M^r *Henry Randolph* is appointed Clark to the Comittee

M^r *Peter Beverley* petitioning this Houfe to be Clark of the Comittee of Propositions & Greivances, his petition is granted.

M^r *Henry Randolph* petitioning this Houfe to be Clark of the Comittee of Claimes his Petition is granted.

The Houfe adjournes to tomorrow Eight of y^e Clock.

Mercury

Mercury 25 April.

THE Houfe mett.

The Report of the Committee for the Examination of Elections & returns read in the Houfe by the Chairman & the perfons following are found to be EleCted & duely returned. *Viz*^t

ffor <i>Nanzimund</i> County.....	{ Coll <i>Tho: Milner</i> & Cap ^t <i>Tho: Leer</i>
ffor <i>Warwick</i> County.....	{ Cap ^t <i>Miles Carey</i> & Cap ^t <i>Richard Whittaker</i>
For <i>James City</i> County.....	{ Coll <i>Philip Ludwell</i> & M ^r <i>James Bray</i> fen ^t
For <i>James Citie</i>	{ M ^r <i>W^m Sherwood</i>
For <i>Yorke</i> County.....	{ Cap ^t <i>ffra Page</i> & M ^r <i>Tho. Barbar</i>
For <i>Surrey</i> County.....	{ Major <i>Arthur Allen</i> Maj ^r <i>Sam: Swan</i>
For <i>Rappahannock</i> County.....	{ M ^r <i>Arthur Spicer</i> & M ^r <i>Hen: Aubrey</i>
For <i>Westmoreland</i> County.....	{ Major <i>Tho: Yowell</i> & Cap ^t <i>W^m Hardedge</i>
ffor <i>Accomack</i> County.....	{ Majo ^r <i>Charles Scarbrough</i> & M ^r <i>W^m Anderfon</i>
For <i>Northampton</i> County.....	{ M ^r <i>Tho. Harmonfon</i> & M ^r <i>W^m Kendall</i>
ffor <i>Middlesex</i> County.....	{ M ^r <i>Chr. Robinfon</i> & M ^r <i>Robert Dudley.</i>
ffor <i>Eliz: Cittie</i> County.....	{ M ^r <i>W^m Wilfon</i> & M ^r <i>Tho: Allumby</i>
For <i>Northumberland</i> County.....	{ M ^r <i>Richard Kennor</i> & M ^r <i>Hancock Lee</i>
For <i>Lancaster</i> County.....	{ Cap ^t <i>W^m Bull [Ball]</i> & M ^r <i>John Pinkard</i>
ffor <i>Stafford</i> County.....	{ Cap ^t <i>Geo: Mafon</i> & Cap ^t <i>Geo. Brent</i>
ffor <i>New Kent</i> County.....	{ Coll <i>John West</i> & Cap ^t <i>Joseph ffofter</i>
ffor <i>lower Norfolk</i> County.....	{ L ^t Coll. <i>An^o Lawfon</i> & Cap ^t <i>W^m Crawford</i>

ffor y^e Ifle of *Wight* County. { Cap^t *Arthur Smith*
 ffor *Charles Citty* County. { Cap^t *Hen. Applewhite*
 M^r *Peter Perry*.

Major *Scarborough*
 M^r *Sherwood*

M^r *Peter Perry*
 & Cap^t *Tho Leer*

are appointed to wait on the Councill to request them y^t y^e Records Bookes & Papers belonging to the Affembly in the poffeffion of the Clark of the Councill may be deliuered to the Clark of this Houfe, & that likewife they do in the name of this Houfe addrefse his Excellency y^t Councill may be affign'd to adminifter the Vfuall Oathes to y^e feverall members.

James Westcomb is Entertain'd as a Meffenger to this Houfe & ordered to giue his attendance to Execute fuch Comands as he fhall Receiue from this Houfe.

Refolv'd by the Houfe that the Return made by the Sherr of *Glofter* is an vndue & imperfect Returne.

Refolv'd that the Sheriff of *Glofter* be fent for by the Meffenger attending this Houfe. The Sheriff of *Glofter* being called into this Houfe is ordered to amend his returne Which being \bar{p} formed the return is allowed \bar{p} y^e Houfe.

Refolv'd \bar{p} ye Houfe that Coll *Phill: Lightfoot* Sher^r. of *Glofter* County hath incurr'd the penalty of the 50th Act of Affembly Entituled *Publication of Writts for Election of Burgeffes* for makeing an vndue & imperfect Returne And being Reprehended by M^r *Speaker* is difcharged at prefent from this Houfe, he paying the Meffenger.

Vpon the Petition of M^r *Robert Bollin* ag^t the Sherr: of *Charles Citty* County for returning Coll *Edward Hill* Burgeffe the faid *Bollin* & the Sheriff were call'd into the Houfe & ordered to attend with their Evidences at the Sitting of the Houfe in the afternoon.

Vpon y^e petition of Major *Tho: Chamberlin* ag^t the Sherr: of *Henrico* Countie for returning Cap^t *W^m Randolph* & M^r *Peter ffeild* Burgeffes the faid *Chamberlin* & the Sherr: were call'd into the Houfe & Ordered to attend with their Evidences att the fitting of the Houfe in the Afternoon.

The Houfe adjournes to two of y^e Clock *poft meridiem*.

Poft Meridiem

THE Houfe mett.

Vpon the appearing of Major *Chamberlin* & the Sherr of *Henrico* County in this Houfe wth their Evidences on full Examination of the matter.

It is *Refolv'd* by this Houfe that Cap^t *W^m Randolph* & M^r *Peter ffeild* were duely Elected Burgeffes for y^e 1^d County.

Vpon the appearance of M^r *Robert Bollin* & y^e Sherriff of *Charles Citty* County & a full Examination of Evidences on both fides It is the Opinion of this Houfe & accordingly *Refolv'd* that the faid Sherr: fome time on *Fryday* next deliver to the faid *Bollin* a Copy of the pole taken att the Election of Burgeffes for the faid County & that both Pties appear before this Houfe on *Monday* next in the afternoon & produce the faid Pole in order to a finall Determinaçon of the matter.

His Excellency's Anfwer to the Addrefse for the affigning of Councill to adminifter the Vfuall Oaths to the feverall Members of this Houfe, brought into the Houfe by M^r *W^m Edwards* Clark of the Councill & read in the Houfe as followeth.

M^r *Speaker*

I haue rec^d an addrefse from yo^r Houfe that I would affigne fome of the Council to adminifter to the members of yo^r Houfe, the Vfuall Oaths which was very Vnneceffary if you had duely confidered his Majesties gracious declaration of the 4th of *Aprill* 1687. wherein his Majestie by his Royall Prerogatiue difpenfes with the takeing thofe Oaths &

also

also indemnifies the persons who do not: but since you have made it your desire I have answered it & have ordered some of the Council to administer the Oaths to those of your members who are so over cautious, but that it shall not in the least be pressed on those who in observance to his Majesties Declaration refuse, neither shall they in the least be abridged by that Denial of your priviledge of a member.

April your 25th 1688.

Effingham

Mr *W^m Edwards* Clark of the Council brings into the House an Order of Council for the Delivery of the Bookes Records & papers belonging to the House of Burgeses to the Clark of this House Read in the House as followeth.

At a Council held at *James Citty* April 25th 1688.

Present

His Excellency

Nathan^l Bacon Esq^r

Coll. *W^m Cole*

Coll *Richard Lee*

Coll *John Custis*

Coll *Jⁿ Page*

Coll *John Leer*

Coll *Xpher Wormeley*

Coll *Is. Allerton*

Whereas by an order of Council after the Death of the late Clark of the House of Burgeses it was ordered, that all your Bookes & papers belonging to the House of Burgeses should be delivered to *W^m Edwards* Clark of the Council to be by him preserved & securely kept till such time as his Excellency should please to appoint a Clark to the House of Burgeses, & whereas his Excellency hath now appointed a Clark to the first House of Burgeses it is ordered that *W^m Edwards* Clark of your Council do forthwith deliver to *Cap^t Francis Page* Clark of the House of Burgeses all the aforesaid Bookes & papers belonging to your aforesaid Assembly Records & take his Receipt for them.

Vera Copia

Test: W Edwards Cl. Con

Coll *Richard Lee* & Coll *John Leer* two of the Hon^{ble} Council of State come into the House & bring with them his Excellencies Commission vnder the Seale of the Colony, for administering the vsuall oaths to the Severall members which is read in House as followeth.

Virg^o fs.

By his Excellencie

I doe hereby nominate order and appoint your Hon^{ble} Coll *Richard Lee* & Coll *John Leer* two of his Majesties Council of State of this Colony to administer the Oaths of Allegiance & supremacy to those only who offer to take them but the oath of a Burgesse of this present Assembly to all, Given vnder my hand and the seale of this Colony this 25 day of April 1688.

Effingham.

And accordingly the Oath of Allegiance & the Oath of supremacy & the Oath of a Burgesse is administered to the Persons hereafternamed.

Maj^r Arthur Allen Speaker

Coll: *Tho: Milner*

Cap^t *Miles Carey*

Mr *James Bray* sen^r

Maj^r *Sam Swan*

Mr *Hen: Aubrey*

Cap^t *W^m Hardedge*

Mr *W^m Anderson*

Mr *W^m Kendall*

Mr *Robert Dudley*

Mr *Tho. Allunby*

Mr *Hancock Lee*

Mr *John Pinkard*

Coll *Jⁿ West*

L^t Coll *Ant: Lawson*

Cap^t *Arthur Smith*

Major *Law: Smith*

Cap^t *W^m Randolph*

Cap^t *Tho. Leer*

Cap^t *Richard Whittaker*

Mr *Tho. Barbar*

Mr *Arthur Spicer*

Mr *Tho. Yowel*

Maj^r *Charles Scarbrough*

Mr *Tho. Harmonson*

Mr *Xp^r Robinson*

Mr *W^m Wilson*

Mr *Richard Kennor*

Cap^t *W^m Ball*

Cap^t *Geo. Mason*

Cap^t *Jos. ffofter*

Cap^t *W^m Crawford*

Mr *Peter Perry*

Cap^t *Jⁿ Smith*

Mr *Peter ffeild.*

And

And to M^r *Geo: Brent* the Oath of a Burgeffe.

M^r *Xp^r Robinfon*

M^r *Anderson*

Major *Yowel*

&

Cap^t *ffoster*

are appointed to wait vpon his Excellency to request that Council may be assign'd to swear their Clark & that likewise they request the favour of his Excellencie to transmit y^e Copy of his Excellency's Speech to this House at the opening of this Asssembly.

The House adjourns to to morrow Eight of the clock.

Die Jovis 26^o Aprilis

THE House mett.

The Gentlemen appointed to wait on his Excellency return & acquaint y^e House that they had requested his Excellency to assign Council for Swearing their Clark & that his Ex^{cell}'s Anfwer was that he had already assigned Council & expected it had been done, they likewise inform the House that they had requested the favour of his Excellency's speech to be transmitted to this House, w^{ch} his Excellencie promised to do this morning.

A Committee for propositions & Grievances

Coll *Tho: Milner* Chairman

Maj^r *Charles Scarbrough*

Cap^t *Arthur Smith*

M^r *Christo^r Robinfon*

Cap^t *Miles Carey*

Cap^t *Jⁿ Smith*

M^r *Arthur Spicer*

M^r *Peter Beverley* is appointed Clark to this Committee

A Committee for Publique Claimes

M^r *James Bray*, Chairman

Major *Sam: Swan*

M^r *Peter Perry*

Major *Law: Smith*

Cap^t *Leer*

Cap^t *W^m Randolph*

Cap^t *W^m Hargedge*

M^r *Henry Randolph* is appointed Clark to this Committee

Coll *Richard Lee* & Coll *John Leer* come into y^e House & adminifter the Oath of Allegiance, the Oath of Supremacy & the Oath of a Burgeffe to M^r *W^m Sherwood*, they likewise bring with them a Commission from his Excellency vnder the Seal of the Colony to swear the Clark of this House & the form of an oath for the Clark to take which being compared wth the former Oath vsually adminiftred was found materially to differ vpon which the Gentlemⁿ: withdrew without swearing y^e Clark.

A Copy of his Excellency's speech brought into the House by the Clark & read M^r Speaker & Gent^m of y^e House of Burgefes

It is yo^r advantage & happinefs as you are y^e Representatives of the good people of this his Majesties Dominion, w^{ch} occasions this meeting, and that with the addition of his Majesties speciall grace & favor: for no sooner was his Ma^{ty} petition'd on yo^r behalfe that there might be a prohibition that no tobacco might be Exported hence in Bulk for the future, as being the cheif occasion that hath made it for these late years so little worth, but his Majestic not onely granted the petition, but with this gracious condefension, That though his Majestic by his Royall prerogation [prerogative] might have only said *ffiat*, let it be done, & it should have been so, yet he hath referr'd it to you Gent^m to be yo^r own Carvers, & please yo^r selves in the method of a law, for the prohibition of it; I need not vse arguments to induce you to it, y^e shorrest sighted Person may easly foresee the benefitts y^e will infue

And had I not had his Majesties particular directions I had not call'd an Asssembly so soon, for haueing now settled the Militia in Such a Method y^e it will be for the Honor & safety of this Colony & haueing likewise found. the good Effect from y^e peace I haue made, & since Confirm'd with the *Seneca* Indians by the assistance of the Governor of *New York*, I was willing to ease all Charge on the people possible, & y^e I haue been any

Inftrum^t

Inftrum^t in freeing this Colony of that Charge & those fears & diforders w^{ch} continually attend vs by the Incurfions of those Barbarous people, Is no little joy & fatisfaction to me.

And fince Gentⁿ we haue found the fweet of it & expect the Continuance of it, The King haueing espous'd those Indians as his Majesties Subjects, I queftion not but what I fhall p^round to you will be readily received & answered.

Which is y^t you would find out fome speedy way of raifeing money to give an affiftance & ease to the great Charge the Government of *New York* hath been att this Winter in maintaining those nations of Indians vnder the Governm^t againft the pretensions of the *French*, & for w^{ch} errand the Governor of *New York* hath fent a Meffenger to me on purpose, by direction from his Majestie as you fhall p^rceive p^r Letters I fhall com^municate to you, Therefore, it being a Nationall concerne & of fuch moment to the peace of this Collony, I defire you to take it into yo^r Pticular Confidera^on & give me yo^r speedy Answer, & what you doe let it be done wth Expedition that it may be the more feruiceable to that Governm^t for *bis dat qui Cito dat*.

Effingham.

Coll *Richard Lee* & Cöll *John Lee*, two of his Majesties Council come into the Houfe & bring a fform of an Oath for the Clark, M^r *Speaker* requests a Copie w^{ch} is as followeth.

You fhall fwear as Clark of y^e Houfe of Burgefles to w^{ch} Office you are appointed by his Excellency the Governo^r faithfully juftly & uprightly to make true Entries & Journalls of all Votes & proceedings of the faid Affembly & from time to time you fhall receive orders & directions from them & fhall in all things to yo^r beft skill & Judgment. difcharge & Execute the faid Office & trust of Clark of the Houfe of Burgefles.

So help you God.

Vpon the Debate of the Meffage from his Excellency delivered by the Honourable Cöll. *Richard Lee* concerning the Swearing of the Clark of this Houfe by the Oath above exprest & Comparing the fame with the vfuall Oath which hath been adminiftred heretofore to the former Clarks of Affembly & it materially difagreeing It is the Vnanimous Opinion of this Houfe & accordingly *Refolv'd* That an addresse be made to his Excellency w^{ch} followeth.

By the Houfe of Burgefles.

May it please yo^r Excellency it is our vnanimous opinion, that although his moft Sacred Majestie has been pleas'd to authorize yo^r Excellencie to nominate & appoint the Clark of this Houfe to which they Yeild all due & ready obedience that the p^rson so nominated is ftill our Clark, & therefore as much o^r Servant as any former Clarke of Affembly has heretofore been, and do therefore humbly Supplicate yo^r Excellency, That the vfuall Oath, a Copy of which is herewith fent be adminiftred to our Clark, That we may be Enabled Effectually to proceed to the Consideration of the great & weighty matters for which wee are conven'd.

Arthur Allen Speaker

Copy of the Oath

You fhall fwear as Clark of the Houfe of Burgefles of *Virginia* to which Office you are appointed, faithfully juftly & vprightly to make true Entry's & Journalls of all Votes & proceedings of the faid Houfe of Burgefles as from time to time you fhall Receive orders & directions from them: Yoⁿ fhall Keep Secret all proceedings of the faid Houfe of Burgefles so far as fhall by the faid Houfe be found necessary: & fhall in all things to your beft skill & Judgem^t difcharge & Execute the faid office & trust of Clark of the Houfe of Burgefles.

Cap^t *W^m Randolph*

M^r *William Wilfon*

Cap^t *Jos. ffofter*

M^r *Tho. Barbar*

Cap^t *W^m Ball*

are appointed to wait on his Excellency wth the Addresse they returne & reporte to the Houfe they should have An Answer to the addresse imediately.

The Houfe adjourne's to two of the Clock *post Meredi^m*

Post

Post Meridiem

THE^s Houfe Mett.

M^r *William Edwards* Clark of the Council brings into y^e Houfe his Excellency's Anfwer to the Addrefse & the forme of an Oath for the Clark of this Houfe both w^{ch} are read as foll:

By his Excellency

M^r *Speaker*

By the Meffage juft now rec^d by fome of yo^r Houfe y^t I would permit the Oath to be given to the Clark of yo^r Houfe as vfually it hath been, I beleive you might miftake my intentions in it, & that you may now fully vnderftand me I do declare it never was my intentions nor my defire, that the Clark fhould be as a fpy vpon yo^r Actions & declare to me yo^r private Debates, therefore I am very willing he fhould be fworn to Secrecy in that point, but what my defign in leaving out that Claufe in the Oath, w^{ch} you now defire to be inferted was only this, that I might be informed by him what were the Votes & Refolves of yo^r Houfe, when I fhould think fitt to Enquire for this Reafon.

Because formerly they have been kept fo fecret & private, that the buifnefs hath come vpon me, as it were by way of Surprize that I haue not had time fo duely to confider it as the Weight of the matter for his Maj^{ty}s fervice has required, I question not butt this will giue you full fatisfaction, which I have done y^t you may fee I am not willing to intrench vpon any priuiledge of your Houfe, And therefore am willing y^t he fhall take y^e Oath in the forme herewth fent you

April 26th 1688.

Effingham.

You fhall fwear as Clark to the Houfe of Burgefles of *Virginia* to w^{ch} Office you are appointed by his Excellency, faithfully, juftly, & vprightly to make true entries & Journalls of all Votes & proceedings of the faid Houfe of Burgefles, as from time to time you fhall Receive orders & directions, from them: you fhall keep fecret all private Debates of the faid Houfe of Burgefles fo far as fhall by the f^d Houfe be found neceffary & fhall in all things according to yo^r beft skill & Judgment difcharge & Execute the Said Office & truft of Clark of y^e Houfe of Burgefles.

M^r *W^m Sherwood*

Maj^r *Tho: Yowel*

M^r *Peter Perry*

M^r *Peter feild.*

are appointed to wait on his Excellency & return the thanks of this Houfe for tranfmitting y^e Copy of his Speech, & that they request the Council assign'd by his Excellency may Swear their Clark according to the abovesaid Oath.

They return & acquaint the Houfe that they have given his Excellencie thanks for the tranfmitting y^e Copy of his fpeech & that on their request to his Excellencie for Council to Swear their Clark his Excellency answered they fhould come immediately.

Coll *Richard Lee* & Coll *John Leer* two of the hon^{ble} Council come into the Houfe & bring with them his Excellency's Comiffion vnder the Seale of the Colony to fwear the Clark to whom they adminifter the oath of Allegiance the Oath of Supremacy & the aforementioned for the Clarke.

The Comiffion as followeth

By his Excellency

I doe hereby nominate order & appoint you Coll *Richard Lee* & Coll *John Leer* two of his Majesties Council of State of this Collony to adminifter the Oath of the Clark of the Affembly to Cap^t *Francis Page* given vnder my hand & the Seale of the Collony this 26th day of *April 1688*

Effingham

The Governo^r of *New Yorke's* Letter to his Excellency being read & likewise his Majesties letter to the Governo^r of *New Yorke*.

The Houfe intends immediatly to refolve into a Comittee of the whole Houfe to confid^r y^t part of his Excellency's Speech relateing to the fupplying that Governm^t with money for the carrying on the Warr in the faid fpeech mentioned.

The

The Govern^r of *New York*'s letter to his Excellencie.

My Lord

I yefterday arrived here from *Albany*, where I had the King's Orders concerning this difference with the *ffrench* read in Councill, Vpon which their Opinion is that I fhould fend a Copy to yo^r Lord^p & defire yo^r affiftance with money for defraying the Charges we are att, it being impoffible for this Governm^t to bear the expence that neceffarily attends this war the tax we were forced to impofe to difcharge y^e laft Sumers expence (w^{ch} was only in Gunns, Powder, Shott, arms & other Neceffaries to the Indians) has made Several of y^e Inhabitants to leave the Province, the Charge of the laft War has been very great being obliged to maintain near five hundred foot, ffifty horfe & about Eight hundred Indians, the laft being a greater burthen then twice fo many Chriftians & how long this will hold the Lord knowes.

My Lord we can expect no great matter from *Penfilvania* East or Weft *Jerfey* they being new Settlers all our dependance muft be vpon yo^r Lord^p & *Maryland* *Bofton* & *Connedicut* are to furnifh vs with Six hundred men, fo that wee cannot Expect any money from them.

The Councill haue made a Calculation of the laft Winters Expence & find it to amount to aboue tenn thoufand pounds & that with the beft husbandry Imaginable.

My Lord if *Virg^a* ever haue Warrs wth any people Indians or others they may expect the fame Affiftance from vs.

I do not doubt but yo^r Lord^p & Councill will confider how neceffary this is for his Majefties Service & the Security of *Virginia* & *Maryland* as well as this Province.

I will fend yo^r Lord^p the Indian boy by the firft conveyance.

I giue yo^r Lord^p many thanks for yo^r care & trouble in my buifneffe with M^{rs} *Matthewes*

I writt to yo^r Lord^p from *Albany* by fome *Onondagoes* who went to *Virginia* to defire the affiftance of your Indians w^{ch} I hope you have rec^d And I beleive it may be the only way to create a Freindfhip between them & fecure yo^u from the trouble of thofe Indians. The greateft & beft news I can fend yo^r Lord^p is that the Queen is with Child.

I hope yo^r Lord^p will hono^r this Governm^t wth yo^r Company this Sum^r.

I am

yo^r Lord^{ps} moft humble & moft
Obedient Servant

Tho: Dongan.

New Yorke March 30th 1688.

poft-fcript

Beggars My L^d are not to name the Sum^e, That is left to yo^r Lord^{ps} Confideration: but w^ever yo^r Lord^p thinkes fitt to do pray lett it be don out of hand our men being very troublefom Calling for money.

my fervice to M^r *Wormeley*

& *Little Jennings.*

James R

Trufty & wellbeloved Wee greet you well haue wee been made acquainted by yo^r letter to our Right trufty & right well beloved Coufin & Councillor *Robert Earle* of *Sunderland* Prefident of our Councill & o^r principall Secretary of State dated the 8th Day of *September* laft paf^t, & by other papers tranfmitted by you with the late attempt that has been made by the *ffrench* vpon the five nations or Cantons of Indians who from all times haue fubmitted themfelves to our Governm^t And by their acknowledgments of our Sou^ereignty are become o^r fubjects, as alfo with the injurious ꝑ^{ro}ceedings of the *French* in Surprizeing & detaining in *Canada* divers of our Subjects as well Indians as others Wee do therefore think fitt That vpon Receipt thereof you forthwth demand from the Governo^r of *Canada* the Setting att liberty our faid Subjects as well Indians as others furprized by them in the lawfull profecution of their trade together wth the reftitution of their goods & effects & as wee are Senfible of what great prejudice it may be to vs &

our

our Subjects if any encroachment be allowed vpon our Dominions or the *ffrench* permitted to invade our Territories or to annoy our Subjects without a due care in Vs to preferue the peace of our Government & to giue all due protection to such as haue brought themselves vnder our Subjection we doe therefore hereby charge & require you to give Notice at the same time to the said Governor of *Canada*, that vpon mature consideration we haue thought fitt to own y^e five Nations or Cantons of Indians *vz' y^e Maquas, Senecas, Cajoungnes, Oneydes & Onondagues*, as our Subjects & resolve to protect them as much, fo as nevery^e lefs vpon informaçon of any injury offer'd or which shall be offer'd or done by them to any of the Subjects of our good brother the most Christian King, to cause as we doe hereby direct you to cause intire Satisfaction for the same, And the Indians withheld from disturbing the *ffrench* in any manner whatsoever, Provided they do abstain on their parts from makeing war vpon those Indians our Subjects or doing them any Injury & in case the people of *Canada* shall notwithstanding this Declaration persever in Invading our Dominions & annoying those Indians, you are with the utmost of yo^r power to defend & protect them & if need shall require to Levie arm & Employ all Persons residing within your Govern^t and resisting or withstanding the Invasion or attempts of the *ffrench* And them if there shall be occasion to pursue in or out of the limitts of yo^r said Governm^t & to do & Execute all and every other thing which you shall find necessary ffor the protecting our Subjects & preserving our Rights in those parts, and for the better performance thereof we do hereby giue you full power & authority to erect and build such fforts Castles & platforms & in such place & places as to you shall seem requisite for this Service, And in case it shall happen that vpō this occasion the aid or assistance of our Neighbouring Colonies may be vsfull, you are to give notice thereof to our severall Governors & proprietors in any of our Plantations vpon y^e continent of *America* to whom wee haue allready sent orders to affoord you such help as the Exigency shall require, and for so doing this shall be yo^r Warrant; Given at o^r Court att *Whitehall* the 10th day of *November* 1681 and in the third year of our Reigne.

By his Majefties Comand

Sunderland P.

To our trusty & wellbeloved *Tho: Dugon Esq^r* our Cap^t Generall & Governour in cheife of our Province of *New York* & the territories depending thereon in *America* & to our Governo^r or Comander in cheife thereof for the time being,

A true Copy Examined by *Jn^o Knight Dep: Sec^y*

The Houfe Resolv'd into a Grand Comitte^e y^e Speaker leaves the chair and Coll *Milner* is Elected Chairman.

The Comitte^e fully debate & argue

M^r *Speaker* takes y^e Chair.

The Comitte^e Report vpon the debate of the proposition committed that they do not find any just grounds whereby the Inhabitants of this Country are obliged to affoord any assistance to the Government of *New Yorke*,

The Houfe adjourns to morrow Eight of the Clock.

Veneris 27^o Aprilis

THE Houfe mett

The Report of the Comitte^e read & confirm'd by the Houfe *Nemine contradicente*

M^r *W^m Sherwood* is added to the Comitte^e of propositions & greivances

Resolv'd by the Houfe that the Comitee of Propositions and greivances do forthwith draw vp reasons & present them to this Houfe why they cannot contribute to the assistance of the Governm^t of *New Yorke*

Surry

<p><i>Surry</i> County greivances <i>Gloster</i> County greivances Grievances of <i>Northampton</i> County <i>Westmoreland</i> propofitions & greivances</p>	}	Read	{	& comitted to y ^e Comitee of propofitions & Greivances
---	---	------	---	---

Resolv'd by the Houfe that the Com^{tee} of propofitions & Greivances do inspect y^e Journalls of the laft Affembly & Report fuch matters as they fhall think neceffary for the knowledge of the Houfe.

Cap^t *Geo: Brent*

M^r *Peter feild*

& M^r *Hancock Lee*

are appointed to inspect the Journall every Evening & make Report to the Houfe next Morning.

Resolv'd by the Houfe that all Propofitions & Greivances to bee prefented to this prefent Gen^l Affembly for their confideraçon be brought into this Houfe by *Tuesday* night next at fartheft or elfe to be rejected.

Resolv'd by the Houfe that all Publique Claimes be brought into this Houfe by *Tuesday* night next at fartheft or elfe to be Rejected.

M^r *William Edwards* Cl: of the Councill comes into the Houfe & acquaints this Houfe that his Excellencie defires the Houfe to be Expeditious in the matter concerning the Supply of *New York* Government & that his Excell^{cy} defires it, & they of *New Yorke* Expect it.

The other parts of his Excell^{cy}'s fpeech are referred to the confideration of the Committee of Propofitions & Greivances.

M^r *W^m Sherwood*

Maj^r *Tho. Yowel*

M^r *W^m Wilfon*

L^t *Coll Anto. Lawfon*

& M^r *John Pinkard*

are appointed to wait vpon & acquaint his Excell^{cy} that they haue neglected no time, Since their firft meeting & that purfuant to his Excell^{cy}'s Comands the ffrift thing they entred vpon, was that part of his Excellency's Speech w^{ch} related to a Supplying the Government of *New Yorke*, Have it now vnder their Confideraçon & will proceed therein wth all convenient Expedition, & that the fame Gent^a do prefent his Excell^{cy} y^e following addrefse

This Houfe being deeply fenfible of the Judgments y^e Almighty hand hath laid on this Country not onely by a great mortality in moft parts thereof but the dearth which it groans vnder, all which we juftly acknowledge are drawn on vs by our Crying fins, have *Resolv'd* & do *Resolve* to addrefse his Excell^{cy} the Governo^r to appoint a day during this Seffions for a publiq faft & humiliation for this Generall Affembly And that God may be implor'd to withdraw his Judgements & fome other day after for a faft throughout the whole Countrey And that his Excellency will be pleas'd to appoint y^e Minifter that fhall perform the Duty of the day before the Gen^l Affembly.

New Kent County propofition read & committed to the Com^{tee} of propofitions & Greivances

The Com^{tee} of propofitions & Greivances & the Com^{tee} of claims go out.

The Houfe adjournes to two of the Clock *post meridiem*

post meridiem.

THE Houfe met and

Adjournes to two of the Clock tomorrow *post meridiem* unles M^r *Speaker* finds caufe to convene fooner.

Die

Die Saturni Aprilis 28º

THE Houfe mett

Writt for Election of a Burgeffe in *James City* County in the Room & ftead of Coll *Philip Ludwell* read & the return of the Sheriff, wherein M^r *Daniel Parke* is allowed of to be Elected & duely return'd

M^r *W^m Edwards* comes into the Houfe & brings his Excell^{cy}'s Anfwer to the addrefse about the appointm^t of a day of Humiliation which is read as followeth.

By his Excell^{cy}

M^r *Speaker*

I haue reëd an addrefse from yo^r Houfe that there might be a day of Humiliation Sett apart during this Seffion of Affembly here, & afterwards through the whole Dominion to implore Almighty God, that the deftroying Angell may Sheath that Sword that hath been fo long drawn ag^t vs, & hath flain fo many of vs within thefe two yeers paf^t & that the Judgm^t of droght, w^{ch} att prefent Wee fuffer & threatneth a dearth may by his mercy be remov'd, to which both my Selfe & Councill doe very willingly confent, And I doe hereby appoint by their advife *ffriday* next to be a folemⁿ day for this town, and haue appointed M^r *Deuel Pead* to officiate that day, and fhall likewife give order for Proclamation to iffue, for a day to be fet apart throughout the whole Dominion.

Aprill 28th 1688

Effingham

Tho: Bufbyes petition { being referr'd by his Ex^{cy} are
& *Geo. Smiths* petition { read

& Comitted to the Com^{te} of Claimes.

The Houfe adjournes to *Monday* two of the Clock *poft Meridian*

*Luna 30º Aprilis**Post meridiem*

THE Houfe mett

James City County greivances & propoficōns read & comitted to ye Comittee of propofitions & greivances.

A propofition from *James Cittie* County Court read & comitted to the Comittee of propofitions & greivances.

An order of the Generall Court dated *Aprill* the 20th 1669 prefented to the Houfe by M^r *William Sherwood* read & comitted to the Comitee of propofitions & greivances.

Eliz^a City County greivances read & comitted to the Comittee of propofitions & Greivances.

Accomack County Greivances read & comitted to the Comittee of propofitions & greivances.

M^r *Tho: Walker's* petition is read & comitted to the Comittee of claimes.

The greivances of *Northumberland* County read & comitted to y^e Comittee of propofitions & Greivances.

Refolv'd by the Houfe that any member of this Houfe may have a Copy of any Vote or any part or the whole of the prefent or any former Journalls.

The writt for the Election of a Burgeffe in *York* Countie in the room & ftead of *ffrancis Page* the Clark of this Houfe read and the return of the Sherf wherein M^r *Robert Read* is found & allowed of to be Elected & duely return'd.

A Report of the Comitee of propofitions & Greivances read by Cōll *Milner* Chairman in his place & afterwards d'd to the Clarks table.

M^r *Robert Bollin* & M^r *Charles Goodrich* Sherf of *Charles Cittie* County come into the Houfe & bring with them the Roll of the Pōll taken at the time of Election & vpon the full Examination of the whole matter it is *Refolv'd* y^t M^r *Robert Bollin* is found to be duely Elected Burgeffe.

Refolved

Resolv'd That the Sherf: of *Charles Citty County* Come into the Houfe & amend his return by raceing out the Name of Coll^o *Edward Hill* & inferting the name of M^r *Robert Bollin* w^{ch} is accordingly done & M^r *Robert Bollin* allow'd of as Burgefse for *Charles Citty County*.

Resolv'd by the Houfe That M^r *Charles Goodrich* Sherf: of *Charles Citty County* hath not incurr'd the penalty of the 50th Act of Affembly intituled *Publication of Writts for Election of Burgefses* but that his returning of Coll *Edward Hill* was by Miftake in the number of perfons who were prefum'd to be ffreeholders.

Coll *Lawfon*

Cap^t *Mafon*

Cap^t *Whittaker*

& M^r *Kennor*

Are appointed to wait on his Ex^{cy} & request that he would affign Councill to adminifter y^e vfuall Oaths to thofe members of this Houfe that have not been yet fworn.

The Houfe adjourn's to Eight of y^e Clock to morrow.

Martis 1^o May

THE Houfe mett.

The Gent^a appointed to wait on his Excellency to request him to affign Councill to adminifter y^e vfuall oathes to thofe members y^t are not yet Sworn, return & acquaint y^e Houfe that his Excellency would forthwth

Stafford Count greivances

Ifle of Wight County greivances

} Read & comitted to the Comitte
} of propofitions & greivances.

That part of the Report of the Comitte relating to the Supply of the Govern^t of *New York* with money being read is confirmed with the approbation of the Addrefse mençoned in the fame w^{ch} is accordingly *refolv'd* to be presented to his Excellency &

Coll. *Law. Smith*

Cap^t *Tho: Leer*

Maj^r *Yowel*

M^r *Kendall*

& M^r *ffeild*

are appointed to wait on his Exc^{cy} & p^rsent the fame w^{ch} is as föll

To his Ex^{cy} *Francis Lord Howard Baron of Effingham his Majefties L^t & Governour Gen^l of Virginia*

The Houfe of Burgefses now affembled.

Present

That this Houfe having taken into their moft ferious Consideration that part of yo^r Excell^{ys} Speech relateing to our raifing of money to give affiftance & ease to the charge of the Govern^t of *New York* hath been att this Winter in maintaining thofe Nations of Indians vnder that Govern^t againft the pretensions of the *french*, & alfo haueing diligently read his Majefties Letter to the Governour of *New York* & the faid Governor's letter to yo^r Excellency w^{ch} were for that purpose Comunicated to this Houfe doe thereto make this humble anfwer That they conceive the Inhabitants of this Country are no way obliged to affoord affiftance to the Government of *New Yorke* & that besides att this time they are in no capacitie of giveing help for Seuerall reafons which this houfe have herevnto annexed & do humbly offer to yo^r Excellency not doubting but that yo^r Excellency will allow them as fully convincing.

I^t That in his Majefties Letter to the Governor of that province dated the 10th Day of *November* 1687, they obferve that his Majeftie had then sent orders to his Majefties feveral Governours & proprietors of his plantations in *America* to afford fuch help as the Exigency fhould require, & we not being Sensible of any fuch Comands or directions from his Majeftie for our contribution or aid in that affair, do from thence humbly conceive, that his Ma^{ty} well knowing how difficult it is for this Dominion to give affiftance to that Governm^t being fo great a diftance from one another, hath required & ordered Such help as fhall be found neceffary to be afforded them, from his Majeftie's Plantations neare adjacent^t.

And further this houfe do humbly offer to yo^r Ex^{cy} that they have alfo taken into due confideration y^e ability of this Country & how far this Country can be capable at
this

this time of disburſing moneys & affording releif in the matter required but therevpon do find the ſame ſo indigent & incapable. It hauing been under late great Charges & Diſburſm^{ts} as well in maintaining war againſt, & ſettling a peace wth the *Seneca* & other Indian Nations, as for other matters y^t vnavoidably required it) that they can no wayes comply with giving help or aſſtance by money or otherwayes to the Province & Government of *New York*, without reducing this Countrey to an inſupportable poverty & want.

And this Houſe do further humbly obſerve to yo^r Excellency that the difference now repreſented ariſes chiefly about the ſupporting & carrying on a particular trade, and that his Majeſties Province of *New York* does no way thereby be vnder ſuch apparent & eminent danger or hazard, as of neceſſity to require our immediate aſſtance, to which in ſuch caſe which God prevent, we ſhall at all times be ready & willing to yeild our beſt and vtmoſt endeavors (without hauing any regard to our particular Intereſt when there vnto required for the preſervation of that his Ma^{ty} Governm^t

Ar: Allen Speaker

M^r *William Edwards* petition read and comitted to the Comitte of claims.

Cöll *Law: Smith* &c return & acquaint the Houſe they have delivered the addreſſe to his Excellency.

The firſt part of the report of the Comitte of propoſiçons & grievances relating to a fee of 35 of tobacco taken by M^r *Secretary* being read is approved & accordingly *reſol'd* that it be recommitted to the ſaid Comitte to propoſe ſuch Methods & wayes as they ſhall think fitt for redreſſe of the ſame, & p^{re}ſent to the Houſe for conſultation.

That part of the report of the Comitte relateing to the revifall of the laws being read is confirmed & *reſolved* that a Comitte be appointed to draw vp an addreſſe to his Excellency to haue the knowledge of the revifall of the laws and that his Excellency would comũnicate the ſame to this Houſe.

Cap^t *Geo: Brent*

M^r *Peter ffield*

M^r *Hancock Lee*

& Coll *Ant: Lawſon*

are appointed to draw vp the aforeſaid addreſſe & p^{re}ſent it to the Houſe.

That part of the Report of the Comitte relating to a ſtricter Law to be made for prevention of Infurreçtions of Negroes being read is confirmed & *reſolved* that it be recommitted to the conſideration of the ſaid Comitte for preparing a bill for the ſame.

That part of the Report of the Comitte relateing to a bill for the Regulateing the Charge of Criminalls with the return of the Councill vpon the ſame being read is confirmed & *reſolved* that it be comitted to the Comitte of claimes & that the Clark of this Houſe do deliver to the Comitte y^e aforeſaid bill. Cöll *John Leer* & Coll *Chriſtopher Wormely* two of his Majeſties Councill come into the Houſe and bring his Excellency's Comiſſion for ſwearing thoſe members that haue not yet been Sworn as followeth

By his Excellency.

Virg^o ſs.

I doe hereby nominate order & appoint Cöll *John Leer* & Cöll *Chriſtopher Wormeley* two of his Majeſties Councill of State of this Collony to adminiſter the Oaths of Allegiance and Supremacy to thoſe onely who offer to take them but the Oath of a Burgeſſe to all the members thereof who haue not taken the ſame, Given vnder my hand and the Seale of the Collony this firſt day of *May* 1688

Effingham.

and accordingly the oath of Allegiance the Oath of Supremacy & the Oath of a Burgeſſe is adminiſtred to

Cap^t *Hen. Applewhite*

M^r *Robert Bollin*

M^r *Robert Read*

& M^r *Dan: Parke*

That part of the Report of the Comitte relating to 8000^l Tobo for tranſcribing two Bookes of Old Records by M^r *Chilton* read is confirmed & *reſolved* that it be comitted to the Comitte of Claims to make ſuch Enquiry into the ſame as they ſhall think fitt.

That

That part of the Report of the Committee relating to y^e abuse put vpon *Stafford* County & the whole Country by L^t Coll *W^m ffitz-Hugh* read & confirm'd.

M^r *Speaker* acquaints the House that he delivered the papers relating to the same to Cap^t *Geo: Brent* the King's Attorney Gen^l

Cap^t *Brent* acquaints the House of the receipt of the papers & the reason that he did not prosecute was that his Commission determined before the Generall Court & that the papers should be produced to M^r *Edmund Jennings* his Majesties Attorney Generall when he came to town

Resolved that an addresse be made to his Excellency to know what progresse has been made in the prosecution against L^t Coll *W^m ffitz-Hugh* & that the Committee of propositions and greivances do draw vp the said addresse & present y^e same to the House.

Jⁿ Kembrors petition read & committed to the Committee of Claims

The House adjourns to two of the Clock *post meridiem*.

Post Meridiem

THE House mett

Westmorland propositions read & Comitted to the Committee of propositions & Greivances.

M^r *W^m Edwards* comes into the House & brings his Excell^{ty}'s Answer to the addresse, about supplying the Govern^t of *New Yorke* with money as also a Copy of that part of his Majesties instructions to his Excellency relating to the same which are read, &

Resolved that they be committed to the Committee of propositions & greivances to draw a Reply thereto and such further reasons, as they shall think fitt & report the same to this House.

His Excellency's answer as followeth.

By his Excellency

M^r *Speaker*

I this morning rec^d the resolve of yo^r House to my propofall in relation to raising of money to give assistance & ease to the Charge the Government of *New York* hath been att this Winter in maintaining those Indians ag^t the pretensions & Invasions of the *French* which is that you do not conceive the Inhabitants of this Country are any wayes obliged to afford Assistance to the Govern^t of *New York* & y^t for these reasons.

That in his Majesties Letter to the Governo^r of that province Dated the 10th of *November* 1687 you did observe that his Ma^{ty} had then sent orders to his Ma^{ties} severall Governors & proprietors of his Plantations in *America* to afford such help as the Exigencye should require, & you not being Sensible of any Such Commands from his Majestie for any contribution or aid in that affair, do from thence conceive, you are not obliged to give any aid or assistance to that Govern^t But that you may be fully satisfied I have rec^d Commands from his Majestie therein, I have herewith sent you a Copy of my Instructions Attested under my hand that you may from thence think yo^r selves Obligated to contribute.

And further you object that the difference now represented arises chiefly about, the supporting & carrying on a Particular trade, That his Ma^{ties} Government of *New York* doth not lie vnder such apparent danger or hazard as to require your immediate assistance: If you had duely considered his Majesties Letter to that Govern^t you would have been better inform'd: for therein his Ma^{ty} gives particular directions for the espousing those Indians as his Majesties Subjects & the building fforts & Castles for the defence of that Province, so that thereby yo^a see both the charge they have been att & the danger they lie vnder, And I question not but on second thoughts you will better consider it, And therefore I again Recommend it to you, desiring yo^r speedy answer.

May y^e 1st, 1688.

Effingham
Copy

Copy of Instructions.

In case of distresse of any of our Plantations, you shall vpon application of the Respective Governours thereof to you assist them with what aid the condition & safety of your Governm^t can permitt.

Effingham

Copia vera.

<p>Charles Citty County grievances & propositions. Northampton & Acomack County greivances ag^t Cöll <i>Custis</i>. The Houfe adjourns to to morrow 8 of y^e Clock.</p>	} Read {	<p>& comitted to the Comittee of propositions & greivances.</p>
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Mercury 2^e May

THE Houfe mett

A report of the Comittee of propositions & greivances read by Cöll *Milner* Chairman in his place & afterwards delivers it to the Clerkes table:

The first part of the Report of the Comittee relateing to his Excellencies proclamation reviving the 6^h Act of Affembly of *June* 1680 which stands repeald by an Act made at *James Citty* 1682 being read is confirmed, & *resolved* that an addresse be drawn vp to p^rsent to his Excell^{cy} for declaring void the said Proclamation, and that the hoñble Councill be desired to Joyn with this Houfe in the same.

Cap^t *Brent*M^r *Peter ffeild*M^r *Hancock Lee*Coll *Lawson &*Cap^t *Mafon*M^r *Willm Wilson*

are appointed to draw vp the said Addresse & present the same to the Houfe.

The second part of the Report of the Comittee relateing to a bill for Ports being read is confirmed, &

Resolved that a bill be brought into the Houfe accordingly

The third Report of that Com^{tee} relateing to a fee of 35^{lb} tob charg'd by M^r *Secretary* is read & confirmd.

As also an addresse to his Ex^{cy} which is approved of and *resolv'd* that it be forthwith fairly transcribd by the Clerke & p^rsent to his Excellency as föll.

To his Excellency Francis Lord Howard Baron of Effingham his Ma^{ties} L^t & Governor gen^l of Virginia.

The House of Burgeffes now assembled.

Humbly p^rsent

That the last Sesson of Affembly, the Houfe of Burgeffes haueing represented to them an aggreivance, complaining of 35^l tobo, Charg'd by the Clark of M^r *Secretary's* office more then formerly for every patent did for the remedying thereof for the future acquaint M^r *Secretary* therewith & desire his Honor, That no fees should be chargd which the laws of this Country did not ascertain, and did therevnto Receive M^r *Secretary's* Answer and promise that as soon as he vnderstood that M^r *Chilton* had sent out Such fees, he had commanded him to forbear any further demand of such fee Except in the *Northern Neck*, where the Inhabitants for their Security desire to haue Record made of their Survey & Entry of Rights in his Office: But if they are so pleas'd to haue it he would for them also for the tyme to come forbear the Recording of Survey & Rights and demanding such fee with which ~~the~~ y^e I^d house remain'd fully sattisfied.

But now may it please yo^r Excell^{cy} this Houfe as well of their owne certain Knowledge as by the aggreivances of the freeholders of this Country being made sensible that the said fee of 35 lb of tobo is still continued to be demanded both in the *Northern Neck* & the Severall respectiue Counties of this Country do therefore make their humble supplications, on behalfe of themselves & those whom they Rep^rsent that yo^r Excellency would

would give positive directions & Commands to M^r *Secretary* that for the future he charge or dem^d neither that nor any other fee then what already is by the settled Lawes of this Country Eftablished.

Arth: Allen Speaker.

An addresse to his Excellency drawn vp by the Committee of propositions & greivances in Reply to his Excellency's answer relating to the supply of the Government of *New Yorke* being read, is approv'd. &

Resolved that it be fairly transcribed by the Clerke and presented to his Excellency as foll.

To his Excellency Francis Lord Howard Baron of Effingham his Majesties L^t & Govern^r gen^l of Virginia.

May it please yo^r Excell^{ty}

This House haueing Receiued & well considered yo^r Lord^{ps} Answer to their resolves & reasons about giving assistance to the Govern^t of *New Yorke* & also a Copy of his Majesties Instructions to yo^r Excellency, that from thence we might think our selves obligd to contribute do thereunto make this humble reply.

That they most assuredly beleive & know that not only by vertue of his Majesties Instructions but even by the bond of duty & loyalty to his Ma^{ty} they are bound to assist so far as they are capable all & every of his Majesties Govern^{ts} or Plantations that shall lye vnder unavoidable hazard, & distresse: but that they also humbly conceive that the province of *New Yorke* att this time is not vnder such danger or extream want, his Ma^{ty} signifying his late letters to that Govern^t (as this House vnderstand it) that his Ma^{ty} had particularly Ordered them sufficient aid & assistance from his severall Plantations nearer adjacent and this house take leave again to observe to yo^r Excellency that the ability of the Country will not admitt of our giving Supplies considering the condition thereof at this time & that in such a case his most gracious Ma^{ty} even in that Instruc^{on} sent by yo^r Excellency does never require it, but absolutely leaves vs to a due consideration of our own safety.

Wherefore this House humbly pray yo^r Excell^{ty} to take it into yo^r further consideration the former reasons rendred by this House & then they are well assured yo^r Excell^{ty} will accept them as good, & be thereby perfectly satisfied why we cannot comply with the present request of the Govern^r of *New Yorke*.

Arthur Allen Speaker.

The Gentlemen appointed to draw an addresse to his Excellency relating to the Revivall of the lawes present an addresse to the House which is read by Cap^t *Brent* in his place & after delivered at the Clarke's table.

Is approved & *resolved* that it be fairly transcribed by the Clerke & presented to his Excellency together with the former.

The addresse

May it please yo^r Excell^{ty}

This House vpon y^e reading over the Journall of the last house of Burgesses do observe that by that house an humble addresse was made to yo^r Excellency for y^e revivall of the whole Body of y^e laws of this Country to the End they might be made fitt to be presented to his Sacred Majestie for confirmation: and also do find yo^r Excellency's Benign Answer promising that as soon as the select Committee of y^e honourable Councell which yo^r Excellency had appointed to revise & consider the said laws had performed that worke That then yo^r Excellency would transmitt them to the House for their consideration & approbation, w^{ch} the house haueing not yet rec^d from yo^r Excellency & haueing considered of what great import it is to all his Majesties Subjects in this Dominion to haue the lawes made perfect to which they must render their Obedience & be in a great measure Govern'd by do most humbly remind yo^r Excellency of yo^r former promise & concession in that point, & pray that this House may receive the laws so re-

vived

vifed wth all poffible fpeed that y^e end may be arrived att in the beginning Sought *vz*
The p^refenting of them to his Sacred Majeftie for his allowance & confirmation by his
Royall affent

Ar: Allen Speaker.

Coll *West*
Cap^t *Whittaker*
M^r *Anderfon*

Maj^r *Yowel*
Cap^t *Craford*
& M^r *Kendall*

are appointed to wait on his Exc^v & present the three foregoing Addreffes.

Refolv'd that fome members of this Houfe do acquaint M^r Auditor *Bacon* that this
Houfe Expects from his hono^r an acco^t of the Impofition of 3^d $\frac{7}{8}$ Gallon vpon liquors.

Cap^t *Applewhite* Cap^t *Ball*

M^r *Robert Bollin*

are accordingly appointed to acquaint M^r Auditor of the fame.

A bill for Ports Wharfs & Keys read & paff the Houfe.

Refolv'd the fame be read the 2^d time.

The Houfe adjourns to 2 of y^e clock *poft Meridiem*.

Post Meridiem

THE Houfe Mett

Coll *West* &c return & acquaint the Houfe that they deliver'd to his Ex-
cellency the three foregoing addreffes.

The Houfe adjourns to to morrow two of the Clock *poft Meridiem* Vnlefs
M^r *Speaker* finds caufe to convene fooner.

Jovis 3^e May

THE Houfe mett

The Comittee of claims present to the Houfe a bill relateing to the charge
of Criminalls by M^r *James Bray* Chairman

The bill read the firft time & *refolv'd* that it be read the Second.

Cap^t *Applewhite* &c acquaint the Houfe that they had delivered the Meflage to M^r
Auditor & that his Anfwer was they fhould haue an Acco^t of the 3^d $\frac{7}{8}$ Gallon this day.

The Comittee of propofitions & greivances according to a former Refolve of this
Houfe p^refent an addrefse to his Exc^v relateing to L^t Coll *W^m ffitzhugh* which is read by
Coll *Milner* Chairman in his place & delivered in att the Clerks table

Approv'd & *Refolv'd* that the fame be fairly tranfcribed & presented to his Ex-
cellency

The Addrefse.

*To his Exc^v Francis Lord Howard Baron of Effingham his Ma^{ty} L^t & Governour Gen^l
of Virginia—*

The Houfe of Burgeffes now Affembled

Humbly p^refent.

That the Houfe of Burgeffes the laft Alfembly haueing prepar'd feuerall Articles
of Charge ag^t L^t Coll. *William ffitzhugh* did deliver the fame together with all
evidences & other papers relatcing thereto to M^r *Geo: Brent* the King's Attorney Gen^l
in order to haue it putt into imediate profecution, But this Houfe vnderftanding y^t by
means of the f^d M^r *Brent's* being foon after difcharg'd from y^e Office he then held as
Attorney Gen^l that no proceedings therein (as was intended) is yet made, they therefore
humbly make this Supplication & addrefse That yo^r Excellency would pleafe to order
& direct M^r *Edmund Jennings* the King's Attorney Gen^l now being that he forthwith
take the faid Charge & papers out of M^r *Brent's* hands & without fail putt the fame into
profecution ag^t Coll *ffitzhugh* the next fucceeding Gen^l Co^r

M^r

M^r W^m Edwards comes into the Houfe & brings his Ex^c's anfwer to the addrefse relating to 35^l tobo as a fee taken by M^r Secretary, as alfo a tranfcription of the laws revifed

His Excell^c's Anfwer is read as foll.

By his Excellency.

M^r Speaker

To yo^r addrefse even now rec^d that yo^r Houfe might haue a pervfall of the Body of the Laws of this Country when revifed & amended by that Select Comitte of the Councill that I appointed for that end,

I anfwer

That they are now finifhed & that I haue herewith fent them in Compliance to yo^r addrefse, as to yo^r other concerning the 30^l tobo M^r Secretary's fee for Recording of Surveys, it being perticularly his concerne till he comes who is dayly Expected, I fhall deferr my anfwer: but in cafe any accident fhould divert him I fhall giue you a Satisfactory anfwer before the End of this Seflion.

May 2^d 1688

Effingham

The Gentlemen appointed to draw an addrefse to his Excellency relating to his Excellency's proclamacon for the Reviveing of a Lawe repeald in the Year 1680. do p^rsent to the houfe an addrefse to that purpofe, w^{ch} is read by Cap^t Geo: Brent in his place & afterwards delivered in att the Clerk's table, which is by the Clerk read, & approv'd.

Refolv'd that the addrefse be fairly tranfcribed & that the hoⁿ^b^l^e Council be defired to joyn wth this Houfe in p^rsenting the fame to his Excellency—

The addrefse.

To his Ex^c' Francis Lord Howard Baron of Effingham his Majefties L^t & Govern^r Gen^l of Virginia

May it please yo^r Excellency,

Vpon the reading the Journall of the laft Houfe of Burgefles this houfe obferves fome humble addrefsees of that houfe on the Journall made to yo^r Excellency humbly defireing yo^r Excellency's proclamation for reviving the 6th Act of Affembly of June 1680. about Attorneys may be calld in & made void, to the firft of which yo^r Excell^c was pleafd to fignifie to the Houfe many reafons you had to denie their request: but the main of all that it was his Majefties p^rticular Inftiutions to yo^r Excellency to iffue the faid p^rclamation vpon receipt of w^{ch} the Houfe by a fecond addrefse did befeech yo^r Ex^c That y^e part of his Maj^tⁱ^es Inftiutions relating to Reviveing the faid repeald Law might be tranfmitted to them to the End they might pay all readie humble & due obedience therevnto w^{ch} yo^r Excell^c was pleafd to giue Anfwer to November 12th 1686 That thofe Inftiutions relating to the Repealing of that law were from his late Majeftie of ever bleffed Memory, & that yo^r Excellency not forefeeing any occafion you Should haue of them in that Affembly had left them att home, fo that no further Anfwer could be then given.

And this houfe haueing duely weighed the great concerne that in this point lies vpon them & being ever ready to manifeft their Strict obedience to his Maj^tⁱ^es Comⁿds & no way aimeing to difpute contradic^t or leffen his Royall prerogative w^{ch} they will be ever readie to defend together with his Royall & facred p^rfon with their lives & fortunes, Yet haueing never as yet rec^d from his Ma^tⁱ^e fince his acceffion to his Emperiall Crown or from his late Ma^tⁱ^e of ever bleffed memory any marks of their difpleafure or any defire his Ma^tⁱ^e hath to cutt vs fhort in any thing granted in his Royall Charter, we do once more beg leave of yo^r Excellency to heare or [our] reafons vpon the whole of y^e matter in all the addrefses on this Subject before made to yo^r Excellency contain'd which here follow.

May it please yo^r Ex^c

This Houfe do not, nor dare not go about to fay what is prerogative & what is not: it's a Subject they will not touch vpon, & therefore do befeech yo^r Excellency in the Argument they are now going to make being but a point of common diftinction, that no fuch thing may be attributed to them.

This

This House do not draw it vnder question whether his Majesty by his proclamation may repeal all or any lawes that have not past the Royall assent, but if before his Majesty hath given his Royall assent, any law so made by the Generall Assembly shall be found inconvenient & by the same Authority in an other Sessions repeald & made void it is as if the same had never been & a Law may as well Receive it's beginning by proclamation as such revivall since his Majesties Instructions in Such case would be as this house humbly conceives *Ex post facto*, & this house do humbly desire the Hon^{ble} his Majesties Council of State to Joyn with them in representing to yo^r Exc^{ty} the dangerous consequences that may follow if they should be silent herein for although his sacred Majesty hath indulged all his good Subjects in this Country to an inexpressible degree by giving them so prudent a Govern^r as yo^r Excellency in the whole course of yo^r Governm^t hath shewed yo^r selfe to be; yet if by death or otherwaies yo^r Excellency should be removed Some Govern^r may be sent to Govern vs who vnder the pretense of the liberty he hath to construe prerogative & stretch it as far as he pleafeth may by proclamation Revive all the Laws that for their great Inconveniēcs to the Country have been Repeald though forty yeare since & this would be no more but *Ex post facto* as hath been before Expressed, & therefore this House do humbly hope that this their humble address to yo^r Excellency will receive a benign condecension from yo^r Excell^{ty} & the grant of the thing so long prayd for *viz* the calling in & making void y^e said proclamation.

The Gent^a of y^e Co^mittee of propositions & Greivances are appointed to p^rsent the afores^d addressse to the hono^{ble} Council.

They are likewise appointed to p^rsent to his Exc^{ty} the addresss relateing to L^t Coll W^m ffitzhugh.

A bill for better prevention of Negroes infurrections read the first time,
& *Resolv'd* to be read the Second

A bill for Ports read the 2^d time & *resolv'd* the third reading.

Resolv'd that it be Entituled a *Bill for Ports for the better securing his Majesties Customs & revenues arising in this his Dominion of Virginia* & that it be read the third time *Saturday* morning.

The house adjourns to two of the clock *post Meridiem*.

Post meridiem

THE House Mett.

The House adjourns to to morrow Eight of y^e Clock

Veneris 4^e May

THE House haueing Mett & adjourn'd to Eight of the Clock to morrow, attend M^r *Speaker* to wait on his Excellency & Council att the Council Chamber & thence to Church.

Saturni 5^e May

THE house mett

The Gent^a of the Co^mittee of propositions & greivances acquaint the House by Coll *Milner* Chairman that they delivered the addressse relateing to the profecution of L^t Coll W^m ffitzhugh to his Excellency & that his Excellency's answer was he would see that it should be done in due time.

They likewise acquaint the House that they had delivered the addresss relateing to his Exc^{ty}s proclamation for reviving a repeal'd law to the hoⁿble Council & their Answer was they should receive an Answer in convenient time

Maj^r

Maj^r *Scarborough* & Cap^t *Smith*

are appointed in the name of this House to give thanks to M^r *Deuel Pead* for the Excellent Sermon yesterday preached before the Generall Assembly.

Cap^t *Randolph* & Cap^t *Perry*.

are appointed to repair to the Secretary's Office & demand the Charge ag^t L^t Coll W^m *ffitzhugh* that was Exhibited att the Councill board the laft Seflion of Assembly.

The Comittee of Claims by M^r *James Bray* Chairman p^rsent to the House. A bill directing how publick Claims shall be certified for allowance & delivered the same att the Clerk's table—is read & *resolved* that y^e same be read y^e second time.

A bill for Charge of Criminalls read the Second time & *resolved*, that it be Entituled
A bill declaring how the Charge arising by Criminalls shall be payd for the future.

A bill for Ports for the better Securing his Majesties Customs & revenues arising in this his Dominion of *Virg^a* read the third time & past the House *Nemine contradicente*.

Resolv'd that the bill for better prevention of Negroes Infurrections be Entituled a bill for an additionall Law concerning Negroes & other slaves which is read the 2^d time & *Resolv'd*

That it be putt to the Question whether the bill shall passe the Second Vote as it is or be amended

Resolv'd y^t it be amended

The bill past wth the amendm^{ts}

M^r *William Edwards* Comes into the house & brings his Excellency's Answer to the addresse relating to y^e prosecution of L^t Coll W^m *ffitzhugh* which is read as followeth.

M^r *Speaker*

Yo^r house having by their humble addresse set forth that y^e laft Assembly prepar'd severall articles of Charge ag^t L^t Coll W^m *ffitzhugh*, w^{ch} Charge I ordered Cap^t *Geo. Brent* Attorney Gen^l for the time being, to prosecute at the then next Gen^l Court, but no prosecution being yet had therein, I shall forthwth order & Command *Edmund Jennings* Esq^r his Majesties Attorney Gen^l that without further delay all papers relating to the sd Articles of Charge be taken into his Custody, to the intent the said Charge ag^t the said L^t Coll W^m *ffitzhugh* be by him effectually prosecuted att the next Gen^l Court.
May 3^o 1688. *Effingham.*

The House adjourns to two of y^e Clock *post meridiem*.

Post Meridiem

THE House Mett.

M^r *Poynes Weldon* comes & acquaints y^e house that his Excellency had Commanded him to come to this House to know if the house was mett & that his Excellency Expected they should wait vpon him.

Resolved that the whole house do attend M^r *Speaker* to wait on his Excellency.

They return to the House & M^r *Speaker* takes y^e Chair Informs the house of the heads of his Excellency's speech as followeth—

Gentlemen

His Excellency was pleas'd even now to acquaint vs that he long since Expected to haue rec^d from vs a bill to prohibitt the Exporting of Bulk tobacco & the rather because it was particularly recomended by his most Sacred Majesty as his Ex^{ty} was pleas'd to intimate at the opening of this Assembly & which he did not question sufficiently appear'd to this House to be considerable for the interest & Service of this his Dominion & therefore he desired we should speedily apply our Selves thereto.

His Excellency did further acquaint vs that confiding the Government of *Maryland* had not concurr'd with vs in makeing a Law limitting the time for planting Tobacco he did not question but it would appear reasonab^l to vs to repeal the law by which we
were

were our Selves restrained rather then by the continueing thereof giue the Inhabitants of that Governm^t so considerable an advantage & his Lord^p did also propofe, whether it were not more Elegendible that the Law were now Repeald by vs then afterwards considering the great & Extraordinary drought had putt vs almoft beyond the hopes of making (if wee had our liberty) any confiderable Crops of tobacco on which cheifly the Governm^t as well as our Selves had a principall dependance.

And his Excellency was likewife pleafd further to acquaint vs that the difficultie as well as vncertainty of the parties recovering fatisfaction for the carrying or conveying of Letters either to or from himSelfe made the preffing of men & horfes for that particular not at all pleafant or gratefull to the Inhabitants of this Country he therefore recommended it to vs to find a Method & propofe fuch a Satisfaction out of the Impoft on liquors as might engage them carefully & fpeedily to convey all fuch Letters or rather buifnefs as fhould be comitted to their care relateing to his Majesties or the Countrey's fervice.

And laftly that the former law for Ports &c then lay before the Lords Comittees for trade & Plantations that his Excellency had lately recd from their Lord^{ps} a Letter & other papers thereto relateing which he would fpeedily comūicate to this Houfe that we might not vnneceffarily fpend our time in debateing of that matter

M^r W^m Edwards comes into the Houfe & brings a Letter from M^r Blaitwait to his Excellency which is read as followeth.

Councill Chamber 12 Aug^t 1687.

My Lord

The Bill for appointing Ports in *Virginia* & the A^{ct} touching a reftriction vpon the planting Tobacco haueing been referd to the Comiffioners of y^e Cuftoms & the Lords of the Committee for plantations haueing recd their Reports therevpon, their Lord^{ps} approving thereof in every p^ticular haue ordered Copies of the faid Reports & papers belonging to them to be fent to my Lord *Baltimore*, to the End his Lord^p may return his anfwer in thofe matters wherein his concurrence is mentioned to be neceffary & in the mean time their Lord^{ps} haue likewife comanded me to fend yo^r Excellency Coppies of the fame That yo^r Lord^p may fee in what State that Matter remains att prefent. I am

My Lord yo^r Excell^y's

moft humble & moft faithfull

Servant

William Blaitwait.

To his Excellency Francis Lord Howard Baron of Effinghā: his M^{ty} L^{ty} & Governor generall of Virginia.

Coll *Milner*

Coll *Lawfon*

M^r *Sherwood*

Cap^t *Randolph*

M^r *Whittaker*

are appointed to wait on his Excell^{cy} & acquaint him that this Houfe haue already prepared a bill for Ports, which hath paff the third Vote & will be ready on *Munday* to p^refent to the hon^{ble} Councill & to request him that the papers relateing to the report of the Comiffioners of the Cuftoms to the Lords Comittees for Plantations concerning Ports & the reftriction of planting tobacco may be tranfmitted to this Houfe.

The Gen^l return & acquaint the houfe by Coll *Milner* that they had informd his Excellency that this houfe had already prepar'd a bill for Ports which had paff the third vote & would be readie to prefent to the hon^{ble} Councill on *Munday* & that likewife they requested his Excell^{cy} to tranfmitt thofe papers to this Houfe relateing to the Report of the Comiffioners of Cuftoms to the Lords Comiffion^{rs} for Plantations & that his Lord^{ps} Anfwer was, that through his ilneffe & diftemperature of body he had forgott to bring thofe papers with him, but if this Houfe defired to haue them he would fend for them though he knew not how to give Exprefs directions where readily to find them but that the fubftance of the matter was continued [contained] in the Letter he had already comūicated to this Houfe.

The houfe adjourns to ten of the Clock on *Monday*.

die

die Lunae 7^o May

THE Houfe meet & adjourn to two of y^e Clock *poft merediem*.

Poft merediem

THE Houfe mett

A bill declaring how the Charge arifeing by Criminalls fhall be paid for the future.

read the third time & pafte *nemine Contradicente*

A bill directing how publiq claims fhall be certified for allowance read the Second time,

Refolved that it be engroffed & read y^e third time

A Report of the Co^mittee of propofitions & greivances read by Coll *Milner* Chairman in his place and afterwards delivers it to the Clerks table.

The firft p^t of the report of the Co^mittee relateing to an addrefse to be made to his Ex^{cy} for takeing of the Imposition of two hundred pounds of Tobacco for the Seal of the Colony being read is confirm'd & *Refolv'd* that an addrefse be drawn vp to his Ex^{cy} & that the Honourable Councill be requested to joyn wth this Houfe in prefenting the fame.

Refolved that the Co^mittee of propofitions & greivances do draw vp an addrefse accordingly.

The third part of the Report of that Co^mittee relating to cafting Ballaft in Rivers &c being read is approv'd & *Refolved* that a bill be accordingly drawn & brought into this Houfe by the Clarke.

The fourth part of the report of the Co^mittee relating to an Encouragm^t for killing of Wolves being read is approv'd & *refolved* that a bill be accordingly drawn & brought into this Houfe by y^e Clerke.

The laft part of the Report of the Co^mittee relating to Ordnary Keepers giving Credit to young ffreemen or Seamen being read is approved & *refolved* y^t a bill be accordingly drawn vp by the Clerk & brought into the Houfe.

A bill for an additional law concerning Negroes or other flaves being read the third time

The Queftion is put whether the bill fhall pafs yea or no.

Refolved in the affirmatiue.

A Bill for repealing the a^{ct} prohibiting the vnlawfull affembling of *Quakers* w^{ch} is read & *refolv'd* y^t it be read the fecond time

Cap^t *Brent*

M^r *Spicer*

M^r *Sherwood*

&

M^r *Hardedge*.

are appointed to p^{re}sent the bill for Ports &c and a bill declaring how the Charge arifeing by Criminalls fhall be paid for the future, to the hon^{ble} Councill & defire their concurrence therein.

They are likewife to wait on & remind his Excellency of a further anfwer to y^e addrefse relateing to a fee taken by M^r *Secretary* for recording of rights and Surveys.

M^r *W^m Edwards* comes into the houfe & brings an anfwer of the Councill concerning their joyning in an addrefse to his Ex^{cy} & alfo his Excell^{cy}s Anfwer to the faid Addrefse. Read as föll.

The Councills anfwer.

M^r *Speaker*.

His Excellency has been pleafed to co^municate vnto his Ma^{ties} Councill of this Collony an addrefse from yo^r Houfe to his Ex^{cy} this day received relateing to the 6th A^{ct} of Affembling in *June* 1680, by w^{ch} addrefse yo^r Houfe have defired the conjunction

of

of the Councill who are concern'd to receive a motion from yo^r Houfe. in which they cannot concurr haueing an equall defire with you to manifeft their Zeal for the good of this Country, but to joyn with yo^r Houfe in an addrefse to his Excellency to declare Void y^e Proclamation you mentioned in yo^r addrefse they cannot joyn in vnlefs they fhould defignedly & knowingly difobey his Maj^{ty}es comānd Knowing that the Proclamacon iffued by his Excellency's repealing the 6th Act of Affembly in *November* one thoufand Six hundred Eighty two was in obedience to his Majefties Royall Comānd & fo being it was his Majefties Proclamation of Repeal to which the Councill held themfelves bound by all tyes of duty & Loyalty to yeild all due hono^r & obedience therefore ought not nor may not conjoyne in an addrefse of that nature

Signed by order of y^e Councill
Nicho Spencer

May 5th 1688

Seery

His Ex^{ce}v Anfwer.

M^r *Speaker*

The addrefse recd this day from y^r Houfe concerning the 6th Act of Affembly of *November* 1692 [1682] was by me So fully answered to a former Affembly that I did not now Expect a revivall of that debate nor that yo^r Houfe would in the leaft haue doubted the Veritie which I affirm'd, That the repealing proclamacon was directly purfuant to his Majefties Inftuctions to me for repeal & the matter now comeing So unexpectedly I cannot fo far at prefent fatisfie yo^r Enquirie as to giue you the fight of his Majefties Comānd to me for y^e Repealing the Act of Affembly now vnder yo^r confideracon for that I haue not that Inftuction in Town by me: however if you had not fo good an Opinion of me as by yo^r addrefse you haue fo kindly Expreft yet I could not haue doubted yo^r beleife of my affirmation in a Matter of fo high a nature as the Repealing an Act of Affembly by his Majefties proclamation, if by his Majefties Royall Authority had not been fo commanded to haue performed, in which if could haue been either So imprudent or ill a Governour as to haue made vfe of fo high a point of prerogative without his Majefties fpeciall Comānd thereto, I could not Expect that the forfeiture of my Govern^t could haue Satisfied the difpleafure of fo great fo glorious & juft a King as God Almighty hath placed over vs who hath been pleafed out of his tender care & goodnefs for the Subjects of his Plantations to appoint a felect number of the Lords of his Majefties moft Honourable privy Councill a Comittee for all Plantation affairs, & to their Lord^{ps} is faithfully tranfmitted all the Polliticall matters of the Government as orders of Councill Journalls of Affemblyes Acts of Affemblyes & proclamacons with what Elfe is of moment in the Government by which meafures his Ma^{ty} & Councill haue an accompt of all the tranfacons of y^e Government. Therefore if any Govern^r could be fo indirect as to pretend the Kings Comānds in the minuteffe matters he could not expect it would paffe without their Lordfhips obferuation of it, & how heavy that would fall you cannot but know & yo^r Houfe cannot but Obferve, that Acts of Affembly haue the full power & force of Acts of Affembly from their Juft paffing vnles either repeald by his Majeftie or by a Succeeding Affembly, and if repeald by Succeeding Affemblyes, fuch Repeals haue taken of the force of y^e Laws repeald vnlefs his Majeftie hath thought fitt to repeal the Repealing Laws, & under that circumftance is the Repealing lawe yo^r addrefse relates Vnto for his Majeftie haueing Repeald by proclamacon the repealing law it implyes y^e Law intended to haue been repeald by a repealing Law by a Succeeding Act of Affembly is as had never been becaufe repeald by his Majefties Comānd, confequently the firft lawe ought to be taken to be of force.

And as I will not think yo^r Houfe queftions whether the Kings prerogative in Plantations hath right to repeal by proclamation Lawes paffed by Affemblyes to which y^e Royall affent hath not been given, fo I muft tell you, I think this no Suitable time to argue this point, The whole body of the Lawes being now vnder Confideration to be prefented to his Majeftie for a Royall Confirmation & do wifh fuch ftuglings do not abate thofe gracious & favourable inclinations his Majeftie & Royall predeceffors haue
fhewen

shewen to this Countrey which vndoubtedly will bee so continued if you yo^r selves by mistaking how far short the Subjects of Plantations are in point of priviledge to the Inhabiting Subjects of *England* do not put a stop thereunto & haue to tell you, that to ask of me the calling in & declaring void the proclamation of repeal, is to desire me to do what is not in my power, therefore hope you'l lay aside all debates of that nature & go on wth matters that may tend to his Majesties Service & yo^r own good, to which you shall find my ready concurrence.

May 5^o 1688

Effingham

Cap^t *Brent*

M^r *Hancock Lee*

M^r *Peter ffeild*

Coll *Lawson*

Major *Swann*

& Cap^t *Randolph*

are appointed to consider his Excellency's late Speech & report to the House what they conceive fitt to be returnd in answer, & that they likewise consider y^e answers just now recd from his Exc^{ll^y} & the Councill to an addresse about reviving a repeald Law by proclamation & report to the House to morrow what Methods & Measures they shall think fitt to be therein taken.

A Report of the Committee of Claimes p^resented to y^e House & delivered to the Clarks table by M^r *James Bray* Chairman.

Cap^t *Brent* &c return & acquaint the House that they had waited on his Excellency & reminded him of an answer to the Adresse relateing to a fee taken by M^r *Secretary*.

His Excellency's Answer was y^t he had it ready drawn vpon rough, it onely wanted transcribing, which should be forthwith done & sent to morrow.

They further acquaint this House that they had delivered the Bill for Ports &c & the Bill declaring how the Charge arising by Criminalls shall be paid for the future to the hon^oble Councill.

The House proceed to the reading of y^e Report of the Committee of claims:

Vpon reading a report concerning four runaway Servants belonging to M^r *Andrew Gravenrod* of *New York*.

Resolved that M^r *Robert Bollin* be impowered to demand & receive of M^r *Andrew Gravenrod* Eight hundred pounds of Tobacco for takeing vp four runaway Serv^{ts} belonging to the said *Gravenrod* w^{ch} they [the] Country hath paid & ought to be reimburs^t

The house adjourns to Eight of y^e clock to morrow.

Martis 8^e May 1688

THE house mett

A bill to prevent the casting of ballast into Rivers & Creeks read & *Resolved* the same be read the second time.

A bill giueing reward for Killing of Wolves read, & *resolved* the same be read the second time.

A bill prohibiting Ordinary keepers to giue credit to Seamen & young freemen read & *Resolved* the same be read the second time.

A bill for Repealing the Act prohibiting the vnlawfull Assembling of *Quakers* read the Second time & *resolv'd* that it be ingrossed & read the third time.

An ingrossed bill directing how publiq claims shall be certified for allowance read the third time & pass *nemine contradicente*

Co^{ll} *Law Smith*

M^r *Park*

M^r *Wilson*

& Cap^t *Mason*

are appointed to p^resent the same & also a bill for an addicoⁿall Law concerning Negroes to the Hon^oble Councill for their concurrence.

It appearing to this House that the charge of Interpreters Yearly is very burthenfom to the Country & that the Office of Interpreter is found to be very Vnnecessary & vfeless, it is therefore the *Resolve* of this House that the yearly Salary of fower thousand pound
of

of Tobacco to each Interpreter be not for the future allowed, but that they be wholly discontinued & the Burgeffes of the respective Counties where the Interpreters live are desired to giue them notice of this Refolve.

The house adjourns to two of the clock *post meridiem*.

post meridiem

THE House mett.

Coll *Law: Smith* &c return & acquaint the house that they had delivered the bills directing how publique Claims shall be certified for allowance & a bill for an additionall Law concerning Negroes & other Slaves to the Hon^{ble} Council.

A report of the Committee of propositions & Greivances read by Coll *Milner* Chairman in his place & afterwards delivered in att the Clerks table.

The first part of the Report relating to Sherriffs receiving Publick dues being read is approved & *resolved* that a bill be accordingly drawn & brought into this House by the Clerke.

The second part of the Report relating to Coll *John Custis* being read is approved & *Resolved* that the Gentlemen of the Committee of propositions & Greivances do accordingly draw vp an addresse to his Excellency & present it to this House for consideration.

Cap^t *Brent* &c p^rsent an answer to his Ex^{cy}'s laft speech to this House w^{ch} is read by Cap^t *Brent* in his place & afterwards delivered in at the Clarks table.

Read as föll.

May it please yo^r Excellency

This house hauęing well weighed & considered yo^r Excellency's Speech on *Saturday* laft made to the whole House do most humbly answer That the bill for prohibiting Bulk Tobacco, w^{ch} yo^r Excellency is pleased to say, you expected before that time, is now vnder their consideration, & as soon as a positive Refolve is made which shall be with all possible and convenient Speed the Refolve of the House shall be presented to yo^r Excellency.

To the second this House humbly conceives that the Law restraining the planting tobacco after the laft of *June*, is not only a good wholsom & convenient Law for the Country, but also as it seems to them is approved of by the Lords of the Committee for trade & foreign plantations & the Commissioners of his Ma^{ties} Customs, as appear by M^r *Blaithwaits* Letter, by yo^r Excellency transmitted to this House who hope the meafures by their Lordships taken with the Lord *Baltimore* for his concurrence will prove Effectuall & therefore conceive the law ought not to be Repealed.

To the third about Expresses for Conveyance of Letters &c This house had it vnder their consideration before yo^r Excellency by yo^r Speech made intimation thereof to them which consideration proceeded from the Report of the Committee of Claims in their allowances made to such messengers being prest although divers were disallowed for want of due probation doth amount to a very considerable part of the publiq Claims & therefore haue it in debate that an addresse be made to yo^r Excellency to remedie the irregularities & Exorbitances in those affaires by takeing of the preffures which not onely the Publick but particular persons do suffer vnder & in that addresse yo^r Excellency will receive some humble propofalls that may answer yo^r Excellencies demands in that part of yo^r speech.

To the laft in relation to ports before yo^r Excellency's speech this house had voted into a bill & was ingrossed to be presented to the honorable the Councell of State in order to passe into a Law, which this House do humbly hope as it is of the greatest Weight & moment to the Country, so it will obtain the desired end because in y^e Letter yo^r Lordship transmitted to the House from M^r *Blaithwate* they cannot but with joy observe, the allowance and approbation the Lords Committees giue to all the parts of that Law for

Ports,

Ports, And the known concurrence the Lord *Baltimore* hath giuen by the ftriçt Methods, in *Maryland* taken to that degree that moſt of their Ports are filled with warehouſes & all the trade of the Province brought to thoſe Ports.

Ar: Allen Speaker.

M^r *W^m Edwards* comes into the houſe & brings his Exçell^{cy} Anfwer to the addreſſe about a fee charged by M^r *Secretary* for Recording of Surveys & a branch of his Excellen^{cy}s Comiſſion & likewiſe Anfwers from the hoⁿble Councill to two bills: the one how publiq claims are to be certified for allowance, the other a bill declaring how the Charge ariſing by Criminalls ſhall be paid—he likewiſe acquaints the Houſe that his Excellency deſires that the greivances of the reſpective Countys may be ſent to him to night.

His Exçell^{cy}s Anfwer read as föll
By his Excellency

M^r *Speaker.*

To yo^r addreſſe relateing to the fee Charged by M^r *Secretary* for Recording Surveys I then imediately returnd yo^r Houſe anſwer that it being a concern of M^r *Secretary*'s & he not then come to Town, but dayly expected, thought fitt to deferr a full anſwer vntil his arrivall, & now haueing enquired into the ground of that fee the laſt year charged, do find it takes it's Juſtificaçon from an order of the Gen^l Court of *Aprill* 29th 1687 made vpon a due Conſideration had of a motion made by M^r *William Sherwood* obſerveing in the courſe of his praçtice as an Attorney that many troubles & fuites had ariſen for want of a Record made of all Surveys return'd into M^r *Secretary*'s Office & finding it ſo neceſſary a Worke for ſetting forth the Originall of every individuall tract of land by patent granted, I found it fitt with the advice of the Councill to order & appoint all Surveys returnd to M^r *Secretary*'s office to be recorded & ordered a booke to be kept particularly for that Service as in all other his Majeſties Plantations is accordingly performed & being the ground work from which all Patents take their being it ought not to be omitted & as this is a work moſt neceſſary, ſo it cannot be Expected that M^r *Secretary* & his Clarks ſhould performe thoſe cares & Services without a fuitable conſideration, therefore with the advice of the Councill, I ordered & appointed thirty pounds of Tobacco to be by M^r *Secretary* charged for the fee of recording every Survey which by vertue of his Majeſties Royall Comiſſion to me for Governor Gen^l of this his Ma^{ty} Collony of *Virg^a* (*inter alia*) I am authoriz'd & impowered to appoint, & it being intended wholly for yo^r goods in a plain Setting forth & aſcertaining the bounds of Lands, did not expect the leaſt hesitation therein: & for yo^r further ſatiſfaction I haue ſent you a Copy of that part of my Comiſſion that impowers me with the advice & conſent of the Councill to appoint Courts & aſcertain fees.

May y^e 8th 1688.

Effingham

A branch of his Ma^{ty} Comiſſion to his Excellency:

And we do hereby giue & grant vnto you full power & authority with the advice & conſent of our ſaid Councill to erect conſtitute & eſtabliſh ſuch & ſo many Courts of Judicature & publick Juſtice within our ſaid Collony & Dominion as you & they ſhall think fitt & neceſſary for the hearing & determining of all Cauſes as well Criminall as Civill according to law & equity, & for awarding Execution therevpon with all reaſonable & neceſſary powers Authorities, fees & priviledges belonging vnto them.

The abouef^d is a true Copy of a Branch of my Commiſſion,
May 8^o 1688

Effingham

Vpon the reading his Exce'lencies anſwer to the humble addreſſe of this Houſe relateing to M^r *Secretareys* vnduely charging a fee for recording of Surveys, this Houſe to their great ſorrow obſerve, that in ſtead of finding releife in the redreſſe of that ſo generall a preſſure & greivance, The action Receiues it's Juſtification from an order of the Generall Court dated the 29th of *Aprill* 1687 The houſe are therefore of opinion & accordingly *reſolve* that the Comiſſtee of propoſitions & greivances prepare a written meſſage to be p^rſented to the honourable Councill ſetting forth the aforeſaid together with a

ſtate

state of this Dominion in relation to the many other preffures & Greivances the whole Country does at present grow vnder & that they likewise draw vp & prepare an addresse to be presented to his Excellency therevpon wherein the Hon^{ble} Council may be desired to joyn wth this Houfe & that they Report the same to this Houfe.

The Councils answer to the bill directing how publick claims shall be certified for allowance.

By his Majesties Council

M^r Speaker

The bill Entituled *a bill directing how Publique claims shall be certified for allowance* hath been seriously considered in which are of an opinion, that by a former Act of Assembly the matter is fully provided for, both as to the care of inspecting the accounts of publick charges & also the nature & payment thereof if continued in the like method as the former Act for allowance, & as this bill seems to intend & direct there needs no new Act to be passed therein, but are of the opinion that the wayes & methods proposed by his Ex^{cy} on *Saturday* last to yo^r Houfe, is a way & means of lesse Charge, & of greater satisfaction to all persons who shall be employed in his Majesties & the Countrey's service, receiving present satisfaction for such services, will giue a Cheerfullnesse in performance thereof, Whereas the wayes & courses by this bill laid down for the obtaining satisfaction for publick services is attended with so much Charge & trouble to all persons in seeking after satisfaction for their services, w^{ch} together with the uncertainty of pay renders it no lesse greivous & burthenfom to the persons Serving then if they had no allowances appointed or ordered for services so performed, therefore if yo^r Houfe shall think fitt to prepare & passe a bill for the paym^t of publick Services in that easie regular & encouraging way & means prescribed, the Council will readily concur with yo^r Houfe therein,

By command of y^e Hon^{ble} Council

W: Edwards Cl Gen: Assembly

May y^e 8th 1688.

The Councils answer to a bill declaring how the charge arising by Criminalls shall be paid

By his Ma^{ties} Council.

M^r Speaker.

Vpon reviewing the Journall of the last Assembly do observe that a bill was prepared by the then Houfe of Burgeses entituled *an Act easing of the Country of the Charge of apprehending prosecuting & Executing Criminalls*, to which then vpon serious consideration such answer was returned by the Council as was most agreeable in the concerne of that bill then in debate & the bill this day recd from yo^r house, differing little from the bill prepar'd the last Assembly Excepting in the Title thereof, & as little alteration can be made therevnto in the returne therefore for the prevention of waisting & spending time in debates so fully argued the last Assembly refer you to the consideration of your own Journall therein to which haue now only to add that the thirteenth Act of Assembly made in 1666 is most near & agreeable to the practice of *England* in the cases of Criminalls the Justices of peace of each respectiue County annually assessing vpon the Inhabitants for payment of y^e Charge of apprehending prosecuting & Executing Criminalls & that fines & forfeitures are duely returned to the Excheq^r & Estreated to the King's Majesties vse & service

By the command of y^e hon^{ble} Council

W. Edwards Cl Gen^l Aff^{rs}

May y^e 8th 1688.

In answer to a verball message even now recd from his Excellency by M^r *William Edwards* desiring the Greivances of the respectiue Counties may be transmitted to his Excellen^{cy}

M^r Arthur Spicer

Cap^t Ball

M^r Kendall

& M^r Bollin

are appointed to wait on his Ex^{cy} & acquaint him that many greivances of the respectiue Counties still lie before the Committee appointed for the inspecting the same & that

as

as they hitherto haue so they shall continue as they are reported from that Committee to this House [to] present such of them to his Excellency as this House shall conceive worthy his Excellency's Knowledge.

