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# 200 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1691.

referred to the examination of the Governor and Council of Massachusetts.] [p. 256. C.S.P. VIII. 1827.]

(1694.)

22 March. [A letter to the Governor and Council of Massachusetts Bay. Sir Edmund Andros having represented that nothing has yet been done, payment is at once to be made, or the reasons for delay put before the Board.—C.S.P. IX. 985.]

[Vol. III. p. 383.]

(1719.)

26 May  
and  
(1721.)  
24 Aug. [References to the Committee of the petition of John Andros, executor of Sir Edmund Andros, for renewal of an order to the Governor and Council of New England for the payment of a debt due to Sir Edmund during his Government there.]

[Geo. I. Vol. II. p. 264 and Vol. III. p. 202.]

12 Oct.  
Virginia.

[418.] [Direction is given to Lord Howard of Effingham to examine the ground of Captain Thomas Gardner's petition for 200*l.* reward for taking Nathaniel Bacon junior, a rebel in Virginia, and on satisfying himself of its truth, to pay the petitioner the said sum out of the stock of the colony, as desired.] [p. 255. C.S.P. VIII. 1818.]

(1694.)

16 Aug. [Order in accordance with C.S.P. IX. 1224.]

[Vol. III. p. 460.]

12 Oct.  
Virginia.

[419.] [The Council refer to the Treasury for examination and report] the humble Petition of Elizabeth late the Widdow of Thomas Jarvis deceased, and of Thomas their son, setting forth their Pretensions to their Majesties Favour, for a Grant of Nathaniel Bacon's Estate, forfeited for his being in the late Rebellion in that Colony. [p. 257.]

15 Oct.  
Maryland.

[420.] [Order as to the salary of Governor Copley.—C.S.P. VIII. 1839.] [p. 258.]

15 Oct.  
Maryland.

[421.] [The Ordnance directed to provide stores for Maryland.—C.S.P. VIII. 1838.] [p. 258.]

15 Oct.  
Barbados.

[422.] [Order stopping all proceedings against Samuel Crisp.—C.S.P. VIII. 1837.] [p. 259.]

[423.] [On the report of the Committee, the Admiralty are ordered to] cause a small Fregat to be equipped and sent to Virginia instead of the Dunbarton, for the Guard and Service of that Colony and of Maryland, and hindring the irregular Trade in those parts. [p. 259.]

1691.  
15 Oct.  
Virginia.

[424.] [The Committee having reported] That they had discourst with the Commissioners of their Majestys Customes, as also with the Principall Traders to Virginia and Maryland; who, amongst other things, had Represented to their Lordships That by reason of the unlimited number of Seamen permitted to go from the Out Ports to Virginia and Maryland, the Traders from the Port of London would be much discouraged if a proportionable Number of Seamen be not allowed unto them for this years Trade; And the Commissioners of the Customes having likewise Offered, That Two Hundred English Seamen over and above the Eight Hundred allowed the last year to the Port of London for the Trade of Virginia and Maryland may sufficiently accommodate the Merchants for the present year. It was upon Consideration thereof Ordered in Councill, As it is hereby Ordered, That One Thousand English Seamen be allowed to the Port of London for this years Trade to Virginia and Maryland, with the Addition of One ffourth part of Forrainers, and that the Commissioners of the Customes do apportion and distribute the said Number of English Seamen unto the severall Ships, And that they report with all speed to the Lords of the Committee for Trade and Plantations such Distribution and Allotment, with the Names of the Ships, their Burthen and Number of English Seamen apportioned to each of them. And the said Commissioners of the Customes are likewise to send to the Committee an exact List of all Ships their Burthen and Number of Seamen Entred or cleared out for any other part of America than Barbados, the Leeward Islands, Jamaica, Virginia and Maryland, that such Orders may be given therein, as by this Boord shalbe found requisite. And the Right

15 Oct.  
Plantation  
Trade.

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1691.

Honorable the Lords Commissioners of the Treasury are desired to give the necessary Directions to the Commissioners of the Customes accordingly. [p. 260.]

27 Oct. [The list is delivered by the Customs, containing the names of 61 Ships and one not named, carrying 1004 seamen in all. The list, which is not given in the Register, is ordered to be transmitted to the respective convoys.] [p. 266.]

15 Oct. [425.] [On the report of the Committee, Colonel Nicholson  
Virginia. is authorised to accept a present of 300*l*.—C.S.P. VIII. 1853.]  
[p. 261.]

(1693.)

9 Feb. [His Majesty approves, and gives order in accordance with], an Adresse of the Generall Assembly of Virginia, Humbly praying, That Colonel Nicholson Lieutenant Governor of Virginia may be permitted to receive the summe of Two Hundred pounds, out of the Money arising by the Impost upon Liquors in that Colony, in consideration of his Extraordinary Care and Charge in the Government. [p. 90.]

19 Nov. [426.] [Order as to Roger Elletson and others.—C.S.P.  
Jamaica. VIII. 1909.] [p. 274.]

21 Dec. [The petition of George Elletson on behalf of himself, Thomas Ryves and George Reid, that execution of the judgment of the Grand Court of Jamaica against them be stayed pending their appeal to the Council, is referred to the Committee for examination and report.] [p. 295.]

19 Nov. [427.] [The Council refer to the Governor and Council of  
Maryland. Maryland for examination and report] the Petition of Nicholas Sewall setting forth, That being necessitated to return from Virginia to his own Plantation in Mariland, one Mr. John Payne Comptroller under His late Majesty King James, did on the Third of January 1689, with severall armed men, at an unseasonable time of the night, come to seizo the Petitioners Vessell then Riding at Anchor in Patuxent River; whereupon Guns being fired on both sides, the said Payne was killd; That some time after the Persons belonging



1691.

to the Petitioners vessell were brought to a Tryall, and Three of them condemned; Whereof one named John Woodcock was executed, and the Execution of the other two deferred, till His Majestys Pleasure were signified concerning them. That the Grand Jury found the Bill against the Petitioner although he was in Bed at his own Plantation, at the time of the said action. Wherefore humbly praying His Majesty to extend His Grace and mercy to the said Two Condemned Men, and also Protection for himself to Return and live Peaceably at Home.

[p. 277.]

(1696.)

[Pardon granted to Mason and Burley in accordance with memorial of Sir T. Lawrence.—C.S.P. IX. 2233.]

13 Feb.

[Vol. IV. p. 283.]

[428.] [Letters to be sent to the Governors of Plantations as in C.S.P. VIII. 1926.]

[p. 275.]

27 Nov.  
Plantation  
Trade.

[429.] [The Council refer to the Committee for examination and report the] Petition of the merchants and Traders to Jamaica in behalf of themselves and the Planters of the said Island, humbly praying that certain Lawes made by an Assembly unduly Elected at Jamaica in the Government of the late Duke of Albemarle, may not be confirmed, or otherwise that the Petitioners may have time to send to Jamaica for the Depositions of their witnesses to prove the illegality of the said Assembly.

[p. 277.]

27 Nov.  
Jamaica.

[430.] [A Representation of Richard Smithsend referred to the Committee.]

[p. 280. C.S.P. VIII. 1921.]

3 Dec.  
Canada.

[431.] [Order for guarding coasts of New England and Nova Scotia.—C.S.P. VIII. 1956.]

[p. 291.]

17 Dec.  
New  
England.  
(1692.)

[On the representation of the Committee] that they are given to understand by Letters from New England that Port Royall in Nova Scotia was lately retaken by a French Man of Warr of 36 Gunns and that the French and Indians were expected to fall upon Piscataqua and threatned in the Spring with Assistance from Europe to attack Boston it selfe and that

14 Jan.

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1691-2.

all that Coast being unguarded the french Privateers had lately taken Eighteen Merchants Vessells and otherwise much Infested those parts : [order is therefore given as in C.S.P. VIII. 2008.] [p. 311.]

21 Dec. [432.] [Order in accordance with the Committee's report  
Maryland. on Sir T. Lawrence's memorial.—C.S.P. VIII. 1954.]

1692. [p. 294.]

7 Jan. [433.] [On reading the petition of Francois Jones of  
West Indies. Plymouth, and a report from the Judge of the Admiralty, the *Hawk*, captured by the French on the way home from Antigua with tobacco, molasses and sugar, and retaken by the *Dreadnought* frigate, is declared good prize, but the owners being recommended to his Majesty's bounty, it is ordered that the ship be restored to them.] [p. 305.]

7 Jan. [434.] [Petition of Leisler referred to the Committee.—  
New York. C.S.P. VIII. 1984.] [p. 306.]

17 March. [Order in accordance with Committee's report.—C.S.P.  
VIII. 2127.] [p. 351.]

7 April. [In accordance with the report of the Committee, pardon is granted to Abraham Gouverneur, Gerardus Beckman, Mindert Courteen, Thomas Williams, Johannes Vermuillen, and Abraham Brasier.] [p. 375. C.S.P. VIII. 2159.]

13 May. [Order in accordance with C.S.P. VIII. 2215.] [p. 400.]  
(1694.)

15 March. [Order is given in accordance with the following report of the Committee.—Upon reading a letter from Colonel Fletcher (C.S.P. IX. 604), and taking into consideration a former representation (C.S.P. VIII. 2159), their Lordships] agree to lay this whole matter before His Majesty in Council, and thereupon to move His Majesty that, for quieting the differences in New Yorke, His Majesty would be graciously pleased to order a Pardon for the said Persons above mentioned, to be past the Great Seale at His Majestys charge, and that Mr. Aaron Smith may be directed to sollicite the same. [Vol. III. pp. 376-7.]

(1695.)  
28 Feb.

Vpon reading this day at the Boord, the humble Petition of Jacob Leisler and Abraham Gouverneur both of New Yorke in America, Setting forth the Services of the Petitioner Leislars late Father, Jacob Leisler, in securing the Province of New Yorke for his Majesty in the late Revolution, And that upon his Majestys Letter directed (in the absence of Capt. Nicholson) to such as for the time being tooke care for preserving the Peace and administring the Laws there, the said Jacob Leisler the elder faithfully executed his Majestys Commands, till the Arrivall of Capt. Ingoldesby, with one Company of ffoot, who demanding the Fort of the said Province without any authority, which being refused by the Petitioner Leislars said Father, He laid Seige to it from the 29th of January to the 19th of March 1690, being the day that Col. Slaughter the late Governor there arrived, unto whom the said Fort was peaceably delivered, Notwithstanding which the said Jacob Leisler the Elder, and Jacob Milborne were attainted and executed for High Treason, in not delivering the Fort to the said Ingoldesby and his Accomplices, [and six others attainted but afterwards pardoned], And therefore Praying to be restored to the Residue of their Estates, and Leave to apply to the Parliament for Reversall of their Attainders. It is this day Ordered by his Majesty in Council, That that part of the Petition for having the several Persons therein mentioned, restored to the Remainder of their respective Estates be, and it is hereby Referred to the Right Honorable the Lords of the Committee for Trade and Plantations to examine and consider thereof, and report to this Boord what they judge fit to be done thereupon. And as to the Reversing their severall Attainders, they may apply themselves to the Parliament for Obteyning the same if they thinke fit.