The same Gentlemen are appointed to carry the Answer to his Excellency's last Speech.

The house adjourns to to morrow Eight of y^e Clock.

Mercury 9^o May 88^o

THE House mett

The Committee of propositions & greivances present to the House an addresse to his Excellency relating to Coll *Custis* which is read, & ordered that it be transcribed & presented to his Excellency
is as followeth.

To his Excellency Francis Lord Howard Baron of Effingham his Majesties Lev^{ty} & Governor Gen^l of Virginia.

The house of Burgeses now assembled

Humbly present

This House haueing considered the greivances of the Counties of *Northampton* & *Accomack* ag^t Coll *John Custis* Collector of y^e district, wherein the Inhabitants of those Countyes complaine of his great Exactions, & extorting of vnjust & vnreasonable fees from Masters Merchants & traders there to the great decay of their trade & discouragement of Navigation inso much that many Masters & Merchants who formerly traded in those parts haue now wholly deserted the place, And to the end that such his vnreasonable vnjust & arbitrary proceedings might not be detested [detected?] & the Inhabitants & other traders therein releived, att the Election of Burgeses in the County of *Accomack* presuming on the dignity of his place & great authority at their giving their greivances in writing to their Burgeses, expressed many threatening & menacing words to the people & shakeing his Cane with much fury & saying his Excellency should [not?] see that paper which he then took away & detained, & did command y^e in case they did proceed to draw vp any Greivances that he might haue the View of them by which the people being terrified & affrighted drew vp no other aggreivances att that time, all w^{ch} proceedings being contrary to law & highly prejudicial to the Priviledges of the Inhabitants of this his Ma^{ty}s Dominion of *Virginia* & of very Evil consequence to the peace and welfare of the Country.

This House therefore do humbly supplicate yo^r Excellency as well on the behalfe of the Inhabitants of those Counties as of all his Majesties Subjects in this his Dominion that yo^r Excellency will be pleased to apply such fitt remedies as by the laws of *England* are provided for preventing Such vnwarrantable practices & arbitrary Exactions & also that the Inhabitants of this his Ma^{ty}s Dominion, may not for the future by the power or greatnesse of any person be hindred or molested in giving in their just greivances for redresse by Generall Assemblies according to his Majesties Writt for Election of Burgeses.

Cap^t *Applewhite*

M^r *Whittaker*

Cap^t *Leer*

&

M^r *Dudley*

are appointed to present the said addresse to his Excellency.

The house adjourns to two of y^e Clock *post meridiem*

Post meridiem

THE house mett.

Cap^t *Applewhite* &c return & acquaint the house that they delivered the aforefaid addresse to his Excellency.

M^r *W^m Edwards* comes into the house & brings the bill for an additional law, concerning Negroes & other slaves wth the Councils dissent indorst & their Answer
to

to the bill for ports &c & likewise his Excellency's Reply to an answer of this house relating to his Excellency's last speech to this house.

The Council's answer to the bill for Ports &c

M^r Speaker

As to yo^r bill prepar'd for Ports it admitts not of an argum^t because the former bill of the like nature vnder his Ma^{ties} Consideration hath not rec^d determination & to proceed to the passing a law in matter of that moment before haue Received his Majesties approbation or disallowance of the former bill p^resented would be as we conceive not onely too forward a pressing the matter but vndutifull therefore ought not further to take that bill vnder consideration—then to return for answer, that we hope yo^r house will haue Equall patience with vs in the matter we earnestly desire to wait his Majesties pleasure as knowing what's best & fittest for vs.

By command of the Council

May y^e 9th 1688

W. Edwards Cl Gen: Assembly.

His Excellency's reply

By his Excellency

M^r Speaker

Though I did not at the first meeting of this Assembly expect that yo^r house could haue taken so long time in debating a matter so much intended for yo^r own good as the preparing a bill in order to the passing it into a Law for prohibition of Bulk Tobacco, yet being in Expectation that when the bill comes from yo^r House, it will in all respects be so well agreeable to what hath been recommended to yo^r consideration by his Majesties gracious Commands as that I may readily giue an assent vnto it, I shall not think the time long.

As to what you haue offer'd in the relation to the not repealing the law restraining the Planting Tobacco. I conceive you mistake the meaning of M^r *Blaihwai*'s Letter in which that their may be a right vnderstanding by the Council & yo^r house I haue thought fitt to propose that there be a conference held between some Gentlemen of the Council & such members of yo^r house as yo^r house shall find fitt to appoint: I do not doubt but when you haue fully considered what I offer'd unto yo^r consideration for the reward & discharging of publick messengers & seruices but that you will find the wayes & means that I proposed vnto you will be most easie to the publick & satisfactory to the persons seruing, and you shall find me very ready to assent to any regular & reasonable means for the Easing the publick Charge & Suffering of particular persons by those wayes & means that haue been formerly taken for the conveying Expresses & other Seruices of that like nature.

As to what you haue last offered in relation to Ports, the Council tells me they haue giuen their opinion thereon vnto yo^r house, which hope will be Satisfaction to you.

May y^e 9th 1688.

Effingham

Cap^t *Brent* &c p^resent to the House an application to the hon^{ble} Council which is read as followeth

May it please yo^r honors

It is not a little dissatisfaction to this house to find both in his Excellency's & your answer to the address for calling in the proclamation that repeals the Repealing law and re Establishes that Concerning Attorneys, That yo^r house haue So much mistaken the intentions of this house whose design was when that address was delivered to your hono^{rs} that if yo^r honors should not think fitt to joyn wth vs in the same that you would please to return that together with yo^r Answer to the house thereon. And to that end the members which were appointed to wait vpon yo^r honors with the Same were Sent That the said address might be presented from yo^r honours to his Excellency & not from his Excellency to yo^r honors as we find it hath been done what now remains is that wee beseech yo^r hono^{rs} to look vpon the mistake as it is & to joyn with vs in our humble address

dreffe or to caufe it to be return'd to the houfe again, which would not haue been Sent to his Excellency but by yo^r honor's advice confent & concurrence

Signed by order of the houfe

F P Cl

M^r *Wilson* & Cap^t *Whittaker*

are appointed to wait on & present to the hoⁿ^{ble} Councill the faid application.

A report of the Com^{it}tee of propofitions & Greivances read by Coll *Millner* Chairman in his place.

& afterwards delivered in att the Clerks table & read as followeth

Whereas this Houfe vpon Examination of the many greivous Complaints of his Majesties good Subjects of this his Dominion of *Virginia* haueing been fully convinced & made sensible that many vnlawfull and vnwarrantable fees & other duties haue been vnder colour of his Majesties Royall authority vnjustly imposed vpon & exacted from them, & that divers new vnlawfull, vnpresidented & very burthenfom & greivous wayes & devises haue been of late made vse of to the great impoverishing Vexing & vtter vndoing of many of his Majesties Subjects of this his Dominion, ffor redresse & remedy whereof this houfe & the Houfe of Burgeses of preceding Asssemblies haue made Severall humble addresses to his Excellency the Govern^r But the same haueing not mett with that favourable Reception & answer as was Expected & the cryes of those that are greiued & oppressed by the means afore^d peircing our hearts as well as Ears.

And in Regard this houfe also think themselves nearly concerned to foresee & as much as in them lies to prevent the dangers that might attend the Publick peace of this Country if fitting remedies be not applyed by the effectuall redresseing the faid Greivances

It is therefore Resolv'd by this houfe that the hon^{ble} his Ma^{ty} Councill of state of this his Dominion be desired to joyn wth this houfe that they may together humbly lay before his Excellency all such greivances & preffures as this poor Country at p^{re}sent groans vnder & particularly these following humbly desireing redresse therein.

ffirst That as we shall never dispute how farr his Ma^{ty} Royall prerogative may be Extended in the Repealing any Act or Law of this Country, not haueing the Royall assent, wee think it our duty once again to declare, that when an Act or Law of this Country which hath not the Royall Stamp vpon it, hath been repealed & declared void by the same Authoritie that made it a law, it is absolutely reduced to nothing & all things therein mentioned are as if that first law had neuer been made & that therefore the Repealing or declaring Void the faid Act of Repeal by a proclamation can no more reinforce & revive the first Act thereby repealed, then Such a Proclamation can make a new Law, for w^{ch} reason his Lord^{ps} Proclama^{co}n declaring of the Act for Repealing of the 6th Act of Assembly of *June* 1680 about Attorneys to be void, & that the faid Law should thereby be reuived & haue the full force & strength of a law is ill grounded vnwarrantable & of dangerous consequence & therefore it is humbly desired that the faid Proclamation be called in & declared void.

Secondly that amongst the many other gracious priuiledges & im^{mu}nities granted to this his Majesties most antient Colony & Dominion by his Majesties Royall Ancestors there hath been a Publique Seal granted to & belonging to the same which hath been from time to time Changed & renewed as hath been lately done by our gracious Soueraigne whom God of his infinite mercy preserve wth a long & a happy Reign Over vs & the faid Seales haue from the first settling of this Country been vsed for the better authenticateing all pattents for Land or other Publick Grants & Instrum^{ts} for which no other fee was ever demanded pretended to be due or taken but what by law was allowed to his Majesties Secretary of State here & is included in his fee for such pattents & other Instru^{ments}.

And that therefore the fee of two hundred pounds of tobacco & Caske lately imposed by his Excellency vpon every person that either actually Sues for & desires the Seal of this Countrey may be annexed to such patents & other Instrum^{ts} that his Lordship is pleased to think ought to haue the same being imposed by his Lordships single Authority

thority is contrary to law & common Right & greatly oppreffive, for although the Party never defires or knowes of it vntill the Sherriff who is to collect the fame demands it, & declares vpon refufall of payment that he will deftrain for it, & that the fame for increafing the profitts accrewing thereby is with or ag^t the parties will & defire affixed to all probates & adminftraçõs & other Inftrum^{ts} of leffe value & confequence, although the whole Eftate amount not to twice the Value of fuch fee, & although the party never fue for or have the fame the fee is Charged & the party forced to pay it as aforef^d without receiving any benefitt thereby which being So greivous an Oppreffion is defired to be forthwth redreffed.

Thirdly that the fee of 30^l of tobacco demanded by M^r *Secretary* for Recording all Surveys of land when in truth no Such thing is neceffary to be done or if it were no fee due for the fame in regard the Survey or bounds of all lands granted by his Majeftie is included in the Body of the Patent for which a Sufficent fee is by law Eftablifhed And the vnjuft & vnreafonable fee of five pounds *fterling* Exacted by Efcheators for every office found or Efcheat made being Exceeding greivous & burthenfom is defired to be redreffed.

Fourthly That all fines & forfeitures being by law appropriated to his Majeftie for the better fupport of the Governm^t & defraying the contingent Charges thereof & whereof there hath been no account rendred to the Affembly and the Charges of profecuting Criminalls Impreffing Meffengers for conveying of Publiq Letters & other things of that nature amounting to a very great yearly charge which is conceived ought to be defrayed out of his Majefties Revenue of this Country, & the faid ffines & forfcitures & that the Publick Levie by the pole vpon all the Inhabitants of this Country ought not to bee burthened with the fame & this Country by reafon of the lowneffe of the price of tobacco being reduced to extream poverty & generall feeling & complaining of the great burthen of the before mentioned & other Levies & Charges which they are not able to fupport, It is therefore humbly defired that the fame be fpedily redreffed.

May it please yo^r Honours

This Houfe for the redreffing the aforerecited Greivances & preffures do defire you the hoⁿble Gen^a of his Majefties Councell to joyn with this houfe in an addrefse to his Excell^{cy} about the fame & do pray if it fhall be agreed vnto by you to affigne fome of the honourable Councill who together with fome Particular members appointed by this Houfe for that purpofe may confider of fuch an addrefse to his Excellency as is fuitable for yo^r honors & this Houfe in the name of themfelves & all the Inhabitants of this Country to prefent.

This Co^mittee hauing taken into their ferious confideration that part of his Excellency's fpeech at the firft opening of this Affembly relateing to a prohibition of Bulk tobacco being hence Exported & therein obferueing that the reafon of that propofition is derived from a Senfe our moft gracious Sovereign has that the fame may be advantageous to the Inhabitants of this Country vpon a Petition prefented to his Majeftie on our behalfs & this Co^mittee not vnderftanding that ever any addrefse was by the Generall Affembly or by order or defire of the Representatives of this his Majefties Dominion prefented to his Majeftie for or concerning the Prohibitting of Bulk Tobacco did therefore Enter into a ftrict Examination & fearch to Informe themfelves by what means it was Represented to his Ma^{ty} That We his Majefties Subjects refideing here fhould defire fuch a prohibition do find that the fame was Effected by feverall Merchants refideing in *London* who conceiving fuch a law made here would anfwer their Particular Intereft & profit & therevpon vfeing all endeavors to procure the fame did boldly and p^rfumptuoufly vndertake to petition his Majeftie without our privities knowledge & agreement In the leaft, in our names as well as their own therein fetting forth on our behalfes that it would be much for the advancement & good of this Country.

By means of which p^rfumptuous Petition & mifrep^refentacõ of the Merchants abouefaid This Co^mittee do humbly Suppofe his Majeftie was induced to beleive that the

faid

faid petition was presented to his Majestie as the desire of the Inhabitants in Generall of this Country & there vpon his Majestie out of his most gracious inclinations and speciall favour to this his Dominion intending the good thereof (for although we haue been vntruly represented by the faid Merchants petition as being without our knowledge or desire wee must needs own our Selves highly Sensible of his Majesties grace & favour) hath ordered & commanded that we together with *Maryland* should pass such a Law as might prohibit & forbid the Exportation of Bulk Tobacco from hence.

Wherefore this Committee vpon their deliberate Weighing of the p^rmises, fearing to report their p^rticular opinion in so Weighty a matter humbly submitt it to the Consideraⁿ of the whole House praying that it may be there debated whether a bill shall be prepared for that purpose to take it's commencement & force when it shall be assuredly known that the like Act is without fail to take place in the Province & Government of *Maryland*.

That part of the Report of this Committee relateing to an application to be made to the Honourable Councill of State to joyn with this house in representing the Gen^l Greivances & pressures of this his Majesties Dominion to his Excellency & to pray his Excellency for a speedy redresse is approv'd by the house & ordered to be forthwith transcribed & presented to their Honors for their concurrence therein.

That part of the Report of the Committee relateing to y^e bringing in a bill prohibiting the Exportation of Bulk Tobacco is referred till to morrow for a further debate thereon

A bill for the Encouragement of the Inhabitants of *Brenton* read & *resolved* that the same be read the second time

A bill for Repealing the Act prohibiting the vnlawfull assembly of *Quakers* read & pass the third Vote.

A bill to prevent the casting of Ballast into Rivers & Creeks read the Second time. *Resolved* that it be engrossed & read the third time.

A bill giueing reward for killing Wolves read the second time.

Resolved that it be engrossed & read the third time.

A bill prohibiting Ordinary-Keepers to giue Credit to Seamⁿ & young freemen read the second time.

Resolved that it be engrossed & read the third time.

A bill for Sherriffs receiueing Publick dues read & *resolved* the same be read the second time.

Coll *Law Smith*

M^r *Read*

Cap^t *Crawford*

&

M^r *Harminson*

Are appointed to present to the honourable Councill A bill for repealing the Act prohibiting the vnlaw^l Asssembling of *Quakers* & the Report of the Committee of Claims

M^r *Wilson*

&

Cap^t *Whittaker*

return & acquaint the House that they had delivered the application to the honourable Councill.

The house adjournes to Eight of y^e Clock to morrow.

Jovis 10^o May 1688

THE house Mett

Coll *Law: Smith* &c acquaint the House that last night they delivered the bill for repealing the act prohibiting the vnlawfull assembling of *Quakers* & the Report of the Committee of Claimes to the hono^rble Councill

A bill for Sherriffs receiueing publick dues read the second time & *Resolved* that it be Engrossed & read the third time.

A bill for the Encouragement of y^e Inhabitants of *Brenton* read the second time & *resolved* that the same be Engrossed & read the third time.

A bill to prevent the casting of Ballast into Rivers & Creeks read & pass the third Vote.

A bill giueing reward for killing of Wolves read & paſt the third vote.

M^r *Sherwood*

Coll *Lawſon*

M^r *Barbar*

M^r *Allumby*

& M^r *Bollin*

are appointed to deliver to the honourable Councill a bill to prevent the caſting of Ballaſt into Rivers & Creeks

A bill giueing reward for killing wolves & a bill prohibiting Ordinary Keepers to credit Seamen & young freemen & to deſire their Concurrence.

They are likewiſe ordered to preſent to their honors a written Meſſage expreſſing the earneſt intreaties of this houſe that they would pleaſe to joyn with this houſe in drawing an addreſſe to his Excellency ſetting forth the many greivances oppreſſions & Exactions the whole Countrey in Generall does at preſent groan vnder & to ſupplicate his Excellency for a ſpeedy releife therein & their honor^s as ſoon as conveniently they can, would pleaſe to return their anſwer to this Houſe

M^r *Sherwood* &c return & acquaint the houſe that they delivered the ſaid bills & application to the honourable Councill.

The houſe reaſſumes the debate on that part of y^e Comiſſitees report relateing to the bringing in a bill prohibiting the Exportation of Bulk tobacco.

The Queſtion being putt whether a bill prohibiting y^e Exportation of Bulk tobacco be brought into this houſe yea or nay

Reſolv'd in the Negative

Coll *Milner*

Cap^t *Brent*

M^r *Spicer*

M^r *Sherwood* &

Cap^t *Randolph*

Are appointed a Comiſſitee to conſider of what may be fitt to return in Reply to his Excellency's anſwer dated the 2^d of this Inſtant *May* in relation to the late collected Body of the Lawes & report the ſame to the Houſe;

M^r *Chriſtopher Robinſon*

Majo^r *Swan*

Cap^t *Smith*

Coll. *Lawſon* &

Cap^t *Cary*

are appointed to draw vp Such reaſons as to them ſhall ſeem convenient why this houſe hath not complied with his Excellency's propoſitions at the opening this Affembly for the bringing in a bill to prohibitt the Exportation of Bulk tobacco & report the ſame to this houſe.

M^r *W^m Edwards* comes into the Houſe & brings his Excy^s anſwer to the addreſſe relateing to Coll *Cuſtis* & his Excell^{cy}s demand of all the greivances of the reſpectiue Counties.

As alſo a returne from the honourable Councill to a meſſage dated *May* y^e 9th ſent to their Honors as foll.

By his Excellency

M^r *Speaker*

I cannot but ſay that with concerne I rec^d yo^r addreſſe of this dayes date chargeing a Gentleman ſo worthily deſerving as Coll *Cuſtis* with Exactions in the performance of his office of Collector to which he was Comiſſionated by his Majeſties Eſpeciall grace & favour for his good Services performed: the Charge is generall & therefore can at preſent onely returne a Generall Anſwer that I ſhall neither Excuse him nor any Gentlemen elſe acting in any publiq Station who vnder pretext of his Majeſties Comiſſion or mine ſhall Exact Exorbitant or vnjuſtifiable fees & if it be made out vnto me in particulars that Coll *Cuſtis* hath been to blame I ſhall not be wanting in my part of Juſtice for ſo great offences & that I may be particularly Inform'd will make enquiry into the Matter of the Exaction of fees if any Such hath been and ſhall accordingly giue Remedy.

And Whereas Coll *Cuſtis* is charged to haue paſſionately demeaned himſelfe at the Election of Burgeſſes for the County of *Accomack* in takeing down a paper filed vp as the greivances of that County & thereby as is ſaid terrified the Inhabitants as I cannot but blame

blame his over hafty actings tho the paper taken down could not be said to be the greivances of the people not being Signed & so posted vp looked not well Yet I do much disallow such acts of heats & passion, & more especially when the freeholders were assembled on that weighty occasion in which shall so caution Coll *Custis* for the future that no passions shall carry him into Such Acts of heat

May y^e 9th 1688.

Effingham

By his Excellency

M^r Speaker

I expected the agrievances to haue been sent unto me from yo^r house according as I desired & as hath been vsuall by former assemblies which free communication as I am informed made a Smoothneffe in buifness, I haue therefore again ordered the Clark with this Message unto you to lett yo^r house know I expect all the aggreivances to be sent vnto me.

May 10th 1688

Effingham

The Councils answer to the Application

M^r Speaker

If the addresse from yo^r house relateing to the Sixth act of Assembly *November* 1682. was as you now say first intended to haue been offered to the Council for their Concurrence than yo^r meaning & the title of y^e addresse was very different, y^e title being, to his Excellency *francis* Lord *Howard* of *Effingham* his Majesties L^t & Gouvernour Generall of *Virginia* & the whole addresse excepting one poor line & that by way of parenthesis, was in all its Expressions directly to his Excellency y^e Council being so slightly mentioned therein, & not being of so peircing understandings as to look into the hearts of men, to know whether they mean as write [written] were vnder Consideration whether they were concerned to make their distinct returne in w^{ch} though so slightly noated vnto them, yet to assure your House they will not be backward in giueing them all readie & possible satisfaction made their full & distinct Answer which was done vpon so due consideration that they conceive there needs no Second Reply neither can they otherwayes concurr with yo^r house in an addresse of that nature,

Signed by order of the Council

W. Edwards Cl Gen: Aff^{ly}

The house adjourns to two of y^e Clock *post meridiem*

Post Merediem

THE House mett

Vpon reading his Excell^{cy}s Answer to the addresse relateing to Coll *Custis*.

This Reply is thought fitt to be made thereto.

May it please Yo^r Excellency

This house haue proceeded with that Caution & Circumspection in Examining the complaint made ag^t the honourable Coll *Custis* that they are readie when ever yo^r Excellency commands it fully to make out the Particulars wherewith he is charged.

Signed by order of y^e House

Ar: Allen sp:

Vpon reading his Excellency's message for demand of the grievances the house think fitt to return this Answer

May it please yo^r Excellency

This house did well hope their answer to a Verbal Message from yo^r Excellency the Eighth Instant requireing the grievances of the respective Counties to be sent from this house to yo^r Excellency would haue given full Satisfaction in that point but finding by yo^r Excellency's Comands even now Received that you still expect this house should transmitt to yo^r Excellencie all and every the aforesaid greivances are obliged to return this Answer That vpon the strictest enquire they can make they cannot find that ever

any

any such demand was heretofore made neither is it possible for this House any otherwaies to comply with yo^r Excellency's Comānds therein then by the vsuall methods of former affembliēs in presenting such or so many of them as this House haue or shall think worthy yo^r Excellency's knowledge for redresse

Signed by order of the house

Ar Allen sp:

Mr *W^m Edwards* comes into the house & brings from the honourable Councill the Report of the Comīttee of Claims with the Councill's answer to the same.

The house adjournes to Eight of the Clock to morrow.

Veneris 11^e May 1688.

THE house mett

Mr *W^m Edwards* comes into the house & brings the Councill's demand of the severall Greivances of the Country w^{ch} is read as followeth.

Mr *Speaker*

As to yo^r request to y^e Councill to joyn wth yo^r house in an address to his Excellency for the redresse of y^e greivances of the Subjects of this Collony, which you say is from the Examination of the greivous Complaints of his Majesties subjects of this Dominion, In which that wee his Majesties Councill may be made Sensible what greivances the people of the Countrey do complain of desire you will send vnto the Councill the greivances Presented vnto yo^r house being you desire the concurrence of the Councill in an addresse & when haue seen & considered them yo^r house shall not fail of a fuitable returne

Signed by order of the Councill

May 11th 1688.

W. Edwards Cl Gen Assen:

A bill for Sheriffs receiving Publick dues read & past the third vote.

A bill for the Encouragem^t of the Inhabitants of *Brenton* read & past the third vote.

Cap^t *ffoster*

Mr *Pinkard*

Mr *Kenner*

&

Mr *Dudly*

Are appointed to wait on his Excellency & present him the reply to his Excellency's answer relating to Coll *Custis* & an answer to his Excellency's demand of the greivances.

They are likewise to wait on the honorable Councill & present a reply to their Honor^{es} answer to the Report of the Comīttee of Claims A bill for Sherriffs Receiving publick dues & a bill for Encouragement of the Inhabitants of *Brenton*.

Cap^t *ffoster* &c return & acquaint the House they had presented the aforesaid reply & answer to his Excellency & also the Reply to the Councill's Answer wth the two afores^d bills to the Honorable Councill.

The Report of the Comīttee appointed to consider what may be fitt to return in reply to his Excellency's Answer dated the Second Instant *May* relating to the body of the laws read by Coll *Milner* Chairman in his place & afterwards delivered in at the Clarks table which is approved & resolved that the same be fairly transcribed to present to his Excellency is as followeth.

May it please yo^r Excellency

The house of Burgeffes having considered the severall addresses of the house of Burgeffes of severall former affembliēs & of your Excellency's Answer to the house of Burgeffes dated *May 7th 1684* wherein yo^r Excellency was then pleased to assure the house that you would make it your care that the Lawes should be revised with directions for such observations as should be found necessary to be made in the body of the Lawes & so to be reported to the next Generall Asssembly for their Consideration & approbation to the intent they might be accordingly by the Generall Asssembly humbly Presented to his Majestie for his allowance & yo^r Excellency haueing been pleased the Second Instant to send them So collected to this house in Compliance to their addresse.

Now

Now may it please yo^r Excellency this houfe confidering that that Collection or Revisall haueing taken vp fo much time & paines of thofe honourable perfons who were by yo^r Excellency appointed therevnto as being a work of that Weight & moment it will likewife require a due Serious & deliberate Confideration of this Houfe, which time now dureing the fitting of this Affembly cannot poffibly be afforded this houfe do therefore humbly pray yo^r Excellency that fome of the honourable Councill appointed by yo^r Excell^{ty} together with fome felect members of this Houfe may by law be appointed to inſpect and perufe the ſaid Collection & to confider the ſame, & to report their obſervations made therevpon to yo^r Excellency y^e Hono^rable Councill & the Burgeſſes of the next Affembly to the intent they may be humbly p^rſented to his moſt ſacred Majeſtie for his confirmation

Signed by order of the Houfe

Ar: Allen. Sp:

The report of the Comitte appointed to draw vp reaſons why a bill for prohibiting the Exportation of Bulk Tobacco is advantageous neither to his Majeſtie nor this Country read by M^r *Chriſtopher Robinſon* in his place & afterwards delivered in att the Clark's table is approv'd as followeth

To his Excellency Francis Lord Howard Baron of Effingham his Majeſties L^t & Governor Generall of Virginia.

The houſe of Burgeſſes now aſſembled humbly p^rſent

That vpon takeing that part of yo^r Lord^ſ's ſpeech made at the firſt opening of this Affembly relateing to the prohibiting the Exportation of Bulk Tobacco into their Conſiderations wherein yo^r Excellency was pleaſed to acquaint vs that it was our advantage & happineſs which occaſion'd this meeting & that with the addition of his majeſties Special grace & favour, for no ſooner was his Majeſtie petitioned on our behalſes that there might be a prohibition that no Tobacco might be Exported in Bulk for the future but that his Majeſtie not onely granted the petition but with this gracious condeſcention that his Majeſtie referd it to vs to be our own Carvers & pleaſe our Selves in the method of a law for the prohibition of Bulk tobacco, We cannot but with hearts full of all humble duty & thankfullneſs to our moſt gracious Sovereigne whom God almighty preferue with a long & happy Reigne Receive thoſe offers of his Majeſties Eſpeciall grace & favour to vs. ffor notwithstanding that the petitioners' were only ſome few Merchants reſideing in *London* amongſt whom were but three Inhabitants of this Country who had no Comiſſion to preſent any petition on our behalſes & as may plainly appear neither therein conſidered his Majeſties Intereſt nor the Intereſt of this poor Country but wholly deſigned their own private comodity & gain & by their fair but falſe pretenſes wherein they miſinform'd his Majeſtie by P^rtending the prohibiting the Exportation of Bulk tobacco would be very much for his Majeſties ſeruice & the advantage of this Country obtained of his Majeſty to recomēd to the conſideration of the Generall Affembly of this Country, the paſſing of a Law to that purpoſe.

Yet his Majeſtie haueing out of his Royall goodneſſe & favour towards his dutifull Subjects of this his Dominion whole advantage his Ma^{ty} intended thereby as we conceive left vs to judge whether it would be for our Intereſt or no, & the ſame haueing been fully weighed & feriouſly debated & conſidered by this houſe we are of Opinion & accordingly haue reſolv'd that the makeing a Law for prohibiting the Exportation of Bulk Tobacco would be very P^rjudiciall to his Majeſties & this Countrey's Intereſt amongſt many others for the reaſons hereunto annexed which we humbly offer & hope the ſame will be ſatisſactory.

Reaſons ag^t the Prohibition of exporting Bulk tobacco out of *Virginia*.

ffirſt It is either directly ag^t or at leaſt not to y^e advancement of his Majeſties Intereſt, for it being alledged y^t great quantities of Tobo exported in Bulk is a means of the decay of trade & leſſens the price of tobacco much of it being ſmall thin traſh not worth packing in Caſk & confequently would be left in the Country.

It

It is answered that his Majesty hath the same advantage in his Customs by the worst as by the best tobaccos The duty being equal upon it all & therefore all encouragement ought rather to be given in respect of his Majesty's Interest that all tobaccos should be Exported from hence & carried for *England* to which may be added that notwithstanding the liberty of Exporting Tobacco in Bulk the Shipping that usually trade hither are not sufficient to carry out all the tobacco annually made & consequently the prohibition of it would lessen his Majesty's Customs to that value But supposing the Importation of Bulk tobacco into *England* were prejudicial to his Majesty in his Customs which will never be granted by any man that knows how Excellent a Method the Commissioners & other Officers of the same manage them in, & how impossible it is now to Smuggle any goods (as the petitioner calls it) no understanding man will we hope from thence conclude that the making a Law against the Exportation of Bulk Tobacco out of *Virginia* can be a sufficient remedy Except it be granted that the Laws of *Virginia* are of force as well in *England* & other places without the limits of the Government of *Virginia* as they are within the said Government

Secondly It is against the Interest of *Virginia*

Because it would greatly discourage all small Vessels trading hither who supply us with all manner of course goods cheaper than they can be brought from *London* your freight of what they can carry in Caske not being sufficient to pay the men's wages and defray other charges, And it would as much discourage Seamen from undertaking so laborious and hard a Voyage which the small privilege they now enjoy invites them to & would neither be for his Majesty's service nor our Interest to give them an equivalent encouragement out of our pockets, it would be extraordinary Injurious to the Planters in debarring them from disposing of their small Parcels which they have commonly left at the finishing their Crops & as the Petitioner's say it would raise freight a sixth part or more which perhaps might be to the Petitioner's Profit but would be greatly injurious to *Virginia*.

Thirdly It would not be any advantage to trade nor be any means to advance the price of tobacco, for if it be granted that all the tobacco now usually Bulked would be packed & carried for *England* in Cask as it must be or otherways his Majesty would be a great loser in his Customs the same quantity whether imported in Caske or Bulk would have the like Effect upon the Market, it must be also granted by all Experienced traders that it is with this as with all other Commodities when it is plentiful it is cheap when Scarce it is dear let the quality be what it will.

Fourthly The Secret & unlawful Exportation of Bulk and other tobaccos out of this Country can never by any Law be effectually prevented except as it hath been often humbly desired by this & former Assemblies certain ports & places of Landing & shipping of all Goods in this Country were appointed where the Officers of his Majesty's Customs here might attend & would be able to prevent all Such frauds.

Fifthly. That the Government of *Virginia* have little reason as this house are of Opinion to thank the Petitioners for their care of it's Interest in this Particular there being the same duties payable upon all tobaccos exported in Bulk, as for what is Exported in Caske proportionably.

And *lastly* it being only intended that we should pass Such a Law in conjunction with *Maryland*, & it not appearing to this house that the Government of that Province hath so much as any authentick notice thereof, it cannot be presumed they should joyne with us, in passing the like Law which would be so much to theirs as well as our disadvantage & it may be easily discerned if they should not joyn in Such a prohibition how advantageous it would be to that province by drawing all the trade to it to the irreparable loss & injury of this Country.

All which reasons are humbly offer'd by this house to your Excellency's consideration with our humble desires that the same may be in due time transmitted to his Majesty & then we doubt not but all our doings herein will meet with his Royall approbation.

The house adjourns to two of your Clock *post meridiem*

Post

Post Merediam

THE Houfe Mett.

Coll *Lawfon*

M^r *Barbar*

M^r *Hardedge*

Cap^t *Ball*

& M^r *ffeild*.

Are appointed to wait on & present to his Excell^{cy} the two before recited addreffes.

Coll *Lawfon* &c return & acquaint the Houfe that they delivered the faid addreffes.

Vpon reading a Meflage from the hon^{ble} Councill of this dayes date defireing the Greivances now lodgd in this Houfe may be tranfmitted to them

The Houfe think fitt to return this following anfwer—

In reply to yo^r honors Anfwer to the Meflage of this houfe requesting yo^r concurrence in an addrefse to his Ex^{cy} laying open Sundry greivances of this Country This houfe doth humbly offer, that although it be contrary to the priviledge & pra^{ctice} of this Houfe which is the Grand Inqueft of the Country to intimate the greivances thereof otherwife then by addrefse or bill for redrefse of the fame ready prepared to that purpose, Yet this houfe are fo earnestly defireous of all means that may be imagined pro^{pt} to the obtaining the end aimed at.

The eafing this poor Country of it's preffures that they are Chearfully willing to waue both Cufdom & priviledge provided the fame may not be drawn into prefdent for the future that they do humbly propofe (for a right vnderftanding) a free conference of Some Members of this houfe to meet & conferr with Such & fo many of the hon^{ble} Councill & at Such time & place as yo^r honors fhall appoint who fhall bring with them the greivances of the feu'all & refpective Countys in writeing relateing to that Meflage for yo^r Honor's p^{ro}vfall, as alfo fatisfie your honors in anyother point or Queftion that may be requifite to your fatisfaction & applicable to the State of fuch conference to the end yo^r hono^{rs} (as expected) may readily joyn wth this houfe as requested

Signed by Com^{and} of y^e houfe

ff P:

To that part of his Excellency's Meflage the 9th Instant relateing to a conference, The Houfe think fitt to return this following anfwer.

May it please yo^r Excellency.

In a Meflage from yo^r Excellency of the 9th Instant wherein yo^r Excellency relates to the law reftraining the planting tobacco yo^r Excellency conceiving this Houfe miftakes the meaning of M^r *Blaihwais* Letter in which you were pleased to propofe that there be a Conference held between Some Gent^{ra} of the Councill & Some Members of this Houfe, which this Houfe doth with all thankfullnefs accept & pray yo^r Ex^{cy} that you will be pleased to that end to fignifie this Houfes acceptance hereof to the honourable Councill & when this Houfe fhall be acquainted with the Names of thofe honourable perfons that fhall be therevnto appointed with the time & place of Meeting This Houfe will then nominate & appoint fome of their members to attend their hono^{rs} & forthwth giue yo^r Excellency an account thereof

Signed by order of y^e houfe

Ar. Allen Speaker

The houfe refolve into a Grand Com^{mittee} of the whole Houfe.

M^r *Speaker* leaves the Chair.

Coll *Milner* is Ele^{cted} Chairman

M^r *Speaker* takes the Chair

The Com^{mittee} Report that M^r *Speaker* in confideration of his great care & pains taken this Affembly be p^{re}fented with ten thoufand pounds of tobacco & Caske *Nemine contradicente*.

& that the Said Sum^e be infered in the Report of the Com^{mittee} of Claimes.

Refolved

Resolved that the agreem^t with M^r *Sherwood* for his great Hall & for Entertain^t of his Excellency & Council be continued to the 29th of *September* 1690 & to be allowed twenty five pounds *Sterling* ꝥ annu out of the 3^d ꝥ Gallon.

Coll *Law Smith*

M^r *Read*

Cap^t *Leer*

&

Cap^t *Ball*

are appointed to wait on & present to his Excellency the foregoing answer to part of his Excellencies Message y^e 9th Instant relateing to a conference.

They are likewise to p^rsent to the Council the foregoing Answer to their honors Message requireing the Greivances

The house adjourns to Eight of y^e Clock to morrow

Saturni 12^o *May* 1688.

THE house Mett.

Coll *Law: Smith* &c acquaint y^e house y^t they had p^rsent to his Excellency the answer to part of his Excellency's Message the 9th Instant.

And likewise that they had delivered to y^e hon^{ble} Council the Answer to their Message requiring the greivances of this Country.

Cap^t *Ball*

Cap^t *Crawford*

M^r *Allumby*

&

Cap^t *Kennor*

are appointed to wait on & present to the hon^{ble} Council the report of the Comitte of Claimes with the additions & alterations now made thereon.

It is the Opinion of this House that a carefull & trusty person haue in his Custody the Severall vtenfills & Ornaments belonging to this house for their more Safe keeping,

And it is accordingly *Resolved* that *Joseph Copeland* haue the possession & keeping of the said Ornaments & vntenfills vntill the next Sessions of Asssembly & that he haue in his Custody they Key of the Asssembly room to carefully Keep look after & preserve the fame.

M^r Auditor *Bacons* account of the 3^d ꝥ Gallon w^{ch} hath for some time layn before this house is comitted to Cap^t *Cary* Cap^t *Perry* & M^r *ffeild* to inspect the fame.

M^r *W^m Edwards* brings into the house from the Hon^{ble} Council their answer to an earnest request of this house desireing their honors to joyn wth this House in representing & laying before his Excellency Sundry greivances of this his Ma^{ty} Dominion & humbly to pray releife therein which is read as followeth & y^t the House should haue Answer to Severall other papers in the afternoon.

M^r *Speaker*

The house haueing desired y^e Council to joyn with them in an addresse to his Excellency for the redresse of the many greivous Complaints of his Majesties good Subjects of the Dominion w^{ch} vpon Examination of greivances you say are made sensible of & having so desired our Concurrence in Such an addresse, it's both fitt and reasonable that we may be made Sensible, by reading the greivances p^rsent vnto yo^r house, what it is the people Complain of & therefore Sent to yo^r House to desire the fame, that we might not give a blind fold concurrence: but yo^r house haueing refused the Council the fight of the greivances wants the ground work from whence to beleive them to be the people's greivances & not heard from any the parts from whence they come of any Such representations are therefore app^rhensive that they proceed from petulent tempers of private persons & that which inclines vs the rather so to take them is from the bitterness of the Expressions more especially when it is considered that all the ꝥticular parts have been by a former & this p^rsent Asssembly vpon most mature Consideration fully answered but that you may reserve from vs Such satisfaction as without the fight of the agreivances can be given you we have putt our Selves vpon the answering of every part of yo^r desires *ffirst* You say that you will not dispute his Majesties prerogative in Repealing by Proclamacon a law of this Collony not haueing the Royall assent to it & yet that yo^r whole
paragraph

paragraph is whether An Act made to Repeal a former Law in being, & the Repealing law repealed by the King's Especiall Comānd, that law intended to haue been repealed by the repealing Law hath the Authority of a Law, which in it's felfe is a contradiction Since you grant the King by his Royall prerogative hath Authority by proclamation to repeal Lawes where the Royall assent hath not been given & by our former Replications made to your Motions We haue assured you that his Majestie by his Royall authority was pleased to Comānd his Excellency by proclamation to repeal the Repealing law from whence the Argum^t hath arisen.

Secondly. As to the Exception made ag^t the small fee laid vpon the Seal, His Excellency hath formerly given full answers therevnto as likewise the Councill distinctly by themselves, therefore could not haue Expected after So many full & firm Answers to haue rec^d from yo^r house a reply so often return'd vnto: but that they may not be wanting to Satisfie you in their Sentiments as to that small fee putt vpon the Seal, which cannot but call small—both to the advantage Persons receive by it's authenticateing patents or publick Instruments to w^{ch} it's affixed & also how easy it is comparatively to what Charge attends the Seal in all other his Ma^{ty} Countreys & plantations & as it is a branch of his Excellency's Comission to keep & vse the Seal not inferted before in any other Comission but the Lord *Culpepper's* last Comission, & as the keeping & vseing the Seal is of the greatest trust of all Offices in his Majesties Kingdoms & Dominions with a fuitable satisfaction for the vse thereof so we cannot beleive his Majestie in placing the Keeping & vseing the Seal in the hands of his L^t & Governo^r Generall of this Collony intended to single his Services from all others his Majesties Lieu^{ts} & Governo^{rs} in his plantations without receiueing a fuitable Satisfaction for the trouble & care of Keeping & vseing the same, therefore are of Opinion that it's a *Preiudicium* of his Excellency's Govern^t rightly due vnto him & are assured that his Excellency to make it easie to persons who are really poor & haue occasion of the benefitt of the Seal, hath given directions & orders to Officers receiving the fee of the Seal not to compell persons really indigent to pay that small fee *Thirdly* That small fee appointed to be received by M^r *Secretary* for the Recording the Survey of all Lands was by the Governor & Councill vpon mature consideration ordered & adjudged it rather too slender a satisfaction for so considerable & secure a Service then otherwise, & finding of it So necessary to Sett forth the foundation of all Patents & Preventing disputes in bounds, by mistake & neglects of Clerks of Surveys when kept but in small papers, are of the Opinion it's of great benefitt & security to the Inhabitants & therefore no grievance.

fourthly. The fee of five pounds *sterling* or one thousand pounds of tobacco demanded by Escheators for the *Performance* of the Office of Escheats is no Innovated fee, being what hath been allways demanded ever since the Escheat Office had it's being in this Collony & paid without any Complainte. as ever we heard of, & being not required of any one Compulsively it can be no oppression, for whoever hath occasion to make vse of the Escheator in his Office of Escheat, receives so considerable an advantage by it, that if it were much more, that Consideration would make it Easie vnto him, & when it is Considered how seldom the Escheator in his Limitts hath Occasion to make vse of his Office of Escheat, & the great trouble that they are putt vnto, by the long Journeys they are to take, for the findeing their office, It cannott not bee Supposed then a lesf fee of ffive pounds *sterling* or One thousand pounds of tobacco could be appointed, and therefore cannot but be concerned to observe that every Querilous temper should so operate vpon the great & worthy Body of the house of Burgesfes, as to occasion them to take for greivances, Such matters as of themselves are not foe.

fifthly Whereas fines & forfeitures were by some former Old Laws appointed towards defraying the Charges of the Governm^t but never made vse of in that nature as the Councill know off, nor could not be for no returns was made, & being in his Majesties Orders have been sent forth to the Clerks of every respective County to make returns to the Attorney Geⁿ^l to the Intent the same might be duely Levied & received, in which Notwthstanding all possible care hath been taken, Yet the produce of them, is so incon- siderable

siderable that they will intend little or nothing to the discharge of the Publiq Charge, if applied that way, & fines & forfeitures being knowne to be wholly in the Crown cannot be disposed of but by his Majesties Direction & therefore cannot take it to be an agreivance.

The Councill haueing feriouly & maturely considered every Particular branch of yo^r houfes Declaration said to be the Greivances of the People, & as they hope fully satisfied you, by their Answers to every Paragraph do think it altogether vnneccessary & vnreasonable to trouble yo^r Houfe, or themselves with a Meeting to consider of an Adresse, haueing already spent too much time as they conceive in vnneccessary Debates

Signed by order of y^e Councill

W. Edwards Cl Gen Aff^{ty}

May 11th 1688

Resolved that the Books Records Journalls papers and all other writings belonging to the Assembly be & stand now Comitted to *francis Page* Clark of the House of Burgeffes, & that he be & be stiled Keeper of them & that he have due care to preferue them & that they be kept in the Room over the porch of the State houfe particularly appointed an Office for that purpose; Also that he have them forthcoming & ready to make delivery thereof to the Houfe of Burgeffes the next succeeding Generall Assembly, And in case of the said *francis Page* his Death or absence out of this Collony; That Major *Sam Swann*: haue the Charge & Custody of the same in like manner & he is hereby inabled to giue Copies from the said Bookes & records vnder his test, which shall be held good & valid.

A booke of y^e transcription of the laws, for which the Clerke of this Houfe gave a Receipt to M^r *W^m Edwards* is vpon the averm^t of M^r *W^m Sherwood* a Member of this Houfe, That the said Booke belongs to *James Citty* County to be delivered to the Clerke of *James Citty* County.

Cap^t *Ball* &c return & acquaint the Houfe, that they had delivered the Report of the Comittee of Claimes to the Honourable Councill

Vpon reading the honourable Councills Answer to the application made by this Houfe to their Honors for Joining with this Houfe to draw vp an adresse to P^rsent to his Excellency for redresse of severall Greivances therein mentioned & a full & deliberate debate thereon.

Resolved Nemine contradicente that the said Answer is not only vnatisfactory but an absolute deniall to joyn wth this Houfe in drawing vp & presenting such adresse to his Excellency for redresse of the great & Crying Greivances which this poor Countrey att present labours vnder in the aforesaid Message Contained.

Their Hono^{rs} also further acquainting this Houfe in the Case of their Answer aforesaid y^t it is their Opinion It is altogether vnneccessary & troublefom that their Honors or this Houfe should haue any Meeting to Consider the preparing such Adresse.

This Houfe & the Houfe of Burgeffes of preceeding Assemblies haueing vsed many fair & lawfull means, as will appear vpon this as well as former Journalls of this Houfe in most dutifull & humble manner to lay before his Excellency the greivances & preffures of the Inhabitants of this his Majesties Dominion & humbly prayed Releife therein & haue also lately earnestly prayed y^e honourable his Majesties Councill of State here to joyn with this Houfe in presenting an adresse to that purpose to his Excellency; All which Parteing ineffectual *Resolved (nemine Contradicente)* that the onely proper Method that can at present in this great Exigencie be taken is to draw vp a most humble Petition to his most Sacred Majesty & lay the whole matter att his Royall feet not att all doubting of a return suitable to the Clemencie & Justice of so great, so Good & so gracious a King

Puruant to the foregoeing Resolves.

Coll *Millner*

Major *Scarborough*

M^r *Robinson*

Major *Swann*

& M^r *Sherwood*

Are appointed to draw vp an humble petition to his Majestie & report the same to the houfe in the afternoon,

The Houfe adjourns to 3 of y^e Clock in the afternoon.

Post

Post Meridiem

THE Houfe Mett.

M^r W^m Edwards comes into the houfe & brings from the honorable Council the report of the Committee of Claimes & their hono^rs Anfwer to the Meffage relating to a Conference, And likewife his Excellency's Anfwer relating to the fame. as föll.

The Councils Anfwer

M^r Speaker

As the Council are fo tender of the priviledges of yo^r Houfe, that they would not knowingly make the leaft Infringm^t thereon, So they are fully fatisfied, that the defire of feeing y^e greivances p^refented to your houfe was not only Neceffary for them to haue had the Confideration of you defiring a Conference thereon, as it hath been practicable by former Affemblies, to prefent the Governo^r & Council with the aggrievances brought vnto the Houfe of Burgefles we referr you to the refolve thereof by fuch of yo^r Members as has been Burgefles in former Affemblies who we cannot doubt but will be fo ingenious as to affirme the fame, & the Conceffion yo^r houfe hath been pleased to favour the Council wth for a Conference being refrained only to fuch parts of the greivances as by writeing yo^r houfe fhall think fitt to bring wth you to that conference & attended with that Cautious referve as not to be brought into prefident for the future, feems to carry with it Such a ftanding vpon yo^r Guard or gives Caufe to fear that Such Jealous meetings would produce no other effect, then the long time already fpent in vnneceffary debates hath done, & that this offer'd conference is an vnwilling willingneffe, the Council haue Reafon to Suppofe from the many dayes that you tooke to giue Anfwer to the offer made vnto you for it Therefore tho the Council are moft Zealoufly affected with defire of haueing a right vnderftanding between yo^r houfe & them in a Concurrence for a redrefse of greivances in what they fhall be made fenfible are really fo, Yet for the Reafons before given apprehend a Conference will haue no better Effect then many Replies & long debates hath produced are therefore Vnwilling So ineffectually to throw away time.

Signed by order of y^e Council

May 12th 1688.

W. Edwards Cl Gen Aff^{ty}

His Excellencies Anfwer.

By his Excellency

M^r Speaker

Yo^r houfe the laft night Returning an anfwer to my Meffage Some dayes fince fent vnto them propofeing a Conference to be held between fome Gentlemen of his Majefties Council & members of yo^r houfe, which as foon as I received I fignified vnto them, & nominated thofe Gentlemen I intended for a Conference who vpon their confideration thereof haue acquainted me, that in their anfwer to yo^r houfe of a Meffage of the like nature they haue made a full Refponfe.

May 12th 1688.

Effingham

Coll Milner &c prefent to the Houfe an humble Petition to his Sacred Majeftie w^{ch} is approved & Ordered to be Entred vpon the Journall *Nemine Contradicente*) which is as followeth.

To the King's moft Excellent Majeftie

Yo^r Ma^{ty} Dutifull & Loyall Subjects the Burgefles of yo^r Majefties Dominion of *Virginia* now affembled in moft humble manner prostrate themfelves att yo^r Royall feet in the full affurance they haue in Your Majefties Juftice to all yo^r Subjects in Generall & in yo^r gracious Inclination to vs in p^rticular & after a ftrict Examinacōn of their own hearts which contain nothing but loyallty & obedience to your Majefty & prayers & praifes to Allmighty God for the prefervation of your Royall Perfon & for the bleffings we & all yo^r Subjects enjoy in fo Juft fo good & gracious a King, we are in Confidence thereof emboldened as we think our felves bound in duty to yo^r Majeftie & all yo^r Majefties good Subjects of this yo^r Dominion whom wee Represent to endeavor to lay before yo^r Ma^{ty} the true State & Condition of this Country & faithfully & humbly represent to
yo^r

yo^r Royall confideration the many greivous oppreffions this poor Country at p^rent groans under, which we have by fev^rall addreffes to his Excellency the Lord *Howard* yo^r Majesties Governor of this place often rep^rented & defired redrefse therein but without any Successe & haueing Mett with as little Satisfaction vpon our earneft desires to y^e hon^rble yo^r Majesties Councill of State of this yo^r Majesties' Dominion: who haue absolutely refused to joyn with vs in the representing the same to yo^r Majesty's said Governour: We are therefore constrained to apply our Selves to yo^r Majestie as y^e source & fountain of all Justice, in most humble manner Supplicateing yo^r Maj^{tie} to take the same into yo^r Princely Consideration, as they are Sett down in the annexed Paper, & then we doubt not but yo^r Royall Justice & favour towards vs in the remedie thereof will shine as glorious & bright as the Sun in his Splendor.

And as in duty bound we shall dayly & vnfeignedly pray for yo^r Majesties long & happy Reigne.

Resolved that M^r *Speaker* sign the aboue petition & the Coppy of the grievances thereto annexed And that Coll *Phillip Ludwell* be defired by M^r *Speaker* on behalfe of this House to present the same to his Most Sacred Majestie.

M^r *W^m Edwards* comes & acquaints this House that his Excellency Expected their attendance at the Councill Chamber.

M^r *Spicer*

Cap^t *Cary*

M^r *Wilson*

&

M^r *Hardedge*

are appointed to acquaint his Ex^{ty}, That this house haue but just now rec^d two Messages: The one from his Excellency, the other from the hono^rable Councill which they are now reading & so soon as is $\text{\textcircled{P}}$ form'd that this House may be sensible of his Excellency's Commands & the honourable Councill's desire & $\text{\textcircled{P}}$ forme what is fitt for them to do therein they resolve immediately to attend his Excellency in the Councill Room to receive his further Com^{ds}.

M^r *Spicer* &c return & acquaint the House that they had delivered the Message to his Excellency.

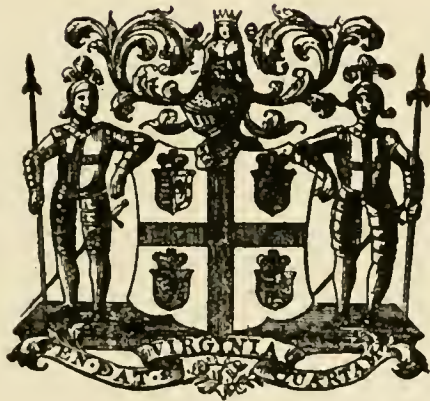
JOURNAL

OF THE

HOUSE OF BURGESSES

FOR THE SESSION

Beginning *April* 16, 1691, and ending *February* 22,
1691/2.



RICHMOND, VIRGINIA.

MCMXIV.

JOURNAL

OF THE

HOUSE OF BURGESSES

Thursday y^e 16th day of Aprill 1691.

JAMES City:
Divers of the Burgesfes to the number of twenty nine being met in the Statehouse, the L^t Governo^rs writts for election of Burgefes for *Charles City* County, being there transmitted from the Secretaries Office, with the returne thereon, was openly read and the Members present agree to meet in the Burgesfes Chamber to morrow morning by eight of the Clocke.

Fryday y^e 17th day of Aprill 1691.

THE Burgesfes mett being then forty and attend upon y^e L^t Governo^r in the Courte house and receive his Commands to chuse a fpeaker & to present him in the afternoone, The Burgesfes returne to their Houfe & elect Coll^t *Thomas Millner* for their Speaker, & adjourne to 4 a Clock afternoone.

Post Meridiem.

CAP^t *Ball* Coll *Lawson* & M^r *Willfon* are desired to acquainte the L^t Governo^r that this Houfe hath made choyce of a Speaker & to pray his hon^r to affygne a time, when the houfe shall present him.

They Returne, that the Governo^r is ready to receive them as soone as they please.

The houfe present their Speaker, who is approved.

The Speaker prays in behalfe of the Burgesfes, that the Burgesfes may enjoy all those priveledges that haue at any time heretofore beene used or indulged in preceding Affemblyes and the L^t Governo^r was pleased to answer that they should as far as in him lay.

The Burgesfes returne to their houfe and unanimously elect M^r *Peter Beverley* Clerke of the Affembly.

Coll: *Smith*

Cap^t *Applewhite*

M^r *Barbar*

Cap^t *Allambey*

M^r *Boling*

are desired to Waite on the L^t Governo^r & acquainte him with the Vote of this houfe, & to pray his hon^r that he please to Confirme the f^d *Peter Beverley* in the Office of Clerke to the Affembly & order him to attend the houfe.

Ordered that *Peter Beverley* Clerk of this houfe do take into his custody all the bookes Journalls & other papers belonging to this houfe.

Coll *Law: Smith*

Coll *Anthony Lawson*

Coll. *Arthur Smith*

Cap^t *Jⁿ Smith*

M^r *W^m Willfon*

Cap^t *Miles Cary*

Cap^t *Hen: Applewhite*

M^r *Joseph King*

are appointed a Comittee for Elections & Priveledges & M^r *Henry Randolph* is appointed Clark to this Comittee.

This houfe adjourne's 'till seven a clock tomorrow morning.

Saturday

Saturday y^e 18th day of *Aprill* 1691

THE house mett.

The Committee for the Elections and Priveledges give in their Report by Coll. *Lawrence Smith* which is read & the Respective returns therein mentioned allowed, Saue that of *Lower Norfolk*, which is left to the further consideration of this house.

The Returne upon the Writt for Election of Burgeffes from *Lower Norfolk* County, being read.

The question is putt, whether the faid Returne be a good and perfect returne, or not.

Resolved in the Negative, and that the Same ought to be amended.

This house adjournes till after prayers.

The house mett.

Ordered that M^r *Geo Newton* the Sherriff of *Lower Norfolk* County, be forthwth sent for to attend this House

The Sherriff of *Lower Norfolk* County being called into this house is ordered to amend his returne which having done the same is allowed by this house & the f^d Sherriff difmift.

The Petition of *Thomas Chamberlaine*, complaining of an undue returne made by M^r *W^m Farrar* Sherriff of *Henrico* County was Read, & the consideration thereof is referr'd till *Munday* next in the afternoone.

The Names of the Burgeffes duely Elected & foe approved of by the house, being return'd without any objections are as followeth.

For *Henricoe* Countie

Cap^t *W^m Randolph*

Cap^t *Fran: Eps*

For *Charles Citty* County

Cap^t *Henry Batt*

M^r *Rob^t Boling*

For *James Citty*

M^r *Hen: Heartwell*

For *James Citty* County

James Bray Esq^r

M^r *W^m Lewis*

For *York* County

M^r *Tho Barbar*

M^r *Jos: Ring*

For *Gloster* County

Coll. *Law: Smith*

Cap^t *Jn^o Smith*

For *Staff^d* Countie

Cap^t *Geo Mafon*

M^r *Martin Scarlett*

For *Accomack* Countie

Maj^r *Cha: Scarburgh*

M^r *W^m Anderson*

For *Northampton* County

Maj^r *Jn^o Robins*

M^r *Tho. Harmanfon*

For *lower norfolk* County

Coll^l *Anthony Lawson*

M^r *Jn^o Sandiford*

For *Surry* Countie

Maj^r *Arthur Allin*

M^r *Fran: Mafon*

For *Isle Wight* County

Coll *Arthur Smith*

Cap^t *Hen Applwhite*

For *Nanzemond* County

Coll^l *Thom: Millnor*

M^r *Jn^o Braffier*

For *Warwick* County

Cap^t *Rich^d Whitaker*

Cap^t *Miles Cary*

For *New kent* County

Coll^l *John West*

M^r *W^m Leigh*

For *Lancaster* County

M^r *Rob^t Carter*

Cap^t *W^m Ball*

For *Northumberland* Countie

Cap^t *Rich^d Kenner*

M^r *Peter Prestly*

For *Westmoreland* County

Cap^t *W^m Hardidge*

Cap^t *Law. Washington*

For *Eliz^h city* County

M^r *W^m Willfon*

Cap^t *Tho: Allombey*

For

For *Middlesex* CountyM^r C^r *Robinson*M^r W^m *Church-hill*For *Rappahanack* CountyM^r Hen: *Awbry*Coll. *Jn^o Stone.*Maj^r *Charles Scarburgh*M^r Hen: *Hartwell*M^r W^m *Willson*Cap^t *Thom: Allombey*Cap^t *Hen: Applewhite*

are requested to wait upon the R^t hon^{b^{le}} the L^t Governor & to pray his hon^r in y^e name of y^e house that his honor would be pleased to Assigne & Comissionate Some of y^e hon^{b^{le}} Council to administer the Oath enjoyned by Act of Parliam^t, & y^e Oath of a Burgesse to the Respective Members of this house.

Maj^r *Charles Scarburgh* &c returne & Report they have delivered the Message, and that his Hon^r was pleased to say, he would immediately assygne Council to answer the Request of this house.

W^m *Byrd* Esq^r & *Jn^o Leere* Esq^r two of their Ma^{tie^s} Council of State of *Virg^o* come into this house & bring with them a Comission beareing date the 18^e day of *Aprill* 1691 Sygn'd by y^e L^t Govern^r & under the Seale of the Colony ordering & appointing them to administer the oathes prescribed by act of Parliam^t to be taken instead of the Oaths of Allegiance & Supremacy & the oath of a Burgesse, which said Oathes were accordingly administred unto the persons hereafter named,

Coll^t *Thomas Millner* SpeakerCap^t *Francis Eps*Cap^t *Hen: Batt*M^r *Rob^t Boling*M^r W^m *Lewis*M^r *Hen: Hartwell*M^r *Fra: Mafon*Coll: *Arthur Smith*Cap^t *Hen: Applewhite*M^r *Jn^o Braffier*M^r W^m *Willson*Cap^t *Tho. Allambey*Cap^t *Rich^d Whitaker*Coll^t *Jn^o West*M^r W^m *Leigh*Coll^t *Lawrence Smith*Cap^t *Jn^o Smith*M^r *Henry Awbry*Coll *Jn^o Stone*M^r *Chr Robinson*M^r W^m *Church-hill*M^r *Rob^t Carter*Cap^t W^m *Ball*Cap^t *Geo: Mafon*M^r *Martin Scarlett*Cap^t W^m *Hardidge*Cap^t *Law: Washington*Maj^{or} *Charles Scarburgh*M^r W^m *Anderson*Maj^{or} *Jn^o Robins*M^r *Tho Harmanson*Cap^t *Rich^d Kennar*M^r *Peter Presly*M^r *Tho: Barber*M^r *Jos: Ring*Coll^t *Anthony Lawfon*M^r *Jn^o Sandiford*

The house adjournes untill four of the clock in the afternoone *Post Meridiem*

THE house mett

Cap^t *Jn^o Smith*M^r *Lewis*M^r *Mafon*M^r *Leigh*Cap^t *Allambey*

are desired to waite upon the R^t hon^{b^{le}} the L^t Governor and in the name of this house to request his hon^r that his Hon^r would be pleased to favour this house with a Copy of his Speech made to the Members of this house at the opening of this Assembly.

They Returne and acquainte this house his hon^r hath promised that the Same shall be forthwith sent to this house.

The Test being first fairly transcribed is after reading thereof in this house, generally Subscribed to by y^e Members of this house then present.

This

This house is Resolved into a Grand Committee of y^e whole house to take into Speedy Consideration the R^t Hon^{ble} the L^t Governo^rs Speech now sent into this house & delivered by M^r W^m Edwards, and was as followeth.

M^r Speaker, and you Gentlemen of y^e house of Burgeses.

God almighty having hitherto preserved this their most Sacred Ma^{ties} great and antient dominion of *Virg^a* in Peace, I hope wee are all truly thankfull for foe great a Blessing, especially when in *Europe*, there are Such great Warrs, the *West Indias* & *New Engl^d* not being exempted there from & our other Neighbours, are in foe unfettled a Condition.

These things being too true, I hope you will speedily consider the State of this Countrey, that true Methods may be taken for it's Security, that an acco^t thereof may be sent to his Ma^{ty} by this fleete, which is desygn'd to Saile ab^t the 10th *May* next.

At present I have with the advice of their Ma^{ties} Hon^{ble} Councill of State, appointed a Liev^t wth Eleven Troopers, & two Indians to Range at the heads of y^e foure great Rivers in hopes that they will keep us from being surprized.

Gentlemen I am Comanded by his sacred Ma^{ties} to signify his Ma^{ties} Pleasure, that you will take Care by all Meanes, to Lessen the Levies laid on the Inhabitants by y^e Pole, which I suppose is to be best done, by Renewing the Act for the Imposition on Liquors and laying Imposition on such other things, as you shall thinke most convenient, I am alsoe to acquainte you that his Ma^{ty} expects and desires that a House be built by y^e Countrey for the Governo^r in some convenient place.

And as to the matter of y^e Indian Trade his Ma^{ty} is graciously pleased, to lay noe Restriction upon itt, and therefore I desire you to take the Same into serious consideration that it may be Settled for the best advantage, and security of this their Ma^{ty}s Countrey.

Gentlemen I thinke my self bound in Duty to God and their Ma^{ties} and in Justice to you, earnestly to endeavour that the reasons of the Writt which brings you hither, may all of them bee fully answered and, to attaine them, I thinke a Generall Fast an incumbent Duty upon us, for most humbly imploreing the Divine assistance.

Fra Nicholson

Major *Charles Scarbrough* takes the Chair

The Speaker resumes the Chair

Major *Scarborough* Reports that the Committee have agreed upon an addresse, which they thinke necessary to be forthwith presented to his hon^r the L^t Governo^r in these words

To the R^t Hon^{ble} Fran: Nicholson Esq^r their Ma^{ty} L^t Governor of Virg^a
The house of Burgeses now assembled Humbly present

That takeing into Consideration that part of yo^r hon^{rs} Speech made to this house, at the opening of this Affembly, relating to the appoynting of a publiq Fast, they are thereby made Sencible of y^e great desire yo^r Hon^{rs} hath to discharge your duty to Almighty God, & their most Sacred Ma^{ties}, and the Zeale yo^r hon^r beares to the publique Wellfare of this Countrey, wherefore they have thought fitt by this their addresse to Manifest to yo^r Honor their readinesse to concurr wth yo^r Honour in the Solemnizing of a General Fast, looking upon it as an incumbent duty upon them, as they respect the blessing of almighty God upon their proceedings, & Forasmuch as yo^r Honour was pleased to propose it, they beg your Honor to fix a time for the same, on knowledge Whereof this house shall most readily attend together wth yo^r Hon^r and the Hon^{ble} Councill to implore the divine assistance to all their undertakeings.

The Addresse is read, approved of by the House, and ordered to be fairly engroft by the Clerke of the House in order to be presented to his honor the Governor.

M^r Hartwell

M^r Carter

Cap^t Eps

M^r Lewis

M^r Boling

are appointed to waite upon the Governor with the Said Address and to request his Hon^r would be pleased to affygne Councill, to swear the Clerke of the Affembly.

Resolu'd

Resolu'd That the house be *refolu'd* into a Grand Committee of the whole house on *Munday* next to take into their Consideration such parts of his hon^{rs} Speech as remains vnreported to this house.

Chr: Wormely Esq^r & Henry Whiteing Esq^r two of the Hon^{ble} Councill of State, bring into this house a Commission Sygn'd by the R^t Hon^{ble} the L^t Governo^r & under the Seale of the Colonie, empowering & ordering them to administer the Oathes enjoyned by act of Parliam^t instead of the Oathes of Allegiance and Supremacy unto *Peter Beverley* the Clerk of this house, and allsoe, the Oath of y^e Clerke which Oathes were there-upon respectiue administred, the Clerkes Oath being in these words.

You shall fwear as Clerk to the House of Burgeses of *Virga* to which Office you are appointed by y^e R^t Hon^{ble} the L^t Governo^r faithfully justly & vprightly, to make true entries & Journalls of all Votes & proceedings of the f^d House of Burgeses, as from time to time you shall receive orders & directions from them, You shall keepe Secret all private debates of the f^d House of Burgeses soe farr as shall by the said House be found necessary and shall in all things according to yo^r best Skill & Judgment discharge & execute the f^d Office & trust of Clerke of y^e house of Burgeses.

The house adjournes till Seaven of y^e Clock on *Munday* Morning.

Munday the 20th of *Aprill* 1691.

THE house mett

W^m Drummond petitioning this house to be entertained as a Messenger to this house the said *Drummond* is accordingly admitted, and ordered to give his attendance to execute Such Comandes as he shall receive from this house.

Majo^r *Arthur Allen* Burgeses return'd for *Surry* County having disabled himselfe to Serve in that Office by his refusall through Scruple of conscience to take the Oathes enjoyned by act of Parliam^t instead of y^e Oathes of Allegiance and Supremacy This house doe appointe M^r *Henry Heartwell* & Maj^r *Charles Scarbrough* to waite upon the R^t hon^{ble} the L^t Governor and to acquainte his hon^r therewith, & to request his Honor, would be pleased to issue out a new Writt for y^e election of another Burgesse in the room and place of y^e f^d Major *Allen*.

M^r *Miles Cary* Burgesse return'd for *Warwicke* County tooke the Oathes enjoyned by act of parliam^t instead of y^e Oathes of allegiance & Supremacy and alsoe the Oath of a Burgesse which were administred to him by y^e Hon^{ble} Coll^l *Bird* & Coll^l *Leere*, & then alsoe subscrib'd the Test.

Peter Beverley the Clerke of this House Subscribed the Test.

A Committee for examination of Propositions and Greivances

M^r *Christo: Robinson* Chairman

Majo^r *Charles Scarbrough*

Cap^t *Miles Cary*

Cap^t *Jn^o Smith*

M^r *W^m Leigh*

Coll^l *Arthur Smith*

M^r *Edward Chilton* having petitioned this House to ferve as a Clerke to one of y^e Committees, the Petition is granted & he accordingly appointed Clerke of y^e Committee for propositions & Grievances.

The Quest: being put Whether the Clerkes of the Committees ought to be Sworne. *Resolved*, in the Affirmative.

A Committee for Publiq Claimes

Coll *Lawrence Smith* Chairman

M^r *Henry Heartwell*

Coll *Anthony Lawson*

Cap^t *W^m Hardidge*

M^r *W^m Anderson*

Cap^t *Law Washington*

M^r *Henry Randolph* is appointed Clerke to this Committee

It being refolu'd by this Houfe that the Clerkes of y^e Comittees belonging to this Houfe fhall be Sworne.

It is thought fitt the Oath be Prefcribed in thefe words

You fhall fwear as Clerke to a Comitteee of y^e Houfe of Burgefles, faithfully & juftly to follow the refpective direCTIONS of yo^r Comitteee you fhall keep Secrett all the proceedings of the faid Houfe and Comitteee; foe farr as fhall be found neceffary & fhall in all things to your beft Skill and judgem^t difcharge and execute the f^d Office and truft.

Ordered That M^r *Heartwell* and M^r *Cary* give the thanks of this houfe to M^r *Stephen Force* for his Excell^t Sermon yefterday preach't before the Generall affembly and that he be defired to print the fame.

M^r *Thomas Chamberlaine* moveing this houfe that his petition exhibited aga^t the Sherriff of *Henrico* County for an undue returne of Cap^t *Randolph* right [might] be confidered this morning & the fame being thereupon read is committed to the Comitteee, for elections & priveledges to be taken into their prefent confiderations

This houfe adjournes till two a Clocke

Post Meridiem

THE Comitteee Returne & their Chairman Reports that the petition of M^r *Tho: Chamberlaine* about y^e vndue election & Returne of Cap^t *W^m Randolph* referred to them in the morning they had confidered and upon the Examination of divers Evidences came to a Refolucon, which he had delivered in and was read in the Houfe, Whereupon, it was *Refolv'd nemine contradicente*.

That Cap^t *W^m Randolph* was duely elected Burgefse for *Henrico* County.

A Meffage from the L^t Governor was Read.

By y^e R^t Hon^{ble} the L^t Governor

M^r Speaker

The addresse of the houfe of Burgefles aboute the appointing a time for a day of Humiliation is very gratefull to my Self and the Councell & *Saturday* next being the 25th day of this infant, I doe by y^e advice of the Councill think fitt to be a Convenient time for the Solemnifeing the faft by y^e Generall Affembly and the Inhabitants of *James City*: and *Fryday* the 8th day of *May* to be a fitt time for keeping and Obferving thereof in all this their Ma^{ties} Dominion.

Aprill the 20th 1691

Fra: Nicholfon.

Ordered That *James Bray* Efqr Burgefse elected for *James City* Countie faileing to give his attendance here to morrow at five of y^e Clock afternoone that he be then sent for in Cuftody of *W^m Drummond* the meffeng^r of this Houfe.

M^r *Henry Heartwell* one of their Ma^{ties} Juftices of the peace for *James City* Countie is defired to adminifter to the Comitteee Clerkes the oath lately formed for that purpofe.

This houfe according to the Refolve on *faturday* laft, Refolved into a Comitteee of y^e whole houfe to enter into a further Confideration of y^e R^t Hon^{ble} the L^t Governors Speech, and after fome time fpent therein M^r *Speaker* refumed the Chair, Major *Scarburgh* reports from the Comitteee, that the Governors Speech to them referd they had confidered & debated, & come to a Refolution w^{ch} he had delivered in and was read.

Whereupon it was *Refolv'd*

That the houfe agree with the Reporte of the Comitteee and think it very neceffary fuch meanes be confidered of as may beft preferve the Country in Security with as little Charge as poffible, and that the humble thanks of this Houfe fhould be rendered to the L^t Govern^r for his great care and perfonall paines they are Sencible his hono^r had already taken ab^t the fame, but Forasmuch as the Right and due confideration of thofe pointes will require foe much time as will too much delay the proceedings of The houfe, if attempted by a full houfe, They *Refolved*

That

That y^e f^d Propofitions be firft debated in the Committee of Propofitions &c. & then Reported to this houfe as alfoe the other parts of the laid Speech, concerning the Lesening the levie by the pole the building an Houfe for the Governor & y^e Settlem^t of y^e Indian Trade.

To the R^t hon^{ble} Fra: Nicholfon *Efq^r* their Ma^{ty} L^t Governor of Virg^a

The houfe of Burgefles having in Confideration yo^r hon^{rs} Speech upon that part relating to the Security of y^e Countrey & yo^r Hon^r appoynting a L^t eleven Troopers & two Indians to range at the heads of y^e Rivers for prevention of Sudden danger and Surprizalls.

Their fenfe not onely of yo^r Honours great care and Vigilance but of yo^r perfonall Travailes & painefull Journeyes therein, incites them to a gratefull acknowledgement thereof and to render yo^r Honor's in the name of themfelves & y^e whole Countrey yo^r deferved Thankes, & affure yo^r Hon^r of their Speedy & Speciall confideration of yo^r Hon^{rs} propofalls in order thereunto.

The hon^{ble} Coll^t *Byrd*, and the honble Coll^t *Leere* two of their Ma^{ty} Councill of State adminifter y^e oathes enjoyed by a^{ct} of Parliam^t inftead of y^e Oathes of Allegiance and Supremacy & alfo the Oath of a Burgefle unto Cap^t *W^m Randolph* Burgefle for *Henrico* County, who then alfoe Subfcribed the Teft.

M^r *W^m Randolph* was added to the Committee for examination of Publiq Claimes.

Ordered that the Committee of greivances & propofitions take into their Confiderations the Journall, bylls, for Lawes, & other the proceedings of y^e Laft Affembly and make a report of what they finde neceffary to this houfe.

Ordered That the Committee for examination of publiq claimes doe take into their Confideration all Such proceedings, papers & Reports of the laft Affembly as relate to the publiq Claimes & make report of what they finde neceffary to this houfe.

Ordered That the Committee of Propofitions &c & the Committee for publiq Claimes have power to adjourne themfelves & to Sit *de die in diem* untill the bufineffe referred to them by the Houfe be fully confidered and debated,

The houfe adjournes till tomorrow morning eight of y^e clock.

Tuesday April y^e 21st 1691.

THE houfe mett and appointed Coll^t *Stone* M^r *Ring* M^r *Willfon* & M^r *Boling* to waite upon the R^t hon^{ble} L^t Gov^r and to pray his hon^r in the name of this houfe, that, Coll^t *Nath^l Bacon* late Audit^r & Coll^t *W^m Byrd*, the prefent auditor be Ordered to deliver unto this houfe, as Speedily as Conveniently may be, an acco^t of y^e 3^d p gallⁿ upon Liquors according to the a^{ct} of affembly in that cafe provided, Who Returne & Report his honor was pleased to fay it fhould be done.

The propofitions and Greivances of *Charles City* Countie Read & referred to the Committee of Propofitions & Greivances.

The Propofitions and grievances of *Glocefter* Countie read & referred.

The propofitions & Grievances of *Accomack* County Read & referred.

The Propofitions & Grievances of *Nanzymond* County. Read & referred.

A paper delivered in by M^r *W^m Church-hill* Burgefle of *Middlefex* County, as the Greivances of y^e laid County but wanting Such attestation as the Law ab^t the prefentation of Greivances directs was not received.

A paper delivered into the houfe by M^r *W^m Lewis* Burgefle of *James City* County, as the Greivance of the laid County but wanting Such attestation as y^e Law about the prefentation of Grievances directs was not received.

A paper was delivered into the houfe by M^r *Henry Awbry* Burgefle of *Rappahanack* Countie, as the Grievances of y^e f^d County, but wanting fuch attestation, as the law about y^e prefentation of Greivances directs was not received.

The Propofitions & Greivances of *Northumberland* Countie Read & referred.

The

The Propositions & Greivances of *Northampton* County read & referred.

The Propositions of Maj^r *Arthur Allen* & by him Subscribed read & referred to the Com^{it}tee of Greivances & propositions.

A proposition Subscribed by *Jⁿo Custis & Daniell Neede* was read & referred

A proposition Subscribed by *Jⁿo Pleasant & John Evans* read & referred.

The houle adjourned till two a clock afternoone.

Post Meridiem

THE houle mett

M^r Auditor *Byrd* having brought in his acco^t of the Revenue arising from y^e 3^d p gall. upon Liquors, the consideration thereof is referred to the meeting of y^e houle to morrow morning.

Ordered That *Fryday* the 24^e inst^t five a clock in the afternoone be the latest time for receiving of propositions, Greivances and Publiq Claimes and that the Clerke of this houle doe forthwith make publiq the Same, by Setting up a Copy hereof at the State houle door

The propositions & Greivances of *Surry* County read & referred.

The propositions & Greivances of *Westmorland* County read & referred.

Certaine propositions & Greivances Sygn'd by divers Inhabitants of *Henrico* County read & referred.

The Propositions & Greivances of *Henrico* County read & referred.

The Propositions & Greivances of *Isle of Wight* County Read & referred.

A Proposition of M^r *W^m Lewis* Burgesse for *James City* County read & referred.

James Bray Esq^r Burgesse return'd for *James City* County fayling to Giue his attendance at this houle, according to the Ord^r of yesterday, & noe juft reason of excuse being made appeare for his Still continued absence; It is therefore Ordered.

That *W^m Drummond* the Messenger attending this houle pursuant to y^e f^d former order doe in his Custody bring y^e f^d *James Bray* Esq^r before this houle tomorrow morning.

The houle adjourn'd till 8 a clock tomorrow morning.

Wednesday the 22^d of *April* 1691.

THE houle mett.

M^r *W^m Drummond* Messenger being called to make returne of his Message to *James Bray* Esq. Burgesse of *James Citie* County Yesterday produced a letter from the f^d *Bray* directed to M^r *Speaker* which being read, Signified his disability to attend this houle by reason of extreme Sicknesse & the same being confirmed by M^r *Drummond* the absence of y^e f^d *James Bray* Esq^r was thereupon excused for the present.

M^r *W^m Church-hill*, M^r *Willson*, M^r *Carter*, & Cap^t *Allamby* M^r *Lewis* & M^r *Barbar* appointed a Com^{it}tee to Examine & consider of the acco^t of y^e 3^d p gall. presented by M^r Auditor *Bacon* to the last assembly & now before the Com^{it}tee of greivances & Propositions & alsoe the f^d acco^t of the f^d Imposition by M^r Auditor *Byrd* yesterday presented to this *Houfe* & Report the same, & alsoe Such a Method as the Houfe may thereby receive full Satisfaction how each Particular Collector thorough this Dominion, by their respective receipts & acco^{ts} given into the said Auditors, discharged themselves of y^e f^d duty.

The Greivances & Propositions of *York* County read & referred.

The Greivances & propositions of *James City* County read & referred

The Greivances & Propositions of *Elizabeth City* County read & referred.

The Greivances and Propositions of *Rappahanack* County read and referred.

The Petition of *Joseph Copeland* praying to be allowed for looking after & keeping cleane the Assembly roome & utenfills thereunto belonging read and referred to the Com^{it}tee of Claimes.

The houle adjourned till two a clock afternoone.

Post

Post Meridiem

THE house mett.

M^r *Xto Robinfon* Chairman of y^e Committee of propositions & Greivances, Reported from the f^d Co^mittee, that pursuant to the ord^r of the house they had inspected in to & considered the Journall & other proceedings of y^e last Affsembly and are of Opinion that severall Bylls, for laws prepared the last Affsembly be now againe taken into Considera^on, which said Report being Read the Same was agreed to by y^e house, & it was thereupon

Ordered That the Co^mittee of Greivances & Propositions doe take into their Consideration divers bylls for lawes as they were prepared the last affsembly to witt

a byll for Sherriffs receiving publiq dues.

a byll directing how public Claimes shal be Certifyed for allowance

A byll prohibiting Ordinary keepers to give credit to to Seamen & young freemen

A byll to prevent the casting ballast into Rivers & Creeks.

A Byll declareing how the charge ariseing by Criminalls shal be p^d for y^e future.

A Byll giving Reward for killing of wolves.

A Byll for Ports &^c and Report the same with such amendm^{ts} alterations & additions, as to them Shall Seeme necessary & convenient.

M^r *W^m Church hill* &^c from the Co^mittee appoynted to examine M^r *Auditors* acco^{ts} presented their Report which Read and approved. It was thereupon *Ordered* That M^r *W^m Church-hill* & the Rest of y^e Geⁿt of that Co^mittee be continued a Co^mittee to proceed further in the examination of y^e matters to them before referred, and that they demand of M^r Auditor *Bacon* his full and cleare acco^t of y^e 3^d ff gall. Since the last Affsembly, till the time of M^r Auditor *Byrd*'s receiveing the Same of whome they are to demand perticular acco^{ts} of the f^d Imposition of 3^d ff gall. as it was delivered in, to him by y^e individuall Collectors thereof & that for the better satisfac^on of this house the f^d M^r *Auditor* be required to provide an acco^t of the time of the arrivall of each Veffell or Shipp, the Veffells name & Burthen the Masters' name the quantity of liquors imported in her, & the port from whence Shee came, with her ladeing & to ranke the same in Severall distinct Columnes to that purpose, and that they having soe done, doe report the same to this house together with a true state of the Generall acco^{ts} thereupon & ballance thereof as it shal be found.

The Greivances and Propositions of *New Kent* Countie read & referred.

The house adjourned till to morrow morning nine a Clocke.

Thursday y^e 23^d. *April* 1691.

THE house mett

The petition of *Thomas Busbey* for the allowance and Sallary due to him as the Interpreter of y^e Southern Indians was read & referred and then

The house adjourned till to morrow morning nine a Clock.

Fryday y^e 24th of *April* 1691

THE house mett.

A proposition from some part of the Inhabitants of *Rappahanack* County referred to the Co^mittee of Greivances &^c

A proposition of M^r *Rich^d Kennor* & M^r *Peter Presly* Burgeffes on the behalfe of the Inhabitants of *Northumberland* County whome they represent ab^t a greater allowance for Wittnesses & Jurors Summon'd out of that County to attend at General Courtes was Read & referred to the Co^mittee of Greivances & Propositions.

The house adjourn'd till three a Clock afternoone

Post

Post Meridiem

APETITION of Coll^t *Daniell Jenifer Sher^t* of *Accomack* County in behalfe of himfelfe for imprefeing & divers other perfons imprefsed to the number of three hund^d by ord^r of y^e R^t hon^{ble} the L^t Governo^r to be as a Watch at the Inlette on the Eafterne Shoare read and referred to the Committee of Claimes.

A Message from y^e R^t hon^{ble} the L^t Governo^r by M^r *W^m Edwards* Clerke of the Councell delivered in at the Table, was read in these words.

James City Aprill y^e 24th 1691

M^r *Speaker* my Selfe & the Councell are Satisfied that yo^r Houfe foe well receives, what was really acted by us for y^e prefervation of this their Ma^{ty} Countrey & y^e Inhabitants thereof by appointing Rangers at y^e heads of y^e Rivers untill other Methods were taken by the Generall Affembly.

What I have done I esteeme it my duty, but seeing it is foe gratefull to the Countrey I hope God almighty will enable mee to be carefull & vigilant for yo^r Wellfare, and when ever it shall be necessary freely to venture my life for the Security of *Virg^o*

Yo^r Refolving upon a Speedy & Speciall confideration of y^e proper wayes to doe it most effectually, is very fatisfactory to

Fra Nicholson

And then Refereed to the Speedy confideration of y^e Co^mittee of Greivances & propofitions together with all former matters relateing thereto.

A Petition of M^r *Augustine North* referred to this houfe by y^e R^t hon^{ble} the L^t Governo^r & Councell was read & referred to the Co^mittee for publiq Claimes.

A Petition of M^r *W^m Edwards* Clerke of y^e Gen^l Courte for allowance for his extraordinary Service & trouble Since the laft affembly, in iffueing out Sundry publique matters more than vsuall, referred by y^e L^t Governor to this houfe, was Read & referred to the Confideration of y^e Co^mittee for publique Claimes.

The greivances & Propofitions of *Westmorland* County referred by y^e f^d Govern^r & Councell Read & referred to the Co^mittee of Greivances and Propofitions.

The Petition of y^e Inhabitants of *Staff^d* County referred by y^e L^t Governo^r & Councell Read & Referred to the Co^mittee of Greivances & Propofitions.

The Petition of M^r *Willfon* & M^r *Allambey* Burgefes for *Elizab: City* Countie & M^r *Whitaker* & M^r *Cary* Burgefes of *Warwick* County that the bounds of y^e f^d Counties might be enlarged according to the directions annexed to the petition, referred by y^e L^t Govern^r & Councell to this houfe was read & referred to the confideration of the Co^mittee of propofitions & Grievances.

The propofitions and Greivances of *lower Norfolk* Countie referred by y^e L^t Governo^r & Councell Read & referred.

The Petition of y^e Inhabitants of y^e Towne in *Eliz^o* River, referred by y^e L^t Governo^r & Councell, read & referred to the Committee for Propofitions & Greivances.

The Co^mittee of Greivances & propofitions came in & the Chairman reported, that in Obedience to a former ord^r of y^e houfe they had examined corrected and prepared severall Bylls entituled as followeth.

A byll giving reward for killing of Wolves.

A byll for charge of Criminalls

A byll to prevent casting ballaft into Rivers & Creeks

A byll prohibiting Ordi^v keepers to give Credit to Seamen & young freemen

A byll directing how Publique Claimes shall be certified for allowance.

A byll directing how Sherriffes & Collectors shall acco^t for publique dues.

Which he delivered in at the table & were received.

The petition of *John Taylor* concerning 50 Acres of land taken away by act of affembly in his Minority to build a Towne on referred by y^e L^t Governo^r to this Houfe, Read & Referred to the Confideration of y^e Co^mittee for Propofitions & Greivances.

The Petition of *Jn^o Evans* & *John Pleasants* referred by y^e L^t Governo^r & Councell Read & Referred to the Co^mittee of propofitions & c^e

The

The petition of *Jn^o Walker* complaining of the infolencies of neighbour Indians, & praying a Regulation, referred by y^e L^t Governo^r & Councell read & referred to y^e Comittee of propositions &c

The Petition of y^e *Appamatack* Indian Queene on behalfe of herself & people that they may be suffered to dwell among the *English*, referred by y^e L^t Governor & Councell to this house read and referred to the Comittee of greivances & propositions.

The Petition of M^r *James Blaire* on behalfe of himselfe the rest of y^e Reverend Clergy together with a proposition for the erecting a publique Colledge being referred by y^e L^t Governor & Councell were ordered to be read & Considered in a full house on *Munday* next in the afternoone.

The petition of y^e *Nottaway* Indians that the *English* be permitted to Seal their Lands, referred to this house by y^e L^t Governo^r & Councell read and referred to y^e Comittee of Greivances & Propositions.

Ordered that for the better Solemnization of the Fast appoynted to Morrow all the Comittees be adjourn'd till *Munday* Morning feaven a Clocke.

The house adjourn'd till *Munday* Morning ten a Clocke.

Munday y^e 27th of *Aprill* 1691.

THE house mett

The petition of *Nicholas Witherington* was Read clayming 980^{lb} of Tobacoe for ferriage of Indians over *James River* and referred to the Comittee for publique Claimes.

A byll Giving Reward for killing Wolves.

A byll to prevent y^e Casting of Ballast into Rivers and Creekes.

A byll declareing how the Charge arifeing by Criminalls shall be paid for the future.

A byll prohibiting ordinary keepers to give Credit to Seamen & young freemen.

A byll directing how publique Claimes Shall be certified for allowance.

A byll for Sherriffs receiving publiq dues.

And each of y^e said bylls was Read in the house the first time.

The house adjourn'd till three clocke afternoone.

Post Meridiem

THE house mett

The petition of *Thomas Busbey* referred to this house by y^e L^t Governor & Councell & praying for his allowance as interpreter to the Southern Indians to be levyed Soe as noe deduction be made for Casq & convenience was read & referred to the Comittee of claimes.

The petition of the *Chicohominy* Indians referred to this house by y^e L^t Governo^r & Councell, that they may continue on the Land of M^r *Ben. Arnold* read & referred to the Comittee of Propositions.

The Petition of *Samuel Frith* referred to this house by y^e L^t Governor & Councell, complaining of his Low Condition by Sicknesse & fire, & praying for some Charitable Consideration of his present circumstances was read & referred to the Comittee of propositions.

M^r *Ben Harrifson* being duely elected & Returned Burgesse for *Surrey* County in the Roome of Major *Arthur Allen* tooke the oathes enjoyned by act of parliam^t instead of y^e Oathes of allegiance and Supremacy and alsoe the Oath of a Burgesse which were administred to him by y^e Hon^{ble} W^m *Byrd* Esq^r and y^e hon^{ble} *Ralph Wormely* Esq^r two of their Ma^{ties} Councell of State, after which he Subscribed the test.

The Petition of *Nath^l Bacon* Esq for ferverall disbursem^{ts} ab^t y^e Publique Concernes referred to this house by y^e L^t Governo^r read and referred to y^e Comittee for publique Claimes.

A Petition of y^e Churchwardens & Vestry men of *James City* parish, was read, praying leave to bring in a byll for y^e bett^r enabling the f^d parish to raise a convenie^t maintenance for a Minist^r, & to Exc^e their present Glebe for other Lands more fitt and commodious, and liberty was granted accordingly.

The Petition of *James Blayre* Minister on behalfe of himselfe & the rest of y^e Clergy of this Dominion ab^t the better paym^t of their Salaries referred by y^e L^t Governo^r & Councell was read & referred to the Co^mittee of propositions.

Severall propositions for the founding of a Colledge referred by y^e R^t Hon^{ble} the L^t Governo^r & Councell read and referred to the consideration of y^e Comittee of propositions.

The house adjourned 'till to morrow morning nine a Clock.

Tuesday y^e 28th of April 1691.

THE house mett

The Co^mittee appoynted for examination of M^r *Auditors* acco^{ts} of y^e 3^d ¶ gall. made report that in obedience to an order of the house they had taken into their consideration y^e acco^{ts} of y^e 3^d ¶ gall. committed to them & compared the Same with the particular Collector's acco^{ts} whereupon they had Stated a Gen^l acco^t & found the ballance due to the Countrey in the hands of M^r *Auditor Bacon* to be 950^l: 10^s: 2^d and in the hands of M^r *Auditor Byrd* to be 789^l: 08^s. 11^d

The Petition of *Ralph Wormely* Esq affygne of Coll^l *Cuthbert Potter*, clayming the Sume of One hundred and Eight pounds seaven Shillings for principall disburse^{ts} & Intereft according to an ord^r of Affsembly of *June y^e 8th 1680* due to the f^d *Potter* was Read and referred to the Consideration of a full house in the afternoone.

The house adjourn'd 'till 3. a clock afternoon.

Post Meridiem

THE house mett and called over.

The petition of *Ralph Wormely* Esq^r affygnee of Coll^l *Cuthbert Potter* according to the Order of this morning being read after Severall Debates.

The Question was put, Whether y^e f^d Petition should be committed to the consideration of y^e Co^mittee of Publiq Claymes and it was *resolved* in the Negative.

The Petition of y^e Lady *Francis Berkeley* on behalfe of *Phillip Ludwell* Esq^r laying before this house Several Services done by y^e f^d *Phillip Ludwell* Esq^r in presenting an addresse of y^e last house of Burgessees to the late King & to their p^rsent Ma^{ty} since their happy accession to the Crowne by vertue of an ord^r of the last house of Burgessees & allsoe the progresse he had made therein, & recommending the same to the consideration of this House & the said Petition together with all the papers therewith presented was Committed to the Co^mittee of Publique Claimes to consider of, and upon their Serious inspection to Report a Satisfaction, fuitable to the merritt of the paines trouble and disburse^{ts} of y^e said *Philip Ludwell* Esq^r in y^e managem^t of y^e Trust, & by what wayes & meanes it may be best done

Ordered That the Co^mittee of Greivances & Propositions doe consider of an addresse to present y^e humble thankes of this house to their Ma^{ty} for their Ma^{ty}'s grace & favour in redresseing severall Grievances lately presented by *Phillip Ludwell* Esq from y^e Representatives of this Country, and that the same be done in Such man^r & Such time as they shall hereafter finde most convenient.

A byll giving Reward for killing of Wolves Read the Second time after some amendm^{ts} made at the Table was ordered to be engroft & read the third time.

A byll to prevent the Casting of Ballast into Rivers & Creekes read the 2^d time and ordered to be engroft and read the third time.

A byll declaring how the Charge arising by Criminalls shal be paid for the future, read the Second time Ordered to be engroft & read the third time

A byll prohibiting Ordinary keepers to give Credit to Seamen & young freemen read the Second time & after some alterations in the title & a new provisoe added was Ordered to be engroft & read the third time

A byll directing how Publique Claimes shal be Certified for allowance read the 2^d time & ordered fairly to be engroft and read the 3^d time.

A byll Directing how Sherriffes & Collectors shal acco^t for publique dues read the 2^d time & ordered fairly to be engroft & read the 3^d time.

A Byll for Ports &^c read the first time & Ordered a 2^d reading on *Thursday* morning next.

The house adjourned 'till nine a clock to morrow morning.

Wednesday April y^e 29th 1691.

THE house mett and call'd over.

Ordered That M^r *James Bray* Burgeffe return'd for *James City* Countie be forthwith sent for in Custody of W^m *Drummond* the Messinger of this House to give his attendance to the Service of this house.

The Report of the Committee of Greivances & Propositions in answer to the petition of y^e *Nottoway* Indians that the *English* might be Suffered to take up the Lands and Seat on the South Side of *Blackwater* was read & approved, and it was thereupon.

Resolv'd That the humble application of this house be made to the R^t hon^{ble} y^e L^t Governor that his honour would be pleased to forbid the takeing up Landes or Seating within those bounds for the future, & to call in the *English* there already seated, and that the same be prepared by y^e Committee of Greivances and Propositions & reported accordingly to this house.

Vpon the Report of y^e f^d Committee that a Byll be prepared for preventing the great damage that happens by horses running wild in the Woods & barking fruit Trees. It was agreed to by y^e house and y^e Committee for publiq Claimes were.

Ordered to prepare a Byll accordingly.

Vpon the Report of the f^d Committee, that a free Conference might be desired, betweene some of the Hon^{ble} Councill & some of y^e Members of this House to consider and conferr ab^t what forces are now necessary to be raised, in what manner to be employed & for what time to be continued for the Secureing the peace of this Countrey, and also to finde out the most fuitable expedient to obtaine their Ma^{ties} gracious & Royall grant of Some part of y^e Quittrents, towards the maintenance and Support of a Colledge intended to be erected in this Countrey.

Resolved That Some of y^e Members of this house be appointed to waite upon the R^t Hon^{ble} y^e L^t Governor and that they in the name of this House pray a Conference accordingly.

M^r *Harrison*, Coll^l *Lawson*, & M^r *Sandiford* ordered to doe the f^d Message.

The Report of the said Committee, that a Byll be prepared declaring the duty of Tanners Curriers & shoemakers in the dressing & making up leather, read and approved and

Ordered That the said Committee prepare, and bring in a byll accordingly.

The Report of y^e f^d Committee upon the petition of the Inhabitants of the *Northern neck* that an addresse be made to their most Sacred Ma^{ties} by this Generall assembly for the reuniteing the said Neck to this Colony and bringing it under the same privileges, read and approved and,

Ordered that the said Committee doe in a Clause to that purpose lay before their Ma^{ties} the humble desires of this house & add or insert the Same in the addresse already ordered to be drawne up concerning the present State of this Countrey.

Vpon

Vpon the Report of y^e f^d Co^mittee that an Impofition be layd on Liquors imported into this Country not comeing directly from *England* as the moft proper meanes to eafe y^e Levy by y^e Pole.

Ordered That the f^d Co^mittee prepare & bring in a byll to that purpofe The reporte of y^e f^d Co^mittee touching the deviding *new kent* County into two Counties, being read and agreed to by y^e houfe, the f^d Co^mittee were Ordered to prepare and bring in a byll accordingly.

Vpon the Report of y^e faid Comittee that the 12th Act of Affembly *anno* 1682 Entituled *an act for the advancem^t of Manufactures of y^e Growth of the Countrey for the better and the more Speedy paym^t of deb^t & levies* might be revived, & put in force as a law advantagious to the Countrey in Gen^l

Ordered that a Byll be prepared & brought into the houfe by y^e f^d Co^mittee to that purpofe with fuch alterations or additions as upon their Serious infpection of the former Law fhall be found meet and convenient.

An engroft byll giving Reward for killing of Wolves read the 3^d time, paft the houfe and ordered to be fent to the hon^{ble} Councill for their Concurrence.

An Engroft Byll to prevent the cafting of ballaft into Rivers and creekes read the third time and paft the houfe *nemine contradicente* and ordered to be fent to the hon^{ble} Councell for their Concurrence.

An Engroft Byll declareing how the Charge arifeing by Criminalls fhall be paid for the future read the 3^d time paft the houfe *nemine contradicente* & ordered to be fent to the hon^{ble} Councill for their Concurrence.

An Engroft byll directing how publiq Claimes fhall be certified for allowance read the third time paft y^e Houfe & Ordered to be fent to the hon^{ble} Councell for their Concurrence.

An Engroft Byll prohibiting Ordinary keepers to give Creditt to Seamen and others, read the third time paft the houfe *nemine contradicente* & ordered to be fent to the hon^{ble} Councell for their Concurrence.

An engroft byll directing how Sherrife's & Collectors fhall acco^t for publique dues read the third time after Several debates paft the houfe and ordered to be fent to the hon^{ble} Councell for their Concurrence.

The houfe adjourn'd till three a clock afternoone.

Post Meridiem.

THE houfe mett.

A Meffage from the L^t Governor by M^r Edwards That his hon^r had appointed fix of the hon^{ble} Councell to meet Such members of this houfe, as this houfe fhould appointe for the managem^t of y^e Conference prayed for, in the Councell Chamber to morrow morning after prayers.

W^m Drummond the Meffenger of this houfe made Returne and in anfwer of y^e Meffage ordered him this morning, brought a Letter from M^r James Bray w^{ch} being read and the houfe therewth fatisfied together wth the Report of y^e Meffinger, that the f^d M^r Bray is unable at prefent to attend the Service of this houfe, the further confideration thereof was therefore referred.

M^r Harrifon

M^r Carter

Coll^t Stone

M^r Ring

Cap^t Eps

appoynted to waite upon the hon^{ble} Councell & to carry the Severall Bylls paft the houfe this morning for their hono^{rs} concurrence and affent.

Ordered that notice be given to the Severall Comittee's that the houfe expects their attendance at Seaven a Clock to morrow morning.

The houfe adjourned 'till Seaven a clock to morrow morning.

Thursday

Thursday April y^e 30th 1691.

THE house mett, and called Over.

M^r *Xtopher Robinfon*

Coll^l *Law Smith*

M^r *Ben Harrifon*

Majo^r *Cha: Scarbrough*

M^r *Rob^t Carter*

Cap^t *Jn^o Smith*

M^r *Hen. Heartwell*

Cap^t *Miles Cary*

M^r *W^m Lewis*

Cap^t *W^m Randolph*

M^r *W^m Leigh*

M^r *Jo Ring*

are appoynted to manage the conference in the Councill Chamber, with the Councill appoynted by the Liev^t Governo^r concerning w^t forces are now necessary to be raifed, in what manner to be employed, & for w^t time to be continued & also aboute such an Expedient as may be most Suitable for the obtayning their Ma^{ty} Royall Charter to enable fitting perfons to found and erect a Colledge together with their Ma^{ty} most gracious grant of Some part of the Quitt rents towards the maintenance & Support thereof.

M^r *Harrifon* M^r *Church hill* M^r *Ring* M^r *Allambey* M^r *Mafon* & Coll. *Stone* upon the Vote of the house are appointed a Comittee to prepare and bring in a byll conforant & agreeable to the former law. Entitled *an act regulateing the tares of Tobacco hh^d* with such additions new claufes & provifoes as Shall be found most necessary & convenient.

The Reading of y^e Byll for Ports &^c referred till 4 clock afternoone.

The house adjourn'd 'till after prayers

Post Meridiem

THE house mett.

M^r *W^m Edwards* Clerke of y^e Councill brought into the house Severall bylls, from the Councill Yefterday sent for their Concurrence, and alsoe from the Councill acquainted the Houfe that their Hon^{rs} would at all times be ready in the Councill Chamber to receive any addresse from this house.

Vpon y^e Report from y^e Conference appointed this morning, upon that head which related to the necessity of raifeing and continueing forces for the Safety of this Dominion together with the manner time & number thereof.

Resolved That the Comittee of Greivances & propofitions doe prepare and draw up a byll for the Secureing the peace of y^e Country agreeable to the report, from the said conference.

It being reported to this house from the Managers of y^e f^d Conference with the Councill, touching that part of the Conference, which related to the findeing out fitt methods for y^e advancem^t of Learning in this Countrey, that the Councill were of Opinion, that before any proceedings could be had therein, it were first necessary by an humble addresse to their Ma^{ty} to pray their Ma^{ty} Royall Charter for the enableing Some perfons to erect a Colledge in Such part of the Countrey as may be most Convenient and that they might as much as in them lye, promote & forward so Good a defygne, they were pleased to declare that they would at all times be free & ready to joyne with this house in such an addresse.

The house most kindly received y^e Motion & ordered a Message by Some of the Members of this Houfe to be Sent to the Councill to request their Hon^{rs} would be pleased to appoynte Some of the Councill to joyne wth Such Members of this Houfe as shal be appointed in the preparing & drawing up an addrefs to their Ma^{ty} for that purpose.

The byll for Ports &^c read y^e Second time and after some time spent in debate thereof referred to be farther debated to morrow morning.

The house adjourned 'till tomorrow morning after prayers.

Fryday

Fryday May y^e 1st 1691

THE house mett & entered into the adjourned debate about the byll for ports &c in which having spent some time, & after Some amendm^{ts} made at the Table the f^d Byll was recomitted to the Committee of Greivances & propositions. &

Ordered that it be an Instruction to the f^d Committee that they Consider of a provifoe concerning *James City*.

That in a new Clause the Treafurer & Collecto^{rs} of the Impositions mentioned therein be enjoyned to give bond wth Sufficient Security for the due performance of their Office & to acco^t for the same upon oath.

That all Superfluous words in the f^d Byll be left out at the discretion of y^e Committee to Shorten the Byll, provided noe alteration in the matter & Substance be made.

That the officers upon all occasions for detecting of frauds or makeing Seizures according to his duty enjoyn'd by the act be fully empowered to command assistance & aid as the case shall require.

M^r *Martin Scarlett* one of the Burgeffes for *Staff^d County* haveing neglected his duty in attending the Service of this house, It is therefore

Ordered that the Messinger of y^e house doe bring the said *Scarlett* in Custody to answer for such his neglect before the house at their first Sitting in the afternoone.

Ordered That M^r *Martin Scarlett* one of y^e Burgeffes for *Staff^d Countie* be comitted into the Custody of y^e Messing^r attending this house for his misbehaviour this day in the house and that he soe remain during the pleasure of this house.

The house adjourned 'till foure a clock afternoone.

Post Meridiem

THE Committee for Publick Claimes brought in a byll for preventing horses running at Large & barking fruit trees, which was read the 1st Time and ordered a Second Reading.

An Engroft byll giving Reward for killing of Wolves returned from the Councill agreed to without amendments.

An Engroft byll to prevent y^e Casting of ballast into Rivers and Creekes return'd from the Councill agreed to with this Addition.

(That where it shall appeare to y^e Courte of y^e County agast which any Shipp shall ride, that ballast may doe y^e Roade good they be there permitted to throw it over board) and the f^d Addition being agreed to by the house, a provifoe to y^e purpose was drawne at the Table, read 3 times & past & Ordered to be annexed to the f^d Byll.

An Engroft byll declareing how the charge arising by Criminalls shall be paid for the future return'd from the Councill agreed to with Some amendm^{ts} which being read a Clause to that purpose was ordered to be drawn at the Table & inferted in the 19th Lyne of y^e f^d Byll upon the full agreem^t of the house.

The house adjourn'd till tomorrow morning after prayers.

Saturday y^e 2^d May 1691.

THE house mett.

An Engroffed byll prohibiting Ordinary keepers to give credit to seamen and others and An Engroft Byll directing how Publique Claimes shall be Certified for allowance, return'd from the Councill agreed to without any amendm^{ts}

Vpon the Petition of M^r *Martin Scarlett* yesterday comitted into Custody, Setting forth his great Sorrow for his late misdemeanor & evill carriage in the house & praying to be releast & readmitted.

The

The f^d M^r *Scarlet* was ordered to be sent for into the house, where having made his personall Submission & Craving the pardon of y^e House, It was *ordered*, that he be discharged of his confinem^t paying the Officers fees and that he be admitted againe into the House.

A Message from the R^t hon^{ble} the L^t Govern^r by M^r *Edwards*, that his honoure desires the Burgeesses to consider of such persons in their severall Countyes as are most fitt to Supply y^e wants of their Countyes for Justices of y^e Peace & to signifie their names to his Honour he intending Suddenly to issue out new Commiffions to that end.

A byll to prevent horses running at Large & barkeing fruit trees read the Second time & ordered to be enGrossed.

A byll directing how Sherrifes and Collectors shall acc^t for the Publique dues returned from the Councell with amendments propofed & y^e f^d amendm^{ts} being read & debated it was thereupon *Ordered* that that the Committee of greivances & propofitions doe forthwth carry y^e f^d byll together wth the byll Entituled

A byll to prevent the casting of ballast into Rivers & Creeks & y^e byll entituled.

A byll declareing how the Charge arifeing by Criminalls shall be paid for the future & to acquaint their hon^{rs} how far the house have concurred with the amendm^{ts} propofed by them & to confer wth them concerning w^t may be further necessary in Relation to the amendm^{ts} & to report the same to this house.

The house adjourned 'till *Munday* morning ten a Clocke.

Munday May y^e 4th 1691

THE house mett

The Comittee to whome the same was referred bring in a byll reviving the 6th Act of Assembly made at *James City* y^e 20th day of *8ber* 1686 regulat- ing y^e tares of Tobacoe hogheads which was received and read the first time.

Ordered That the House be called over at their meeting in the afternoone.

Post Meridiem

THE house mett

Ordered that the Comittee for Publiq Clai- mes bring their Report into the house tomorrow morning by 7 a Clocke.

The house adjourn'd 'til tomorrow morning 7 a clock

Tuesday May y^e 5th 1691

THE house mett

Maj^r *Lawrence Smith* from the Comittee of publiq Clai- mes according to the ord^r of Yesterday brought in the Reports of y^e f^d Comittee & delivered the same in at the table.

M^r *Ch^r Robinson* from the Comittee of greivances & propofitions reported several prepared bylls *Viz'* a byll declareing the duety of Curriers tanners & Shoemakers

A byll divideing *new kent* Countie

A byll Reviving the act for advancem^t of manufactures of y^e growth of this Country &c.

A byll for a free trade with the Indians and delivered the Same in at the Table

Then the byll divideing *new kent* Countie was read the first time & ordered a Second Reading.

A byll for a free trade wth Indians read y^e 1st time and ordered a Second reading.

A byll reviving the act for advancem^t of manufactures of the growth of this Country & read the first time.

An engroft byll to prevent horfes running at large and Barking fruit trees read the 3^d time and pafte the houfe.

A byll reviving y^e 6th act of affembly made at *James City* y^e 20th of *October* 1686 Regulateing the Tares of Tobaccoe hogfheads read the Second time & Comitted to the Comittee that firft prepared y^e fame for amendm^{ts}

A byll declareing the duety of Tanners Curriers and Shoemakers read the firft time and ordered a Second reading.

M^r *Christopher Robinfon* from the Comittee of Greivances and Propofitions reported the byll for Portes, wth the amendm^{ts} made by them according to the Order of the Houfe which was received & ordered to be read y^e 3^d time to morrow morning.

A byll to prevent cafting of ballaft into rivers & Creeks was return'd with the provisoe annexed agreed to by y^e Councell.

A byll declareing how the charge arifeing by Criminalls fhall be paid for the future, return'd from the Councell wth a different amendm^t to what the houfe had before agreed and the fame being read the houfe adhered to their firft amendm^t and difagreed to the new amendm^t made by y^e Councell.

A byll directing how Sherrifes & Collect^{rs} fhall acco^t for the Publique dues, returned from the Councell with an amendments & two provisoes, & the fame being read in the houfe 3 times pafte the houfe and were ordered to be added to the faid byll.

The houfe adjourned to three a clocke afternoone.

Post Meridiem

THE houfe mett.

M^r *X^{per} Robinfon* from the Comittee of Greivances and propofitions prefented a byll for the more effectuall Suppreffing the Several Sins & offences of fwearing, curfing, prophaneing God's holy name, *Sabbath* abufeing drunkenneffe, Fornication & Adultery, which was received at the Table, read the firft time and ordered a Second reading

M^r *Benj: Harriffon* from the Comittee to whome y^e byll reviving the 6th act of Affembly made at *James City* the 20th of *8ber* 1686 Regulateing the Tares of Tobac hogfheads was at the Second reading recomitted for amendm^{ts}

Reported that they had agreed to a claufe to be added to y^e Byll which f^d Claufe being read y^e fame was agreed to by y^e Houfe & y^e Byll together wth the f^d Claufe Ordered to be engroffed and read the 3^d time.

Resolved That the houfe doe tomorrow in the afternoone Refolve into a Comittee of the whole houfe to confider of y^e heads of an addrefse to be prefented to their Ma^{ties}

The houfe adjourned 'til nine a clocke to morrow morning.

Wednesday May y^e 6th 1691

THE houfe mett.

M^r *Hen: Heartwell* brought in a byll for y^e enlargeing *James City* Parifh & to enable them to Exchange lands for a Glebe (upon leave of y^e houfe before given to the Churchwardens) & the f^d byll being prefented was read the firft time & ordered that the Byll have a Second reading on *Saturday* morning & y^e in the meane while the Burgefles of *James City* County & *York* County doe give notice to the Church Wardens of y^e Parifhes next adjoining to the parifh of *James City* to come and make their Objections to the f^d byll.

Resolved & ordered, that it be a ftanding order of this Houfe, That whatfoever Member of this Houfe who fhall hereafter depart out of Towne, without firft having obtain'd the leave of the houfe, and fhall not returne time enough to make his appearance at the calling over the houfe at the time to which the houfe was adjourn'd fhall forfeit five hund^d pounds of Tobaccoes to be p^d & deducted out of his Wages by y^e County for which he ferves.

M^r *Xtopher Robinſon* from the Com̄ittee of greivances and propoſitions preſented a byll for leſſening the levy by y^e pole & laying an Impoſition upon Liquors was received.

An Engroſſed byll for ports &c read the third time and the Qu: being put whether the ſaid byll ſhould paſſe.

Reſolved in the affirmative thirty eight of y^e members anſwering yea and only one anſwering Noe.

And the ſ^d Byll was thereupon Ordered to be carried to the Councell for their concurrence.

The houſe adjourned 'till three a clocke afternoone.

Poſt Meridiam

THE houſe mett.

The houſe entered into the Reading the Reports of y^e Com̄ittee for Publique Claimes but not having finiſhed the Same, the remaineing part was referred to be read & conſidered tomorrow morning.

The Houſe according to the Order of yeſterday reſolved into a Com̄ittee of the Whole houſe to conſider of y^e heads of an addreſſe to be preſented to their Ma^{ty} & after Some time ſpent therein

M^r *Speaker* reſumed the Chair and Maj^r *Scarburgh* from the ſaid Com̄ittee reported that they had made Some progrefs in the Conſideration of the matters to them refered & had directed him to moue the houſe that they might have leave to Sitt again upon the ſ^d heads.

Reſolved That this houſe will tomorrow morning reſolve it ſelfe into a Com̄ittee of the Whole houſe to proceed in the further conſideration of y^e heads of an addreſſe to be preſented to their Ma^{ty}

The houſe adjourned till fix a clock to morrow morning

Thursday y^e 7th May 1691

THE houſe mett.

and proceeded in the Reading the remaineing parts of y^e reports of the Com̄ittee for Publique Claimes which having finiſhed the ſame were agreed to by the houſe wth ſuch alterations & amendm^{ts} as are noted downe in the body & margin of the ſaid Repor^{ts}.

Upon Reading the Report of y^e Com̄ittee for Publiq Claimes relateing to the Service done by Coll^l *Phillip Ludwell* in preſenting & Soliciting a Petition of the late houſe of Burgeſſes to their Ma^{ty} for the redreſſe of Severall Greivances therein complained of, And upon reading his Ma^{ty}s Ord^r in Councell of y^e 9th of *September* 1689. wherein his Ma^{ty} is gratiouſly pleaſed to redreſſe Severall of the greivances complained of in y^e ſ^d petition.

Reſolved That the ſaid Coll^l *Phillip Ludwell* in preſenting y^e ſ^d petition to the late King *James*, and uſeing his endeavours, to obtaine an anſwer thereunto, And in preſenting a Copy of y^e ſ^d petition to their preſent Ma^{ty}es upon their happy acceſſion to the Crowne and in Soliciting for a favourable anſwer to the Same, hath well purſued the Order & direction of y^e ſ^d Late houſe of Burgeſſes.

And therefore *Ordered*, that the thankes of this houſe be given to Coll^l *Ludwell* for the Same & that the Summe of two hund^d & fifty povnds *ſterl.* be paid unto the ſ^d Coll^l *Ludwell* by M^r *Auditor* out of y^e impoſition of 3^d p gallⁿ upon liq^{rs} as an acknowledgement from this Country for his indefatigable & proſperous endeavours, & towards the reimbursm^{ts} of his great & neceſſary expence in the management of that affair.

The houſe reſolved into a Com̄ittee of y^e whole houſe to proceed in further conſideration of proper heads for an addreſſe to be preſented to their Ma^{ty}es & after ſome time Spent therein, M^r *Speaker* reſumed the Chair & Maj^r *Scarburgh* Reported from
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the f^d Comītee, that they had maturely considered & agreed upon certaine heads of an addresse to be presented to their Ma^{ty} which he had delivered in at the table, And the Same being Severally read & approved by y^e Houfe.

Resolved That the addresse to be presented to their Ma^{ty} doe consist of these following heads.

1st a congratulation of their Ma^{ty} happy acceffion to the throne by meanes whereof y^e Religion Law & Liberties of their Subjects are happily Secured from y^e danger of being Subverted & overthrowne, and alsoe a Congratulation of y^e Speciall deliverances, God almighty hath been pleased to give unto their Ma^{ty} in y^e various and eminent perills they have beene exposed to, for the mainteinance thereof.

2. a dutyfull acknowledgem^t of their Ma^{ty} Singular Care of this dominion in appointing foe worthy a Person for the L^t Governo^r, and an humble returne of thanks for their Ma^{ty} Grace & favour in receiving y^e Petition of the late house of burgeses presented to y^{re} Ma^{ty} by Coll^l *Phillip Ludwell* and redressing Sev^{ll} greivances complained of therein.

3 an humble application to their Ma^{ty} for the restoreing that anntient priveledge of this Countrey of making appeals to the Gene^{ll} Asssembly.

4 That there Ma^{ty} would be pleased to grant, that the Revenue arising here from the Quittrents may be appropriated to the use and benefitt of the Countrey.

5 That the money arising from the Castle duties may be employed in those vses which were originally intended at the makeing of y^e acts, the Countrey being at present in a naked & defencelesse ftate for want of armes amunitions & fortifications.

6 That their Ma^{ty} would be gratioufly pleased to give their Royall Assent to such Speciall Lawes as shall be presented to them from this and succeeding Asssemblies, And if their Ma^{ty} shall think fitt to disallow any thereof that their Ma^{ty} would be pleased to signify such their Royall pleasure to this Countrey.

7 That their Ma^{ty} would be gratioufly pleased to confirm & enlarge the Charter, granted by King *Charles* the 2^d of blessed memory the 10th of *8ber* in the 28th yeare of his reigne & y^e the *Northerne neck* may be included therein.

Ordered that the said heads of an addresse to be presented to their Ma^{ty} be given to the Comītee of Greivances & Propositions for their directions & that the f^d Comītee prepare the addresse agreeable thereto & Reporte it to the Houfe.

The houfe adjourn'd 'till foure a clock afternoone.

Post Meridiem

THE houfe mett

The byll for ports &c return'd from the Councill with a Schedule of amendments propofed by y^e Councill to be made thereto was laid upon the table.

A message from the Councill by M^r *Edwards* to acquaint the houfe, that three of the Councill will be ready to morrow morning after prayers to meete and joyne with Such members of the houfe as shall be appoynted for the drawing up an addresse to their Ma^{ty} for the obtaineing their Ma^{ty} Royall Charter for the enableing Some persons to erect a Colledge in this Countrey.

M^r *Hartwell* Cap^t *Randolph*, Coll^l *Lawrence Smith*, M^r *Lewis*, M^r *Willfon*, M^r *Carter*, M^r *Harrifon* & M^r *Church-hill* are appointed to meet tomorrow morning after prayers and accordingly Joyne with the Councill in the prepareing such an addresse.

Then a debate arising concerning the place where the Colledge should be nominated to be built after Some motions thereupon, the further debate thereof was referred till to morrow morning Seaven a Clocke & y^e Members of the Houfe required then to give their respective attendance.

A byll reviving the 6th act of assembly made at *James Citty* y^e 20th *October* 1686 regulateing the laws of *Tobaccoe hogheads* read y^e 3^d time & passed.

A byll declareing the duety of Tanners, Curriers, & Shoemakers read the 2^d time & comitted

Cap^t *Hardidge*, Cap^t *Mafon*, Coll. *Stone*, M^r *Ring*, M^r *Francis Mafon*, M^r *Harmanson*, Maj^r *Robins*, M^r *Barbar* & Cap^t *Wafhington* are appoynted a comittee to consider of amendments to the said Byll & to report the Same to this houfe.

A byll reviveing the aēt for advancem^t of Manufactures of the growth of this Countrey read the 2^d time.

Ordered to be engrossed & read the 3^d time

Resolved that a byll be prepared enjoyneing the planting and workeing of flax & hemp, & that the Committee to whome the Byll declareing the duety of Tanners Curriers & Shoemakers was committed for amendments prepare the fame & report it to this houfe with all possible expedition.

A byll for free trade wth Indians read y^e 2^d time *Ordered* to be engrossed & read the third time.

A byll deviding *new kent* Countie read the 2^d time and upon a motion made for the Restoreing of Severall Inhabitants now belonging to *S^t Peter's* parish, unto *S^t Jo^hn* Parish from whence they were taken, a claufe to that purpose was added at the Table, & y^e byll wth the f^d claufe ordered to be engrossed & read a third time.

A byll for the more effectual Suppreffeing the Severall Sins & offences of Swearing, curfeing prophaneing Gods holy name, *Sabbath*, abuseing, Drunkenesse, Fornication, Adultery, read y^e 2^d time & ordered to be engrossed & read the 3^d time

The houfe adjourned 'till Six a clock to morrow morning.

Fryday May y^e 8th 1691

THE houfe mett.

and resumeing the debate about y^e place for the Colledge.

Resolved, upon the Question, that the place to be nominated for erecting the Colledge upon, by Gods Leave intended to be in this Countrey, be upon the Land of *Ralph Greene* Junior, now in the Tenour of M^r *Thomas Baytop* lying upon the North Side of *yorke* River in *gloucester* County & over aga^t the Plantation of *Edmund Jennings* Esq.

M^r Secretary *Cole*

Ralph Wormely Esq

Coll^t *Edward Hill*

Coll. *Jn^o Page*

Coll^t *Nath. Bacon*

Coll. *Thom: Millner*

M^r *Xpher Robinfon*

Cap^t *Jn^o Smith*

M^r *Benj. Harrison*

Coll *Law: Smith*

Coll^t *W^m Fitz-hugh*

Maj^r *Cha: Scarburgh*

Cap^t *Miles Cary*

M^r *Hen: Heartwell*

M^r *James Blayre*

and

M^r *Rob^t Carter*

are persons nominated by y^e houfe to be presented to take their Ma^{ties} Royall grant for the erecting of a Colledge accordingly.

Vpon a motion made that M^r *James Blaire* a worthy Minister of this Countrey, and a person well acquainted wth the Methods & proceedings of Such a desygne, might be desired to assist the Comittee appoynted to Joyne wth the Councell in the drawing up an addresse to their Ma^{ties} for their Royall grant of a Charter to some fitting persons to found & erect a Colledge in this Countrey.

Ordered, That the f^d Comittee doe request the assistance and directions of y^e f^d M^r *Blayre* in such matters as they shall finde necessary for their better preparing Such addresse.

Vpon the motion of the Burgeffes of *Lower Norfolk* Countie & upon reading the Inhabitants proposition liberty was granted to the f^d Burgeffes to bring in a Byll for the divideing of *Lower Norfolk* County according to the f^d Motion & proposition to
morrow

morrow morning *Ordered* that M^r *Peter Beverley* Clerke of the Assembly & M^r *Francis Page* doe with the first conveniency thoroughly examine a Written book containing y^e Copies of Severall auintient Records presented by the Said M^r *Page* to this house, and compare the same with y^e Originall Writeings & papers, and that the Clerke of this house haveing soe done doe attest the Same & keepe it amongst the other Records of y^e Assembly, and that he alsoe take care of Originalls in covering & bindeing them up in new and Strong paper as may best preserve them for the future, and of all other Such auintient papers, Journalls, Acts and Records as he shall finde already damaged or likely to receive damage for want thereof, and that he doe upon every bundle of papers put a fair & proper endorsement, and constantly keep them, in such an Order, frame & Method as his Office requires.

Ordered That all Acts of Assembly which shall be hereafter made, before the same be signed by the Governour & Speaker, as the usuall Custome is be engrossed in parchment Rolles for the better preservation thereof, and that the Clarke of y^e Assembly doe from time to time provide parchment for that purpose.

A byll reviveing the act for advancement of Manufactures of y^e growth of his Countrey & read the third time & passed.

A byll for a free trade with Indians read the 3^d time & passed;

M^r *Xp^{her} Robinson* & Maj^r *Charles Scarborough* upon a motion made were added to the Committee appointed to joine with the Councill in the preparing the addresse to their Ma^{ties} concerning the Colledge.

The house adjourned 'till five a clock after noone.

Post Meridiem.

THE house mett.

M^r *Edwards* brought into the house from the Councill a Proviso by them offered to be added to the byll for ports &

Cap^t *W^m Hardidge* from the Committee to whom the Byll declaring the Duetie of Tanners, Curriers, and Shoemakers was committed for amendments Reported that according to the Order of the house they had amended the 1^d byll, and the Same being received was laid upon the Table.

Cap^t *W^m Hardidge* from the committee appointed to prepare the Same, Reported, that according to the Order of the house they had prepared a byll enjoyneing the planting & dressing of flax & hemp & the Same being received was Laid upon the Table.

A byll for deviding *new kent* County read the 3^d time and passed *nemine contradicente*.

A byll for the more effectually Suppressing the Several Sins & offences of Swearing curseing prophaneing Gods holy name, *Sabbath* abuseing drunkenness fornication & adultery read the 3^d time & passed *nemine contradicente*.

Coll *Law: Smith* & Ordered to carry y^e following bylls to the Councill & to pray their hon^{rs} concurrence *viz*

A byll to prevent horses running at large & barcking fruit trees.

A byll revieueing the 6th act of Assembly made at *James Citty* the 20th of *October* 1686 Regulateing the tares of tobaccoe hogheads.

A byll reviveing the act for advancement of manufactures of the growth of the Countrey.

A byll for a free trade with Indians.

A byll for deviding *new kent* County

A byll for y^e more effectually Suppressing the sev^l Sins & offences of Swearing, curseing, prophaneing God's holy name *Sabbath* abuseing, drunkenness Fornication & adultery.

The house adjourned to Six a clock to morrow morning.

Saturday

Saturday May y^e 9th 1691.

THE house mett

A byll for lessening the levy by y^e Pole & laying an imposition upon liq^{rs} read the 1st time & Ordered a Second reading on *Munday* morning ten a Clocke.

M^r *Xpher Robinson* ffrom the Comittee of Greivances & propofitions presented a byll for the defence of the Countrey which was received & laid upon the table.

A byll for the deviding *Lower Norfolk* Countie upon leau of this house to draw the Same was brought into the house and laid upon the table.

Vpon Reading the Report of the Comittee for Publique Claimes concerning a reward to be given Cap^t *Francis Page* for entering into a faire booke Severall auntient Records of this house, the house agreed thereto and *Ordered*, that the Said Cap^t *Francis Page* for tranferibeing Severall old records of this house & entering the Same in a new booke by him presented to this affembly be allowed the Summe of two thousand pounds of Tobaccoe & Caske & that he be enjoyned when the Clerke of this house Shall require it, to affist him in the examining the Said booke.

The Churchwardens & other the Parifhoners concerned for the Parishes next adjoyneing to *James City viz' Bruton & Willmington*, according to the Ord^r of *Wednesday* last, attending to make their Objections to the byll for enlargeing of *James Citty* Parish &c were called into the Houfe & being Severally heard & withdrawne, the 1^d Byll was read a Second time and the Queftⁿ being put, That the byll be Engroffed, It passed in the Negative.

Resolved that the byll be rejected

Vpon Reading a lett^r Subscribed by their Ma^{ties} Justices of *Lower Norfolk* Countie directed to their Ma^{ties} L^t Govern^r Councill & Burgeffes of this present Generall Affembly brought into the house by a member Serving for that Countie & recommended from their Ma^{ties} L^t Govern^r & Councill the Contents whereof sett forth, that at a Courte held the 7th day of *May* 1691 for the tryall of an action of the case & an action of defamation: betweene *Chr Thurston* Mast^r of the Shipp *little John & Jn^o Porter* Junior a native and inhabitant of this Countrey, Cap^t *Jn^o Jennings* Comander of y^{er} Ma^{ties} Shipp the *Experim^t*, came in his boate mann'd & arm'd to the Courthouse Landing and there comeing on Shoare after Some menaces and threatenings past upon the Sherriffe in his way to the Courte house, entered the Courte where the said Justices by vertue of their Ma^{ties} authoritie where Sitting upon the tryall of the 1^d differences between the 1^d plantiff and defend^t, and then & there insolently Seized & halled *Jn^o Porter* the 1^d Defend^t Standing at the Barr, & Speaking to the Courte by y^e hair of the head into the middle of the Courte house and threw him downe, & the under Sherriff useing his endeavour, to preferue the peace & to rescue him the 1^d *John Jennings* terrified by by drawing out part of his sword, and by meanes thereof & the aid of his men violently carried away & forcibly halled the Said *Porter* into his Boate & him being required to deliver againe by one of the Justices present at the Waterside instead thereof gave revileing and reproachfull language, Layd his hand on his sword, & putting of from the Shoare carried the said *Porter* quite away, whither & to w^t intent is not yet knowne.

And alsoe upon hearing all & every of the said Circumstances fully & cleerly proved by y^e Testimony of three persons who being eye wittnesfes & Sworne before the R^{on} Hon^{ble} the L^t Govern^r & Councill gave their evidences *vivâ voce* in the house.

Resolved That the Comeing of Cap^t *Jn^o Jennings* Comand^r of their Ma^{ties} Ship *Experim^t* wth armed men in to the Courte of *Lower Norfolk* one of their Ma^{ties} Courtes of Record in this there Ma^{ties} Dominion of *Virg^a* whilst the Justices of the 1^d Courte were by their Ma^{ties} Authorities Sitting to adminifter Justice, and there halling from the Barr of the Courte by y^e haire of the head and throwing downe M^r *Jn^o Porter* then a Defend^t upon an action at the Suite of M^r *Ch^r Thurston*, & with force & armes putting the Said *Porter* on board his boate carrying him away & restrayning him of
his

his liberty is an high crime & misdemeanor of him the f^d *Jennings* an high contempt of their Ma^{ty} Governm^t here, a breach of y^e peace, contrary to the knowne Lawes, destructive of the Rights, priviledges & liberties of their Ma^{ty} Subjects here and a Subverfion of Justice and of that protection, there Ma^{ty} are pleased to give to all there Subjects & especially those of this their Ma^{ty} Dominion; and the greater as being acted by a person intrusted with their Ma^{ty} Commiffion for the defence & protection of the perfons estates and properties of their Ma^{ty} Subjects.

Ordered that there Ma^{ty} L^t Govern^r & Councell be made acquainted with this Refolve of the Houfe and that they be desired to iffue out their immediate Warrants, commending the f^d Cap^t *Jn^o Jennings* forthwth to releafe & fet at liberty the f^d *Jn^o Porter*, who being releafed may be brought before this prefent Generall Affembly to give Such further acco^t of his ufage, as he hath rec^d Since, & to put in execu^on fuch Proceffe againft the f^d Cap^t *Jennings* his aiders & abettors, as the lawes in that cafe provide & direct.

The houfe adjourned 'till three a clock afternoone.

Post Meridieum

THE houfe mett

M^r *Christopher Robinfon*, M^r *W^m Church-hill* & Cap^t *Jn^o Smith* have leave given to goe out of Towne till *Munday* morning ten a Clocke.

A byll for defence of the Countrey, read the 1st time & ordered a Second reading.

A byll for deviding *Lower Norffolk* Countie read the 1st time & ordered a 2^d reading.

A byll enjoyneing y^e planting & drefling flax & hemp read the 1st time and ordered a second reading.

Ordered that Cap^t *Randolph*, M^r *Harriffon*, Coll^l *Lawfon* Cap^t *Eps*, Maj^r *Robins*, M^r *Lee*, M^r *Boling* & Cap^t *Allambey* doe carry the Reports of the Comittee for Publique Claymes allowed of by the houfe & the Vote of the houfe upon the Report of the Comittee concerning Coll^l *Ludwell* unto the Councell and that they allfoe Carry with them the Refolve of the houfe concerning the misdemeanors of Cap^t *Jn^o Jennings* Comand^r of their Ma^{ty} Shipp y^e *Experim^t*, lately done and acted in *Lower Norfolk* Courte, together with the houfe's request thereupon & prefent them to the L^t Governor & Councell.

The houfe adjourned 'till *Munday* Morning ten a clocke.

Munday y^e 11th of *May* 1691

THE houfe mett, & called over.

M^r *W^m Edwards* Clerke of the Councill brought into the houfe the fix bylls fent on *fryday* laft to the Councill together with a paper of fuch amendments as their Hon^{rs} thought fitt to propofe thereunto, & y^e f^d Bylls, & amendm^{ts} were laid upon the Table.

Whereas M^r *James Bray* Burgefse for *James Citty* Countie hath long neglected his duety of attending the Service of this houfe, & ftill doth continue in the fame, It is therefore *Ordered* that *W^m Drummond* the Meflinger attending this houfe doe forthwith bring the faid M^r *James Bray* in Cuftody to anfwer fuch his continued neglect before this houfe.

The houfe adjourned till three a clock afternoone.

Post

Post Meridiem

THE house mett.

W^m Drummond the messinger being called into the house to returne answer of his message to M^r *James Bray* of this morning, delivered the Same, and the consideration thereof was referred till the first meeting of the house to morrow morning.

M^r *Robinson*, Maj^r *Scarburgh*, Cap^t *Smith*, M^r *Church-hill*, M^r *Willson*, Cap^t *Allambey*, M^r *Heartwell*, M^r *Lewis*, M^r *Barbar*, M^r *Ring* & Cap^t *Ball*, Coll^t *Stone* Cap^t *Hardidge*, Cap^t *Washington* & M^r *Harrisson*, are desired to acquainte the Councill how farr this house have agreed to the amendments proposed by their Hon^{rs} to the byll for ports &c & to desire their Hon^{rs} to appointe a time & place as Speedily as may be when & where they may conferre with them ab^t the Same.

A byll for lessening y^e *Levy* by y^e pole and laying an Imposition upon liquors read y^e 2^d time *ordered* to be engrossed and read a third time.

A byll for provideing for the better defence of the Countrey read y^e 2^d time & a provifoe annexed at the Table, the 1^d Provifoe was twice read & the Byll & provifoe comitted unto Cap^t *Randolph* Cap^t *Washington*, Capt *Cary* Cap^t *Applewhite* & Coll^t *Lawson* to report the same to morrow morning.

A byll for deviding *Lower Norfolk* Countie read y^e 2^d time, *ordered* to be engrossed & read a 3^d time.

A byll enjoyning the planting & dressing of flax & hemp read the second time & the Question being put that the same be engrossed.

Resolved in the affirmative & the byll *ordered* to be engrossed & read a third time.

The house adjourned 'till fix a clocke tomorrow morning.

Tuesday May y^e 12^e 1691

THE house mett.

A Message by M^r *Edwards* to acquainte the house that the L^t Govern^r & Councill have sent a Warrant for the Comodore to appeare before them on *thursday* next, and alsoe that foure of the Councill will be ready after prayers to meet Such of the members of this house as shall be appointed to conferre wth them about the amendments of the byll for Ports &c in the Councill Chamber.

M^r *Edwards* likewise brought from the Councill their Hon^{rs} opinion & proposition concerning the obtaining their Ma^{ties} Grant for the erecting of a Colledge which was laid upon the Table.

The house tooke into Consideration the answer yesterday brought from M^r *James Bray* Burgesse for *James City* County, & it appearing that he hath not onely neglected his duety of attending the Service of the House, but also aggravated that his great fault by a Slight and unbecomeing answer to the Message of the house.

It is therefore *Ordered* That M^r *Speaker* doe issue out his warrant directed to the Sherriff of *James City* Countie and the messinger of this house forthwith to take into their Custody the 1^d M^r *James Bray* & him having brought to *James City* vnder safe Custody to detaine & keep, untill the further pleasure of this house shall be knowne.

M^r *Randolph* &c to whome the Same was committed brought in the Byll for provideing for the better defence of the Countrey with the amendments made thereupon, and the said amendment being twice read, the byll & amendments were *Ordered* to be engrossed and read a third time.

The House takeing into Consideration the amendments made to the byll declareing the duety of Tanners Curriers & Shoemakers & reported by y^e Comittee to whome the Same was comitted, the Same were agreed to by the house and the byll as amended *ordered* to be engrossed and read a third time.

A byll reviving the act for advancement of manufactures of the growth of this Country &c returned from the Councell agreed to.

A byll reviving the 6th act of Assembly made at *James City* the 20th of *October* 1686 Regulating the Tares of Tobaccoe hogheads, returned from the Councell agreed to.

A byll for dividing *New Kent* Countie, returned from the Councell agreed to, with the propofall of a Clause to be added for appointing the dayes to hold Courts on in *King & Queen's* Countie, and a Clause for that purpose being agreed upon in the house was Ordered to be put to the said byll at the table.

The house adjourned 'till after prayers.

Post Meridiem

THE house mett.

A motion being made that a Clause might be added to the byll for deviding *Lower Norfolk* Countie, ascertaineing a day for the holding of Courts in *Prince's Anne* Countie mentioned therein.

Ordered That the Clerke of the house doe prepare a Clause, after the forme & tenor of the Clause added to the byll for deviding *New Kent* Countie for that purpose, *mutatis mutandis* and have the same ready to annex to the byll when it shall have a third reading.

The house adjourned 'till Six A clock to morrow morning.

Wednesday y^e 13th of *May* 1691.

THE house mett.

M^r *W^m Edwards* Clerke of the Councill brought into the house the Reporte of the Committee for Publique Claimes sent to them from this house together with their Hon^{rs} Answer thereunto which were laid upon the table.

M^r *W^m Willson* desiring the leave of the house to goe home (haveing received an acco^t that his Wife lay very dangerous Sick) leave was accordingly granted.

The Petition of the Burgeffes for the Counties of *Iste of Wight Surry, Charles City & Henrico* & of *Jⁿo Brasseur* one of the Burgeffes for the County of *Nanzimond* in behalf of their Severall Counties was read, & after some time Spent in debate, thereof, the Question was put, whither the said petition should have any further consideration or debate & it Passed in the Negative.

The house adjourned 'till three a clock afternoone.

Post Meridiem

THE house mett.

The Sherriff of *James City* and Messinger of the house made returne of the Warrant from M^r *Speaker* for the takeing into their Custody M^r *James Bray* for his neglect of attending the Service of the house, & the said Sherriff & Messinger declareing the inability of the said M^r *James Bray* to come to the house & producing a letter from him directed to M^r *Speaker* which being opened & read signified his hearty Sorrow for his present incapacity to discharge his duty in attending the Service of the house the Same was admitted as a just & reasonable excuse for his continued absence.

The house adjourned 'till tomorrow morning six a clocke.

Thursday

Thursday May 14th 1691.

THE house mett.

A byll to prevent horfes running at large & barkeing fruite trees returned from the Councill agreed to with some amendmētts which said amendmētts being read the house agreed that a provifoe ſhould be drawne to explaine what horfes are meant & intended to be Subject to the penalty in the 1st Clauſe of the ſaid byll and the Same being done at the table was ordered to be added to the byll & with the byll Carried to the Councill.

Leave was given to Coll^l *Arthur Smith* to bring in a byll for the alteration of the time of proceſſioning of lands, & y^c ſaid bylls was accordingly brought in read the firſt time, and ordered to be read againe in the afternoone.

Vpon the Petition of *Ralph Wormely* Eſq^r aſſygne of Coll^l *Cuthbert Potter* Setting forth, that the ſ^d *Cuthbert Potter* makeing it appeare at a Gen^l Affembly held the 8th of *June* 1680 that he had diſburſed 103^l & 3^s for the fraight of 44 great guñs & powder ſuitable for them & for other diſburſements by him made in Shipping the ſ^d Guns &^c for the Seruice of this Countrey obtained an ord^r to be paid the ſ^d Sum by M^r *Auditor* out of the impoſt of two Shillings $\text{7}\frac{1}{2}$ hogſh^d or out of the aſſociation money together with the intereſt of the Same at the rate of Six *per Cent* $\text{7}\frac{1}{2}$ annu. from the time of his diſburſeing the ſaid Moneys to the day he ſhall be reimburt the Same, and alſoe praying an order of this Affembly to reinforce and confirme the ſaid former Order he having rec^d aſſurance thereupon to be paid 100^l *Sterl.* in the hands of *Nath^l Bacon* Eſq^r late Auditor of *Virg^a*

It is the Opinion of this houſe that forasmuch as no ſatiſfaction hath benee yet made unto the ſ^d Coll^l *Cuthbert Potter* according to the ſ^d former Order of Affembly of the 8th of *June* 1680 that the ſaid Order is ſtill in force and vertue and that the moneyes firſt diſburſed together with all ſuch Sum & Sums of money as have ſince become due or hereafter may accrue due thereupon ought to be ſatiſfied & paid purſuant to the intent & directions thereof.

The houſe adjourned 'till foure a clock afternoone.

Post Meridiem.

THE houſe mett.

The houſe tooke into conſideration the Severall amendmētts and clauſes propoſed by y^c Councill to the byll for ports &^c Severall whereof were by y^c houſe agreed to and Severall diſagreed to whereupon a Conference wth the Councill was deſired and held touching the Subject matter of the Said Clauſes & amendmētts & upon reporte of the Same, the houſe drew up agreed upon & adhered to Some certaine Clauſes and amendmētts which the Councill upon a Second Conference wholly concurred with.

Ordered that the ſaid byll with the amendmētts & clauſes be fairly engroſſed for Sygneing.

A byll for a free trade with Indians being ſent to the Councill for concurrence was returned wth the propoſall of a Clauſe to be added thereto & the ſaid Clauſe being agreed to by the houſe was added, and the byll with the Clauſe ordered to be carried back to the Councill and by them return'd agreed to.

Ordered that the ſaid Byll wth the Clauſe be fairly engroſſed for Sygneing.

A byll to prevent horfes running at large and barking fruit trees with an explanatory provifoe added thereto at the inſtance of the Councill, returned by them agreed to.

A byll for the more effectually Suppreſſing the Severall Sins & offences of Swearing, curſeing, prophaneing God's holy name, *Sabbath* abuſeing, drunkenneſſe, Fornication and adultery returned from the Councill wth amendmētts the ſaid amendmētts being read in the houſe and not agreed to, a Conference was deſired wth the Councill touching y^c Same & M^r *Robinſon* Maj^r *Scarburgh*, Cap^t *Smith*, M^r *Harrifſon*, M^r *Hartwell*,

M^r

M^r Cary & Coll^l Lawson were appoynted to manage the said Conference and to meet in the Evening after the rising of the house.

A byll for alteration of the time of Proceffioning of Lands read the 2^d time and ordered to be engrossed and read a third time.

An Engrossed byll declareing the duety of Tanners Curriers & Shoemakers read the 3^d time and passed and Ordered to be carryed to the Councell for their Concurrence.

An Engrossed byll enjoyneing the planting and dressing of flax and hemp read the third time and passed and ordered to be carryed to the Councill for their Concurrence.

An Engrossed byll for deviding *Lower Norfolke* Countie read the third time and passed and ordered to be Carryed to the Councill for their Concurrence.

An Engrossed byll provideing for the better defence of the Countrey read the third time and passed and ordered to be Carryed to the Councill for their Concurrence.

Ordered that the Comittee of Greivances & propositions doe prepare and bring in a byll empowering and appointing a Treasurer to receive all Such Sum & Sums of money as Shall arise out of the Imposition laid upon Skiñs ffurrs &c from the Severall Collectors thereof.

The hon^{ble} Coll^l *Edw^d Hill* nominated by y^e house to be constituted Treasurer of the Said Imposition.

The house adjourned 'till Seaven a Clock tomorrow morning.

Fryday May y^e 15th 1691.

THE house mett

An Engrossed Byll for the alteration of the time of proceffioning of Lands read the third time and passed and Ordered to be carryed to the Councill.

M^r *Xpher Robinson* from the Conference wth the Councill about the amendments propofed by them to the Byll for the more effectuall Suppressing the Severall Sins and offences of Swearing, curseing prophaneing Gods holy name, *Sabbath* abusing drunkenesse, fornication and adultery Reported that they had acquainted the Councill with the desire of the house for the Concurrence of their Hon^{rs} to the f^d Byll without takeing therefrom the two claufes or provifoes as was offered, and that their Hon^{rs} Strictly insisted upon & adhered to the amendments propofed by them, whereupon the Question being put for the Concurrence of the house to the f^d propofall of the Councill.

Resolved in the affirmative and Ordered that according to the proposition of the Councill the Byll be fairly engrossed for Sygneing without the two Claufes or provifoes excepted against by y^e Councell.

Vpon Reading the Proposition of the Councill that the Colledge intended to be erected be placed neare Some Towne & after Some debate thereupon the Question was put.

Whether the house will concurr wth y^e Councill in their proposition, that the Colledge be near Some Towne.

Resolved in the affirmative

Then the house entred into debate of y^e place for the Colledge, & the Question being put whether it Should be on the South Side or the North Side of *Yorke* River.

Resolved That it be on the South Side of *Yorke* River upon the land late of Coll^l *Townesend* deceased now in the possession of *John Smith* and near to the port appoynted in *York* County.

M^r *C^r Robinson* Maj^r *Scarburgh*, M^r *Hartwell* Cap^t *Smith* M^r *Cary*, M^r *Harriffon* & Coll^l *Lawson* being appointed to manage a Conference with the Councill upon the pointes agreed about the Colledge M^r *C^r Robinson* reported from the said conference.

That having acquainted the Hon^{ble} Councill (the L^t Governor being present) that the house had agreed, pursuant to their Hon^{rs} proposition, that the place be on

the

the South Side of *York* River on the plantation late of Coll^l *Townesend* &c The Councill agreed thereto, and to the other part the Councill Concurred.

That the Number exceed not twenty to take the Royal Charter for erecting the Colledge.

That the hon^{ble} y^e L^t Governor be one.

That there be four of y^e hon^{ble} Councill as their Hon^{rs} shall agree.

That there be foure of the Clergy whereof two to be in place of Master of y^e Colledge & profeffor of divinity, And that nine others be nominated and appointed by this house &

Ordered, that every Member of the house doe prepare a list of nine persons in paper whome he shall think fitt to be presented to their Ma^{ties} for the Takeing of their Majesties Royall grant of a Charter for the Colledge & put the Same upon the Table in the afternoone.

The house adjourned 'till foure a Clocke afternoone

Post Meridiem.

THE house mett

A byll brought in by the Committee of Greivances & Propositions for Suppressing out lying Slaves read the 1st Time & ordered a Second reading.

The Severall Members of the House having according to Order, laid upon the Table their Severall lists of nine persons names to be presented for the takeing their Ma^{ties} grant of a Charter to erect a Colledge M^r *Heartwell* & two more of y^e house were directed to view the lists, & to Report to the House upon which nine persons mentioned in the f^d lists the Majority shall fall wth all convenient Speed.

M^r *Hartwell* reported, that the nine persons upon whome the Majority fell were Coll^l *Nath. Bacon* Coll^l *Jn^o Page* L^t Coll^l *Thomas Millner* Speaker, M^r *Christopher Robinfon*, M^r *Charles Scarburgh*, Cap^t *Jn^o Smith*, M^r *Benj^m Harrisson*, M^r *Miles Cary*, M^r *Henry Hartwell*, and it was *Resolved* That their names accordingly be inserted in the instructions in order to be presented to their Ma^{ties} for that purpose.

M^r *Christopher Robinfon* from the Committee of Grievances and propositions brought into the House an Adresse to be presented to the L^t Governor for the prohibiting the *English* to Seate beyond *Blackwater* Swamp, according to the former Order of the house which was laid upon the Table.

A Message from the R^t hon^{ble} the Liev^t Governor & Councill by M^r *Edwards* to acquainte the house they had agreed upon foure of y^e Councill *Viz* M^r Secretary *Cole*, *Ralph Wormely* Esq^r *W^m Byrd* Esq^r & *Jn^o Leere* Esq^r two of the Clergy *viz*. The Reverend M^r *James Blaire*, & the Reverend M^r *John Banister* to be presented to their Ma^{ties} to take their Royall grant of a Charter for a Colledge, and left the other two of the Clergy to y^e election and nomination of the House.

And likewise that the Councill have taken the Examinations & depositions of the Gentlemen of *lower Norfolk* sent by y^e house relateing to the matter of Complaine against Cap^t *John Jennings* the Comodore and likewise that they have appointed three of the hon^{ble} Councill to meet Such members of this house as shall be appointed to hold conference about the Same tomorrow morning after prayers.

M^r *Edwards* from the Councill brought into the house the five bills, *viz*

A byll declareing the duety of Tanners Curriers & Shoemakers.

A byll for deviding *lower Norfolk* Countie.

A byll enjoyneing y^e planting & dressing of flax and hemp

A byll Provideing for the better defence of the country

A byll for the alteration of the time of processioning of Lands.

lately sent for their hon^{rs} Concurrence, together with a paper of amendments relateing thereto, which were received & laid on the Table.

The house adjourned 'till to morrow morning Six a clocke.

Saturday

Saturday May y^e 16th 1691.

THE house mett.

A byll for Suppreffing out lying Slaves read the Second time
Ordered to be engroffed & read the third time.

A byll declareing the Duety of Tanners, Curriers & Shoemakers return'd from the Councill agreed to.

A byll for devideing *Lower Norfolk* County return'd from y^e Councell agr^d to.

A byll enjoyneing the planting & drefing flax and hemp returned from the Councill agreed to wth amendments propofed which Said amendments being read were agreed to by y^e houfe & the byll ordered to be amended accordingly & fairly engroffed for Sygneing.

A byll for the alteration of proceffioning of lands returned from the Councill wth the Propofition of a claufe to be added thereto which being read the Queftion was put whether the houfe will agree to the f^d Propofition & it paffed in the Negative.

A byll for the better defence of the Country returned from the Councill with amendments, propofed the faid amendments were read & agreed to & a claufe to anfwer the Same was ordered to be drawne & reported to the houfe.

M^r *Robinfon*, Maj^r *Scarburgh*, M^r *Harriffon*, Coll^l *Lawfon*, Coll^l *West*, Cap^t *Randolph*, Cap^t *Eps*. M^r *Leigh* Cap^t *Smith* & M^r *Cary* are appointed immediately after prayers to hold conference with the Councill upon the pointe yefterday propofed by them, and after the f^d Conference to move the Councill for anfwer of the allowance to Coll^l *Ludwell* now lying before their hon^{rs} unreturned to this houfe.

M^r *Ch^r Robinfon* from the Conference wth the Councill concerning the matter of the Comadore Reported the Severall paffages thereof, and it was thereupon *Refolved* that the Confideration thereof be referred till *Munday Morning*

M^r *W^m Edwards* brought into the houfe this following Meffage which was read

By y^e hon^{ble} their Ma^{ty} Councell

M^r *Speaker*

Having received a Verbal meffage from your houfe that wee would returne an anfwer to the propofall about allowance to Coll^l *Ludwell* wee conceive that the duety on Liquo^{rs} was not raifed for Such purpofes, Yet to gratifie yo^u propofe, that if you allow y^e Claimes Sent from us, which are juft and *Bona fide* were for their Ma^{ty} & the Countries Service, and have always beene paid by y^e Pole and therefore within the intent of the Law: wee will agree to allow it, otherwise wee propofe that both be sent for *England* for their Ma^{ty} determination

May y^e 16th 1691

By Order of the Councill

W. Edwards Clerk Gen^l Affembly.

Cap^t *John Smith* had leave given upon his request, to goe out of Towne 'till the meeting of the houfe on *Munday Morning*.

The houfe adjourne'd 'till afternoone.

Post Meridiem.

THE houfe mett.

M^r *Rob^t Boling* had leave given upon his Request to goe out of Towne 'till the meeting of the houfe on *Munday Morning*.

Ordered, that the Comittee of publique Claimes doe take into their immediate confideration a propofition for the raifeing of an allowance to the Liev^t & eleven Soldiers at the heads of the Rivers placed by y^e R^t Hon^{ble} the Liev^t Governor, & Councill, and report an allowance for them as the Law directs untill the 15th day of *November* next.

The houfe adjourned 'till *Munday Morning* Seaven a clocke.

Munday

Munday y^e 18th day of May 1691.

THE house mett.

The Committee of Claymes according to Order brought into the house their Report for allowance to the L^t Eleven Soldiers & 2 Indians placed by the R^t Hon^{ble} the L^t Governor & Councill at the heads of the great Rivers, which was read and approved of.

A byll for Suppressing out lying Slaves read y^e 3^d time & paffed and Ordered to be carried to the Councill for concurrence.

The house Resolved into a Committee of the whole House to confider of allowances to the Officers of the house and after some time spent therein, M^r *Speaker* reasumed the Chair & Maj^r *Scarburgh* reported from the said Committee that they had agreed upon Severall allowances which he read in his place, and delivered in at the Table and the Same being there read were approved and confirmed by y^e House.

M^r *Hartwell* & M^r *Ring* appoynted to waite upon the R^t Hon^{ble} the L^t Governor: & desire his Honor will please to assigne Councill to adminifter the oathes enjoyned by act of Parliament instead of the Oaths of allegiance & Supremacy & alsoe the oath of a Burgeffe unto M^r *James Bray* a member of the house.

The Reverend M^r *Jn^o Fornifold* & y^e Reverend M^r *Stephen Fauce* were nominated by y^e house to be inferted with the persons already nominated to take their Ma^{ties} Royall Grant of a Charter for a Colledge.

Resolved that the byll for alteration of the time of proceffioning lands be offered againe to the Councill & their Hon^{rs} desired to pass the same without amendments.

The house tooke into Consideration the message brought from the Councill by M^r *Edwards* on *Saturday* Last concerning the allowance to Coll^l *Ludwell* and thereupon drew up this following answer to returne in Writing *Viz*

To the Hon^{ble} Councill

The house of Burgeffes having received a written answer from yo^r hon^{rs} to the propofall Of an allowance to be made to Coll *Phillip Ludwell* wherein yo^u are pleased to take notice, that the duty on Liquors was not raised for such purposes, & yet were pleased to propose, that if this house would allow the Severall Claimes then Sent from yo^r Hon^{rs} yo^u would agree to allow y^e 250^l S^t to Coll^l *Ludwell*, This house takeing the Same into their ferious Consideration finde themselves obliged to remember, yo^r Hon^{rs} that the Services done by Coll^l *Ludwell* having beene Soe much to the advantage of this Countrey in Gen^l & wherein yo^r Hon^{rs} have beene equall Sharers, they hope the Same will be allowed without any Condition or precontract This house being always ready to allow all such Claimes as appeare to be justly due and ought to be paid by y^e Publique.

May y^e 18th 1691.

The house adjourned 'till three a clock afternoone.

Post Meridiem

THE house mett

W^m Byrd Esq^r & *Jn^o Leere* Esq^r upon request of the house this morning being comiffionated by y^e R^t Hon^{ble} the L^t Governor to adminifter the Oathes enjoyned by Act of Parliam^t instead of the Oathes of allegiance & Supremacy & the Oath of a Burgeffe unto M^r *James Bray* Burgeffe elected & returned for *James City* Countie, came into the house for that purpose, & having tendered the said Oathes unto him the said M^r *Bray* thorough Scruple of Conscience refused to take them & thereby was disabled to Serve in this present assembly.

A Clause being prepared to answer the proposition of the Councill to the byll provideing for the better defence of the Countrey was read in the House three times & paffed

Ordered

Ordered to be fairly transcribed and with the byll carried to the Council.

M^r C^r *Robinson* from the Committee of Greivances & Propositions Reported that according to Order they had prepared a Byll appoynting a Treafurer which was read the 1st time and ordered a Second reading

M^r C^r *Robinson* Reported from the Said Committee that they had prepared an addresse to their Ma^{ty} upon the Severall heads given them in direction from the house, which he read in his place and delivered in at the Table & the same was ordered to be read againe to morrow morning.

Ordered That Cap^t *Smith*, Cap^t *Randolph*, Cap^t *Cary* Coll^l *Arthur Smith* & Coll^l *Lawson* doe at the rising of y^e house carry to the Council the answer of this house to their Hon^{rs} Message of *Saturday* last concerning the allowance to Coll^l *Ludwell* with the Severall answers & allowances of this house upon the objections & propofalls lately Sent from the Councell touching Severall matters of Claime.

The house adjourn'd 'till to morrow morning Six a Clocke.

Tuesday May the 19th 1691.

A BYLL appoynting a Treafurer read the 2^d time ordered to be engroffed and read a 3^d time

The addresse to their Ma^{ty} according to the Order of Yefterday was read and approved and *Ordered* that the said Addresse be presented to the Hon^{ble} Council and that they be desired to joyne with the House in the Same, & that if they shall not be pleased Soe to doe, that then they be desired to be a meanes to obtaine leave from the R^t Hon^{ble} y^e L^t Govern^r for this house to appoynte some fitting person to present the 1st Addresse to their Ma^{ty} from this house & in their behalves to Sollicit & to obtaine a favourable answer to the Same, & to imploy soe much of the money now in Banck from the imposition of y^e 3^d ₤ gallⁿ upon Liquo^{rs} as shall be Sufficient to defray the needfull Charge thereof.

Vpon a debate concerning a person to be employed for y^e Solicitting & Carrying on the defygne of y^e Colledge, the Question being put Whether it be not of absolute necessitie for the obtaineing of the Royall grant for the erecting a Schoole & Colledge in this Dominion, that Some fitting person of the Clergy here be employed in *England* to Solicit and endeavour the same, It passed in the Negative.

Ordered That M^r W^m *Church-hill* accompanied with divers other members doe waite upon the Hon^{ble} Council & present the addresse to their Ma^{ty} this day read in the house.

M^r C^r *Robinson* Reported from the Committee of Grievances & Propositions, that they had prepared an answer to that part of the L^t Governo^{rs} Speech which relates to the building an house for the Governour and the same was read & approved

To the R^t Hon^{ble} the Liev^t Governo^r of Virg^a
May it Please yo^r hon^r

The house of Burgeffes having seriously considered the propofall made to them by yo^r hon^{rs} ab^t building an House for the Residence of the Governo^r of this their Ma^{ty} Dominion, are very ready & willing to agree to and forward the Same soe far as they are capable, but are not able to give a full answer vntill yo^r Hon^r shall be pleased to let them know what place will be most convenient to sett such house at, and of what demensions the Same ought to be, that they may be the better able to Judge of the Charge of doing the same, which they shall be ready to consent shall be paid out of their Ma^{ty} Revenue of this Country as the same will beare it.

Ordered, that the Said Answer be fygned by M^r *Speaker* and presented to the L^t Governo^r

Ordered

Ordered That M^r *Robinson* Ma^r *Scarburgh* M^r *Hartwell* Cap^t *Smith*, M^r *Cary*, M^r *Harriffon* & Coll^l *Lawson* doe carry forthwith unto the Councill.

A byll for Suppreffeing out lying Slaves

A byll provideing for the better defence of the Country with a Clause according to their hon^{rs} propofitions.

A byll enjoyneing the planting & drefsing of flax with the amendment according to the propofition of y^e Councill.

A byll for the alteration of the time of proceffioing of Landes and that they alfoe prefent to the R^t Hon^{ble} the L^t Governo^r the anfwer of the houfe to his hon^{rs} propofall concerning the building of an houfe for the Governo^r to refide in.

A byll for the Alteration of the time of proceffioning of Lands return'd from the Councill agreed to.

A byll enjoyneing planting & drefsing of flax return'd from the Councill agreed to.

A Meffage from the Councill by M^r *Edwards* who brought into the Houfe a further anfwer from the Councill concerning the allowance made by the houfe to Coll^l *Ludwell* in Writeing and alfoe an anfwer to the returnes of this Houfe to the additions made by their Hon^{rs} to the Claimes in writeing.

And alfoe informed the houfe in anfwer to the application made to their Hon^{rs} concerning y^e matter of y^e Cornadore that if this houfe fhall draw up an addrefse to their Ma^{ties} & the Liev^t Governor & their Hon^{rs} fhall approve thereof they will joyne with this houfe in prefenting y^e Same to their Ma^{ties}

The humble Supplication of the General Affembly of *Virg^a* to their Ma^{ties} concerning a Colledge being broug't into the houfe by M^r *X^r Robinson* who was appoynted with Several others members to conferre with the Councill about that affair was read in the houfe and approved of.

The houfe adjourned 'till three a clock afternoone.

Post Meridieum

THE houfe mett.

The houfe having read a reply of the Councill to the anfwer of the houfe to certaine Propofalls of allowance made by their hon^{rs} and not agreeing thereto, *Ordered* that a Conference be held touching the Severall matters contained in the faid Reply & that M^r *Robinson* Maj^r *Scarburgh*, M^r *Harriffon*, Coll *West*, Cap^t *Randolph* Cap^t *Eps* Cap^t *Smith* M^r *Cary* M^r *Carter* M^r *Ring*, Cap^t *Whitaker* and M^r *Lewes* Manage the Same & forthwith apply themfelves to the Councill in order thereto.

M^r *Church-hill*, Coll^l *Lawson*, M^r *Leigh*, M^r *Barbar*, M^r *Braffier*, Maj^r *Robins* & M^r *Hartwell* were appointed a Comittee to draw up an addrefse to their Ma^{ties} & to lay before their Ma^{ties} the great abufes & affrontes done to this Government in generall & to Severall Inhabitants in Peticular by Cap^t *Jⁿ Jennings* Comand^r of their Mat^a Shippe the *Experiment* and to report the Same to the houfe with all convenient Speed to the end that being approved by y^e houfe, the fame may be prefented to the L^t Govern^r & Councill for their approbation & joyneing with this houfe according to their Meffage of this Morning.

Ordered that the faid Comittee have power to fend forth Evidences & papers relateing to the f^d affaire.

A byll for the better defence of the Countrey returned from the Councill agreed to.

A byll for Suppreffing out lying Slaves returned from the Councill agreed to with the propofall of a provifoe and a Clause w^{ch} faid Clause & Provifoe being read the Houfe agreed to & *Ordered* the f^d Clause & Provifoe to be annexed to the byll & fairly engroffed with the fame for Sygneing.

The houfe adjourned 'till tomorrow morning fix a Clocke.

Wednesday

Wednesday May y^e 20th 1691.

THE house mett.

M^r *Xpher Robinson* haveing made Report of the conference held with the Councill Yesterday, & the Same being by the Respective members ordered to accompany him therein affirmed to be an exact relation of the Severall passages at the Same. The house did agree and Resolved that he had faithfully and fairly discharged his trust in a punctuall pursuance of y^e directions of the house and that he had not exceeded the Same.

A Message by M^r *Edwards* from the Councill who brought into the house y^e addresse to their Ma^{ties} Sent to their Hon^{rs} Yesterday with a Written answer thereto, wherein amongst other things their hon^{rs} haveing Signified, that if this house shall appointe Some of their members, there will be Some of the Councill appoynted to meet them after prayers to finish a congratulatory addresse to their Ma^{ties} in the name of y^e R^t Hon^{ble} the L^t Governour Councill & house of Burgeses.

M^r *Robinson* Maj^r *Scarburgh* M^r *Hartwell* Cap^t *Smith* M^r *Cary*, & M^r *Harrisson* were appoynted to attend their hon^{rs} accordingly and they were alsoe desired by y^e House to endeavour that the hon^{ble} Councill may joyne with the House in such further Articles of their Petition to their Ma^{ties} as they may be reasonably induced to, more then what they have already propofed.

M^r *Church-hill* &^c Reported from the Comittee to whome the Same was referred, that according to Order they had prepared an addresse to their Ma^{ties} concerning the Matter of the Comadore which he delivered in & was read & approved.

Ordered, that the 1^d Addresse be forthwith carried to the R^t Hon^{ble} the L^t Governour and Councill & that M^r *Hartwell* M^r *Cary*, M^r *Ring* & Coll^t *Lawson* doe the same.

Resolved that the R^t Hon^{ble} the L^t Governour be desired in Such time and Such manner as his hon^r shall thinke fitt to issue out new breifs to the Severall Counties of this Countrey for the receiveing of Such contributions towards the erecting & Supporting of the Grammer Schoole and Colledge as intended in moneyes tobaccos or other benevolences as the respective benefactors shall be capable and willing to bestow.

M^r *C^r Robinson* Reported from the conference That the L^t Governour & Councill in a Congratulatory addresse to their Ma^{ties} will joyne with this House, and That the Councill adhered to their first propositions upon the addresse offered from the house & were willing to Joyne, in a petition to their Ma^{ties} for Such matters as were therein contained & it was thereupon referred by y^e house to M^r *Robinson* Maj^r *Scarburgh* M^r *Hartwell* & Cap^t *Smith* to prepare Such an addresse and Petition & report the Same to the house.

Ordered that the 1^d Comittee doe also consider of such matters contained in the addresse as it went from the house to the Councill, and Shall not be inferted in the said addresse & petition now to be prepared, and in the name of the house draw up a petition upon such pointes thereof as shall be thought convenient.

The 2 bookes of Claimes with the addition of Severall allowances made in the house upon the propositions of the hon^{ble} Councill agreed to by the house were sent by Coll *Lawrence Smith* to the Councill.

The house adjourned till 3 a clock afternoone.

Post Meridiem.

THE house mett.

A message from the Councill by M^r *Edwards* who brought into the house the Supplication Sent from the house to their hon^{rs} concerning the Colledge, and the addresse concerning the matter of the Comadore with their Hon^{rs} answer to the same in Writeing

And alsoe acquainted the House from the R^t hon^{ble} the L^t Governour That M^r *Eburne* Minister who lately issued out a Precept for *Ralph Flowers* Clerk of *York* parish
to

to answer before him Several allegations complaints & misdemeanors, and M^r *Sclater* Minister who procured the Same had before his Hon^r acknowledged their Errors, and that his hon^r had Sent to the house to know, if they desired any further proceedings against them, to which the house returned answer, that being well satisfied of his Hon^r's care in that affaire they humbly Submitted it to his hon^r prudence.

The addresse concerning the Commodore being returned from the Councell with the Propofall of amendments, the f^d amendments were read agreed to, & made in the Same & y^e addresse ordered to be entered on the Journall & fairly transcribed aga^t tomorrow morning.

Virg^o *To their Most Sacred Maties*

Wee yo^r Ma^{ties} most dutiefull and Loyall Subjects yo^r L^t Governo^r Councell & Burgessees of this Generall Assembly now assembled.

Most Humbly present.

That whereas yo^r Ma^{ties} & yo^r Royall ancesto^{rs} were most graciously pleased by yo^r Comissions to the Govern^r or Comanders in Cheife for the time being of this Government amongst other things therein, to give full power and authoritie with the advice and Consent of y^e Councill to erect, constitute & establish such & soe many Courts of Judicature & publique Justice within this Governm^t as the f^d Govern^r & Councill shall think fitt and necessary for the hearing & determining of all causes as well criminall as Civill, & to constitute and appoynt Judges & in cases requisite Commissioners of Oyer & Terminer Justices of the peace, Sherrifs and other necessary Officers and Ministers for the better administration of Justice & putting the lawes in Execucon & whereas pursuant to the aforesaid power Comissions have been granted time out of minde to the respective Counties of this Colony (whereof the Countie of *lower Norfolk* is one) to hear and determine at least once in two moneths all Suites & controversies betweene party & party as near as may be according to the lawes of *England*, & the lawes and Customes of this Countrey and further to keepe or cause the Clerke of the Courte to keep Records of all Judgm^{ts} & matters of controversies decided and agreed upon, and whereas for the dispatch of Merchants and other Sea affaires, which cannot wthout much prejudice & detriment to the f^d Merchants & other Seafareing men be deferred till Courts in Course shall come, It is by one Act of Assembly Enacted that it shall be lawfull for any Justice of the Quorum by his Warr^t directed to y^e Sherriff to call a particular Courte & Summons any person or persons before them; and whereas on the first day of this instant *May* 1691 *Christopher Thurston* Master of the Shipp called the *little John* rideing at an anchor in *Eliz^a River* made complainte to Cap^t *W^m Crafford* one of their Ma^{ties} Justices of the Peace in Quorū. for the f^d County of *Lower Norfolk* against one *Jn^o Porter* of y^e f^d County Junior, that the f^d *Porter* was indebted to him, & had abused him in his reputation, & thereupon desired that a Speciall Courte might be called, to decide the two afores^d differences upon which y^e Said *Crafford* Directed his warrant to the Sherriff of y^e f^d County to Summons a Courte & a Jury to attend the Same to meet at the usuall place for holding Courtes in the Town of y^e f^d Countie on the 7th day of this inst^t *May* to decide the two aforesaid differences which day being come the Justices mett, & fatt, a Jury was impanelled to try the matters of fact, and all officers according to their duty attended; the Court was proclaimed as prescribed by law, the plaintiff and Defend^t both in person at the barre, planitffs declaration read, & the cause argueing, but before any Judgement was given on either of the f^d differences Cap^t *Jn^o Jennings* Comand^r of yo^r Ma^{ties} Shipp *Experim^t* came with his Boate well manned and armed, *Vizt* Gu^{ns} Swords, clubbs Baggonets & one or more axes to the Courthouse landing & from thence went directly towards the Courthouse; in which way he mett with the high Sherriff of the f^d County called him *Rascall* & held up his Cane Saying that he Could finde in his heart to breake his pate, with many more grofs and base wordes & languages and then came directly into the Courthouse & without Speaking one word tooke the f^d *Porter* the Defend^t by y^e hair of the head pulled him from the Barr into the midft of the Courte house, threw him there on y^e ground & kickt

kickt at him & some of the standers by offering to assist the ¹*d* Porter the ¹*d* Cap^t Jennings laid his hand on his Sword, drew it partly out, & some of his men struck some of the Jury, after which the said Jennings & his men with force and armes carried the ¹*d* Porter into his boate & from thence on board their Ma^{ty} Shipp *Experim^t*, where the ¹*d* Porter was immediately put into Irons & soe continued for the Space of Severall dayes, & Cap^t Jennings not being on board, the Officers denyed to deliver him, when the Sherriff of the said County went on purpose by expresse warr^t from the Governo^r and Councell on board to demand him, all which actings & doings of y^e^d Capt *Jn^o Jennings* (being fully made appeare & proved by divers good Evidences before yo^r Ma^{ty} L^t Governo^r & Councell) are of dangerous consequence & tend to the Contempt of yo^r Ma^{ty} Authoritie in this Governm^t established & to the Lett and hinderance of y^e Lawes of y^e Land and to the great infringem^t of the Subjects liberty, & whereas the ¹*d* Cap^t *Jn^o Jennings* is at this time Comadore in this Country, & consequently has the Charge of conducting & convoying many & considerable Shippes of great Value, from this Dominion to the Kingdome of *England* should any of which be lost, it would tend much to the losse of yo^r Ma^{ty} interest & Revenue wee therefore judging it most to yo^r Ma^{ty} Service to waive the bringing him to Tryall in this Government for the aforesaid Offence, & to leave him to yo^r Ma^{ty} Pleasure.

May it therefore please yo^r Ma^{ty} with soe favourable and gracious an eye to looke upon this your Governm^t that after the ¹*d* Jennings his arrivall within yo^r Ma^{ty} Kingdome of *England*, to prevent the like injuries & Offences, to be committed by men of such & the like Circumstances to your dutiefull Subjects of this Dominion, the ¹*d* Jennings may be called before yo^r Ma^{ty} & dealt with all as yo^r Ma^{ty} in your princely wifdomes shall thinke fitt.

The Supplication concerning the Colledge returned from the Councill approved of, *Ordered* to be Entred upon the journall & fairly transcribed against to morrow morning.

To their most Excell^t Ma^{ty} W^m & Mary by y^e Grace of God of England, Scotland, France, Ireland, & Virg^a King & Queene Defenders of the Faith &c

The humble Supplication of y^e Generall Assembly of Virg^a

Wee the L^t Govern^r Councill & Burgeses of this general Assembly which is the first since your Ma^{ty} most Gracious & happy reigne over us being encouraged by yo^r Princely Zeall for Promoting Religion & vertue, and incited by y^e urgent necessities of this yo^r Ma^{ty} Dominion, where our youth is deprived of the benefitt of a liberal & vertuous Education, and many of our Parishes of that instruction & comfort which might be expected from a pious & learned miniftry have unanimously Resolved as the best Remedy for those great evils, and as the most Suitable expreffion wee can make of our hearty concurrence with your Ma^{ty} in Supporting the Protestant Religion, & the Church of *England*, humbly to Supplicate yo^r Ma^{ty} for your Royall grant & Charter to erect & endow a free Schoole & Colledge within this yo^r Ma^{ty} Dominion, as to the particulars relateing to the ¹*d* Defygne wee have given our Instructions to the Reverend M^r *James Blayre* whome wee have appointed to present this our humble Supplication, & to attend & receive your Ma^{ty} Comands thereupon, But since wee defygne that our intended free Schoole & Colledge together with learning and vertue may convey to future generations the memory of our Obligacons to your Ma^{ty} which there is noe fear that wee of the present age can ever forgett, besides what is contained in the ¹*d* Instructions wee humbly pray that the said Schoole & Colledge may transmitt to our Posterity those names which are so deare & auspicious to us, and may accordingly be called the Colledge of King *William* and Queen *Mary*, That God may make yo^r Ma^{ty} happy in thankfull & obedient Subjects, as your Subjects are in a King & Queen that answer, their very wifhes is the hearty prayers of.

M^r *Christopher Robinson* Reported from the Comittee to whome the same was referred that they had prepared an addresse to be presented to their Ma^{ty} by y^e L^t Govern^r

Govern^r Councill & Burgeffes of y^e Generall Affembly which he read in his place & was approved & Ordered to be fent to the Liev^t Govern^r & Councill for their approbation.

M^r C^r *Robinson* reported from the said Comittee that they had prepared a petition according to Order to be presented to their Ma^{ties} from the Councill & Burgeffes of this Dominion, which he read in his place & was approved of & Ordered to be carried to the Councill for their approbation.

The two bookes of Claimes and additions thereto this morning fent to the Councill returned affented to.

A byll for lessening the levy by y^e pole and laying an Imposition upon Liquo^{rs} read the 3^d time & passed & Ordered to be carried to the Councill for their Concurrence.

A byll appointing a Treafurer read a third time after a clause drawne at the Table and added thereto passed & Ordered to be carried to the Councill for Concurrence.