[p. 75. C.S.P. IX. 1689.]

1692.

[435.] [Order in favour of Thomas Offley in accordance with C.S.P. VIII. 2000.]

21 Jan.

[p. 314.] Naval Stores.

[436.] [Order in accordance with Customs' report as to 4½ % duty.—C.S.P. 2038.]

28 Jan.

[p. 318.] Leeward Islands.

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- 11 Feb. [437.] [In Colonel Fletcher's Commission the Committee  
New York. report that they,] in consideration of the great Disorders, the  
Countrys of East and West new Jersey have a long time lain  
under, The Absence of the Proprietor of Pensilvania, and  
the Danger that Province is exposed to from the French.  
Have inserted a Clause for putting those Colonys under the  
Care and Government of the said Colonel Fletcher. [The  
clause is approved.] [p. 328.]
- 25 Feb. [The clause is reserved for consideration.—C.S.P. VIII.  
2071.] [p. 336.]
- 10 March. [Order as in C.S.P. VIII. 2118.] [pp. 346-7.]
- 12 May. [Fletcher to appoint Lieut. Governor and Council of  
Pensylvania.—C.S.P. VIII. 2227.] [p. 399.]
- 11 Feb. [438.] [Colonel Copley's arrival in Maryland being very  
Maryland. uncertain, he having missed the convoys, a commission under  
his Majesty's Signet is sent on the proposal of the Com-  
mittee, to Colonel Nicholson, Lieutenant-Governor of Virginia,  
to be Lieutenant Governor of Maryland, and exercise the  
power of Colonel Copley's commission (of which an exempli-  
fication is sent him) in case of his death or absence. And  
a like commission is sent to Sir Edmund Andros to act  
as Commander in Chief of Maryland on the death of Colonel  
Nicholson and absence of Colonel Copley, and to exercise  
the powers of Colonel Copley's commission.] [p. 328.]
- 1 March. [439.] [The Council refer to the Admiralty for consideration  
Newfound- and report] the Petition of severall merchants of London  
land. and the west Country Trading to Newfoundland setting forth  
that this is the proper season of the year for sending ships  
Provisions and necessarys thither, Wherefore praying Licence  
for the severall ships named in their Petition, to go out on the  
said Fishing Trade, and that such convoy be allowed them  
as shall be thought fitt. [p. 340.]
- 9 June. [The proposal of the Admiralty, to whom had been referred  
the taking off of the embargo, that liberty be given for not

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more than 30 ships to sail for Newfoundland under convoy by the 20th of this month, is referred to the Committee for consideration and report,] and also the whole Matter of the Trade to Newfoundland . . as also of the Means for Rendring that Trade more usefull and advantageous to the Kingdome in generall, and uselesse to their Majesties Enemys. [p. 417.]

[On the report of the Committee, and notwithstanding the embargo, protections are granted for all ships ready to sail with the Newfoundland convoy by the 30th instant,] Provided that the Master, and one of the reall Owners of each Ship, Except the Fox of Biddeford, do before they clear, Enter into One Thousand pounds Security at the Custome House to go directly with the said Convoy to Newfoundland, and there Endeavour to take in their Lading. 23 June. [p. 423.]

[On further consideration, and with the advice of the Committee, the obligation is added] to returne to Europe, and so to England with their Convoy, and not to go to the Plantations. 30 June. [p. 428.]

[440.] [The Committee representing the petition of Mr. Allen, Governor of New Hampshire, His Majesty is pleased to order the Officers of the Ordnance to provide him for the fortifications he is building in that Province, twenty great guns and 100 barrels of powder with shot proportionable.] 1 March. New Hampshire. [p. 341.]

[441.] [Orders as to voyage of Colonel Fletcher and Sir E. Andros.—C.S.P. VIII. 2093-5, and 2100-1.] 1 March. New York. Virginia. [p. 342.]

[Two papers from Colonel Fletcher as to his voyage referred to the Treasury.—C.S.P. VIII. 2126.] 17 March. [p. 351.]

[442.] [On reading the report of the Committee, the Officers of the Ordnance are ordered to consider the following list of stores desired for New York (those sent with Col. Sloughter having been distributed to the garrisons of 1 March. New York.]

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Albany and Schenectady for their defence against the French), and to provide and send such of them as they shall think requisite] :—

	Proposed by	
	Governor.	Council.
Powder, one hundred of them to be fine	200 barrells.	200 barrells.
Shott for Small Arms .. .. .	1000 wt.	—
Pickaxes .. .. .	—	50
Sheet lead for Aprons, etc. .. .	200 wt.	600 wt.
Hand Granados .. .. .	1000	—
Match .. .. .	20 bundles.	1200 wt.
Granadiers Hatchets .. .. .	120	—
Fire Locks .. .. .	500	1000
Halberds .. .. .	—	12
Salt Petre .. .. .	—	100 li.
Brimstone .. .. .	—	100 li.
Cartridge Paper .. .. .	—	50 Roams.
Lanthorns .. .. .	—	12
Gunns, 24 Pounders .. .. .	—	10
Gunns, 18 Pounders .. .. .	—	10
Shott agreeable .. .. .	agreeable.	
Shott of 2 and 3 li. Ball .. .	—	600

[p. 342. C.S.P. VIII. 2096.]

17 March. [On a report from the Ordnance approving of the list proposed by the Council, save that only 500 firelocks are thought necessary, order is given accordingly.]

[p. 351. C.S.P. VIII. 2132.]

31 March. [On a report from the Ordnance, 1000 hand grenades and 120 grenadier's hatchets are also sent.]

[p. 367. C.S.P. VIII. 2144.]

17 March. [443.] [Petition of proprietors of land and traders referred New York. to Committee.—C.S.P. VIII. 2129.]

[p. 350.]

17 March. [444.] [Petition of Jacob Mauritz referred to Committee. New York. C.S.P. VIII. 2128.]

[p. 350.]

12 May. [Report approved.—C.S.P. VIII. 2226.]

[p. 398.]

(1693.)

18 May. [To the Committee is referred the] Petition of Frederick Philips [Flypse?] Esqr one of Their Majestys Council in the Province of New Yorke concerning the ship Francis and Thomas alias St. Peter, directed to be taken from him by the Governor of New Yorke, and delivered unto Jacob Mauritz.

[Vol. III. p. 156.]

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1692.

[445.] [The Council refer to the determination of the 17 March.  
Treasury the] Petition of Peter de la Noy, touching the account New York.  
of Mony Received and disbursed by him during the time of  
his being Collector of Their Majestys Dutys at New York.  
[p. 350.]

[446.] [The Council refer to the Treasury Sir Edmund 7 April.  
Andros's proposal, brought before them by the Committee], Virginia.  
That he may have Instructions upon any Exigency of the  
Government by an attempt of the French or otherwise, to  
dispose of the Value of One thousand pounds of the Quit Rents  
of that Colony for the publick service, and the Security of  
the Country, or for the assistance of any of the neighbouring  
Colonys upon the like occasion. [p. 371.]

[447.] [The Council refer to the Attorney General for 14 April.  
examination and report] the Petition of Talbot Edwards Esqr. Leeward  
setting forth that he conceives Royall Mines may possibly Islands.  
be found in their Majesties Islands of Nevis Montserat and  
St. Christophers, and also other Mines there; That he is  
desirious at his own Cost and Charge to search and dig for the  
same, and to be obliged to search and dig, and to bring all  
Gold and Silver thence to Their Majesties Mint in the Tower  
of London; Wherefore humbly praying letters Patents, or  
a lease granting the said Mines to him and his Assigns.  
[p. 378.]

[On hearing the Attorney General's report, the Council 28 April.  
remit the business to the Treasury.] [p. 384.]

[448.] [A petition as to exportation of tobacco is referred 28 April.  
to the Committee.—C.S.P. VIII. 2209.] [p. 385.] Virginia.

[On the Committee's report, order is given accordingly.— 7 July.  
C.S.P. VIII. 2307.] [p. 430.]

[449.] [On a representation from the Committee, it is 13 May.  
referred to them to prepare a draft of a general pardon to General  
Their Majesties' subjects in the American Plantations.] Pardon in  
America.  
[p. 400.]

# 210 ACTS OF THE PRIVY COUNCIL (COLONIAL).

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19 May. [450.] [A copy of] the Petition of Major Edward Nott, West Indies. humbly praying to be Tryed by a Court Martiall, touching the Crimes whereof he is, by Captain Powell Accused to have Committed in the West Indies, where he served above two years as Major to the Duke of Boltons Regiment, [is ordered to be sent to] the Duke of Bolton who is desired to acquaint this Board, whether his Grace is ready to go on with the Tryall, and wherefore the said Major Nott should not immediately be Tryed here by a Court Martiall. [p. 406.]

13 June. [On considering Major Nott's petition and the Duke of Bolton's letter of 30 May, it is ordered that the Duke of Bolton send up to the Board in writing with all convenient speed particulars of the charge against Major Nott that such proceedings may be taken against him as are expedient and according to law.] [p. 419.]

23 June. [A letter to the Duke of Bolton, stating that his answer is unsatisfactory, and that her Majesty's intention as to Major Nott is], if the Charge against him, be not laid before this Boord on Thursday the 7th of July next whereby Her Majesty may judge, what Prosecution may be fit to Direct against him, . . . to continue him in her Service, without any Mark of Her Displeasure. [p. 426.]

7 July. [It is ordered that such part of the Duke of Bolton's letter of 28 June] as concerns the charge against Major Nott, be herewith sent to the said Major Nott, who is to return his answer thereunto in writing to this Board, with all convenient speed. [p. 432.]

2 June. [451.] [To the Admiralty is referred for report] whether Piantation Trade. it be expedient, that the Embargo be now taken off . . . and particularly to consider whether ships may be at present permitted to trade from Ireland to the Plantations. [p. 413.]

13 June. The Article in the Report made to this Boord by [the Commissioners of the Admiralty], in pursuance of an Order of the 2nd instant for permitting Ships belonging to Ireland



to trade from thence to the Plantations, having been this day taken into further Consideration, [it was referred to the Treasury to receive the opinion of the Customs] how that Liberty may be so limited, as that under pretence thereof, no other Ships, then such as really belong to Ireland be permitted to enjoy the Freedome of the said Trade from that Kingdome. [p. 418.]