Cap^t W^m *Randolph*

M^r *Joseph Ring*

M^r *Hen: Hartwell*

M^r *Benj: Harrifson*

M^r *Miles Cary*

& M^r W^m *Church-hill*

Appointed a Comittee to proportion the Levy.

The houfe of Burgeffes being very Sencible of the great worth of the R^t hon^{ble} *Francis Nicholson* Esq^r their Ma^{ties} Liev^t Govern^r of this their Dominion as well as of the great care & paines he hath taken from his first coming into this Government in Visiting all the Frontiers Seeing the Militia well Ordered & Trained and using all prudent meanes for preserving their Ma^{ties} Subjects here in Peace & Security & in the Worthy discharge of all other things relateing to their Ma^{ties} Service & the generall good & wellfare of this Countrey they being desirous to make the best acknowledgem^t they are able at present of y^e same doe humbly desire the hon^{ble} their Ma^{ties} Councill to Joyne with them in praying his hon^r to accept the Sum of three hundred pounds *sterling* out of the money now in M^r *Auditor Byrd's* hands raised by the duty upon liquo^{rs} not as a proportion Equivalent to his merrit but as an expreffion of their gratitude.

The houfe adjourned 'till tomorrow morning Six a clocke.

Thursday May y^e 21st 1691.

THE houfe mett.

M^r C^r *Robinson* Reported from the Committee of grievances & Propositions that they had prepared a petition for this houfe to present to their Ma^{ties} which he delivered in & was read and approved & Ordered to be entered upon the journall & forthwith fairly transcribed.

To the King & Queen's most excell^t Ma^{ties}

Wee your Ma^{ties} most Dutifull & loyall Subjects the Burgeffes of the Gen^l Affembly of *Virg^a* being desirous to expresse our duty & thankfullnesse for yo^r early care of yo^r loyall Subjects the Inhabitants of this Country, amongst whome yo^r Royall Comands have met with a ready Obedience beg leave to acknowledge yo^r Princely Goodnesse & favour in appointing *Francis Nicholson* Esq^r Liev^t Governo^r over us, (whose continuance wee humbly desire) by whose great care, just & prudent administration of affaires wee enjoy Peace and Security when most of o^r Neighbours are in disorder.

Yo^r Ma^{ties} Royall Comands Signified by yo^r Ma^{ties} Order in Councill of the 9th of *September* 1689 for the remedying & redressing of Several Greivances complained of in a Petition of a former houfe of Burgeffes, presented to yo^r Ma^{ties} by *Phillip Ludwell* Esq^r were likewise a most princely & lively Testimony of yo^r gracious favour and disposition towards us.

Wee therefore relying on yo^r Royall goodnesse, presume in all dutyfull and humble manner in the name & on the behalfe of o^r Selves, & all yo^r dutyfull Subjects of this yo^r Dominion whome we represent to beseech yo^r Most Excellent Ma^{ties} that for the comforting & quieting the minds of Such of yo^r dutyfull Subjects as are already fettle

&

& inhabiting here, who have much benee disturb'd & disquieted with fear of grants made, or endeavoured to be procured tending to the removing them to a remoter degree, from yo^r Royall care & protection, & thereby to introduce Some new waies of Governement not agreeable to the lawes & constitutions of that yo^r noble & auintient Kingdome of *England* from whence we are descended, & for the encouragement of others to adventure hither & settle amongst us to grant

That the auintient and good Practise of makeing appeales from the Gen^l Courte to the Gen^l Asssembly for the trying and reverseing Erroneus judgm^{ts} given or which may be given in the said Courte, & which to the Generall benefit of yo^r Ma^{ty} Subjects was the constant custome & practise from the first Settlem^t of the Governm^t of this Countrey untill y^e yeare 1682 that it hath benee interrupted and discontinued, may be renewed & continued there being noe other way to try the Error^s of that Courte for any thing Vnder the value of three hundred pounds *Sterl.* & for things above, that Value for which liberty is given for appeales to be made to yo^r Ma^{ties} & y^e Lords of yo^r Ma^{ties} most hon^{ble} privy Councill, wee humbly conceive the same impossible to be put in practice considering our great distance from *England* the Extraordinary Troubles hazard & Charge, that will unavoidably attend the Same, and the impossibility of bringing Evidences, Records, & papers &c

And as yo^r Ma^{ty} have done great & glorious things for redeeming that yo^r auintient Kingdome of *England* from Popery & Slavery that yo^r Ma^{ties} out of y^e same yo^r Royall Goodnesse inhecent in yo^r Princely mindes will be pleased to extend yo^r Justice and favour towards us alsoe in yo^r Royall declaration that as wee are descended of *Englishmen* and have Right of Inheritance in *England*, wee have alsoe right to & shall enjoy y^e Just & lawfull liberties & priveledges of free borne *English* Subjects all which wee most humbly Submitt to yo^r Royall goodnes & hope for a Gracious & favourable answer.

And as in duety bound wee shall ever pray for yo^r Ma^{ties} long & happy Reigne over us.

A byll for lessening the levy by y^e Pole & laying an Imposition upon liquors returned from the Councill with amendments, & the said amendments being read the Same were agreed to by the house & the byll ordered to be fairly engrossed for Sygning.

A byll appoynting a Treasurer returned from the Councill with amendments & the f^d amendm^{ts} being read the Same were agreed to by the house & the byll ordered to be fairly engrossed for Sygning.

A Congratulatory Addresse to be presented to their Ma^{ty} from the L^t Govern^r Councill & Burgefes of the Generall Asssembly in *Virg^a* returned from the Councill with some amendments, and the f^d amendm^{ts} being read, were agreed to & y^e f^d addresse Ordered to be fairly transcribed with all possible Speed.

To the King & Queenes most Excell^t Ma^{ties}

The humble addresse of yo^r Ma^{ties} Liev^t Govern^r Councill & Burgefes of the Gen^l Asssembly of Virg^a

Wee yo^r Maj^{ties} most dutiefull & loyal Subjects your L^t Govern^r Councill & Burgefes of this yo^r Ma^{ties} most auintient Colony & dominion of *Virg^a* being truly Sencible of the great bleffings, wee and all yo^r Ma^{ties} Subjects enjoy under your Ma^{ties} most happy & just Governm^t humbly pray leave at this the first time of our meeting together (since your Ma^{ties} Accession to the throne) to prostrate our Selves at yo^r Royall feet & make the most thankfull acknowledgem^{ts}, our loyall hearts are capable of for those great things yo^r Ma^{ty} as the blessed Instruments in the hands of God have done for us in soe magnanimously exposeing yo^r Royall persons for the rescueing us our Religion, lawes and Liberties from the Dangers & feares wee were ready to Sinke under, and to that God that hath soe signally guided & prospered your auspicious undertakeings and defended your Sacred persons from the open force and Secrett contrivances of yo^r Enemies, wee render all thanks & praise, and earnestly pray for the continuance of the Same bleffings & that yo^r Ma^{ty} may enjoy a long & happy Reigne over us.
Yo^r ma^{ty} most entirely devoted Subjects

A Petition to be presented to their Ma^{ties} from the Councill & Burgeſſes of the Generall affembly of *Virg^a* returned from the Councill with the propoſall of amendm^{ts} & c^e new claues, which being read the laſt claue thereof was diſagreed to by y^e houſe and a Conference Ordered to be immediately had with the councell ab^t the ſame, upon returne whereof the houſe agreed to the Report of y^e Conference & y^e Petition was ordered to be fairly tranſcribed as followeth

To the King & Queenes Majeſties

The humble Petition of yo^r Ma^{ties} Councill & the Burgeſſes of the Gen^l Affembly of Virg^a

In all humility Setteth forth.

That being fully aſſured of yo^r Ma^{ties} Royall protection & favour, which have from the Dread & apprehenſions of Popery Slavery & Confuſion raiſed our drooping Spirits to the full hopes & aſſurance of the Proteſtant Religion being firmly ſettled and Secured, & that your Ma^{ties} moſt graciouſly are enclined & fully reſolved to grant confirme & continue to all yo^r dutyfull Subjects the benefitt of yo^r Lawes & there juſt Liberties.

Wee therefore preſume in all dutiefull and humble manner in the name and on the behalfe of our Selves & of all the reſt of yo^r Ma^{ties} moſt dutyfull & loyall Subjects of this yo^r Dominion of *Virg^a* to beſeech yo^r moſt excell^t Ma^{ties} to be graciouſly pleaſed to Confirme the Royall Charter granted to this yo^r Ma^{ties} Dominion by King *Charles y^e II^d* of ever bleſſed memory beareing date the 10th day of *October* in the 28th yeare of his Reigne and all other Charters Grants and priviledges granted before that time, together with Such further and other additions enlargements & priveledges as yo^r Ma^{ties} in yo^r Princely Wiſdomes ſhall thinke fitt which Royall act would prove a great Comfort & encouragement to all the Inhabitants here, & encourage others to adventure & ſettle themſelves amongſt us.

And whereas yo^r Ma^{ties} moſt dutyfull & loyall Subjects the Inhabitants of the *Northerne neck*, that is, of all the Land lying betweene the two great Rivers of *Rappa^t* & *Potomack* now are & for a long time paſt have moſt unhappily continued Separated from the reſt of the Inhabitants of this yo^r Ma^{ties} Dominion, their lands being granted to y^e L^d *Culpeper* & Severall other proprietors by which meanes they have bene deprived of holding their Landes from the Crowne & enjoying the liberties grantes & priveledges which the other Subjects of this yo^r Ma^{ties} Dominion have in a great meaſure enjoyed, May it therefore pleaſe yo^r Royall Ma^{ties} ſoe gratiouſly to looke upon them, as to take them under yo^r immediate protection, & to reſtore them, to their auncient liberties by uniteing them to their former ſtate in this Governm^t & commanding Such meaſures that the lands in that necke may be held as the other lands in this Dominion are directly from yo^r Ma^{ties} which will be a meanes that, that great tract of Land will be well feated & inhabited, & capable of Defending themſelves againſt any Forreigne enemy when they are aſſured what methods they ought to follow in takeing up lands & what title they have to convey & continue the ſame to their Poſterity, which at preſent they are altogether ignorant of.

May it likewiſe pleaſe yo^r Ma^{ties} to take und^r yo^r Royall conſideration the unhappy circumſtances of this poore Countrey which is lyable & Subject either to incurſions or Invaſions by o^r Enemies, & altogether naked open & defenceleſſe, not having one fortification in the whole Countrey Sufficient for defending & protecting either the Country or the Shippes trading hither, and the laſt yeare was in ſoe great want of armes & a^mmunition that had an enemy appeared it would have bene impoſſible to have made any reſiſtance or oppoſition untill yo^r Ma^{ties} out of yo^r Princely goodneſſe & care of this your Dominion & the inhabitants thereof were gratiouſly pleaſed to order one hund^d barrells of Powder to be ſent into this Country for which yo^r Ma^{ties} gracious favour according to our bounden duties wee returne our moſt humble thanks, and now moſt humbly beſeech yo^r Ma^{ties} to give yo^r Roy^l Com^{ds} that ſuch part of yo^r Ma^{ties} Revenue in this yo^r Dominion be applied towards fortifying Such places as ſhall

be

be thought most convenient for the Security of y^e Countrey & defence of Ships, & to Send Such arm^{es} and ammunitions towards the defence of the Same as y^r Ma^{ties} in yo^r Princely wisdomes Shall think fitt, wee farther most humbly beseech yo^r Ma^{ties} y^e General Assemblies be held at least once in two yeares & oftner if it shall be thought necessary to redresse grievances and make Lawes for the better Governm^t of this Dominion.

And wee yo^r Ma^{ties} dutyfull & loyall Subjects shall ever pray for y^r Ma^{ties} long & happy reigne over us.

Resolved and Ordered That whatsoever Member shall depart from attending the house before the Conclusion of this Session of assembly, shall loose his whole wages.

Coll *Lawrence Smith* having departed without the leave of the house to the prejudice of the affaires of this Assembly, It was therefore *Ordered*, that *W^m Drummond* Messeng^r of the house doe forthwith impresse an house [horse] and follow the f^d Coll^l *Law: Smith*, and that he take him into Custody & bring him backe to *James City*

M^r Robynson Maj^r *Scarburgh* Cap^t *Smith* & *M^r Carter* were appointed to withdraw & Consider of Instructions to be given to the Reverend *M^r James Blayre* for the soliciting & prosecution of y^e businesse of the Colledge and report the Same to the house.

Ordered that the Sum of 200 £ *Sterl.* be put into the hands of the Reverend *M^r James Blayre* towards the Expences & costs of procureing a Charter for the erecting of the Colledge and that the same be paid to him by *M^r Auditor Byrd* out of y^e moneys now in his hands raised by the imposition upon Liquours.

The house having made choice of the hon^{ble} *Jeffry Jeffries* Esq^r to present to their Ma^{ties} the congratulatory adresse of ye L^t Governor Councill & Burgeses of the Gen^l Assembly The Petition to their Ma^{ties} from the Councill & Burgeses & y^e petition from the Burgeses of y^e f^d Assembly, thereupon *Ordered* Some of the members to acquainte y^e L^t Governour & Councill, therewth, who in answer returned a Message by *M^r Edwards* Clerke of the Councill, that their Hon^{rs} concurred in & approved of y^e Choyce of the house.

M^r C^r Robynson Reported from the Co^mittee to whom the Same was referred that they had considered of & drawn up severall Instructions to be given to the Reverend *M^r James Blayre* for y^e Soliciting the businesse of the Colledge, which he delivered in at Table & were read & approved of by y^e house & ordered to be carryed to the Governor & Councill for their approbation

The house haveing agreed that the Sum of 200^l *Sterl* be ordered to be p^d to the hon^{ble} *Jeffry Jeffries* Esq^r towards the defraying the Charges & expence of presenting the adresse & petitions to their Ma^{ties} and Soliciting & obtaining their Ma^{ties} Gracious & favourable answer thereupon sent a message to the hon^{ble} Councill to acquainte them therewith. who Reported that their Hon^{rs} concurred wth the house in the Same, & alloe in y^e Sum, ordered the Reverend *M^r James Blayre* towards his expence in Soliciting the businesse of y^e Colledge.

The house adjourned 'till 3 a'clock afternoone

THE house mett.

The hon^{ble} Councill haveing at the desire of the house readily & unanimously joyned wth the house in praying the R^t hon^{ble} y^e L^t Govern^r to accept the Sum of 300^l £ *Sterl.* out of y^e money raised from the Imposition upon Liq^{rs} & now in *M^r Auditor Byrds* hands as an exp^{re}ssion of their gratitude & thereupon haveing his Hon^r answer that he gratefully received the good will of the Councill & House of Burgeses but could not testifie the Same by Accepting their present without the leave of their Ma^{ties} it being contrary to his instructions in that case.

The Same was by y^e Councill communicated to y^e house and a conference desired to finde out some expedient for the obtaineing their Ma^{ties} leave to that purpose, & it being Reported from the f^d Conference, That the Councill were willing to joyne with

with the Houſe in an addreſſe to their Ma^{tie} to grant Leave to the L^t Govern^r to accept y^e ſ^d Sum^e of 300^l *Ster.* The houſe agreed to joyne with their Hon^{rs} and thereupon Ordered M^r C^r *Robinſon* Maj^r *Charles Scarburgh* & Cap^t *Jn^o Smith* to prepare a ſhort addreſſe for their Hon^{rs} & y^e houſe to preſent to their Ma^{tie} upon that occaſion and to report the ſame.

M^r C^r *Robinſon* Reported from the Com^{it}tee, That purſuant to the Order of the Houſe they had prepared an addreſſe to be joyntly preſented by y^e Council and the houſe in order to obtaine their Ma^{tie} leave for y^e L^t Govern^r to accept the Sum of 300^l *Str* as an expreſſion of their gratitude to him, & the ſame being read was approved of & ordered to be forthwith carried to the Council for their approbation

A Meſſage by M^r *Edwards* from the Liev^t Govern^r as followeth.

M^r *Speaker*

I have the Reſolve of yo^r houſe deſireing me to iſſue out new breifes in order to the receiveing of Contributions for erecting a Grammer Schoole & Colledge and a draught of one is herewith Sent you.

The Requeſts of y^e houſe of Burgeſſes have beene very agreeable to mee, eſpecially this, which I hope God almighty will ſee proſper, that the deſired ends will be obtained.

Fr. Nicholſon.

Vpon which the ſ^d Breife was read in the houſe & approved

The addreſſe to their Ma^{ty} for their Royall Leave to the Liev^t Govern^r to accept the gratification & acknowledgment of y^e Council & Burgeſſes returned from the Council agreed to and Ordered to be fairly tranſcribed.

A letter of Inſtructions to the hon^{ble} *Jeffry Jeoffries* Eſq^r concerning the Severall addreſſes & petitions ſent him to preſent to their Ma^{tie} read & approved & Ordered to be Sent to the Council for their approbation.

The houſe adjourned 'till halfe an hour after five a clocke tomorrow morning.

Fryday May y^e 22^d 1691.

THE houſe mett

And ordered the following addreſſe to be entred on the Journall.

To the King and Queens moſt excellent Ma^{tie}

May it pleaſe yo^r Ma^{tie}

The great worth conduct care and trouble of the R^t Hon^{ble} *Fr: Nicholſon* Eſq^r whome yo^r Ma^{tie} have beene pleaſed to Commiſſionate Liev^t Govern^r of this yo^r Ma^{tie} Dominion of *Virg^a* euer ſince his arrivall into this Government in viſiting y^e frontier parts, Seeing y^e Militia well diſciplined and trained, prudently preſerving the Countrey in Quiet & Peace, & moſt honorably diſchargeing all other things for yo^r Ma^{tie} ſervice & the Intereſt & well fare of this Dominion being fully with great ſatisfaction made evident & Sencible to all yo^r Ma^{ty} Subjects of this Countrey, Wee yo^r Ma^{tie} Council & y^e Burgeſſes of this Generall Affembly as an expreſſion of o^r Gratitude, not as a reward Suitable to his meritt, moſt humbly beſeech yo^r Ma^{tie} to permitt as [us] yo^r moſt dutyfull & loyall Subjects to preſent the ſ^d *Fra: Nicholſon* Eſq^r with the Sum of three hund^d pounds *Sterl.*, now in yo^r Ma^{tie} Audit^{rs} hands which hath arifen by y^e impoſition upon liquo^{rs}, and that the ſaid *Fra Nicholſon* Eſq^r may be allowed by yo^r Ma^{tie} to receive the ſame.

And wee Shall ever pray &c

Reſolved That it is not Safe for M^r *James Blayre* who is now by Gods leave bound for *England* in order to preſent the humble Supplication of the general aſſembly of *Virg^a* to their Ma^{ty} for their Royall grant & Charter to erect & endow a free Schoole & Colledge within this Dominion & hath inſtructions aboute the Same together with divers other matters of great Concerne to the Service & wellfare of the Countrey which

he

he is intrusted with by y^e Gen^l Assembly to take his passage or goe with Cap^t *Jⁿ Jennings*, for that it hath plainly appeared to this gen^l Assembly how maliciously and disdainfully he hath contemned the Governm^t & abused the inhabitants thereof.

A Message from the Council by M^r *Edwards*, That the Council doe desire an immediate conference wth Some of the members of this house ab^t the instructions to M^r *James Blayre* & the letter to the hon^{ble} *Jeffry Jeoffryes Esq^r*

M^r *C^r Robinson*, Maj^r *Scarburgh* M^r *Cary* & Cap^t *Smith* M^r *Lewis* & Capt *Whitaker* were appoynted to goe and hold conference with the Council accordingly.

A byll for Rayseing a Publique Levy read the 1st time.

M^r *Henry Hartwell* Reported from the Comitte to whome the Same was referred that according to Order they had proportioned the Levy & the same being summed up amounted to the sum^s of Eighteen pounds & an halfe of Tobaccoc & Pole which they had proportioned to the Sev^l Credit^s of the Country, & that they had proportioned y^e moneys raised by y^e 3^d $\frac{1}{2}$ gall on Liquors in the hands of y^e present M^r Auditor *Byrd* & late M^r Auditor *Bacon* according to an acco^t thereof delivered in, and the same being read passed the house & were Ordered to be carried to the Council for their Concurrence.

A byll for raiseing a Publique levy read the 2^d time & ordered to be engrossed & have a third reading.

A byll for Raiseing a Publique Levy read the 3^d time & passed Ordered to be carried to the Council for their Concurrence.

Vpon report of the Conference with the Council to y^e purpose Certain Instructions were agreed upon by y^e Council & Burgeses to be given to the Reverend M^r *James Blayre* for his guidance & direction in soliciting the businesse of y^e Colledge & ordered to be fairly transcribed & alsoe a letter to *Jeffry Jeoffries Esq^r* requesting him to present sev^l addressees & petitions to their Ma^{ties}

A byll for Raiseing a Publique Levy return'd from the Council agreed to.

Ordered, That *Joseph Copeland* doe take the Key of y^e Burgeses Chamber, looke after the Same & cleanse & air it when it Shall require the Same, and alsoe take into his care that the Severall vtenfills thereto belonging be duely made cleane when need shall be.

Certain Instructions to be followed & performed by *Jeffry Jeoffries Esq^r* requested to represent & personate this Country in all Publicke Concernes relateing to the Same in *England* were read & approved & Ordered to be sent to the Council for their approbation.

A message from the Council brought in by M^r *Edwards* That the Council had assented to the proportioning & ordering of y^e moneys in the hands of M^r Auditor *Bacon* & M^r Auditor *Byrd* from the Imposition upon Liquors as passed by the house.

The Instructions to be followed by *Jeffry Jeoffries Esq^r* returned from the Council with the propofall of Several amendments in an answer thereto in writinge the same were read in the house & agreed to & ordered to be fairly transcribed accordingly.

A Letter from the Burgeses requesting the hon^{ble} *Jeffry Jeoffryes Esq^r* to present a petition of theirs to their Ma^{ties} read in the house & approved of.

Instructions to be followed & performed by *Jeffry Jeoffryes Esq^r* requested to represent and personate this Country, in all Publique Concerns relateing to the same in *Engl^d* by desire of the house of Burgeses read in y^e house and approved of.

The Assembly having intrusted & empowered y^e Reverend M^r *James Blayre* [to] p^rsent to their most Sacred Ma^{ties} their humble Supplication for the obtaineing their Roy^l grant to erect a free Schoole & Colledge in this Countrey & to Solicite the same according to divers Instructions given him to that purpose, towards the defraying the Charge & expence whereof they have already ordered the sum^m of 200^l £ *Sterl* to be paid him, but forasmuch as the certaine expence cann^t be computed, till the wholl businesse shall be accomplished.

It is therefore Resolved & Ordered that the s^d M^r *James Blayre* haue power to take up, upon Credit in *England* Such Sum or Sums of money as he shall have occasion to

to disburſe towards the obtaining a gracious & favourable anſwer in the affaire to him committed, more then what he hath already received not exceeding the Sum of 200^l £ & that he deſire y^e hon^{ble} *Jeffry Jeoffryes* Eſq^r upon all Such his neceſſary occaſions, to give Credit to this Countrey, for which he ſhall be reimburt & ſatiſied on giving notice thereof to the General Aſſembly out of the moneys that ſhall ariſe from the Duety & impoſition upon liquo^{rs} by vertue of an act made this Aſſembly.

Ordered that this Reſolve be carried to the Council for their concurrence.

Foraſmuch as the hon^{ble} *Jeffry Jeoffries* Eſq^r hath beene deſired by this preſent Generall Aſſembly to accept the Trouble of Preſenting Sev^l addreſſes & petitions of the hon^{ble} Council and Burgeſſes of this Aſſembly to their Ma^{ties} & in their behalves to Solicite and obtaine a favourable anſwer thereto according to the Severall Inſtructions thereupon ſent him, and forasmuch as towards his expence & charge the Sum of 200^l *St* hath beene yet only Ordered to be tranſmitted unto him, which perhaps may not be Sufficent to anſwer y^e neceſſary diſburſem^{ts} of y^e ſame.

It is therefore *Reſolved* and *Ordered* That whatſoever Sum or Sums of money y^e ſ^d *Jeffry Jeoffryes* Eſq^r ſhall finde neceſſary to diſburſe & ſhall be by him diſburſed in or ab^t the Soliciting the ſaid Severall addreſſes & obtaining their M^{ties} favourable anſwer thereto over & above the ſ^d Sum of 200^l *St*. be & ſhall & be duely Satiſied & paid & remitted unto the ſ^d *Jeffry Jeoffrys* Eſq^r or his Ord^r upon his Signifying the Same to the Gen^l Aſſembly out of the firſt moneys which ſhall hereafter ariſe from an Impoſition laid upon liquo^{rs} by Vertue of an act made this p^{reſent} Seſſion of aſſembly.

Ordered that this Reſolve be carried to the Council for their Concurrence.

The Reſolve of the houſe for M^r *James Blayr* to have power to take up money in *Engl^d* on credit & not exceeding 200^l *St*: returned from the Council aſſented to.

The Reſolve of the houſe for the reimburſeing *Jeffry Jeoffryes* Eſq^r ſuch Sum or Sums of money as he ſhall diſburſe in or ab^t ſoliciting Severall addreſſes & petitions to their Ma^{ties} & c^e out of y^e moneys firſt ariſeing from the impoſition laid upon liquors this aſſembly, returned from the Council aſſented to.

Foraſmuch as the hon^{ble} *Jeffry Jeoffries* Eſq^r hath been deſired by y^e houſe of Burgeſſes to accept the Trouble of preſenting a Petition of theirs to their Ma^{ties} & in their behalves to Solicite & obtaine a favourable anſwer thereto according to Severall Inſtructions therewith ſent him And *foraſmuch* as the ſame cannot be done without expenſe & charge, It is therefore *Reſolved* & *Ordered* by y^e houſe of Burgeſſes that whatſoever Sum or Sums of money y^e ſ^d *Jeffry Jeoffryes* Eſq^r ſhall diſburſe & lay out in the managem^t of y^e whole affaire committed to him by y^e houſe of Burgeſſes ſhall be reimburt, the ſame out of the money ariſeing from the impoſition layed upon Liquo^{rs} by an act of this aſſembly.

Reſolved and *Ordered* That M^r *Speaker* be deſired to take care to Sygne the Severall addreſſes & petitions this Aſſembly agreed Vpon to be preſented to their Ma^{ties} and Duplicates thereof & perticularly to ſygne the petition of this Houſe to their Ma^{ties} & tranſmitt the Same to the Hon^{ble} *Jeffry Jeoffryes* Eſq^r together with the letter & inſtructions relateing thereto, & alſoe duplicates of each with Copies of all Such other papers as ſhall be thought uſefull & neceſſary to accompany the ſame.

M^r *Mafon* M^r *Leigh*, M^r *Applewhite* and M^r *Awbry* were appointed to wait upon the R^t hono^{ble} the L^t Governour & to acquainte him the houſe are ready to attend his Hon^{rs} Commands.

A Meſſage from the R^t Hon^{ble} the Liev^t Govern^r by M^r *Edwards* to comānd the houſe to attend him imediately in the Courte houſe, And accordingly the houſe went downe to the Courte houſe.

JOURNALL

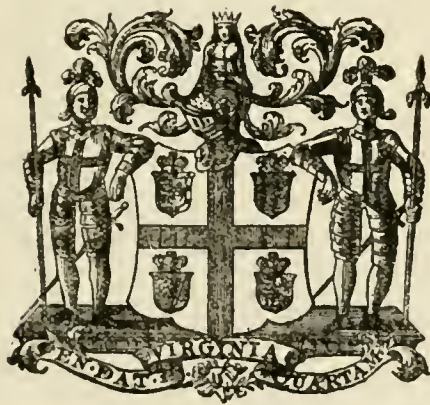
OF THE

HOUSE OF BURGESSES

AT A

GENERALL ASSEMBLY

Begun at *James City* the 16th day of *Aprill* 1691 in the third Yeare of the Reign of our Sovereigne Lord and Lady *William & Mary* by the Grace of God of *England, Scotland, France and Ireland* King & Queen defenders of the Faith. And thence continued by Prorogation to the first Day of *Aprill* 1692 in the fourth Yeare of their Ma^{ty} Reigne.



RICHMOND, VIRGINIA.

MCMXIV.

JOURNALL

OF THE

HOUSE OF BURGESSES

Friday Aprill the 1st 1692.

MR *Speaker* & twenty four Burgesses mett and the Liev^t Governours Writt for *Surry* County was Read, and then the houfe adjourned till ten a clock to morrow morning.

Saturday: Aprill the 2^d 1692

THE houfe mett and the Orders of the houfe were Read Over.
A Comittee for Elections & Priveledges.

M^r *Benjamin Harriffon* Chairman.

M^r *Henry Hartwell*

M^r *Francis Mafon*

Cap^t *Miles Cary*

M^r *Henry Awbry*

Cap^t *W^m Randolph*

M^r *W^m Leigh*

Cap^t *Francis Eps.*

Coll^t *Arthur Smyth*

M^r *Henry Randolph* appointed Clerk to the Comittee

Ordered that the Severall Writts returned be delivered to the Chairman of y^e Comittee for Elections and Priveledges & that the faid Comittee make Reporte of their Proceedings withall convenient expedition.

M^r *Benjamin Harriffon* from the Comittee for Elections and Priveledges presented a Reporte of y^e Proceedinge of the faid Comittee which was Read at the Table and Thereupon *Resolued*.

That Cap^t *W^m Randolph* & Cap^t *Francis Eps* are duely Summoned and returned Burgesses for *Henrico* County.

That Cap^t *Henry Batt* & M^r *Rob^t Boling* are duely Summoned & returned Burgesses for *Charles City* County.

That M^r *Benjamin Harriffon* & M^r *Francis Mafon* are duely Summoned & returned Burgesses for *Surry* County.

That Cap^t *Henry Duke* is duely elected & returned one of the Burgesses for *James City* County.

That M^r *Henry Hartwell* is duely Summoned & returned Burgesse for *James City*.

That Coll^t *Arthur Smith* is duely Summoned & returned one of the Burgesses for *Ile of Wight* County & M^r *James Ben.* duely elected & returned y^e Other.

That Cap^t *Malachy Thruston* & M^r *John Richardson* are duely elected & returned Burgesses for *Princes Anne* County.

That Cap^t *W^m Marshall* is duely elected & returned one of the Burgesses for *Elizabeth City* County.

That Cap^t *Miles Cary* is duely Summoned & returned one of the Burgesses for *Warwick* County, & that M^r *Rob^t Hubbard* is duely elected & returned y^e Other.

That

That Cap^t *Thomas Ballard* is duely Elected and returned one of the Burgeffes for *York* County.

That Cap^t *John Lyddall* & M^r *David Crawford* are duely elected & returned Burgeffes for *New Kent* County.

That Cap^t *W^m Leigh* & Cap^t *Joshua Storey* are duely elected & returned Burgeffes for *King & Queen* County.

That Cap^t *James Ranfon* is duely elected and returned one of the Burgeffes for *Gloster* County.

That M^r *Henry Awbry* is duely Summoned & returned one of the Burgeffes for *Rappahanoek* Countie, & that M^r *W^m Coleston* is duely Elected and returned the Other, and *Ordered*

That the Remaining parts of y^e f^d Reporte Should stand referred for the confideration of the houle at their meeting in the afternoone.

Ordered That M^r *Hartwell*, M^r *Harriffon* & M^r *Randolph* doe wait upon the Liev^t Govern^r and in the name of the Houfe desire his Hon^r to afygne Some of the hon^{ble} Council to adminifter the Oaths enjoyned by A^{ct} of Parliament instead of the Oaths of Allegiance & Supremacy and the Oath of a Burgefs unto the Severall new elected members duely returned to Serve as Burgeffes in this present Seflion of Affembly.

The houle adjourned till three a Clock afternoone.

Post Meridieum

THE Houfe mett.

W^m Byrd Esq^r & *Henry Whiteing* Esq^r two of their mā^{ts} Council of State brought into the houle a Comiffion Sygn'd by y^e L^t Govern^r and under the Seal of the Colony, Ordering & appoynting them to adminifter the Oaths prescribed by A^{ct} of Parliament to be taken instead of the Oaths of Allegiance & Supremacy & the Oath of a Burgefs to all the Members of this Affembly who haue not taken the Same, And accordingly the f^d Oaths were by them adminiftred unto

Cap^t *Henry Duke*

Cap^t *Jn^o Lyddall*

M^r *Malachy Thruston*

M^r *David Crawford*

M^r *James Ben.*

Cap^t *W^m Leigh*

M^r *Jn^o Richinſon*

Cap^t *Joshua Storey*

M^r *Rob^t Hubbard*

Cap^t *James Ranſon*

Cap^t *Tho: Ballard*

M^r *W^m Coleſton*

Cap^t *W^m Marſhall*

Who feverally afterwards Subſcribed The Teſt.

Then the houle tooke into confideration the Remaineing part of the Reportes of the Comiffitee for elections & Priveledges according to the Order of this morning, and after Some time Spent therein referred That part of y^e Reporte which Concernes M^r *W^m Lewes* Burgefs Summoned & Returned for *Jame City* County, and M^r *Willis Willſon* Burgefs Elected & Returned for *Eliz^h City* County, unto the Confideration of the Houfe on *Tueſday* next in the morning, and the reſt aboute Severall Sherriffs makeing no Returnes they referred to be confidered & debated on *Munday* morning next.

Whereas Cap^t *Thomas Barbar* Sherriff of *York* County and L^t Coll^l *Jn^o Smyth* Sherriff of *Gloſter* County have failed to make returne of the Summonſing & election of Burgeffes to Serve for the Said Counties in this preſent Seflion of Affembly according to Law and the directions of the L^t Govern^{rs} Writt to them directed, It is therefore *Ordered* That *W^m Drummond* the Meſſinger of the Houfe be forthwith ſent to each of the ſaid Sherriffs & bring them before this houle, to anſwer their Severall defaults on *Tueſday* next two a clock in the afternoone.

The houle adjourned till ten a clock *Munday* morning.

Munday

Munday Aprill the 4th 1692.

THE house mett, and

The Writts for *Nantzimond, Northampton Stafford Accomack, Norffolk & Northumberland & Middlesex* Counties were committed to the consideration of the Committee for Elections & Priveledges

The Chairman of y^e Committee for Elections & Priveledges presented a Reporte from the said Committee which was read at the Table.

Ordered That the Sherriff or [of] *Norffolk* County having made an Imperfect returne of y^e Writt for election of Burgeffes in the said County do forthwith make his appearance before the house to amend the Same.

Resolved that L^t Coll^l *Tho^s Milner* and M^r *Jn^o Brassieur* are duely Summoned & returned Burgeffes for *Nantzimond* County.

Resolved That Maj^r *Jn^o Robins* and M^r *Tho^s Harmanfon* are duely Summoned and returned Burgeffes for *Northampton* Countie.

Resolved that Cap^t *Geo: Cooper* is duely elected & returned one of y^e Burgeffes for *Northumberland* Countie.

Ordered That the Sherriff of *Northumberland* County be forthwith sent for in Custody of y^e messinger of y^e House to answer his default of not making a due returne upon the Writt for Burgeffes.

Resolved That M^r *C^r Robinson* & M^r *W^m Church-hill* are duely Summoned & Returned Burgeffes for *Middlesex* County.

Resolved That maj^r *Charles Scarburgh* & M^r *W^m Anderson* are duely Summoned and Returned Burgeffes for *Accomack* County.

Resolved That Cap^t *Martin Scarlett* is duely Summoned and returned a Burgefs for *Stafford* County, & Cap^t *Jn^o Withers* duely elected and returned the Other.

Ordered That M^r *C^r Robinson* & M^r *Rob^t Carter* be added to the Committee for Elections & Priveledges.

Vpon Reading the Reporte of the Committee for elections & priveledges

Resolved nemine Contradicente that the house of Burgeffes are the Sole & only Judges of the Capacity or incapacity of their owne members, and that any Sherriff or other person whatsoever pretending to be a Judge of y^e capacity or incapacity of any member of the House of Burgeffes does thereby become guilty of a Breach of the Priveledges of the said House of Burgeffes.

The house adjourned till three a clock afternoone.

Post meridiem

THE house mett.

W^m Byrd Esq^r and *Henry Whiteing* Esq^r two of their Mā^{ty} Council of State being empowered & appointed by a Comission Sygn'd by the L^t Govern^r, and under the Seal of the Colony administred the Oaths enjoyned by Act of Parliam^t instead of the Oathes of Allegiance and Supremacy and the Oath of a Burgefs unto Cap^t *Geo. Cooper* Burges for *Northumberland* County & M^r *Jn^o Wythers* Burgefs for *Stafford* County who severally afterwards Subscribed the Test.

Ordered That the Sherriff of *Lancaster* County be sent for in Custody of y^e messinger of the House to answer his default of not returning the Writt for Burgeffes for that Countie according to Law.

Ordered That the Sherriff of *Westmoreland* County be sent for in Custody of y^e messinger of the House to answer his default of not returning the Writt for Burgeffes for that Countie according to Law.

Forasmuch as Sherriffs doe usually make their Returnes of Writts for Election of Burgeffes in Sundry & different methods & words by meanes whereof Some are defective & most returned in an improper Stile, It is therefore *Ordered* That the Committee for Elections

Elections & Priveledges do take into their confideration and draw up a certaine Settled & Common forme for all Returns of writts to be made in for the future, And *Forasmuch also as* divers Sherriffs have taken upon them to judge of the capacity of Burgefes elected or to be elected & have accordingly made their Returnes, It is further *Ordered* that the Said Coñittee confider by what waies & meanes the like infringements & breaches of the Rights & priveledges of the Houfe of Burgefes to whome Such Judgeñ^{ts} do Solely belong May be prevented in time to come & it is alfo referred to the Said Coñittee to confider of Some way & meanes whereby the great mifchiefs & inconveniences of takeing of and difableing members of the houfe in the Intervalls of Seffions of Affembly from their Service to the Countrey in this houfe during the Continuance prorogation or adjournements of Affemblies may be hereafter prevented & avoided.

The houfe adjourned 'till ten a clock tomorrow morning.

Tuesday Aprill the 5th 1692.

THE houfe mett & according to the Order of *Saturday* laft tooke into confideration the Reporte of the Coñittee for Elections & priveledges touching the ability of M^r *W^m Lewes* who ferved as a Burgef for *James City* County the laft Seffion to Continue & Serve in this prefent Affembly he having parted with and Sold his Freehold in that County during y^e Intervall betweene the laft & this prefent Seffion, after Some time Spent, in debate thereof the Queftion was put whether M^r *W^m Lewes* doth Remaine capable of continuing a Burgef of this Affembly for *James City* County & it was *Refolued* in the Affirmative

Then the houfe took into confideration the Report of y^e f^d Coñittee concerning the incapacity of M^r *Willis Willfon* to ferve as a Burgef of this Affembly for *Elizabeth* County according to the Election and returne now made of him he being vnder the age of One & Twenty yeares after Sometime Spent therein the Queftion was put whether M^r *Willis Wilfon* who is Returned a Burgef for the County of *Eliz^h City* & appearing to this houfe to be under the Age of one & Twenty yeares, be therefore uncapable to Serve as a Member of this Affembly And it was *refolved* in the Affirmative.

Ordered That a meffage be forthwith fent to the Lievt^t Governour to acquainte him with the vote of the houfe, & to request his hon^r to iffue out a new Writt for the Election of another Burgef for *Elizabeth City* County in the Roome & place of M^r *Willis Willfon*

Ordered That *W^m Drummond* the meffinger attending this houfe to the end he may be the nearer to receiue the Commands of the Houfe on all Occafions have power to fend employ & Subftitute another perfon or perfons as need may be to execute all Such remote & far diftant meffages as he himfelf cannot well be fpared from the Service of the houfe time enough to performe, Provided that he alwayes firft acquainte the Houfe with the name of Such Subftitute for their approbation & leave.

The houfe adjourned to two a clock afternoone.

Post Meridiem

THE houfe mett.

Cap^t *Thomas Barbar* Sherriff of *York* Countie who was Sent for in Cufody of the Meffinger of the Houfe attending according to the Order of *Saturday* laft to anfwer his default of makeing an Imperfect Returne was called into the houfe & heard & he having withdrawn awhile It was *Ordered*, That the f^d Cap^t *Tho: Barbar* be called againe into the houfe to amend his Returne & that he having fo done be difcharged out of Cufody paying his fees and thereupon the faid *Barbar* came in & amended his Returne at the Table. L^t Coll^l *Jn^o Smyth* Sherriff of *Glofter* County who was fent for in Cufody of the meffinger of the Houfe, attending according to the Order of *Saturday* laft to anfwer his default of makeing an Imperfect Returne was called into

the

the House & heard & he having withdrawne awhile, It was *ordered* that the f^d L^t Coll^t *Jno. Smyth* be called into the House to answer his returne, and that he having so done be discharged out of Custody paying his Fees, & thereupon the f^d L^t Coll^t *Smyth* came into the house & amended his Returne at the Table.

Ordered that the Committee for Elections & Priveledges doe forthwith withdraw & sitt upon the consideration of y^e severall matters to them referred by y^e House yesterday. The house adjourned 'till ten a clock tomorrow morning.

Wednesday Aprill the 6th 1692

THE house mett.

Cap^t *Lawrence Washington* a member of the House being ill had leave given to go out of Towne for recovery of his health.

M^r *Henry Hartwell* from the Committee of Elections & Priveledges Reported That they had taken into consideration the severall matters to them referred by the Order of the house on the 4th Instant, & had come to a Resolution which he had ready to read in the House & then he accordingly read the same & delivered it in at the Table.

Ordered That the f^d Reporte of the Committee for Elections & Priveledges be taken into consideration of the House on *Munday* next.

The house adjourned 'till two a Clock afternoone.

Post meridiem

THE house being informed by M^r *Mafon* That M^r *Benjamin Harrifson* a member of the House being taken very ill had removed himself for his better accomodation in his Sicknes towards his recovery to his owne house in the Countrey and that he desired the Excuse of the house for his so doing and also prayed the leave of the House to remaine at home 'till the recovery of his health the house gave leave unto & excused the f^d M^r *Benjamin Harrifson* accordingly. & then

The house adjourned 'till ten a clock to morrow morning.

Thursday Aprill the 7th 1692.

A MESSAGE from the L^t Govern^r by M^r *Edwards* to command the imediate Attendance of the house upon the Councill in the Courte house the L^t Govern^r's present indisposition hindring his being there himself. The House went down into the Courte house accordingly to attend.

M^r *Speaker* and the House Returned, & M^r *Speaker* acquainted the house with what he Said, he remembred of that which M^r Secretary *Cole* had by y^e Command of y^e L^t Govern^r Spoke & delivered in the Courte house before y^e members of y^e House & leaft his memory should faile in a true & perfect acco^{te} thereof he also informed the House, that he had moved M^r Secretary *Cole* to pray the L^t Govern^r to favour the house with a Copy of the Same for the houfes better affurance & information.

Resolved That what M^r Secretary *Cole* now delivered & Spoke in the Gen^l Courte house by Order & Command of the L^t Govern^r before the members of this house be taken into consideration tomorrow morning.

The house adjourned 'till two a Clock afternoone.

Post

Post Meridiem

A COMMITTEE for Examination of Propositions & Greivances.
M^r C^r *Robinson* Chairman.

Coll^t *Arthur Smyth*M^r *W^m Leigh*Cap^t *W^m Robinson*Cap^t *Malachy Thruston*Cap^t *Miles Cary*M^r *Rob^t Carter.*

A Committee for publique Claimes

Coll^t *Lawrence Smyth*, ChairmanM^r *Henry Hartwell*M^r *W^m Anderson*Cap^t *W^m Hardidge*Cap^t *W^m Randolph*Cap^t *Lawrence Washington*M^r *Joseph Ring.*

The house adjourned 'till tomorrow morning eight a Clock.

Friday Aprill the 8th 1692

A MESSAGE from the L^t Govern^r by M^r *Edwards*.
M^r *Speaker*

I am Ordered by y^e L^t Govern^r to deliver into this house a Copy of what was yesterday read by M^r Secretary *Cole* before the members of the house by Order & Command of the L^t Govern^r Their Ma^{ty} Letter to permitt the L^t Govern^r to receive the Sum^m of 300.£ presented by the Asssembly to him the last Session.

M^r *Jeffry Jeffryes* Letter concerning the Addressees sent to him to present to their ma^{ty} from the L^t Govern^r Councill & Burgeesses of the last Session of Asssembly.

An Accounte of the Powder and Amunition imported in the *Barnadistance W^m Norrington* Commander & Cap^t *Norringtons* Letter to the L^t Govern^r aboute the Same. all which he delivered in at the Table & were received.

Then the Copy of what M^r Secretary *Cole* delivered yesterday for & by Order of the L^t Govern^r was read in these words.

Gentlemen.

God by his Divine providence having so many waies beene our mighty protectour, I think wee ought in duty to acknowledge it by a publique Thanksgiving.

The Act for the Better defence of y^e Countrey (which you so prudently & readily made) being nigh expired I recommend to you either the continuance of it, or Some other which you shall in your Wifdomes finde proper.

I thank God there hath been noe occasion to raife more men then the L^t & eleven Troopers & even those have not ranged all the yeare, that the Countrey might be putt to as little Charge as possible.

Last Summer I went to view the heads of the Rivers aboute the Inhabitants in Order to have had the way made as the Act directs & the Southerne Lines marked, but findeing no present necessity for the doeing of them & that it would be for their Ma^{ty} Interest & the good of this Countrey to make Some alterations & the reasons for so doeing Shall be Offered when you appointe a Committee to receive them.

Their most Sacred Ma^{ty} haveing been graciously pleased to send to this Countrey Stores for the platformes and 200 barrells of powder for the defence of this Colony, It is Judged for their ma^{ty} Service that the said Powder be secured in the Severall Counties of this Colony & it is therefore recommended to you for advice where will be the best places to Secure it & the Cheapest way of Conveyance.

It was hoped wee Should by this Fleete have received an accounte of the Laws sent for *England* but understanding they lay under consideration when the Fleete come away can Say nothing of them.

And then the Same was taken into consideration according to the Order of yesterday, and upon the first part relateing to a publique Thanksgiving.

Resolved

Resolved That it is the duty of this House by a publique Thanksgiving to returne their hearty & unfeigned thanks to Almighty God for the preservation of their ma^{ty} most Sacred persons in all the Late imminent hazards and dangers thereof, & for the Success of his Ma^{ty} Armies against the Enemies of our nation & Religion & also to make humble & Sencible acknowledgement of that Peace & Quietude this Countrey doth at present enjoy thorough the unspeakable goodnes & mercy of God towards us in particular.

Ordered That a message be forthwith sent to the Council to desire their hon^{rs} concurrence with the Resolve of this house aboute a day of publique Thanksgiving & to joyne with this house in an address to the L^d Govern^r to appointe a Day for the Same to be Solemnized in *James City* & another day thorough the whole Country & also to desire his hon^r to nominate a minister to preach before the Generall Assembly on that day which shall be thought fit for the Solemnization at *James City*.

Resolved That the house Resolve itself into a Committee of the whole house tomorrow morning to take into consideration the other parts of what was delivered by M^r Secretary *Cole* yesterday & this day read in the House.

Ordered That M^r W^m *Coleston* be added to the Committee of propositions & Grievances.

Ordered That *Munday* next four a clock in the afternoone be the latest time for receiveing Propositions Grievances & publique Claimes for the consideration of this present Session of Assembly.

A paper delivered into the house as the Grievances of *York* County was read but not being Sygned as the Law for presentation and deliury of Grievances directs was therefore ejected.

A paper delivered into the House as the Grievances of *Northumberland* County was read but not being Sygned as the Law for Presentation & delivery of Grievances directs was therefore ejected.

A message from the Council by M^r *Edwards* Clerk of the Council.

M^r *Speaker*

I am Ordered by their ma^{ty} Council to deliver this paper & the said paper was received & read & being an answer from the Council to acquainte this House that they had concurred wth the vote of this house aboute a Publique Thanksgiving and were ready to joyne with such Members as Should be appointed by the house to waite upon the L^d Governour aboute the same.

The house appointed Coll^l *Lawrence Smyth* Cap^t *Randolph* Cap^t *Leigh* M^r *Boling* M^r *Carter* and Cap^t *Ballard* to joyne with the Council accordingly.

The Propositions & Grievances of *Northampton* County *James City* County. *New kent* County *Middlesex* County & *Elizabeth City* County were Severally Read & referred to the Consideration of the Committee for Propositions and Grievances.

And then the house adjourned 'till 3 a clocke afternoone.

Post Meridiem

COLL^l *Lawrence Smith* for the Severall persons appointed to waite upon the L^d Govern^r Reported that the Council & they together had waited upon the Liev^t Govern^r & requested his hon^r to assigne two thanksgiving dayes, viz^t one for *James City* & one for the Country and that he had appointed *Tuesday* next for the first, & *Thursday* the 21st instant for the Latter, & that findeing the Govern^r unwilling to nominate a minister himself to preach before the Assembly on that day, they had according to their directions from the House to that purpose proposed M^r *Stephen Fauce* the Govern^r Received the presentment with great Satisfaction.

Ordered That M^r *Speaker* doe desire M^r *Stephen Fauce* to preach a Sermon on *Tuesday* next the day appointed for a publique Thanksgiving day at *James City*

Vpon a Motion made by Severall members of the house that a Byll may be prepared enjoyneing Clerks of County Courtes to keep their Offices at the County Courte house.

Leave

Leave was given to Cap^t *Martin Scarlett*, M^r *David Crawford* & M^r *Jn^o Lyddall* to draw up & bring in a Byll accordingly.

The Propositions & Greivances of *Stafford County Glofter County Princefs Ann County New kent County. Henrico County* & the Inhabitants on the South side of *Rappahanock County* were Severally read & being referred from the L^t Govern^r and Councill for the confideration of the Houfe, were committed to the Comittee of Greivances & Propositions to reporte their Opinions therein.

The houfe adjourned 'till eight a clock to morrow morning.

Saturday Aprill the 9th 1692

SEVERALL propositions & Greivances fygn'd by Severall Inhabitants of *King & Queen County* referred by the L^t Governour to the confideration of this Houfe were read & referred to the comittee of Greivances & Propositions.

The Greivance propofed by Severall Inhabitants of *King & Queene County* & praying for permiffion to take up Lands in *Pamunky neck* & for Confirmation of divers Conveyances & Sales made by the Indians there, being referred by y^e L^t Governour & Councill to the houfe were read but wanting Such attestation as the Law about Prefentation of Greivances directs were rejected.

The propofition of the Inhabitants of *King & Queene County* for Indians to be enjoyed to pay for Liberty to hunte in Wolcs [Wolves] heads being referred by y^e L^t Govern^r & Councill to the houfe were read and ejected.

The petition of Severall Freeholders of *King & Queene County* complaining that the Proceedings required by y^e Law for Ports made the Laft Seffion haue obftructed in that Countie through the meanes of fome evill minded perfons being referred from the L^t Govern^r & Councill to the houfe was read & referred to the Serious Confiderations of the Comittee of Propositions & greivances and they are to examine inquire into and Confider the contents of the faid Petition & the evill confequence that attend the Same, if true and to Reporte their Opinions therein to the houfe, And the faid Comittee have power to fend for perfons Records & Papers for their better Stateing of the whole matter.

Then the houfe according to the Order of yefterday Refolved into a Comittee of the whole houfe to take in confideration certaine parts of what was delivered by M^r Secretary *Cole* by Order of the L^t Governour & M^r *C^r Robinfon* tooke the Chair and after Sometime Spent therein M^r *Speaker* refumed the Chair & M^r *Robinfon* Reported that the Severall matters to them committed they had maturely confidered & were come to a Refolution which they directed him to deliver to the Houfe, and the Same was received and read at the Table & agreed to by the Houfe.

And it was thereupon *Refolved & Ordered* as followeth.

Refolved that a Byll be prepared for the continuance of the Liev^t & eleven Soldiers at the heads of each of the great Rivers one year longer then the A^{ct} made the laft Seffion for the better defence of the Countrey directs.

Ordered that Some of the members of this houfe be appointed to waite upon the L^t Govern^r to receive what alterations his honour hath to propofe in the boundary Lines mentioned & directed to be made by y^e f^d A^{ct}, & that they make reporte thereof unto the Houfe as alfo of y^e reafons his hon^r hath promifed to give for the Same.

Refolved that an humble Addrefs be prepared to be Sent to their M^{a^{ts}} Thankfully acknowledging the great care their M^{a^{ts}} have taken of this Dominion is [in] fending a Store of powder & amunition for the defence & Security thereof, and that a Meflage be fent to Defire the Councill to joyne with this houfe in the faid Addrefse & the drawing of it up.

Ordered that a Conference be desired betweene Some of the hon^{ble} Councill & Some of the Members of this houfe as fhall be appointed to confider of the beft waies & meanes of Secureing & Conveying the 200 barrells of Powder & Platforme Stores which their M^{a^{ts}} have been gratioufly pleased to fend into this Countrey.

A Meffage from the L^t Governour by M^r *Edwards*.

M^r *Speaker*.

I am Ordered by the L^t Govern^r to acquainte this houfe that the Comadore by his Inſtructions is to Stay but 60ty dayes and that his hon^r gives this notice to the end the members of this houfe may be thereby adviſed to prepare both the publique & their private affaires for *Engl^d* accordingly.

Ordered That the Comittee of Greivances & Propoſitions doe waite upon the Lieu^t Govern^r to receive what alterations his hon^r hath to propoſe in the boundary Lines mentioned & directed in a Law made the laſt Seſſion for the better defence of the Countrey, and the reaſons he ſhall Offer for doinge the Same & to Report them to this Houſe in Order to the preparinge of a Byll for the Longer continuance of the ſaid Act.

The houfe being informed that the Sherriff of *Norffolk* County attended to amend his returne according to the Order of *Munday* Laſt, the ſaid Sherriff was called into the Houſe and heard & he being withdrawne, It was

Ordered That the Sherriff of *Norffolk* County doe forthwith come againe into the Houſe and amend his Returne & that having So done he be diſcharged out of Cuſtody paying his Fees.

And accordingly the ſaid Sherriff came into the Houſe & amended his Returne & then it was

Reſolved That Major *Francis Sawyer* & Cap^t *W^m Robinſon* are duely elected & returned Burgeſſes for *Norffolk* Countie.

The houfe adjourned 'till 3 a clock afternoone

Poſt Merediem

W^M *BYRD* Eſq^r & *Henry Whiteing* Eſq^r two of their ma^{ty} Councill of State being empowered & authorized by vertue of a Comiſſion under the Seal of the Colony & ſigned by the L^t Govern^r Adminiſtred the Oathes enjoyed by Act of Parliament inſtead of the Oaths of Allegiance & Supremacy & the Oath of a Burgeſſes unto Maj^r *Francis Sawyer* & Cap^t *W^m Robinſon*, who Severally afterwards Subſcribed the Teſt at the Table.

Then the houfe tooke into conſideration the L^t Govern^{rs} meſſage of this morning aboute the time limited for the Fleete to Sayle with the Convoyes, And being of Opinion that the Same was too Short for ſo great a Fleete to get ready & that great inconveniencies would accrue if they ſhould be compelled to Saile precifely at that time, they agreed that an addreſs Should be forthwith prepared to the L^t Govern^r that if poſſible a longer time may be appointed for the Stay of the ſ^d Fleete & accordingly

Ordered M^r *C^r Robinſon* M^r *W^m Leigh* M^r *Rob^t Carter* M^r *William Church-hill* & Cap^t *Thomas Ballard* to withdraw & take the Clerk to attend them for the drawing up of an addreſs for that purpoſe and occaſion, & to reporte the Same, M^r *C^r Robinſon* returned & Reported from the Comittee that they had conſidered of & drawne up an Addreſs according to the Order of the Houſe which he read in his place & was approved of being in theſe words.

To the R^t hon^{ble} Francis Nicholſon Eſq^r their Mā^{ty} L^t Govern^r of Virginia.
May it pleaſe yo^r Honour,

Wee being acquainted by a meſſage received this day from yo^r hon^r that their Sacred Mā^{ty} have beene graciouſly pleaſed out of their Royall Care of this Countrey to ſend two of their Shippes of Warr to Convoy the flette of Merchant Ships lither & to continue in the Country ſixty dayes only, and that then all the ſ^d Fleete of Ships muſt be ready to Sayle for *England* againe under the Same Convoy wee beg leave in all duty & thankfullneſs to acknowledge their Ma^{ty} Royall Goodneſſe & favour towards us therein & Shall continue o^r earneſt & dayly prayers for their long & happy reigne over us & think o^rſelves obliged to expreſs our true fence of yo^r Hon^{ty} conſtant great care of
this

this Government & great Vigilance & Personall paines in provideing for the Peace & Welfare thereof, & in particular to returne o^r hearty thanks for the acco^{ts} your hon^r hath beene pleased to give us of y^e time Limited for the Stay of the Fleete here, which being foe very Shorte a time for the Loading & dispatch of such a Fleete, considering how remote & Stragling Tobaccoes lye that is to load them, & that many considerable Merchants & dealers as well as Planters who are much Concerned in the Same are Obliged to Attendance at this Generall Affembly, wee therefore are humble Suitors to yo^r hon^r that if possible a longer time may be appoynted for the Stay of y^e f^d Fleete in this Countrey, there being Severall of the Shipps belonging to the Same not yet arrived, & wee preSum^e it would be most for their Mā^{ts} Service that they all Returne for *England* under the same Convoy.

Ordered That the Comitte^e who were appointed and did draw up the foregoeing Addres forthwith repair to the hon^{ble} Councill and desire them to joyne with the Houe in presenting the Same to the L^t Govern^r

The house adjourned 'till ten a clock on *Munday* morning.

Munday *Aprill* the 11th 1692

THE Kings Letter to permitt the L^t Govern^r to accept of 300£: presented him the last Assembly & received into the Houe on *Friday* last was read as followeth.

William R:

Trusty & well beloved wee greet you well, whereas wee have thought fitt to direct that noe money or value of money whatsoever be given or granted by any Act or Order of Assembly to any Governour or Comander in Chiefe which Shall not be mentioned to be given or granted unto us with the humble desire of Such Assembly that the same may be applied to the use & behoofe of Such Govern^r & Commander in Cheife if wee shall so think fitt: And whereas by an Act of Assembly lately past in that our Colony of *Virginia* the Sum of 300 £ is set apart as a present to you: And whereas you have humbly prayed us to give you leave to accept of y^e Same, wee being well Satisfied with yo^r Services in the discharge of your Trust have thought fitt in consideration thereof & of yo^r expences in y^e Transporting yo^r Self to that Government to condescend thereunto, and wee do accordingly hereby authorife & permitt you to receive the said Sum of 300 £ & retaine the Same to yo^r Owne use, And So wee bid you farewell.

Given at o^r Courte of *White Hall* the xxiii^t day of *October* 1691 in third yeare of our Reigne

By his Ma^{ties} Command

Nottingham.

*To our Trusty & well beloved
Francis Nicholfon Esq^r o^r L^t
Governour & Comander in
Cheife of o^r Colony & Dominion
of Virgi^a in America.*

And M^r C^r *Robinson* is desired to returne the Same to the Liev^t Govern^r

Then the Houe was called over and *Ordered* That the Defaulters be called over againe in the afternoone & their Severall defaults taken into consideration.

The house according to the Order of *Wednesday* last takeing into Consideration the Reporte of the Comitte^e for Elections & Priveledges agreed to the first part thereof, and

Resolved that the Common forme for all returnes upon Writts for Elections of Burgefes be made in these words.

By vertue of this Writt I have caused to be Summoned the Freeholders of my County to meet this day being the _____ day of _____ Anō: _____ at the Courte house of y^e said Countie being the usuall place for Election of Burgefes and given

given them in charge to make Election of two of the most able & discreet Persons of the said County who accordingly have elected A B & C D who have full power and authority for the County aforesaid to act & consent to such things which shall be Ordered & appointed by y^e Govern^r Councill & Burgeffes at the next meeting and Session of Assembly.

And considering which way the mischeifs & Inconveniences of disabling members of this House either during the Sitting or intervall between the Session of Assembly as also all Such breaches of priveledges as frequently happen by Sherriffs taking upon them to judge of y^e Capacity or incapacity of members, might be remedied, they were of Opinion the same Principally proceeded from a Clause in the Writt, & therefore *Resolved* that a conference be desired with the hon^{ble} Councill aboute the Same, and that their hon^{rs} be Requested to joyne with the house of Burgeffes in representing the matter to the L^t Governour untill which conference be held the house adjourned the further consideration of the said Reporte.

upon the Petition of Cap^t *Malachy Thruston* in behalfe of the Courte of *Princes Anne* County that the day appointed by the Act for holding Courts might be altered to the first *Wednesday* of every moneth.

Leave was given to the Said *Malachy Thruston* to being in a Byll accordingly.

Severall Propositions of Coll^t *Thomas Milner* was read & referred to the Committee of Greivances & Propositions.

Then M^r *C^r Robinson* from the Committee of Greivances & Propositions Reported, That the f^d Committee had proceeded in the consideration of divers matters to them referred & had directed him to Reporte the Same to the house and he read the said Reportes in his place & then delivered them in at the Table.

Ordered That the Reporte of the Committee of Greivances & Propositions be taken into consideration in the afternoone.

The house adjourned 'till 3 a clock afternoone.

Post Meridiem

THE defaulters for non appearance at the calling over the House in the morning, according to Order were now againe called & the defaults of such as appeared, excused and *Ordered* that such of them as are now absent & faile to attend tomorrow morning be sent for in Custody of the messinger of the house.

A written Message from the Councill by M^r *Edwards* was brought into the house in which Severall Reasons being propofed to be added to the Address for the longer Stay of y^e Fleete in this Countrey in which their Hon^r were desired to joyne with the house on *Saturday* last, and the same being read considered the house were of Opinion, that most of y^e said Reasons offered by y^e Councill to be added were already comprehended in the Sense of the f^d address: And That Forasmuch as making an alteration or addition in the Same, would create a great Inconvenience It being already entered on the journall of the House It is therefore *Ordered* That the persons appointed to carry the f^d Address to the Councill before, doe now againe waite upon their hon^{rs} to acquainte them with the reasons why this house cannot admitt of alteration or addition in their address and desire them to joyne with this house in presenting the Same as it is already drawne & stands upon the journall of this house.

Vpon Reading the Petition of Cap^t *Miles Cary* for leave to bring in a Byll for Burgeffes Charges at General Assemblies to be paid by y^e publique.

A debate did thereupon arise & after Some time spent therein the Question was put whether Leave shall be given to Cap^t *Miles Carey* to bring in a Byll for the payment of Burgeffes charges by y^e Publique and it was *Resolved*, in the affirmative & thereupon leave given accordingly.

The consideration of y^e Reporte of y^e committee of Greivances & Propositions according to the Order of this morning, is put of 'till tomorrow morning.

The

The Burgeffes of *Norfolk* County having presented to the house a claime heretofore allowed by that County Courte for reimburfements

It was *resolved* y^e the Same claime by ejected.

The house having had an inspection of a paper tranfmitted by Command of the L^t Govern^r into the Secretaries Office as a Copy of *Norfolk* County Levy and Observing therein Severall greivous and unlawfull Articles of charge allowed in the Same and levied upon the people of that County y^e laft yeare. It was thought fitt & accordingly *Ordered* That the R^t Hon^{ble} the L^t Govern^r be acquainted therewith and desired to take the Same into his Speciall confideration.

The house adjourned 'till 8 a clock tomorrow morning.

Tuesday *Aprill* the 12th 1692

MR C^r *Robinson* from the conference appointed to desire their Hon^{rs} to agree to present the address to the L^t Govern^r for the longer Stay of the Fleete in this Countrey as it was first drawne, and without the addition of y^e Reafons proposed by their Hon^{rs} having Reported & acquainted the house with the

Severall Reafons their hon^{rs} had to insist upon their first proposition and also with their hon^{rs} propositions that those reasons might be added as a Supplement to the said Address. It was upon consideration thereof *Resolved*, That the f^d address be transcribed anew from the Journall of this house & the said Severall Reafons proposed by y^e Councill *viz'*

1. That the Fleete hath been 3 weeks coming in & are not gott to the places they are to Load at.

2. That there is a great want of Sloopes, the great ones having been fitted and sent for *England* with Tobaccos and those that belong to the Ships which were here 2 yeares ago are almost Spoiled so that it will be a considerable time before they can be made Serviceable.

3. The Ships Rideing in Severall Rivers at great distance from one another, It is oftentimes a fortnight or Longer before they can gett to the place of making up the Fleete to Sayle, for that Severall winds are required to carry them thither.

4. It is presumed in *Maryland* the like inconveniences are if not worse. Be Subjoyned and annexed as a Supplement to the said Address & then carried to the hon^{ble} Councill for their concurrence & joyneing with this House in presenting the Same to the L^t Govern^r by the persons first appoynted to manage the Conference.

The Petition of M^r *James Williams* & *Charles Morland* referred by the L^t Govern^r & Councill praying a consideration for drawing 404 military Comissions was read and the consideration thereof referred to the Committee for Publique Claimes who are to make enquiry what hath beene allowed formerly for the like Services & by what wayes & means the Same use to be paid & to make reporte thereof to the House.

The Greivances & Propositions of *Surry* County *Norfolk* County & certaine propositions Subscribed by *Henry Randolph* were Severally read & referred to the Consideration of the Committee for Greivances & Propositions.

Two papers being presented as the Greivances & Propositions of the upper parish & lower parish of *Ifle of Wight* County were read but not being Sygn'd as the Law aboute presentation & deliuey of Greivances directs the same were ejected.

Then the house according to the Order of yesterday entred into consideration of the Reports of the Committee of Greivances & propositions & upon Reading the Reporte of y^e said Committee for a Byll to be prepared directing methods for the prosecution of Slaves & restraining the Liberties & permission given by Severall masters to their Slaves to keep horses Cattle & hoggs the Same was agreed to by the house and

Resolved That a Byll be prepared accordingly by y^e said Committee & Reported to the house

Upon Reading the Reporte of the f^d Committee upon the Greivances of *Stafford* County relateing to the *Maryland* Indians frequently coming over into this Countrey.

Resolved

Resolved That the R^t hon^{ble} the L^t Govern^r be desired to write to the Govern^r of *Maryland* that he would enjoyne those Indians for the future, before their coming into this Countrey to send over some of their great men to informe the neareft magiftrate with the place where they defygne to land with their intentions of coming Over, their number, & the place they propofe to Refide at & alfo the time of their continuance and Stay or if that method Shall feem unfuitable unto his hon^r that then he will be pleased to take Such other courfe in that affair as Shall in his Owne prudence be found more convenient for the Security of y^e Peace of this Countrey.

Ordered That the Burgefles of *Stafford* County doe waite upon the L^t Governour & acquainte him with this Refolve of the houfe and desire his hon^r accordingly.

Vpon the Reporte of M^r *C^r Robinfon* from the conference about the beft wayes of Secureing & Conveying the a^munition fent into this Countrey.

Ordered That M^r *Benjamin Harriffon*, Cap^t *Washington* Cap^t *Ballard* Cap^t *Ball*, Cap^t *Story* Cap^t *Cooper* M^r *Braffieur* Major *Robins* & M^r *Anderson* doe waite upon the hon^{ble} Councill at Such time as they fhall appointe to Confer with their Hon^{rs} aboute the diftribution & proportion of the f^d Powder & a^munition the convenienteft places for lodgeing the Same & the beft & Cheapeft ways of conveying it to each part of y^e Countrey to w^{ch} it fhall be affygnd and proportioned.

Vpon the Reporte of M^r *C^r Robinfon* from the conference that they had according to the Order of y^e Houfe desired the hon^{ble} Councill to hold a conference with Some of the members of this houfe aboute a claufe in the Writt for Burgefles *viz* (*and in cafe of death abfence or other incapacity*) And that the Councill had appointed to meete fuch members as this houfe fhould nominate for the management of the Same, this evening in the Councill Chamber.

Ordered That the Severall perfons appoynted to desire the f^d Conference doe meet their hon^r in the Evening to manage fame hold the Conference accordingly.

Then the houfe adjourned 'till 3 a clock afternoone.

Post Meridiem.

M^R *Benjamin Harriffon* informing the Houfe that the Councill had appoynted to hold the Conference tomorrow morning.

After prayers concerning y^e Proportioning of y^e A^munition.

Ordered That the Severall members appointed in the morning to confer aboute the Same do accordingly give their attendance.

The houfe being informed by a member of the houfe that copies of Severall Antient & ufefull Records was by Cap^t *Francis Page* the laft Affembly Collected out of feverall loofe Bookes & Papers & by him presented to this houfe entred in a fair book together. And moving that Forasmuch as the faid Copies entred in the faid Booke were not attested to be true Copies nor foe much as examined according to the Order of the laft Seffion Some care might be taken for perfecting & makeing the f^d Collections authentiq.

It was thereupon *Ordered*, That *Peter Beverley* the Clerk of the Houfe doe with his first conveniency take due care to have the faid Collections thoroughly examined & Compared with the Originall Writeings & Papers from which they were extracted to correct and amend fuch Errors as he Shall finde therein, & then to attest them as true copies of y^e Originall Records

The houfe adjourned 'till ten a Clock tomorrow morning.

Wednesday the 13th Aprill 1692

M^{AJOR} *Charles Scarburgh* a member of the houfe who had failed to give his attendance to the Service of the Houfe ever Since the begining of this Seffion did this day appeare & informeing the houfe with the Reasons of his fo long Stay from perfonally attending the Service of this houfe, the fame were received & allowed accordingly for his excufe.

M^r

M^r *Benjamin Harrifon* from the Conference with the Council aboute y^e distribution & Conveyance of y^e Powder lately arrived in this Countrey, Reported that according to the Order of Yesterday they had attended the Council to confer aboute the Same, and that at the f^d Conference they had received a Letter from the Govern^r of *Maryland* to the L^t Govern^r which the Council desired might be Communicated to this house for their resolution therein, before any further proceedings were made in the said Conference.

Then the f^d Letter was received & being read in these words

S^r I thank you for the Hon^r of yo^r vifitt to me at Coll^l *Jennings* & I shal be uneasy untill I have an Opportunity of returning it personally, S^r I finde this Countrey naked & defenceless which constraines me to desire the favour of you to lend me fifty barrells of yo^r Powder which I shall take care to repay you as soon as my Family comes to *new Yorke*. the difappointment I mett with by reason of the Sudden Saileing Orders for the ffleete ha' postponed the comeing of my Store & Stock, this will be a very feasonable kindnesse, and an Addition of your former favour of which my friend M^r *Harphan* the bearer will tell you how Sencible I am since I came here I mett with nothing wo^rth acquainting you only wee are now in a little hurry, Setleing the heats and disorders amongst us: when any thing of publiq worth communicateing comes to you, I desire to heare from you, & I shall take care to doe the like to you & no person shall be more desirous of keeping a fair correspondence with you then.

L. Copely

At *S^t Maries* the 8th *Aprill* 1692.

For the hon^{ble} Coll^l *Nicholson*
their Ma^{ty} L^t Govern^r of *Virg^a*

The House tooke the same into consideration and after sometime spent therein directed the managers of the said Conference to acquainte the Council with their willingness to Spare 25 barrells of powder for the present defence & security of their Ma^{ty} Governm^t of *Maryland* if the L^t Govern^r & their hon^{rs} should judge the same convenient upon such good caution and security as may be thought expedient by their hon^{rs} to secure the redelivery of the Same in such time & at such certaine places within this Governm^t as shall be required.

The managers of y^e Conference appoynted with the Council to procure their hon^r to joyne with the house in representing to the L^t Govern^r the various mischeifs & Inconveniences that proceeds from a clause in the Writt for convening of Burgeffes upon prorogued or adjourned Affsemblies & also a common Forme, to be practifed for the future in all Elections being Returned.

M^r *C^r Robinfon* reported that according to the Order & directions of the house they had managed the f^d Conference & after the Severall arguments on both sides had received from the Council an answer to this effect.

That they were ready to joyne with the house in any thing for the Gen^l good of the Countrey & were willing to agree to the forme for returnes upon Writts as the house had drawne it, that they had reason to beleive that leaveing the clause [*in case of death absence or other incapacity*] out of the Writt or wholly laying such Writts aside & so having none to issue upon a Session continued by Prorogation or adjournment would be very prejudiciall & Chargeable to the Countrey in Occasionning great delays after a meeting before there would be a full house.

That they found it had been a long & constant practice by Such Writts to Summons Standing Burgeffes & to direct new Burgeffes to be chosen in the Roome of such as were disabled by death absence or other incapacity Since the prorogation or adjournment of the first Session to save time & Charge.

That it would intrench upon the Prorogative if the King might not appoint Sherriffes if he pleased.

And that although they seemed to grant the practice so to be in *England* yet they could not consent or agree to joyne with the house in representing the Same to the L^t Govern^r as a matter inconvenient or mischeivous here or as a thing prejudiciall to the priveledges of y^e House of Burgeffes.

A written message from the L^t Govern^r & Councill was brought into the house by M^r *Edwards* and the Same being read at the Table & contayning a Proposition that it will conduce to the Security of this Countrey to have a fitting messinger to reside at *New York* or *new England* who might on all Occasions giue such intelligence from thence as might be a guide for this Countrey to act by the Said Message was taken into immediate consideration, & after Some time Spent therein the house agreed upon an answer to the Same & Ordered the Clerk of the House against tomorrow morning to draw up an answer to the said written Message of the L^t Govern^r & Councill agreeable to the Resolution of the House & to Reporte the Same accordingly.

Then a Written Message from the L^t Govern^r brought into the house at the same time by M^r *Edwards* containing divers Reasons why his hon^r had not caused the Line to be run on the South Side of *James River*, & from *James River* to *Rappahanock River* as by an Act of the Last Generall Assembly was appoynted &c. was also read & the same having contained in it matters of Severall natures Some parts thereof were Committed to the Consideration of the Committee of Greivances & Propositions & other parts thereof to the Committee of publique Claimes & each of the said Committees were Ordered to Consider of Such parts of the said message only as comes nearest in nature to the usuall business of each Committee.

Then the house adjourned 'till 7 a clock tomorrow morning.

Thursday Aprill the 14th 1692

THE Clerk of the House according to the Order of yesterday presenting an answer to the Message of the Liev^t Governour & Councill about the employing of a Messinger at the Table ready formed & drawne the said answer was read and approved.

*To the R^t Hon^{ble} Francis Nicholson Esq^r
their M^{as} Liev^t Govern^r of Virginia, & to
the hon^{ble} Councill of State.*

May it please your hon^r

This house having received a written message, wherein yo^r Hon^r are pleased to propose, that it will be a meanes of advantage to the better Securing the Peace & Safety of this Countrey to imploy Some fitting person as a messinger for this ensueing Summer to reside at *new York* or *new England* that from thence a True acco^t of the Condition of those places, and other our neighbouring plantations may be transmitted, and thereby this Governm^t guided how to act On all Occasions do returne yo^r Hon^{rs} their most hearty thanks for your continuall care to preserve this Countrey in Peace & Quiet but being of Opinion that keeping of Such a Messinger will create a great charge, & well hoping the present necessities doe not absolutely require it they begg leave for the greater ease of this Countrey to recommend to your Hon^{rs} care the Employing of a messinger at such times & on such Occasions only as in yo^r Wifdomes you shall judge absolutely necessary for the immediate Service & Security of this Dominion, & rest assured yo^r Hon^{rs} will act & doe therein with such cautious regard to the Circumstances of the Countrey both as to the Charge & benefitt of a messinger as will best answer their M^{as} & the Countries Service. and the ease and advantage of the Inhabitants.

Ordered That the Clerk of the house fairly Transcribe the s^d answer and deliver it to Cap^t *Eps*, Cap^t *Duke*, M^r *Lewes* & Cap^t *Ballard* to carry y^e L^t Govern^r & Councill tomorrow morning.

The house being informed that the Sherriff of *Lancaster* County who was sent for in Custody to answer his default of not returning the Writt for Election in that County according to Law attended at the Door.

Ordered the said Sherriff to be called into the house who being heard aboute the Same with drew for a while & then it was *Ordered* That the Sherriff of *Lancaster* do forth-
with

with come into the house & upon the Writt directed to him for Burgeffes make returne of the Burgeffes for the County duely Summoned by him.

Whereupon the f^d Sherriff being called into the House made Returne that M^r Rob^t Carter & Cap^t W^m Ball were duely Summoned as Burgeffes for *Lancafter* County to give their Attendance at this Aff^{bly}

Ordered That the Sherriff of *Lancafter* County be discharged out of Custody paying his fees.

M^r Benjamin Harriffon from the conference aboute the distribution of y^e Powder &c. having reported that the Councill & they had agreed upon 25 barrells of Powder to be lent to the Govern^r of *Maryland* & the rest to be proportioned & distributed according to an acco^{te} thereof which he had delivered in & that the care of Convoying the f^d Powder to the Severall places according to the proportion thereof, & procureing conveniences for the Same the Councill had wholly left to the members of y^e House.

And Thereupon the House tooke care accordingly in appointeing the said managers to provide for the Same.

And then adjourned till ten a clock to morrow morning.

Fryday the 15th of Aprill 1692

A WRITTEN Message from the L^t Governour & Councill brought into the house by M^r Edwards was read & the Same being to acquainte the house that permission was given to five Shippes to Sayle for *England* by y^e 10th of *May* next to the end all persons haveing notice thereof might know how to Act in their Affaires.

Ordered That M^r W^m Lewes doe returne the thanks of this House to the L^t Governour & Councill for the favour of their Message, now sent to informe the house with the permission given five Ships to Sayle for *England* and that he doe it at the Rifeing of the house at noone.

The Propositions & Grievances of *Accomack* Countie read & referred to the Consideration of the Comittee of Propositions. &c.

The Sherriff of *Westmorland* Countie who was sent for in Custody for his default of not returning the Writt for Burgeffes in that Countie according to Law, being called into the House & having informed the house that he had delivered the said Writt to a person aboute three weeks ago whose promise he had to bring the f^d Writt to the Secretaries Office in due time, & that the said person had not yet been in Towne but was expected this night, and then he should be able to make Returne of the Writt.

Thereupon it was *Ordered* that the Sherriff of *Westmorland* Countie doe remaine in Custody of the messinger of the house untill the said Writt be produced or further Orders be given therein.

The Sherriff of *Northumberland* Countie who was sent for in Custody to answer his Default of making an imperfect Returne being called into the house & heard aboute the Same was *Ordered* to withdraw and then the house takeing the matter of his excuse into consideration *Ordered*

That the Sherriff of *Northumberland* Countie doe forthwith come into the House to amend his Returne & having so done be discharged out of Custody paying his fees.

The L^t Governours Writt for election of another Burgefs for *Elizth City* County in the Roome of M^r Willis Willson difallowed by the house, being returned into the house, The Returne thereupon was read, & the same being a Speciall Returne of two persons & Submitted to the house for decision after both the said persons had been heard aboute the Same & were withdrawne the house tooke the Same into present Consideration & debate & after Some time spent therein

Resolved That M^r W^m Armistead is duely elected Burgeffe for *Elizth City* County.

Resolved

Resolved That noe person have a Vote in the Election of Burgeffes for his Countie unless he personally appeare to give his vote at the time and place appointed for Election & that noe note or other message sent to the Sherriff as the Vote of any person whatsoever not personally present ought to be received or allowed for a Vote in the Election of Burgeffes.

The house adjourned till 3 a Clock afternoone.

Post Meridiem

MR *W^m Armistead* Burgefs elected and Returned for *Elizabeth City* County in the Roome of *M^r Willis Willson* disallowed for being under age tooke the Oaths enjoyned by Act of Parliament instead of the Oaths of Allegiance & Supremacy and also the Oath of a Burgefs which were admittred to him by y^e Hon^{ble} *W^m Byrd Esq^r* & y^e Hon^{ble} *Henry Whiteing Esq^r* two of their Ma^{ty} Councill of State and then Subscribed the Test.

A Message from the R^t Hon^{ble} the L^t Govern^r & Councill brought into the House by *M^r Edwards* was read

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

M^r Speaker.

Having received an answer to the proposall sent to the R^t Worshipfull the House of Burgeffes aboute *John Perry* being agreed with to Come from *new York* or *new England* if Ocaasion for their Ma^{ty} Service Should require it, finde, you have fully answered what was defygnd except nominateing persons to agree with him, it being only intended he should be paid if he came againe & Since you leave it in Gererall termes to us, doe assure you as wee have not, so shall not employ any person to put the Countrey to Charge but when their M^{ty} & the Countries Service require it

By Order of the R^t Hon^{ble} the Liev^t Govern^r & Councill

W. Edwards Cl. G. Aff^{by}

Aprill y^e 15th 1692

Then Maj^r *Lawrence Smyth* from the Comittee of Publique Claimes presented a booke of Reports of the said Comittee which being thoroughly read the Same were agreed to by y^e House with such alterations & amendments as are noted downe in the Body & margent of the said Booke of Reports.

Ordered That allowances for Indian Interpreters be taken into consideration tomorrow morning and as agreed upon added to the Booke of Reports of the Comittee for publick Claimes for the nearer perfecting the said Book of Claimes in Order to its being carried to the Councill for their concurrence.

M^r C^r Robinson craveing leave of the house to goe home, he having received an acco^{te} that his family lies in a very sick Condition.

Leave was given accordingly.

Major *Charles Scarburgh* added to the Comittee of Greivances & Propositions and Ordered to take the Chair during his absence.

The house adjourned till Seaven a clock tomorrow morning.

Saturday Aprill 16th 1692

CAPT *Miles Cary* according to the leave given him brought in a Byll for defraying the Burgeffes Expences by y^e publique which was received & Laid upon the Table.

Ordered That *M^r Speaker* giue the thanks of this house to *M^r Stephen Fauce* for his Sermon preached before the Generall Assembly on the publique Thanksgiving day.

The

The house according to the Order of yesterday tooke into consideration allowances for the Indian Interpreters and having annexed their Resolutions in that matter to the Booke of Reports of Publique Claimes yesterday read in the house.

Ordered that Major *Lawrence Smyth* & Cap^t *W^m Randolph* carry the said booke of Reports to the Councill for their concurrence.

Coll^t *Arthur Smith* from the Committee of Greivances & Propositions to whome it was referred to draw a Byll aboute the profecution of Negro Criminalls Reported That according to Order they had drawne a byll for that purpose, and had directed him to bring the Same, into the house & then the Byll was read & laid upon the Table.

Vpon Reading y^e Reporte of the Comittee of Greivances & Propositions for y^e deviding of *Rappahanock* Countie into two Counties the house agrees thereto. and *Resolved* That a Byll be prepared accordingly.

Ordered That the Committee of Greivances & propoitions do prepare and Draw up a Byll for the deviding of *Rappahanock* County into two Counties according to the propoition of y^e f^d Committee aboute the Same, & Reporte it to the house on *Munday* next in the afternoone.

Vpon Reading the Reporte of the Committee of Greivances & Propositions concerning the explanation of the 92^d Act of Assembly entituled *Surgeons Acco^{ts} Regulated* the house agreed to the Same with Some alterations & thereupon.

Resolved & Ordered That the Committee of greivances & Propoitions do prepare & bring in a Byll for the better explaining the 92^d act of Assembly Entituled *Surgeons acco^{ts} Regulated* according to the Reporte of the said Committee with this further addition & alteration as followeth.

That where the Physician or Surgeon cannot declare upon his Oath the first cost of the Medicines the Courte be empowered to give Judgem^t of the Same according to discretion.

That the Physician or Surgeon be allowed Cent $\frac{7}{8}$ Cent upon the first Cost of his Medicines.

The propoition of the Committee of Greivances & Propositions for a Law to restraine all persons, who have neither Freehold in nor Leafes of Lands to keep horses, Cattle & hoggs except within fences & inclosures being read a debate did thereupon arise & the Question being put for a Byll to be prepared accordingly it passed in the Negative.

The house takeing into Consideration the Reporte of the Committee of Propositions & Greivances aboute the Act for Ports made the Last Session of Assembly, who Reported their Opinions that the Said Act is for the promotion of their Mā^{ts} Interest, the good & Wellfare of this Countrey and conducing to the encouragement of Trade.

Resolved That Maj^r *Charles Scarburgh* Coll^t *Arthur Smyth* M^r *Ring* Cap^t *Ransone* M^r *Harriffson* M^r *Churchhill* M^r *Colston* Cap^t *Randolph* M^r *Carter* & Cap^t *Hardidge* doe make application to the Hon^{ble} Councill to pray their Concurrence with the house to represent the Same to the R^t hon^{ble} the Liev^t Governour & humbly request him to use his authority in y^e encourageing & enforcing a full & Speedy Compliance thereto and for putting the f^d Law in effectuall practise which will prove a meanes to dishearten & put a Stop to the discouragers thereof for the future: And they are likewise empowered to request their hon^{rs} that they will be pleased to concurr with this house humbly to petition their Ma^{ty} for their Royall Assent to & Confirmation of y^e f^d Act for Ports & to pray their Hon^{rs} to affygne time for Conference upon the Subject matter of this vote & thereupon to Report y^e Result thereof to this house.

Ordered That M^r *Leigh* M^r *Lewes* M^r *Thruston* & M^r *Hartwell* forme and prepare an address to their most Sacred Mā^{ty} for their Royall Assent to & confirmation of the Act for Ports &c. made the last Session of Assembly ready to be Reported to the house upon the Councills agreem^t to joyne Therein.

Ordered That the persons appointed to apply themselves to the hon^{ble} Councill to pray their Concurrence with the house in Requesting the Liev^t Governour to use his authority in encourageing & inforcing a full & Speedy Compliance to the Act for Ports

&c

&c do desire the Council to joine with the house in the drawing up & Sending an address to their Ma^{ty} to make thankfull acknowledgement for their Mā^{ty} care in Transmitting to the Countrey a Store of powder and amūnition for its defence & Security.