[The Council approves the following report from the Customs of 27 June, and directs the Treasury to issue orders in accordance therewith:—] . . . Wee do humbly Report to your Lordshipps that the Lawes of Trade and Navigation have taken great care to preserve and Restrain the Plantation Trade to this Kingdome, allowing only a limited Trade from Ireland to the Plantations; and if it should be thought fitt, at this time, to permitt the Shipping of Ireland to Trade from thence to the Plantations, and at the same time to continue the Embargo upon that Trade to the Shipping of this Kingdome it would be the giving up the whole Plantation Navigation to that Kingdome and the denying of it to this. Which is all that Wee have to remark upon this Occasion. [p. 442.]

[452.] [The Council refer to the Committee the petition of the freighters of the *Tiger*.—C.S.P. VIII. 2266.] 13 June.  
Plantation  
Trade. [p. 419.]

[453.] [Two Acts referred back to the Governor of Virginia. The Act for Advancement of the Manufacture of the Growth of that Country is particularly unreasonable, as it contains a clause compelling the merchants trading from England to receive their debts in commodities.—C.S.P. VIII. 2308.] 30 June.  
Virginia. [p. 429.]

[454.] [The Council refer to the Admiralty for examination and report] the Petition of Ellen Wren Widow setting forth that Her late Husband Captain Wren Commander of Their Majesties Ship the *Mary*, being taken off, by the late mortality in the West Indies, left the Petitioner with Four Small 14 July.  
West Indies.

1692.

Children, destitute of all manner of subsistence, And humbly praying Her Majesty to bestow some Relief for the support of her self and Children. [p. 439.]

28 July. [Upon considering the following report from the Admiralty on Mrs. Wrenn's petition, the Council order that she] be paid such summ of money, according to the Rules of the Navy, as if the said Captain Wrenn had been slain in fight, [and also a pension of 200*l.* per annum, as was paid to the widow of Captain Aylmer] :—Wee do report that the Petitioners husband served many yeares as a Commander in Their Majestys Navy, and being Commander in Cheif of Their Majesties Ships in the West Indies, did behave himself very well in defending and securing the said ships, and severall merchant ships under his convoy, when they were attaqued by a much greater force of the French in February last ; But the Rules of the Navy not allowing any Relief in the Petitioners case, Wee Referr her to such Relief, Her Majesty shall please to Order her. [p. 449.]

12 Sept. [To the Admiralty is referred a similar petition of] Elizabeth Johnson widow of Captain Thomas Johnson late Commander of their Majestys Ship the Swan. [p. 491.]

21 July. [455.] [Order to the Admiralty for the transportation of Jamaica. Colonel Beeston to Jamaica.—C.S.P. VIII. 2354.] [p. 444.]

15 Sept. [Freight to be provided for 50 tons of his household goods.] [p. 497.]

21 July. [456.] [William Talbot referred to the Committee.—C.S.P. Leeward VIII. 2353.] [p. 444.]  
Islands.

28 July. [457.] [Upon reading the petition of James Blair, clerk, Virginia. and also a report from the Treasury and other papers as to a free school and college in Virginia, the matter is referred to the Attorney General.—C.S.P. VIII. 2365.] [p. 448.]

1 Sept. [The Treasury report as in C.S.P. VIII. 2341, and 2427. The report is approved, except the last clause thereof concerning escheats ; the Treasury are to issue all necessary orders and directions.] [pp. 479–80.]

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[458.] [Orders as to the public records and seal of New Hampshire in accordance with C.S.P. VIII. 2371-2.] 1 August.  
New  
Hampshire.

[p. 453.]

[459.] [On reading the following report of 27 July from 1 August.  
the Customs]:—In Obedience to your Lordships Comands West India.  
signified by Mr. Guy the 25th instant Requiring Us to let  
your Lordships know, what Wee think upon the Information  
Wee had touching the Sickness and Mortality at Jamaica, as  
well as the Leeward Islands, and whether there is sufficient  
grounds to cause the ships comeing from Jamaica to make  
a Quarentine. Wee humbly acquaint your Lordships That  
the Information Wee received was by a Letter from Mr.  
Napper the Surveyor of the Customes at Penzance of the  
10th instant (Copy whereof is herewith presented) giving  
an Account of Two Vessells then arrived from Jamaica, One  
of which Confessed to have Lost Five Men, and the other  
thô he would not Confess the loss of any, agreed that the  
sickness increased rather then deceased at Jamaica, And there  
seems to Us to be the same reason for the obliging ships from  
that Island to performe the Quarentine, as those from  
Barbados, and the Leeward Islands. And upon this Occasion  
Wee humbly aquaint your Lordshipps that Wee having in  
pursuance of Her Majestys pleasure formerly signified directed  
Major Lane Surveyor of the Navigation with the Assistance  
of Mr. Whitehall to Repaire downe the River with Instructions  
to Execute the Quarentine at Holehaven, Have received  
from the said Mr. Lane and his Assistant a Letter (coppay  
whereof is herewith presented) giving their Opinion, That  
the Hope is a more Convenient and safe place for the ships  
from the West Indies to remaine in, during the Quarentine  
then Hole Haven; In which Opinion Wee are inclinable to  
Concurr with them, because upon discourse with Capt. Nash  
an officer of good Experience who Remembers the keeping  
a former Quarentine Wee are Informed That althô (the said  
former Quarentine being only upon ships from Holland and  
parts thereabouts, which are generally ships of smaller

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burthen then those that use the Trade to the West Indies) Hole haven might be Capable of Receiving them, Yet the ships from the West Indies being large, the Hope may be more safe and secure place for them to Ryde in, Hole haven being a Narrow Channell, and not soe secure for Numbers of ships of great burthen to Ryde in. And Wee humbly pray That her Majestys pleasure may be knowne concerning such ships who having touched in some parts of Ireland or Scotland the Islands of Scilly or Man, and spent some time there (divers instances hereof daily happen) Whether the time spent in those places, shall not be Accompted part of their Quarentine.

Farther, Wee humbly pray, That your Lordships will be pleased to Receive Her Majestys Commands touching what sort of Testimony of Health shall be required at the End of the Quarentine, Whether a Certificate of the Officer of the Customes respectively who shall be appointed to Execute the Quarentine, of his haveing frequently Mustered the Men on board during the time of the Quarentine ; And also the Oath of the Master before the Mayor or other Magistrate of the place, Or what other Testimony her Majesty shall be pleased to require. And whatsoever Her Majesty shall be pleased to direct upon this occasion, Wee humbly pray may be put into an Order of Councill to be publickly shewne to all persons Concerned, Aswell to give the greater Countenance and Authority to the Persons that shall be appointed to Execute Her Majestys Commands, As to prevent Clamour.

[Order is given that the Treasury direct the Customs to put the report in execution], And it was Likewise further Ordered that the Hope shall be the place for the said ships to Ryde in to performe their Quarentine ; And that the time the said ships have remained or stayed in any Port of Ireland Scotland the Islands of Scilly or Man shall be allowed to them as part of their Quarentine, Provided, They make sufficient prooffe either by the Oath of the Master or Cheife Officer of the ship, or otherwise, That the said ship touched and stayed in such a Port

or Place so long in the said Kingdomes or Islands ; And . . . that at the End of the Quarentine, the Officer of the Customes respectively who shall be appointed to Execute the same, is to Certifie his having frequently Mustered the Men on Board during the time of the said Quarentine, as also the Oath of the Master taken before the Mayor or other Magistrate of the place touching the Condition of their Healthes is hereby required to be given before the shipp bee discharged from her Quarentine.

[pp. 455-6.]

[Letters brought by the *Pembroke* sloop are to be forwarded forthwith, after being dipped in vinegar and smoked as hath been accustomed in the like cases.] 8 Aug.

[p. 458.]

[The Council refer to the Treasury the examination of the petition of Ruth Mudd and the other owners of the *East India Merchant*, Thomas Shirley commander, from Jamaica, for an immediate entry despite the Quarantine order.] 8 Aug.

[p. 459.]

. . . a Letter, Delivered by the Right honourable the Lord Cornwallis of the 6th instant from Samuel Vincent Comander of their Majesties ffire ship the *St. Paul* Rideing in Plymouth Sound, giving an account of the Health of the People in the West Indies [is ordered to be returned to him by the Commissioners of the Admiralty to make an affidavit of what he alleges therein.] 11 Aug.

[p. 461.]

[The Council refer to the Admiralty a complaint of the Mayor of Plymouth of the affront and slight given him by Captain Butler of the *Mary* from Barbados for doing his duty in execution of the order relating to Quarantine.] 18 Aug.

[p. 464.]

[The *Neptune* is allowed to enter despite the Quarantine, being sent from Jamaica with a packet reporting a violent earthquake on the 7th of June, and having on 1 July left the island in good health and suffered from no disease on board during the voyage.] 18 Aug.

[p. 465.]

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1692.

18 Aug. [On consideration of various letters and affidavits as to the health of Jamaica, the Quarantine is removed from vessels coming from that island.] [p. 467.]

15 Sept. [On reading a presentment from the Commissioners of the Customs, it is referred to the Admiralty to consider the disregard of the Quarantine shown by boats belonging to men of war which continue to press seamen from ships newly arrived from Barbados, and to give such order therein as they shall judge most proper.] [p. 496.]

15 Sept. [The Commissioners of the Customs are to direct their officers to assist the Admiralty in enforcing the Quarantine.] [p. 496.]

3 Nov. Upon reading the Petition of John Bennet master of the Ship *Coronation*, setting forth that the said Ship being lately arrived in the River of Thames from the West Indies is obliged to perform a Quarentine, although she hath been one of the most healthy Ships that ever went and came from thence, not one man having been sick or dyed in her these Four Months. That her men were Imprested and New Pylots and men put on Board, therefore humbly praying that the Quarentine be taken off and the ship permitted to an entry : [directions are given for taking off the Quarantine from the *Coronation* and all ships, coming from the Plantations in America.] [Vol. III. p. 24.]

8 Aug. [460.] [Orders to the Admiralty and Ordnance to impress  
West Indies. such ships for carrying provisions and stores to the West Indies as they shall judge requisite, in accordance with the powers given to them by an Act of the first year of James II] for Reviving an Act for Providing of Carriage by Land and by water for the use of his Majestys Navy and Ordnance. [p. 457.]

23 Aug. [461.] [The report of the Committee as to ships and stores  
Jamaica. to be sent to Jamaica is referred for speedy report to the Admiralty.—C.S.P. VIII. 2398 and 2406.] [p. 470.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 217

1692.

[The Council refer to the Ordnance the Committee's recommendation for the despatch of the following stores]:—

23 Aug.

Two hundred Barells of Powder, fifty of them for small shott.  
One thousand Firelock Musquetts.  
Sixty pair of Pistolls for Horse.  
Three hundred Carabines.  
Flints proportionable for Musquetts, Carabines and Pistolls.  
Fifty Reams of Cartouch Paper.  
One thousand Weight of Match.  
Twenty Barrells of Musquett and Carabine Bullets.  
And forty or fifty Carriages for Demy Cannon and Culverine.

[p. 471. C.S.P. VIII. 2405.]

[On the report from the Ordnance, order is given for the stores to be sent.]

25 Aug.

[p. 473.]

[On a report from the Committee, the *Neptune* is ordered to be dispatched at once, with advice of the stores being sent.—C.S.P. VIII. 2458.]

8 Sept.

[p. 485.]

[462.] [The Council appoint Thursday next at 10 in the forenoon for hearing all parties on] the Petition of the Merchants and Planters concerned in the Island of Jamaica, Setting forth, that Jamaica having a Soile proper for the Planting of Indico, the People have applyed themselves to the produceing of that Commodity, and in order to it have laid out their Estates in buying Negros, clearing the Land, building Houses and erecting other necessarys for making thereof. That the African Company have made an agreement with One Whiston to carry this Art of produceing Indico to Africa, and the said Whiston hath gott Planters from Jamaica, to teach it to the Natives, which persons with Seed and other Materialls, were sent by the Companys last Ships for the Coast of Africa, whereby this Art and Commodity will be made known to the great loss of this Kingdome, and to the utter undoing the Petitioners. .

8 Sept.  
Jamaica.

[p. 486.]

[All parties having been heard, the dispute is referred to the Committee. Some of the Commissioners of the Customs, prepared in the business, are to be made acquainted with the matter, and attend the Committee on Wednesday next at ten in the forenoon.—C.S.P. VIII. 2530.]

29 Sept.

[p. 503.]

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1692.  
12 Sept.  
Plantation  
Trade. [463.] [The Commissioners of the Customs to settle the trade to the Plantations as in 1690. From 1 May to 12 Sept. 1692 the number of men allowed by particular permission to go to the Plantations was 1059 and these are to be counted as part in making up the lists. The 1059 were thus distributed :— to New York 35, New Jersey 6, New England 46, Barbados 14, Jamaica 238, Newfoundland 150, Hudson's Bay 150, Virginia 10, in 25 store ships hired for transport to West Indies 510. The Commissioners are also to inform the Board what they have done touching the prosecution of bonds taken from ships which went last year to the West Indies, and touching the nature of the bonds they intend to take this year.]  
[pp. 486 and 491.]
- 12 Sept.  
New  
England. [464.] [The Council refer to the Commissioners for Sick and Wounded Seamen and Prisoners] the Petition of divers Gentlemen and merchants Trading to New England Setting forth that many of Their Majestys Subjects belonging to and passing from New England in their Lawfull Employments and occasions, have been taken Prisoners of Warr by the French and carryed into their Ports, but not Set at liberty or allowed to come thence as others are, because severall subjects of Franco taken at Port Royall are continued Prisoners at Boston and New Yorke. And humbly praying that the Governors of New England and New Yorke may be directed to Release all French in their possession, so they in like manner Release all English.  
[p. 491.]
- 20 Sept.  
Barbados. [465.] [Stores for Barbados.—C.S.P. VIII. 2495.]  
[p. 499.]
- 29 Sept.  
Jamaica. [466.] [A memorial of Colonel Beeston's referred to the Admiralty.—C.S.P. VIII. 2529.]  
[p. 504.]
- 13 Oct. [The Admiralty report is approved.—C.S.P. VIII. 2553.]  
[Vol. III. p. 15.]



ACTS OF THE PRIVY COUNCIL (COLONIAL). 219

WILLIAM III. VOL. III. (1 Oct. 1692—29 Nov. 1694).

1692.  
1 Oct. Ship passes.
- [467.] [Permission is given for (1) the *Supply* ketch of Boston, James Clay master, to return to New England with six seamen if they belong to that place : (2) the *Swallow* brigantine to sail to Jamaica with iron, coals and other materials for rebuilding several houses, workhouses, and warehouses which had fallen down by the late earthquake there : (3) the *Dolphin* brigantine with a crew American born—save two Dutchmen—to return to New York. [pp. 1-2.]
- [Leave (4) for the *Richard and Sarah*, 15 seamen, to go to New York with stores sent by the Commissioners of the Navy for their Majesties' ketch *Aldborough* ; (5) for the *Margaret* of New York, James Duncan of New York master, to proceed thither, having called at Dover on the way home from Holland to pay the duties required by law.] [pp. 13-14.] 13 Oct.
- (6) [Protections for the *Mary*, *Hope*, *Mary*, and *William and Mary*,] 20 Oct.  
employed in their Majesties Service for carrying Stores and Provisions for the Souldiers in the West Indies and for their Majesties Ships the *Norwich* and *Diamond*. [p. 17.]
- (7) [Permission to Sir Richard Levett and others for the *Katherine* to sail to Guinea and load negroes for Virginia, on showing that they have license from the African Company for so doing and on agreeing to deduct the ship's complement from the quota directly assigned to the owners for the Virginia trade.] [p. 24.] 3 Nov.
- (8) [In a similar petition Thomas Starke, John Mudge and others, owners of the *Concord*, allege] that having had no supplies of Blacks since the warr with France, and the Whites in their service growing out of their times and becoming free, their Plantations are false under a great Scarcity of hands, so that they have not sufficient for the management of them. [Like conditional permission is granted, with the additional stipulation] that the Commissioners of the Customes on conferring with the merchants Trading to Virginia upon the intended Repartition for this years Trade do think fitt to assigne the aforesaid number of men to the Petitioners for Their respective Dividends. [p. 25.] 3 Nov.
- (9) [Petition for the *Mary*, James Cole commander, to sail to Barbados referred to the Commissioners for Victualling the Navy.] [p. 30.] 17 Nov.
- (10) [The *Two Brothers* of New England, Thomas Gwyn master, 9 New England men, which had sailed with a New England crew from thence and Virginia to Scotland and is now stopped at Beaumaris by the embargo, is allowed to return home.] [p. 30.] 24 Nov.
- (11) [The *Friendship* of New England and the *James* of Boston, both New England built and owned, are allowed to return thither after loading salt at the Isle of May.] [p. 31.] 24 Nov.
- (12) [The Victuallers of the Navy to contract with the *Martin's Delight*] 15 Deco.  
to Carry Provisions to the West Indies instead of a ship Bulged at Spit head, so as Nevertheless the Fleet going to the Plantations doe not Stay upon this Occasion. [p. 50.]

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- 1692-3.  
22 Dec. (13) [The *Friends Adventure*, John King master, six men all belonging to Pennsylvania, is allowed to return thither.] [p. 59.]
- 29 Dec. (14) [The report of the Victuallers on the *Mary* (9) is referred to the Commissioners of the Customs.] [p. 61.]
- 29 Dec. (15) [The *Good Success*, Anthony Taylor of Carolina master, to be allowed to sail with provisions to Carolina with the first opportunity of convoy, some of her six seamen being inhabitants there.] [p. 62.]
- 29 Dec. (16) [The *Josiah*, *Beeston*, *London*, and *Laurel* which, after carrying stores for his Majesty's service, had license to sail to Jamaica, before 20th October, but were prevented by the merchants' inability to ship their goods by that date, are now permitted to sail on proving their statements before the Commissioners of the Customs.] [p. 62.]
- 29 Dec. (17) [The ketch *Endeavour*, 40 tons, belonging with its 3 men to New England, is allowed to sail thither.] [p. 62.]
1693.  
12 Jan. (18) [The *Adventure* of London, Henry Sutton master, is allowed to sail to the West Indies with the Virginia convoy to bring into this kingdom from thence saltpetre, according to a proposal made by the master to the Treasury.] [p. 69.]
- 26 Jan. (19) [The *Mary* (9, 14) is allowed to sail to Barbados with the Virginia Convoy, the crew having been on board and in pay for four months.] [p. 71.]
- 2 Feb. (20) [Owing to the illness of Arthur Bayly, one of the owners of the *Katherine* (7) by whom the arrangements under the Order of 3 November were to be made, that ship was left out of the Virginia list. Hence Sir Richard Levett, though a person of considerable interest in that trade, has no ship assigned him for his share in that distribution: but Mr. Bayly offers the 13 men who were assigned for his ship *Ann* towards the *Katherine's* complement of 30, and his Majesty grants another seventeen out of the 30 assigned to Milford Haven, but not yet apportioned, for the voyage to Guinea and Virginia.] [p. 75.]
- 2 Feb. (21) [The *Robert*, Jacob Allen master, 6 men, which had returned to England from Kinsale with the arms and stores of their Majesties' ship *Swallow* on the application of the Officers of the Ordnance, is permitted to set out again for New England, where ship and crew belong.] [p. 83.]
- 2 Feb. (22) [The Customs representing the humble desires of Gilbert Heathcote and Joseph Martin merchants, the *Union* and the *Providenc*e with 4 and 6 men respectively are allowed to sail to the Leeward Islands in place of the *Robert* and *Richard* with 10 men], And the rather because one of the said ships is a Vessel that belongs to the Island of Nevis, and brought from thence so many seamen as she now desires, which are already imprest into their Majesties Service. [p. 84.]
- 2 Feb. (23) [The Council refer to the Admiralty for consideration and report] the humble Petition of the Merchants of Barnstable and Biddiford concerned in the Newfoundland Fishery, Praying Liberty for the Reasons set forth in the said Petition to send out for the said Trade Eight Fishing Ships with Sixty Seamen. [p. 86.]
- [On 23 Feb., on the report of the Admiralty, they are allowed to sail: names, tonnage, etc., are given.] [p. 98.]