The house adjourned till ii of clock *Munday* morning

Munday Aprill the 18th 1692.

MR *Malachy Thruston* according to leave given presented a Byll for the alteration of the day appointed by Law for holding Courte in *Princes Ann* County, which was Received & laid upon the Table.

And then the house adjourned till 3 a Clock afternoone.

Post Meridiem

MAJ^R *Charles Scarburgh* from the Coūmittee of Greivances & Propositiōns Reported that the said Coūmittee had according to the Order of the house prepared two Bylls *viz*

A byll for the better defence of the Countrey.

A byll for deviding *Rappahanack* Countie. Which they had directed him to present to the house & then the Said Bylls were received & laid upon the Table.

Then Maj^r *Charles Scarburgh* from the said Coūmittee Reported That according to the Order of the House they had duely Considered the Petition of Severall Freeholders of *King & Queen* County touching the Obstruction of y^e Porte at *West pointe*, referred to them on the 9th Inft^t and had for the better Stateing of the whole matter, & Reporting their Opinions therein made divers Examinations & inquiries & at last came to a Resolotion, which they had directed him to Reporte to the house whereupon he read the Same in his place & then delivered it in at the Table, And the said Reporte being taken into consideration of the house it was thereupon *Resolved*.

That the magistrates of *King & Queen* County Courte haue proceeded Regularly & conforant to Law in appointeing *West pointe* to be laid out by the Surveyor of the County for a Port, & giving the Inhabitants notice of the day of Laying out the Same, in appointing Feoffees to and for the use of the said Countie, & in makeing an agreement for the price with Coll^t *Jn^o West* the Owner & Proprietor thereof, & that the Defects Occasioned by the Errors of y^e Trustees are now supplied by Coll^t *Jn^o West* fygneing a Deed agreed on by y^e Courte, and the Law in that respect fully pursued.

The house adjourned till ten a clock to morrow morning.

Tuesday Aprill the 19th 1692.

ABYLL for Defraying the Burgeffes Expences by y^e publique read the first time, & the Question being put for a Second Reading it passed in the negativue.

Resolved that the said Byll be rejected.

A byll aboute the profecution of Negro Criminalls read the first time & Ordered a Second reading tomorrow morning Seven a Clock.

A byll for Altering the day for *Princes Anne* County Courte read the first time & Ordered a Second Reading.

A byll for the better defence of y^e Countrey read the first time & Ordered a Second Reading.

A byll for deviding *Rappahanock* County read the first time and upon the Question, Ordered a Second Reading.

Then Maj^r *Charles Scarburgh* from the Coūmittee of Greivances & Propositiōns presented a Byll aboute Physicians and Surgeons Acco^{tes} which was received & Read the first time & Ordered a Second Reading.

And

And then the said Maj^r *Scarburgh* from the f^d Committee Reported that having proceeded in the Consideration of divers matters to them referred they had directed him to Report the Same to the house which he read in his place & then delivered them in at the Table.

Vpon Reading the Reporte of the Committee of Greivances & Propositions That they conceive it necessary that a Byll be prepared directing the method for arrests the house agreed thereto. and

Resolved That the Committee of Greivances & Propositions doe prepare & being in a byll directing the Method for arrests according to the Reporte of the f^d Committee.

And that in preparing the f^d Byll. they add or insert the Forme agreed upon by the house for all returns upon Writts for Elections of Burgeesses to be made in for the future, and also frame Such a Forme as may be thought fitt for a Common returne upon Writts for convening of prorogued or adjourned Assemblies & Report the Same annexed to the Byll.

Vpon Reading the Reporte of y^e said Committee that a byll be prepared Commanding the Magistrates of every County to purchase at the Charge of y^e County a Seal, and that no Suspicious person whatever be suffered, to travell without having from the Clerk of y^e County a Certificate of his Freedome under the Clerkes hand & Seal of the County where his last residence was &^c the house agreed thereto and

Resolved that the Committee of Greivances & Propositions prepare & Bring in a Byll according to the Reporte of y^e said Committee.

Vpon Reading the Reporte of the said Committee that a Byll be prepared declaring that were [where] two Severall Tracts of Land joyneing together haue already been taken up the feating of the One Shall save the desertion of the other, provided that within three yeares after this time, the other be Seated according to Law, & that all Such Lands on such Conditions shall be confirmed to the present possessor thereof but for the future the Seating of one Shall not Save the desertion of y^e Other but that both be Seated according to Law, Marshes Sunken-grounds & Overplus Land within or adjoyneing to old bounds only excepted, The house agreed thereto & *Resolved* that a Byll be prepared accordingly.

Ordered That the Committee of Greivances & Propositions prepare & bring in the f^d Byll and that it be given as a further instruction to the said Committee to add a clause to the Same for the better Explanation of y^e 72^d Act of Ass^{bl^y} in the Printed Booke Entituled *Lands five yeare in possession*.

Cap^t *Geo. Cooper*, Cap^t *W^m Ball*, & Cap^t *Lawrence Washington* complaining to this house that according to the Order of the house they had endeavoured to gett the Powder allotted for *Patomeck* River conveyed, & that for that end they had applyed themselves to a master of a Sloop bound thither who demanded the unreasonable Sum of 1000^{l^{bs}} of Tob^o for that Service, and therefore they desired Some directions from the House how to act no Sloopes being to be hired on reasonable Termes.

It was thereupon *Ordered* That the f^d Persons together with Cap^t *Joshua Storey* & others Concerned to gett the Powder conveyed which is allotted for *York* River doe make application to the L^t Govern^r & in the name of the House desire his hon^r to issue out his Warr^{ts} to the Officers qualified by y^e Laws to imprefs & Command them to imprefs Sloopes & men to transport the Powder allotted for *Patomack* & *York* River to each of the f^d Ports for such Reward & Satisfaction to be paid by y^e publique as the Lawes in that case provide and direct.

The house adjourned till 5 a clock afternoone.

Post Meridiem.

MAJ^R *Charles Scarburgh* from the Committee of Greivances & Propositions Reported that according to the Order of the house they had formed & prepared 3 bylls *Viz*

A byll concerning Writts & Returnes

A byll for the more exact discovery of Runaways & idle & vagrant persons.

A byll for confirmation of Lands which he delivered in at the Table & were received. Then the Byll concerning Writts & Returnes was read the first time and Ordered a Second Reading.

A byll for the more exact discovery of Runawayes & idle & vagrant persons read the first time & Ordered a Second Reading

A byll for confirmation of Lands read the first time & Ordered a Second Reading.

The house being informed that Coll^r *Edward Hill* Treafurer of the Imposition upon Liquors & the duty upon Skins & Furs laid the last Session of Assembly is come into Towne, appointed M^r *Harrifson*, M^r *Hartwell* & Cap^t *Randolph* at Some Suitable & convenient time to take of him an Acco^{ts} of y^e said Imposition according to the acts in that case provided, And Ordered the said persons forthwith to acquainte the f^d Coll^r *Edw^d hyll* with this appoyntment to the end he may provide & make his said Accountes Ready with all Convenient Speed to be brought in to this House.

The house having Observed from a Clause in a Letter from *Jeffry Jeffries* Esq^r That M^r *W^m Sherwood* a person lately arrived from *England* had taken much paines to procure Copies of all the Charters & Grants that had beene made to this Country in former Reignes & being informed by a member of the House that the f^d M^r *Sherwood* had brought in with him divers papers relateing to this Countrey the knowledge whereof might be of great Service.

It was thereupon Ordered That Maj^r *Charles Scarburgh* M^r *Hartwell* M^r *Leigh* M^r *Thruston* & M^r *Church-hill* goe to the house of the said M^r *Sherwood* tomorrow morning & desire an inspection into all Such papers as he hath brought from *England* with him relateing to this Countrey & take an acco^{ts} of all Such as may be thought usefull & worthy the Consideration of this house & to reporte the Same.

The house adjourned till 7 a clock tomorrow morning.

Wednesday Aprill the 20th 1692.

MAJOR *Charles Scarburgh* from the Comitte appointed to take a view of y^e Papers relateing to this Countrey in the Possession of M^r *W^m Sherwood* Reported That according to the Order of the house they had inspected Copies of Severall Grants Charters & other papers relateing to this Countrey which M^r *Sherwood* had procured in *England* by great industry & paines in searching at Severall Offices, & as the most materiall of them for the use & consideration of the house had Selected.

The Copy of a Grant to the Earle of S^t *Albans* & others of the *Northern neck* 1667.

The Copy of a Grant of all *Virg^a* to the Earle of *Arlington* & Lord *Culpeper* for 31 yeares An^o 1672.

The Copy of a Grant to Lord *Culpeper* of the *Northerne neck*, 1688.

And the Copy of a Charter to *Virg^a* which had passed the Signet y^e 3^d *March* 1675/6. Which he delivered in at the Table & were received.

Ordered That the f^d Severall Copies be Comitted to the Consideration of y^e Comitte of Grievances & propositions to inquire into the particulars thereof & to Report their Opinions how farr & wherein the Same may be applied & made use of for the imediate Service of this Countrey,

A message from the L^t Govern^r & Council by M^r *Edwards* who brought from the Council the booke of Claimes allowed by the House & Sent to the Council for concurrence with a written Answer thereto & also a written Message from the L^t Govern^r & Council which were received & laid upon the Table.

A byll aboute the Prosecution of negro Criminalls read the 2^d time and Committed to the Comitte that first prepared the Same for amendments.

A byll for altering the day for *Princes Ann* County Courte read the 2^d time Ordered to be engrossed & read a 3^d time.

A byll for the better defence of y^e Countrey read the 2^d time & upon the Question Ordered to be engrossed & read a 3^d time.

A byll for deviding *Rappahanock* Countie read the 2^d time & upon the Question *Resolved* that the Byll be engrossed & read a 3^d time.

A byll aboute Phyficians & Surgeons acco^{tes} read the 2^d time & ordered to be engrossed & read a 3^d time.

A byll concerning Writts & Returnes read the 2^d time & committed to the Comittee that first prepared the Same for Amendments.

A byll for the more exact discovery of Runawaies & idle & Vagrant perfons read the 2^d time & committed to the Committee who first prepared the Same for amendments.

A byll for confirmation of Lands read the 2^d time & ordered to be engrossed & read a 3^d time.

The houfe adjourned till 5 a Clock afternoone.

Post Meridiam

MAJOR *Charles Scarburgh* from the Committee of greivances & Propositions Reported that the Severall Bylls to them referred this morning for amendments, they had according to the Order & directions of the houfe amended which amendments he read in his place & delivered the f^d Bylls & amendments in at the Table.

Then the amendments to the Byll aboute profecution of negro Criminalls and a new claufe added to the Same being twice read after Some time spent in debate thereof the Same were agreed to by y^e Houfe & the Byll with the said amendments & claufe Ordered to be fairly engrossed for a third Reading.

The amendments to the Byll for the more exact discovery of Runawayes & idle & vagrant perfons were read & after Sometime Spent in debate thereof the Question was put for the said Byll with the amendments to be engrossed & it passed in the Negative.

The amendments to the Byll concerning Writts & Returnes being twice read, the Same were agreed to by the Houfe & the Byll with the amendments ordered to be fairly engrossed for a Third Reading.

A Message from the Councill by M^r *Edwards*.

M^r *Speaker*.

I am Ordered by y^e Councill to acquainte this houfe that they have considered your Message aboute Ports & desire Some of the members of the houfe may be appointed to conferre with them aboute the Same tomorrow morning.

Ordered That the members appointed to carry the said Message to the Councill and to desire a Conference aboute the Subject matter thereof doe wait upon the Councill accordingly.

Ordered That the Answer of y^e Councill to the Booke of Claimes brought into the houfe this morning be taken into Consideration of the houfe tomorrow in the forenoone.

Ordered that the houfe be called Over at their first Setting tomorrow morning.

And then the houfe adjourned till Six a clock to morrow^e morning.

Thursday Aprill the 21st 1692.

THE Writt for *Westmorland* County being now transmitted from the Secretaries Office the Sherriffs Returne thereupon was read & the Same being approved *Resolved* That Cap^t *W^m Hardidge* & Cap^t *Lawrence Washington* are duely Summoned & Returned Burgeffes for *Westmorland* County.

Then the Sherriff for *Westmorland* County in Custody of the messinger of y^e Houfe for haveing so long failed to make Return of y^e Said Writt was Ordered to be brought before the houfe, where being heard what he had to Say for his excuse after an
humble

humble Submission & craveing pardon for that his Default, The house thought fitt & accordingly *Ordered* That the said Sherriff be discharged out of Custody paying his Fees

The house was called Over according to Order & the absence of those that did not appear excused.

A byll for the better defence of the Countrey read the 3^d time & passed *nemine contradicente*

A byll for confirmation of Lands read the 3^d time & passed.

A byll for the more speedy prosecution of Slaves committing capitall Crimes.

A byll concerning Writts and Returnes read the 3^d time & passed.

A byll aboute Phyficians and Surgeons acco^{ts} read y^e 3^d time & passed.

A byll for deviding *Rappahan^k* Countie read the 3^d time & passed.

A byll for altering the day for *princefs Anne* County Courte read the 3^d time & passed

And each of the said Bylls were forthwith *Ordered* to be carried to the Council for their Concurrence.

Ordered That Coll^l *Lawrence Smyth*, M^r *Hartwell* & M^r *Randolph* doe waite upon the L^t Govern^r and desire an acco^{te} how long the Rangers appointed at the heads of y^e River the last Session were in actuall Service and when discontinued to the end the house may know how to proceed in raising their pay & that his hon^r would be pleased to communicate to this house such directions as he shall think fitt aboute the Same.

Major *Charles Scarburgh* from the Conference with the Council aboute y^e forwarding of y^e Ports Reported That upon the whole matter their hon^r declared they could not joyne with the House in those waies propofed for the forwarding the Act for Ports made the last Session according to their Message on *Saturday* last, & thereupon the house came to a debate, wherein having Spent some time it was.

Resolved That the House will Resolve into a Committee of y^e Whole house to morrow morning Six a Clock to resume the debate & consider of the most Expedient waies & meanes for the more effectuall carrying on the Law for ports &c

The house according to the Order of Yesterday taking into consideration the answer of y^e Council to the Book of Claimes some parts thereof were agreed to and others disagreed to, and a Reply accordingly drawn up in Writing to be sent with the said Book of Claimes when next Carried to the Council for Concurrence.

Then a Proposition from the L^t Govern^r & Council for a suitable reward to *W^m Norrington* Comander of the Ship *Barnadistance* for his trouble & care in bringing in 200 barr^{ls} of Powder & others Stores sent by their M^{aj}^{ty} to this Countrey was read & upon Consideration thereof a Gratuity for the f^d Service agreed upon & annexed to the book of publique Claimes.

The house adjourned till four a clock afternoone.

Post Meridiem

A WRITTEN Message from the L^t Govern^r by M^r *Edwards* was read and the Same being an answer to the message of this house of this morning for an acco^{te} of y^e continuance & discontinuance of y^e Rangers at the heads of the Rivers with Other directions was committed to the Committee for Publique Claimes.

M^r *Benjamin Harrifson* from the Committee appointed to take M^r *Treasurers* acco^{te} brought into the house an Acco^{te} from M^r *Treasurer* of y^e 4^d th gallⁿ upon Liquors & an Acco^{te} of y^e Imposition upon Skins & furs which he delivered in at the Table.

And then the Same being taken into consideration the house observed That Severall of the Collectors had not given in their Acco^{te} as the act of Assembly for raising the said Imposition directs whereupon It, was *Ordered* that the members before appointed to take M^r *Treasurers* Acco^{te} doe acquainte him that this house doth expect each particular

ular Collector to give in his acco^{te} upon Oath, & according to the forme & method prescribed by y^e Law if he hath not already done the Same, and that he Accordingly informe the Collectors thereof & move the L^t Govern^r to appointe Some perfon to give the Oath.

The houle adjourned till tomorrow morning Six a clock.

Fryday Aprill the 22^d 1692.

THE houle according to the Order of yester day Resolved into a Comittee of the whole houle to confider of the most expedient waies for the more effectuall executeing the Law for Ports and Maj^r *Charles Scarburgh* tooke the Chair, and after Some time Spent therein.

M^r *Speaker* resumed the Chair & Maj^r *Scarburgh* Reported That y^e Comittee had made Some Progreffs in the matters to them referred & had directed him to move the houle for leave to Sitt againe aboute the further confideration of the Same.

Resolved That the houle Refolve into a Comittee of the whole houle to proceed in the further confideration of the best waies & meanes for the more effectuall executeing the Law for Ports on *Munday* morning ten a clocke.

Maj^r *Lawrence Smyth* from the Comittee of Publique Claimes Reported That they had confidered the answer of the L^t Govern^{rs} aboute the Rangers to them referred & had therein come to a Resolution w^{ch} being delivered in at the Table was received.

And then the houle adjourned till *Munday* morning ten a Clocke

Munday Aprill the 25th 1692.

INFORMATION being made that Cap^t *James Ransone* a Member of the House being very ill of a Feaver and cold desired leave to goe home for the recovery of his health.

leave was given accordingly.

The houle according to the Order of the Day having Resolved it Self into a Comittee of y^e whole houle to proceed in the further confideration of the properest wayes for the more effectuall putting in Pra^{ct}ise the Law for Ports.

Maj^r *Scarburgh* Reported That the said Comittee had agreed upon a Resolution which he read in his place, & was approved and thereupon *Resolved*.

That *W^m Blathwaite Esq^r* be requested as an Agent for this Countrey to endeavour to procure their M^ā^{ts} Royall assent to and Confirmation of the Law for ports & made the Laft Sessioⁿ & that for that end Such Reafons be drawne up & Transmitted to him for his instruction as have already caused a generall propensity for it here and which is hoped will clearly evince that the Said Law doth & will Tend to the advancement of Religion & Learning their M^ā^{ts} Interest, the Countreys great advantage & increafe of Trade.

Ordered That M^r *Harriffon*, M^r *Leigh* M^r *Church-hill* & M^r *Thruston* waite upon the R^t hon^{ble} the L^t Govern^r forthwith to acquainte him with this Vote & to desire his hon^r to Assygne Councill to conferre with Such of the Members of this houle as Shall be appointed aboute the Subject matter thereof aboute an answer to M^r *Jeffries* Letter and aboute the busines committed to M^r *Blaire*.

A written Message from the L^t Govern^r by M^r *Edwards* as followeth.

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

M^r *Treasurer* having presented a message directed to him from the R^t Worshipfull the houle of Burgesse wherein they set forth that they observed by his acco^{te} of y^e 4^d 7th Gallon & imposition upon Skins & Furrs, That Severall Collectors have not given in their Acco^{tes} as the Act of Assembly for raising the 1^d Imposition directs & that therefore

it

it was expected each particular Collector give in his acco^{te} upon Oath according to the Terme & method prescribed by y^e Law and that he informe the Collectors thereof, & move me to appointe Some persons to give the Oath, in answer thereto I returne that I will Order the Severall Collectors to prepare & State their Acco^{tes} according to Law and make Oath to the Same before my Self & the hon^{ble} their Mā^{ts} Council of the Auditt in *June* next, & then deliver them to M^r *Treasurer*.

Aprill the 25th 1692.

Fr Nicholson.

Resolved That the house doth acquiesce in the L^t Govern^rs answer abovesaid.

M^r *Rob^t Carter* a Member of the house having a Complainte exhibited against him in the Generall Courte by *Eliz^k Wormely* now wife of *Christopher Wormely* Esq^r & desiring leave to waue his priveledges as a member of the House, and that he might be permitted to answer the Same.

Leave was granted accordingly.

Resolved That the house will tomorrow morning take into consideration all other necessary allowances to be added to the booke of Claimes to the end the Same may be finished & Sent to the Council for their Concurrence.

Then the house adjourned till tomorrow morning Six a Clock.

Tuesday Aprill the 26th 1692.

A PETITION of *Samuell Ravenscroft* Setting forth that from *New England* he had imported his Family to Settle in this Country & had for their use & expence now brought in Some Beere & Syder & praying that he may have liberty to bring the Same on Shoare without payment of the Imposition according to Law was read & upon consideration thereof the house thought fitt & accordingly *Ordered*, That if the R^t hon^{ble} the L^t Govern^r & Council Shall concurr therein the Collector of that district be permitted to give a Byll of Store, for the Landing of Such Beer & Syder only as the said *Ravenscroft* hath imported for his ffamilyes use, provided he give an acco^{te} upon Oath to the Collect^r of the district & pay duety for Such Quantity as he now defygnes or hereafter Shall expose to Sale.

Vpon Reading the Reporte of the Committee for Publique Claimes that they had raised for the Severall L^{ts} Soldiers, Indians & Owners of horses &c at the heads of the Rivers a full Salary for a yeare expiring the 15th *November* next the house agreed to the Same, and having annexed the said Salary to the booke of publique Claimes, *Resolved* That the Same be & Remain in Deposits in the hands of the Sherriffs of the Severall Counties in which it is proportioned untill they Shall receive a particular Command from the R^t hon^{ble} the L^t Govern^r & Council for the respective payments to the Severall persons concerned for the time they have beene in actuall Service.

Resolved That the R^t Hon^{ble} the L^t Govern^r & Council be desired to examine what time & how long the Soldiers in the Severall Counties Shall be in actuall Service & Order their payments accordingly for Such time & that if any Tob^o remains in any Sherriffs hands after Such paymen^{ts} are made that an exacte acco^{te} thereof be returned to y^e next Affembly as also of what was due to the Severall Soldiers the last yeare for the time they were in actuall Service there being nine moneths pay compleatly Levied for each and of the Severall payments that the ballance of that Acco^{te} may also appear.

Ordered That the R^t Hon^{ble} the L^t Govern^r & Council be acquainted with this Resolvve of the house.

Then the house according to the Order of yesterday entred upon the consideration of all other necessary allowances to be added to the book of publique Claimes which having agreed upon & finished the Same were added to the said Book accordingly & it was *Ordered*.

That Maj^r *Laurence Smyth* Cap^t *W^m Randolph* M^r *Hen. Hartwell* & Cap^t *W^m Hardidge* carry the said booke of Claimes together wth the Reply of this house to the Written answer

anſwer of the Councill ſent to this houſe on *Wednesday* laſt & the Reſolves this day made upon the Reporte of the Comiſſtee of Claimes aboute the Rangers & deſire their hon^r Concurrance thereto.

M^r *Benjamin Harrifſon* Reporting to the houſe that the R^t hon^{ble} y^e L^t Govern^r would according to the deſire of the houſe aſſygne Some of the hon^{ble} Councill to hold Conference with ſuch Members of this houſe as ſhall be appointed aboute the Subject matter of Yeſterdays Vote an anſwer to M^r *Jeffry Jeffryes* Letter & the buſineſs committed to M^r *Blayre* at two a clock in the afternoone in the Councill Chamber, It was thereupon *Ordered* That Maj^r *Charles Scarburgh* M^r *Benjaⁿ Harrifſon* M^r *Henry Hartwell* Maj^r *Law: Smith* Cap^t *W^m Randolph* M^r *Leigh*, M^r *W^m Church-hill*, Cap^t *W^m Hardidge* Cap^t *Malachy Thruſton* & Cap^t *Francis Maſon* be appointed to manage the ſaid Conference & give their Attendance accordingly.

A Meſſage from the Councill by M^r *Edwards* who brought into the houſe Severall Bylls Sent to the Councill for Concurrance & a Written anſwer thereto.

A byll for the better defence of y^e Countrey returned from the Councill with a propoſition of a claufe to be added to the Same & the 1^d Claufe being read, the Same was agreed to by the houſe & *Ordered* to be added to the 1^d Byll.

A byll for the Confirmation of Land returned from the Councill wth the propoſition of amendments *viz*: a Claufe to be infered & a Claufe to be added & the ſame being read the houſe thought fitt to pray a conference for explanation thereof & thereupon *Ordered* the Managers of y^e Conference appointed accordingly this evening to deſire & hold the Same.

A byll concerning Writts & Returnes Returned from the Councill w^{ch} [wth] the propoſition of a new claufe to be added which being read was diſagreed to by the houſe.

A byll aboute Phyſicians & Surgeons accountes Returned from the Councill agreed to.

A byll for the more Speedy proſecution of Slaves committing Capitall Crimes Returned from the Councill agreed to

A byll for the divideing of *Rappahanock* Countie returned from the Councill with a propoſition of a new claufe & the Same being Read was agreed to by the Houſe and *Ordered* to be added to the 1^d byll.

A byll for Altering the day for *Princeſs Anne* County Courte Returned from the Councill agreed to.

The houſe of Burgeſſes being deeply Sencible of the Singular deferts of the R^t hon^{ble} *Fran^s Nicholſon* Eſq^r their Mā^{ts} L^t Gover^r in his conſtant & earneſt endeavours to promote Religion & Learning their Mā^{ts} Service the Peace Welfare & Security of this Countrey together with his indefatigable paines & unwearied diligence in his perſonall viſiting all parts of this Dominion & Contriveing the beſt expedient to preferve the Same, do as a Teſtimony of their endeared affection to So great meritt, requeſt their Mā^{ts} hon^{ble} Councill to joyne with this houſe in deſiring him to accept the Sum^m of 200^{lb}: *Ster^l*: in M^r *Treſurers* hands as the Same Shall ariſe out of the Impoſt upon Liqours not as proportionate to his great meritt but as excited by a due Sence of Gratitude to acknowledge the Same.

M^r *Speaker* Together with Such members as he Shall think fitt to accompany him is deſired to acquainte the Councill with this vote & deſire their Concurrance therein.

The houſe adjourned till 4 a Clock afternoone.

Post Meridiem

MR *Speaker* Reported that having Obtained the Concurrance of y^e Councill to the Vote of the morning aboute 200^{lb} the Councill with himſelf & divers other members of the houſe did thereupon waite upon the L^t Govern^r to acquainte him therewith who in anſwer thereto was pleaſed to expreſs a great deal of unwillingneſs to accept that acknowledgm^t and Said he had acquainted the houſe with his Mā^{ts} inſtructions at the laſt Seſſion & that his Aimes were not at
Such

Such ends but his endeavours were & ever Should be the Service of their M^ā^{ts} the Good & advantage of this Countrey to the utmost of his Ability, in which he would expose even life it Selfe & that he better accepted the acknowledgem^t acceptance & Sence the Country had of his endeavours to Serve it then any other gratification Whatsoever.

The house adjourned till 7 a clock tomorrow morning.

Wednesday y^e 27th Aprill 1692.

VPON Report of the Conference with the Council for the explanation of y^e Clause proposed to be inserted in the Byll for Confirmation of Lands the said Clauses were agreed to by the house and Ordered to be inserted & added to the byll accordingly.

Then the Severall Bylls passed this Session & were ordered to be carried to the Council for the attestation of their Concurrence & being brought back into the house so attested, the same were Ordered to be fairly engrossed for Sygneing.

Maj^r *Lawrence Smyth* brought into the House the Booke of Claimes wholly agreed to by y^e Council.

A Committee for Proportioning the Levy.

Cap^t *W^m Randolph*

M^r *Henry Hartwell*

M^r *Benjamin harrifson*

M^r *Jos: Ring*

M^r *W^m Church-hill*

M^r *Rob^t Boling*

Coll^l *Law Smith.*

Maj^r *Charles Scarburgh* from the Conference with the Council aboute the Vote of the house concerning *W^m Blathwaite Esq^r*

An Answer to M^r *Jeffry Jeffryes Lett^r* & the busines committed to M^r *Blair* reported.

That the Council did agree with the house in the nomination of *W^m Blathwaite* esquire as person most proper to be applied to for promoting the affaires of this Countrey & thereupon proposed a letter to be writ to him to request him accordingly & Some memorialls to be drawne up to accompany the Same.

That M^r Secretary *Cole* hath undertaken to prepare an answer to M^r *Jeffries Lett^r* and to propose letters to his Grace the Archbishop of *Canterbury*, the Lord Bishop of *London*, & the Lord Bishop of *Worcester* & that it is left to the house to frame a Letter to M^r *Blair* to draw up the letter & memorialls for *W^m Blathwaite Esq^r* and an address of thanks to their M^ā^{ts} for Sending to this Countrey the Powder & Stores lately imported in Cap^t *Norrington*.

Ordered that

Maj^r *Scarburgh*

M^r *Church-hill*

M^r *Harrifson*

Cap^t *Hardidge*

M^r *Hartwell*

Cap^t *Thruston*

Coll^l *Smyth*

Cap^t *Mason*

Cap^t *Randolph*

&

Coll^l *Arthur Smyth*

M^r *Leigh*

be appointed a Committee to consider of & draw up a letter & memorialls for *W^m Blathwaite* esq^r a letter to M^r *James Blayre*, an address to their M^ā^{ts} of thanks for Sending to this Countrey a Store of Powder & ammunition & the best meanes to Obtaine their M^ā^{ts} Leave to the L^t Govern^r to accept of y^e Sum of 200^l presented to him & to reporte the same to the house as soone as possible.

Resolved That the Sum of 200^l Ster^l. be put into the hands of M^r *Gowen Corbyn* merchant of *London* to be paid to *W^m Blathwaite Esq^r* as he Shall have Occasion to dispose of the Same for the use of this Countrey.

Ordered That this Resolve be carried to the Council for their concurrence.

The house adjourned till Six a clock to morrow morning.

Thursday

Thursday Aprill the 28th 1692.

CAPT *W^m Randolph* from the Committee to whome the Same was referred Reported That according to Order they had proportioned the Levy & the Same being Suñd up amounted to seventeene pounds & one Quarter of Tob^o P pole which they had proportioned to the Severall Creditors of the Countrey and the Same was agreed to by the houle.

M^r W^m Church-hill a member of y^e Houfe moveing the houle for leave to go home for the management of Some urgent affaires

Leave was given accordingly.

A byll for raifeing a publike Levy read the 1st time.

A byll for raifeing a publike Levy read the 2^d time.

Ordered to be engrossed & read a 3^d time.

A byll for raifeing a publike Levy read the 3^d time passed & Ordered to be Carried to the Councill for their Concurrence, and then

The houle adjourned till two a Clock afternoone.

Post Meridiem

A BYLL for Raifeing a publike Levy returned from the Councill assented to. The Refolve of the houle for 200^{lb} to be lodged in *M^r Gowen Corbyns* hands to be drawne out by *W^m Blathwaite Esq^r* as hee shall See occasion for the use of the Countrey returned from the Councill assented to.

Ordered that *M^r Treasurer* do remitt into the hands of *M^r Gowen Corbyn* the Suñ of 200^{lb} to be there Lodged for *W^m Blathwaite Esq^r* as he shall see Occasion to make use of the Same according to the Vote of Yesterday.

A motion being made for leave to *M^r Jo: Ring* a member of the houle to go home he being lame & unable to attend the Service of the houle.

leave was given accordingly.

Maj^r Charles Scarburgh from the Committee to whome the Same was referred Reporte that according to the Order of the houle they had drawne up & prepared an addrefs to their Mā^{ts} giving them thanks for their Royall Care in sending to the Countrey a Store of powder & c an addrefs to their Mā^{ts} to permitt the L^t Govern^r to accept of 200^{lb} a Letter & memorialls for *W^m Blathwaite Esq^r* & a Letter to *M^r James Blayre* which he delivered in at the Table & were there read and after Some amendments approved & agreed & then Ordered to be carried to the hon^{ble} Councill for their Concurrence.

Resolved that the Suñ of 100^l *Ster^l* be put into the hands of *M^r Gowen Corbyn* merch^t of *London* to be paid to *M^r James Blaire* as he shall have Occasion to dispose of the Same for the managing of the affair of the free Schoole & Colledge committed to him the Last Sessio.

Ordered That *M^r Hartwell* & the rest of the Committee of publiq Claimes do forthwith withdraw & State *M^r Treasurers* acco^{ts} proportioning the Severall Sumes of money allowed this Sessio to be paid by him according as the fame is directed in the publike booke of Claimes or is Resolved & Ordered by this houle & reporte the Same withall convenient expedition.

M^r Hartwell & c returned & reported that according to Order they had Stated *M^r Treasurers* acco^{ts} which was read and approved & Ordered to be carried to the Councill for their assent.

Then *Maj^r Charles Scarburgh* from the Councill brought into this houle a Letter to his Grace the Archbishop of *Canterbury*, A Letter to the Lord Bishop of *London*, & a letter to the Lord Bishop of *Worcester* which according to agreem^t at the conference aboute the Same *M^r Secretary Cole* had prepared & the Same being lett^{rs} of thanks for their Assistance to *M^r Blaire* in managing the Colledge affaire were read & were ordered to be sent to the Councill.

The houle adjourned till tomorrow morning. Seven a clocke.

Friday

Friday Aprill the 29th 1692.

THE Refolve of the Houfe for 100^{lb} to be put into M^r *Gowen Corbyns* hands to be paid to M^r *Blaire* as he fhall have Occafion to difpofe of y^e Same for the managing of the bufinefs of the Colledge returned from the Council affented to.

A lett^r to *Jeffry Jeffryes* Efq^r prepared by M^r Secretary *Cole* according to agreem^t at the conference aboute the Same was read & Ordered to be returned to the Council for amendm^{ts}

The acco^{ts} of M^r *Treasurer* with the feverall Orders for payment of money to the Severall Creditors thereupon Returned from the Council affented to.

Resolved That M^r Secretary *Cole*, be defired & empowered to take Bylls of Exchange of M^r *Treasurer* for the Sum^m of 200^l *Sterl*: Ordered to be Lodged in M^r *Gowin Corbyns* hands for *W^m Blathwaite* Efq^r & the Sum^m of 100^l *Sterl* Ordered to be lodged there alfo for M^r *James Blaire*, & remitt the Same to M^r *Gowen Corbyn* with full instructions purfuant to the Refolves of the Gen^l Affembly therein.

Ordered That this Refolve be carried to the Council for Concurrence.

A Letter of thanks to the Lord Bifh^p of *Salisbury* prepared by the Houfe for his Affiftance to M^r *Blayre* in managing the Colledge affair was read & approved & Ordered to be Carried to the Council for Concurrence.

The houfe adjourned till 4 a Clock afternoone

Post Meridiem

ALETT^R to M^r *James Blayre* returned from the Council agreed to & Ordered to be fairly Tranfcribed.

A letter & memorialls to *W^m Blathwaite* Efq^r returned from the Council with amendm^{ts} which faid amendm^{ts} being read were after a conference thereupon held, concluded & agreed to by y^e Council & the Houfe, & being accordingly amended, Ordered to be fairly Tranfcribed.

An Adrefs to their Mā^s giving thanks for their Royall care in Sending to the Country a Store of Powder & Gunners Stores returned from the Council agreed to & Ordered to be fairly Tranfcribed as followeth.

To the King & Queen's moft excellent Ma^{ties}

Wee your ma^{ties} moft dutyfull & Loyall Subjects yo^r Ma^{ties} L^t Govern^r Council & Burgefles at this prefent Generall Affembly in all humble & thankfull manner acknowledge yo^r Ma^{ties} Royall Care extended to this your Dominion in Supplying the Same with Powder & Gunners Stores whereby to be in a capacity to defend it, & yo^r Mā^s Subjects thereof, & to Oppofe all yo^r Ma^{ties} Enemies, & as a Sincere Testimony of o^r hearty Sence & acknowledgement thereof, do unfeignedly promife upon all Occafions to lay downe o^r Lives & Fortunes in the defence of yo^r Mā^s Intereft & the Laws of yo^r Land, as becomes yo^r Mā^s moft dutyfull Subjects.

An Adrefs to their Mā^s from the Council & Burgefles to give leave to the L^t Govern^r to receive 200^{lb} returned from the Council with the propofall of an alteration to be made therein & the Same being agreed to by the houfe was Altered accordingly & Ordered to be fairly Tranfcribed as followeth.

A letter of Thanks to the Lord Bifhop of *Salisbury* for his Lo^{ps} affiftance to M^r *Blayre* in the bufinefs of y^e Colledge returned from the Council agreed to & Ordered to be fairly Tranfcribed.

To the King & Queen's moft excell^t Ma^{ties}

May it please yo^r Mā^s

The Singular deferts of the R^t Hon^{ble} *Francis Nicholfon* Efq^r yo^r Mā^s L^t Govern^r of this your Dominion in his Conftant & earneft endeavours to promote Religion & Learning,

Learning, yo^r Ma^{ty} Service, & the peace Welfare & Security of this Country together with his indefatigable paines and unwearied diligence in his personall vifitting all parts of this Dominion & Contrieving the best expedient to preserve the Same, are great motives to induce us to pray, & therefore wee yo^r Mā^{ty} Councill & Burgeffes of this Aff^{bly} doe most humbly pray yo^r Ma^{ty} to permitt the R^t hoñ^{bly} *Francis Nicholfsn* Esq^r yo^r Mā^{ty} L^t Govern^r to receive the Sum of 200^l *Ster*^l.

The Refolve of the house for M^r Secretary *Cole* to receive of M^r *Treasurer* Bylls of Exchange for 200^{lb} ordered to *W^m Blathwaite* Esq^r & 100^{lb} Ordered to M^r *James Blaire* & to remitt the Same to M^r *Gowen Corbynes* returned from the Councill agreed to.

Then these Severall Letters *Viz*: a Letter to his grace the Archbishop of *Canterbury* a lett^r to the L^d Bishop of *London*, & a letter to the Lord Bishop of *Worcester* being letters of thanks for each of their Lordships Assistance to M^r *Blayre*, in promotinge the busines of the Colledge & alsoe a Letter to *Jeffry Jeffryes* Esq^r amended by y^e Councill were brought into the house & severally agreed to, &

Then the house adjourned till tomorrow morning six a cloak.

Saturday *Aprill* the 30th 1692.

A MESSAGE from the R^t Hoñ^{bly} the L^t Govern^r to acquainte you that he Com-
mands this house to attend him forthwith in the Generall Courte house.
And imediately the house went downe accordingly to attend.

JOURNALL

OF THE

HOUSE OF BURGESSES

AT A

GENERALL ASSEMBLY

Begun at *James City*, the second day of *March* 1692/3.
and in the fifth year of the Reign of our Sovereign
Lord and Lady *William* and *Mary* by the Grace of
God of *England Scotland France* and *Ireland* King
and Queen Defenders of the ffaith &c



RICHMOND, VIRGINIA.

MCMXIV.

JOURNALL

OF THE
HOUSE OF BURGESSES.

James City

Thursday March 2^d 1692/3.

DIVERS Burgeffes to the number of thirty three being met in the Burgeffes Chamber His Excellencies Writ for Election of Burgeffes for *Gloucester* County and return thereupon was openly read

A meffage from his Excellency by M^r *Edwards*

Gentlemen of the house of Burgeffes

His Excellency comānds this houe to attend him forthwith in the Generall Court houe

And accordingly the Burgeffes went downe to attend his Ex^{cy} who was pleas'd after haueing made a fpeech, to Comānd the Burgeffes to return to their houe & to proceed to the Choyce of a Speaker.

And the houe being returned after the nomination of Coll *Tho Milner* & Major *Samuell Swan* for a fpeaker they Elec^ted Coll *Tho. Milner* for their fpeaker.

Maj^r *Sam^l Swan*, M^r *Parke* M^r *Baffet* and M^r *Baker* desired to acquaint his Ex^{cy} that the houe haue made Choyce of a fpeaker & to pray his Ex^{cy} to assign a time when y^e houe shall p^rsent him

And they being returned Major *Swan* acquainted the houe that his Ex^{cy} expected the houe to attend him at 3 a clocke afternoon in the Generall Court houe.

and then the houe adjourn'd 'till 3 a clocke afternoon

Post meridiem

A MESSAGE from his Excellency by M^r *Edwards*

Gentlemen of the house of Burgeffes

I am Comanded from his Excellency to acquaint this houe that his Excellency and y^e Councill are now in y^e Generall Court houe and his Ex^{cy} doth Comand the imediate attendance of this houe there

And accordingly M^r *Speaker* with the houe went down to attend his Excellency & Councill, and humbly repreftented to his Ex^{cy} that the Burgeffes had chofen him their Speaker

and being returned M^r *Speaker* acquainted the houe that after presentm^t and his Ex^{cy}'s approbaçon of the fpeaker, he prayed in the behalfe of the Burgeffes now affembled & of all the Comonalty of *Virginia* that they might enjoy all thofe priuiledgs that haue heretofore at any time been used or indulged in former affemblies

and that his Ex^{cy} was pleas'd to allow and Confirme them

A Comittee for Elec^tions and Priuiledges

M^r *Miles Cary* Chairman

M^r *W^m Leigh*

Cap^t *Martin Scarlet*

M^r *Arthur Spicer*

M^r *W^m Colfton*

Cap^t *Henry Duke*

M^r *Edw^d Chilton* appointed Clerke to this Comittee & Ordered that he giue his attendance to the fame accordingly

Ordered

Ordered that y^e Committee for Elections & priuiledges do forthwith goe out to take into their imediate Consideraçon the feuerall writs with y^e Respeçtiue returns made thereupon now upon the table.

And that the f^d Committee make a Report of their proceedings with all convenient Expedition.

The houle adjourn'd till 8 a clocke to morrow morning

ffryday March 3^d 1692/3

CAPT *Miles Cary* from the Comittee of Elections & priuiledges Reported y^t y^e Comittee had taken into their Consideraçon the feuerall returns of Writs to them Referred and had agreed upon Diuers matters to be reported to y^e houle, w^{ch} he read in his place and afterwards deliuered the same in at the table where being againe read they were agreed to by the houle and thereupon

Resolved as ffolloweth

That M^r *John Pleasant* and Cap^t *Peter ffeld* are duely elected Burgeffes to serue in this present Seffion of Asssembly for *Henrico* County.

That Cap^t *John Taylor* and Cap^t *John Styth* are duely elected Burgeffes to serue in this present Seffion of asssembly for *Charles City* County.

That Cap^t *Michaell Sherman* and Cap^t *Henry Duke* are duely elected Burgeffes to serue for *James City* County

that Cap^t *Miles Cary* is duely elected Burgeffs for *James City*

That Majo^r *Sam^l Swan* & Cap^t *ffra Clements* are duely Elected Burgeffes for *Surry* County

That M^r *Henry Baker* and M^r *Antho: Holiday* are duely elected Burgeffes for *Isle of Wight* County.

That L^t *Coll Thomas Milner* and Cap^t *Tho. Lear* are duely elected Burgeffes for *Nantzem^d* County.

That *Coll Lemuell Mafon* and Majo^r *ffra. Sawyer* are duely elected Burgeffes for *Norfolke* County.

That M^r *John Richardson* & M^r *Jacob Johnson* are duely elected Burgeffes for *Princes Ann* County

That Cap^t *Willis Wilfon* and Cap^t *W^m Armistead* are duely elected Burgeffes for *Eliz^a City* County

That Cap^t *Tho. Ballard* and M^r *Daniell Parke* are duely elected Burgeffes for *Yorke* County

That Cap^t *John Lyddall* and Cap^t *William Baffet* are duely elected Burgeffes for *New Kent* County.

That Cap^t *James Ranfon* and M^r *John Baylor* are duely elected Burgeffes for *Gloūster* County

That Cap^t *Matt Kemp* and M^r *John Cant* are duely elected Burgeffes for *Midlex* County.

That Cap^t *John Battaile* & Cap^t *Edward Thomas* are duely elected Burgeffes for *Effex* County.

That Cap^t *Arthur Spicer* & M^r *W^m Colston* are duely elected Burgeffes for *Richmond* County.

That Cap^t *Martin Scarlet* & Cap^t *Tho. Ousley* are duely elected Burgeffes for *Stafford* County.

That Majo^r *Rich^d Baylie* & M^r *Sam^l Sandford* are duely elected Burgeffes for *Accomack* County.

That Cap^t *Dauid ffox* & M^r *John Stretchley* are duely elected Burgeffes for *Lancaster* County.

That Cap^t *Tho. Yewell* and Cap^t *W^m Hardidge* are duely elected Burgeffes for *Westmorland* County

That

That Cap^t *W^m Cary* is duely elected one of y^e Burgeffes to serue in this p^resent S^ession of Affembly for *Warwicke* County.

Ordered that Cap^t *Henry Duke* M^r *Arthur Spicer* M^r *Dan^l Parke* M^r *Baker* Cap^t *Scarlet* and M^r *Sherman* doe forthwith waite upon his Ex^{cy} & in the name of the house desire him to assigne some of y^e hono^r^{ble} Councill to sweare such members of the house as are found to be duely elected to serue in this present S^ession of affembly.

W^m Byrd Esq^r *Chr: Wormely* Esq^r and *Edw^d Hill* Esq^r three of their Maj^{ty}s Councill of State haueing brought into the house a Com^{is}sion sign'd by his Ex^{cy} and under y^e seal of y^e Colony nominateing & appointing them to swear the Burgeffes &c did by virtue thereof adminifter the Oathes enjoined by a^{ct} of Parliament to be taken instead of the oathes of Allegiance and Supremacy and the oath of a Burgefs, unto the ffollowing members of y^e house viz

	L ^t Co ^{ll} <i>Tho: Milner</i> speaker	
Cap ^t <i>Peter ffeild</i>	Co ^{ll} <i>Lemuell Mason</i>	Cap ^t <i>Matt Kemp</i>
Cap ^t <i>John Taylor</i>	Maj ^r <i>ffra. Sawyer</i>	M ^r <i>John Cant</i>
Cap ^t <i>John Styth Jun^r</i>	M ^r <i>Joⁿ Richardson</i>	Cap ^t <i>Joⁿ Battle</i>
Cap ^t <i>Michaell Sherman</i>	M ^r <i>Jacob Johnson</i>	Cap ^t <i>Edw^d Thomas</i>
Cap ^t <i>Henry Duke</i>	Cap ^t <i>Willis Wilson</i>	Cap ^t <i>Arthur Spicer</i>
Cap ^t <i>Miles Cary</i>	Cap ^t <i>W^m Armistead</i>	M ^r <i>W^m Colston</i>
Maj ^r <i>Sam^l Swan</i>	Cap ^t <i>Tho Ballard</i>	Cap ^t <i>Martin Scarlet</i>
Cap ^t <i>ffrancis Clements</i>	M ^r <i>Dan^l Parke</i>	Cap ^t <i>Tho Ousley</i>
M ^r <i>Henry Baker</i>	Cap ^t <i>Joⁿ Lyddall</i>	Maj ^r <i>Rich^d Baylie</i>
M ^r <i>Antho: Holliday</i>	Cap ^t <i>W^m Baffet</i>	Cap ^t <i>Tho. Yewell</i>
Cap ^t <i>Tho: Lear</i>	Cap ^t <i>James Ranson</i>	Cap ^t <i>W^m Hardidge</i>
	M ^r <i>Joⁿ Baylor</i>	Cap ^t <i>W^m Cary</i>

who feuerally afterwards subscribed y^e Test

M^r *John Pleasant* one of the Burgeffes elected & returned for *Henrico* County haueing had the Oathes enjoined by a^{ct} of Parliament instead of the oathes of allegiance & Supremacy and the oath of a burgefs tendered to him by *W^m Byrd* Esq^r *Christopher Wormely* Esq^r and *Edw^d Hill* Esq^r three of the Hono^r^{ble} Councill appointed by his Ex^{cy} to adminifter the same to euey member of the house and refusing to take y^e same therefore

Resolved that M^r *Joⁿ Pleasant* by his refuseall to take y^e oathes prescribed by a^{ct} of Parliament instead of the Oathes of allegiance & supremacy and also by refusing to take y^e oath of a Burgefs hath made himselfe incapable of serueing as a Burgefs for *Henrico* County in this present S^ession of Affembly.

Ordered that M^r *Parke* M^r *Spicer* M^r *ffeild* and Cap^t *Taylor* doe imediately wait upon his Ex^{cy} and pray him to issue out a new writ for the election of another Burgefs in the room of M^r *John Pleasant*, who hath made himselfe incapable of serueing in this Affembly by denieing to take the feuerall Oathes appointed to qualifie him a Burgefs

The house adjourn'd till two a clocke afternoon

Post Meridiam

THE Petition of *W^m Drumond* praying that as heretofore he had faithfully serued the house in the qualitie of a Messinger to y^e same soe he might be new Returned and Continued to execute the same being read in the house was granted and

Ordered that the said *W^m Drumond* do giue his attendance to the house accordingly

M^r *Benjamen Goodridg* s^{er}ife of *James City* County haueing informed the house y^t his Ex^{cy} Com^{an}ded him to provide an officer to attend the house, the same was thereupon taken into Considera^{co}n, and the house conceiueing the same to proceed from his Ex^{cy}s care of the house, not Knowing that the house had already appointed, *W^m Drumond* their

their Messinger and to Attend upon the seruice of the house, thought fit to send an imediate Message to his Ex^{cy} to acquaint him with the usuall proceeding and practises of the house in this affair and render the thanks of the house for the care they perceiued his Ex^{cy} was willing to take of the house by his direction for the sherriff or his officer to attend y^e house constantly and thereupon *Orderd* that Cap^t *Leigh* Cap^t *Ranson* Cap^t *Lear* Cap^t *Baffet* and Cap^t *Taylor* doe carrie y^e message accordingly

The Petition of *Lazarus Thomas Rich^d Morris Jehu Hix & John Clerke* praying to be receiued as doore keepers to the house being respectiuey read, were all of them granted & each of y^e said persons ordered to giue their attendance accordingly.

Resolued y^t Cap^t *W^m Leigh* is duely elected one of y^e Burgeffes for *King & Queen* County to serue in this present Session of Asssembly

Resolued That Cap^t *John Custis* & Cap^t *W^m Kendall* are duely elected Burgeffes for *Northampton* County to serue in this present Session of Asssembly.

M^r *W^m Leigh* with the rest of the member appointed to carry a message to his excellency being returned into the house

M^r *Leigh* acquainted the house, that they had according to y^e directions of the house deliuered their message to his Ex^{cy} concerning M^r *Benj^a Goodridges* informaçon, and that his Ex^{cy} was pleased to desire the same in writeing from the house that he might consider of it.

Ordered that a written message be prepared for the persons before appointed, to present to his excellency as ffolloweth

May it Please your Excellencie

The house of Burgeffes haueing been informed by Cap^t *Benj^a Goodridge* Sherrife of *James City* County y^t yo^r Ex^{cy} had comaned him to provide an officer to attend the house the house thereupon takeing the same into Consideraçon doe with thankfullness acknowledge yo^r Excellencys great care therein and do conceiue it was unknown to yo^r Ex^{cy} that the house of Burgeffes the last asssembly had appointed M^r *W^m Drumond* their Messinger who officiated in the sd office to the great satisfaction of y^e s^d house the last Asssembly and that y^e house of Burgeffes now asssembled had *Resolued* & haue continued y^e s^d M^r *Drumond* in the s^d office of Messinger of this house

W^m Byrd Esq^r and *Chr: Wormely* Esq^r came into the house and adminstred the Oathes enjoined by act of parliam^t instead of the Oathes of allegiance and Supremacy and the oath of a Burgefs unto

Cap^t *Leigh*

Cap^t *W^m Kendall* and

Cap^t *John Custis*

who feuerally afterwards subscribed the Test as also M^r *Jo^s Strechley* haueing y^e Oathes y^e aforementioned adminstred unto him.

Resolued that an address be drawn to his Ex^{cy} praying the Continuance of the antient priuiledges & Customs of the house in the election of their Clerke and that Majo^r *Sam^l Swan* Cap^t *W^m Leigh* M^r *Arthur Spicer* Cap^t *Miles Cary* M^r *Dan^l Parke* Cap^t *John Custis*, M^r *Ranson* & Cap^t *Clements* be appointed a Committee for preparing the same, who are ordered to make inspection into the feuerall Journalls of this house and to take into Consideraçon y^e first occasion of the interruption of that antient priuiledge all along before injoyed by the house in the election of their Clerke and to make report thereof with all Convenient expedition.

The Petition of *Robert Beuerley* praying to be entertained as clerke of a Comittee being read was granted by the house and the s^d *Robert Beuerley* ordered to giue his attendance accordingly

The Report of the comittee of Elections and priueledges upon the complaint of Cap^t *Joshua Story* of an undue election of one of the Burgeffes of *King & Queen* County, being read the Consideraçon thereof was Referred till tomorrow morning and

Ordered that all persons Concern'd for or against y^e s^d election by themselues or Councill do then giue their attendance at y^e house for a heareing.

And then the house adjourn'd till tomorrow morning 8 a clocke.

Saturday

Saturday March 4th 1692/3

THE house according to the order of yesterday tooke into Consideration the Report of the Committee of elections & priueledges upon the Complaint of Cap^t *Joshua Story* touching an undue election of one of the Burgeses of *King & Queen* County and thereupon the f^d *Story* being called into the house & acknowledging his petition, the Sherriffe of the f^d Countie attending at y^e door was also called where both the f^d parties and their Councill were heard about the same and y^e f^d *Story* by his Councill pleading, he had feuerall Euidences ready to proue the sd election an undue Election and y^t the f^d Sh^{err} did not only take y^e poll at the same irregularly and imperfectly but also denied to giue the same when demanded of him, and the f^d sh^{err} on the other hand saying he was able to iustify his Returne by Seuerall witneses now at hand, the f^d parties & their Councill were feuerally ordered to withdraw and being withdrawn it was *Resolued* and accordingly

Ordered That the Committee of Elections & priueledges to whom were added Major *Swan* Cap^t *Ranson* and Cap^t *Custis* do imediately goe out and that they take the examination of all such Euidences as shall by the f^d sherriffe & Cap^t *Story* or either of them be brought before them, the same being sworn first before some one of the hono^r^{ble} Councill to whom y^e f^d Committee are to make application if occasion be, or before a Justice of the Peace of this Countie, and upon Considera^on of the feuerall suggestions of both parties & y^e testimonies offered to report their opinions to the house with all convenient expedition.

The Petition of *W^m Roscow* Complaining of an undue election of one of the Burgeses for *Warwick* County being read, the said *Roscow* attending at the door of the house was called in where haueing acknowledged the S^d Petition, he withdrew, and it was

Ordered that the Messinger of the house doe giue notice to the Sh^{err} of *Warwicke* Countie to appear before the house on *Tuesday* next afternoon to answer the Complaint of *W^m Roscow* of an undue election made of one of the Burgeses for *Warwicke* County and returned by him and then the house adjourn'd till 2 a clocke afternoon

Post Meridiem

THE house met and adjourn'd till *Munday* morning ten a clocke

Munday March y^e 6th 1692/3

THE Return upon the Writ for Election of Burgeses in *Northumberland* County wherein M^r *Rich^d Rogers* and M^r *Rich^d flint* are returned elected being Read y^e same was as to the form thereof approved.

Then the petition Stiled *the Remonstrance of y^e Major part of the freeholders of Northumberland Coun^{ty}* declaring y^t M^r *John Downing* and Cap^t *W^m Jones* were fairly elected Burgeses for the f^d County was also read and the house being informed, that M^r *W^m Lee* an Inhabitant and freeholder of y^e f^d County attended at y^e door to appeare for the f^d petitioners, the f^d M^r *W^m Lee* was called into the house, where being heard and haueing in the behalfe of the said freeholders signed the sd petition he was ordered to withdraw and being withdrawn

Ordered y^t the f^d petition together with the feuerall Papers relating to & brought into the house with the same be restored to y^e Considera^on of the Committee of Elections and Priueledges to report to this house their opinions therein.

Major *Sam^l Swan* from the Committee to whom was referred the drawing of an address to his Excellency for the Continuance of the antient Custome of the house in the

the election of their Clerke Reportd an addrefs which he read in his place, and then deliuered y^e fame in at y^e table, where being againe read the fame was agreed to by the houle and is as ffolloweth

May it please yo^r Ex^{ty}

Yo^r Ex^{ty} haueing been pleas'd by Comiffion to appoint Cap^t *Peter Beuerley* Clerke of the houle of Burgefles now fitting, we their Maj^{ties} moft Loyall fubjects the Burgefles now affembled, humbly take leaue to lay before yo^r Ex^{ty} that euer fince affemblies haue been held in *Virginia* the Houfe of Burgefles haue alwaies without interruption been permitted and indulged the liberty of Choofeing their Clerke with the allowance and approbaçon of the Kings feuerall Gouverno^{rs} & they cannot find y^t upon fuch election by the Burgefles any fuch Clerk fo chofen by them hath been displaced or difallowed by any of the Kings Gouverno^{rs} till the Calleing of an Affembly in y^e yeare 1688 by his then Excellencie the Lord *Howard* of *Effingham* late Gouverno^r Generall of *Virg^o* who did by Comiffion under his hand & y^e feal of y^e Colony Conftitute and appoint Cap^t *ffra Page* to be Clerk of the houle of Burgefles upon which feuerall interruptions & impediments did happen in the proceedings of the f^d houle.

Wee therefore moft humbly implore yo^r Ex^{ty} to reftore our antient & former customes in the elections of our owne Clerke.

Ordered that Majo^r *Swan* with 13 more of the members of this houle do present the f^d addrefs to his Ex^{ty} which was reported by Majo^r *Swan* to be done accordingly.

Cap^t *Miles Cary* from the Committee to whom was referred The Confideraçon of the petition of Cap^t *Jofhua Story* againft the election of Cap^t *John Lane* one of the Burgefles of *King* and *Queen* County Reported, that according to Order they had Considered the matter of the f^d Election had examined all evidences relating thereto and were come to a refolution which he read in his place and then deliuered the fame in at the table.

Then the petition of Coll *John Weft* Sherrif of *King* & *Queen* County was alfo read, wherein the fd fh^{err} humbly praying that y^e depositions of his Witneffes examined before y^e Committee might be read in the houle the houle thought fit to grant the fame & there upon

Ordered that the Refolution of the houle upon y^e Report of the comittee for examination of the election made of Cap^t *John Lane* for one of the Burgefles for *King* & *Queen* County be deferred till the afternoon

and y^t then the fame be taken into confideration *ordered* that all perfons who defire to be heard for or againft the fame giue their attendance accordingly.

and then the houle adjourn'd till four a clock afternoon.

Post Meridiem

ORDERED that Cap^t *Henry Duke* giue the thankes of y^e houle to M^r *Stephen ffauce* for his fermon yefterday preached before the generall Affembly.

W^m *Byrd* Efq^r and *Chr: Wormley* Efq^r two of their Maj^{ties} Councill being thereuntoimpowered By his Ex^{ty}s Comiffion adminiftred the oathes enjoined by a^{ct} of Parliament inftead of the oathes of allegiance and Supremacy & the oath of a Burgefes unto M^r *Sam^l Sandford* one of y^e members of the houle who afterwards fubfcribed y^e Teft at the table.

The houle then according to the Order of the morning took into Confideracon the Report of y^e Committee for Examination of y^e election made of Cap^t *Joⁿ Lane* in *King* & *Queen* County wherein after the hearing of all evidences produced before and examined by y^e Committee, and after a long debate thereupon the Queftion was put whether the [they] will agree with y^e Report of the Committee *Viz*

That the election of y^e faid Burgefse for *King* & *Queen* Co^{ty} between Cap^t *Lane* and Cap^t *Story*, being made without a regular poll being taken by the fh^{err} is not a fair election and cannot be decided and y^t therefore a new writ for another election be defired.

Refolued. in the affirmatiue

Refolued

Resolved that Cap^t *John Lane* is not duely elected a Burgeſſs to ſerue in this preſent Seſſion of aſſembly for *King & Queen County*

Ordered y^t Cap^t *Cary* & Cap^t *Lyddall* wait upon his Excellency & pray him to iſſue out a new Writ for the election of a Burgeſſs in *King & Queen County* Cap^t *John Lane* being found at preſent to be unduely elected

And then y^e houſe adjourn'd till 8 a clock tomorrow morning.

Tuesday March 7th 1692/3

CAP^T *Miles Cary* from the Committee of elections & priuiledges Reported that according to the Order of yeſterday, the ſ^d Com^{te} had taken into Conſideraçon the petition of diuers freeholders of *Northumberland County* touching an undue election of M^r *Rich^d Rogers* and M^r *Rich^d flint* return'd by the Sh^{err} of *Northumberland County* to ſerue for Burgeſſes for the ſ^d County in this Aſſembly and had come to a Reſolution which he read in his place and deliuered the ſame in at y^e table, where the ſame being againe read was agreed to by the houſe

Resolved that M^r *Rodham Kennor* ſherr of *Northumberland County* be ſent for in y^e Cuſtody of the Meſſinger attending this houſe to anſwer the Complaint of M^r *W^m Lee* and diuers other freeholder of y^e ſd County againſt the election of M^r *Rich^d Rogers* and M^r *Rich^d flint* returned by the ſ^d Sh^{err} as burgeſſes to ſerue in this Aſſembly, on *Tuesday* the 14th inſtant afternoon and y^t the meſſinger of y^e houſe do alſo comãd in the name of y^e houſe the perſons following *Viz* M^r *Philip Shapleigh* M^r *Tho. Brereton* M^r *Edu^d ffielding* *Henry franklin* and *Sam^l Mahane*, as evidences relating to y^e ſ^d election then alſo to make their perſonall appearance before the houſe.

Ordered that M^r *W^m Drumond* the Meſſinger attending this houſe to the end he may be nearer to receiue the comands of the houſe on all occations haue power to ſend imploy & ſubſtitute another perſon or perſons, as ſhall be found neceſſary for the execution of ſuch Remote and far diſtant meſſages, as he himſelfe cannot well be ſpared from the ſeruiſe of the houſe time enough to perform prouided the houſe be firſt of all acquainted with the name of the ſubſtitute for their approbaçon

Then the houſe adjourn'd till 3 a clocke afternoon

Poſt Meridiem

THE houſe being informed that Cap^t *Rich^d Whitaker* Sherr of *Warwicke County* according to y^e Order of *Saturday* morning attended to anſwer the Complaint of M^r *W^m Roſcow* of an undue Election made of Maj^r *Humphry Harwood* for one of the Burgeſſes for *Warwick County* ordered that y^e ſ^d Sh^{err} and y^e Complainant who attended alſo, be called into the houſe, where both parties & y^e evidence on both ſides being heard & withdrawn, the matter of y^e ſ^d election was taken into Conſideraçon and after ſome time ſpent therein, it was y^e opinion of the houſe and accordingly

Resolved that Majo^r *Humphry Harwood* is duely elected one of the Burgeſſes to ſerue in this preſent aſſembly for *Warw^t County*, and y^t the ſ^d Sh^{err} of *Warwick County* hath performed his duety in y^e ſ^d Return

Ordered that M^r *W^m Roſcow* pay officers fees belonging to this houſe accrewing due upon his complaint

The houſe adjourn'd till 8 a clocke tomorrow morning.

Wednesday March y^e 8th 1692/3

AWRITEN Meſſage from his Ex^{cy} by M^r *Edwards*
By his Excellency
M^r Speaker and Gent of the houſe of Burgeſſes

In anſwer to yo^r addreſs of yeſterday to me in theſe words

Yo^r Excellency haueing been pleas'd by Comiſſion to appoint Cap^t *Peter Beuerley* Clerk of the houſe of Burgeſſes now fitting wee their Maj^{ty} moſt Loyall Subjects y^e Burgeſſes

Burgeffes now affembled humbly take leauē to lay before yo^r Ex^{cy} y^t euer ſince Aſſemblies haue been held in *Virg^a* y^e houſe of Burgeffes haue alwaies without interruption been permitted and indulged y^e liberty of Choofeing their Clerke with the allowance & approbaçon of the Kings ſeuerall Gouverno^r and they cannot find y^t upon ſuch election by y^e Burgeffes any ſuch Clerk ſo choſen by them hath bee diſplac'd or diſallowed by any of y^e Kings Gouverno^r till y^e calleing an Aſſembly in y^e year 1688 by his then Ex^{cy} the Lord *Howard of Effingham* late Gouverno^r Generall of *Virg^a* who did by Comiſſion under his hand & y^e ſeal of y^e Colony conſtitute and appoint Cap^t *ffra Page* to be Clerk of the houſe of Burgeffes upon which ſeuerall Interruptions & impediments did happen in the proceeding of y^e ſaid houſe We therefore moſt humbly implore yo^r Excellency to reſtore our antient and former cuſtomes & uſuages in the Election of our own Clerk By order of the Burgeffes *Tho: Milner* ſpeaker. *March 6th 1692/3*

At my arriual in this Governm^t I did as authoriſed by their Maj^{ty} Letters patents under the great ſeal of *England* by aduiſe of the Councill confirm all officers in their Reſpectiue places till further Orders and haue ſince giuen a Comiſſion to *Peter Beuerley* Gen^t to be Clerke of the houſe of Burgeffes, whom I found, Comiſſionated by the hono^r^{ble} *ffra. Nicholſon* Eſq^r their Maj^{ty} L^t Gouverno^r here as authoriſed by their Maj^{ty} which before had been done to Cap^t *ffra Page* By his Ex^{cy} the R^t hono^r^{ble} the Lo^d *Howard of Effingham* Govern^r of this place by the like authority with all due regard to their Maj^{ty} Loyall Subjects the houſe of Burgeffes to vacate which if you ſhall ſhow me any authority I ſhall be ready to doe my further duety accordingly
Virg^a March 7 1692.

E. Andros.

Reſolued that an addreſs be prepared to be preſented to his Ex^{cy} praying his Ex^{cy} will be pleaſed to aſſiſt this houſe with his Intereſt, when they ſhall make application to their Maj^{ty} for the reſtoration of their antient cuſtom & uſage in the choofeing of their Clerke for time to come.

Ordered that y^e drawing of y^e ſ^d addreſs be referred to Majo^r *Swan*, Cap^t *Cary*, Cap^t *Spicer*, Cap^t *Leigh*, and Cap^t *Taylor* and that it be reported with all convenient expedition.

Reſolued and accordingly *Ordered* that it be a Rule of this houſe that fifteen Members with M^r *Speaker* ſhall be a ſufficient number to adjourn.

The houſe adjourn'd till two a clocke afternoon

Poſt Meridiem

MAJOR^R *Sam^l Swan* from the Com^{te} to whom the ſame was referred Reported an addreſs to his Ex^{cy} which he read in his place & then deliuered y^e ſame in at y^e table where y^e ſame being read againe after ſome alteraçon was agreed to by y^e houſe being as ffolloweth

May it pleas yo^r Excellency

Your Ex^{cy} hauing upon the addreſs of this houſe deſiring yo^r Ex^{cy} to reſtore our antient & former cuſtomes & uſuages in y^e election of our owne Clerke ſignified y^t at yo^r arriual in this Governm^t yo^r Ex^{cy} did as authoriſed by their Maj^{ty} Letters Patents under y^e great Seal of *England* by aduiſe of y^e Councill confirme all officers in their Reſpectiue places till further Orders & haue ſince giuen a Comiſſion to *Peter Beuerley* Gen^t to be Clerke of the houſe of Burgeffes whom yo^r Ex^{cy} found comiſſionated by the hono^r^{ble} *ffra: Nicholſon* Eſq^r their Maj^{ty} L^t Govern^r here as authoriſed by their Maj^{ty} which before had been done to Cap^t *ffra. Page* by his Ex^{cy} the R^t Hono^r^{ble} the Lo^d *Howard of Effingham* Governor of this place by the like authoritie, with all due regard to their Maj^{ty} Loyall Subjects the houſe of Burgeffes, to vacate which if We ſhould ſhow yo^r Ex^{cy} any authority you ſhould be ready to do accordingly.

To that yo^r Excellencys anſwer we at preſent reply noe further than moſt humbly & earneſtly to moue y^t yo^r Ex^{cy} will be pleaſed to aſſiſt this houſe with yo^r Intereſt,
when

when this house shall make application to their Maj^{ties} for the Restoration of their antient usage & custom in the Chuseing of their Clerke for time to come.

Ordered that Cap^t Ballard Cap^t Taylor Cap^t Wilson Cap^t Battle Capt Lyddall & M^r Cant do forthwith deliuer y^e same to his Ex^{ty}

A Committee for Propositions and Grievances.

Majo^r Sam^l Swan Chairman

Cap ^t Jo ⁿ Custis	Cap ^t W ^m Leigh	Majo ^r ffra. Sawyer
Cap ^t Ja Ranson	Cap ^t Arthur Spicer	
M ^r Dan ^l Parke	Cap ^t Jo ⁿ Taylor	M ^r W ^m Colston

Ordered that M^r Edward Chilton attend the f^d Committee as their Clerke and that they sitt at M^r Herplet's house.

Ordered that the f^d Committee haue power to send for persons papers Journalls &c as there shall be occ^{ion}

A Committee for Publique Claimes

Cap^t Miles Cary Chairman

Cap ^t W ^m Hardidge	Cap ^t W ^m Basset
Cap ^t ffra. Clements	Cap ^t Michael Sherman
Cap ^t Henry Duke	M ^r John Stretcheley
Cap ^t John Lyddall	

Ordered that M^r Robert Buerley attend the said Com^{tee} as their Clerke and that they sitt at Cap^t Cary's

Ordered that the f^d Committee haue power to send for persons bookes of Reports or other papers as occasion shall be

Ordered y^t y^e Com^{tee} of Grievances & propositions take into their considera^{on} y^e Journalls & other y^e proceedings of y^e lastt asssembly and make a Report of what they finde necessary to this house.

Ordered that y^e Committee for Publique Claimes take into their Considera^{on} all such proceedings papers & Reports of the lastt Asssemblies as relate to the publique Claimes and make Report of what they finde necessary to the house.

Ordered that Saturday twelue a clocke being the 11th instant be y^e latestt time for receiueing Propositions and Grievances and y^t y^e same be published by being set up at y^e f^tate house door.

Then the house adjourn'd till 8 a clock to morrow morning.

March 9th 1692/3 Thursday

A MESSAGE from his Ex^{ty} by M^r Edwards in Writing viz

M^r Speaker and Gen^l of the house of Burgeffes

In yo^r Reply of this day relating to y^e Clerke I haue Comissionated for yo^r house, you acquiesce

and in answer to yo^r desire that I would Assist you with my Interest when you shall make applica^{on} to their Maj^{ties} for the Chooseng yo^r Clerke I must say to you it is the unanimous opinion of myselfe and the Councill, that I ought not to join in any such adrefs

Virg^a the 8th of March 1692 .

E. Andros

Ordered that Cap^t Spicer Cap^t Ballard Cap^t Lyddall Cap^t Battle Cap^t W^m Cary & Cap^t Ousley do forthwith wait upon his Ex^{ty} to acquaint him y^t this house haueing now Rec^d an answer from his Ex^{ty} to their lastt adrefs about the Clerke, they do humbly pray his Ex^{ty} to appoint the hono^r^{ble} Councill already assign'd to fwear their Clerke pursuant to His Comission, to the end the house may goe on in the busines for which they were called

W^m Byrd Esq^r and Henry Whiting Esq^r two of the hono^r^{ble} Councill of State being thereunto appointed by his Excellencies Comission under the Seal of the Colony dated the

the 3^d *March*. 1692/3. came into the house and administered the oaths enjoyned by act of Parliament instead of the oaths of Allegiance and Supremacy and the oath of the Clerke of the house of Burgeffes unto *Peter Beuerley* Clerke of the house y^e Clerkes oath being in these words

You shall sweare as Clerke to the house of Burgeffes of *Virg^a* to which office you are appointed by his Excellencie faithfully justly and uprightly to make true entries & Journalls of all Votes & proceedings of y^e f^d house of Burgeffes as from time to time you shall receive Orders and directions from them you shall keep secret all private debates of the f^d house of Burgeffes so far as shall by the said house be found necessary and shall in all things according to your best skill & judgement discharge & execute y^e f^d office & trust as clerk of the house of Burgeffes

So help you God.

And then the f^d *Peter Beuerley* subscribed the Test

Then a motion being made y^t the time assigned for receiving propositions and Grievances into the house Yesterday might be enlarged, being too short a limitation the house thought fit and accordingly

Ordered that *Munday* y^e 13 instant twelve a clocke be y^e utmost time allowed this Session for bringing in propositions &c to all except such as shall come from the Counties of *Henrico King & Queen* and *Northumberland*.

The Grievances and Propositions of

Surry County

Henrico County

Northampton County

Nantzem^a County

Yorke County

Princes Ann County

New Kent County

Accomacke County & *Stafford* County

were severally read & Referred to the Consideration of the Committee of Grievances and Propositions to report their opinions therein

A proposition of Divers Inhabitants in *Surry* County was read & Comitted to the Consideration of the Com^{te} of Grievances and Propositions.

A proposition of Divers Inhabitants of *Warwick* County was read and Comitted to y^e Consideration of the Committee of Grievances and propositions

A proposition of *John Woodson* and *John Pleasant* was read and referred to the Consideration of the Committee of Grievances and Propositions.

The Proposition of *John Gettings* and *John Badson* was read and referred to the Consideration of the Committee of Grievances and Propositions.

Seuerall propositions subscribed by M^r *Sam^l Sandford* were read and referred to the Consideration of the Committee of Grievances and propositions.

and then the house adjourn'd till 3 a clocke afternoon

Post Meridiem

SEUERALL Claimes were referred to the Committee of Publick Claimes and then the house adjourn'd till tomorrow morning eight a clock.

ffryday March 10th 1692/3.

PROPOSITIONS Subscribed by Cap^t *Tho. Ousley* and Cap^t *Martin Scarlet* were read and referred to the Consideration of the Committee of Grievances and propositions

The Petition of *John Pleasant* and *John Woodson* Sen^r referred by his Ex^{cy} and Councill to the house read and referred to y^e Consideration of the Committee of Grievances and Propositions

The

The Propositions and Grievances of *Norfolke* County referred by his Ex^{cy} and the Councill to the Consideration of the house referred to y^e Committee of Grievances and propositions.

The return upon the Writ for Election of a Burgefs for *Henrico* County to Supply y^e Vacancy of M^r *John Pleasant* was read and after some debate thereupon

Resolved that Cap^t *W^m Randolph* is duely elected a Burgefs to serue in this Present asssembly for *Henrico* County.

The propositions and Grievances of *Eliz^o City* County being referred by his Excellency and the Councill to the house read and referred to the consideration of the Committee of Grievances and propositions.

The Propositions and Grievances of

Charles City County

Ile of Wight County and

Glostr County

were feuerally read and referred to the Committee of Grievances and propositions.

W^m Byrd Esq^r and *Christopher Wormly* Esq^r cane [came] into the house & administred the oathes enjoined by act of Parliam^t instead of the Oathes of Allegiance and Supremacy the Oath of a Burgefs and y^e Test unto Cap^t *W^m Randolph* a member of the house.

Ordered that Cap^t *W^m Randolph* be added to the Committee for Publique Claimes.

Then feuerall Claimes being referred to the Committee of Publique Claimes.

The house adjourn'd till tomorrow morning eight a clocke.

Saturday March 11 1692/3

THE petition of Diuers Inhabitants of y^e lower parish in *Isl of Wight* County referred by his Ex^{cy} & y^e Councill to y^e house, Referred to y^e Consideraçon of y^e Com^{te} of Grievances and propositions

Majo^r *Sam^l Swan* from y^e Com^{te} of Grievances & propositions Reported y^t y^e s^d Com^{te} had made some progress in y^e matters to them referred from y^e house, w^{ch} he read in his place & then deliuered it in at the table, and the same being there again read

Resolved y^t his Ex^{cy} be addressd, y^t he will be pleas'd to communicate to this house in Writeing y^e substance of w^t his Ex^{cy} was pleas'd to deliuer into the Burgeffes before y^e choofoing of their Speaker.

Ordered y^t Majo^r *Yewell*, M^r *Lear*, M^r *Cant*, M^r *Baker* & M^r *Holliday* & M^r *Sandford* doe in the name of y^e house address his Ex^{cy} accordingly

And the house adjourned till nine a clock *Munday* morning

Munday March 13th 1692/3

A MESSAGE from his Excellency by M^r *Edwards*

M^r *Speaker*

His Ex^{cy} did not expect you would now haue asked a Copy of his Speech, but he desired M^r *Secretary* to fend it and I am comãded to deliuer it

I am also comãded to deliuer the Petition of M^r *Heymem* & a copy of her Maj^{ty} letter relateing thereto

With this proposition of y^e attorney Generall and y^e s^d feuerall papers were receiued accordingly. M^r *Rich^d Rogers* & M^r *Richard flint* returned by the sherr of *Northumberland* Burgeffes for y^e s^d County comeing into y^e house a debate did thereupon arise, whether the s^d persons ought to be admitted as yet to sitt in the house, upon which they were ordered to withdraw and being withdrawn the Question was put

Whether M^r *Rich^d Rogers* & M^r *Rich^d flint* shall sitt as Burgeffes in this house for *Northumberland* County before y^e matter of y^e Election in y^e s^d County be fully cleared. and it passed in the Negatiue.

Then

Then his Excellencys Speech was read in y^e houle as followeth

Gent

Their Maj^{ties} haueing been pleas'd to comānd my seruice in this Gouernment

I hope from Generall Affemblys all y^e may be & yo^r p^resent confideraçon of all proper & necessary to y^e welfare defence & hono^r of this their Maj^{ties} fo antient & considerable a Colony w^{ch} will be effectually to do our duties to God their Maj^{ties} & Country.

Their Maj^{ties} are pleased out of their great care for the welfare of their Subjects in this Colony to continue & grant them a free trade w^{ch} y^e Indians preferring y^e perticular benefit of their people before any other aduantage y^e might accrew unto them by restraining f^d trade of w^{ch} doubt not a due fence & suiteable returnes. Not to delay you from y^e good purposes in yo^r Writs (for this meeting) to which Referre you

You *Gent of y^e house of Burgeffes* are now to returne to yo^r houle & make choice of yo^r Speaker

I haue appointed M^r *Peter Beuerley*. to be yo^r Clerk

and I hope all heartily joining in prayers & supplications to Almighty God for y^e Continuance of his Bleffeings & assistance on this occasion w^{ch} I haue by aduice of y^e Councill appointed to be obserued a *Sunday* next in this place & a *Sunday* y^e 19th instant in all other places of y^e Gouernment.

A Copy of his Excellencys Speech

Ralph Wormely Secr.

and then Referred to y^e Confideraçon of y^e Committee of Grieuances and propositions.

The Petition of *Peter Heyman* Gent about y^e Post together with their Maj^{ties} letter to the Gouverno^r relating thereto referred by his Ex^{ty} and Councill to y^e houle of Burgeffes, were seuerally read at y^e table & thereupon referred to y^e Confideraçon of y^e Committee of Propositions & to report their opinions.

A proposition of *Edw^d Chilton* their Maj^{ties} attorney Gen^l concerning a prifon to be built at *James City* being referred by his Ex^{ty} & y^e Councill to y^e houle, was read and referred to y^e Com^{tee} of Grieuances & ppositions

The Proposition of Majo^r *Tho. Yewell* & Cap^t *W^m Hardidge* was read & referred to y^e Committee of Grieuances & propositions

The Petition of M^r *John Battail* on the behalfe of y^e Inhabitants of *Effex* County praying y^e Claimes of y^e f^d County might stand referred to y^e next Affembly for y^t the violence of the weather on y^e day appointed preuented their being proued according to law, was read & thereupon

Ordered that all such Claimes y^e are due from y^e Publique unto y^e Inhabitants of *Effex* County. Which haue so accrewed since y^e last Affembly, stand referred to y^e next Session of Affembly.

and then the houle adjourned till two a clock afternoon.

Post Meridieum

THE houle adjourn'd till tomorrow morning 8 a clocke

Tuesday March 14th 1692/3.

MAJOR^R *Sam^l Swan* from y^e Committee of Grieuances & propositions Reported y^e y^e f^d Com^{tee} had taken into Confideraçon seuerall matters to them refferred & had agreed upon diuers Resolutions, w^{ch} they had directed him to report, & accordingly he read the same in his place & then deliuered them in at y^e table, where being again read, the houle took seuerall of y^e f^d reports into Confideraçon & thereupon resolued as ffolloweth

As to the Report of y^e f^d Committee upon that part of his Ex^{ty}s speech relating to the defence of the Country, the houle agreed thereto and thereupon

Resolued y^t the first act of y^e last Session of Affembly Entituled *an act for the better defence of the Country* be continued one year after the expiration of the said Act

Ordered

Ordered y^t y^e Com^{te} of Grievances & Propositions do prepare & bring in a bill accordingly

As to that part of his Exc^{ys} Speech relateing to a free trad with Indians y^e houle agreed to y^e Report of y^e Com^{te} and accordingly

Resolved y^t an addrefs be made to his Exc^{vy} y^t he would be pleas'd to communicate to this houle their Maj^{ty} Instructions relateing to the Continuance of a free Trade with Indians for the better inableing of y^e houle to make a fuitable return.

Ordered, y^t the f^d addrefs be prepared by y^e Clerk to be presented to the houle in the afternoon.

Then the Report of y^e f^d Com^{te} touching y^e reward & encouragem^t giuen for Killing of Wolues was taken into Consideration & agreed to by the houle y^t the act made the last Affembly relateing to the fame had well provided

To the Report of the said Committee concerning the act for Ports y^t its their opinion y^e f^d act with its now present circumstances is a generall Grievance and propofeing a Suspension of y^e fame the houle agreed with some addition and thereupon

Resolved that the execution of the act for Ports be suspended till their Maj^{ty} pleasure fhall be known therein or till y^e next Affembly

Ordered y^t the Committee of Grievances & propositions prepare & bring in a bill accordingly

To the Report of the f^d Committee upon a proposition to haue y^e 13 act of Affembly made 1691 enjoyning the planting and dressing of flax & Hemp, repealed, the houle did agree and concurre with the Councill y^t the said act as now it stands is a good and necessary law.

To the Report of the f^d Committee upon a proposition for the Repealing the 12 act of Affembly, declareing the duety of Tanners Curriers and Shoemaker's, the houle did agree & Concurre wth the Com^{te} y^t y^e f^d law Conduces to y^e interest of y^e Countrey.

To the Report of y^e f^d Committee a proposition for repealing y^e 17 act of y^e f^d assembly 1691 Entituled *an act for lessening y^e levy by y^e Poll and laying an Impofition upon Liquors* the houle did agree & concurre with y^e Councill for continuance of the fame as it is now till the expiration thereof.

To the Report of y^e f^d Committee about Reuifeall of the laws the houle agreed and

Resolved that an addrefs be made by the houle to his Exc^{vy} for a Reuifeall of the whole body of the lawes of this Countrey & y^t to y^t end his Exc^{vy} will be pleas'd to appoint some of the hono^{ble} Councill to join with such persons as this houle fhall nominate to reuife the fame.

Resolved y^t upon his Excellencys nomination & appointm^t of Some of the hono^{ble} Councill to join me in the Reuifeall of the lawes, this houle will proceed to appoint select person's to join with them & also take into Consideration such Rules & directions about the time & place as fhall be necessary to be set for the doing finishing & Reporting of y^e Same.

Ordered y^t y^e Com^{te} of Grievances & propositions prepare an addrefs for reuifeall of y^e lawes to his Excellency, according to y^e resolue of the houle about the fame.

and then the houle adjourn'd till 2 a clock afternoon.

Post Meridiem

ORDERED that y^e Order made on *Tuesday* the 7th instant for M^r Rodham Kennor Sherr of *Northumberland* County to appear before this houle this afternoon be enlarged & y^t y^e matter of y^e Election of Burgesses in the f^d County be referred till tomorrow afternoon.

Then according to y^e order of the morning an addrefs to his Exc^{vy} was presented to the houle ready drawn up as followeth

May it please your Excellency

The houle of Burgesses haueing under their Consideration yo^r Exc^{ys} Speech made at the opening of this Affembly as to y^t part relateing to y^e defence of the Countrey haue Resolued, y^t a bill be prepared for the Continuance of the act made the last Session

Entituled

Entituled *an act for the better defence of y^e Country* one year longer then is provided for by y^e f^d act and then took into Consideraçon y^t part of yo^r Exc^{ty} Speech, where your Exc^{ty} was pleas'd to instance their Maj^{ty} great care of y^e welfare of their Subjects so far as to preferre their perticular benefit, before any other aduantage, in that their Maj^{ty} haue been pleas'd to grant and continue a free trade with Indans

This house therefore being desfireous to exprefs their due sence of and make a fuitable return for their Maj^{ty} Grace & fauo^r in y^e affair doe most humbly apply themfelues to yo^r Exc^{ty} y^t you would please to comūnicate to this house such part of their Maj^{ty} Instructions as haue Relation to a free trade with Indians to y^e end they may be thereby y^e better inabled to perform their dueties accordingly.

Ordered y^t y^e Clerk of y^e house fairly transcribe y^e f^d adrefs & y^t Cōll *Mason* Cap^t *Taylor* Cap^t *Scarlet* Cap^t *Ousley* Cap^t *Hardidge* and Cap^t *Battaile* present y^e same to his Excellencie.

Then the house took into Consideration diuers matters Reported this morning by the Committee of Propositions and Grievances and upon Consideracon of the Report of the f^d Committee concerning a motion of the Burgesses of *Princes Ann* County for y^e enlarging of the bounds of y^e f^d Countie within y^e bounds of *Norfolk* Cou^{ty}

Resolved y^t y^e bounds of the f^d two Counties be Continued as already established by the act of Affsembly made at *James City* the 16th of *Aprill* 1691 Entituled *an act for deuideing Lower Norfolk County*.

Vpon Consideraçon of the Report of the f^d Committee Concerning Ordinary Keepers refusing to giue Credit & sell according to law, the same was agreed to by the house & thereupon

Resolved that y^e 10th act of Affsembly made *Anno. 1676-7* Entituled *an act regulateing Ordinarys & y^e prices of Liquors* doth sufficiently provide against & punish abuses complained of & offered by Ordinary Keepers

Vpon consideration of the Report of the f^d Committee concerning y^e proposition of *Accomack* County for the Continueance of their Court house, where now it is complaininge y^t y^e same is endeavoured to be remoued.

Resolved y^t y^e Court house for *Accomack* County ought to be continued, held & kept at *freemans* plantaçon now in the possession of *John Cole*, called *Matomkin*, as formerly it hath been accustomed untill a legal determination to y^e Contrary.