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- (24) [On the petition of John Barrill, master, the *Abigail* is permitted to return to New England with five New England seamen, one landsman, and one foreigner.] 1693.  
9 Feb. [p. 89.]
- (25) [The Council refer to the Admiralty the petition of the freighters of the *Loyalty*, 350 tons, 30 men, driven ashore and disabled at Spithead, for the *Nassau*, same tonnage and crew, to proceed in her stead with her cargo of English manufactures for Barbados.] 16 Feb.  
[p. 93.]
- (26) [The *Hope*, stranded in Stokes Bay in the Isle of Wight when proceeding to Barbados according to the Order of 20th October, but refitted and laded with goods salvaged from her own cargo and that of the *Loyalty*, is allowed to pursue her intended voyage, setting out with the Virginia Convoy.] 23 Feb.  
[p. 96.]
- (27) [The *Katherine* (7, 20) is allowed, besides her 30 seamen,  $\frac{1}{3}$  of that number foreigners, and  $\frac{1}{5}$  of the whole complement landmen, for looking after the negroes.] 23 Feb.  
[p. 98.]
- (28) [The petition of Sir Joseph Herne and William Hayne, Esq., in behalf of several merchants of Dartmouth for 10 ships and 82 seamen, besides landmen, to sail to Newfoundland, is favourably referred to the Admiralty [p. 109]. On 16 March the Admiralty report against permitting the going abroad of so many seamen, but permission is given by the Board for the ten ships with 55 English seamen, besides foreigners and landmen.] 9 March.  
[p. 113.]
- (29) [The Council refer to the Admiralty the petition of the Hudson's Bay Company for 110 mariners to navigate two ships designed to be sent out by them this year. [p. 110.] On the report of the Admiralty, protection is granted, on 16 March, for twenty men meanwhile for fitting out the vessels and for the remainder in April next.] 9 March.  
[p. 112.]
- (30) [On the report of the Customs, the *Seven Brothers*, Robert Curtis master, 18 Englishmen, besides landmen and foreigners, is permitted to sail to Jamaica instead of the *Friendly Society*, with the like number of English seamen, assigned to Mr. Anthony Hawke for the Virginia trade.] 23 March.  
[p. 119.]
- (31) [A report of the Commissioners of the Customs and Transportation concerning the laying of an embargo is] 23 March.  
Referred to the Committee of this whole Board appointed for settling the Embargo. [p. 122.]
- (32) [The *Sarah* of Topsham, 20 English seamen, is allowed to sail to Newfoundland: 15 ships of Exeter, Topsham, Bristol, Plymouth, Weymouth, Lyme, and Southampton, 80 men besides landmen and foreigners, desiring to sail to Newfoundland, are favourably referred to the Admiralty. [pp. 122-3.] On 6 April, the petition is granted, and the names and details of the ships are given, on the report of the Admiralty that] Wee have considered of the Petitioners' Allegations, which wee find reasonable, and are of opinion, that all fitting Encouragement should be given to the Fishing Trade at Newfoundland; But Wee humbly submit it to her Majesty Whether Shee will please to permitt the going abroad of the Number of Seamen desired at this time. 30 March.  
[p. 129.]

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1693.

- 13 April. (33) [A petition for 16 ships with 120 men, besides landsmen, foreigners, and boys, to sail to Newfoundland, is favourably referred to the Admiralty. [p. 134.] On their report, on 20 April, the ships and men are allowed to sail. [p. 137.] So also is the *Providence*, owned by Nathaniel Horne and Francis Gosfright of London, 250 tons, 20 guns, 15 men.] [p. 139.]
- 13 April. (34) [On the report of the Committee appointed on 23 March, the embargo is continued, but not made any stricter.] [p. 135.]
- 13 April. (35) [The *Mary* brigantine, Philip Philips commander, 13 seamen, lately come from Barbados on their Majesties' service, is permitted to return thither.] [p. 139.]
- 13 April. (36) [Lord Inchiquin's petition for the *Spotted Galf* to carry his goods and horses to Cork, and thence sail to Virginia, is referred to the Admiralty, on whose report it is granted on the 27th. The *Oherubin*, Bristol to Boston, is similarly referred, and on the Admiralty report, on 11 May is allowed to sail.] [pp. 140, 142, 153.]
- 27 April. (37) [On the petition of Henry Sutton, the *Hopewell*, 8 men, Bristol to West Indies, is allowed to sail.] [p. 142.]
- 27 April. (38) [The Council refer to the Admiralty the petition of divers Virginia merchants of Bristol] that no Embargo may be laid on their ships in Virginia, but that they be permitted to saile home assoon as they are ready, more especially the shippes *Bengall* and *Bristol Merchant*. [p. 142.]
- 27 April. (39) [On a report from the Admiralty, 13 ships (names and details given) are allowed to sail to Newfoundland.] [pp. 142-3.]
- 27 April. (40) [On a report from the Admiralty, on the petition of Thomas Sutton, master of the *Concord*, permitted by Order in Council to proceed to Virginia, but delayed beyond her time by the ill condition she was in, she is allowed to proceed to Maryland, with six mariners of that country.] [p. 143.]
- 4 May. (41) [9 named ships are allowed, on a report from the Admiralty, to sail to Newfoundland with the convoy which is now preparing.] [p. 147.]
- 4 May. (42) [The petition of James Brayne and others for a pass for the *Elizabeth* and *Mary*, formerly cleared out for Virginia, to proceed now, is referred to the Admiralty. [p. 149.] On their report, allowed to sail on 11 May.] [p. 153.]
- 11 May. (43) [On a report from the Admiralty, 6 named ships with 45 seamen are allowed to sail to Newfoundland.] [p. 153.]
- 11 May. (44) [On the petition of John Fay, master of the *European*, built and owned in Boston, she is permitted to return home from Bristol, if the Admiralty have nothing to object.] [p. 154.]
- 11 May. (45) [On the Admiralty report on (38)] that for the greater Security of the Virginia Ships in their Passage home, the Commander of the Convoy which lately went thither, is directed to stay there two months for such ships as shall be ready, and then Convoy them to England; And there being no Embargo that Wee know of, laid on the said merchants ships, Wee cannot

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foresee that the two ships before mentioned or any others, will meet with any difficulty in coming away so soon as they are ready, if they shall think fit, to venture without a Convoy. [The Governor of Virginia is directed not to stop the ships from returning, if their numbers be sufficient to defend themselves in the passage home.] [p. 154.]

(46) [On the petition of Charles, Lord Baltimore, the *Little Baltimore*, 250 tons, is allowed to sail to Maryland, unless the Admiralty have good cause to the contrary.] 18 May. [p. 157.]

(47) [On the petition of Adam Luxton master, a similar order for the *Good Intent*, Plymouth to Virginia.] 25 May. [p. 160.]

(48) [The Royal African Company are allowed to send six named ships with 200 men to Guinea with stores] and also Merchandizes, whereof the most part wilbe English Manufactures, for purchasing Negroes to furnish their Majesties Plantations in the West Indies, It being Six Moneths since they had Licence to send any Ships into those parts. 15 June. [p. 169.]

(49) [The *Adventure* and the *Bridgetown* are allowed] to proceed to the Maderas for Wine, and thence to the West Indies, no ships having gone out on that Trade this year, nor ever any Convoy granted thither. 15 June. [p. 170.]

(50) [The Council refer to the Admiralty the petition of Alderman William Swymer of Bristol for the *Betty* and the *Rose* to sail to Barbados and Virginia] to bring home the Petitioners Effects remayning there (which are considerable) now their Majesties Fleets are out, clearing the Coasts, before which the Petitioner was unwilling to venture, there never going any Convoy from Bristoll to those Places. 15 June. [p. 170.]

(51) [The Council also refer to the Admiralty the petition of Alderman Richard Horton of Liverpool that the *Loyalty*, 150 tons, 15 men, which has been several years in their Majestys transport service—for which about 3000*l.* is due—may be permitted to go to Virginia for the petitioner's effects, now that the royal fleet is at sea. [p. 171.] On the 22nd, on their report, the desired permission is granted.] 15 June. [p. 172.]

(52) [Three ships for Newfoundland are referred to the Admiralty.] 29 June. [p. 170.]

(53) [The *Rebecca* and *Elizabeth* of Boston, 30 tons, 3 men, lately sent from New England with a packet for her Majesty, is allowed to return, on proving the facts to the Treasury.] 6 July. [p. 179.]

(54) [The Council refer to the Admiralty the petition of Thomas Wallis and others for five ships to sail to Virginia and the West Indies; and also a petition of the owners of the *Loyalty* of Whitehaven, 30 tons, to sail from Lancaster to Virginia.] 3 Aug. [p. 194.]

(55) [The petition of Richard Kelsick and Clement Nicholson for two ships to go to Virginia is referred to the Admiralty; as are the petitions of the merchants of Liverpool for 17 ships to bring home their effects from Virginia and the West Indies; and of Thomas Ely for the *Society* to go to the Madeiras for wine, and thence to the West Indies and back to England. The *Pembroke* sloop, Stephen Elliot master, sent from Jamaica with letters or their Majesties' service is permitted to return thither.] 17 Aug. [pp. 197-9.]

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1693.

24 Aug.

(56) [On the report of the Admiralty, the 17 ships are allowed to sail from Liverpool to Virginia and the West Indies; the *Susanna*, wholly belonging to owners in Jamaica, sent by the Governor and Council of Jamaica as an advice boat, is allowed to return thither from Bristol, as is the *King William* yacht, Sir William Seawen owner, which lately brought their Majesties' packet from Jamaica and is now returning thither with materials for building houses and with provisions for the Island; passes are also granted for Thomas Wallis's five ships (54), for the *Love* and *Resolution* to go to Virginia (59), for the *Society* (55), and for the *John* and *Susanna*, owned by Sir Thomas Southwell, to go to Limerick and thence to the West Indies.]

[pp. 200-2.]

31 Aug.

(57) [The petition of William Bayly, John Creech and others for a pass for the *Susanna*, Joseph Dudley master, to sail to New York is referred to the Admiralty. On a report from the Admiralty the merchants of Bristol and Whitehaven are allowed to send seven ships to Virginia and the West Indies.]

[pp. 200-7.]

7 Sept.

(58) [On reading reports from the Admiralty, the *Loyalty* of Whitehaven (54) is allowed to sail to Virginia, and the *Susanna* (57) to New York. [p. 218.] A petition for the *Virginia Merchant* and the *Patuxent Merchant* to sail to Virginia is referred to the Admiralty. [p. 219.] On their report on the 21st, these two vessels are allowed to sail.]

[pp. 220-7.]

21 Sept.

(59) [A petition of William Clarke of Bristol for the *Industry* to sail to Jamaica is referred to the Admiralty [p. 227]: so also petitions for the *Pennsylvania Merchant* and *Friendship* to return to Pennsylvania and Carolina where ship and crew belong: for six ships in the outports of St. George's Channel to sail to Virginia and other parts of the West Indies: on the petition of John Staples, junior, of Leeds, for the *Samuel* to sail from Liverpool with necessary goods for Virginia and Maryland: and for four ships to sail to Barbados without being obliged to attend any particular convoy. [pp. 227-8.] The last entry has a marginal note: datum 14 instant.]

28 Sept.

(60) [Permission to sail is granted to all the ships mentioned in (59): also to the *Lamb* of Bristol for Virginia, for the *Planter* and the *Sarah* from Liverpool and Whitehaven to Virginia [pp. 230-2], and on a report from the Committee, ships allowed to sail from the outports to Virginia and Maryland are permitted to proceed as they can get ready.]

[p. 244.]

19 Oct.

(61) [The Council refer to the Committee the petition of the West India traders for an extension of the time for clearing their ships at Gravesend from 1 November to 31 December and that they be not detained in the West Indies against their will.]

[p. 250.]

19 Oct.

(62) [In view of this possible extension of time, a petition is presented that the *Amity*, *Lucy*, and *New Employment* may sail at the appointed time with the Canary or other convoy then sailing, as a delay of two months would be an irreparable loss to the owners as well as to the island of Barbados. The petition is referred to the Admiralty. [p. 250.] On 26 October, on the Admiralty report, these three ships are allowed to sail on satisfying the Customs.]

[p. 255.]

2 Nov.

(63) [Petitions referred to Admiralty: Jeremy Johnson of London for the *Prudent Sarah*, Benjamin Gillam master, with stores for shipping being

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built at New England: Daniel Philips for the *Hopewell* brigantine to sail home to Maryland. On their report the latter is allowed to sail 9 November [p. 275] and the former 23 November—p. 282.] [p. 271.]

(64) [On a report from the Customs after conference with some of the leading merchants; the 15th of November is confirmed as the date of sailing for the Canary convoy, and twelve to fifteen vessels for Barbados are allowed to sail with this convoy: the other Barbados ships receive an extension to 31st December, while the Virginia, New England, and Jamaica fleets are to sail on 1 December. [pp. 273-4.] On 16 November the ships for the Leeward Islands and Jamaica are allowed to sail on 31 December, and the embargo is removed from ships in the outports ready to sail to the Canaries and Barbados. [p. 279.] On 23 November the sailing of the Virginia and Maryland fleet is fixed for 31 December, quotas of seamen to be distributed as formerly by the Customs.] [p. 281.]

6 Nov.

(65) [On a report from the Committee, the *Concord* of London, Richard Long master, 16 English seamen, is allowed to sail to Jamaica.] [p. 282.]

23 Nov.

(66) [On a report from the Committee, lists of ships are permitted to sail—21 with 200 seamen to Leeward Islands: 5 with 59 seamen to New England and New York.] [pp. 286-7]

30 Nov.

(67) [On reading a report from the Secretary of the Customs, the *Concord* and *Flying Horse* of Bristol are put on the Plantation List in place of the *Leopard* of Bristol, specially allowed to sail to the Straits instead of for Barbados as entered, the number of seamen in either case being the same.] [p. 290.]

7 Dec.

(68) [On a memorial from the Admiralty, an embargo is laid on all ships trading to Newfoundland, to be taken off as soon as the fleet is at sea.] [p. 299.]

14 Dec.

(69) [The petitions of Cyprian Southack, master of the *Friend's Adventure*, 120 tons, 12 men, of Thomas Gleave, master of the *Happy Jane*, 100 tons, 12 men, and Elisha Bennett, master of the *Eagle*, 230 tons, 20 men, to return home to New England and New York, where ships and men belong, is referred to the Admiralty.] [p. 302.]

28 Dec.

(70) [In explanation of the embargo, it is declared that trading ships not already permitted to go to Newfoundland are to be subject to the embargo.] [p. 305.]

29 Dec.

(71) [On the presentation by the Committee of a list drawn up by the Customs, the Council grant leave for the ships thereon with 130 seamen to sail for London merchants to Virginia and Maryland, and for 66 seamen to go to Jamaica. The embargo is removed from the other ships thither bound ready to sail with the convoys appointed, and the *Trial*, John Horton master, is allowed to sail for New England with 11 English mariners. After the sailing of the convoys the Customs are to return to the Committee a list of ships cleared for Virginia, Maryland, and Jamaica.] [pp. 307-8.]

28 Dec.

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1694.

- 22 Jan. (72) [A petition of Sir Joseph Herne for the *Fidelia* to sail to Newfoundland is referred to the Admiralty [p. 320]: the three ships in (69) are referred to the Treasury and Customs; the *Bristol Factor* and the *Mountjoy* are allowed to sail to the West Indies in place of the *Bristol Merchant* to Virginia; and the *John* is allowed to sail from London to Newcastle for coals, thence to Portugal for salt, and so to Newfoundland to bring home a loading of fish.] [p. 322.]
- 25 Jan. (73) [On a report from the Customs the three vessels in (69) are allowed to sail.] [p. 326.]
- 29 Jan. (74) [A petition for the *John and Samuel*, Joseph Eldredge master, 12 men, to return home to New England is referred to the Admiralty.] [p. 328.]
- 15 Feb. (75) [A petition for the *Little Falcon* with men allowed from the London Jamaica quota to call in Ireland for provisions and thence sail to Jamaica, is referred to the Admiralty. On their report, despite the Order of the Board that the vessels go and return directly to and from the plantation the desired permission is granted on 20 February.] [p. 348.]
- 22 Feb. (76) [A petition of merchants concerned in the Newfoundland fishery for 16 ships to go thither with 114 men, is referred to the Admiralty.] [p. 349.]
- [The same petition is referred to the Customs on 1 March [p. 364], and on their report to the Admiralty on 15 March [p. 374]: on their report order is given on 5 April permitting the ships to sail.] [pp. 380-80.]
- 1 March. (77) [The Hudson's Bay Company are allowed to send out 3 ships with 130 men on the 20th April next for the relief of their factories and soldiers.] [p. 363.]
- 1 March. (78) [The Council refer to the Customs a petition of Jeremy Johnson, William Crouch and others for the *European* with 30 men belonging to New England to sail thither with stores for shipping which the owners are building there.] [p. 364.]
- 22 March. (79) [On a report from the Customs that the seamen of the *Supply*, which has exceeded the time limit for her departure for Madeira and the West Indies, as fixed in the Order of 28 September, are threatened with impressment, the vessel is now permitted to proceed on her voyage.] [p. 382.]
- 5 April. (80) [Order is given for the *European* to return to New England, on a report from the Customs that the crew is to be composed of New Englanders, that the master has a reasonable prospect of making up his complement of 30 men of the mariners of that country out of such as are lately returned or returning from France, and that, though he cannot furnish their names owing to the unwillingness of the men to list themselves till a protection has been secured, he is willing to submit to examination to prevent his taking in any English mariners.] [pp. 390-1.]
- 19 April. (81) [The embargo is taken off.] [p. 398.]
- 15 Nov. (82) [Commissioners of Admiralty and of Customs to attend the Council on Sunday next at Kensington at six in the afternoon about an embargo.] [p. 503.]



ACTS OF THE PRIVY COUNCIL (COLONIAL). 227

- (83) [An embargo is laid from 10 December next. Certain trades are excepted, but these are to Northern Europe and not to the plantations.] (1694.) 18 Nov. [p. 506.]
- (84) [The embargo is to include all London ships on this side of the Downs on 10 December.] (1694.) 22 Nov. [p. 509.]
- [468.] [The Council approve, and give orders in accordance with, the representation of the Committee as to St. Christopher. 1692. 1 Oct. St. Christopher. —C.S.P. VIII. 2482.] [p. 2.]
- [469.] Vpon reading the Extract of a Letter presented by the Right Honourable the Lords of the Committee of Trade and Plantations from Major Ingoldsby Commander in Chief of New Yorke, Setting forth the great Expence that Province has been at for the Preservation and Defence of Albany, the Frontiers of New Yorke against the French, by the Losse whereof the Inhabitants of Maryland and Virginia, would not be able to live, but in Garrison, That having hitherto preserved that Post, the Burthen thereby is now intollerable to the Inhabitants of New Yorke. And therefore humbly Praying, That Mandatory Letters from their Majesties may be sent to New England, Maryland and Pensilvania to be assistant to them in the maintenance thereof during the Warr, [the Earl of Nottingham, Chief Secretary of State, is ordered to write letters as in C.S.P. VIII. 2533.] 1 Oct. New York. [p. 3.]
- [Similar letters to be sent to Connecticut and Rhode Island.—C.S.P. IX. 93.] (1693.) 16 Feb. [p. 95.]
- [On the representation of the Committee, orders are given] That the Summe of Five Hundred pounds out of their Majesties Revenue arising by Quit Rents in Virginia, And the Summe of Two Hundred and Fifty pounds out of the Publique Revenue of their Majesties Province of Maryland be sent to the Governor of New Yorke for their Majesties Service in providing for the Defence and Security of that Province against the French in those parts. (1693.) 16 Feb. [p. 96. C.S.P. IX. 97.]

# 228 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1692.  
(1694.) [The petition of Connecticut against Colonel Fletcher is  
29 Jan. referred to the Committee.—C.S.P. IX. 846.] [p. 328.]  
(1694.)
- 2 Aug. [Orders as to quotas of Massachusetts Bay, Virginia,  
Maryland, Rhode Island as recommended in C.S.P. IX. 1176.]  
(1695.) [pp. 452 & 521-5.]
- 24 Oct. [To the Committee is referred an address from Maryland,  
praying to be excused.—C.S.P. IX. 2102.] [Vol. IV. p. 203.]
- (1695.)  
29 Dec. [Sums of 500*l.* and 200*l.* to be accepted from Virginia and  
Maryland respectively in place of the quotas previously  
ordered.—C.S.P. IX. 2226-7.] [Vol. IV. p. 249.]
- (1696.)  
23 April. [The petition of Connecticut against Governor Fletcher is  
referred to the Committee.—C.S.P. IX. 2343.]  
[Vol. IV. p. 402.]
- 1 Oct.  
Plantation Trade. [470.] [The Council approve and order to be prepared for  
transmission the draft of additional instructions prepared by  
the Committee] for the Governors of Barbados, Leeward  
Islands, Jamaica, Virginia and Maryland, not to permit Ships  
to come from those parts, but with Convoyes or in Fleets,  
for the better Securing them from the French. [p. 3.]
- 1 Dec. [The Council approve the following report of 24 Nov. from  
the Commissioners of the Customs and order the Treasury  
and the Admiralty to give directions accordingly]:—In  
obedience to your Lordships Commands of the 19th of  
September last on an Order of Council of the 12th of the  
same Month Wee have made a Distribution of the Number  
of English Seamen Allotted to the severall out Ports of this  
Kingdome for their Trade to the Plantations this season  
according to the Quota of the Yeare 1690, in those Ports Where  
wee were advertised of any ships bound thither. The Lists  
whereof according to the Proportions of Men allowed them  
(whereof such as have gone thither by particular permission  
since the First of May last are accompted part) are herewith  
humbly Presented, In which Adjustment Wee haue not Tyed  
ourselves strictly to the Numbers assigned to each particular

Port in the year 1690, some of the Ports that had an Allowance in that yeare, requiring more then their Proportion at that time, and some less, But Wee have endeavoured to keep within the Totall allowance that was made to the Out Ports that yeare, by the Most Equall Distribution Wee could, according to their severall Exigences, as follows, vizt.