Vpon the consideration of y^e Report of y^e f^d Com^{ty} upon y^e xpositions from feuerall Counties on the South side *James Riuer* moueing y^t y^e restraint of feating beyond y^e black watter may be a law be taken of & liberty giuen to feat there as in other places.

Resolved y^t a bill be prepared giueing liberty for feating any part of y^e lands upon y^e fouth side *James Riuer* unto y^e bounds of *Carolina*.

Ordered y^t y^e Com^{ty} of Griu^s & Propo^s prepare & bring in a bill accordingly

Vpon consideraçon of y^e Report of y^e f^d Com^{ty} p^{ro}posing y^t y^e penalty of 1000^l tobacco imposed by y^e 7th act of Affsembly made *anno. 1686* upon such as shall plant or replant tob^a after the last day of *June* annually might be reduced 1000^l tob^a in casque with costs to be paid by euery Master or Ouerfeer of a family for euery Tytheable in his family when such offence shall be comitted, the same was agreed to by the house and

Resolved y^t a bill be prepared accordingly and Ordered y^t y^e Com^{ty} of Grievances and propositions do y^e same & Report it to y^e house

Vpon Consideraçon of the Report of y^e f^d Com^{ty} concerning y^e aduancem^t of pieces of eight Rix dollars *ffrench* Crowns &c to six shillings and other lesser pieces proportionably y^e same was agreed to by y^e house and

Resolved y^t a bill be prepared accordingly and ordered y^t y^e Com^{ty} of Grievances and propositions do the same.

And then the house adjourned to 8 a clocke to morrow morning.

Wednesday

Wednesday March 15th 1692/3

THE house met and adjourned till two a clock afternoon

Post Meridiem

THE Proposition of diuers Inhabitants of *King & Queen* County concerning Rangers Referred from his Ex^{cy} & the Council to y^e Consideraçon of the house was read & y^e house being of opinion y^t y^e bill already resolued upon, for the defence of the Country doth sufficiently prouide for y^e same was therefore ejected.

Majo^r *Sam^l Swan* from y^e Com^{te} of Grievances & propositions Reported y^t y^e f^d Com^{te} according to y^e order of yesterday had prepared an address to his Ex^{cy} for y^e Reuifeall of the Lawes, which he read in his place & then deliuered the same in at y^e table where being again read with some addition and amendm^t was agreed to as ffolloweth

*To his Ex^{cy} S^r Edm^d Andros K^t their Maj^{ties} L^s and Gouverno^r Generall of Virginia
May it please yo^r Ex^{cy}*

The house of Burgeffes takinge into their ferious Consideraçon y^e great inconveniences y^t attend this Governm^t in y^e adminiftration of Justice by reason of y^e multiplicity & incertainty of the laws thereof, and y^e great utility & aduantage, w^{ch} a Reuifeall & digeft of the same will produce for thereby Justice may be y^e better dispenced, doe therefore humbly pray yo^r Ex^{cy} y^t y^e whole body of y^e lawes of this Colony may be reuifed & methodically digefted which if yo^r Ex^{cy} & the Hono^r^{ble} Council shall be pleas'd to concede to y^t then yo^r Ex^{cy} will be further pleas'd to appoint some of the hono^r^{ble} Council to join with such members as this house shall appoint, to consult of & agree upon such methods as to time place & other Requifites of haueing y^e same done, as shall be found most fitt & convenient for y^e performance of such a worke.

Propositions on y^e behalfe of y^e Inhabitants of *King & Queen* Co^{ty} presented to y^e house by M^r *W^m Leigh* one of y^e Burgeffes thereof were read and referred to the Committee of Grievances & P^{ro}positions.

Ordered y^t y^e matter of the Election in *Northumberland* County stand referred till the further order of y^e house about y^e same.

And then y^e house adjourned till 8 a clock to morrow morning

Thursday March 16th 1692/3

THE Petition of L^t *David Strahan* of *Stafford* County & the Rangers under his Comand for a moneths pay referred by his Ex^{cy} & Council to y^e Consideraçon of y^e house read and Referred to y^e Committee of Publique Claimes.

Ordered y^t M^r *Parke*, Cap^t *Taylor* & Cap^t *Baffett* do forthwith wait upon his Ex^{cy} to acquaint him that the house have agreed upon an address to be presented to his Ex^{cy} concerning y^e Reuifeall of the bodie of the laws of this Country & desire his Ex^{cy} to appoint a time when the house shall wait upon him with it.

Then y^e house took into Consideraçon diuers Reports of y^e Committee of Grievances & Propositions brought into y^e house *Tuesday* last.

Vpon Consideraçon of the Report of the Committee upon a proposition of *Accomack* County for a law to Reftrain *English* & Indians killing Deer from y^e first of *February* to y^e last of *June* annually y^e same was agreed to by the house y^t such a law would be detrimental to the Country.

Ordered y^t the f^d proposition be rejected.

Vpon Consideraçon of y^e Report of the f^d Committee for a fee to be ascertained by law for Collecto^r for a permitt &c after some debate thereupon.

Resolued

Resolved y^e one shilling be y^e established fee for a Collecto^r to demand for a permitt let pafs or coasting Cocquet & y^e a bill be prepared by y^e Com^{te} of Grievances & propositions accordingly.

Then M^r *Dan^{ll} Park* &c being returned, acquainted y^e house, if [that] according to order they had waited upon his Ex^{cy} & deliuered their Message.

and y^e his Ex^{cy} was pleased to answer.

There is now a full Councill and y^e house may come as soon as they please.

Then imediatly M^r *Speaker* & the house went to attend his Ex^{cy} with the adrefs.

and being returned M^r *Speaker* acquainted the house, y^e he had deliuered the f^d adrefs, which his Ex^{cy} Rec^d with great Cheerfullness and was pleas'd to exprefs his satisfaction, y^e y^e house had taken into Consideracon so good a worke, which he had before intimated to y^e Councill, and was Likewise under their Consideracon

Then the house proceeded in y^e Consideracon of y^e Reports of y^e Com^{te} of Grievances & propositions and

Upon consideracon of y^e Report of y^e f^d Committee upon a Proposition of *Surry* County, y^e for a better support of the miniftry their Maj^{ties} be supplicated for part of their quit rents y^e same was agreed to by the house *Viz*

That being at y^e last Gen^{ll} assembly their Maj^{ties} were address'd to appropriate part of their Quit rents to the use of y^e Colledge intended to be erected within this Gouvernm^t y^e f^d Proposition ought therefore to be rejected

Vpon Consideracon of y^e Report of y^e f^d Committee y^e all Collecto^{rs} be enjoyned constantly to attend their offices either by themselves or deputies y^e same was agreed to by the house and

Resolved y^e y^e Com^{te} of Grievances & Propositions to whom y^e drawing y^e bill for ascertaining y^e Collecto^{rs} fee for a permit &c is referred inserte a Clause to that purpose in y^e said bill.

Vpon Consideracon of y^e Report of y^e f^d Com^{te} in relation to y^e Complaint from *Stafford* County of great abuses Comitted by *Maryland* & other strang Indians in beateing some Tomahawking others & carrying away prisoners, with diuers other spoiles & damages to many.

Resolved y^e a Conference be desired with y^e hono^{rb^{le}} Councill to Consult of y^e best waies and meanes for y^e preuention of y^e like practices and abuses being Comitted either by y^e *Maryland* or other forreign Indians for y^e time to come.

Vpon Consideracon of the Report of y^e f^d Com^{te} upon a proposition for no persons to be admitted to goe out to trade, but y^e Certain times and places be set in euery County for Indians to bring in & dispose of their trucke, y^e same was agreed to by y^e house who concurred wth y^e Comitee, That y^e 9th act of Assembly made *anno*. 1691. Entituled *an act for a free a Trade with Indians* doth sufficiently provide there in, and therefore

Ordered y^e y^e f^d proposition be rejected

Vpon Consideracon of y^e Report of y^e f^d Com^{te} concerning perticular markes to be assign'd for euery Respective Town or Nation of Indians to be put upon their hogs, for preuention of hog stealing after some debate

Resolved y^e a bill be prepared prohibiting any *English* Person whatsoeuer to trade deal with or receiue from any Indian wthsoeuer any pork unless he be able to proue such Pork to be of y^e proper mark belonging to y^e Town of Indians where he buyes it under y^e penalty of 1000^l tob^a and for as much as the 6th act of Assembly made in 1674 Entituled *an act Comanding such Indians who keep hogs to marke the same*, requires each Indian Town to giue such perticular marke to their hogs as shall be appointed by the nearest adjacent County Court, and y^e it seems disputable what Countie Court shall assign the marke to y^e *Weyonoakes* & *Notoway* Indians therefore

Ordered y^e a clause be inserted in y^e f^d bill appointing & authoriseing *Surry* County Court to assign a particular mark for hogs belonging to y^e f^d *Notoway* & *Weyonoake* Nation.

Ordered y^e the prepareing & Reporting of y^e f^d bill be referred to the Burgeffes of *Henrico* *Charles City* & *Surry* Counties.

Vpon

Vpon Consideraçon of y^e Report of y^e f^d Comittee concerning a propofition from *New Kent Countie* y^e y^e Clerke of y^e Countie Court may be enjoyned to keep his office at or near the Court houfe being y^e midle of the Countie, the fame was agreed to by y^e houfe.

Ordered that the faid propofition be rejected.

Vpon Consideracon of y^e Report of y^e f^d Com^{te} concerning a propofition for Conftables to be paid for ferueing of Warrants by thofe to whom the warrants are granted y^e fame was agreed to by y^e houfe.

Ordered that y^e faid propofition be rejected

And then the houfe adjourn'd till 3 a clock afternoon

Post Merediem

MAJOR *Sam^{ll} Swan* from y^e Com^{te} of grievances & propofitions Reported y^e purfuant to y^e order of the houfe the faid Comittee had Prepared thefe following bills

A bill for Continuing y^e a^{ct} for y^e better defence of the Country

A bill for the fufpenfion of y^e a^{ct} for Ports &c till their Maj^{ty} pleafure fhall be known therein or till y^e next affembly.

A bill for Repealing a Clause in y^e 7th a^{ct} of affembly made *anno* 1686 & inferteing a Clause therein.

Then a bill for Continuing y^e a^{ct} for y^e better defence of y^e Country was read the firft time And Refolued to be read a fecond time

A bill for fufpenfion of y^e a^{ct} for Ports &c till their Maj^{ty} pleafure fhall be known therein or till y^e next affembly was read the firft time.

Refolued that the f^d bill be read a fecond time.

A bill for Repealing a clause in the 7th a^{ct} of affembly made *anno*. 1686. and inferteing a clause therein read the firft time.

Refolued that the faid bill be read a fecond time.

And then y^e houfe adjourn'd till 8 a clocke tomorrow morning.

ffryday March 17th 1692/3

AMOTION being made by M^r *ffra. Clements* for leaue to goe out of Towne in the afternoon about his extraordinary bufinefs leaue was giuen accordingly

Ordered y^e he giues his attendance in y^e houfe *Munday* morning ten a clocke.

Majo^r *Sam^{ll} Swan* from y^e Com^{te} of Grievances & propofitions Reported y^e y^e f^d Com^{te} had taken into Consideraçon diuers matters to them referred & therein come to feuerall refolutions w^{ch} they had directed him to report w^{ch} he read in his place & then deliuered them in at y^e table.

A Meffage from his Excellency by M^r *Edwards*

M^r *Speaker*

I am comanded by his Ex^{ty} to return you y^e anfwers to the addreffes prefented to him from your houfe

and then he deliuered the faid anfwers in writing to M^r *Speaker* which were Read as followeth

By his Ex^{ty}

M^r *Speaker and Gent of
the houfe of Burgeffes*

Haucing rec^d yo^r addrefs relating to y^e free trade with y^e Indians haue adiufied with ye Councill & cannot exprefs their Maj^{ty} pleafure more fully then y^e their Ma^{ty} are pleas'd of their great care for y^e welfare of their Subjects in this Colony. to continue them

a free trade with the Indians preferring y^e particular benefit of their people before any other advantage that might accrew unto them by restraining said Trade and therefore doubt not a due fence and fuitable return for the better support of the Government from their Maj^{ty} Loyall Subjects the house of Burgeffes.

March 16th 1692/3

E Andros

By his Excellency

M^r Speaker and Gent of
the house of Burgeffes

In reading your address for the reuiseall of the lawes It is mine and the Council Vnanimous opinion that so good a worke (being that which I haue since my ariuall intamated to the Council and was likewise under their Consideraçon) should as soon as conveniently, be effected, And in order thereto four of the Council will meet as desired, such of yo^r members as you shall appoint to Confer about y^e most proper methods for the performance thereof at three of clocke tomorrow in the afternoon in y^e lower room of M^r George Marables Briethouse

March 16 1692/3

E Andros

Ordered y^t Majo^r Swan, Cap^t John Custis Cap^t Arthur Spicer M^r Dan^l Parke, Cap^t W^m Leigh Cap^t W^m Randolph, Cap^t Miles Cary Cap^t Taylor and M^r W^m Colston attend the hono^r^{ble} Council according to y^e Directions of his Excellencie's answer now received to the address of this house about Reuiseall of the lawes & be empowered to Conferr accordingly

Then the house *Resolved* and accordingly *Ordered* that the following message be sent to his Excellency.

May it please yo^r Ex^{cy}

The house of Burgeffes haueing Rec^d your Excellencies benign answer to their address about the reuiseall of the lawes haue appointed nine of their members to meet and Conferr with such of the hono^r^{ble} Council as are appointed at the time and place nominated by your Excellency

Ordered that Cap^t Kendall, Cap^t Battail, Cap^t Wilfon & Cap^t Armistead carry the Same.

Then the Reports of the Committee of Grievances & propositions were taken into Consideration and

Vpon Consideraçon of y^e Reports of the said Com^{tee} concerning a proposition of *Eliza* City County for a fine to be imposed on Ordinary Keepers, or others retaileing Liquors, who shall giue entertainm^t to seamen after eight a clocke at night, the same was agreed to by the house y^t y^e same is sufficiently provided for by law.

Vpon Consideraçon of the Report of the said Committee upon a proposition that no Justice of the Peace may be compelled to ride as a Trooper or serue as a priuate Centinell.

Resolved that it is the opinion of the house that eury Justice of the Peace for as much as he is enjoyned to act in y^t station and attend the County Court without any gratuity or reward, when he is no officer of the Militia ought to be exempted from his personall attendance at Mufters.

Ordered y^t address be made to his Ex^{cy} that he will please to giue order accordingly, if he so think fitt.

Vpon Consideraçon of the Report of the said Committee upon a proposition from *Henrico* County wherein it is desired that all persons may be prohibited from entetainment of all Indians whatsoever not tributary & of all such without first obtaineing Lycence for the same, the same was agreed to by the house who concurre with the Com^{tee} y^t y^e same is all ready effectually provided for by law.

Vpon Consideraçon of the Report of y^e f^d Com^{tee} upon a Proposition from *Northampton* Countie, wherein it is desired y^t y^e Inhabitants of y^t County may have liberty to transport any Comodities of the production of their Co^{ty} to any part of *Virg^a* without taking a permitt.

Resolved y^t the f^d proposition be rejected

¶ Vpon

Vpon Consideraçon of y^e Report of the f^d Com^{te} upon a propofition for y^e Prohibiting any Person wthsoever from pleading in any Court as an attorney at law but fuch as fhall firft obtaine y^e approbation of y^e Juftices of the peace where he praćtices & fhall take the oath of an attorney & for afcertaining a moderate fee to be allowed in y^e bills of Cofts the fame was agreed to by the houfe, who concurre with the Com^{te} that y^e fame is inconvenient.

Ordered that the faid propofition be rejected.

Vpon Consideraçon of the Report of the f^d Com^{te} upō a propofition for another Size of tobacco hh *viz.* 43 in the length & thirty miles [inches] Wide in the head.

Resolved that the law already made about y^e Size of tob^a hogfheads ftand as now it is without ateration.

Vpon Consideraçon of the Report of y^e f^d Com^{te} upon a propofall from feuerall of *Yorke* County y^t y^e Court day for y^t County might be altered vpon a debate thereof

Resolved that the f^d propofition be rejected.

Resolved that a bill be prepared directing that when y^e firft day of the Gen^l Court fhall happen to be upon a *Saturday* in lieu thereof the *Munday* following be held & called the firft day, before which the Gen^l Court fhall not begin, and y^t if it fo happen y^t *Eafter* Eve or any of the *Eafter* hollidays fhall be y^e firft day of a generall Court y^t then the faid Gen^l Court fhall not begin till *Wednesday* in *Eafter* weeke, and y^t when a County Court day fhall fall out on a *Saturday*, the Court be held on the *Munday* following.

Ordered that the Committee of Grievances & propofitions prepare and bring in a bill accordingly then the houfe proceeded and

Vpon Consideraçon of the Report of the faid Com^{te} upon a propofition that a more fevere method might be prefcribed to preuent y^e meeting of Negros.

the fame was agreed to by the houfe who concurre with the committee that the fame is by law already Sufficiently provided for

Vpon Consideraçon of the Report of the f^d Com^{te} concerning a propofition for encouragement to be giuen for killing of Crowes

the fame was agreed to by the houfe who concurre with y^e Com^{te} y^t euery mans Intereft will induce him to kill what Crowes he can

Ordered that the faid propofition be rejected.

Vpon confideration of the Report of the f^d Com^{te} upon a propofition for a law to be made directing that no Corne be henceforward planted, unlefs inclofed within a lawfull fence under a penaltie

the fame was agreed to by the houfe who concurre with the Committee that y^e law doth already fufficiently provide in y^t cafe

Ordered y^t the faid propofition be rejected

Vpon Consideration of the Report of the faid Committee upon the Complaint of *Thomas Gettenig* and *John Badfon* that feuerall keep feuen or eight horses who haue fcarce paforage for one and fireemen who haue no patorage yet keep horses.

The fame was agreed to by the houfe who concurre with the Com^{te} that fince noe mans ground is inclofed a Reftraint would bring Inconueniences.

Ordered that the faid Propofition be rejected

Vpon Reading of the Report of the faid Committee upon the propofition of Cap^t *Oufley* and Cap^t *Scarlett* y^t there may be 20 Rangers appointed for the head of *Potomack* Riuier the fame runing fartheft into the mountaines

the houfe agreed to the f^d Report that the rangers already appointed are fufficient and therefore

Ordered that the faid propofition be rejected.

Vpon Consideration of the report of the fd Committee concerning the propofition of the lower parifh of *Ife of Wight* County, y^t *Newport* might be established a Port & enjoy priueledges accordingly.

the fame was agreed to by the houfe who concurre with the Committee that the faid propofition is already fufficiently anfwer'd by their former proceeding touching the act for Ports.

Vpon

Vpon Consideraçon of the report of y^e f^d Com^{te} concerning the propofition for liberty to plant at any time from *Safford* Countie

Ordered that liberty be giuen to fpeak to the faid Propofition when the bill for alteration of the penalty impofed on fuch as plant after y^e laft of *June* is read y^e 2^d time and then the houfe adjourn'd till four a clock afternoon

Post Meridiem

MAJ *Sam^{ll} Swan* from the Conference with y^e Councill Reported y^t according to the Order of the morning they had met the Councill, with whom haueing made fome progrefs in the managem^t of the Conference according to the diretions of the houfe the Councill moued y^t the further proceedings might be referred till tomorrow morning nine a clocke

Ordered that Majo^r *Swan* & y^e reft of the mangers of the f^d Conference giue their attendance tomorrow accordingly.

Then the houfe proceeded in y^e Consideraçon of Diuers Reports of y^e Com^{te} of Grievances and propofitions left undone in the morning

And vpon Consideraçon of the Report of the f^d Committee vpon a propofition from *Stafford* Countie that none may be fuffered in that County to trade truck or fell any manner of armes a^mution or Liquors to *Maryland* or ftrang Indians

the fame was agreed to by the houfe who concurre with the Committee y^t the faid propofition is Contrary to the a^{ct} entituled *an a^{ct} for free trade with Indians*.

Ordered that the faid propofition be rejected.

Vpon Consideration of the Report of the f^d Com^{te} vpon a propofition from *Ifle of Wight* Countie y^t a law may be made for erecting ffulling Mills and the like encouragem^t giuen for it as for Grift Mills.

Refolued y^t a bill be prepared by the Clerk of the houfe declareing that y^e 3^d a^{ct} of Affembly 1667 Entituled *an a^{ct} for encouragem^t for erecting of mills* fhall be extended & taken to giue y^e encouragement therein mentioned to builders of ffulling Mills as well as Grift Mills

Ordered that a Clause be inferted in the faid bill that where feu^r^{ll} Mills fhall happen to be fet vpon the felfe fame fstream, the owner or keeper of the upermoft Mill fhall be obliged to giue notice to the Mill next below him and foe fucceffively from Mill to Mill notice fhall be giuen by y^e owner or keeper of the Mill next aboue to the keeper of the mill next below, before the watter be let goe from the upermoft Dam, or elfe each to be lyable to an a^{ct}ion at law for fuch damages as fhall be found by a Jurie to be fuftained by y^e party next below him for want of fuch notice

vpon consideraçon of y^e Report of y^e f^d Com^{te} vpon y^e pe^{ti}on of *Peter Heyman* Gent concerning a Poft office

The houfe agreed with the Committee

That the Erecting a Poft office in this their Maj^s Dominion may be for their Maj^s feruice and the utility and conveniency of their Maj^s Subjects here Ihabitants and are contented & will agree to pay & allow proportionably for the Carriage and deliury of Letters fuch rates as are expreffed and established by a^{ct} of Parliam^t made in the 12 yeare of King *Charles* the fecond and thereupon

Ordered that Cap^t *Arthur Spicer* and M^r *Dan^{ll} Parke* acquaint the f^d *Peter Heyman* with the fame and alfo difcourfe him about and receiue from him his p^{ro}pofalls relateing thereto and report their proceedings to the houfe

Vpon the motion of M^r *John Cant* for leaue to go home vpon Extraordinary bufinefs leaue was giuen him accordingly till *Munday* next at night.

The houfe being informed that the meffinger fent for the Sh^{err} of *Northumberland* County, attended at the door with y^e faid Sh^{err}, the meffinger was called in and ordered to bring before the houfe the f^d Sh^{err} & to giue notice to M^r *W^m Lee* and his euidence to attend,

attend, who being feuerally called in the faid fhērr humbly moued the houfe to haue the matter exhibited againft him referred till tomorrow morning, whereupon the feuerall parties being ordered to withdraw the houfe thought fitt and accordingly.

Ordered that the Confideraçon of the matter of the election in *Northumberland* Countie be referred till tomorrow morning ten a clocke.

Vpon the motion of Cap^t *W^m Baffett* for leaue to goe to his owne houfe upon his extraordinary occation leaue was giuen accordingly.

Ordered that he giue his attendance again at at y^e houfe *Munday* morning ten a clocke

Then upon Confideraçon of the Report of the Committee of Grieuances &c relateing to a propofition of Cap^t *W^m Leigh* on the behalfe of y^e Inhabitants of *King & Queen* County that Liberty might be giuen to take up and patent land not yet granted in *Pamunkey necke*

the fame was agreed to by the houfe and

Refolued that the Committee to whom the preparing of a bill giueing Liberty for feating any part of the land on the fouth fide *James Riuer &c* is referred, infert a claufe to that purpofe in the faid bill.

Vpon Confideraçon of the Report of the faid Committee upon a propofition from *Surry* County, wherein it is defired, that fuch other claufes may be added to the 72 a^{ct} of Affembly for confirmation of titles of Lands after 5 yeares quiet poffeffion on as fhall be thought fitt to make the fame more effectuell

Ordered that the faid Propofition be giuen as an Inftitution to thofe who fhall hereafter be appointed to reuife the lawes of the Countrey.

And then the houfe adjourned till 8 a clock tomorrow morning.

Saturday March 18th 1692/3

CAP^T *Arthur Spicer* and M^r *Dan^l Parke* reported that according to the order of yefterday, they had acquainted M^r *Heyman* with the proceedings of the houfe relateing to the erecting of a Poft office and had difcour's'd him about his P^opo-falls for the fame whereof haueing giuen a full acco^t It was thereupon

Refolued that for the encouragement of fo ufeull a defigne as the erecting and etablifhing a Poft office in his Gouernment it is neceffary a larger allowance be giuen for the carriage and deliuey of Letters then is prouided and exprefs'd in the a^{ct} of Parliam^t made in the 12 year of King *Charles* the 2^d and

Ordered that the Committee of Grieuances and propofitions take into Confideraçon the ftate of the thing, and y^e haueing regard to the diftance convenience and inconuenience of Carriage from place to place in this Countrey, they draw up and proportion a fuiteable allowance for the fame to prefent to the houfe

Majo^r *Sam^l Swan* from the Conference with the Councill about Reuifeall of the lawes haueing reported that at the f^d conference their Hono^{rs} were pleas'd to exprefs they could not agree y^t any of the Councill fhould fit as a joint Committee with the Burgeffes but that inftead thereof if the houfe fhould think fit to nominate a Committee or their own members to proceed hereafter in the Reuifall of the lawes of this Country fuch of them as his Ex^{ty} fhall be pleas'd to appoint, will upon application made be ready to giue their affiftance in that affair, and be and continue at *James City* with them at fuch time and times as fhall be thought moft proper for it, which they left to the houfe of Burgeffes to appoint

Ordered that the further confideration of the matter concerning the Reuifall of the lawes be referred till *Munday* afternoon

Majo^r *Sam^l Swan* from the Committee of Grieuances & P^opositions Reported that the faid Committee had directed him to report to the houfe their Refolution upon the petition of *John Pleasant* and *John Woodfon* and other *Quakers*, which he read in his place and then deliuered it in at the table.

Ordered that the faid Report lye upon the table

The petition of M^r *John Battail* and M^r *Edw^d Thomas* on behalfe of the Inhabitants of *Effex* Countie y^t the day appointed for holding Courts in that County might be altered by law to the 20th of the moneth was read and thereupon.

Ordered that the Committee to whom the drawing the bill for directing the first day of the Gen^l Court &c is referred, insert a clause in the said bill to that purpose.

Then according to the order of yesterday the matter of the Election of Burgeses in *Northumberland* County was taken into Consideration, whereupon M^r *Rodham Kennor* sherr of the s^d County and Cap^t *W^m Lee* who appeared in behalfe of the Major part of the freeholders of the s^d County to prosecute the Complaint exhibited by them against the said sherr for an undue election were called into the house, where both parties being heard, and all Evidences relating thereto having delivered their Testimony upon oath they were ordered to withdraw and being withdrawn after a long debate the house Resolved as followeth

Resolved that M^r *Rich^d Rogers* is not duly elected a Burges to serve in this present Assembly for *Northumberland* Countie

Resolved that M^r *Rich^d flint* is not duly elected a Burges to serve in this present Assembly for *Northumberland* County.

Resolved y^t M^r *John Downing* is duly elected a Burges to serve in this assembly for *Northumberland* County.

Resolved, that Cap^t *W^m Jones* is duly elected a Burges to serve in this assembly for *Northumberland* County

Then the sherr of the said County of *Northumberland* being called in, amended the Return for the said Countie by razing out y^e names of M^r *Rich^d Rogers* and M^r *Rich^d Rint* and inserting the names of M^r *John Downing* and Cap^t *W^m Jones*

Ordered that the s^d sherr be discharged out of Custody paying in his fees.

The Writ for Election of a Burges in *King & Queen* Countie, being brought into the house, the Return thereupon was read which signifying y^t by reason of the death of the sherriff of that County, before the day appointed for choosing of a Burges no election was made

Ordered that Cap^t *Cary* Cap^t *Lear* and Cap^t *Wilson* do forthwith wait upon his Ex^{cy} and pray him to issue out a new writ for the election of a Burges in *King & Queen* Countie. And then the house adjourned till *Munday* morning ten a clocke.

Munday March 20th 1692/3

THE house adjourned till 3 a clocke afternoon

Post Meridiem.

CAP^T *Miles Cary* from the Committee of Publique Clames Reported that the said Committee had directed him to report two Resolutions, which he read in his place and being Rec^d was laid upon the table

M^r *John Custis* from the Committee of Grievances and propositions reported that the s^d Committee had prepared two bills, which he delivered in and was laid upon the table.

Cap^t *W^m Randolph* from the Committee appointed to prepare the same delivered in a bill for the marking Indians hogs which was laid upon the table

The Clerke then presented to the house a bill for Encouragem^t to erect fulling mills which was read and laid upon y^e table

Ordered that the house be called over tomorrow ten a clocke and whosoever shall be then absent without lawfull impediment shall be liable to the censure of the house.

Ordered

Ordered that Cap^t *Randolph* Cap^t *ffeild* Cap^t *Scarlet* and Cap^t *Ousley* Cap^t *Sandford* Cap^t *Lear* Cap^t *Ballard* and Cap^t *Clements* desire a Conference with the hono^r^b^l^e Council to confult of the best waies and meanes for the preuention of diuers great abufes Complaind of from *Stafford* Countie to be Comitted by *Maryland* and other strang Indians according to the Refo^r^u^e of the houfe on *Thursday* laft and that they be empowered to manage the Conference accordingly

The Remonfrance of y^e Inhabitants of the Country of *Northumberland* being read in relation to their ports

Resolved that the former proceedings of the houfe do fully anfwer the fame.

The Petition of *Rodham Kennor* fh^{er}r of *Northumberland* Co^v was read and praying that the Meffingers fees might be awarded.

Ordered that the faid *Rodham Kennor* pay y^e meffinger for his fee five pounds *sterl*.

Then a bill for giueing Encouragem^t to erectt ffulling Mills was read the firft time

Resolved that the faid bill be read a 2^d time

A bill Concerning the markeing of Indians hogs read the firft time.

Resolved that the faid byll be read a 2^d time

A bill for the aduancement of Coines read the firft time

Resolved that the faid bill be read a 2^d time

A bill for feating certain lands on the fouth fide *James River* and *Pamunkey necke* read the firft time.

Resolved that the faid bill be read a 2^d time

Then the houfe took into Confideraçon the Report of the Committee of Grieuances and propositions upon the petition of *John Pleasant* and *John Woodfon* and other *Quakers* and the Committee propofeing a new bill Concerning the militia and repeal of the feuerall acts relateing thereto

Resolved that the houfe doe not agree to y^e Report of y^e Com^{te}

Ordered that the faid Report be laid afide

Vpon Reading the Report of the Committee Publique Claimes concerning a Refolue of the laft affembly about y^e Rangers pay

Resolved that the faid Committee of Publique Claimes make humble application to his Ex^{ty} and Council for an acco^t how long the Rangers at the heads of the Riuers haue been in actuall feruice or discontinued, and how much of the Sallary raifed for them the laft Seffion remains now in deposito unmade use of

Vpon Reading the Report of the faid Committee relateing to 25 barrells powder lent to the Gouverno^r of *Maryland*.

Resolved that the Committee make humble application to his Ex^{ty} and the Council to take care that the 25 barrells of powder lent the Gouverno^r of *Maryland* laft Affembly may be redeliuered at fuch time and place within this Gouvernement as was upon the loan thereof fet and required

Order^d that the faid Committee acquaint M^r *Treasurer* y^t the houfe doth expect his acco^t of y^e Impofition upon Liquo^{rs} with all Convenient expidition.

Ordered that the bill for fufpenfion of the act for Ports &c be read the fecond time to morrow morning Eleuen a clocke.

Then the houfe of Burgeffes according to the Order of *Saturday* taking into their Confideraçon the Report from the conference with the hono^r^b^l^e Council about the Reuifeing and diffecting of the lawes at which their hono^{rs} were pleas'd to referre to the houfe the nomination of the perfons & time for performance of that neceffary worke the houfe haue thought fit to name *Tho. Milner* Gent fpeaker Majo^r *Sam^l Swan* M^r *W^m Leigh* M^r *W^m Randolph* M^r *Miles Cary*, M^r *Arthur Spicer* M^r *Dan^l Parke* M^r *John Cuftis* M^r *W^m Colfton* M^r *John Taylor* M^r *Michaell Sherman* M^r *fra. Clements* or any five of them, to whom fhall be comitted the care and charge thereof who are to meet at *James City* the place propofed by their hono^{rs} the 1st day of *September* next & to fit in the Affembly room in order to their proceeding therein, & they propofe they may haue power to fend for
papers

papers Records and for such person or persons for their assistance as they shall think fit and that they may be thereunto impowered by an act of Assembly.

Ordered that Cap^t *Randolph* Cap^t *Cary* Cap^t *Spicer* M^r *Parke* & Cap^t *Custis* desire a further conference with the hono^r^{ble} Council upon these proposals.

And then the house adjourn'd till tomorrow eight a clocke.

Tuesday March 21 1692/3

THE house according to Order being called over the absence of those that did not appear were excused.

M^r *Miles Cary* Reports that he with the rest of the Committee for Publique Claimes had waited upon his Ex^{cy} & y^e Council & had prayed an acco^t how long the Rangers had been in actual service how long discontinued & how much of the salary raised for them remained undisposed of and y^t they had also made application that the 25 barrells powder lent the Governo^r of *Maryland* last Assembly might lye under his Ex^{cy} & the Councils consideration for redelivery and y^t his Ex^{cy} was pleased to answer he would advise upon it

Cap^t *John Custis* from the Committee of Grievances and propositions reported that the said Committee had agreed upon two resolutions, about the erection of a Post office and about the building a Country Prison, which they had directed him to report and he read the same in his place and then delivered them in at the table.

Ordered that y^e f^d Reports lye upon the table

Then the f^d Cap^t *John Custis* Reported y^t y^e f^d Committee had prepared a bill for ascertaining the price of a permitt which he delivered in at the table

Ordered that y^e f^d bill lye upon the table

Then according to Order a bill for the suspension of the act for Ports &^c was read the second time

Ordered that the f^d bill be ingrossed and read third time tomorrow morning ten a clocke

M^r *W^m Randolph* from the persons appointed to desire a Conference with the Council about a complaint from *Stafford* County of severall abuses done by *Maryland* & other straggling Indians Reported that according to the order of the house they had made an application for a Conference and y^t his Ex^{cy} was pleased to answer he would advise of it

A bill for Continuing the act for the better defence of y^e Country read the 2 time and after amendment made at the table being twice read

Ordered that the said bill with amendm^{ts} be ingrossed and a 3 time tomorrow morning

A bill for Repealing a clause in y^e 7th act of Assembly made *anno*. 1686 and inserting a clause therein read y^e 2 time and the Question being put that the f^d bill be ingrossed.

Itt passed in the Negative.

Ordered that the said bill be ejected

a bill concerning the marking Indians hogs read the second time and after some amendments made at the table which were twice read.

Ordered that the said bill with amendments be ingrossed and read a third time.

A bill for giving Encouragement to erect fulling Mills read y^e 2^d time and after some amendments

Ordered that the said bill be ingrossed and read a 3 time

A bill for Seating certain lands on the fourth side *James River* and *Pamunkey neck* read the 2^d time after some amendm^t made at the table

Ordered that the f^d bill with the amendments be ingrossed & read a 3^d time

A bill for advancement of Coines read the second time and Comitted to the Committee that first prepared the same for amendments

A meffage from his Ex^{ty} and y^e Councill by M^r *Edwards*
M^r *Speaker*

I am Comanded by his Ex^{ty} & Councill to acquaint you that the verball meffage this day fent from yo^r houfe by Cap^t *Cary* and Cap^t *Randolph* being not well underftood, they defire they may be fent them in writeing.

Then the f^d M^r *Edwards* being withdrawn the fame were prepared and fent to his Ex^{ty} and the Councill accordingly

M^r *W^m Leigh* from the Comittee to whom the fame were referred Reported that they had confider'd of & made feuerall amendm^{ts} in the bill for the aduancem^t of Coine according to the Order of this morning.

Ordered that the faid bill lye upon the table

And then the houfe adjourn'd till 2 a clock afternoon

Post Meridiem.

UPON Reading the Report of the Com^{te} of Grievances and propofitions concerning the building of a Country Prifon

The Queftion was put

Whether the Erecting & building of a Country prifon was neceffary and expedient

Itt paffed in the Negatiue

Vpon Consideration of the Report of the faid Comittee concerning allowances for the carriage of Letters from place to place

Resolved that a bill be prepared by the Comittee of Grievances & propofitions giuing Such allowances for the port of Letters, as are mentioned in the faid Report & further agreed upon in the houfe & thereupon indorfed as an Inftitution to the Com^{te} that prepared the fame.

Then the amendm^{ts} with a new prouifo to the bill for the aduancement of Coines were twice read and agreed to

Ordered that the f^d bill with the amendments and new ¶uifo be fairly engroffed and read a 3 time

A bill for afcertaining the price of a permitt read y^e 1st time

Resolved that the f^d bill be read a fecond time

And then the houfe adjourned till tomorrow morning 8 a clock

Wednesday March 22 1692/3

MAJOR^R *Sam^l Swan* from y^e Comittee of Grievances and propofitions Reported that the f^d Comittee had prepared a bill for encouragem^t for the erecting a Poft office, which he deliuered in at the table

Ordered that the faid bill ly upon the table

The houfe being informed that the hono^{ble} Councill will be ready at eleuen a clocke this morning to meet and conferr with fuch members of this houfe about the Reuifall of y^e lawes as are thereto appointed It is therefore

Ordered That the faid managers do accordingly giue their attendance & that the third reading of the bill for fufpenfion of the a^{ct} for Ports &^c be repited till the afternoon.

and then the houfe adjourn'd till two a clocke afternoon

Post Meridiem

MAJOR^R *Sam^l Swan* from the Cōttee of Grievances & propofitions Reported y^t the faid Comittee according to the Order of the houfe prepared a bill for altering the firft day of the Gen^l Court &^c which he deliuered in at the table

Majo^r *Sam^l Swan* from the Conference from the Councill about Reuifall of the lawes Reports y^t y^e members appointed together with him to manage the fame had according to the Order of this morning met their hono^{rs} where haucing informed them

them with the feuerall propofalls giuen in direction from the houfe their hono^{rs} were pleas'd to reply they would confider of it and would meet again tomorrow morning for a further conference about the fame

Ordered that y^e f^d managers attend accordingly

M^r W^m *Randolph* Reporting that the Councill had appointed five a clocke this afternoon to meet and conferre with fuch members of this houfe as were appointed about the Complaints from *Stafford* Countie &c againft the *Maryland* Indians

Ordered that y^e f^d managers withdraw at five a clocke & Attend accordingly

Then according to order a bill for the Sufpention of the a^{ct} for ports &c was read a 3^d time & paffed the houfe

Resolved y^e the title to y^e f^d bill be *an a^{ct} for fufpending the Execution of the a^{ct} for Ports &c*

A bill for the Continueing the a^{ct} for the better defence of y^e Country read a 3^d time and paffed the houfe

A bill for altering the firft day of the Gen^l Court in fome cafes and of County Courts &c read the firft time

Resolved that the faid bill be read a fecond time

A bill for encourageing the erecting a Poft Office in this Country read the firft time

Resolved that the faid bill be read a 2^d time

M^r *Randolph* reports from the Cōference with the Councill about the Complaint from *Stafford* Countie relateing to the *Maryland* Indians

That they had made fome propofalls to their hono^{rs} concerning the Subject matter of the conference but thereto receiued noe reply, Saue that they would giue them another meeting & would acquaint them with the time when

A motion being made by A member of the houfe that M^r *Ranson* being now fick might haue leaue to goe home for the recouery of his health

Leaue was giuen accordingly

A bill concerning the markeing Indians hogs read y^e 3^d time and paffed the houfe

Resolved that the title to the f^d bill be *an a^{ct} concerning Indians hogs.*

A bill for giueing Encouragem^t to erect ffulling Mills read y^e 3^d time and paffed *nemine contradicente*

a bill for feating certaine lands on the fouth fide *James* Riuer & *Pamunkey neck*, read y^e 3^d time and paffed the houfe

A bill for aduancem^t of Coines read y^e 3^d time & paffed the houfe.

And then the houfe adjourned till 8 a clock tomorrow morning

Thursday March 23 1692/3

ORDERED that M^r *Dan^l Park* with Diuers other members of the houfe to the number of fourteen carry to the hono^r^b^l^e Councill the feuerall bills which yesterday paffed the houfe *vide*

A bill for the Continueing the a^{ct} for the better defence of y^e Country

A bill for y^e fufpending the Execution of the a^{ct} for Ports &c

A bill concerning Indians hogs

A bill for giueing Encouragem^t to erect ffulling Mills

A bill for feating certaine lands on y^e fouth fide *James* Riuer and *Pamunkey neck*.

A bill for the aduancement of Coines.

and defire their hono^{rs} Concurrence thereto

M^r *Parke* &c being returned Reports that he had deliuered the f^d fix bills to y^e Councill according to y^e order of y^e houfe

A bill for afcertaining the price of a permitt read y^e 2 time

Ordered to be engrossed & read a 3^d time

A bill for altering the firft day of the Gen^l Court in fome cafes and alfoe of County Courts read y^e 2^d time.

Ordered

Ordered y^e y^e f^d bill be ingrossed and read a 3^d time.

A bill for encouraging the Erecting of a Post office in this County read the second time and after some amendments & a new Clause inserted at y^e table were twice read

Ordered that the f^d bill with the amendment & clause be fairly Engrossed and read a 3^d time

Ordered that Cap^t *Randolph* Cap^t *Duke*, Cap^t *Sherman* and Cap^t *Bassett* receive the acco^t of 4^d p gallon on the imposition upon skines &c from M^r *Treasurer* and that they examined the same and report to the house

Ordered that the Committee for Publique Claimes bring in y^e Reports of the f^d Committee in the afternoon.

And then the house adjourn'd till 2 a clocke afternoon

Post Meridiem

CAP^T *Miles Cary* from the Committee of Publique Claimes according to the order of this morning haueing brought into y^e house y^e Report of the said Committee deliuered the same entered together in a booke at the table.

Then the house took feuerall of the said Reports into imediate consideration, but not haueing finished the whole booke y^e remaining part was referred till tomorrow afternoon.

Then the house adjourn'd till 8 a clocke tomorrow morning.

ffryday March 24 1692/3

MR *W^m Randolph* from the Conference with the Councill upon the complaint against the *Maryland* Indians &c from *Stafford* Cou^{ty} Reports that their hono^r were pleas'd to say y^t haueing now seen *Stafford* Countie Grieuances and heard the propositions of the house, they would acquaint the whole Councill with it and giue their answer.

M^r *W^m Randolph* also reports from the persons appointed to receive M^r *Treasurers* acco^t of 4^d p gäll that according to order they had been with *Coll Hill* and had receiued his acco^t for the time he executed the office of *Treasurer* which was deliuered in at y^e table

And then y^e f^d M^r *Randolph* informing the house y^t he was told by *Coll Hill* that from *June* last *Coll Henry Whiteing* had executed the said office by virtue of the L^d *Gouerno^r* Comission

Ordered that the same persons before appointed to whom are added the rest of the Committee Claimes, doe inquire into the said *Coll Whitings* authority for executeing y^e said office and if satisfied therein demand his acco^t of the f^d imposition of four pence p gallon.

Major *Sam^l Swan* from the Conference with the Councill about Reuifall of the lawes Reports that the members of this house haueing met their hono^r about y^e same yesterday afternoon, they were pleas'd to giue it as their Result and full answer to the propofalls of this house that the present time to goe about Reuifall of the lawes was most fitt dureing this Sesson and that they could agree to noe other

Then the house entred into the imediate Consideraçon thereof & after some time spent in debate The Question was put

Will the house agree with the proposition of the Councill in presently entreing upon the Reuifall of the lawes dureing this Sesson and before the Rifeing thereof to perfect the same.

And it passed in the Negatiue.

ffor as much as the house cannot concurre with the Councill in the present time for Reuifalls of the lawes & yet that a work of foe great a concern^t to the welfar of this their

their Maj^{ty} Colonie and dominion may be effectually carried on perfected and confirmed with all convenient expedition

It is referred to the Committee of Grievances and propositions to take into their immediate Consideration the best waies means and methods of effecting the same

Ordered that Cap^t *Randolph* and Cap^t *Cary* be added to the said Committee

A bill for ascertaining the price of a permit read the 3^d time and passed

Resolved that the title of the said Bill be *An act ascertaining the price of Coasting Cocquets and Requireing officers attendance*

A bill for altering the first day of the Gen^l Court in some cases and also of County Courts read the 3^d time and passed the house

A bill for encouraging the erecting of a Post office in this Country read a 3^d time

Resolved that the said bill bee put to the passage in the afternoon

And then the house adjourned till 3 a clock afternoon

Post Meridiem

A BILL for encouraging the erecting of a Post office in this Country was put to the passage according to the Order of this morning and some amendments being made in the same, the Question was put for the passing after the same had been 3 times read and *Resolved* that the said bill with the amendments pass the house and *ordered* that y^e same together with the other bills which passed this morning be carried to the hono^{ble} Councill for concurrence.

A message from his Excellency by M^r *Edwards*
M^r *Speaker*

I am comanded by his Ex^{cy} and the Councill in answer to the desire of your house about the Rangers fallary to give you this paper

I am also comanded by his Ex^{cy} and y^e Councill in answer to the desire of your house about y^e powder to give you this paper both which papers being received one thereof being an acco^t of tobacco paid y^e Rangers the same was referred to y^e Committee for Publique Claimes and the other being an answer to the application of this house for concerning powder sent to the Governo^r of *Maryland* was read as followeth

By his Excellency.

M^r *Speaker and Gent of
the house of Burgeffes*

As to your address about the powder sent to the Governo^r of *Maryland* upon advice in Councill I desire to know Whose the powder is, and who is to take charge thereof, that due regard may be had thereto

March 24 1692

E Andros

Ordered that the Committee for Publique Claimes inspect y^e Journalls of this and the last Assembly, prepare an answer to y^e message from his Ex^{cy} now Rec^d about 25 barrells of powder & report of y^e same to this house

M^r *W^m Randolph* Reports from the Conference with the Councill concerning the Complaint from *Stafford* County against *Maryland* and other Indians that their hono^{rs} desired the Burgeffes of that County to put in writing what y^e injuries are, to whome done w^t time done and by what Indians and to signe the same, to the end y^t y^e same being deliuered to them, his Ex^{cy} and the Councill may take such care therein as lies in their power.

The Petition of Cap^t *Henry Duke* and Cap^t *Michaell Sherman* Burgeffes for *James* County for an allowance for their County prison made use of for the Publique was read and after some debate the Question being put

Whether any allowance from y^e Publique shall be given to *James City* County for y^e use of their prison

It passed in the negatiue.

Cap^t

Cap^t *W^m Randolph* moueing the houle that he might haue leaue to goe hence upon his extraordinary occations.

Leaue was giuen accordingly

Ordered that he giue his attendance to the seruice of the houle *Munday* afternoon

Ordered that the Reading the feuerall Reports of y^e Comittee for Pub^a Claimes referred till this afternoon be further adjourn'd till tomorrow and then the houle adjourned till 8 a clock tomorrow morning.

Saturday March 25 1692/3

MR *Michael Sherman* reports that according to order the three bills yesterday passed the houle were deliuered to y^e hono^r^b^l^e Councill being
A bill for ascertaining y^e price of Coasting Cocquets and requireing officers attendance

A bill for altering the first day of the Gen^l Court in some cafes and alsoe of County Courts.

A bill for encouraging the erecting of a Post office in this Countrie and that y^e Councill were pleas'd to say they would take y^e same under Consideracon

A motion being made by a member of the houle, that M^r *W^m Colston* now being sick might haue leaue to goe home for recouery of his health—Leaue was giuen accordingly

Majo^r *Sam^l Swan* from the Comittee appointed to take into Consideracon the best meanes of carrying on and perfecting the Reuifall of the lawes Reported that the s^d Comittee had as a meanes thereto agreed upon an address to be presented to his Ex^{ty} and the Councill which he read in his place and then deliuered it in at the table where being again read the same were after amendment agreed to by y^e houle as ffolloweth

May it please yo^r Ex^{ty} and hono^r^s

The Reuifall of the lawes of this Countrie is conceiued by all to be a worke of great Concernment to y^e welfare of this their Maj^{ty} Colony & Dominnōn & that the same might be effectually carried on perfected and confirmed withall Convenient Expedition feuerall conferences haue been appointed & managed by some Members of this houle with some of y^e hono^r^b^l^e Councill and for as much as noe certaine Result of those conferences has yet been. Time a necessary Incident for such actions not being agreed on, *September* being proposed by this houle and the present time by the hono^r^b^l^e Councill for the inception of that undertaking.

This houle therefore in all humble manner shew y^t by reason of the insupportable growing charge which will unauoidably attend y^e siting of an asssembly especially the dayly encreaseing sickness being considered they can in no way agree with the hono^r^b^l^e Councill in the present time by them prescribed but y^t so usefull an vndertakeing may not miscarry humbly propose y^t some convenient time after the ariseing of y^e approach- ing Gen^l Court may be appointed by yo^r Excellency and hono^r^s for a progress therein

Ordered that the said address be forthwith fairly transcribed to be sent to his Ex^{ty} and Councill

M^r *Miles Cary* from the Comittee of Publique Claimes Reported y^t the said Comittee haueing according to order taken into Consideracon an answer to his Ex^{ty}^s message yesterday about 25 barrells powder had agreed upon one, which they directed him to report which he read in his place and then deliuered it at the table where being againe read the same was agreed to by the houle as followeth

May it please yo^r Ex^{ty}

Their most sacred Maj^{ty}^s haueing been graciously pleas'd to send into this Countrie 200 barrells powder for the defence thereof the L^t Gouverno^r was pleas'd to recomend y^e dispossalls and Conveyance of the same to y^e last assembly, as alsoe to communicate a letter from the Gouverno^r of *Maryland* for the Loan of 50 barrells powder for the houes resolution therein, who were willing to spare 25 barrells ffor the present defence & securitie

curitie of their Maj^{ty} said Governour upon such good caution & securitie as the L^{ty} Governour and Councill should thinke expedient to secure the deliuey of the same, in such time, and at such certaine places within this Governour as should be required, which was the reason that this house made humble supplication to yo^r Ex^{ty} and Councill that the same might be under your confideracon for the redeliuey thereof.

Ordered that the said addrefs be fairly transcribed in order to be sent to his Ex^{ty} and that M^r Parke Cap^t Basset Cap^t Clements Cap^t Baker M^r Cant M^r Sandford Major Sawyer and Cap^t Styth carrie the same to his Ex^{ty} and also the addres about the revifall of y^e laws to his Ex^{ty} and the Councill which was done accordingly.

Then the house according to order proceeded in the Reading y^e Remaineing part of the book of Reports of Committee for Publique Claimes which haueing finished, the same were agreed to by the house with such alterations and amendments as are noted downe in the body of the Margent of the said book of Reports.

Ordered that M^r Dan^l Parke haue leaue to goe out of Towne upon his Extraordinary occations

Resolved and *ordered* y^t whatfoeuer Member of this house shall hereafter depart out of Towne without the leaue of the house, and shall fail to giue his attendance at the time which the house is adjourned to shall for such his default be taken into the messinger Custody there to continue and remaine untill he hath paid such fees as the house shall affes upon him

And then the house adjourned till *Munday* Morning ten a clocke

Munday March 27 1693 [1693]

ORDERED that Cap^t Henry Duke haue leaue to visit his Son who lies very sicke
The Petition of *Peter Beuerley* was read and the same being a matter of Caime for seruices done as Clerk of the house of Burgeffes.

Resolved and *Ordered* that the said petition be taken into Confideracon when the house shall resolue into a committee of the whole house for settling the allowances to the officers attending the assembly.

Resolved, that this house will forthwith resolue into a Committee of the whole house to consider of all other necessary allowances to be added to the booke of Claimes.

and then the house accordingly resolued it selfe into a grand committee, and M^r Miles Cary took the Chair, wherein haueing spent some time, M^r Speaker resumed the Chair and M^r Cary Reported that the said Committee had agreed upon feuerall allowances to the officers of this Assembly and directed him to report which he read in his place and were agreed to by the house

Ordered that the said feuerall allowances now Reported and agreed to be annexed to the book of Reports of the Committee for Publique Claimes and that the same being done, the said Committee forthwith carrie the said book to the hono^r^{ble} Councill for their Concurrence.

M^r Cary Reports that according to the order of the house y^e Committee for Publique Claimes had deliuered to the Councill the book of Reports from the said Committee as it was agreed and added to by the house

and then the house adjourne'd till two a clocke afternoon

Post Meridiem

MR Miles Cary from the Committee Publique Claimes being thereto appointed Reports that according to Order they had demanded of Coll *Henry Whiting* how he was qualified to officiate as Treafurer, for which he produced the L^{ty} Governour's Comiffion, and that they had taken of him his Treafurers acco^t and examined the Same both which he deliuered in at the table.

Then

Then the said Coll *Henry Whitings* Comission for Treafurer being sign'd by the L^r Gouverno^r and under the seal of the Colony bearing date the fifth *July* 1692, was read and the same empowering him to act as Treafurer till this Asssembly in the room of Coll *Ed. Hill*

Ordered that a bill be prepared by the Comittee of Grievances and propositions for the appointing a Treafurer and that they report it tomorrow morning.
and then the house adjourn'd till tomorrow morning 9 a clocke.

Tuesday March 28th 1693

THE house being informed that Cap^t *Martin Scarlett* a member of the house is very sick and desires leaue to goe home for the Recouery of his health.

Leaue was giuen accordingly

Cap^t *John Custis* from the Comittee of Grievances and propositions Reports that the said Comittee had according to order prepared a bill appointing a Treafurer which he deliuered in at y^e table

Then the said bill was read the first time, and the name of Coll *Henry Whiting* being inferted in the same and once read

Ordered that the said bill be read a 2^d time in y^e afternoon

Cap^t *John Custis* being very sick moued the house for leaue to goe home for recouery of his health

and leaue was giuen accordingly

Resolved that whatsoeuer Liquors lyable to the imposition of 4^d $\bar{\text{q}}$ gall by virtue of the 17th act of Asssembly made at *James City* y^e 16th *Aprill* 1691 already haue come into his Ex^{cy} y^e Gouverno^r or hereafter may come into him or y^e Gou^r or Comand^r in Cheife for the time being for his or their proper use and Expence from any part whatsoeuer shall be exempted from the payment of the said imposition of 4^d $\bar{\text{q}}$ gallon and that this be a sufficient warrant to all Collecto^{rs} not to demand the same.

Ordered that this Vote be carried by Cap^t *Taylor* Cap^t *Leigh* Cap^t *Ballard* and M^r *Baker* to the hono^r^{ble} Councill for their Concurrence.

and then the house adjourn'd till 3 a clock afternoon

Post Meridiem

A BILL appointing a Treafurer according to Order was read the second time and Comitted to the Comittee of Grievances and propositions for amendments.
And then the house adjourn'd till tomorrow morning 9 a clocke

Wednesday March 29th 1693

MR *W^m Leigh* from the Comittee of Grievances and propositions Reports that the said Comittee had according to the order of the house made seuerall amendments and added a Clause to the bill for appointing a Treafurer, which he deliuered in at the table, where the said amendments & clause being twice read were agreed to by the house.

Resolved that the said bill with the amendments & clause be ingrossed and haue a 3^d reading in the afternoon

and then y^e house adjourn'd till 3 a clocke afternoon.

Post

Post Meridiem

A BILL appointing a Treafurer read the 3^d time and paffed the houfe.
Ordered that Cap^t *Clements* Cap^t *Armistead*, M^r *Cant* Cap^t *Battail* Cap^t *Styth* M^r *ffield* and Cap^t *Wilson* do forthwith carrie the faid bill to the hono^r^{ble} Councill for their Concurrence.

M^r *Clements* &^c being returned reports that the faid bill was deliuered accordingly.
 The houfe adjourn'd till tomorrow morning nine a clocke.

Thursday March 30th 1693.

THE petition of *John White* praying that he might be Entertained as a door keeper in the roome of *John Clerke* Dec^d was read and granted
Ordered that he giue his attendance accordingly.

A meffage from the Councill by M^r *Edwards*

Who brought into the houfe from the Councill thefe ffollowing bills.

A bill for continueing the aēt for the better defence of the Country

A bill for fufpending the execution of the aēt for Ports &^c

A bill Concerning Indian hogs which he deliuered in at y^e table

The petition of M^r *Edw^d Chilton* their Maj^{ty} attorney Gen^{ll} for leaue to bring in a bill afcertaining the fufficiency of Jurors and for impofeing penalties upon fuch who fhall neglect upon due Sumons to appear on Juries was read and upon debate thereof the houfe finding an order of this Seffion of the 9th instant that the 13th instant twelue a clocke fhould be the utmoft time allowed this Seffion for brining in propofitions &^c could not admitt of bringing in a bill to be confidered this Seffion, but the faid propofition being a matter of weight and worthy Confideraçon recomended the fame to the next Seffion of Affembly.

M^r *John Downing* & M^r *W^m Jones* Burgeffes for *Northumberland* County apeareing in the houfe had the Oathes enjoined by Aēt of Parliament inftead of the Oathes of Allegiance & Supremacy the oath of a Burgefs and the Teft adminiftred to them by *W^m Byrd* Efq^r and *Edw^d Hill* Efq^r two of their Maj^{ty} Councill Comiffionated to adminifter the faid Oathes to the feuerall Burgeffes of this affembly.

A bill for continueing the aēt for the better defence of y^e Countrey return'd from the Councill with the propofalls of feuerall amendm^{ts} and the f^d amendm^{ts} being read.

Ordered that the Confideraçon thereof be referred till y^e afternoon

A bill for fufpending the execution of the aēt for Ports &^c Returnd from the Councill agreed to with the propofall of amendm^{ts} and y^e faid amendm^{ts} being read the fame wa agreed to by the houfe *Ordered* y^t the f^d bill be amended accordingly.

A bill concerning Indians hogs returned from the Councill agreed to without amendm^{ts}.

and then the houfe adjourn'd till two a clock afternoon.

Post Meridiem

A MESSAGE from the Councill by M^r *Edwards*.
 M^r *Speaker*

I am ordered by the hono^r^{ble} Councill to return you thefe two bills with their anfwers.

A bill for giueing Encouragement to erect fulling Mills.

A bill for afcertaining the price of Coafting Cocquets and requireing officers attendance

M^r *John Cant* being very fick moued the houfe for leaue to goe home for recouery of his health and leaue was giuen accordingly.

A bill for giueing Encouragement to erect ffulling Mills returned from the Councill agreed to without amendm^{ts}

A bill for ascertaining the price of Coasting Cocquets and requireing officers attendance returned from y^e Council with the proposition of seueall amendments being read the same were agreed to by the house and the said bill amended at the table accordingly.

Then the house according to the order of the morning took into Consideraçon the amendments proposed by the Council to the bill for continueing the act for the better defence of the Countrey wherein haueing debated awhile the house resolved into a Committee of the whole house to consider of the said amendments and M^r Cary took the Chair and some time being spent therein M^r Speaker resumed the Chair and M^r Cary Reported, that the said Committee had in the matter to them referred agreed upon a Resolution, which he read in his place, and deliuered the same in at the table where being again read the same was agreed to by the house and

Resolved that this house doth agree to the amendm^{ts} proposed by the Council to the bill for continueing the act for the better defence of the Countrey but for as much as y^e same are to large to be put into and Contained within the said bill.

It is further *Resolved* that the bill be again drawn ouer wth regard to the amendments offered by the Council and be proceeded in and Voted as a new bill

Ordered that the Committee off Grievances and propositions to whom are added Cap^t Cary and Cap^t Randolph doe forthwith withdraw and prepare the Same accordingly.

M^r W^m Leigh from the Committee appointed for the same Reports that they had prepared a bill according to y^e order of the house for continueing the Rangers at the heads of the 4 great Riuers which he deliuered in at the table

and then the said bill was read the first time

Resolved that the said bill be read a 2^d time tomorrow morning seauen a clocke.

and then the house adjourn'd till tomorrow morning 7 a clocke.

ffryday March 31 1693

A BILL for Continueing the Rangers at the heads of the four great Riuers read the 2^d time after some amendments made at the table

Ordered that the said bill with the amendments be engrossed and read a 3^d time at the meeting of the house, in y^e afternoon

Seuerall Letters of W^m Cole Esq^r to M^r Gawen Corbyn merchant in London relateing to the sume of 300£ *sterl.* which y^e said W^m Cole was desired by the last assembly to receiue of the Treasurer of this Dominion and transmitt to the said M^r Corbyn for y^e use of this Countrey were read and the house being thereby sensible of the care and fidelity of the said W^m Cole in punctually pursueing the Order of the said assembly relateing thereto

Ordered that the thanks of this house be giuen to the said W^m Cole for such his care and fidelity and that Cap^t Miles Cary doe the same.

and then the house adjourned till two a clocke afternoon

Post Meridiem

A MESSAGE from the Council by M^r Edwards
M^r Speaker

I am Ordered by the hono^{rb}le Council to return you these bill and Resolue with their answers a bill for aduancement of Coines

A bill for encouraging the erecting a Post office in this Countrey

A bill for seating certain land on the South side James Riuer and Pamunkey necke

A bill appointeing a Treasurer

A bill for altering the first day of the Gen^l Court in some cases and also of County Courts and a Resolue about Governo^{rs} Liquors.

A bill for continuering the Rangers at the heads of the 4 great Riuers then according to the order of the morning was read the 3^d time and paffed the houle.

Ordered that Majo^r *Yewell* Cap^t *Jones* M^r *Downing* Cap^t *Lyddall* Cap^t *Ousley* and Cap^t *Styth* carrie the faid bill to the Couñ^l for their Concurrence which was done accordingly

A bill for feating certaine lands on the fouth fide *James Riuer* and *Pamunkey necke* returned from the Councill not agreed to upon debate of which a motion being made that a Conference be defired with the Councill about y^e fame the Queftion was put whether there fhall be a Conference defired.

Refolued in the affirmatiue.

The Refolue of the houle for exempting fuch Liquors as already haue or hereafter fhall come for y^e Gouverno^rs proper ufe and expence from paym^t of y^e 4^d $\frac{7}{8}$ gallon returned from the Councill not agreed to.

A bill for altering the firft day of the gen^l Court in fome cafes and alfo of County Courts return'd from the Councill not agreed to

A bill for aduancement of Coines returned from the Councill not agreed to

A bill appointing a Treafurer return'd from the Councill not agreed to

A bill for encouraging the erecting of a Poft office in this Country return'd from the Councill agreed to with the propofition of feuerall amendm^{ts} and the faid amendm^{ts} being read, part of the fame were agreed to and part difagreed to.

Refolued that a prefent Conference be defired with the hono^r^{ble} Councill about thefe bills *viz*

A bill for feating certaine lands on the fouth fide *James Riuer* and *Pamunkey neck*

A bill for the aduancement of Coines and a bill appointing a Treafurer, which their hono^rs this day returned into the houle not agreed to and alfo about the amendm^{ts} propofed by the Councill to the bill for encouraging the erecting of a Poft office part whereof this houle haue agreed to and part difagreed to.

Ordered that

Cap^t *W^m Leigh*

Cap^t *Randolph*

Cap^t *Sherman*

Cap^t *Ranfon*

M^r *Baylor*

Cap^t *Cary*

Cap^t *Taylor*

Cap^t *Duke*

Cap^t *ffield* and

Cap^t *Hardidge* carrie the bills for fufpending the execution of the a^{ct} for Ports & c^e and y^e bill afcertaining the price of Coafting Cocquets and requireing officers attendance to the hono^r^{ble} Councill and acquaint them that this houle hath agreed to the amendm^{ts} propos'd by their hono^rs to the faid bills and inferted the amendm^{ts} accordingly.

And that the faid Comittee defire and hold a Conference with their hono^rs touching the feuerall matters which the houle hath this afternoon, *Refolued* to defire a Conference about at fuch time and place as fhall be appointed by the Councill for the fame.

And then the houle adjourned' till eight a clock tomorrow morning

Saturday Aprill 1st 1693.

A MOTION being made that Cap^t *Arthur Spicer* being very ill might haue leaue to goe home for recouery of his health
leaue was giuen accordingly

M^r *Speaker* acquainted the houle that he had Receiued backe from the Councill the two bills *vide* A bill for fufpending the execution of the a^{ct} for Ports & c^e A bill for afcertaining the price of Coafting Cocquets and requireing officers attendance. Yefterday fent for their hono^rs view that this houle had agreed to and inferted the amendm^{ts} propos'd to the fame by their hono^rs which he deliuered at the table

Cap^t *W^m Leigh* from the Conference with the Councill about the feuerall bills not agreed to by their hono^rs and the amendm^{ts} to the bill for encouraging the erecting a Poft office in this Country Reported feuerall paffages of the faid Conference and that upon Conclufion of the fame their hono^rs adhered to their return made with the bill for feating certaine lands on the South fide *James Riuer* and *Pamunkey necke*.

the

the bill for advancement of Coines and the bill appointing a Treafurer that they could not agree to y^e fame and further Reported that haueing acquainted their hono^{rs} that this houfe had agreed to the amendments propos'd by their hono^{rs} to be made in the bill for encouragem^t of erecting a Poft office in this Country Relateing to the rates and prices therein fett for carriage of Letters but had not agreed to the amendments propofed to be made in the latter part of the faid bill relateing to a change of words the Councill were pleas'd to agree, the fame fhould ftand as now in the bill.

and then the houfe adjourned till 2 a clock afternoon

Post Meridiem

A MESSAGE from the Councill by M^r *Edwards*
M^r *Speaker*

I am ordered by their Maj^{ty} Councill to deliuer you the bill for the continueing the Rangers and the booke of Claimes with their answers thereto

A bill for continueing the Rangers at the heads of the four great Riuers returned from the Councill agreed to with amendm^{ts} propos'd and the faid amendments being read the fame were agreed to by the houfe and the faid bill amended accordingly.

Then the houfe took into Confideracon certaine amendm^{ts} propos'd by the Councill to be made in the book of Claimes now returned into the houfe all of which being agreed to, faue one the houfe thereupon drew up and fent this following meffage to the Councill by Cap^t *Clements* Cap^t *Sherman* Cap^t *Oufley* & Cap^t *Hardidge*
May it please yo^r hono^{rs}

The houfe of Burgefles haueing upon the reading of the amendm^{ts} made by yo^r hono^{rs} to the book of claimes obserued, that yo^r Hono^{rs} propofe to haue the word mes-finger left out in the allowance to M^r *Drumond* humbly fignifie to yo^r hono^{rs} that they cannot agree thereto for that it is neceffary his feruice be efpecially expreftd for which he hath that allowance.

A Comittee for proportioning the Publique Levy.

Cap^t *Miles Cary* Chairman

Cap^t *W^m Randolph*

Cap^t *Michaell Sherman*

Cap^t *Joⁿ Lyddall*

Cap^t *Henry Duke*

Cap^t *W^m Hardidge*

Cap^t *W^m Baffet*

Cap^t *Clements*

Ordered that the f^d Comittee doe forthwith withdraw and ftate y^e acco^{ts} of Coll *Edw^d Hill* Treafurer and Coll *Henry Whiting* Treafurer proportioning the feuerall fums of mony allowed this Seffion to be paid by one of them. according as the fame is directed in the book of Publique Claimes and report the fame with all convenient expedition.

M^r *Cary* from the Comittee for proportioning the Levy Reported that the faid Comittee had according to order ftated y^e acco^{ts} of Treafurer *Hill* and Treafurer *Whiting* which were read and approved

Ordered that the faid acco^{ts} be carried to the hono^{rs}^{b^le} Councill for their affent

Ordered that their Maj^{ty} Letters Patents to *Thomas Neal* Esq^r for fetling a Poft in *America* and of his Deputacon to Coll *Andrew Hamilton* and her Maj^{ty} Letters relateing thereto be recorded in the fecretaryes office.

Ordered that the Comittee for proportioning the Publique Levy do forthwith goe out and take into Confideracon nine moneths allowance from the firft of *March* for the L^t and foldiers at the heads of the riuers according to the direction of the act of Affembly and annex the fame to the book of Publique Claimes in Order to haue y^e Levy proportion'd with all convenien^t Expedition

A Bill for rayfeing a Publique levy read y^e 1st time

Resolved that the faid bill be read a 2^d time

and then the houfe adjourn'd till 7 a clock on *Munday* morning

Munday

Munday Aprill 3^d 1693.

CAPT *Miles Cary* from the Committee to whom the same was referred Reported that according to Order they had annexed to the book of *Claires* nine moneths pay to y^e feuerall L^{ts} and Soldiers at the heads of the Riuers and proportioned the Publique Levy, and that the same being furn^d up amounted to thirteen pounds and three quarters of tobacco $\frac{3}{4}$ poll which they had proportioned to the feuerall Creditors of this Country and that there remained a depofito in *Accomack* County of three thousand one hundred and one pounds tobacco

and the same was agreed to by the house

Ordered that the sum (thirteen pounds three quarters of tobacco) be inferted in the blank of the bill for the Publique levy before its second reading which was done accordingly.

Then the byll for Raifeing a Publique leuy was read the 2^d time.

Ordered that the 1st bill be engrossed and read a 3^d time

A message from the Council by M^r *Edwards*

M^r *Speaker*

I am ordered by their Maj^{ty} Council to return you *Coll Hills* acco. and *Coll Whitings* acco^t as Treafurer of the imposition upon Liquors stated by you which with the feuerall orders for payment as therein mentioned to the Country Credit^{rs} haue been read and are returned approved.

Then he deliuered the said acco^t at the table.

Another message from y^e Council by M^r *Edwards* was read as ffolloweth

By y^e hono^{ble} their Maj^{ty} Council

M^r *Speaker and Gent of the house of Burgeffes.*

finding in yo^{rs} about M^r *Drumonds* allowance that it is signified it is necessary his Seruice be specially expreffed for w^{ch} he hath that allowance we agree it be thus exprefs'd for seruice done for the house of Burgeffes

By order of the Council

Aprill 1st 1693.

W^m Edw^{ds} C^l Gen. Assembly.

Ordered that an amendment be made in the book of *Claires* upon M^r *Drumonds* allowance according to this message

and then the same was done at the table accordingly

The Bill for Raifeing a Publique Levy read y^e 3 time and passed the house

Ordered that the said bill be carried to the hono^{ble} Council for their Concurrence and that Cap^t *Cary* Cap^t *Randolph* Cap^t *Sherman* and Cap^t *Baffett* carry the same together with the book of Proportions which was done accordingly.

A byll Raifeing a Publique levy returned from y^e Council agreed to

The book of proportions returned from y^e Council agreed to.

Ordered that Cap^t *W^m Leigh* with five others, carry the Roll of the acts of this Session of Assembly prepared for signing to the Council for their perufall.

A Petition of *W^m Drumond* feting forth that the allowance made him for his seruice this Session scarcely defrayes his necessary expences was read, and the Consideration thereof referred to y^e next assembly for a further allowance.

A message from the hono^{ble} Council by M^r *Edwards*

M^r *Speaker*

I am Comanded by the hono^{ble} Council to deliuer you this Roll.

and then he returned the Roll which was sent to the Hono^{ble} Council this morning for their perufall.

A message from his Excellency by M^r *Edwards*

M^r *Speaker and Gent of the house of Burgeffes*

I am Ordered by his Excellency the Gouverno^r to acquaint you that his Excellencie doth comand the Immediate attendance of this house in the Gen^l Court house

And Immediately the house went down to attend

JOURNALL

OF THE

HOVSE OF BURGESSES

AT A

GENERALL ASSEMBLY

Begun at *James City* the tenth day of *October* in the fifth year of the Reign of ovr Sovereign Lord and Lady *William & Mary* by the Grace of God of *England Scotland ffrance & Ireland* King & Queen Defenders of the ffaith &c. *Annoq Domini 1693*



RICHMOND, VIRGINIA.

MCMXIV.

JOURNALL

OF THE

HOUSE OF BURGESSES.

Tuesday October the 10th 1693

DIVERS Burgeses being met were given to understand that *Edu^d Hill, Edm^d Jennings & Henry Hartwell Esq^{rs}* three of their Maj^{ty} Council were by his Excellency Comissionated to administer the usuall oathes to the Severall Members elected and returned to serue in this Assembly and for that purpose were Sitting in the Generall Court house, whereupon they repaired thither & twenty Seaven as many as were then present took the oathes enjoined by Act of Parliament instead of the oathes of allegiance & Supremacy the test and the oath of a Burgeses, and that being done the Hono^{ble} *Edu^d Hill* acquainted them as followeth.

Gent of the house of Burgeses

I am comanded by the Governor to acquaint you, that his Excellencie having obserued this day but a small appearance of Burgeses in Town & Judging in a day or two more there may be a full one, hath thought fit to put of his meeting them, till *Thursd*ay morning eight a clocke, 'till which time you are by his Exc^{ty} comand adjourned.

Thursday October the 12th 1693.

A MESSAGE from his Exc^{ty} by *M^r Sherlocke*
Gentlemen. His Exc^{ty} comands the members of this house to attend him forthwith in the Generall Court house

and accordingly the Burgeses went down to attend his Exc^{ty} who was pleased after having made a Speech to comand the Burgeses to returne to their house & to proceed to the choice of a Speaker. And the house being returned after Some motions about the choice of a Speaker & the Nomination of two persons. A member of the house put the Question between Coll: *Thomas Millner* & Coll: *William ffitz-hugh*, whereupon the house elected Coll: *Thomas Milner* for their Speaker who was placed in the Chair.

Then Coll *ffitz-hugh* with five Members more according to the desire of the house forthwth withdrew and went to acquaint his Exc^{ty} that the house had made choice of a Speaker & to pray his Exc^{ty} to assign a time when the house Shall present him. And they being returned Coll *ffitz-hugh* acquainted the house, that at three a clock in y^e afternoone his Exc^{ty} will be in the Gen^l Court house to receive the houses presentation of their Speaker. And then the house adjourned till three a clock afternoon.

Post Meridiem

THE house met & understanding his Exc^{ty} wth the Council was in the Gen^l Court house, went down with their Speaker to attend his Exc^{ty} who being come before him, humbly represented to his Exc^{ty} that the Burgeses had chosen him their Speaker. And the house being returned, *M^r Speaker* acquainted them, that he haveing presented himself for their Speaker, his Exc^{ty} was pleased to give his approbation of their choice, and that upon his moving his Exc^{ty} on behalf of y^e Burgeses

Burgeffes of this Assembly now convened & y^e comonalty of this Colony that he would be pleased to grant them the enjoyment of all their usuall antient & custumary priviledges, his Exc^y was pleased to say, M^r *Speaker* for foe I muft now call you.

All thofe priuiledges that you haue had & fhould haue enjoyed fhall & are continued to you.

Then M^r *Speaker* having repeated to the houfe according to the beft of his remembrance y^e heads & Substance of his Exc^y's Speech made before the Members of the houfe in the morning.

M^r *W^m Leigh*, M^r *Story*, M^r *Macon*, & M^r *Cant* were desired to pray his Exc^y in behalf of y^e houfe for a copy of his Speech, to the end it might be taken into early confideration.

And they being returned, M^r *Leigh* acquainted the houfe, that they had waited upon his Exc^y who was pleased to favour them with y^e copy of his fpeech, which he presented at the table & was there read as followeth

Gentlemen

I have rec^d their Maj^{ty}'s comānds in feuerall matters relateing to this their Colony & Dominion, the A^{ct} for Ports &^c and the A^{ct} for the Reuiueing a former A^{ct} for Aduancement^t of the manufactures of this Country, as by proclamation of the first of *September* laft past fufpended till further order, but the f^d a^{ct} to be taken into your further confidera^ōns & framed according to the Report of the Comiffioners of their Maj^{ty}'s customs tranfmitted here together with cōpies of f^d A^{ct}s for the better improuem^t thereof.

I am alfo comāded to recomēd to you as an advantage to their Maj^{ty}'s Service Navigation of *England*, & of all faire traders in tobacco, the makeing of a law for the prohibiting the exporta^ōn of bulk tobacco, w^{ch} is a demonftra^ōn their Maj^{ty}'s are fatisfied, it will not leffen the quantity to be exported or y^t they prefer the particular benefit of their Subjects, by improving the value & price thereof to the advantage of this Country, before any other particular benefit thereby, the duety on tobacco by A^{ct} of Parliam^t being fo much more then the prime coft of f^d tobacco.

I hope I need not remind you of w^t import & how neceffary the Reuifall of ovr lawes is to all concerned in this Colony & hope you are now Satisfied it is not a worke of Such difficulty or labour as not to be effected even dureing an ordinary Seffion & will be alfoe very acceptable to their Maj^{ty}'s I doe not doubt (tho I am to remind you) your due confidera^ōn as by the writs in what may be further neceffary for the continued defence honor & welfare of this fo antient a Colony & of a Suitable houfe for the Governour.

Not to loofe tim you Gent of the houfe of Burgeffes are now to returne to your owne houfe & make choice of your Speaker

Lazarus Thomas, *Richard Morris*, *John White* & *George Pinhorne* having moved the houfe to be admitted & continued doore keepers they were accordingly admītted and refpectiuey ordered to giue their attendance.

A Comītee for Elections & Priviledges

M^r *John Cufstis* Chairman

M^r *John Taylor*

M^r *W^m Edwards*

M^r *W^m Randolph*

M^r *Miles Cary* upon his petition is appointed Clerke of this Comī^{ty}

Ordered y^t he giue his attendance accordingly.

The petition of M^r *W^m Sherwood* complaining of an undue Election of M^r *Daniell Parke* for *James City* County, was read & referred to the confidera^ōn of the Comītee for elections & priviledges.

Ordered y^t y^e Clerke of y^e houfe deliuer to y^e Chairman of the f^d Comītee the Seuerall writs returned & that the S^d Comītee forthwth withdraw & take y^e Same into confidera^ōn.

Then the houfe adjourned 'till eight a clocke tomorrow morning.

ffriday

ffriday October the 13th 1693

MR *John Custis* from y^e Co^mittee of Ele^ctions & Priviledges reported y^t the f^d Co^mittee had taken into confidera^con sev^{ll} returns of Ele^ctions & had thereupon come to Severall resolu^cons w^{ch} he read in his place and then deliuered them in at the table where being againe read the same were agreed to by the houle. And upon reading the Report of the f^d Co^mittee touching the ele^ction & returne of M^r *Daniell Parke* for one of the Burges^ses of *Yorke* County, & for one of the Burges^ses of *James City* County, the f^d M^r *Parke* had leaue to make his Ele^ction in the houle for which he would serue & declared he would Serue for *James City* County.

Ordered y^t M^r *Lee* M^r *Kemp*, M^r *Waters* & M^r *Heale*, wait upon his Exc^v & pray him to iffue out a new writ for the ele^ction of another Burges^se in the room of M^r *Daniell Parke* to serue in this Asssembly for *Yorke* County.

And upon reading a Report of y^e f^d Co^mittee concerning the petition of M^r *W^m Sherwood* w^{ch} complains that there was undue ele^ction made of M^r *Daniell Parke* for a Burges^s in *James City* County the houle thought fit & accordingly.

Ordered y^t I^mmediate notice be giuen to M^r *W^m Sherwood* to attend the houle for a hearing about the Same, and the houle being giuen to understand that he attended at the door, the f^d M^r *Sherwood* was called in, where his petition being read & he heard about the matter of the same, he & M^r *Parke* were both ordered to withdraw, and being withdrawn the houle took the whole matter under confidera^con, and it appearing by the confession of the f^d *Sherwood* that the f^d M^r *Parke* had the Majority of Votes upon a poll taken it was agreed & accordingly

Resolved that M^r *W^m Sherwood* hath no cause of complaint to this houle & y^t M^r *Daniell Parke* is duely ele^cted a Burges^s for *James City* County.

Vpon y^e Report of the f^d Co^mittee that a certain method may be prescribed for Sherrifs to make return of Writs for Ele^ctions.

Resolved y^t a forme & method for efe^cting the same be by the Committee of Grieuances & propo^sitions when appointed taken under confidera^con & reported to the houle.

Ordered that the persons appointed to pray his Exc^v for a new writ for y^e ele^ction of a Burges^s in *Yorke* County in y^e room of M^r *Parke*, also pray his Exc^v to assigne Councill to administer y^e usual oathes to M^r *Peter Beverley* the Clerke of the houle.

A Co^mittee for propo^sitions & Grieuances.

Coll *W^m ffitz-hugh* Chairman

M^r *John Custis*

M^r *John Taylor*

M^r *Gideon Macon*

M^r *James Ransone*

M^r *W^m Colstone*

M^r *John Washbourne*

M^r *Daniell Parke*

M^r *W^m Edwards*

M^r *W^m Leigh*

M^r *W^m Wilfon*

Ordered y^t M^r *Edward Chilton* attend the f^d Co^mittee as their Clerke.

Ordered y^t the f^d Co^mittee haue power to adjourne themselves *de die in diem* & to send for persons Records journalls or other papers as there shall be occasion.

A Co^mittee for Publicke Claimes.

Cap^t *W^m Randolph* Chairman.

M^r *W^m Baffet*

M^r *Henry Duke*

M^r *Francis Eps*

M^r *Jof^s Story*

M^r *Rich^d Bland*

M^r *Daniell of S^t Thomas Jenifer*

M^r *Mathew Kemp*

M^r *W^m Lee*

Ordered y^t *Miles Cary* Junior attend y^e f^d Co^mittee as their Clerke.

Ordered y^t y^e f^d Co^mittee haue power to adjourn themselves from day to day and to send for persons books of reportes and other papers as occasion shall be.

Ordered y^t y^e Co^mittee of Grieuances & propo^sitions take into their confidera^con y^e journall & other proceedings of the last Asssembly & make a report of what they find necessary to the houle.

Ordered that y^e Co^mittee for Publicke Claimes take into their confidera^con all Such proceedings papers & reports of y^e last asssembly as relate to y^e Publicke claimes & make report of what they find necessary to the houle.

Resolved

Resolved y^e y^e Returne made upon y^e writ for Election of Burgeses in *Lancaster* County by y^e Sherrife thereof is not Sufficient & y^e y^e S^d Sherrife by order from the houle be fent for to amend y^e Same.

The houle adjourned till two a clocke afternoone.

Post Meridiem

ORDRED y^e y^e Co^mittee of Grievances & propoficōns fit at y^e houle of M^r W^m Sherwood.

Ordered y^e y^e Co^mittee for Publicke Claimes fit at y^e houle of M^r W^m Hallet

The Returne upon y^e writ for Election of Burgeses in *Westmoreland* County was read & allowed.

His Exc^o Speech made before y^e Members of this houle yesterdai is referred to y^e confidera^on of y^e Co^mittee of Grievances & propoficōns

The propoficōns & Grievances of *Henrico Surry Charles City James City Isle of Wight Northampton & Accomacke* Counties were severally read and referred to the Co^mittee of Grievances & propoficōns to reporte their Opinions therein.

Ordered y^e all propoficōns Grievances & publick Claimes be brought in to the houle before *thursdai* night next at latest or not rec^d into this Affem^{bly}

Ordered y^e y^e Clerke of y^e houle publifh this order by setting up a Copy thereof at y^e State houle door.

Ordered y^e M^r Joⁿ Buckner be added to y^e Co^mittee of propoficōns & Grievances

Ordered that M^r Hardidge, M^r Kemp, M^r Godwin, M^r Ball, M^r Lee & M^r Cant forthwth wait upon his Exc^o & pray him to co^municate to this houle y^e Reports of the Co^miffioners of their Maj^{ty} customs relateing to the A^ot for ports, & other papers which his Exc^o was pleased to mention in his Speech yesterdai were transmitted hither

Resolved & accordingly ordered that it be a Rule of this houle that fifteen Members wth the Speaker shall be a sufficient number to adjourne.

Resolved y^e application be made to his Exc^o that he will be pleased to appoint a fit perfon to attend the houle for the execution of their co^mands and to giue him authority accordingly.

Ordered that y^e Clerke of the houle againft tomorrow morning prepare an addres for y^e purpose & that in the fame M^r W^m Drumond be reco^mended as a perfon qualified for that office.

And then the houle adjourned till eight a clocke tomorrow morning.

Saturday October the 14th 1693

THE Clerke of the Houfe according to the order of yesterdai presented at y^e table an addres to his Exc^o for y^e appointm^t of an officer to attend the houle which was read and approued.

May it please your Excellencie

The houle of Burgeses takeing into confidera^on y^e necessity of their having a fit officer to attend for y^e Execution of y^e Co^mands & meffages of y^e houle on all future occations, make this humble application y^e yo^r Exc^o will be pleased to comiffionate some one for y^e fervice & to invest him wth fuch an authority as fhall be necessary to quallifie him for y^e due & full performance of Such comands as he fhall from time to time receiue from this houle, and forasmuch as this houle do find y^e M^r W^m Drumond hath for some Affemblyes pst behaved himfelfe wth approba^on in the severall Services wherein the f^d Affemblyes thought fit to imploy him they therefore reco^mend him to your Exc^o confidera^on at this time for the Service if yo^r Exc^o fo think fit and that he may be directed by yo^r Exc^o & by your co^miffion accordingly impowered to attend the fame

Ordered

Ordered that the s^d addres be forthwth fairly trancribed & that Cap^t *Armistead*, M^r *Spicer*, M^r *Heale*, M^r *Baker*, M^r *Swan*, M^r *Edmundson*, M^r *Spence*, & M^r *Hodges* carry y^e fame to his Exc^y

A message from his Exc^y by M^r *Sherlocke*
M^r *Speaker*,

In answ^r to an addres from this house yesterd^y by Cap^t *Hardidge* I am com^danded by his Exc^y to deliuer these reports of the Com^{rs}issioners of the customes.

which were rec^d at the table read & referred to y^e considera^on of the Com^{rs} of Grievances & proposi^ons.

The returne upon y^e writ for election of Burgeses in *Princes Anne* County read & allowed. And then the house adjourned till 3 a clocke afternoone.

Post Meridiem

A MESSAGE from his Exc^y by M^r *Sherlocke*. M^r *Speaker* I am com^danded to deliver these papers into y^e house being referred from his Exc^y & Councill & I am further com^danded by his Exc^y to deliver this answ^r to y^e addres of this house, sent in the morning relateing to the appointm^t of an officer to attend upon this house, which papers, & answ^r being rec^d by M^r *Speaker* at the table, his Exc^y answ^r was read as followeth.

By his Exc^y:

M^r *Speaker*

I haue considered the addres of the house of Burgeses presented me this day for an officer, & upon advice in Councill have appointed M^r *W^m Drummond* to be their Maj^{ty} messenger & to attend the service of the house of Burgeses for which I haue directed a com^{is}sion to be prepared accordingly.

October the 14th 1693.

E. Andros

The proposi^ons & Grievances of *King & Queen* County & of *Norfolke* County referred by his Exc^y & Councill to y^e considera^on of this house, read and referred to y^e Com^{it}tee of Grievances & proposi^ons.

And then the house adjourned till. *Munday* morning eight a clocke.

Munday October y^e 16th 1693

COLL *W^m Fitz-hugh* from y^e Com^{it}tee of Grievances & proposi^ons Reported y^e the s^d Com^{it}tee had taken into considera^on divers matters to them refered & had agreed upon Severall resolu^ons w^{ch} he read in his place & then delivered them in at the table.

The petition of divers Merchants in *London* to y^e Com^{rs} of y^e customs against bulk tobacco, Some reasons giuen for it & y^e S^d Com^{rs} present^d to y^e Lords Com^{rs} of their Maj^{ty} Treasury, y^e his Maj^{ty} might be moued to recom^dend to this Assemblys in *Virg^a* & *Maryland* y^e makeing of a law for the prohibition of bulke tobacco were severally read & referred to y^e Com^{it}tee of Grievances & proposi^ons

Resolved & ordered y^e whatfoeuer Member of this house shall depart out of Town wth out leaue & shall faile to giue his attendance at y^e time w^{ch} y^e house is adjourned to, shall for such his default be taken into the Custody of y^e messenger attending this house there to continue & remaine untill he hath paid such fine as y^e house shall affes upon him.

Ordered y^e y^e house be called ouer eury *Munday* morning ten a clocke and at all Such other times, as shall be thought convenient & that whofoeuer shall be then absent shall be liable to the censure of the house.

Then y^e house entered upon considera^on of y^e Reports of y^e Com^{it}tee of Griev^o & proposi^ons made this morning, & upon reading y^e Report of y^e s^d Com^{rs} to answ^r

a propofition from *New Kent* County wherein they defire that y^e tribute payable by the Indians might hereafter be paid in Wolues heads, & y^t y^e Value of y^e Indians tribute might be rated in tobacco & levied upon y^e publicke, the houfe agreed withe y^e Co^mittee

Ordered y^t y^e S^d propofition be rejected.

Vpon reading y^e Report of y^e S^d Co^mittee upon a propofition y^t there might be a Bridewell or houfe of corre^{ct}ion erected in every County the houfe agreed with y^e Co^mittee & were of Opinion, that y^e Same is already fufficiently provided for in cafe y^e Laws be put in due execution.

Ordered y^t y^e S^d propofition be rejected

Vpon confideracon of y^e report of y^e f^d Co^mittee upon a propofition for giueing encouragem^t for making of Salt, the fame was agreed to by the houfe who concurre wth the Co^mittee that y^e price for which Salt is ufually Sold is a Sufficient encouragem^t for making thereof

Ordered y^t y^e f^d propofition be rejected

Vpon confideracon of y^e Report of y^e S^d Co^mittee upon a propofition that Orphans without eftates may be for y^e future bound apprentices to Manuall trades the Same was agreed to by y^e houfe who concurre wth the Co^mittee, that the Same is already effectually provided for by Law.

Ordered y^t y^e S^d propofition be rejected.

Vpon Reading the Report of y^e S^d Co^mittee upon a propofition y^t the Rangers at the heads of the great Rivers may be continued.

Resolved that y^e Act made y^e laft Seflion of Affembly relateing to the Rangers be continued a year longer then is provided for in the faid Act, & ufual pay levied for the Rangers accordingly.

Ordered y^t y^e Co^mittee of Grievances & propofitions prepare & bring in a byll accordingly.

Vpon confideracon of y^e Report of the f^d Co^mittee upon a propofall y^t in cafe liberty be granted to take up land on y^e South f^d of *Blackwater* none be Suffered to exceed 300 Acres the Same was agreed to by the houfe who concurre wth y^e Co^mittee that the difpofall of Land being abfolutely in the power & difcretion of their Maj^{ties} does no way concerne this Affembly & therefore *Ordered* that y^e S^d propofition be rejected.

Vpon confideracon of y^e Report of y^e f^d Co^mittee upon a propofition from *Henrico* County that the *Tufcarora* Indians might be prohibited hunting at the heads of their woods & plantacons, the fame was agreed to by the houfe, who concurre with y^e Co^mittee y^t all Indians comitting any injury or offence are liable to be punished by law & therefore, *Ordered* y^t y^e f^d propofition be rejected.

Vpon confideracon of y^e Report of y^e f^d Co^mittee upon a propofition that y^e Impoft on liquors may be taken off, the houfe approved of y^e Co^mittees answer to y^e Same, y^t y^e law laying an Impofition upon Liquors will in a fhort time expire.

Vpon confideracon of y^e Report of y^e f^d Co^mittee, upon a propofition y^t the law concerning planting & tending of flips may be repealed.

Ordered y^t y^e S^d propofition be rejected.

Vpon confideracon of y^e Report of y^e f^d Co^mittee upon a propoficon that an encouragem^t may be given to fuch who fhall make the firft, Second and third beft piece of Linen.

Resolved & accordingly *ordered*, that a byll be prepared by the Co^mittee of Grievances & propofitions impowering the juftices of each refpectiue County at their meeting in *Sept^r* & *October* yearly to fet & eftablifh fuch feverall rewards & encouragem^{ts} to be paid by their Refpectiue Counties for y^e making of Linen Cloth as they in their difcretions fhall think fit. & convenient.

Vpon confideracon of the Reporte of y^e faid Co^mittee upon a propoficon y^t y^e reward for killing of Wolues may be leffened the Same was agreed to by the houfe who concurre wth y^e Co^mittee that y^e Law in force relateing thereto is a good & wholefome Law & therefore.

Ordered y^t the S^d propoficon be rejected.

Vpon

Vpon confideraçon of the Report of the f^d Co^mittee upon a complaint of *Charles City County*, wherein is fet forth, y^t Surveyors are refrained from laying out land on the South Side of *Blackwater*.

Vpon reading a Generall Court Order to that effect

Resolved that an addres be prepared to his Exc^y for the takeing off the present restraint by means of y^e f^d order of the Generall Court & otherwaies & for giving of equall liberty to Survey take up & patent lands on the South side of *Black water* & *Pamunkey necke* as in the other parts of *Virginia*.

Ordered y^t M^r *Randolph*, M^r *Taylor*, M^r *Eps*, M^r *Baffet* & M^r *Leigh* draw up an addres accordingly & report to the house.

Vpon confideraçon of y^e Report of y^e S^d Co^mittee upon a propo^sic^on that the masters of women Servants who have Bastards be injoined to keep the Bastards or forthwith dispose of them for the ease of y^e parish taxes. the Same was agreed to by the house who concurre with the Co^mittee y^t the Same is already effectually provided for by Law.

Ordered y^t y^e Said propo^sic^on be rejected

Vpon confideraçon of the Report of the f^d Co^mittee, upon a propo^sic^on for repealing of the Law about Tanners &^c after some time spent in debate relateing to severall amendm^{ts} which were propo^sed to be made in the Said Act.

Resolved that it be referred, to M^r *Armistead* M^r *Waters*, M^r *Cary*, M^r *Richin^{son}*, & M^r *Hodges*, to take the whole Act relateing to Tanners &^c under confideraçon, & Report their Opinions, what is necessary to be altered in, & added to or taken from the Same,

Vpon confideraçon of y^e Report of the f^d Co^mittee, upon a propo^sic^on from *Accomacke* County, that none be admitted to practise as an attorney without the approbation of the Court wherein he practises & that a Moderate fee be allowed in bylls of cost.

Ordered y^t the f^d propo^sic^on be rejected.

Vpon confideraçon of the Report of the f^d Co^mittee, upon a propo^sic^on that none might be Suffered to exercise the function of a minister or undertake the education of youth, but Such as are professed members of the Church of *England* subscribe the Cannons &^c the Same was agreed to by the house, who concurre wth the Co^mittee that the Laws already made Sufficiently provide for the Same.

Vpon confideraçon of the report of the f^d Co^mittee upon a propo^sic^on for ascertaining the pay of Schoolmasters & that the entrance of a child in Schoole might be equivalent to a byll.

Ordered that y^e f^d propo^sition be rejected.

Vpon confideraçon of the report of y^e f^d Co^mittee upon a propo^sic^on that a Law might be made to prohibit the ingroceing of Salt & other comoditys the same was agreed to by the house who concurr wth y^e Co^mittee that such a Law will much obstruct trade & therefore *Ordered* that the said propo^sic^on be rejected.

A message by M^r *Sherlocke* who brought into the house severall papers referred by the order of y^e Councill to the confideraçon of the house & deliuered them to M^r *Speaker* at the table.

Certain propo^sic^ons of *Princes Ann* County relateing to the repaireing of a Bridge, & certain others of y^e S^d County & Inhabitants of *Lynhaven* parish relateing to the alteraçon of the bounds of *Norfolke* & *Princes Anne* were severally read being referred by the Councill to y^e confideraçon of the house, & then Co^mitted to the Co^mittee of Grievances & propo^sic^ons to reporte their Opinions therein.

Ordered that when the S^d Co^mittee enter upon the confideraçon of the S^d propo^sic^ons of *Norfolke* & *Princes Anne* Counties, notice be giuen to the Burgeses of both Counties to be present at the Same.

The propo^sic^ons of *Elizabeth City* County read & referred to the Confideraçon of the Co^mittee of Grievances & propo^sic^ons.

And then the house adjourned 'till two a clocke afternoone.

Post

Post Meridiem

THE house met & adjourned till 8 a clock tomorrow morning.

Tuesday October y^e 17th 1693

COLL *ffitz-hugh* from y^e Co^mittee of Grievances & propoficōns reported y^e y^e S^d Co^mittee in diuers matters to them referred had come to a refolu^cōn which he read in his place and then deliuered them in at the table.

Then the house took into I^mmediate confideracon y^e f^d Reports & upon confideracon of the Reporte of the S^d Co^mittee upon a propofall from *King & Queen* County that pieces of eight might be advanced to pafs for eight Shillings & fmaller pieces proportionable, the Same was agreed to by the house, & thereupon *ordered* y^e y^e S^d propoficon be rejected.

Vpon confideracon of the Reporte of the f^d Co^mittee upon a propofall that two looms for weauers may be fet up in every parifh at y^e Country charge the fame was agreed to by the house, who concurre with the Co^mittee that the Same is unreasonable.

Ordered y^e y^e S^d propoficōn be rejected.

Vpon confideracon of the Report of y^e S^d Co^mittee upon a propoficōn y^t the Law for encouragem^t of flax & hemp may be continued wth y^e addition of an encouragem^t to under takers therein, the fame was agreed to by the house who concurre with the Co^mittee that there is fufficient provision taken already & therefore.

Ordered y^t the S^d propoficōn be rejected.

Vpon confideracon of the Report of the S^d Co^mittee made upon the A^ct for Ports &^c after fome time fpent in debate

Refolued y^t the house forthwth Refolue into a Co^mittee of y^e whole house to take the Subje^ct matter of y^e f^d Report under confideracon & accordingly the house Refolued into a Co^mittee of y^e whole house & Coll *W^m ffitz-hugh* took y^e Chair & therein having fpent fome time, M^r *Speaker* refumed the Chair & Coll *ffitz-hugh* Reported that y^e f^d Co^mittee having according to order taken into confideracon the matter to them referred had therein come to a refolution w^{ch} he read in his place as followeth

This Co^mittee taking into confideracon the subje^ct matter of a report of y^e Co^mittee of Grievances & propoficons made upon their confideracon of y^e Law for Ports &^c at present under fufpenfion & recomended from their Maj^{ty} to the confideracōn of this affembly have duely weighed the matter of y^e S^d A^ct, together with the reports of y^e Comiffion^{rs} of their Maj^{ty} cuftoms dated at the Cuftom house *London* the 15th of *March* 1691/2 and the 12th of *December* 1681 relateing thereto & tranfmitted to this Country wth the f^d A^ct and upon confideracon & debate of the whole matter are of Opinion.

That the appointment of Ports & injoyneing the Landing and Shipping of all goods imported or to be exported at & from the fame only will (confidering the present circumftances of the Country be very injurious & burthenfome to the Inhabitants thereof and traders thereunto, which having done

The Queftion was put whether the house will agree to the faid report of the S^d Co^mittee and it was refolued in the affirmative.

And then the house adjourned 'till two a clocke afternoone.

Post Meridiem.

M^R *Speaker* acquainting the house that Cap^t *John Taylor* fince the rifing of the house in the Morning had rec^d newes y^t his brother layd a dying and desired him to moue the house for leaue to vifit him.

Leaue was giuen accordingly.

M^r *Anthony Armistead* & the other persons to whome was referred y^e confideraçon of y^e A^ct about Tanners &^c Reported that according to order they had confidered the S^d A^ct & agreed upon Some alteraçõs neccessary to be made in the Same which were read at the table.

Ordered that y^e f^d Report be referred to further confideraçon.

Then the house proceeded in the confideraçon of the Reports of the Co^mittee of Grievances & proposiçons, & upon Reporte of the f^d Co^mittee upon a complaint from *Princes Anne* County & the Inhabitants of *Lynhaven* parish concerning the inequallity of *Northfolke* County & *Princes Anne* County in their division, the same was agreed to by the house who concurred with the Co^mittee, that both the f^d Counties continue as now they are without alteraçõ of their bounds.

Vpon confideraçon of the report of the S^d Co^mittee upon a petition of divers Inhabitants of *Princes Anne* County wherein they complain that a Bridge of Six hundred yards long in their County convenient for passage & transportaçõ of goods to *Carolina* first made & so continued in repaire by *Lynhaven* parish, untill *lower Norfolk* County was divided, by means whereof part of *Lynhaven* parish lyes in *Norfolke* County and refuseth to assist in repair of the f^d Bridge the same was agreed to by the house and thereupon *Resolved* that the Burgeses of *Princes Anne* County haue leaue to bring in a byll for the equall contribution of the whole parish of *Lynhaven*, whether Inhabitants of *Northfolke* or *Princes Anne* County towards the repairing of the f^d Bridge.

Vpon confideraçon of the Report of the S^d Co^mittee upon the proposiçon for a law to prohibit the exportaçon of bulke tobacco, after a long debate about the Same.

The Question was put whether the Exportation of tobacco in bulk shall be prohibited and it passed in the Negatiue.

Vpon confideraçon of the reporte of the S^d Co^mittee upon a proposiçon relateing to the repealing of y^e A^ct for advancem^t of Manufactures of the Growth of this Country.

Resolved y^t a byll be prepared for repealing the A^ct made at *James City* 1691 entituled *an A^ct for Reviueing the A^ct for advancem^t of Manufactures of y^e Growth of this Country* & y^t y^e Clarke of y^e house draw the Same.

Vpon confideraçon of y^e Report of the S^d Co^mittee made upon that part of his Excellencies Speech which relates to the Revifall of y^e Laws the Same was agreed to by the house who thereupon, *Resolved* y^t the Revifall of y^e Laws is a worke absolutely Necessary.

Then a debate ariseing concerning divers matters relateing to the progress & for the better & more Speedy accomplishing of the Same after some time spent therein.

Ordered that the further debate thereof be adjourned till tomorrow morning.

Vpon a proposiçon made in the house concerning Lands laid out taken up & paid for by Virtue of the 8th A^ct of assembly 1691 Entituled *an A^ct for Ports &^c* and the former A^ct for cohabitation Anno: 1680 and for Saving & Secureing the severall persons who in pursuance of the S^d Laws or either of them haue erected any buildings upon them the Same is referred to the Co^mittee of Grievances & proposiçons to consider & report what they shall find necessary to be done therein.

And then the house adjourned till 8 a clocke tomorrow morning.

Wednesday October the 18th 1693

THE house entered into the adjourned debate about the method for Revifall of the Lawes and after some time Spent therein agreed upon a Q^ustion to be put, and the S^d question being accordingly put *Viz*^t whether the house will proceed in the Revifall of the Lawes this S^ession.

Resolved in the affirmative.

Resolved that a written message be forthwth prepared to be sent to y^e Council to acquaint them with the Vote of this house concerning the Revifall of the Lawes, and to pray

pray their hono^{rs} to Signifye to the houfe in what manner they will please to affift in the Same and accordingly an addres was drawn at the table read and approued in thefe words.

May it pleas yo^r Honno^{rs}

The houfe of Burgeffes have this day Refolued to proceed forthwith in the Revifall of the Lawes of this Country, in which worke yo^r Hono^{rs} having been pleafed the laft Seflion of Affembly to Say you would be ready to contribute your affiftance, they therefore make this application & pray your Hono^{rs} will be pleafed now to Signifie to this houfe in what manner you think fit to affift in the Same, to the end that being made Senfible thereof they may accordingly proceed towards the accomplifhment of that neceffary worke.

And then the houfe adjourned 'till two a clocke afternoon.

Post Meridiem.

ORDERED that M^r *Armiftead*, M^r *Hardidge*, M^r *Catlet*, & M^r *Baffet* carry to the Council the meffage prepared this morning for their affiftance in the Revifall of the Lawes.

Then the houfe proceeded in confideraçon of the remaineing part of the Report of the Co^mittee of Grievances & propofitions and upon confideraçon of the reporte of the f^d Co^mittee upon that part of his Exc^{ys} Speech relateing to the building of a fuitable houfe for the Refidence of the Governo^r

Refolued that it is neceffary an houfe for the Gouvernor be provided with all convenient expedition, that the Governors land in *James City* County is the moft proper place to build the fame upon, and that his Exc^v be addrest to haue the fame done as foon as their Maj^{ty} Revenue appropriated to defray the contingent charges of this Governm^t is capable to bear the charge.

Then Coll *ffitz-hugh* from the Co^mittee of Grievances & propofitions Reported that the f^d Co^mittee had according to the order of the houfe prepared two bylls. *Viz*^t

A byll for continuing y^e Rangers at the heads of y^e four gr^t Rivers

A byll for y^e encouragem^t of the manufacture of Linen which he delivered in at the table. then

The byll for continuing the Rangers at the heads of y^e four great Rivers was ready y^e firft time.

Refolued that the S^d byll be read a Second time

A byll for the encouragem^t of the Manufacture of Linen read the firft time. *Refolued* that y^e f^d byll be read a Second time

The houfe adjourned till 8 a clock to morrow morning.

Thursday October the 19th 1693

THE houfe met & adjourned 'till tomorrow morning 8 a clock.

ffriday October y^e 20th 1693

THE petition of *W^m Kendall* Sherrif of *Northampton* County wherein he prayes to be allowed 5999^{bs} of tobacco being his acco^t of expence & fees for the profecution of *Tom Cary* a Criminall Slave & the S^d Acco^t & the feverall articles thereof being read.

Refolued that no part of the charge mentioned in the f^d account except the charge of obtaining the comiffion of Oyer & Terminer ought to be defrayed by the Country & that y^e lawfull charge of profecuteing the f^d Criminall is a County charge.

The

The petition of *Daniell Neech* Clerke of *Northampton* County Court for allowance of 1085^{lb} tobacco for Clerks fees upon the profecution of *Tom Cary* a Criminall Slaue being read

Resolved that all lawfull fees due to the S^d Clerke for the f^d profecution is a County Charge & ought to be defrayed by the County accordingly.

A meffage from his Excellencie & Councill by M^r *Sherlocke*

M^r *Speaker*

I am comāded by his Exc^v & Councill to deliuer you these papers which his Exc^v and the Councill, have referred to the confideraçon of this houfe, and the Same being a Memoriall concerning the bufinefs of the Colledge of *William and Mary* in *Virginia* a copy of Severall propofitions heretofore presented to the generall Affembly relateing thereto, and the petition and account of M^r *James Blair* concerning that affair were feverally read, at the table.

A meffage alfo from the Councill by M^r *Sherlocke* who delivered at the table a written answer to the addres of the houfe about their Hono^{rs} affiftance in the Revifall of the lawes, which was read in these words

By the Councill

M^r *Speaker*

We Receiued a Refolue of the houfe of Burgefles laft night touching the Revifall of the Lawes of this Country to our great fatisfaction being equally Sencible with you of the great usefullnefs of that worke, and as to the way of our contributeing affiftance, we propofe, that the Revifall of the f^d Lawes proceed in the Same steps they were made *Viz'* that they pafs the houfe of Burgefles firft and then be tranfmitted to this board from whence they fhall receive all due difpatch.

Signed by order of the Councill

October y^e 19th 1693

James Sherlocke Cl G: Affembly

Resolved that a Coñmittee be appointed to take the Revifall of the lawes of this Country under confideraçon.

Ordered that the Coñmittee of Grievances and propofitions with the addition of M^r *Aurthur Spicer* be a Coñmittee for the Revifall of y^e lawes, and that they forthwith enter upon the S^d worke, & as they proceed therein, make their Report to the houfe.

Then the Memoriall concerning the bufinefs of the Colledge with the Severall other papers brought this day into the houfe by M^r *Sherlocke* relateing thereto & referred & recommended by his Excellencie and Councill to the confideraçon of this houfe were refpectiuefly read

And the houfe being informed that M^r *James Blair* attended at the door, with divers more of the Govern^{rs} of the Colledge, order was given for their being called in, where being admitted, M^r *Blair* addrest himself to M^r *Speaker* & acquainted the houfe, that being heretofore by order of the Generall Affembly employed for the foliciting the bufinefs of a free Schoole & Colledge at the Court of *England* he had accordingly endeavoured & obtained from their Maj^{ty} an ample Charter for erecting & endowing the Same which Charter the Govern^{rs} of the f^d Colledge who accompanied him had brought into y^e houfe, to lay before them, to the end it might thereby fully appear to this Generall Affembly what their Maj^{ty} had been graciously pleafed to grant & give, And they being withdrawn, the f^d Charter was read before the houfe, and the Same together with the feverall papers relateing thereto referred by his Excellencie & Councill to the Confideraçon of this houfe, referred to be further confidered on *Wednesday* next in the morning.

Cap^t *James Ranfone* being ill moved the houfe for leave to goe home for recovery of his health, and leave was given accordingly

And then the houfe adjourned till two a clocke. afternoone.

Post Meridiem.

THE houfe met and adjourned till tomorrow morning 9 a clocke.

Saturday

Saturday October y^e 21st 1693

THE return upon the writ for election of a Burgeſſ in *Yorke* County to ſerve in this Aſſembly in the Room of M^r *Daniell Parke* who made his Election to ſerve for *James City* County was read & allowed.

The petition of M^r Secretary *Wormely* for a Suitable allowance for tranſcribing & conveying of 369 military Comiſſioners to the reſpective officers within this Governm^t being by his Exc^v & Council referred to the houſe was read & referred to the conſideration of the Comiſſion of publicke Claimes.

The petition of the Queen of *Weyonoake* for her ſelfe & Indians y^t they may have two years time to kill & diſpoſe of their hoggs, at preſent under another marke then what *Surrey* County Court lately aſſigned &^c being referred by his Exc^v & Council to the houſe was read & referred to the conſideration of the Comiſſion of Publicke Claimes.

M^r *ffitz-hugh* from the Comiſſion appointed for the Revival of y^e Lawes of this Country Reported y^t y^e S^d Comiſſion had made a ſmall progreſſ therein, & prepared ſome bylls w^{ch} they directed him to preſent to the houſe, and the f^d bylls being.

A byll for building Churches & Chappels

A byll for the laying out of Glebes in each pariſh, & aſcertaining Miniſters Sallery.

A byll ſhowing how Miniſters muſt be qualified & by whom inducted.

A byll appointing the Liturgy to be read.

A byll appointing Miniſters to preach weekly & duely to adminiſter y^e Sacram^t

A byll for y^e effectuall Suppreſſing y^e prophanacon of y^e *Sabaoth* day, curſing & ſwearing and drunkenneſs. A byll appointing Veſtries.

A byll appointing Church Wardens to keep y^e Church in reſpaire & to provide books & ornam^{ts} for the ſame.

A byll appointing Regiſters to be kept by the Miniſters or Readers in each pariſh.

A byll prohibiting private burials.

A byll appointing Marriages to be made by Miniſters only & to be authorized either by Lycence or publiſhing the bannes.

A byll declareing how Lycences for Marriages ſhall iſſue.

A byll prohibiting Servants Marriages without conſent of their Maſters.

A byll prohibiting fornication

A byll ſetting a penalty upon perſons reſuſeing to have their Children baptized.

A byll declareing that baptiſm of Slaues does not Manumit or ſet them free, and

A byll appointing the method of holding Courts were rec^d & ſeverally read the firſt time

Reſolved y^t each of the f^d bylls be read a 2^d time at the meeting of the houſe in the afternoone. And then the houſe adjourned till two a clocke afternoone.

Poſt Meridiem

THEN according to the order of the morning

A byll for building Churches & Chappels.

A byll for the laying out of Glebes in each pariſh & for aſcertaining miniſ^{ts} Sallery.

A byll Showing how Miniſters muſt be qualified & by whome inducted.

A byll appointing the Liturgy to be read

A byll appointing Miniſters to preach weekly &^c

A byll for y^e effectuall Suppreſſing the prophanacon of y^e *Sabaoth* day &^c

A byll appointing Veſtries

A byll appointing Church Wardens to keep y^e Church in repair &^c

A byll appointing Regiſters to be kept by the Miniſters &^c

A byll prohibiting private burials.

A byll appointing Marriages to be made by Ministers only &
 A byll declareing how Lycences for Marriages shall issue.
 A byll prohibiting Servants Marriages wthout consent of their Masters.
 A byll prohibiting fornication
 A byll setting a penalty upon persons refuseing to haue their Children baptised.
 A byll declareing baptism of Slaues does not manumit or set them free &
 A byll appointing the method of holding Courts, were severally read y^e the second time
 & after a small amendment made in the byll for y^e effectuell Suppressing the proph-
 anacon of the *Sabaoth* day & the byll for appointing Marriages to be made by
 Ministers only & the byll prohibiting fornication
Resolved y^t each of y^e 1^d bylls be ingrossed & haue a 3^d reading.
 A byll for continueing the Rangers at the heads of the four great Riuers read y^e
 2^d time
Resolved that y^e S^d byll be ingrossed & read a 3^d time.
 A byll for y^e encouragem^t of the Manufacture of Linen cloth read y^e 2^d time &
 after amendm^t made at the table
Resolved y^t y^e S^d byll wth its amendm^t be ingrossed & read a 3^d time.
 And then the house adjourned till *Munday* morning to a clocke.

Munday October the 23^d 1693.

A BYLL for building Churches & Chappels read y^e 3^d time & passed.
 A byll for y^e laying out of Glebes in each Parish & for ascertaining minist^r
 Sallary read y^e 3^d time & passed.
 A byll shewing how Ministers must be quallified & by whome inducted
 read the 3^d time & passed.
 A byll appointing the Liturgy to be read, was read y^e 3^d time & passed.
 A byll appointing Ministers to preach weekly & duely to administer the Sacraments,
 read y^e 3^d time & passed.
 A byll for y^e effectuell Suppressing y^e prophanacon of y^e *Sabaoth* day, cursing swear-
 ing & drunkenness, read y^e 3^d time & passed.
 A byll appointing Vestries read y^e 3^d time & passed.
 A byll appointing Church Wardens to keep the Church in repair & to provide books
 & Ornaments for y^e Same read y^e 3^d time & passed.
 A byll appointing Registers to be kept by y^e Ministers or Readers in each Parish
 read y^e 3^d time & passed
 A byll prohibiting private burials read y^e 3^d time & passed.
 A byll appointing Marriages to be made by ministers only & to be authorized
 either by Lycence or publishing the banns, read y^e 3^d time & passed.
 A byll declareing how Lycences for Marriages shall issue read y^e 3^d time & passed.
 A byll prohibiting Serv^{ts} Marriages wthout consent of their Masters read the 3^d
 time & passed.
 A byll prohibiting fornication read y^e 3^d time & passed
Resolved y^t y^e title of y^e S^d byll be *An Act against fornication.*
 A byll setting a penalty upon persons refuseing to haue their Children baptised
 read y^e 3^d time, & the Question being put, whether the S^d byll shall pass, it passed in
 the Negatiue.
Resolved y^t y^e S^d byll be rejected
 A byll declareing that baptism of Slaues does not manumit or set them free, read
 y^e 3^d time & passed.
Ordered that M^r *Edwards*, M^r *Leigh*, M^r *Custis* & M^r *Buckner* forthwith carry the
 severall bylls which have passed y^e house this morning to the Council for their
 concurrence.
 And then the house adjourned, till 3 a clocke afternoone.

Post Meridiem

COLL: *fitz-hugh* from the Committee for Revifall of y^e lawes reported that that y^e S^d Committee had made a further progrefs in the Revifall of y^e laws & prepared divers bylls more which he delivered in at the table.

A letter from M^r *George Mafon* one of y^e Burgefles for *Stafford* Countie was read & y^e Same giving a relation y^t Sicknefs had fo long abftracted his attendance to the fervice of the houfe, it was admitted for his Excufe.

A byll appointing Courts to provide law books.

A byll proportioning the iffueing of writs.

A byll afcertaining the time for filing declarations in y^e Gen^l Courts

A byll appointing adjournm^{ts} in gen^l Courts to y^e two laft dayes of y^e Court for refer-
ences & A byll declareing how & where Criminals fhall be tryed.

A byll declareing how appeals fhall be made.

A byll appointing y^e Value each Court fhall have jurifdiction of

A byll fhewing when Subpoenas & *dedimus potestatem* fhall iffue.

A byll appointing County Courts.

A byll appointing how a^{ct}ions are to be entered at County Courts and what time the
declara^{ti}on is to be entred

A byll appointing the declara^{ti}on & anfwer to be filed.

A byll prohibiting private Courts.

A byll appointing all tryals to be by Juries.

A byll appointing grand juries to prevent offenders.

A byll com^{ma}nding pillories ftocks ducking Stooles to be erected at each Court.

A byll appointing prifons to be built in each County & afcertaining the rules.

A byll for fuppreffing of Vagabonds & binding poore Children to trades.

A byll allowing judgements acknowledged before two juftices to be good.

A byll appointing when & by whome a Superfedeas fhall be granted

A byll for y^e punifhm^t of evidences not appeareing upon Sumons.

A byll fhewing how a *Dedimus potestatem* fhall iffue.

A byll empowering juftices to grant attachments.

A byll directing how Executions & attachm^{ts} granted upon an order of y^e generall Court
muft iffue. and

A byll fetting forth the extenfion of Juftices warrants in the apprehenfion of Runawaies
were feverally read y^e firft time.

Resolved that each of the f^d bylls be read a 2^d time tomorow morning nine a clocke.

Ordered that the Committee give their attendance at the houfe tomorow morning
nine a clocke.

And then the houfe adjourned till tomorow morning 9 a clocke.

Tuesday October y^e 24th 1693

RESOLVED that it be referred to a Committee to confider of and draw up an
addrefs in anfwer to his Exc^{ys} Speech made to y^e Members of this houfe
therein acquainting him with the Sane & all Votes of y^e houfe upon confidera^{ti}on
thereof & the reafons for them.

Ordered that the Committee of Grievances & propofic^ons prepare the addrefs accord-
ingly

A byll for continueing the Rangers at the heads of y^e four great Riuers read y^e 3^d
time & paffed y^e houfe.

A byll for y^e encouragem^t of the Manufacture of Linen Cloth read y^e 3^d time &
paffed y^e houfe.

Ordered y^t M^r *Eps*, M^r *Cary*, M^r *Waters* & M^r *Armiftead* carry the f^d two bylls to y^e
Councill for their concurrence.

Then

Then according to order of Yesterday

A byll appointing the Courts to provide Law bookes.

A byll proportioning the iffueing of writs.

A byll afcertaining the time for filing declaraçons in the Gen^{ll} Court.

A byll appointing adjournm^{ts} in Generall Courts to y^e two laft daies of y^e Court for referrence &^c

A byll declareing how & where Criminals fhall be tried

A byll declareing how appeales fhall be made.

A byll appointing the Value each Court fhall haue iurifdiction of

A byll fhowing when Subpoenas & *Dedimus potestatem* fhall iffue.

A byll appointing County Courts.

A byll appointing how actions are to be entred at County Courts & what time the declaraçon is to be entred.

A byll appointing the declaraçon & anfwere to be filed.

A byll prohibiting private Courts.

A byll appointing all tryals to be by Juries.

A byll appointing grand juries to prefont offenders.

A byll comãding pillories ftocks & ducking ftooles to be erected at each Court.

A byll appointing prifons to be built in each County &^c

A byll for y^e Suppreffing of Vagabonds &^c

A byll allowing Judgem^{ts} acknowledged before two Juftices to be good.

A byll appointing when & by whome a Superfedeads Shall be granted.

A byll for the punifhm^t of evidences not appearing upon Sumõns.

A byll fhowing how a *Dedimus potestatem* fhall iffue.

A byll impowering Juftices to grant attachm^{ts}

A byll directing how Executions & attachm^{ts} granted upon an order of the Gene^{ll} Court muft iffue and

A byll fetting forth the extension of juftices warrants in the apprehenfion of Runawaies, were feverally read y^e 2^d time & after Some amendm^{ts} made at y^e table in the byll for afcertaining the time for filing declaraçons in y^e gen^{ll} Court, the byll for declareing how appeales fhall be made, the byll Showing when Subpoenas & *dedimus potestatem* fhall iffue, the byll appointing County Courts, & the byll appointing the declaraçon & anfwer to be filed.

Refolued that each of y^e f^d bylls be ingroffed & read a 3^d time, and that the bylls wherein amendm^{ts} are made be ingroffed with the Amendments.

Coll: *ffitz-hugh* from the Coñmittee for Revifall of the Lawes Reported that y^e S^d Coñmittee had made a further progreff in the Revifall of y^e Lawes & prepared severall bylls which he delivered in at y^e table & they being

A byll appointing Sherrifs

A byll impofeing a penalty upon Sherifs not making fufficient returns, or making falfe returns

A byll appointing when the returns of *Noneft Inventus* fhall be allowed.

A byll prohibiting arrefts to be made on *Sundayes* holidiaies at Gen^{ll} Mufters or at y^e Elección of Burgeffes.

A byll appointing how Sherrifs & Collecto^{rs} fhall acco^t for publicke dues & the times appointed for all perfons to demand and tender tobacco.

A byll appointing publicke Levies to be firft paid.

A byll appointing how appraifem^{ts} of goods feized by Execution fhall be made.

A byll impowering perfons under Execution to redeem their bodies with their Eftates.

A byll impofeing fines on Sherrifs concealcing tithables.

A byll afcertaining Sherrifs fees.

A byll appointing a Coroners fee. and a byll prohibiting Sherrifs Juftices Clerks &^c to be attorneyes in the Courts where they officiate, were feverally read y^e firft time.

Refolued y^e each of y^e f^d bylls be read a 2^d time.

And then the houfe adjourned till 3 a clocke afternoone.

Post

Post Meridiem.

THEN a byll appointing Sherrifs
A byll impofeing a penalty upon fherrifs not makeing fufficient returns
or makeing falfe returns.

A byll appointing when the return of *Noneft inventus* fhall be allowed and

A byll prohibiting arrefts to be made on *Sundaies* holydaies at Gen^l Mufters or at
y^e Election of Burgefles were feverally read the 2^d time & after divers amendm^{ts} were
made at the table in each of y^e f^d bylls.

Refolved y^t every of y^e f^d bylls wth their refpectiue amendm^{ts} be ingroffed & read a
3^d time.

And then the houfe adjourned till tomorrow morning 9 a clocke.

Wednesday October y^e 25th 1693

ABYLL appointing how Sherrifs & Collecto^{rs} fhall acco^t for publick dues & the
times appointed for all perfons to demand & tender tobaccoe read y^e 2^d time,
& the Queftion being put whether y^e two latter claufes of the faid byll, being
a direktion how Sherrifs & Collectors fhall acco^t for publicke dues & a provifo
concerning Quit rents fhall be ingroffed with the byll, it paffed in the Negative.

Refolved that that part of y^e S^d byll which relates to the demand & tender of tobaccoe
be ingroffed & read a 3^d time & that the title thereof be *An Act appointing y^e time for
demands & tenders of tobaccoe.*

A byll appointing publick levies to be firft paid read y^e 2^d time and after Some
Amendm^{ts} made in y^e f^d byll at y^e table.

Ordered y^t y^e S^d byll as amended be ingroffed & read a 3^d time.

A byll appointing how appraifem^t of goods feized by Execution fhall be made read
y^e 2^d time & after fome amendm^{ts} made at y^e table therein.

Ordered y^t y^e f^d byll wth y^e amendm^{ts} be ingroffed & read a 3^d time.

A byll empowering perfons under Execution to redeem their bodyes with their
Eftates, read y^e 2^d time & after amendm^{ts} made at y^e table therein.

Ordered y^t y^e f^d byll wth the amendm^{ts} be ingroffed & read a 3^d time.

A byll impofeing fines on Sherrifs concealeing tithables read y^e 2^d time & after fome
amendm^{ts} made at y^e table therein.

Ordered y^t y^e S^d byll wth the amendm^{ts} be ingroffed & read a 3^d time.

A byll afcertaineing fherrifs fees read y^e 2^d time & after an additionall fee therein
inferted.

Ordered y^t y^e S^d byll as amended be ingroffed & read a 3^d time.

A byll appointing a Coroners fee read y^e 2^d time

Ordered y^t y^e f^d byll be ingroffed & read a 3^d time.

A byll prohibiting Sherriffs juftices Clerks &c to be attornies in y^e Courts where
they officiate read y^e 2^d time & after Some amendm^{ts} made therein at the table.

Ordered y^t y^e f^d byll wth y^e amendm^{ts} be ingroffed & read a 3^d time.

Coll: *ffitz-hugh* from y^e Co^mittee for Revifall of y^e laws Reported that y^e f^d Co^mittee
had made fome further progrefs in the Revifall of the Lawes & prepared divers bylls
w^{ch} he delivered at y^e table & were

A byll appointing how writs for the Election of Burgefles ought to be published

A byll appointing y^e Secretary to convey y^e writs for Burgefles.

A byll afcertaineing the Number of Burgefles.

A byll freeing Burgefles & their Servants from arrefts.

A byll appointing how publicke Claimes fhall be certified for allowance in y^e Affem-
bly.

A byll appointing how the lift of tithables muft be taken.

A byll declareing when Negroes & Molattoes are tithable.

A byll commanding *English* weights & measures to be provided in each County

A byll empowering County Courts to grant probates of wills & Administraçon

A byll establiſhing widows Dowes and

A byll requireing y^e Courts to take care of Orphans & their eftates.

Ordered that the S^d bylls lye upon y^e table.

M^r *Randolph* from y^e Co^mittee of publicke Claimes Reported y^t according to order the S^d Co^mittee had taken into confideraçon the Subject matter of y^e petition of y^e Queen of *Weyonoake* for herſelf & her Indians, & therein come to ſeverall reſolutions, which he read in his place & then delivered them in at y^e table, where the ſame being againe read were agreed to by the houſe.

Ordered that y^e Co^mittee for Revifall of y^e lawes when they take under confideraçon y^e 2^d Act of y^e laſt Aſſembly concerning Indians hogs add a claufe to the ſame for liberty to y^e *Weyonoake* Indians to kill & diſpoſe of their hogs under y^e marke they now are untill the laſt of *January* 1694

The confideraçon of y^e Severall matters concerning the Colledge referred on *friday* laſt till this morning is put off till y^e afternoone

And then the hovſe adjourned till 3 a clocke afternoone.

Poſt Meridiem

THE houſe according to y^e order of this morning tooke into conſideration their Maj^{ty} moſt Gracious Charter for erecting y^e Colledge of *William & Mary* in *Virg^o* and the Memoriall & propoſiçons of the Gouvern^r of the ſame, wherein they ſignify that it is left to this Aſſembly to nominate a place on which the ſ^d Colledge is to be erected and pray their Opinions in the ſame, & do propoſe what they think will be moſt proper funds for the Support of it.

And thereupon a debate ariſeing concerning the method of proceeding *Viz^t* whether y^e place for erecting the S^d Colledge or an addition to the preſent fund for y^e neceſſary Support of it ſhould come firſt under confideraçon, after ſome time ſpent therein and inquiry made of M^r *Blair* Reçtor of the Colledge about y^e ſeverall contributions towards it, the houſe agreed to have the queſtion put, which of the two ſhould be firſt taken under confideraçon and the ſame being accordingly put.

Reſolved y^t the place for erecting the ſ^d Colledge be firſt taken into confideraçon.

Then y^e houſe being given to underſtand from y^e S^d Memoriall that a View had been made by order of y^e Governours of the ſ^d Colledge of certain places w^{ch} they had heard mentioned as moſt proper for the ſ^d deſigne, and thinking it expedient y^t they ſhould be heard what they had to offer concerning y^e Same.

Ordered that notice be given to the Reçtor and ſo many of the Governo^{rs} of the Colledge of *William & Mary* in *Virg^o* as are in Towne to give their attendance at the houſe tomorrow morning if they deſire to be heard about the place for erecting the S^d Colledge.

Ordered y^t y^e further debate of this matter be adjourned till tomorrow morning.

And then the houſe adjourned till tomorrow morning 9 a clocke.

Thursday October the 26th 1693

COLL. *ffitz-hugh* from the Co^mittee for Revifall of y^e Lawes Reported that the ſ^d Co^mittee had made ſome further progrefs in the Revifall of the Lawes & prepared divers bylls w^{ch} he delivered at the table & were

A byll for the preferueing & ſecureing Orphans land.

A byll ſhowing how Rights are to be proued & deſerted land when to be granted.

A byll giving allowance to thoſe y^t by miſtake ſeat upon other mens lands.

A byll prohibiting Shooting or Ranging upon other mens lands.

A byll declareing land five years in quiet poffeffion to be a good bar aga^t all pretenders.

A byll confirming imperfect patents.

A byll declareing w^t Seating is & in w^t time it ought to be made

A byll againſt fraudulent Conveyances.

A byll comāding all Conveyances made in *Engl^d* to be recorded in y^e Secretarys office.

A byll empowering *feme Coverts* to make good acknowledgm^{ts} of y^e Sales of land &

A byll declareing the duty of Surveyors & affcertaining their fees, and

A byll appointing proceffioning.

Ordered that the f^d bylls lye upon the table.

Then according to y^e order of Yeſterday the houſe reſumed y^e adjourned debate about a place for the Colledge & y^e Reſtor & divers of the Governours of the Colledge who attended alſo according to order, were called into the houſe where y^e S^d Reſtor having given a ſhort acco^t of y^e Reaſons, why libertie was left to the Aſſembly in their Maj^{ty} Charter to make choice of another place if they thought fit, & read & preſented a Memoriall concerning four places *Viz^t Middle plantation, Yorke Towne, Yorke old fields, & Greens land in Gloceſter County* as proper places for ſuch an uſe with a Narratiue of y^e Conveniences & inconveniences of each they ſeverally wth drew and the houſe tooke y^e whole matter under conſideraçon, & therein having ſpent ſome time.

Reſolved that the Lands of *Coll. Townſend* on the South Side of *Yorke River* the place mentioned in the Charter is not a convenient place to have the Colledge erected upon.

Then the houſe entering into the debate of another place a propoſiçõ was made of the Colledge land in *Pamunkey necke* as ſuitable and fit for the ſame & the S^d place being taken under conſideraçon wth the other four before mentioned after the Queſtion was put for each of the Same.

Reſolved y^t it is the Opinion of the houſe that *Middleplantation* is the moſt convenient & fit place to erect the Colledge upon & that a byll be prepared for erecting the Same at that place, as near the Church as convenience will permit.

Ordered that y^e Clerke of y^e houſe prepare & bring in a byll accordingly.

M^r *Daniell Parke* having rec^d newes y^t a Veſſell of his is lately caſt aſhore near y^e Cape, deſired leave to goe & looke after his concerns in y^e Same.

And leave was given accordingly

Ordered y^t y^e Clerke of the houſe enter in the Aſſembly bookes their Maj^{ty} moſt Gracious Charter for the erecting of *William & Mary Colledge* in *Virg^a* and with all convenient expedition returne the Same to y^e Reſto^r thereof

Ordered that y^e Severall matters contained in the Memoriall of the Govern^{rs} of the Colledge not yet taken under conſideraçon be referred to be conſidered to morrow morning.

A byll appointing y^e method of holding Courts read y^e 3^d time & paſſed.

A byll appointing y^e Courts to provid law books. read y^e 3^d time & paſſed.

A byll proportioning y^e iffueing of writs, read y^e 3^d time & paſſed.

A byll afcertaining the time for filing Declaracõs in y^e Generall Court read y^e 3^d time & paſſed.

A byll appointing adjournm^{ts} in Gen^l Courts to y^e two laſt dayes of y^e Court for references &^c read y^e 3^d time & paſſed.

A byll declareing how & where Criminals ſhall be tried read y^e 3^d time & paſſed

A byll declareing how appeals ſhall be made. read y^e 3^d time & paſſed.

A byll appointing the value each Court ſhall haue juriſdiction of read y^e 3^d time & paſſed.

A byll ſhowing when Subpoenas & *Dedimus poteſtatem* ſhall iffue read y^e 3^d time & paſſed.

A byll appointing County Courts read y^e 3^d time & paſſed.

A byll appointing how actions are to be entered at County Courts & what time the Declaraçon is to be entered, read y^e 3^d time & passed.

A byll appointing the Declaraçon & answer to be filed read y^e 3^d time & passed.

A byll prohibiting private Courts read y^e 3^d time & passed.

A byll appointing all tryals to be by Juries. read y^e 3^d time & passed.

A byll appointing Grand Juries to present offenders read y^e 3^d time & passed

A byll comanding pillories Stocks & Ducking Stooles to be erected at each Court read y^e 3^d time & passed.

Resolved y^e y^e title to the said byll, be *an Act comanding pillories Stocks an ducking Stooles to be erected in each County.*

A byll appointing prisons to be built in each County & ascertaining their Rates read y^e 3^d time & passed

A byll for y^e Suppressing of Vagabonds & binding poore Children to trades read y^e 3^d time & passed.

A byll allowing Judgm^{ts} acknowledged before two justices to be good read y^e 3^d time & passed.

A byll appointing when & by whome Superfedeas shall be granted read y^e 3^d time & passed.

A byll for y^e punishm^t of evidences not appearing upon Summons read y^e 3^d time & passed.

A byll shewing how a *Dedimus Potestem* shall issue, read y^e 3^d time & passed

A byll empowering Justices to grant attachments—read y^e 3^d time & passed.

A byll directing how Executions & attachments granted upon an order of the Gen^{ll} Court must issue read y^e 3^d time & passed.

A byll setting forth the extension of Justices warrants in the apprehension of Run-aways. read y^e 3^d time & passed.

And then the house adjourned till 3 a clocke afternoone.

Post Meridiem

A BYLL appointing Sherrifs, read y^e 3^d time & passed

A byll imposing penalty upon Sherrifs not making Sufficient returns, or making false returns, read y^e 3^d time & passed.

A byll appointing when y^e returne of *Nonest Inventus* shall be allowed read y^e 3^d time & passed.

A byll prohibiting arrefts to be made on *Sundaies* holydaies at Gen^{ll} mufters or at y^e election of Burgefes, read y^e 3^d time & passed

A byll appointing the times for demands & tender of tobacco read y^e 3^d time & passed.

A byll appointing publicke Levies to be first paid read y^e 3^d time & passed.

A byll appointing how appraisim^t of goods Seized by Execution shall be made read y^e 3^d time & passed.

A byll empowering persons under Execution to redeem their bodies wth their estates, read y^e 3^d time & passed.

A byll imposing fines on Sherrifs concealing tithables read y^e 3^d time and passed.

A byll ascertaining Sherrifs fees read y^e 3^d time & passed.

A byll appointing a Coroners fee read y^e 3^d time & passed.

A byll prohibiting Sherrifs Justices Clerks &c to be attornies in y^e Courts where they officiate read y^e 3^d time & passed.

Ordered y^t M^r Barbar, M^r Lee, M^r Thompson & M^r Bland carry y^e s^d bylls and y^e severall bylls which passed the house this morning to y^e Councill for their concurrence.

And then y^e house adjourned till to morrow morning 9 a clocke.

Friday

ffriday October the 27th 1693

MR W^m *Randolph* moueing y^e houle for leau to go home about his extraordinary Occations Leau was given accordingly.

M^r *francis Eps* moueing the houle for leau to go home upon his extraordinary Occations. Leave was given accordingly.

A byll appointing how writs for y^e election of Burgefes ought to be published.

A byll appointing y^e Secretarys to convey y^e writts for Burgefes.

A byll affcertaining the Number of Burgefes.

A byll freeing Burgefes & their Servants from arrefts.

A byll appointing how publicke Claimes shall be Certified for allowance in y^e Affembly.

A byll appointing how y^e list of tithables must be taken.

A byll declaring when Negroes & Molattoes are tithable.

A byll comāding *English* weights & meafures to be provided in each County

A byll impowering County Courts to grant probates of Wills & Administracons.

A byll establiſhing Widows Dowes.

A byll requireing the Courts to take care of Orphans & their estates.

A byll for y^e preferueing & ſecureing Orphans land.

A byll Showing how rights are to be proued & deferted land when to be granted.

A byll giueing allowance to thoſe y^t by miſtake Seat upon other mens lands.

A byll prohibiting ſhooting or Ranging upon other mens lands.

A byll confirming imperfect patents.

A byll declaring what Seating is, & in what time it ought to be made.

A byll againſt fraudulent Conveyances.

A byll comāding all conveyances made in *England* to be recorded in y^e Secretaryes office.

A byll impowering *feme coverts* to make good acknowledgem^{ts} of the Sales of Lands.

A byll declareing y^e duty of Surveyers & afcertaining their fees &

A byll appointing proceſſioning, were Severally read y^e 1st time & after

Some amendm^{ts} made in y^e byll appointing how writs for the election of Burgefes ought to be published, the byll appointing the ſecretary to convey the writs for Burgefes the byll freeing Burgefes & their Servants from arrefts, the byll comāding weights & meafures to be provided in each County, and an alteracon in the title of y^e byll giving allowance to thoſe y^t by miſtake Seat upon other mens lands.

Reſolved y^t each of y^e 1st bylls be read a 2^d time & y^t the bylls wherein amendm^{ts} are made be read with the amendments.

M^r *ffitz-hugh* from y^e Comittee for Revifall of the Lawes reported that y^e S^d Comittee had made ſome further progreſs in the Revifall of y^e Lawes & prepared divers bylls which he delivered in at y^e table & were

A byll declareing what fences ſhall be ſufficient.

A byll impowering y^e Courts yearly to appoint Surveyo^{rs} for highwaies.

A byll to prevent y^e caſting of ballaſt into Rivers & Creeks.

A byll declareing how long Judgm^{ts} Specialties & acco^{ts} Shall be pleadable

A byll concerning forreign debts.

A byll declareing how far acco^{ts} & notes are pleadable aga^t dead mens estates.

A byll ordering how phyſicians & Surgeons acco^{ts} are to be made.

A byll allowing diſcounts to be made in Court.

A byll allowing priority of payment to Country Credito^{rs} &

A byll declareing y^t marking tobacco transfers y^e property.

A byll appointing Attornies for forreigners to giue Security to pay all coſts & damages.

A byll allowing 15 p C^t damages upon proteſted bylls of Exc^b and

A byll regulatcing the ſizes & tares of tobacco hogſheads.

Ordered y^t the Said bylls lye upon y^e table.

Ordered y^t the confideracon of the remaining part of the Memoriall concerning the Colledge referred yeſterday to this morning be put off till *Tueſday* next in the morning.

And then the houle adjourned till two a clocke afternoone.

Poſt

Post Meridiem

- A** BYLL declareing w^t fences fhall be fufficient
 A byll impowering the Courts yearly to appoint Surveyo^r for highways.
 A byll to preuent cafting of ballaft into Rivers & Creeks.
 A byll declareing how long Judgm^t Specialties & acco^s fhall be pleadable.
 A byll concerning forreign Debts.
 A byll declareing how far acco^s & notes are pleadable aga^t dead mens eftates.
 A byll ordering how phyficians & Surgeons acco^s are to be made.
 A byll allowing difcounts to be made in Court.
 A byll allowing priority of paym^t to Country Credito^r & entertainm^t of Strangers.
 A byll declareing y^t marking tobacco transfers y^e property.
 A byll appointing Attornies for forreigners to giue Security to payable [pay all] cofts & damages.
 A byll allowing fifteen p C^t damages upon protefted bylls of exchange and a byll regulateing y^e Size & tares of tobacco hogfheads, were feverally read the firft time and after amendm^ts made in the byll declareing w^t fences fhall be fufficient and in the title to the byll allowing priority of paym^t to Country Credito^r & *Refolued* y^t each of y^e S^d bylls be read a 2^d time.
 Vpon reading the Letter of Coll: *Lemuell Mafon* Signifieing his difability to attend y^e Service of the houfe & praying leaue to go home for recovery of his health. Leaue was giuen accordingly.
 And then y^e houfe adjourned till Seven a clocke tomorrow morning.

Saturday October y^e 28th 1693

- A** BYLL appointing how writs for y^e election of Burgefles ought to be published
 A byll appointing the Secretary to convey y^e writs for Burgefles.
 A byll afcertaining y^e number of Burgefles.
 A byll freeing Burgefles & their Servants from areft.
 A byll appointing how publicke Claimes fhall be certified for allowance in the Affembly.
 A byll appointing how the lift of tithables muft be taken.
 A byll declareing when Negroes & Mulattoes are tithable.
 A byll comāding *English* weights & meafures to be provided in each County.
 A byll impowering County Courts to grant probates of wills & Adminiftraçõs.
 A byll eftablifhing widows dowers.
 A byll requireing Courts to take Care of Orphans & their eftates.
 A byll for y^e preferueing & Secureing Orphans land.
 A byll Showing how Rights are to be proved & deferted lands when to be granted.
 A byll relateing to thofe y^t by miftake Seat upon other mens lands.
 A byll prohibiting Shooting or Ranging upon other men's lands.
 A byll declareing lands five yeares in quiet poffeffion to be a good barr againft all preten-
 ders.
 A byll confirming imperfect patents.
 A byll declareing w^t Seating is & in w^t time it ought to be made.
 A byll againft fraudulent Conveyances.
 A byll comāding all Conveyances made in *England* to be recorded in the Secretaryes office.
 A byll empowering *feme coverts* to make good acknowledgem^t of y^e Sales of Land.
 A byll declareing the duety of Surveyors & afcertaining their fees.
 A byll appointing proceffioning.
 A byll declareing w^t fences Shall be fufficient
 A byll impowering the Courts yearly to appoint Surveyo^r for highwaies.
 A byll to prevent y^e Cafting of ballaft into Rivers & Creeks.

A byll declareing how long Judgem^{ts} Specialties & acco^{ts} shall be pleadable.

A byll concerning forreign debts.

A byll declareing how far acco^{ts} & notes are pleadable agast dead mens estates.

A byll ordering how phyficians & Surgeons acco^{ts} are to be made.

A byll allowing difcounts to be made in Court.

A byll concerning priority of payment to Country Creditors & entertainm^t of persons without agreem^t

A byll declareing that marking tobacco transferrs y^e property.

A byll appointing Attornies for forreigners to giue security to pay all cofts & damages.

A byll allowing 15 ſ C^t damages upon protested bills of Exch: and

A byll regulateing the Sizes & tares of tobacco hogfhd: were severally read y^e 2^d time & after amendm^{ts} made in the title of the byll freeing Burgeffes & their Servants from arrefts, in the byll appointing how y^e Lift of tithables muft be taken, in the byll comāding *English* weights & Meafures to be provided in each County, in the byll empowering County Courts to grant probates, of Wills & Adminiftraçõs, in the byll prohibiting fhooting or Ranging on other men's lands, in the byll declareing lands fiue years in quiet poffeffion to be a good bar againft all pretenders, in the byll allowing difcounts to be made in Court, & in the byll concentering priority of paym^t to Country Credito^{rs} &

Refolved that each of the f^d bylls be ingroffed & read a 3^d time, & that the byls wherein amendm^{ts} are made be ingroffed with y^e amendm^{ts}

Ordered y^t M^r Anthony Holyday have leaue to go home for recouery of his health, And then the houfe adjourned till two a clocke afternoone.

Post Meridiem.

THE houfe met & adjourned till *Munday* morning 10. a clocke.

Munday October y^e 30th 1693

COLL: *ffitz-hugh* from y^e Co^mittee of Grievances & propoficõs reported y^t y^e f^d Co^mittee had according to order prepared an addres to his Exc^y in anfwere to his Exc^ys Speech made at the opening of this Affembly which he read in his place & then deliuered it in at the table where being againe read as followeth

To his Excellencie.

The Humble addres of the houfe of Burgeffes.

Theire Maj^{ties} dutifull & loyall Subjects y^e Burgeffes of this Affembly affembled having been acquainted by y^{or} Exc^y at the opening of this Affembly that you had rec^d their Maj^{ties} comānds in feveral matters relateing to this their Collony & Dominion, the A^{ct} for Ports &^c and the A^{ct} for reviuieing a former a^{ct}, for advancem^t of Manufactors of this Country, as by proclamation of y^e firft of *Septbr* laft Suspended till further order, but the f^d A^{cts} to be taken into further confideracõn and framed according to reports of the Comiffioners of their Maj^{ties} Cuftoms, tranfmitted herewith copies of y^e S^d A^{cts} for y^e better improuem^t thereof, this houfe humbly take leaue to lay before your Exc^y that they haue taken under confideracõn y^e S^d A^{ct} for Ports. &^c together wth y^e reports of the Comiffioners of their Maj^{ties} Cuftomes relateing thereto & upon ferious confideracõn thereof, they are humbly of Opinion that (the prefent circumftances of the Country being confidered) the appointm^t of ports & injoyning the landing & Shipping of all goods imported or to be exported, at & from the Same only would proue very burthenfome & inconvenient to y^e Country in Gen^l and have therefore conceived it moft expedient at prefent to make no further progrefs therein.

The

The law for y^e receiueing the former Act for y^e advancem^t of y^e manufactures of this Country is a temporary law & at present lyes under a Suspension, & Seeing y^e Same has been the occation of Some diffatisfaction to the Merchants & of no advantage to or euer mad use of by any Inhabitants here, the Same is Submitted to y^e present Suspension thereof.

Your Exc^v was farther pleased to recomēd as an advantage to their Maj^{ty} Service Navigaçon of *England* & of all fair traders in tobacco the makeing of a law for the prohibiting the Exportaçon of bulke tobacco, to which this house humbly beg leave to make answer y^e it is represented to this house & by them conceiued, that the passing of Such an Act would prove inconvenient to their Maj^{ty} Intrest and prejudiciall to y^e Country in generall. The Revifall of our Lawes was likewise recomēded by yo^r Exc^v of import to all concern'd in this Collony & that y^e Same would be very acceptable to their Maj^{ty} & the house being of the Same Opinion they are now with all diligence making a progress therein.

The continued defence of this Country yo^r Exc^v likewise proposed to this house in which they have taken care by the continuance of y^e last Act for the space of one year more after y^e determinaçon of y^e former. That a suitable house might be erected & provided for the Governor, yo^r Exc^v has been pleased likewise to recomēd, which this house conceive to be a very necessary & usefull worke & therefore humbly move yo^r Exc^{ts} favour & prudent care in its erection on the Governor's land in *James City* County as soone as their Maj^{ty} Revenue appropriated to discharge the contingent charge of the Governm^t will allow thereof.

The Same was approved.

Ordered y^e y^e f^d address be forthwth fairly transcribed & sent to his Exc^v.

A byll appointing how writs for the election of Burgeffes ought to be published read y^e 3^d time & passed.

A byll appointing y^e Secretary to convey y^e writs for Burgeffes read y^e 3^d time & passed.

A byll ascertaineing the number of Burgeffes read y^e 3^d time & passed.

A byll freeing Burgeffes & their Servants from arrests read y^e 3^d time & passed.

A byll appointing how pub: claimes shall be certified for allowance in y^e Assembly read y^e 3^d time & passed.

A byll appointing how the Lift of tithables must be taken read y^e 3^d time & passed.

A byll declareing when Negroes & Molattoes are tithable read y^e 3^d time & passed.

A byll comāding *English* weights & measures to be provided in each County read y^e 3^d time & passed.

A byll empowering County Courts to grant probates of wills & Administrations read y^e 3^d time & passed.

A byll establishing widows Dowers read y^e 3^d time & passed.

A byll requireing y^e Courts to take care of Orphans & their estates read y^e 3^d time & passed.

A byll for preferueing & secureing Orphans lands read y^e 3^d time & passed.

A byll Showing how Rights are to be proued. & deserted lands when to be granted read y^e 3^d time & passed.

A byll relateing to those that by mistake Seat upon other mens lands read y^e 3^d time & passed.

A byll prohibiting Shooting or ranging upon other mens lands read y^e 3^d time & passed.

A byll declareing land five years in quiet possession to be a good barr aga^{tt} all pretenders, read y^e 3^d time & passed.

A byll confirming imperfect patents, read y^e 3^d time & passed.

A byll declareing what Seating is & in w^t time it ought to be made read y^e 3^d time & passed.

A byll against fraudulent Conveyances read y^e 3^d time & passed.

A byll commanding all Conveyances made in *England* to be recorded in the Secretaries office, read y^e 3^d time & passed.

A byll empowering *feme Coverts* to make good acknowledgem^{ts} of y^e Sale of land, read y^e 3^d time & passed.

A byll declareing the duty of Surveyo^{rs} & ascertaining their fees read y^e 3^d time & passed.

A byll appointing proceffioning read y^e 3^d time & passed.

A byll declareing w^t fences Shall be Sufficient read y^e 3^d time & passed.

A byll empowering the Courte yearly to appoint Surveyo^{rs} for highwaies read y^e 3^d time & passed.

A byll to prevent y^e casting of ballast into Rivers & Creeks read y^e 3^d time & passed.

A byll declareing how long Judgem^{ts} Specialties & acco^{ts} Shall be pleadable read y^e 3^d time & passed.

A byll concerning forreign debts, read y^e 3^d time & passed.

A byll declareing how far acco^{ts} & notes are pleadable against dead mens estates, read y^e 3^d time & passed.

A byll ordering how physicians & Surgeons acco^{ts} are to be made, read the 3^d time & passed.

A byll allowing discounts to be made in Court read y^e 3^d time & passed.

A byll concerning priority of paym^t to Country Creditors & entertainm^t of persons without agreem^t read y^e 3^d time & passed.

A byll declareing y^e marking tobacco transfers the property read y^e 3^d time & passed.

A byll appointing attornies for forreigners to give security to pay all cofts & damages read y^e 3^d time & passed.

A byll allowing fifteen p C^t damages upon protested bylls of exchange read y^e 3^d time & passed.

A byll regulateing the Sizes & tares of tobacco hogheads, read y^e 3^d time & passed.

Then Coll *ffitz-hugh* from the Comittee for Revifall of y^e Lawes. Reported y^t the f^d Comittee had made a further progress in the Revifall of y^e Lawes & had prepared divers bylls, which he deliuered in at y^e table & they being *Viz*

A byll against divulgers of false newes.

A byll punishing offenders for defameing, the Governo^{rs} Councill & other principall officers.

A byll regulateing Ordinary keepers.

A byll directing how long Servants Shall serue coming in wthout Indenturs.

A byll prohibiting Mafters dealeing with their Servants.

A byll prohibiting Mafters cruelty to their Servants.

A byll against Runawaies & laying a penalty upon those that Shall entertaine them.

A byll declareing Negroes *Moors* Molattoes, & Indians, Slaues.

A byll to prevent y^e infurrection of Negroes & for Suppressing outlaying Slaves.

A byll for the more speedy profecution of Slaves comitting Capitall crimes.

A byll forbiding tobacco planting after the last of *June* & prohibiting the tending of Seconds or Slips.

A byll declareing how those y^t take up stray hofes, boates & the like shall publish the Same.

A byll allowing land for erecting Grift Mills & fulling Mills.

A byll against exacting Millers.

A byll against hog Stealeing

A byll concerning the granting of passses to persons departing y^e Country.

A byll ascertaining y^e Secretaries fees. and

A byll for Naturalization, were severally read y^e first time & after some amendm^{ts} made in y^e byll against Runawaies & c^d and the byll declareing how those y^t take up stray hofes, boates, & the like shall publish the Same.

Resolved y^t each of y^e S^d bylls be read a 2^d time.

The Committee for Revifall of the Lawes having moved the houle for directions concerning the Act declareing the duty of Tañers Curriers and Shoomakers & the Act for making of flax & hemp both made at *James City anno 1691*

Resolved y^t boath y^e f^d Acts be left out in the Revifall of y^e Lawes now made

Ordered y^t M^r Lee, M^r Bland, M^r Thompson, M^r Waters, M^r Jenifer, & M^r Cant do forthwth carry to the Councill, the severall bylls which this day passed the houle for their concurrence and y^t y^e f^d persons tomorrow morning present the addrefs of this houle to his Exc^v drawn up for an answer to his Speech at y^e opening of y^e Affembly.

And then y^e houle adjourned till tomorrow morning 9 a clock.

Tuesday October the 31th 1693.

INFORMACON being made by M^r Kemp a Member of the hovse that on *Sunday* laft *Thomas Rooke* offered divers abuses to him both by reproachfull language & words & by strikeing his perfon, which as a Member he looked upon to be his duety to acquaint the houle with the same being a great Violation of their priviledges.

Ordered y^t y^e S^d M^r Kemp with all convenient expedition provide a Memoriall of y^e Severall circumstances and passages of y^e S^d action & abuse given by the S^d *Rooke*, to the end the houle may be more fully informed of the whole matter & Such proceedings made therein as the merrit of y^e fact requires.

Ordered that the consideraçon of y^t part of the memoriall concerning the Colledge referred to this morning be further put off till the afternoone.

Ordered y^t y^e matter of y^e informaçon concerning M^r *Rooke* be taken into further consideraçon in the afternoone.

A byll against Divulgers of false newes.

A byll punishing offenders for defameing the Gouver^{rs} Councillors & other princip^l officers.

A byll regulateing Ordinary keepers.

A byll declareing how long servants shall serve coming in wthout Indenture

A byll prohibiting Masters dealeing with their Servants.

A byll prohibiting Masters cruelty to their Servants.

A byll against Runawayes & laying a penalty upon those y^t shall entertain them.

A byll declareing Negroes *Moores* Molattoes & Indians Slaves.

A byll to prevent the infurrections of Negroes & for suppressing outlaying Slaues.

A byll for the more Speedy profecution of Slaues comitting Capitall Crimes.

A byll forbiding tobacco planting after y^e laft of *June* & prohibiting the tending of Seconds or Slips.

A byll declareing how those y^t take up stray horses & cattle boates & shall publish y^e Same.

A byll allowing land for erecting grift mills & fulling mills.

A byll against exacting Millers.

A byll against hog stealeing.

A byll concerning y^e granting of passes to persons departing y^e Country.

A byll ascertaining the Secretaryes fees. and

A byll for Naturallization. were severally read y^e 2^d time & after amendm^{ts} made in the byll punishing offenders for defameing the Govern^{rs} Councillors & other principall officers, an additionall claufe to the byll to prevent y^e infurrections of Negroes & c^c & amendm^{ts} to the byll against hog stealeing and the byll ascertaining the Secretaryes fees wth an alteraçon of its title

Resolved y^t each of the f^d bylls be ingrossed & read a 3^d time, and y^t y^e severall bylls wherein amendm^{ts} are made be ingrossed with the amendm^{ts}

Coll: *W^m ffitz-hugh* from the Committee for Revifall of y^e Lawes Reported y^t y^e f^d Committee had prepared divers bylls w^{ch} he delivered in at y^e table, and they being.

A byll for pieces of eight to pafs for five Shillinge
 A byll for y^e better Supply of y^e Country with Armes, Amunition & farniture.
 A byll giving a reward for killing of Wolues.
 A byll restraining the impreffing of timber boates &^c
 A byll for Raifeing a publicke Revenue for y^e better fupport of y^e Governm^t
 A byll for Collectors fees.

A byll forbiding *Maryland* Veffells trading into this Country without making due entry, & a byll concerning Indians, were feverally read the firft time, and after amendments made in the byll, for pieces of eight to pafs for five Shillinge & y^e byll restraining the impreffing of timber boates &^c
Refolued y^t each of y^e f^d bylls be read a 2^d time.

M^r *John Cufdis* acquainting the houfe that he had receiued an acco^t of his wife & families being very Sicke, & moveing the houfe for leaue to vifit them. Leaue was given accordingly.

And then the houfe adjourned till two a clock afternoone.

Post Meridiem.

THE houfe according to the order of the morning takeing into confideraçon the matter of M^r *Kemps* informaçon concerning divers abufes offered him by *Thomas Rooke*.

Ordered y^t M^r *Speaker* iffue out his warrant directed to the meffinger attending this houfe forthwth to take the S^d *Thomas Rooke* into his Cuftody there to remain untill he fhall receive further order from the houfe.

M^r *Randolph* from the perfons apointed to prepare an addres to his Exc^v for the taking off y^e reftraint laid upon Surveyo^{rs} concerning Land on the South Side *Black Water* Swamp reported that they had prepared an addres accordingly which he read in his place & then delivered it in at the table where being again read as followeth.

To his Exc^v S^r Edm^d Andros Kn^t their Maj^{ty} Lieu^t & Govern^r Gen^{ll} of Virg^a

The humble addres of y^e houfe of Burgeffes.

May it please your Excellencie.

It having been prefented to this houfe as a Grievance that the Inhabitants of this Country are hindred from taking up and patenting the lands lying on y^e South Side of the *Blackwater* Swamp occationed by an order of the Gen^{ll} Court bearing date y^e 16th of *Aprill* Anno 1690. whereby the Surveyo^{rs} are reftrained from Surveying any land there, which reftraint were it taken off would (as is humbly conceiued) much increafe & augment their Maj^{ty} Revenue of y^e Quit rents and encourage the Seating of thofe Southern parts of this their Maj^{ty} Governm^t to the great benefit of the fame & Satisfaction to the Inhabitants thereof.

This houfe doth therefore humbly fubmit the confideraçon thereof to yo^r Exc^v and pray that y^e f^d reftraint on y^e Surveyo^{rs} may be taken off and the Inhabitants permitted to enter for & take up any of the f^d Lands, and likewise any the Lands in *Pamunkey Necke*, as in other parts of *Virg^a* was aproued.

Ordered y^t the f^d addres be fairly tranfcribed & that M^r *Randolph*, M^r *Taylor*, M^r *Eps*, M^r *Bland*, M^r *Swan*. M^r *Baker*. & M^r *Story* carry the fame to his Exc^v.

Then according to order y^e houfe proceeded in the confideraçon of y^e remaining part of y^e Memoriall of the Govern^{rs} of y^e Colledge & upon confideraçon of a propoficōn therein contained, that an Act of Affembly be paffed for exempting the Mafters, Schollars, Artificers & workmen to be employed about the Colledge from Levies, fometime being fpent in debate thereof.

The Queftion was put whether the houfe will agree y^t a byll be drawn. according to y^e f^d propoficōn. And it paffed in the Negatiue.

Then

Then upon consideraçon of another propofición in the 1^d Memoriall, y^t for a fund to the Colledge an Imposition of 7 ½ p Cent might be laid on all Skins & fures exported out of this Collony.

Resolved y^t a byll be prepared for laying an Imposition of 7 ½ p C^t upon all Skins & fures to be exported out of this Colony to be wholly appropriated towards the Support & maintenance of the Colledge, and that it be referred to the Co^mittee of Grievances & propofitions to draw the Same

And upon consideraçon of another propofición in the 1^d Memoriall for a further fund out of an Imposition to be laid upon liquo^r after a long time spent in debate about the Same and whether at present there is a necessity of raising a greater fund for y^e erecting & Support of the Colledge, y^e house agreed upon a question to be put in these words.

Whether an Imposition upon Liquo^r Shall be continued.

And the Same being put accordingly it passed in the Negatiue.

Ordered that y^e Co^mittee for publicke Claimes take into consideraçon, the petition of M^r *James Blair*, inspect y^e Severall acco^s of disburfm^s made in the managem^t of the Colledge affaire, the severall papers presented by Coll: *Cole*. to this Assembly relating to monies remitted by him to *England*, pursuant to Order of former Assemblies together with all other papers which concerne y^e Colledge, and lye before the house, and thereupon draw up a Report of what they find necessary for the consideraçon of the house.

Ordered y^t the Co^mittee for Publicke Claimes at some suitable & convenient time take of Coll: *Henry Whiteing* an acco^t of the imposition of 4^d p Gall. in his hands, giving him notice to provide the same that it may with all convenient expedition be laid before the house.

The messenger informing the house that he had taken into his Custody *Thomas Rooke* according to the precept directed to him.

Ordered y^t it be referred to Coll: *ffitz-hugh*, M^r *Edwards* M^r *Leigh*, and Cap^t *Duke* to consider of & draw up & present to the house a state of the matter for which M^r *Rooke* stands now committed, as they shall find it from the Examination of evidence relating thereto, together with a report of their Opinions in what Method the prosecution of him ought to be proceeded in.

A byll for pieces of eight to pass for five shillings.

A byll for y^e better Supply of y^e Country wth Armes, amⁿition & furniture.

A byll giueing reward for killing Wolues.

A byll restraining y^e imprefs of timber boates &c

A byll for raising a publicke revenue for y^e better Support of y^e Governm^t

A byll for Collectors fees.

A byll forbiding *Maryland* Veffells trading into this Country wthout making due entry &

A byll concerning Indians. were severally read y^e 2^d time, and after amendm^s made in the byll restraining the imprefs of timber &c and the byll concerning Indians.

Resolved that each of the 1^d bylls be ingrossed & read a 3^d time, & that the bylls wherein amendm^s are made be ingrossed wth the amendm^s

And then the house adjourned till 9 a clocke to morrow morning.

Wednesday Novemb^r y^e 1st 1693.

A BYLL against Divulgers of false newes read y^e 3^d time & passed.

A byll punishing offenders for defameing the Gover^r Councillo^s & other principal officers read y^e 3^d time & passed.

A byll regulateing Ordinary keepers read y^e 3^d time & passed.

A byll declareing how long Servants, Shall serue coming in wthout Indenture read y^e 3^d time & passed.

A byll prohibiting Masters dealing wth their Serv^s read y^e 3^d time & passed.

A

A byll prohibiting Masters cruelty to their Serv^{ts} read y^e 3^d time & passed.

A byll against Runawayes & laying a penalty upon those that Shall entertaine them, read y^e 3^d time & passed

A byll declareing Negroes, *Moore*s Molattoes, & Indians Slaues read the 3^d time & passed.

A byll to prevent the Infurrections of Negroes & for suppressing outlying Slaves read y^e 3^d time & passed.

A byll for y^e more Speedy profecution of Slaues Comitting Capitall crimes read y^e 3^d time & passed.

A byll forbiding tobacco planting after y^e last of *June* & prohibiting the tending of Seconds or Slips, read y^e 3^d time & passed.

A byll declareing how those that take up stray horses & cattle boates &c shall publish the Same, read y^e 3^d time & passed.

A byll for allowing land for erecting Grift Mills & fulling Mills read y^e 3^d time & passed.

Resolved y^t the title of y^e s^d byll be, *An Act allowing Land for erecting Grift Mills, fulling Mills & Court houses.*

A byll against exacting Millers read y^e 3^d time & passed.

A byll against hog stealing read y^e 3^d time & passed.

A byll concerning the granting of passes to persons departing y^e Country read y^e 3^d time & passed.

A byll ascertaineing the Secretaries Clerks of County Courts, & Clerke of y^e Assemblys fees read y^e 3^d time & passed.

A byll for Naturalization read y^e 3^d time & passed.

A byll for pieces of eight to pass for five Shillings read y^e 3^d time & passed.

A byll for y^e better supply of the Country with armes ammunition & furniture read y^e 3^d time & passed.

A byll giving reward for killing Wolues, read y^e 3^d time & passed.

A byll restraining the imprefs of timber boates &c read y^e 3^d time & passed.

A byll for raising a publicke Revenue for y^e better Support of y^e Governm^t read y^e 3^d time & passed.

A byll for Collectors fees read y^e 3^d time & passed.

A byll forbiding *Maryland* Vessells, trading into this Country wthout making due entry, read y^e 3^d time & passed.

A byll concerning Indians read y^e 3^d time & passed.

Ordered y^t y^e persons appointed to carry to his Exc^v the address for liberty to take up lands on y^e South side of *Blackwater* Swamp &c carry the Severall bylls this day passed to the Councill for their concurrence.

And then the house adjourned till tomorrow Morning 9 a clocke.

Thursday Novemb^r y^e 2^d 1693

COLL: *fitz-hugh* from the persons appointed to examine & state the buiness concerning M^r *Rooke*, Reported that they had accordingly drawn up a Reporte & State of y^e matter as they found it from evidence and the confession of M^r *Rooke* which he read in his place, & then deliuered it in at the table, where being again read, M^r *Rooke* was brought before the house, & heard what he had to offer for his defence or to Extenuate his crime & being wth drawne y^e house tooke y^e matter of y^e s^d report under consideraçon & therein haueing Spent Some time.

Resolved & accordingly ordered that M^r *Thomas Rooke*, for his sever^{ll} abuses to the members of y^e house in gen^{ll} on his bended knees acknowledge his offence, & beg the pardon of the house in Such words. a [as] Shall be appointed and that for the personall abuse given M^r *Kemp* a memb^r of the house, he aske his forgiveness in particular, and that he remaine in the Messingers Custody till further order.

And

And thereupon a Certaine forme being prepared, M^r *Rooke* was again called before the houle, where M^r *Speaker* acquainting him wth y^e resolution of the houle, he submitted thereto and accordingly on his bended knees pronounced & declared the words following having first set his hand to y^e Same.

I *Thomas Rooke* acknowledge y^t on *Sunday* y^e 29th of *October* I did not only greatly abuse M^r *Mathew Kemp* a worthy member of this worp^l houle by divers unbecoming & groffe words & Speeches not fit to be repeated but then also did utter & declare severall expressions against the hono^r of the Members of this houle in gen^l of which haueing now a deep Sence & abhorrence & out of a true & vnfeigned Sorrow and repentance for y^e Same I doe humbly on my bended knees beg the favourable censure of this worshipfull houle & that this houle will be pleased to accept of my hearty contrition & promise for y^e future to behaue my Selve with all due reverence towards the representatiues of this their Maj^{ty} most antient Colony & Dominion. And was then remanded into Custody till further order.

M^r *Randolph* acquainted y^e houle y^t he had been wth Coll. *Whiteing* for his acco^t of y^e imposition of Liquo^{rs} in his hands, to which he had answer from him y^t as yet he had not rec^d y^e Collecto^{rs} severall acco^{ts} concerning y^e Same but as soon as they should be giuen to him he would prepare his acco^t to lay before y^e houle.

And then the houle adjourned till 3 a clock afternoone.

Post Meridiem

A PETITION of M^r *Thomas Rooke* was read & y^e Same containeing an humble submission to y^e Censure of y^e houle and an earnest Supplication for his enlargem^t upon considera^on thereof.

Ordered y^t y^e S^d M^r *Rooke* be discharged out of Custody paying fees.

A Message from his Exc^v by M^r *Sherlocke*

M^r *Speaker*. His Exc^v commands the Immediate attendance of this houle upon him in the Councill Chamber, and accordingly the houle went to attend his Exc^v and they being returned, M^r *Speaker* haueing acquainted the houle according to the best of his remembrance with the heads & Substance of his Exc^vs Speech.

Resolved that his Exc^v be adrest that he will be pleased to communicate to the houle in writing the Substance of his Speech this day deliuered to them in the Councill Chamber, & favour the houle wth her Maj^{ty}s Letter or a copy thereof relateing to the same.

Ordered that Coll: *ffitz-hugh* M^r *Leigh*, M^r *Park*, M^r *Taylor*, M^r *Edwards* & M^r *Randolph* address his Exc^v accordingly

A message from his Exc^v in Councill was brought into the houle by M^r *Sherlocke* & the Same being an answer to y^e address of the houle of y^e 31th of *October* for liberty to take up lands on y^e South Side *Blackwater* & *pamunkey necke* was read as followeth. M^r *Speaker*.

For answer to y^e houle of Burgeffes their address of of y^e 31th of *October* last praying liberty y^t the Inhabitants may be permitted to take up lands on the South side of *Blackwater* & in *pamunkey Necke* with y^e advice of y^e Councill I think it necessary to remind you, that their Maj^{ty} having by their Royall Charter granted to the Colledge ten thousand Acres of Land on *Blackwater* & y^e like quantity in *pamunkey necke*, those Lands ought to be first laid out & then further direction will be given therein

By his Excellencies Command in Councill

Novemb^r 2^d 1693

James Sherlocke Cl G: Assembly

A Message from y^e Councill by M^r *Sherlocke*

M^r *Speaker*. I am commanded by y^e Councill to returne you these bylls with their amendm^{ts} & they being

A byll for Churches & Chappels

A byll for laying Glebes out in each Parish & for ascertainment y^e Minist^{rs} Sallery.

A byll Showing how Ministers must be qualified & by whome inducted.
 A byll appointing the Liturgy to be read
 A byll appointing Ministers to preach weekly & duely to administer y^e Sacram^{ts}
 A byll for y^e effectually suppressing the prophanacon of the *Sabaoth* day &
 A byll appointing Vestries.
 A byll appointing the Church Wardens to keep y^e Church in repair &
 A byll appointing Registers to be kept by y^e Ministers or readers in each P^{ar}ish.
 A byll prohibiting private burials.
 A byll appointing Marriages to be made by Ministers only & to be authorized
 either by Lycence, or publishing the banes.
 A byll declaring how Lycences for Marriage shall issue.
 A byll prohibiting Servants Marriages without consent of their Masters.
 A byll against fornication, and
 A byll declaring that baptism of Slaues does not. manumit or set y^m free.
 the severall amendm^{ts} thereto were read & ordered to be taken into consideration to
 morrow morning.
 And then the house adjourned till to morrow morning 9 a clocke.

Friday Novemb^r y^e 3^d 1693.

MR Daniell of St Thomas Jenifer having by his letter signified y^t he is very sicke
 & therein desiring leaue to go home for recovery of his health. Leauē was
 given accordingly.

Then according to order the house entered into y^e consideration of
 severall amendm^{ts} proposed to be made in divers bylls yesterday returned from the
 Councill.

And the byll intituled *an Act for building Churches & Chappels* being returned
 agreed to wth y^e proposition of Severall amendm^{ts} & two new clauses to be inserted therein
 after y^e S^d amendm^{ts} & clauses were read one of y^e f^d clauses & amendm^{ts} were agreed
 to by the house & accordingly inserted, but y^e other clause was disagreed to, whereupon
 a clause being drawn up at the table in the room thereof as y^e house could agree.

Ordered y^t y^e S^d clause be carryed to y^e Councill wth the byll & their hono^{rs} desired
 to concur wth the house in y^e Same.

A byll intituled *an Act for y^e laying out of Glebes in each pish & for ascertaineing y^e
 Ministers Sallery* returned from y^e Councill agreed to wth amendm^{ts} after y^e S^d amendm^{ts}
 were read part thereof being agreed to & part disagreed to.

Resolved that a conference be held with the Councill concerning the amendm^{ts}
 proposed to y^e S^d byll & not agreed to by the house.

A byll intituled *an Act showing how Ministers must be qualified & by whome inducted*
 returned from y^e Councill agreed to wth y^e proposition of amendm^{ts} after y^e S^d amendm^{ts}
 were read, y^e Same were agreed to by y^e house & y^e amendm^{ts} accordingly inserted in
 the byll.

A by [bill] intituled *an Act appointing y^e Litury [Liturgy] to be read*, being returned
 from y^e Councill wth y^e proposition of amendm^{ts}, after y^e S^d amendm^{ts} was read y^e same
 was agreed to by y^e house & accordingly inserted in the byll.

A byll intituled *an Act appointing Ministers to preach weekly and duely to administer
 y^e Sacram^{ts}* being returned from y^e Councill agreed to with y^e proposition of amendm^{ts},
 after y^e S^d amendm^{ts} were read, y^e Same were agreed to by the house & accordingly
 inserted in y^e byll.

A byll intituled *an Act for y^e effectually Suppressing y^e prophanacon of the Sabaoth
 day curseing Swering & drunkenness* being returned from the Councill wth y^e proposicon
 of amendm^{ts} to be made in the title & body of y^e f^d byll, after y^e S^d amendm^{ts} were read
 y^e Same were agreed to by the house & accordingly inserted.

A byll intituled *an Act appointing Vestries* being returned from y^e Councill agreed to with y^e proposi^on of amendm^{ts} to be made therein & two claufes to be added thereto after y^e S^d amendm^{ts} & claufes were read the Same were agreed to by the houfe & inferted & added to y^e byll accordingly.

A byll intituled *an Act appointing Church Wardens to keep y^e Church in repair & to provide bookes & Ornaments for y^e same* being returned from the Councill agreed to wth y^e proposi^on of Severall amendm^{ts} to be made therein, after y^e S^d amendm^{ts} were read, & part thereof were agreed to, & part difagreed to.