	Ships.	Men.
Bristol .. .. .	55	333
Plymouth .. .. .	21	130
Exeter .. .. .	7	60
Leverpoole .. .. .	14	76
Biddeford .. .. .	5	37
Whitehaven .. .. .	6	36
Lancaster .. .. .	4	26
Lime .. .. .	1	8
Stocton .. .. .	1	6
Chester .. .. .	3	12
Barnstable .. .. .	1	6
Dover .. .. .	2	18
Portsmouth .. .. .	1	16
Cowes .. .. .	1	8
Milford .. .. .	2	30

802

And there was allowed to the severall Out Ports in the yeare 1690, 801 men, so that this Distribution exceeds the former Quota only by One Man.

And Wee humbly acquaint your Lordships That Wee have Recomendedit to the Merchants of London Tradeing to Virginia and Maryland to agree amongst themselves the Distribution of Seamen for that Trade who acquaint us They will Adjust the Matter amongst themselves and Returne a Schedule of that adjustment in due time, But Wee crave Leave humbly to observe to your Lordships That Whereas the Number of Seamen allowed to the Trade for the Plantations in the yeare 1690, from this Port was as follows Vizt.

To Barbados .....	400 men.
Leeward Islands .....	200
Jamaica .....	200

there are already allotted to Barbados and the Leeward Islands by Severall Orders of Councill 28 ships with 456 men

230 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1692.

(whereof three Ships with 54 Men are applyed to the Quota of the Leeward Islands) soe that there are already allotted to the Trade of Barbados only from this Port 25 Ships 402 men which is 2 men beyond the Quota in the year 1690.

And Wee have already observed to your Lordships by Our Report of the 21th of October last upon the Petition of the Merchants Tradeing to Jamaica, that there had been already allotted to that Trade from this Board by severall Orders of Councill, 301 men, which is 101 men more then their Quota allowed them in the yeare 1690, so that Wee have no Number of Seamen left to Distribute to those Trades.

And Wee did by Our said Report humbly observe to your Lordships That Wee were Informed That the permissions which had been before granted for ships to carry their Majesties stores, and those obteyned for particular ships upon private application might prove a surprize to divers of the Traders in Generall unless some further Quota should be assigned them, And therefore Wee were humbly of Opinion, That a farther Quota of Men should be allowed to that Trade this yeare to be distributed among such as had not had the advantage of the former Permissions, If it might consist with their Majestys Navall Service. And Wee doe humbly acquaint your Lordships That the Merchants Tradeing to the Leeward Islands, have amongst themselves made an Adjustment of the Number of Seamen allotted to that Trade wherein they have Complied with the Quota allowed them in the 90, including the three ships with 54 men above mentioned Permitted to goe by former Orders of Councill, A List of Which Distribution is herewith Presented. Besides which Wee doe humbly acquaint your Lordships That Wee find by our Booke that there was allotted to the Trade of New England in the yeare 1690, 70 men, and there have already gone to that place by particular permission from this Port 4 shippes with 54 men, soe that there Remaines of the former Quota to be Disposed off to that Trade this yeare 16 men, to Employ which, the

1692.

Merchants concerned in that Trade desire That the ships undermentioned may be assigned. Vizt.

The Friendship .....	100 Tuns	..	7 Men.
Harman .....	120	..	9

—  
16

All which is humbly submitted to your Lordships Consideration.

Farther Wee doe humbly observe to your Lordships That by the Number of Men mentioned in the severall Lists above Written is to be understood English Mariners, besides which each ship is to add  $\frac{1}{4}$  Landmen, and  $\frac{1}{2}$  more For-reigners if they will.

[pp. 38-40.]

(1693.)  
20 July.

[The Committee to meet on Monday] to consider of the settling the Trade and Convoys, [notice being given to the Admiralty, the Customs, and the merchants, who may then attend.]

[p. 185.]

(1693.)  
28 Sept.

[On reading the report of the 18th from the Committee, The Commissioners of the Customs are ordered to settle the year's trade to the plantations as in 1690, including all such ships as have been allowed by Order in Council to sail since 1 June, 1693. Of these the following list is given :]

Barbados.....	4 ships	60 men.
Leeward Islands and Virginia ...	17 ships	124 men.
Jamaica.....	4 ships	31 men.
Virginia and Other parts of the West Indies		
Indies .....	29 ships	316 men.
West Indies .....	1 ship	25 men.
Maderas, and the West Indies ...	3 ships	52 men.
Other plantations .....	3 ships	29 men.

[p. 233.]

(1693.)  
28 Sept.

[On a report of the Committee, 120 English seamen are allowed for the trade in December to Madeira and the West Indies and protection granted for so many ships as shall be sailed by them.]

[p. 235.]

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1692.

(1694.)  
30 Aug. [On a report from the Committee, the Admiralty are ordered to consult with the merchants concerned in the several trades and with the Customs and to arrange for the next year's trade.] [p. 465.]

(1694.)

25 Oct. [The Admiralty to consider the Committee's list of ships and men desired by various merchants, particularly for the trades to the East Indies, Africa, Barbados, and Hudson's Bay, which propose to go out between December and May.] [p. 495. C.S.P. XII. 1328.]

(1694.)

30 Oct. [The Admiralty report is read, but discussion is deferred till 1 Nov.] [p. 496.]

13 Oct.  
Virginia and  
Maryland.

[471.] [The Committee representing that they have been attended by the Virginia merchants, the said merchants are ordered to attend the Commissioners of the Admiralty] about the going out of their Ships for that Trade, which they say cannot be ready before the beginning of January next, at which time they humbly pray to have such Convoys as were allowed to that Trade the last year. [p. 14.]

20 Oct. [The Treasury representing that the merchants have attended them, and promised to be ready by 15 Jan.; and the merchants this day representing that] the Ships bound for Virginia and Maryland from the Bristoll and St. Georges Channells not going with the Convoy, will upon taking off the Embargo sayle, and get to their Market and returne home a Moneth or Two sooner than the London Ships, [it is ordered] That all Ships that shall have Liberty to go this year to Virginia and Maryland . . . Be subject to the Rules following, vizt., That such of them as are bound to the said Places going from any Ports of the English Channell between St. Ives and Berwick inclusive, Be obliged, before they be cleared at the Custome House, to give Security according to former Orders, to go and returne with the Convoy, to which end, the ships that sayle from the Port of London, or any Port Northward are to be ready in the Downes on the said 15th of January next to sayle with the Convoy there, And

1692.

those in the Western Ports from the Downes to St. Ives in the English Channell to be in a readines to joyne and sayle with the said Convoys as they passe along the Channell. And for the ships that go from the Ports in the Bristoll and St. Georges Channells, between St. Ives and Carlisle inclusive, that they be not permitted to sayle out of Port till the 25th of January next, being Ten days after the time appointed for the London and other ships aforesaid to be in the Downes, The usuall Bonds being first given with good security according to former Orders particularly to returne from Virginia and Maryland in company with the Convoy that shalbe appointed for them. [p. 18.]

[The Council approve the Admiralty report allowing the 22 Dec.  
853 seamen allotted to the Virginia trade to proceed.]

[p. 56.]

(1693.)

[Order that the Admiralty] do give all necessary directions for the hastening the Departure of the Convoy to Virginia, And that they give Notice to the Merchants whose Ships are allowed to go out upon that Trade to be in a readiness at the time appointed for the Sailing of the said Convoy. [p. 71.]

26 Jan.

(1693.)

[On the petition of the London merchants trading to Virginia and Maryland, the Admiralty are ordered to appoint some men of war] to Cruize to the Westward for the Securing of the ships expected home from Virginia and Maryland to the respective Ports to which they are bound. [p. 300.]

14 Dec.

[Orders to the Treasury and the Admiralty as in C.S.P. XII. 1308.]

(1693.)

14 Dec.

[p. 298.]

(1694.)

[On the petition of the merchants trading to Virginia and Maryland, the Admiralty are ordered to give directions] that besides the Three men of warr already Ordered, two of the ships appointed to Cruize off Jerzey and Guernzey, be sent with all Expedition to Cruize in the Soundings, for the Security of the Virginia Ships now expected home, and that these Orders be given this night and dispatched by Express.

8 March.

[p. 368.]

# 234 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1692.  
(1694.) [The merchants petitioning his Majesty to direct the  
22 March. Admiralty to see to the carrying out of the order of 8 March,  
the Admiralty is ordered to give the necessary directions.] [p. 380.]
- (1694.)  
26 July. [Reference to the Committee of a petition of several Vir-  
ginia traders.—C.S.P. XII. 1320.] [p. 448.]
- (1694.)  
11 Oct. [The Commissioners of the Customs are ordered to present  
on Saturday next a list of London ships for Virginia and  
Maryland.] [p. 490.]
- (1694.)  
25 Oct. [On the petition of several merchants trading to Virginia,  
praying that a positive day be named, it is ordered that the  
convoys for the Virginia and Maryland traders be in the Downs  
on 1 December, and that no ships not then ready to sail be  
afterwards permitted to proceed.] [p. 493.]
- 13 Oct.  
Jamaica and Barbados. [472.] [The Commissioners of the Treasury are ordered to  
direct the Customs to examine and report on] the humble Petition  
of Sundry Planters and Merchants trading to Jamaica, Praying  
to have Eighty or One Hundred Seamen allowed them for  
this years Trade over and above the Two Hundred already  
granted, and such as have particular Licences, that number  
being already taken up by the Six Ships which carry their  
Majesties Stores and Provisions thither, And the Petitioners  
having occasion to send greater Quantities of Goods this  
year then formerly for Rebuilding their Houses and Works  
demolished by the Earthquake, and supplying the present  
Necessitys of the People. [p. 14.]
- 10 Nov. [The report from the Customs of 21 Oct. is referred to the  
Admiralty for consideration and report.] [p. 27.]
- 15 Dec. [In sending to the Admiralty the lists of ships and men  
prepared by the Customs for the several trades, the Council  
specially inquire whether it will consist with his Majesty's  
naval service to allow the additional 227 men and 17 ships  
desired for the trades of Jamaica and Barbados.] [p. 53.]