Resolved y^t a conference be held wth y^e Councill concerning y^e amendm^{ts} propofed in y^e S^d byll difagreed to by y^e houfe

And then y^e houfe adjourned till 3 a clocke afternoone.

Post Meridiem

A BYLL appointing Regifters to be kept by y^e Minifters or Readers in each parifh being returned from the Councill agreed to wth y^e amendm^{ts} after y^e S^d amendm^{ts} were read & difagreed to.

Resolved y^t a conference be held wth the Councill about y^e Same.

A meffage from his Exc^v by M^r Sherlocke.

M^r *Speaker* I am com^{an}ded by his Exc^v to deliver you a copy of his Exc^{vs} Speech yefterday, her Maj^{ty} letter, & a letter from y^e Govern^r of *New Yorke* together wth an acco^t of Capt. *Caryes* proceedings & y^e S^d papers being rec^d were laid upon the table.

A byll prohibiting private burials being returned from the Councill agreed to wth y^e proposi^on of divers amendm^{ts} to be made therein after y^e S^d amendm^{ts} were feverally read, y^e Same were difagreed to by y^e houfe.

A byll intituled *an Act appointing Marriages to be made by minifters only & to be authorifed either by Lycence or publishing the banes* being returned from y^e Councill agreed to with y^e proposi^on of feverall amendm^{ts} to be made both in the title & body of y^e S^d byll, after y^e S^d amendm^{ts} were read, the Same were agreed to by the houfe & inferted in the byll & title accordingly.

A byll Intituled *an Act declareing how Lycences for Marriages fhall iffue*, being returned from the Councill agreed to wth the proposi^on of amendm^{ts} & a new claufe to be added thereto after y^e S^d amendm^{ts} & claufe were Severally read, the Same were agreed to by the houfe and inferted & added to the byll accordingly.

A byll intituled *an Act prohibiting Servants Marriages without confent of their Mafters* being returned from the Councill agreed to, with the proposi^on of amendm^{ts} after y^e S^d amendm^{ts} were read, the Same were agreed to by the houfe, and y^e byll accordingly amended.

A byll intituled *an Act againft ffornication* being returned from y^e Councill agreed to wth y^e proposi^on of divers amendm^{ts} to be made thereto, after the S^d amendm^{ts} were read, the Same were agreed to by the houfe & inferted in the byll accordingly.

A byll intituled *an Act declareing that baptifm of Slaues does not manumit or fet them free*, returned from the Councill agreed to without amendm^{ts}

Ordered y^t y^e Co^mittee for Revifall of y^e Lawes wait upon the Councill, & acquaint them how far this houfe haue agreed to y^e feverall amendm^{ts} propofed by their hono^{rs} to be made in the bylls they Yefterday returned to y^e houfe.

Ordered y^t y^e S^d Co^mittee defire an I^mmediate conference wth the Councill upon thofe feverall amendm^{ts} propofed by their Hono^{rs} to which this houfe haue this day difagreed, according to y^e refoluc^ons of the houfe, and that they be impowered to confere & agree about y^e Same, with their hono^{rs} as they fhall fee convenient.

A motion being made by a Member of y^e houfe for leaue to Cap^t *Story* being very Sicke & weake to go home for recouery of his health. Leave was given accordingly.

And then the houfe adjourned till tomorrow morning 9 a clock.

Saturday

Saturday November the 4th 1693

THE house met & adjourned till *Munday* Morning ten a clocke.

Munday Novemb^r 6th 1693

MR *Randolph* from the Committee for publicke Claimes Reported that the 1^d Committee had considered of the Severall matters of Claime to them referred & therein agreed upon divers resolutions, which according to the practice of preceeding Assemblies they had entered in a booke, & directed him to present it to the house as y^e Report of the S^d Committee, and he further Reported that the Said Committee had according to order taken under their Seriovs consideraçon, severall acco^t of disburfm^t made by the Reverend M^r *James Blayr* in the managment of y^e Colledge affaire together with the petition of the S^d M^r *Blair* for his allowance for his trouble & Service, & there upon drawn a report, w^{ch} he deliuered in at y^e table.

Ordered that the S^d booke & reporte lye upon the table.

Coll: *ffitz-hugh* from the Committee for Revifall of y^e Lawes Reported that having according to order acquainted the Co^mitt with those Severall amendm^ts propofed by their Hono^rs to sev^l bylls which the house had agreed to, they desired & held a conference about the amendm^ts w^{ch} were referred to a conference, and then acquainting the house with the Severall passages of the said conference, Certain amendm^ts concluded upon at the S^d conference to be made in the byll appointing Church Wardens to keep y^e Church in Repaire &^c and in the byll appointing Registers to be kept by the Ministers or Readers in each parish were agreed to by the house & accordingly entered in the respective bylls but a debate arising concerning the amendments propofed to y^e byll for building Churches & Chappels & the byll for laying out Glebes in each Bⁱsh &^c after several questions put & directions agreed upon to be given concerning amendm^ts to y^e S^d byll.

Resolved y^t the 1^d Committee for Revifall of y^e Lawes doe forthwth withdraw & hold a further conference touching amendm^ts to the 1^d bylls.

And then the house adjourned till tomorrow morning eight a clocke.

Tuesday November y^e 7th 1693.

COLL. *ffitz-hugh* from y^e conference wth y^e Councill about y^e amendm^ts propofed to y^e byll for building Churches & Chappels & y^e byll for laying out Glebes in each parish &^c having reported the severall passages of y^e S^d conference, together wth an acco^t of y^e amendm^ts the Councill finally adhered to upon consideraçon & debate of y^e Same, y^e house agreed with the Councill & accordingly made the respectiue amendm^ts in y^e respectiue bylls.

Ordered that y^e managers of the conference forthwth carry the Said two bylls as amended to y^e Councill for their perufall of the Same being done according to their agreement at y^e conference.

A Message from the Councill by M^r *Sherlocke*.

M^r *Speaker*. I am com^danded by their Maj^{ty} Councill, to deliver this written Message & y^e same being a Message relateing to the Votes of this house concerning ports & Bulke tobacco was rec^d & laid upon y^e table, & after some time spent in debate of other matters read as followeth.

By the Councill.

M^r *Speaker* & *Gent of the house of Burgeses*.

His Exc^v having upon y^e receipt of his Maj^{ty} Com^dands relating to ports &^c prohibition of bulke tobacco &^c been pleased to lay y^e same before us, w^{ch} likewise in his speech

at

at y^e opening of this Affembly. he represented to your house & having on y^e 31th of *October* last received your addres relating thereto, he was likewise pleased to communicate the same to us, which we have duely weighed & considered & upon y^e whole matter have thought it our duety to remind you that y^e Generall assembly in the year 1691 framed & passed one Law intituled *an Act for Ports &c* which they conceived conduced to y^e intrest of the Country in Generall & in order that y^e Same might be confirmed by their Maj^{ty} made a particular addres therein, upon w^{ch} his Maj^{ty} tooke y^e Same under his consideraçon & finding it of aduantage to y^e Country was graciously pleased to recomend the consideraçon thereof to Severall of his Ministers & officers the Comissioners of their Maj^{ty} Customs & the Lords of y^e Treafury, Persons well experienced in Such affaires, who reported y^t y^e building of Towns and setting out ports & places for Shipping & landing &c is fit to be encouragd but y^t there were in y^e S^d Act severall clauses unreasonable, upon w^{ch} his Majesty gaue his directions y^t y^e S^d law might againe be taken into consideraçon by the Councill & Assembly of this Colony, in Order to y^e framing of it in some meafure agreeable to w^t is proposed in the Report of the said Comissioners of y^e Customs, we are now to acquaint you that your answer to y^t part of his Exc^o Speech is Somewhat Surprifeing, Seeing his Maj^{ty} was so favourable to approve of all necessary in y^e Said Act, & only direct the modelling thereof anew, in some particulars which the Country in gen^l conceived would proue burthensome *Viz'* the leaving out y^t clause about buying & selling at y^e S^d ports, which your house make one of y^e reasons for making no further progress therein & y^e imoderate imposition upon ffurres &c which in effect would have proued a direct prohibition of their exportaçon, there has been already a great time & much expence exhausted in endeavoring a law for ports &c in this present & other former Sessions of Assembly, w^{ch} neuer yet had y^e like face & appearance of Succeeding well, the laying therefore of so considerable a byll as that for Ports (considering his Maj^{ty} favour therein) so abruptly aside, would be y^t which was never yet done in any of their Maj^{ty} Dominions whatsoever, & in probability will defeat us of the kindness intended by his Maj^{ty} who at the intercession of y^e Country hath condescended to all needfull therein, & in your answer of *May* y^e 11th 1688. to part of a Speech made by the L^d *Howard*, you have declared y^t y^e Secret & unlawfull exportaçon of bulke & other tobacco out of this Country can never by any Law be effectually prevented except certain ports & places of landing & Shipping off all goods in this Country were appointed, where the officers of their Maj^{ty} Customs might attend & would be able to prevent such frauds, by which it appears to us that ports were strenuously endeavoured for, & then a prohibition of bulke tobacco would easily have been agreed to, could meanes have been prescribed for detecting the frauds committed therein, amongst other your reasons in your answer to y^t part of his Exc^o Speech relating to y^e prohibition of bulke tobacco, you say that y^e passing of Such an Act would be inconvenient to their Maj^{ty} Intereft in w^{ch} wee can noe way agree, for that his Maj^{ty} as we conceived is the most competent Judge of his owne Intereft & y^t Such prohibition would proue prejudiciall to this Country we likewise differ in, for that y^e exportaçon of bulke tobacco is y^e Surest means & occasion of y^e low Value of all other tobaccos, Such exporters vending comonly at a cheaper rate then is paid by fair traders for the custome of other tobaccos: But further you are now upon the Revifall of the body of the Lawes and passing some new, and when they are fully finished designe to addres his Maj^{ty} for the confirmaçon of them which will be hard to expect seeing what his Maj^{ty} has been pleased to recomend, meets wth no better success in yo^r house then to be totally disapproved of, for w^{ch} reasons we conceiue it absolutely necessary that you take y^e S^d Act for ports &c & the proposicon relating to y^e prohibition of the exportaçon of bulke tobacco into yo^r further consideraçon.

Dated 6th *November* 1693.

Signed by order of y^e Councill

James Sherlocke Cl. G: Assembly

Then a debate arising whether the S^d Message should be taken under immediate consideraçon or referred to another time.

Resolved

Resolved y^e y^e said message be taken under present consideration, whereupon the Same being accordingly taken into consideration, after some time Spent in debate y^e Question being put, whether the house will adhere to their former votes relating to ports & bulke tobacco made this Session of Assembly. *Resolved* in y^e affirmatiue.

And then the house adjourned till two a clocke afternoone.

Post Meridiem

HIS Excellencies Speech of y^e Second instant being read in these words.
M^r Speaker & Gentlemen of the house of Burgeffes.

Having in *Aprill* last rec^d her Maj^{ty}s comands of y^e 11th of *October* upon application of y^e Governo^{rs} of *New Yorke* including this Colony to assist *New Yorke* against the attempts of y^e french & Indians in money or other waies as the condition of this Governm^t would permit & as soone as conveniently could be to agree wth the Governo^{rs} of *New England, Maryland & Pensylvania* upon a Quota of men or other assistance to be given by each Colony or province for the defence of *New Yorke* as occasion may require, of which to giue a speedy acco^t to y^e end such further orders may be giuen as shall be necessary for Security of *Albany* & province of *New Yorke* & also rec^d letters from y^e Govern^t of *New Yorke* representing the dangers they were in & insupportable charge of y^e present warr desiring present assistance, as directed by her Maj^{ty} I did without delay by aduice in Councill order & giue a Warrant to M^r Auditor *Byrd* for 600^{bs} *New Yorke* money to be forthwith advanced & transmitted to to the Govern^{rs} of *New Yorke* for their Maj^{ty}s S^d Service there & upon farther application from *New Yorke* & aduice in Councill deputed Cap^t *Miles Cary* to *New Yorke* for adjusting a Quota as comanded, who now returned (& I only waited) gives an acco^t that some other Comissioners not meeting they could not proceed therein, but brings letters from y^e Govern^t of *New Yorke* againe representing their dangers & for fuitable assistance I doe by aduice of the Councill desire yo^r present due consideration thereof being of so great import to their Maj^{ty}s Service & this their Colony & Dominion not to be wanting in w^t may be necessary accordingly together wth their Maj^{ty}s Letter, a Letter from y^e Govern^t of *New Yorke* an acco^t of M^r *Caryes* proceedings & an estimate of y^e annuall charge for y^e defence of *Albany* & Secureing the Indians & adjacent Colonies from y^e attempts of the french, after some debate & proposiçons concerning an answer to y^e Same.

Ordered y^e it be referred to y^e Comittee of Grievances & proposiçons to whome is added Cap^t *W^m Randolph* to take the Subject matter of y^e S^d Speech Letters & papers under speedy consideration, together wth y^e present condition of this Country as it respects the same & thereupon to prepare a fuitable addres to his Exc^v for answer.

Ordered y^e y^e booke of reports of y^e Comittee for publicke Claimes be taken into consideration tomorrow morning.

And then the house adjourned 'till tomorrow morning 9 a clocke.

Wednesday Novemb^r y^e 8th 1693

COLL: *fitz-hugh* from the Comittee appointed to prepare an addres in answer to his Exc^vs Speech of y^e 2^d instant reported y^e according to order, the said Comittee had considered of y^e S^d Speech together with the Several other papers therewth referred & thereupon drawn up an addres w^{ch} he read in his place, & then deliuered it in at y^e table, where being again read in these words.

To his Excellencie

The humble addres of the house of Burgeffes.

May it please your Excellencie.

Your Exc^v being pleased on 2^d instant in your Speech to this house to recommend y^e consideration of her Maj^{ty}s letter bearing date at *Whitehall October y^e 11th 1693* wherein
 is

is contained that it has been represented to her Maj^{ty} in Council in y^e behalf of *New Yorke* that the same has been at great expence for y^e preferuacon & defence of *Albany* its frontiers ag^t y^e french (by the losse of w^{ch} province y^e Inhabitants of this Governm^t would not be able to live but in Garrisons) and having hitherto preferred that post the burthen thereby is now intollerable to the Inhabitants there, & therefore by her Maj^{ty} thought reasonable & necessary that this with other Governm^{ts} should be aiding & assisting from time to time to y^e Govern^r or Comander in Chief of y^e S^d province of *New Yorke*, in the maintenance & defence of it, during y^e present Warr, and upon application from y^e Govern^r or Comd^r in Chief thereof. Immediately to send such aid & assistance in men & otherwaies for y^e Security of y^e S^d province from y^e attempts of y^e french & Indians, as the Condition of this & other Governm^{ts} shall permitt & as soone as conveniently may be to agree wth other Governm^{ts} upon a Quota of men or other assistance to be given by each Colony or province for y^e defence of *New Yorke* as occasion may require.

This house humbly beg leave to acquaint your Exc^y y^t they will upon all occasions be ready with their utmost abilities to performe their duties to their Maj^{ty} in y^e defence & preferuacon of their Dominions & upon all other occasions w^{ch} foeuer, but are humbly of Opinion y^t y^e affaires of *New Yorke* are not under such hardships & necessities as they are represented & y^t *New Yorke* & *Albany* its frontiers are not y^e bulwarke & defence of this Country for that this Governm^t neuer had any protection from or dependence upon any other place but haue alwaies made it their care as much as in them lay, effectually to provide for their owne defence & are at this instant at great charge & expence in Secureing themselves from the attempts of their Indians & other enemies by keeping Souldiers in continuall pay on the frontiers of the Country & y^e dangers w^{ch} haue hitherto or may in likelyhood threaten y^e Governm^t are conceived Chiefly to proceed from y^e Indians that are in amity wth *New Yorke* and the present state of affairs is such in these difficult times of War, that we are not yet knowing how soon we may be exposed to greater charge by a necessity of raising more forces, w^{ch} may prove insupportable So that we are in no waies capable of assisting *New Yorke* at this Juncture of time either wth men or money

Ordered y^t y^e S^d address lye upon y^e table till afternoone.

Then according to y^e order of yesterday y^e house entred upon consideracon of y^e booke of reportes of y^e Comittee for publicke Claimes & therein having made some progress, y^e remaining part of y^e S^d Reports were referred to be read & considered in y^e afternoone.

A message from y^e Council by M^r *Sherlocke* who brought into the house two bylls *Viz* A byll for continueing the Rang^{rs} at the head of y^e four great Riuers & a byll for y^e encouragem^{ts} of y^e manufacture of Linen together wth a paper of Amendm^{ts} proposed to each.

Ordered that y^e S^d bylls & papers of amendm^{ts} lye upon y^e table, & be taken into consideracon in y^e afternoone.

And then the house adjourned 'till two a clocke afternoone.

Post Meridiem

THE house according to order proceeded in reading the remaining parte of y^e Reports of y^e Comittee for publicke Claimes, & them haueing finished, y^e Same were agreed to by y^e house wth Such alteracon addition & amendm^{ts} as are noted downe in the body & Margent of y^e Said Reportes.

Ordered y^t y^e Comittee for publicke Claimes according to y^e proposicon in their Reports affes three monethes pay for y^e Rangers at the heads of y^e Rivers & annex y^e Same to y^e booke of Reports to y^e end so much may be raised in y^e publicke Levy for this Affembly.

Then

Then A byll continueing the Rangers at the heads of y^e four great Rivers being returned from y^e Councill agreed to, wth y^e propoficōn of amendm^{ts} to be made in y^e title & body of y^e Same, after y^e S^d amendm^{ts} were read, the fame were agreed to by the houle, and accordingly at the table inferted in the byll.

A byll for the encouragem^t of the manufacture of Linen being returned from y^e Councill agreed to, with the propoficon of amendm^{ts} after y^e S^d amendm^{ts} were read, the fame were agreed to by the houle & y^e amendm^{ts} accordingly inferted in y^e byll.

Ordered y^t Coll *ffitz-hugh* & y^e rest of y^e Co^mittee for Revifall of y^e Lawes carry y^e S^d two bylls back to y^e Councill for their perufall y^t y^e Same are amended according to their hono^{rs} propoficōn.

Ordered y^t y^e f^d addres to his Exc^y in anfwer to his Speech of y^e 2^d infant reported in y^e morning be fairly tranfcribed & Signed by y^e Speaker & y^t M^r *Armistead*, M^r *Baffet*, M^r *Barbar*, M^r *Rafcow*, M^r *Cant*, M^r *Lee*, M^r *Waters* & M^r *Swan* present y^e fame to his Exc^y tomorow morning

And then y^e houle adjourned till tomorrow morning nine a clocke.

Thursday Novemb^r the 9th 1693.

COLL *ffitzhugh* from y^e Co^mittee of Grievances & propoficōns Reported y^t the S^d Co^mittee had according to order prepared a byll laying an Imposition upon Skins & fures for y^e better fupport of y^e Colledge of *William & Mary* in *Virg^o* & y^e S^d byll being delivered at y^e table was read y^e firft time.

Resolved y^t y^e S^d byll be read a Second time.

M^r *Edmondson* acquainting the houle y^t he had rec^d acco^t of his families being dangerously Sicke & defireing leave to visit them.

Leave was giuen accordingly.

A meffage from y^e Councill by M^r *Sherlocke* who brought into y^e houle & delivered at y^e table eight bylls wth a paper of amendm^{ts} which were taken under im^mediate confidera^tion.

A byll intituled *an Act appointing y^e method of holding Courts* being returned from y^e Councill wth y^e propoficōn of Certain amendm^{ts} to be made therein, after y^e S^d amendm^{ts} were read, y^e Same were agreed to by the houle & inferted in y^e byll accordingly.

A byll intituled *an Act appointing the Courts to provid law bookes* was returned from y^e Councill not affented to.

A byll intituled *an Act proportioning the iffueing of Writs* being returned from y^e Councill agreed to wth y^e propofition of amendm^{ts} after the S^d amendm^{ts} was read, y^e Same was agreed to by y^e houle & the byll accordingly amended.

A byll intituled *an Act afcertaining y^e time for filing declaracōns in the gen^l Courts* being returned from the Councill agreed to wth the propoficōn of amendm^{ts} to be made therein & a claufe to be added thereto after y^e f^d amendm^{ts} & claufe were read, the Same were agreed to by the houle, and the amendm^{ts} & claufe accordingly inferted & added to y^e byll.

A byll intituled *an Act appointing adjournm^{ts} in the gen^l Court to y^e two laft daies of y^e Court for referrences* & was returned from y^e Councill not affented to.

A byll intituled *an Act how & where Criminalls fhall be tried* being returned from y^e Councill wth y^e propoficōn of amendm^{ts} & a new claufe, after the S^d amendm^{ts} & claufe were read, the Same were agreed to by y^e houle, & the amendm^{ts} & claufe inferted & added accordingly.

A byll intituled *an Act declareing how appeals fhall be made* being returned from y^e Councill agreed to wth y^e propoficōn of amendm^{ts} and two new claufes, after y^e S^d amendm^{ts} & claufes were read, the Same were agreed to by the houle & the amendm^{ts} & claufes inferted & added to y^e bylls accordingly.

A byll intituled *an Act appointing the Value each Court shall have jurisdiction of*, being returned from y^e Councill wth y^e propofition of amendm^{ts} to be made therein, after y^e S^d amendm^{ts} were read y^e Same were agreed to by y^e houle, & inferted in y^e byll accordingly.

Ordered y^e y^e Co^mittee for Revifall of y^e Lawes forthwth carry to y^e Councill the Severall bylls returned this day wth y^e propofition of Amendm^{ts} for their Satisfaction y^e y^e Severall amendm^{ts} are agreed to by the houle & inferted in the bylls.

And then y^e houle adjourned till two a clocke afternoone.

Post Meridiem

THE Clerke haueing according to order prefented a byll afcertaining the place for erecting the Colledge of *William & Mary* in *Virg^o* the Same was read y^e firft time. *Resolved* y^e S^d byll be read a 2^d time.

And then the houle adjourned till 9 a clocke to morrow morning.

ffriday Novemb^r y^e 10th 1693

A MESSAGE from y^e Councill by M^r *Sherlocke* in writing & the fame being read as followeth.

By the Councill

M^r Speaker & Gen^t of the houle of Burgefles.

Their Maj^{ties} having com^danded y^e a Quota of men or other affiftance should be given for the defence of *New Yorke* & y^e adjacent Governm^{ts} as occation may require, & his Exc^y having wth the advice of the Councill thought fit to comifionate Cap^t *Miles Cary* for adjusting a Quota as com^danded we do recom^dend to you y^e Service & charges of Cap^t *Cary* for a fuitable allowance for y^e Same.

Signed by order of y^e Councill

Dated y^e 9th of *Novemb^r 1693.*

James Sherlocke Cl G: affembly.

This houle tooke it into Immediate confideracon, & after fome time fpent therein. *Resolved* y^e it be referred, to M^r *Park*, M^r *Edwards*, Cap^t *Randolph* & M^r *Taylor*, to confider of & draw up an addres for answer to y^e S^d meffage according to what hath been propofed & agreed upon in the houle.

M^r *Sherlocke* alfo brought into y^e houle ten bylls returned from y^e Councill wth a paper of amendm^{ts} to the Same & they being

A byll intituled *an Act appointing County Courts.*

A byll intituled *an Act appointing how actions shall be entered at County Courts, & wth time y^e declaracon is to be entered.*

A byll intituled *an Act appointing y^e declaracon & answer to be filed.*

A byll intituled *an Act prohibiting private Courts.*

A byll intituled *an Act appointing all tryalls to be made by Juries.*

A byll intituled *an Act appointing Grand Juries to present offenders.*

A byll intituled *an Act com^danding pillories Stocks, ducking Stooles to be erected in each County.*

A byll intituled *an Act appointing prisons to be built in each County & afcertaining their Rules.*

A byll intituled *an Act for Suppressing of Vagabonds & binding poor Children to trades, and*

A byll intituled *an Act allowing Judgm^{ts} acknowledged before two Justices to be good were rec^d & laid upon y^e table.*

Then the houle takeing notice y^e y^e byll intituled *an Act showing when Subpoenas & Dedimus potestatem shall issue* was not returned wth y^e f^d bylls as expected

Resolved

Resolved & accordingly ordered y^e a meffage be fent to y^e Councill by Coll: *ffitz-hugh*, M^r *Leigh* & M^r *Parke* to acquaint their hono^{rs} y^t this houfe cannot proceed to y^e confidera^{cion} of y^e bylls & amendm^{ts} this day returned into y^e houfe with [out] y^e S^d byll, y^e Same being firft in courfe of y^e whole.

A meffage from his Exc^y by M^r *Sherlocke*.

M^r *Speaker*: His Exc^y comānds the Imēdiate attendance of this houfe upon him in the Gen^l Court houfe.

And accordingly y^e houfe went to attend his Exc^y & being returned M^r *Speaker* acquainted the houfe that his Ex^y was pleaſed to paſs y^e byll intituled *an Act appointing Rangers on the frontiers of y^e four great Rivers*, and the byll intituled *an Act for the encouragement of y^e Manufacture of Linen Cloth* & afterwards to Say that what this houfe has further to offer to him & the Councill, he defires to haue a Speedy difpatch in order to a recefs.

Ordered y^t an addres be forthwth drawn up to acquaint his Exc^y wth w^t this houfe hath further to do, & the Same being prepared accordingly in theſe words
May it pleaſe y^{or} Excellence.

The houfe of Burgeſſes haueing Rec^d y^{or} Exc^{ys} comānds at y^e paſſing of *an Act appointing Rangers on y^e frontiers of y^e four great Riuers* & *an Act for y^e encouragement of the manufacture of Linen Cloth* that they would giue as ſpeedy a difpatch as may be to what they haue further to offer to your Exc^y & Councill in order to a recefs humbly take leaue to acquaint yo^r Exc^y y^t purſuant to yo^r Exc^{ys} Speech at the firſt opening of this Aſſembly they vndertooke y^e Revifall of y^e Lawes & haue accordingly gon thorough wth y^e Revifall & methodicall digeſtion of the whole body thereof & laid the Same before the hono^{ble} Councill Some time ſince for their concurrence, ſome of which being returned y^e reſt are expected, as the Same can be finiſhed by them

And they further humbly acquaint your Exc^y that they haue two bylls now upon the table which haue been once read *Viz* a byll laying an Impoſition upon ſkins & fures for y^e better ſupport of y^e Colledge of *William & Mary* in *Virg^a* and a byll for aſcertaining the place for erecting the Colledge of *William & Mary* in *Virg^a* together wth y^e report of y^e Com^{tee} for publicke Claimes, the w^{ch} being perfected they haue nothing further to offer to yo^r Exc^y but wait your comānds.

Ordered y^t y^e S^d addres be ſpoken & deliuered by M^r *Speaker* before his Exc^y attended wth the whole houfe.

A meffage to his Exc^y by M^r *Taylor*, M^r *Randolph*, M^r *Duke* & M^r *Waters* to know his Exc^{ys} pleaſure when the houfe ſhall wait upon him in order to what he was pleaſed to giue the houfe in charge this morning, and they being returned. M^r *Taylor* acquainted the houfe that his Exc^y was pleaſed to ſay he would ſend word ſometime in y^e afternoone.

And then the houfe adjourned till one a clocke afternoone.

Poſt Meridieſm

A MESSAGE from his Exc^y by M^r *Sherlocke*.

M^r *Speaker* His Exc^y rec^d a meffage from y^e houfe by Cap^t *Taylor* in the morning to know when & where the houfe ſhould wait upon him he hath ſent me to acquaint this houfe, that he will be ready to receiue them at three a clocke in the Councill Chamber.

M^r *Randolph* Reported y^t he had rec^d of Coll: *Henry Whiteing* his acco^t of the Impoſicōn on Liquo^{rs} w^{ch} he deliuered in at y^e table.

Ordered y^t y^e S^d acco^t lye upon y^e table.

Then purſuant to his Exc^{ys} meffage by M^r *Sherlocke* the houfe went to attend his Exc^y in the Councill Chamber & being returned M^r *Speaker* acquainted the houfe that he having deliuered before his Exc^y what he had in direction from y^e houfe, his Exc^y was pleaſed to the beſt of his Remembrance to Speake to this effect.

That

That he had regard to Gen^l Affsemblies & to the house of Burgeffes y^t we had mentioned the Revifall of y^e Lawes as one of y^e parts of what he had offered to us at y^e opening of the Affsembly & indeed we had offered to y^e Councill Severall bylls or rather tranfcripts of the old laws wthout any or very litle amendm^{ts}, but y^t y^e Councill had taken great pains & care in fuch as came fo from us even day & night & would take care & pains therein.

That we had offerred fomething in or among thofe bylls w^{ch} had caufed y^e Councill to be at fome ftop, that he knew not, when it would be done, & how it might be rec^d in *England* when it was done.

That we had not fo well taken care of thofe things recomended to us by their Maj^{ty} altho of y^t nature as we had for many years been beging of them & now when they are gracioufly pleafed to grant y^e effect of our defires, we refufe to accept it, & that their Maj^{ty} had not duly conceded to us but had ingaged in the confideraçon of it their chief Minifters of State who had alfo approued thereof to be a thing of great advantage to us & referred us to the confideraçon of our laft paper.

Then a debate arifeing concerning the Subject matter of y^e Same after Sometime fpent therein.

Refolued y^t an addres be prepared for anfwer by Coll *ffitz-hugh* M^r *Parke*, M^r *Edwards* & M^r *Leigh* & prefented to y^e houfe tomorrow morning.

M^r *Thompson* acquainting y^e houfe y^t he had extraordinary occation to go out of Towne & defiring leaue. Leaue was given accordingly.

Ordered y^t he give his attendance at y^e Sitting of y^e houfe on *Munday* morning next.

Ordered y^t no Member go out of Town before y^e rifeing of y^e houfe tomorrow morning and y^t whatfoeuer Member Shall at y^e time appointed for the houfe to meet on *Munday* morning be abfent from y^e Service of y^e houfe, he fhall be forthwith fent for in cuftody of y^e Mefenger & be liable to the cenfure of the houfe.

And then y^e houfe adjourned till tomorrow morning 9 a clocke.

Saturday November y^e 11th 1693.

A BYLL afcertaining the place for erecting the Colledge of *William* and *Mary* in *Virg^o* read y^e 2^d time.

Ordered y^t y^e S^d byll be ingroffed & read a 3^d time.

A byll laying an Impoficõn upon skins & ffurres for y^e better fupport of y^e Colledge of *William* & *Mary* in *Virg^o* read y^e 2^d time & after Some amendm^{ts} made at y^e table in y^e Same & twice read.

Ordered y^t y^e S^d byll wth y^e amendm^{ts} be ingroffed & read a 3^d time.

Coll *ffitz-hugh* from y^e Comittee appointed to prepare an anfwer to his Exc^{ys} Speech yefterday Reported that y^e S^d Comittee had accordingly prepared the fame, which he read in his place & then deliuerd it in at y^e table, where being again read as followeth, *May it please yo^r Excellencie.*

In anfwer to your Speech yefterday the houfe of Burgeffes have according to their duty taken into mature & deliberate confideraçon all the parts of your Exc^{ys} firft Speech & the feverall meffages fince fent, to all w^{ch} they haue humbly returned Such anfwers & made fuch refoluçons, as the State of affaires required from w^{ch} they cannot now recede, & as to that particular of y^e Revifall of y^e Lawes, they proceeded wth all care & diligence till they had gon thorough y^e Same to the generall good as they thought & are yet of Opinion of all the Inhabitants of this Country for whome they are at prefent intrufted. and approued.

Ordered y^t y^e S^d addres be forthwth fairly tranfcribed & that M^r *Ranfom*, M^r *Waters*, M^r *Kemp*, M^r *Lee*, M^r *Armiftead*, M^r *Wafhbourn*, & M^r *Richinfon* carry y^e Same to his Exc^{ys}.

M^r *Edwards* from the Com^{it}tee appointed to prepare an answer to y^e message of y^e Council concerning an allowance to Cap^t *Cary* reported y^t S^d Com^{it}tee had accordingly prepared the Same w^{ch} he read in his place & then deliuered it in at the table where being again read as followeth.

May it please your Honor

The house of Burgeffes haueing under considera^on yo^r message yesterday, wherein yo^r Honor^s are pleased to recom^{en}d y^e considera^on of a fuitable reward to Cap^t *Cary* for his Service in going to *New Yorke* for adjusting a Quota pursuant to y^e Queens com^{an}ds signified in her letter to his Excellencie the 11th of *October* 1692. humbly take leaue to acquaint yo^r Honor^s y^t they are of Opinion y^t Cap^t *Cary* being employed in the S^d Service by his Exc^v upon advice in Council by Virtue of & in Obedience to her Maj^{ty} S^d letter directed to y^e Governo^r only, the charges & reward for y^e same is not a Country charge but ought to be defrayed out of their Maj^{ty}s Revenue appropriated for such uses. and approved.

Ordered y^t the f^d answer be forthwth transcribed & that M^r *Edwards*, M^r *Randolph* & M^r *Taylor* carry y^e Same to y^e Council.

Coll *fitz-hugh* then acquainted y^e house, that he wth the other persons appointed had been wth the Council according to order & acquainted them that y^e byll intituled *an ad Showing when Subpoenas & Dedimus potestatem shall issue* was not returned in course as the house expected, to w^{ch} they received for answer, that it was no mistake but they intended to join that byll to the byll intituled *an Ad showing how a Dedimus potestatem shall issue*, which they had not yet perfected.

And then the house adjourned till two a clocke afternoone.

Post Meridiem

A MESSAGE from the Council by M^r *Sherlocke* in writing being read as followeth.

M^r Speaker and Gent of the house of Burgeffes

On the 6th instant we returned an answer to y^e address of yo^r House made to his Exc^v relating to their Maj^{ty}s com^{an}ds concerning y^e Act for ports & the prohibition of bulke tobacco &c we haue been in long expectac^on & still wait for an answer thereunto.

Signed by order of y^e Council

Dated: 11th *Novemb^r* 1693.

James Sherlocke Cl G: Assembly.

Ordered that y^e f^d message be taken into considera^on on *Munday* next.

A message from the Council by M^r *Sherlocke* in writing being read as follows

By the Council

M^r Speaker & Gent. of the house of Burgeffes.

His Exc^v having laid before us your address in answer to his Speech relating to *New Yorke*, which was grounded on her Maj^{ty}s com^{an}ds, we obserue therein that you are of Opinion, that the affaires thereof are not under such hard Ships & necessities as they are represented, w^{ch} we much admire at w^h her Maj^{ty} has been pleased particularly to represent the Same, being well assured & Satisfied in the State thereof, and further in your S^d address you declare y^t this Governm^t had never any protection from or dependance upon any other place, which likewise seems strange, seeing Coll *Kendall* & Coll: *Littleton* were employed by the Gene^l Assembly as agents thither to Settle & Confirme a peace wth the Indians y^t were & are in amity wth them & in order thereto made application to that Governm^t to be a means to obtain the same, w^{ch} is a plain demonstra^on, that this Country has not been so highly independant, as you seem to make it, tho at y^e Same time we are of Opinion, that *New Yorke* has not so great an influence on the affaires here as they haue represented to their Maj^{ty}s we cannot omit takeing notice y^t you haue made no answer to y^t part of the Govern^r of *New Yorks* letter, wherein he declare y^t the Six hundred pounds of that Country money transmitted in *Aprill* last to that place

was

was the Act of this Governm^t & did purely flow from the Sence of the hardships & necessitities of y^e province & of the benefit this Country receiues from y^e protection the ffrontiers of y^e place contribute here & to keep y^e Indians fteadfast to them & not as paid out of their Maj^{ty}s Revenue Ordered for their assistance all which we again recomēd to yo^r confideraçon & wait in expectaçon of a more Suitable returne to her Maj^{ty}s comānds

Signed by order of the Councill

Dated y^e 11th Novemb^r 1693

James Sherlocke Cl G. Assembly.

Ordered y^e the f^d message be taken into confideraçon on *Munday* next

The petition of *Michael Sherman* Sherrif of *James City* County for an allowance for himself and officers for attending at *James City* two Gen^l Courts & this assembly referred by his Exc^o & Councill to y^e house of Burgesses being read.

Ordered y^e y^e same be taken into confideraçon on *Munday* next

A byll ascertaining the place for erecting y^e Colledge of *W^m & Mary* in *Virg^a* read y^e 3^d time & passd.

A byll laying an Impoficōn upon Skins & fures for y^e better support of the Colledge of *W^m & Mary* in *Virg^a* read y^e 3^d time & passd.

Ordered y^e M^r *Hodges*, M^r *Cant*, M^r *Holliday* & M^r *Swan* carry y^e S^d two Bylls to y^e Councill & pray theire concurrence thereto.

And then y^e house adjourned till *Munday* morning ten a clocke.

Munday Novemb^r 13th 1693

THEN according to order the house tooke into confideraçon the severall matters referred to this day.

And upon confideraçon of the message from y^e Councill on *Saturday* last for an answer to a former message of theirs concerning the Act for Ports & and the prohibition of bulke tobacco of the 6th instant.

Ordered y^e a copy of the Vote of this house made upon confideraçon of y^e S^d message be fairly transcribed by the Clerke & presented to the house with a Suitable preface for answer.

Vpon confideraçon of the message of y^e Councill on *Saturday* last for a further returne then has beene yet made to his Exc^os Speech relateing to *New Yorke*.

Resolved & accordingly ordered that it be referred to y^e Comittee who prepared the answer to his Exc^os Speech relateing to *New Yorke*, to draw up an answer to the S^d message of the Councill & to reporte the same to the house.

Vpon confideraçon of the petition of *Michaell Sherman* Sherrif of *James City* County for an allowance for his & his officers attendance at Gen^l Courts there being no president that euer any Sherrif of *James City* County was allowed by the publicke for such attendance.

Resolved y^e the S^d petition be rejected.

A certain Memoriall Signed by M^r *Peter Heyman* Agent of *Thomas Neale* Esq^r & a Memoriall Signed by *Andrew Hamilton* Postmaster Gen^l relateing to a Post office together wth another paper proposed as y^e forme of a Law for y^e encourageing the erecting of a post office in this Country being severally read after some time spent in confideraçon thereof.

Ordered y^e y^e S^d Memoriall & propoficōn be rejected.

And then y^e house adjourned till three a clocke afternoone

Post Meridiem

THE Clerke according to order presented at y^e table an answer to the message of the Councill of y^e 11th instant, which being read as followeth,
May it please Yo^r Hono^rs

In answer to yo^r hono^rs message on y^e 11th instant wherein you are pleased to say you wait for an answer to a former message of yours relateing to y^e act for Ports, & bulke tobā^o

The

The Houfe of Burgefles humbly take leaue to acquaint yo^r Hono^{rs} that on the 7th instant they tooke y^e S^d meffage under ferious confideraçon & debate & thereupon Refolued y^t they would adhere to their to their former Votes relateing to ports & bulke tobacco made this Affembly from w^{ch} they further informe yō^r Honō^{rs} they cannot now recede, was approued.

Then the houfe tooke into confideraçon diuers allowances to the officers of this affembly, and the fame as agreed upon, annexed to the booke of Reports of the Comittee for publick Claimes.

Coll. *ffitz-hugh* from y^e Co^mittee appointed to prepare an anfwer to y^e Councils meffage relateing to *New Yorke* Reported, y^t y^e S^d Co^mittee had accordingly prepared an anfwer w^{ch} he read in his place & then delivered it in at the table, where being again read, & fome few alteraçōns made therein, the fame was agreed to as followeth.

May it please your Hono^{rs}

Your Hono^{rs} meffage relateing to an addres of this houfe grounded on his Exc^{ys} Speech concerning *New Yorke* came this day wth yo^r Hono^{rs} obfervaçons thereon to be duly confidered by them, who were & now are of Opinion that the affaires of y^t Governm^t are not under fuch hardfhips & neceffities as they were represented to her Maj^{ty} & that what her Maj^{ty} has commanded relateing to that Governm^t flowes purely from what has been represented from that place and that *New Yorke* has not fo great an influence upon this Governm^t as they fet forth, wherein your Honō^{rs} concurre with them, is perfpicuous by our great diftance & y^e interpoſicōn of Severall Governm^{ts}

Yo^r Hono^{rs} are farther pleased to take notice of an affertion from this houfe, that this Governm^t neuer had any defence from or dependance upon any other plantation, in w^{ch} Opinion they yet continue for that altho Coll. *Kendall* Coll: *Littleton* were employed from hence as agents to fettle & confirme a peace with the Indians in amity wth *New Yorke* & in order thereto made application to y^t Governm^t to be a means to obtain the Same, yet neither thefe agents or any other ever moued for money or men from them, and this houfe find that all agencies thither have proved fo ineffectuall that this Country has been as much as euer infefted with thofe Indians wth whome the peace was concluded, & that euer ſince the firft agencie thither this Country has been at an anuall charge, w^{ch} has proved very confiderable in ſome Millions of tobacco to defend & proteçt themfelues from y^e rapines & infolencies of thofe Indians, and notwithstanding all their endeavours many haue been deftroyed. And as to that part of your Hono^{rs} meffage relateing to the Governor of *New Yorkes* letter concerning Six hundred pounds of that Country money tranſmitted thither in Aprill laſt, they humbly take leaue to fay that they conceiue the fame was iffued by his Exc^y out of their Maj^{ty} Revenue here purſuant to y^e Queens comānds to the end their Maj^{ty} affaires in that Governm^t might not Suffer.

Ordered y^t the Clerke fairly tranſcribe y^e two anfwers to y^e Council reported this afternoone & deliver them to Coll: *ffitz-hugh*, M^r *Leigh*, M^r *Edwards*, & M^r *Randolph* to carry to the Council in the morning.

And then the houfe adjourned till tomorrow morning 9 a clocke.

Tuesday Novemb^r the 14th 1693

A MESSAGE from y^e Council by M^r *Sherlocke*, who brought into the houfe four bylls with a paper of amendm^{ts} *viz.*

A byll Showing when Subpoenas & *Dedimus potestatem* fhall iffue.

A byll appointing when & by whome a Superfedees fhall be granted.

A byll for y^e puniſhm^t of evidence not appearing upon Sumōns &

A byll Showing how *Dedimus potestatem* fhall iffue

Ordered y^t y^e S^d bylls & amendm^{ts} lye upon the table.

William Cole Eſq^r haueing preferred to this Affembly a Memoriall concerning 300^l w^{ch} according to the defire of the Affembly in *Aprill* 1692. he rec^d diuers bylls of Exch.

for

for of M^r Treafurer *Hill* & tranfmitted them to M^r *Corbyn* in *London* to be by him rec^d & paid to W^m *Blathwait* Elq^r & M^r *Blayr* in fuch proportion & for fuch ufes as that Affembly directed, & it appearing therein y^e 100^l of the S^d money was paid to y^e S^d M^r *Blathwait* 50^l to M^r *Blair* 52^l: 11^s: 03^d returned in protefted Exch. & y^e refidue either in bylls rec^d or to be rec^d in M^r *Corbyns* hands.

It is therefore *Ordered* y^e the S^d Sume of 52^l: 11^s: 03^d returned protefted wth the damages & cofts thereupon according to law be put to Coll *Hills* acco^t & that he take up the exch: from Coll. *Cole* for his reimburfm^t

And forasmuch as this houfe obferue from the perufall of M^r *Corbyns* letter to Coll *Cole* that he is defirous fome other perfon may be deputed to receiue of him fuch monies or bills as remain in his hands. It is therefore *Resolved* y^e fome perfon be nominated and appointed to demand of the S^d M^r *Gawin Corbyn* all fuch monies or bills of Exch: as fhall be in his hands at the time of y^e demand wth power to difcharge him & to difpofe of the Same according to the order of the Gen^l Affembly.

Then the houfe tooke into confideraçon the Reporte of y^e Co^mittee for publicke Claimes made upon the petition of the Reverend M^r *James Blayr* for an allowance for his profecuteing the bufinefs of a free Schoole and Colledge & after fome time fpent therein.

Ordered that M^r *James Blair* for his great Service in foliciting and obtaining their Maj^{ties} Royall Charter for erecting of a Colledge here, be allowed the Sume of two hundred & fifty pounds *Sterling* & that the S^d Sume be annexed accordingly to y^e booke of Reports of the Co^mittee for publicke Claimes, before the Same be fent to the Councill for Concurrence.

Ordered that the Sume of 360^l *Sterl* be added to the book of reports of the Co^mittee for publicke Claimes to be paid to the L^t *Gouern^r* for fo much advanced by him to M^r *Blayr* on y^e Credit of the Geⁿl^l Affembly.

Ordered that the perfons appointed yefterday to carry the answers of this houfe to y^e Councill's meffages about ports &c & *New Yorke*, carry wth them the book of Reports of the Co^mittee for publicke Claimes, wth the additions made to it in the houfe & defire their Hono^{rs} concurrence thereto.

And then the houfe adjourned till 3 a clocke afternoone.

Post Meridiem.

A BYLL intituled *an Ad appointing County Courts* being Returned from the Councill wth the propofition of amendm^{ts} and two claufes, after the S^d amendm^{ts} & claufes were read, the Same were agreed to by the houfe and accordingly inferted & added to the byll.

A byll intituled *an Ad appointing how adions are to be entred at the County Courts & w^t time the declaraçons is to be entred*, returned from the Councill agreed to without amendm^{ts}

A byll intituled *an Ad appointing the declaraçon & answer to be filed* being returned from y^e Councill wth the propoficon of amendm^{ts} & a new claufe, after y^e S^d amendm^{ts} & claufe were read, y^e Same were agreed to by the houfe, & accordingly inferted & added to y^e byll.

A byll intituled *an Ad prohibiting private Courts* being returned from y^e Councill wth y^e propoficon of amendm^{ts} to be made in the title & body of y^e Same, after y^e S^d amendm^{ts} were read, part thereof were agreed to & inferted & part difagreed to, w^{ch} y^e houfe referred to y^e next conference wth the Councill about amendments.

A byll intituled *an Ad appointing all trials to be by Juries* being returned from the Councill wth the propofition of amendm^{ts} to be made in the title & body of the Same, after the S^d amendm^{ts} were read the fame were agreed to by the houfe, & the amendm^{ts} accordingly inferted in the title & body of y^e S^d byll.

And then the houfe adjourned till 9 a clocke tomorrow morning.

Wednesday

Wednesday Novemb^r the 15th 1693

THE byll intituled *an Act showing when a Dedimus potestatem shall issue*, and the byll showing how a *Dedimus potestatem* shall issue, being Returned from the Councill wth y^e proposi^on of altera^on & amendm^{ts}, after considera^on & debate upon the Subject matter of the f^d altera^on & amendm^{ts} propofed by the Councill & the Subject matter of the S^d two bylls.

Resolved & accordingly *ordered* y^e a conference be desired & held concerning the Same, and that M^r *ffitz-hugh*, M^r *Taylor*, M^r *Leigh*, M^r *Randolph*, M^r *Ring*, M^r *Colston*, M^r *Edwards*, M^r *Buckner*, M^r *Duke*, & M^r *Ranson* be impowered to conferre wth their hono^{rs} accordingly and to agree upon matter from the S^d bylls & amendm^{ts} for the forming of a new byll.

And then the house adjourned till 3 a clocke afternoone.

Post Meridiem.

MR *ffitz-hugh* from a conference held wth the Councill upon the Subject matter of y^e byll intituled *an Act Showing when a Dedimus Potestatem shall issue*, & the byll intituled *an Act showing how a Dedimus potestatem shall issue*, & the Subject matter of the Councills amendm^{ts} propofed thereto haveing reported the passages of y^e f^d conference to y^e house after Some considera^on & debate thereupon.

Resolved that a New byll be prepared for takeing affidavits in y^e Country to be made use of in the gen^l Courts & all other Courts within this Dominion, & that it be referred to the persons who held the conference to draw & report the Same tomorrow morning.

And then the house adjourned till tomorrow morning 9 a clocke.

Thursday Novemb^r the 16th 1693.

ABYLL intituled *an Act ascertaining the place for erecting the Colledge of William & Mary in Virg^a* being returned from y^e Councill agreed to wth amendm^{ts} after y^e f^d amendm^{ts} was read the Same was agreed to by the house & accordingly made in the byll.

A byll intituled *an Act laying an Imposi^on upon Skins & ffurs for the better Support of the Colledge of William & Mary in Virg^a* being returned from the Councill agreed to with the proposi^on for y^e last clause to be left out, after y^e S^d proposition was read, the same was agreed to by the house & the clause accordingly taken out of the byll.

Ordered y^e M^r *Barbar*, M^r *Story*, M^r *Eps*, & M^r *Baker* carry the S^d bylls to the Council for their Satisfaction y^e this house hath agreed to the amendm^{ts} propofed by their Hono^{rs} & made them accordingly in the bylls.

Resolved y^e an addres of thanks be prepared to their Maj^{ty} for their Grace & favour in granting their Royall Charter for the erecting of the Colledge of *William & Mary* in *Virg^a* upon the humble Supplication of this Country.

Ordered y^e Cap^t *Randolph* M^r *Taylor*, M^r *Edwards* & M^r *Leigh* be a Comi^ttee for the drawing of an addres accordingly.

Coll: *ffitz-hugh* from the Comi^ttee appointed to prepare a byll for taking affidavits in y^e Country to be made use of in y^e Gen^l Courts, & all other Courts within this Dominion Reported that the f^d Comi^ttee, had accordingly prepared a byll, which he deliverd at the table & was read y^e first time.

Resolved y^e y^e S^d byll have a second reading.

A byll appointing Grand juries to present offenders being returned from the Council with the y^e proposition of two clauses & certain amendm^{ts} after y^e S^d clauses & amendm^{ts} were read, the house disagreed to all except the amendm^t for the disposition of the fines mentioned in the byll.

Ordered y^e a message be sent to the Council to acquaint their Hon^{rs} y^e the severall clauses & amendm^{ts} proposed by them to the f^d byll being disagreed to except the amendments concerning the disposal of the fines their Hon^{rs} will be pleased to pass y^e S^d byll without any other amendm^t

A byll entituled *an Act commanding pillories Stocks ducking Stooles to be erected in each County*, being returned from y^e Council with y^e proposition of amendm^{ts} in y^e title & body of y^e S^d byll, after y^e Said amendm^{ts} were read, y^e same were agreed to by y^e house & accordingly inserted in y^e title & body of the byll.

M^r *Henry Duke* moving the house for leave to visit his brother who lyes very sicke. Leave was given accordingly.

And then the house adjourned till three a clock afternoone.

Post Meridiem

MR *James Sherlocke* having brought into the house y^e publicke Claimes Sent to the Council for concurrence with a paper of amendm^{ts} proposed to y^e Same in severall articles thereof, the S^d amendm^{ts} were forthwith taken under consideration, & an answer agreed upon in y^e severall parts thereof.

Ordered y^e y^e Clerke draw up the same against tomorrow morning & present it to y^e house.

And then y^e house adjourned till tomorrow morning 9 a clocke.

ffriday Novemb^r the 17th 1693

THE Clerke having according to order presented to y^e house an answer drawn up to y^e Councils written message yesterday Sent with the book of Claimes, y^e Same was read & approved.

Ordered y^e y^e S^d answer be forthwith fairly transcribed & together with the book of Claimes returned to the Council by M^r *Parke*, M^r *Barbar* M^r *Waters* & M^r *Lee*.

And then the house adjourned till three a clocke afternoone.

Post Meridiem.

CAPT *Randolph* from the Committee appointed to prepare an address of thanks to their Maj^{ties} for their Grace & favour in granting their Royall Charter for erecting the Colledge of *William & Mary* Reported y^e the S^d Committee had accordingly prepared an address which he read in his place, and then delivered it at the table, where being againe read, the Same was approved.

A written message to his Exc^{ty} & y^e Council by Cap^t *Randolph*, M^r *Parke*, M^r *Edwards*, M^r *Taylor*, M^r *Leigh*, M^r *Bland*, M^r *Armistead*, M^r *Barbar*, M^r *Ring*, M^r *Eps*, M^r *Colston* & M^r *Cary* as followeth.
May it please yo^r Exc^{ty} & Hon^{rs}

The house of Burgeses having prepared an address of thanks to their Maj^{ties} for their grace & favour in granting their Royall Charter upon the humble supplication of the gen^l Assembly for erecting the Colledge of *William & Mary* in *Virg^o* do humbly lay the same before yo^r Exc^{ty} & Hon^{rs} earnestly Supplicateing that you will be pleased to join with them in having the same presented to their Maj^{ties} or such other as yo^r Exc^{ty} & Hon^{rs} in yo^r great wisdom shall think more suitable for that purpose.

A byll for taking affidavits in the Country to be made use of in the Geñ^l Courts & all other Courts wth in this Dominion, read y^e 2^d time.

Ordered y^t the S^d byll be ingrossed & read a 3^d time.

A meffage from the Councill by M^r *Sherlocke* in writing was read and the Same being an anwser to the meffage of this houfe in the morning about certain articles in the booke of Claimes propofeing Somthings for a finall agreem^t in thofe matters, the houfe concurred with y^e propofition, and accordingly amended & added to the book of Claims.

Ordered y^t y^e S^d book of Claimes as now fetled be forthwith carried by the Co^mittee for publick Claimes to y^e Councill for their concurrence.

The book of publick Claimes returned from y^e Councill agreed to.

A Co^mittee for proportioning the publicke Levy.

Cap^t *William Randolph* Chairman

M^r *W^m Edwards*

M^r *W^m Roscow*

M^r *Richard Bland*

M^r *W^m Leigh*

M^r *Joseph Ring*

Ordered that the f^d Co^mittee ftate y^e acco^t of Coll. *Hill* and Coll: *Henry Whiteing* of y^e monies in their hands, proportioning the sev^l Sums of money allowed this Seflion to be paid as their refpectiue ballances will bear, according as the fame is appointed in the book of publicke claims and report y^e Same with all convenient expedition.

And then the houfe adjourned 'till tomorrow morning ten a clocke.

Saturday Novemb^r the 18th 1693

MR *Randolph* from y^e Co^mittee for proportioning the Levy Reported that y^e f^d Co^mittee had according to order proportioned the publick Levy the fame amounting to one and twenty pounds of tobacco per pöll. And had alfo proportioned the fev^l Sums of money in the hands of Coll: *Edw^d Hill* & Coll *Henry Whiteing* to the sev^l perfons to whome y^e Same are ordered in the book of Claimes, as far as their Sev^l ballances would permitt, & the f^d proportion and acco^t being read were agreed to by the houfe.

Ordered y^t y^e Co^mittee for proportioning the Levy forthwth carry to the Councill the f^d book of proportions & the faid acco^{ts} of Coll: *Hill*, & Coll: *Whiteing* for their Hono^{rs} concurrence thereto.

An engrossed byll entituled *an Ad for Raifeing a publicke Levy to be paid in the year 1694* read y^e 3^d time & paffed.

Ordered y^t y^e f^d byll be with y^e book of proportions & carried to the Councill for concurrence.

The book^s of Proportions of the publick Claimes returned from the Councill affented to.

The byll for Raifeing a publick Levy to be paid in the year 1694. returned from the Councill affented to.

The Stated acco^t of Coll: *Hill* & Coll. *Whiteing* wth the proporco^{ns} thereupon being returned from y^e Councill wth a written meffage after reading of y^e Same was new drawn, & sent to their Hono^{rs} again & by them returned agreed to.

A written meffage from the Councill by M^r *Sherlocke* was read as followeth

By the Councill

M^r *Speaker* & Gen^t of the houfe of Burgefles.

In anwser to your addres to his Exc^v and Councill, we concurre with you in an addres to their Maj^{ties} (with the alteraco^{ns} & amendm^{ts}) in the name of the Councill & Burgefles of the Geñ^l Affembly and think it proper that the Councill & houfe of Burgefles desire his Exc^v to haue the Same in all humillity prefented to their Maj^{ties}

Signed by order of the Councill

Dated 18th Novemb^r 1693.

James Sherlocke Cl: G. Affembly.

Then

Then the f^d amendm^{ts} being read the same were agreed to by the house & y^e address ordered to be fairly transcribed accordingly as followeth

To the King & Queens most Excellent Majesties.

*The humble address of yo^r Majesties Councill & Burgeffes of the Gen^l Assembly of Virg^a
May it please your Majesties*

Your Majesties haveing been most graciously pleased upon the humble Supplication of your Gen^l Assembly of Virg^a to grant yo^r Royall Charter for erecting the Colledge of *William & Mary* in this Country for the education of youth and a Seminary for a Church of *England* Ministry amongst us wth Severall Royall Donations to y^e Same, we therefore yo^r Maj^{ties} most Loyall Subjects by this our most humble address beg leaue to return our most hearty thanks for such a signall Testimony of yo^r Maj^{ties} pious & Christian care of yo^r Subjects in this part of the world and as the best expreffion of our gratitude are resolued to further & promote your Maj^{ties} pious intentions by giueing such countenance and encouragem^t to so noble an undertaking as our poor circumstances will afford, their being nothing whereof we are more earnestly desirous then that our Children may be educated in all duties of piety towards God and Loyalty to yo^r Sacred Majesties whose long life & prosperity is the earnest and constant prayer of

Your Maj^{ties} most Loyall dutifull and obedient Subjects.

Ordered y^e M^r *Peter Beverly* Clerke of the house take care to provide some person to looke after and clean the Assembly Chamber as occasion shall be and to take under their keeping the severall vtensils & furniture belonging to the Same.

A message from his Ex^{ty} by M^r *Sherlocke*

M^r *Speaker*.

His Excellencie commands the Immediate attendance of this house in the Generall Court house.

And accordingly the house went to attend his Excellencie.



APPENDIX.



Appendix.

[Letter from Governor *Berkeley* and the Grand Assembly of *Virginia* to Lord *Arlington* in reference to the grant made by the king to Lords *Arlington* and *Culpeper*.

From *Burk's "History of Virginia" II, Appendix, XXXIII.]*

Right Honorable,

As the prudence of princes is in nothing more apparent than in the choice of their ministers; so his majesty making choice of, and calling your honor to that high place, and degree of trust, wherein you now are, and we heartily wish you may long continue for the advantages of his majesty's dominions, and increase of your own honor, doth clearly evince that truth, and thence it is, that we (who are a remote but a very considerable part of the *English* nation, if considered either for the present revenue we bring to the crown, and advantages to the nation, by vending their manufactures, employment of shipping, and increasing their trade, or for what may be reasonably expected hereafter from so growing a plantation) do by this, address ourselves to your lordship, with this petition, that your lordship will consider our present condition, and hear those reasons, which we have ordered our agents, col. *Francis Morrison*, mr. secretary *Ludwell* and major general *Robert Smith*, to present to your lordship, why we are unwilling, and conceive ought not to submit, to those, to whom his majesty (upon misinformation) hath granted the dominion over us, who do most contentedly pay to his majesty more than we have ourselves for our labor, and do wish, that we could yet be more advantageous to the king and nation, for which we hope to find his majesty's most royal favor and protection from such impositions, as will ruin us, and consequently his majesty's revenue, from what we contend for; we humbly request your lordship will judge reasonable. Since, it is no more but that, whilst we labour for the advantage of the crown, we may not be separated from, and subjected to our fellow subjects, contrary to all former gracious promises and assurances from our royal masters; if this be reasonable and just for us, and necessary for his majesty's service, we humbly beg your honor's assistance in this, observing what may again set us free, and for the future secure us from our fears of being enslaved, and we shall acknowledge your favors, the best way we can, and for ever pray for your lordship's prosperity, as being right and honorable.

Your honor's most humble servt.

Wm. Berkeley.

In the name of the council,

Thos. Ludwell, sec.

Robt. Wynne, spk'r. H. B.

Dated from the assembly, holden in }
James City the 21st *Sept.* 1674. }

[Account of the two shillings per hoghead export duty for 1675 as audited and passed by the General Assembly in *June* 1676. From the Public Record Office, *London*, Colonial Office 1. 34 (old Colonial Papers 34) No. 103 or p. 211.]

In <i>Virginia</i> <i>June</i> 1675	li	s	d
The Pub ^l Acco ^t of the 2 ^s P lh ^d Impost D ^r			
To the R ^t Hono ^{ble} the Govern ^r by the King's Instru ^{cons}	1000		
To ditto P Order of Assembly in lieu of the 10 ^s P lh ^d	200		
To ditto P Order of Assembly Anno 1674.	200		
To the Councello ^{rs} to bee devided amongst them.	200		
			To

	li	s	d
To the Councello ^{rs} y ^t Attend the Affembly.....	50	—	—
To Sr Henry Chichely by order of Affembly Anno 1674.....	100	—	—
To mony given to Mr Henry Randophs Children p^{d} or ^d Aff ^{ly} 1674	17	—	—
	li	s	d
To Co ^{ll} Phillip Ludwell his falary at 10			
p^{d} C ^t	li—	063:	1. 06
To ditto 2½ p^{d} C ^t for exchanging small			
bills.....	li—	015:	15. 04
To Major Gen ^{ll} Bennitt for falary at 10 p^{d}			
C ^t	li—	020:	09: 03
To ditto 2½ p^{d} C ^t changing small bills li—		007:	06: 06
To Co ^{ll} Joseph Bridger & falary at 10 p^{d}			
C ^t	li—	014:	02: 01½
To ditto 2½ p^{d} C ^t changing small bills li—		003.	10. 06
To Henry Corbyn Esq ^r & falary at 10 p^{d}			
C ^t	li—	049.	12. 05
To ditto & Salary of 286 hh ^{ds} loft &			
allowed.....	li—	002.	17. 03
To ditto & 2½ p^{d} C ^t on li300 in small			
bills.....	li—	007.	10. 00
To Thomas Ballard Esq ^r & falary at 10			
p^{d} C ^t	li—	019.	01. 10
To ditto & 2½ p^{d} C ^t changing small bills			
li—	004	15.	05½
To Co ^{ll} Nicolas Spencer & Salary at 15			
p^{d} C ^t	li—	035.	05 —
To Co ^{ll} Jo ^{rs} . Washington & falary at 15 p^{d}			
C ^t	li—	033.	09. 03
To Co ^{ll} Jo ^{rs} . Stringer & falary at 15 p^{d}			
C ^t	li—	022.	00. 02
To ditto & falary of 226 hh ^{ds} allowed &			
loft.....	li—	003.	07. 11
To ditto & 2½ p^{d} C ^t changing small bills			
li—	003.	13.	08
	314	19	2½
To Mr William White p^{d} order of Affem ^{ly} Sep ^t 1674.....	16	—	—
To 286 hh ^{ds} loft in the Mari ^d Merch ^t and allowed to Cap ^t Wraxall	28	12	—
To 20 hh ^{ds} loft in ditto fhipp allowed to Mr Morgan.....	2	—	—
To 3 hh ^{ds} loft in the Robert of Bristoll allowed to Mr Opie.....	—	6	—
To 226 hh ^{ds} loft in the ffreinds ^{ps} of Hull allowed to Mr Wetburne	22.	12	—
To Mr Gawin Corbyn & receaving li800 belonging to y ^e Govern ^r			
at 2½ p^{d} C ^t	20	—	—
To the Audito ^{rs} Sallary of li 1988: 12s: 09½d at 5 p^{d} C ^t	99.	8	7½
	2270.	17.	10
Ballance due remaining in feverall debts	268.	8	4½
	2539.	6.	2½
Ballance now due on the other fide li: 6: 16: 4½			
268: 08. 4½			
True ballance & carried to next Acco ^tli275: 4. 9			

Erro^{rs} Excepted and this acco^t paffed in the Affembly June 1676.

In Virginia June 1675

hh ^{ds} Contra C ^r .	li	s	d
By ballance in feverall debts due laft yeare.....	235	14	2 ½
5798 By Co ^{ll} Phillip Ludwell his Collection all Certif deduc	579	16	..
2902 By Major Gen ^{ll} Bennitt his Collection.....	290	4	.
1411 By Co ^{ll} Joseph Bridger his Collection.....	141	2	..
4962 By Henry Corbyn Esq ^r his Collection.....	496	4	..
1909 By Thomas Ballard Esq ^r his Collection.....	190	18	..
2350 By Co ^{ll} Niccolas Spencer his Collection.....	235	—	—
2231 By Co ^{ll} Jo ⁿ . Washington his Collection.....	223	2	—
1473 By Co ^{ll} Jo ⁿ . Stringer his Collection.....	147	6	—
<hr/>	<hr/>	<hr/>	<hr/>
23.036	2539	6	2 ½
By Erro ^{rs} in Co ^{ll} Ludwells falary in y ^e 10&2 ½ p^d C ^t	6	7	4 ½
By Erro ^{rs} in Major Gen ^{ll} Bennitts falary.....	—	9	—
<hr/>	<hr/>	<hr/>	<hr/>
Erro ^{rs} Excepted And this Acco ^t paffed in the Affembly June 1676	2546	2	7

Robert Beverly p^d M^r Auditor

Copia

[Account of the two shillings per hoghead export duty for 1676 as audited and paffed by the General Affembly in June 1676. From the Public Record Office, London, Colonial Office 1. 37 (old Colonial Papers 37) No. 19 or p. 42.]

In Virginia June 1676

	li	s	d
The Pub ^{lk} Acco ^t of the Impoft of 2 ^s p^d hog ^{ds} is D ^r			
To the Govern ^{rs} Hono ^r by the Kings Maj ^{ties} Infruc ^{co} ns.....	1000	—	—
To ditto p^d Order of the Affembly in leiu of the 10s. p^d hog ^{ds} ..	200	—	—
To the feverall Councello ^{rs} p^d former orders of Affembly.....	250	—	—
To ditto p^d Order of this Affembly in leiu of their tytheables...	100	—	—
To Co ^{ll} John Smith p^d Order of Affembly.....	8	2	6
To Co ^{ll} Phillip Ludwells acco ^t for phifique for y ^e Rapp ^s fort....	5	15	—
To Co ^{ll} Georg Jordan p^d Order of Affembly.....	31	1	8
To Cap ^t Ralph Wormleys acco ^t for powder &c p ^d by him as pticu ^{lrs}	38	17	6
To Expen ^{ce} of brandy &c made at Rapp ^s Councell of Warr & order of the L ^t Gen ^{ll} & p ^d for p^d Cap ^t Ralph Wormely.....	8	10	—
To Co ^{ll} Niccolas Spencer for monies expended on pub ^{lk} meff ^{es} ..	3	—	—
To Co ^{ll} Phillip Ludwells falary at 10 li s d			
p^d C ^t	li—	71:	17: 8
To Co ^{ll} Joseph Bridgers falary at 10 p^d			
C ^t	li—	66	5 2
To Thomas Ballard Esq ^r falary at 10			
p^d C ^t	li—	30	10 10
To Ralph Wormely Esq ^r his falary at			
10 p^d C ^t	li—	37	16 0
To Co ^{ll} Niccolas Spencer his falary at			
10 p^d C ^t	li—	28	00 08
To Co ^{ll} Jo ⁿ Washington his falary at			
10 p^d C ^t	li—	20	03 02
To Co ^{ll} Jo ⁿ Stringer his Salary at 10			
p^d C ^t	li—	19	01 10
<hr/>	<hr/>	<hr/>	<hr/>
	273	15	4

To

	li	s	d
To Cap ^t <i>Ralph Wormely</i> 2 ½ ꝥ C ^t & Exchanging small bills into great	9	9	—
To Co ^{ll} <i>Joseph Bridger</i> on ditto acco ^t	16	11	3 ½
To Tho: <i>Ballard Esq^r</i> on ditto acco ^t	7	12	8 ½
To Co ^{ll} <i>Phillip Ludwell</i> on ditto acco ^t	17	19	5
To Co ^{ll} <i>Nicolas Spencer</i> on ditto acco ^t	4	13	4
To Co ^{ll} <i>Joⁿ Washington</i> on ditto acco ^t	3	7	3
To Co ^{ll} <i>Joⁿ Stringer</i> on ditto acco ^t	3	3	8
To M ^r <i>Auditor</i> 's salary of li2239-14s-8d being y ^e N ^t ꝥduce of the feverall Collections which at 5 ꝥ C ^t amounts to.....	111	19	8
To Co ^{ll} <i>Bridgers</i> acco ^t ꝥ 48 hh ^s in <i>Hilman ꝥ Maryld^d</i> Certificate	4	16	—
To M ^r <i>Richard Buller</i> ꝥ order of Affembly ꝥ <i>Armes & Amiccon</i>	63	12	11
To M ^r <i>Buckler</i> the Kings powder man ꝥ ditto order.....	67	10	—
To Co ^{ll} <i>Phillipp Ludwell</i> by order of Affembly.....	1	4	—
To M ^r <i>Robinson</i> of <i>Midlesex</i> by order of Affembly.....	1	10	—
To M ^r <i>Gawen Dunbare</i> by order of Affembly.....	4	—	—
To Co ^{ll} <i>Jo^s Bridger</i> by order of Affembly.....	20	—	—
To Co ^{ll} <i>William Cole</i> by order of Affembly.....	12	1	8
To M ^r <i>Joⁿ Page</i> by order of Affembly.....	10	12	6
To Major Gen ^{ll} <i>Wood</i> by order of Affembly.....	29	10	—
To M ^r <i>Thomas Grindon</i> ꝥ order of Affembly.....	11	5	—
To Cap ^t <i>William Bird</i> ꝥ order of Affembly.....	21	17	6
To <i>Yorke</i> Assotiacon ꝥ order of Affembly.....	9	8	6
To Cap ^t <i>Henry Isham</i> ꝥ order of Affembly.....	21	—	—
To Co ^{ll} <i>Spencer</i> for Medicines for y ^e pub ^l k fort at <i>Potomacke</i>	5	—	—

2377 6 5

In Virginia June 1676

Contra C^r

	li	s	d
By Ballance in severall debts due ꝥ laft acco ^t x	268	8	4 ½
7189 By <i>Phillip Ludwell</i> his Collection Certificates deducted..	718	18	—
6626 By Co ^{ll} <i>Joseph Bridger</i> Collection Certificate dedu ^c	662	12	—
3054 By <i>Thomas Ballard Esq^r</i> his Collection.....	305	8	—
3780 By <i>Ralph Wormly Esq^r</i> Collection Certificates deducted..	378	—	—
1869 By Co ^{ll} <i>Niccolas Spencer</i> his Collection Certif deduc.....	186	18	—
1344 By L ^t Co ^{ll} <i>Joⁿ Washington</i> his Collection Certif dedu...	134	8	—
1273 By Co ^{ll} <i>Joⁿ Stringer</i> his Collection Certificates.....	127	6	—

25135

x 2781 18 4

	li	s	d
The Countrys Credit is....	li 2781:	18:	4 ½
The Countrys debt is.....	li 2377:	6:	5
The Countrys cleare mony in } feverall debts lying out..... }	li: 404:	11:	11 ½
	£	s	d
The Country's cleare mony as above is.....	404:	11:	11 ½
More by miftake of y ^e ballance } laft years acco ^t }	6:	16:	4 ½
True ballance due to y ^e Country	411:	8:	4
By Cap ^t <i>Henry Isham</i> not allowed because the <i>Armes</i> not de- liverd..... }	021:	0:	0

432: 8: 4

This Acco^t Audited & paffed the Affembly, Erro^{rs}
Excepted June 1676.

Copia Robert Beverley ꝥ M^r Auditor

[Report of a committee of the House of Burgesses at the *February 1676/7* session.
From the "*Virginia Magazine of History and Biography*", XXII, p. 327.]

AT A GRAND ASSEMBLY

At *Green Spring* the 20th day of *February 1676*.

IN ANSWER to the Petition of M^r *John Page* in behalf of *Jo. Jefferys Esq^r* for payment for twenty pipes of Wine, two pipes whereof were delivered to the Right Hon'ble Governor on the Public Account for which this Committee thinks fit to allow eight pounds sterling p^r pipe and the other eighteen pipes being upon the Public Account disposed of, but in regard they were taken from town & thereby saved from the fire, this Committee are of opinion that half pay will be sufficient upon which they have thought fit to allow four pounds p^r pipe which in all is 88 sterling, which report of the Committee is confirmed by the House.

Tes^te *Robert Beverley* cl: Afs:

[Letter from Lord *Howard of Effingham* to the Committee of the Privy Council for Trade and Plantations, dated *February 10, 1685*.

From "*McDonald Papers*," VII, 218-225.]

My Noble Lords,

I take the first opportunity to present y^r Ld^{ships} the proceedings, I cannot say of y^e Last Session but of the last meeting of the Assembly; for when, after a tedious time matters were brought towards a conclusion, there hapned a dispute between them and mee, soe that I was forced to dismifs them before any thing was perfected, unless I would pass away His Majestys Sovereign Right of His Negative Voice. And that y^r Ld^{ships} may bee fully acquainted with it I beg y^{o^r} Ld^{ships} patience and leave to inform y^{o^r} Ld^{ships} with the methods of our proceedings here, w^{ch} is this my Lords

When the House of Burgesses have prepared any Bills they present them to the Gov^r and the Council to bee considered of amended and regulated by them as they shall see most conducing for his Maj^{ty}s Service, then they are sent to the House of Burgesses and by them returned signifying their agreement to those alterations and then signed by order of the Council by the Clerk of the General Assembly as assented to, and soe returned to bee fairly engrossed. Now my Lords the House of Burgesses presented to myself and Council a Bill appointing Ports or Wharfs in Several places in this Colony. The full purpose your Lordships will see by the Bill. To which Bill there were several alterations, amendments & additions made by mee and the Council and returned to them, to all which they agreed as appears by the Journal, unless that they desired there might bee one Port in each County whereas it was limited by mee and the Council to two in a River to which their desire wee consented, and soe ordered the Clerk to signe the Bill as assented to and sent it to bee fairly engrossed. But I sending to the House for the Bills to peruse before they were publickly read found in that Bill for Ports a Material clause omitted which was that there should bee fees ascertained upon goods exported and imported for the support of those Officers which should bee obliged to reside in those Ports, y^e Collectors salarys and profits being not near sufficient to enable them to maintain them for some of the Collectors would have had five Ports in their Districts, and their advantage not annually worth to them above fifty pounds soe that they were altogether unable to bear the charge of those officers. I doe believe my Lords that on y^e bringing the Bill to mee and the Council the second time there might be noe notice taken of y^e Omission of that clause on the presumption that all alterations and amendments were fairly inserted as usual, And indeed my greate weakness then rendered mee unable to make soe particular an inspection into it as I was resolved to doe when fairly engrossed upon which I found as I have informed your Ld^{ships} the omission

omission of that material clause upon which I signified to the Assembly the Bill was not ingroft as assented to by mee and the Council to which they sent mee word that the Bill could admit of noe alteration or amendment after it was attested by the Clerk of the General Assembly as assented to, and that it had by that the force of a Law. I replied they were mistaken for that noe Bill could have that till signed by mee publickly as His Majestys Representative and by the Speaker of their House. Still they persisted in their opinion I sent them word again that though any Bill was assented to by mee and the Council yet if I should afterwards perceive it would prove prejudicial to His Ma^{ty} or the Country I had power to refuse the signing of it by vertue of his Ma^{ty}s Negative Voice which his Ma^{ty} had entrusted me with, which they would not allow although they owned I had a negative Voice, But said I had consented to it in Council and could not afterwards refuse the signing of it. Upon which I sent them that Clause of his Ma^{ty}s Commission to mee entered in the Journall. But all would not persuade them out of their obstinacy, nay tho' I offered to lay that Bill aside till his Ma^{ty}s pleasure should be known therein, and to signe all the others and that too with that alteration as it was agreed on. But nothing would please them but invading if not destroying his Ma^{ty}s Prerogative, soe that your Lordships may plainly perceive how positively they insisted in that seeming advantage which they fancied to themselves because the omission of that Clause was not fully taken Notice of at the presenting of the Bill as I said before to destroy His Ma^{ty}s Prerogative, and the dignity and advantage of His Maj^{ty}s Collectors here.

I am conscious, My Lords, I was too Complying, and fear his Majestys displeasure for it; but I was soe tender of the Countrys good, that the publick credit might be satisfied by laying the Levy which I knew would this year be easily paid having had a good crop of tobacco, and that the soldiers at the heads of the Rivers might be paid being now two years almost in arrears, induced mee, therefore hope his Ma^{ty} will please to pardon mee and believe that I will never yield to anything that may infringe or diminish His Royal Prerogative.

I confess I am likewise to blame that I admitted of any Bill of this nature, when there is a Law passed in 1680 presented to his Maj^{ty} to the same purpose for his Ma^{ty} Royal approbation or disallowance. But finding in that Law many places were appointed for Towns which were very inconvenient for Trade as by the Complaint of many merchants it did appear and in this altered, and likewise in this that there should have been provision made for the support of those officers which were to reside in the several Ports which was omitted in that, were my reasons for it, and hope will be my excuse.

I was severely angry with their Clerk that he durst omit the least clause especially soe material an one in any bill after assented to by mee and the Council—All that he could allege for himself was, that hee thought hee did not properly come in, which I judge aggravated his fault by his presumption, I sent to the Assembly to make him an example for it. But they rather maintained him soe that your L^{ds} will now see how requisite and advantageous it will be for his Majestys Service that the Clerk of the Assembly be hereafter appointed by his Ma^{ty}s Governor and soe paid out of his Ma^{ty}s Revenue here which charge will be very inconsiderable. This method was presented to your L^{ds} by myself and the Council the last Spring for his Majestys command therein: And I humbly crave if his Ma^{ty} think it requisite, I may receive it before their next meeting which is the 20th of *October* till the time I prorogued them. I did not dissolve them my Lords for these reasons. Because if his Maj^{ty} shall think fitt to have them dissolved, it will be soe great a rebuke to them when done by his Ma^{ty}s special command, that I hope it will deterr them for the future to be soe obstinate and peevish Or if his Ma^{ty}s clemency should extend soe far as only to signify his Ma^{ty}s dislike of their proceedings, it might be applied to those very persons, which I hope might have the same effect.

Truly My Lords I could not expect any good correspondence with this Assembly, for I judged their temper by the choice of their Clerk, hee being that *Beverley* who was soe deeply engaged and soe violent a promoter of the late plant-cutting and whom his late Ma^{ty} gave me instructions concerning.

But

But hee did by his expreffions and outward demeanor manifeft fuch hearty and fincere forrow for his high mifdemeanors that, with the affurance the Council gave mee hee had been greatly ferviceable to his Ma^{ty} in oppofing *Bacon* in his rebellion and they defiring that fervice might fomewhat mediate for that offence was the reafon that I then extended more favor to him than now I find hee deferved.

Your Ld^s will eafily perceive their temper when the Journal is laid before you wherein your Lord^s will find with what unwillingnefs and regret they yielded to his Ma^{ty}s Commands concerning the quit Rents here, and how obftinate they were as to the appropriating the fines and forfeitures formerly to the ufe of the publick now to his ma^{ty}s fervice As alfoe to the Difbanding the Soldiers at the Heads of the Rivers that they would rather bear the charge of them which the country is very unable to undergoe than agree to pay any pro rata as thofe are Should I have occafion to raife any by the advice of the Council for the fafety of y^e Country which power of having them paid fhould any bee raifed was given mee by the laft Affembly for three years, and becaufe I would not part with it they had once laid that Bill afide till the fmart of their purfes made them better confider

Your Ld^s will likewife find their total denial that the Governor and Council fhould have any power to lay the leaft Levy to eafe the neceffity of foe frequent affemblys though the charge of them bee greater on the people than the Levy it felf, and that which I am fure is thought reafonable and defired by moft of the Inhabitants unlefs thofe who are Affembly men or hope to bee foe. This was propounded by mee to them before his Ma^{ty}s Instructions came to my hands that I fhould, and then re-inforced but nothing would prevail nor I beleeve will unlefs his Ma^{ty}s Special command therein. They were peevifhly refractory to the leaft propofition made by mee for his Ma^{ty} and the Country's fervice as your Ld^s may perceive by their refusal to raife the Twenty four men at the Countrys charge to add to thofe 24 men I had then thoughts of raifing by the advice of the Council at his Ma^{ty}s for the fafety of that Country, for truly my Lords foe many took liberty of fpeech upon the rebellion of the late Duke of *Monmouth*, that I was fearful it would have produced the fame here. But I thank God wee are now at quiet I having put a ftop to that by my proclamation and made fome examples for their offence.

As likewife the exceptions they took at the fmall fee laid by order of Court of Chancery for the affixing the Seal to all publick inftruments which was done by the advice and confent of the Council more for the honor and Dignity to his Ma^{ty}s Seal than out of any other end. The fee being not above the Value of ten Shillings and what is five times as much in our neighbour Colony of *Maryland* and in all other his Ma^{ty}s Dominions in *America* as well as *Europe*. Befides his Ma^{ty} hath been pleaſed to authorize mee to keep and ufe his feal a Claufe not before fpecified in any governors Commiffion here unlefs in my Lord *Culpepers* laft which came to him but fix weeks before his Ld^s left *Virginia*, elfe I am confident My Lord *Culpeper* would (as he ought) have purfued the fame method. I fear I have tyred your Ld^s patience but I thought it a lefs crime to bee fomewhat too prolix, than in the leaft negligent or defective in giving your Ld^s a true and impartial account of thefe proceedings. What errors your Ld^s fhall find in them I befeech your Ld^s to bee foe charitable to impute them to the weaknefs of my judgement, and not of my will, but to beleeve they were acted to the beft of my underftanding, with as great care and candor for his Ma^{ty}s fervice as poffibly could proceed from the heart of man.

If your Ld^s in your great Judgment fhould approve of them and afford them your Countenance it would highly fatisfy and tranſport mee and I hope might not bee for his Ma^{ty}s Differvice, for if a ftop or at leaft a curb bee not put to fuch unlimited and unruly tempers, they may run too farr and foe fhould I further enlarge.

Therefore wifhing your Ld^s all health and profperity, I ſubſcribe myſelf, My Noble Lords

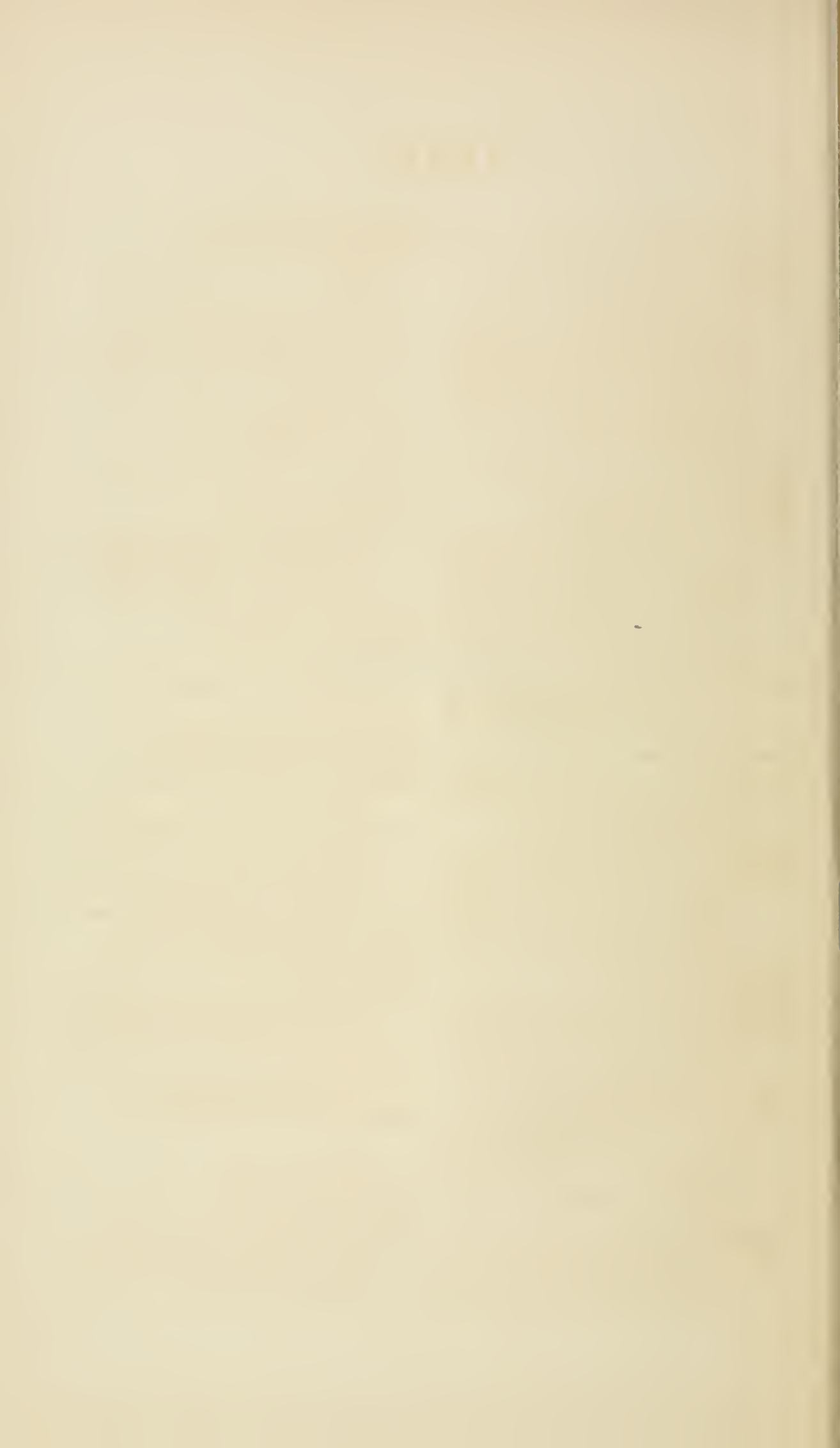
Your Ld^s
Moſt Obedient humble Servant

Effingham

Virg^a Febr^y 10th: 1685.



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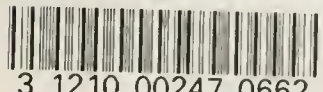
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