- [On the report of the Admiralty, the request is refused, as not consistent with the timely manning of their Majesties' fleet.] 1692.  
22 Dec. [p. 56.]
- [The petition of the Barbados merchants of London about a convoy is referred to the Admiralty.] (1693.)  
31 Aug. [p. 205.]
- [On the petition of the Jamaica merchants, it is referred to the Admiralty to take care for the preservation of the very rich fleet now expected from Jamaica with a great deal of gold and silver besides other products, the withdrawal of all the cruisers save one from the Westward having put them in fears] that their Fleet may run the same Fate with that from Barbados. (1693.)  
5 Oct. [p. 245.]
- [On a report from the Committee, it is ordered that the Jamaica and Barbados convoys are to sail on the 20th at furthest; the Jamaica convoy is to accompany the other within sight of Barbados but not to stop there except in case of necessity. None of the men in ships bound to Jamaica are to be pressed at Barbados without express leave from the Governor, which is not be granted save on the greatest exigency.] (1694.)  
15 April. [p. 397.]
- [Some of the Barbados ships not being ready, and particularly a ship that is to carry the goods of the Governor, the convoy is to be stopped till further order.] (1694.)  
19 April. [p. 405.]
- [The Barbados convoy is allowed to sail.] (1694.)  
7 May. [p. 408.]
- [473.] [Order is given to prepare a warrant for the adoption and use of the public seal of Jamaica prepared by the Committee's directions with their Majesties' names, images, and inscriptions.] 14 Oct. Jamaica.  
[p. 17. C.S.P. VIII. 2558.]
- [474.] [The Council grant Lord Baltimore's petition setting forth that severall Bills have as he is informed on the 10th of May last passed in Mariland, depriving him of a considerable part of his Revenue in that Province, and utterly tending to the taking away the Petitioners whole Right] 3 Nov. Maryland.

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1692.

and Property there; And praying to have the perusal of the said Bills before they obtain the Royall Assent. [p. 24.]

3 Nov.  
New York.

[475.] [The Council refer to the Treasury for examination and report] the Petition of Colonel Thomas Dongan late Governor of New Yorke setting forth that he hath mortgaged all his Estate for Debts contracted and mony expended in the service of the Crown of England against the French, which Estate will be forfeited in May next unless in the mean time redeemed, his person being likewise in dayly hazard of being arrested on the same account. And humbly praying that his case may be considered, and Releif given him therein.

[p. 25.]

24 Nov.  
Bermuda.

[476.] [Dispute between Nicholas Trott and Isaac Richier referred to the Committee.—C.S.P. VIII. 2635-8.]

(1693.)

[pp. 32-3.]

14 Sept.

[A presentment from the Customs on the matter dated 6 Dec., 1692, is referred to the Committee.—C.S.P. IX. 553.]

[p. 223.]

1 Dec.  
Virginia and  
West Indies.

[477.] [On reading a letter from the Commissioners of Transportation to the Earl of Nottingham that the ships at Bristol, Bideford, and Barnstaple bound for Virginia and the West Indies are ready to sail and willing to transport 2000 men or more to Cork and Waterford at reasonable rates, orders are given for a contract to be made with them for this purpose, and for a fourth rate frigate to be added to the two men of war already appointed to convoy them, after landing the soldiers, 150 leagues to sea from the West of Ireland.]

[p. 36.]

8 Dec.

[On a memorial from the Admiralty that no other ship is available, one of the two men of war appointed to convoy the Virginia and West India fleet is detached to go with the empty transport ships into the Bristol Channel and thence to return to the Downs with the coasters from the Western Ports. The convoy for the plantation traders is thus reduced to the *St. Martin's Prize* and the *Prince of Orange* frigate added in accordance with the Order of 1 December.] [p. 45.]

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[It being uncertain whether four regiments of foot contracted for are to be sent to Ireland and the season for sailing to the Plantations being far advanced, the Bristol and Bideford vessels which were to have acted as transports before sailing for Virginia and the West Indies are released from their contract, and allowed to sail under convoy of the *Martin Prize* if the *Prince of Orange* doth not meanwhile arrive at Bristol.]

[p. 68.]

[478.] [The Council confirm the appointment by the Lieutenant Governor and Council of Virginia, whose representation was this day presented by the Committee, of Christopher Robinson as Secretary of the Colony in place of Colonel Cole.]

[p. 37. C.S.P. VIII. 2658.]

[479.] [The Commissioners of the Admiralty to] be heard at this Board on Thursday next concerning a Caveat Entred by them, against the Passing of a Patent for the Navall or Navigation in Jamaica.

[p. 44.]

[After this hearing the whole matter is referred to the Committee for examination and report.]

[p. 49. C.S.P. VIII. 2692.]

[The Committee having considered the Caveat in question] and it having been proposed on the part of the Commissioners of the Admiralty that a clause may be inserted in the same for reserving the Right of the Admiralty, which clause Their Lordships are of opinion may be added, and that the said Patent or Commission do Pass accordingly: [The Council approve and give orders accordingly].

[p. 73.]

[480.] Vpon reading this day at the Board the humble Petition of Jahleel Brenton Gent. Setting forth, That he having bin by His Majesty appointed Collector, Surveyor and Searcher of the Customes in New England, had, with great Expence, used all Lawfull meânes to seize and proceed against all ships and goods brought in Contrary to Law, and that some persons taking advantage of no ship of Warr of his Majestys being on that Coast to seize and bring in offenders against

1692.  
(1693.)  
12 Jan.

1 Dec.  
Virginia.

8 Dec.  
Jamaica.

15 Dec.

(1693.)  
26 Jan.

22 Dec.  
New  
England.

1692.

Law have not only brought in Goods and Merchandizes from severall places in Europe in alliance with his Majesty without paying Customes in England as by Law, but have brought directly from France severall Comoditys of that Kingdome. And whereas a Pinck, The Two Brothers, unfree bottom, George Lawson Comander was privately in an unlawfull Port of the Colony of the Massacusetts Loading goods, and as the Petitioner has reason to believe, had unladen there, without account on her Arrivall as Law Directs whereupon the Petitioner seized and brought her to Tryall at a County Court at Boston in that Colony the 25th of August 1691 where a Jury of Experienced Merchants and Comanders of ships found the said ship and Goods forfeited to his Majesty from which Verdict and Judgement in the said Court Lawson prevailed for an appeale to the next Court of Assistants at Boston on the 1st of September following where the Petitioners reasons Entred against the Appeale shewing it's repugnancy to Law and practice of the Colony, were overuled and the former Judgment given for his Majesty reversed by a Jury, ignorant in such affairs. And whereas another Pinck, the Three Brothers, Thomas Wilkinson Commander an unfree bottom Came Directly from Cales Loaden with Fruite, Wine, Oyle, Brimpton Salt and Woollen Cloath and was on the Coast of the Massachusetts, by two Privateer Sloops, Comanded by Thomas Griffin and George Dew taken and Carried into New Hampshire, where Griffin and Dew pretended to sit as Judges of Admiralty and to Condemn and sell the said Pinck and Goods to Wilkinson and others, and with force of Armes defended the same against the Petitioner who, with great Expencc and hazard of his Life and the lives of those acting with him, made at Length Seizure of the said Pinck and part of her Loading, brought the same to Tryall at a Court of assistants in Boston where the same was Cleared, though in Justice, ought to have been Condemned. From both which Verdicts and Judgments the Petitioner Appealed to His Majesty in Councill, gave 1100*l*. Security to prosecute

1692.

the same Effectually, And praying his Majesty to allow of the said Appeale. His Majesty in Councill was pleased to admit of the said Appeale and to Order as it is hereby Ordered That Sir William Phips their Majesties Capt. Generall and Governor in Cheife of the Province of the Massachusetts Bay in New England as also their Majestys Lieutenant and Commander in Chief of the Militia within the whole Territory and Dominion of New England to take sufficient Security (not exceeding Ealeven Thousand pounds for the Petitioners prosecuting of his said Appeale, before his Majesty in Councill, and to answer such Determination as His Majesty shall think fit to award thereon ; And it is further Ordered by His Majesty in Councill That the said Sir William Phips doe give directions that all Persons be permitted without Interruption to give Evidence, or discouragement to any to give their Testimony in behalfe of the Appellant, And that all Authentick Copies of all proceedings in the said Cases and of all Depositions taken thereon be Transmitted to the Right Honorable the Lords of the Committee of Trade and Plantations under the Publique Seale of the said Province. [p. 59.]

[A presentment from the Customs is referred to the Committee.—C.S.P. IX. 2342.] [Vol. IV. p. 402.]

(1696.)  
23 April.

[The Committee of the whole Council, on reading a petition from Mr. Brenton, order that the cases be heard on 1 March.] [Vol. IV. p. 585.]

(1697.)  
23 Feb.

Upon reading a Report from the Lords of the Committee of His Majesty's most Honourable Privy Councill, [the case of the *Three Brothers* is appointed to be heard on Thursday.] [Vol. V. p. 19.]

(1697.)  
27 May.

[In accordance with a report of the Committee of the whole Council [Vol. V. p. 1] Mr. Brenton is admitted to appeal to the Board, on giving security, against a judgment of the Court of Assistants at Boston of 1 March 1692 reversing a judgment of the County Court of 17 Feb. 1692, by which the brigantine *Mary*, with her lading of tobacco, was adjudged forfeited to

(1697.)  
27 May.

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(1697.)

her Majesty for not giving bonds for her cargo of tobacco : and from another judgment of the County Court at Boston on 26 July 1692 against his seizure of a parcel of iron imported from Spain, from which he appealed for a review but was thwarted by the forcible removal of the iron from the store house by the claimer, an officer and 20 men (*see* 716). General orders are also given for admitting appeals by the Customs Officers to the Council in cases of like nature, and for preventing the discharge of seized goods without due process at law. A memorandum is appended noting that on 10 Aug. 1697 Mr. Brenton and Stephen Mason of London merchant, entered into bond of 1500*l.* to prosecute the said appeals.]

[Vol. V. p. 22.]

3 June. [The hearing of the case of the *Three Brothers* is postponed till 24 June.] [Vol. V. p. 26.]

17 June. [Further postponed till 1 July.] [Vol. V. p. 30.]

1 July. [Further postponed till 8 July.] [Vol. V. p. 34.]

8 July. [Mr. Brenton's appeal is heard, but continued till the 15th in order that the defendant may make due proof that the copies of depositions offered by him] are true Copies of the Depositions taken in New England relating thereunto ; And that the authentick Copies of the said Depositions alleaged to have been transmitted to this Board under the Seal of the Province of the Massachusetts Bay in New England, are lost with the ship wherein they were transmitted from thence, In default of which Proof Their Excellencys will proceed finaly to hear and determine the said appeale, as to Their Excellencys shall seem most just. [Vol. V. p. 38.]

15 July. [The Commissioners of the Customs having represented that it will be for his Majesty's service that the appeal be determined as soon as may be, the further hearing is fixed for the 22nd, when evidence will be admitted, even if not attested under the seal of any colony.] [Vol. V. p. 40.]

22 July. [On the report of the Committee of the Council of 15 July, Mr. Brenton's appeal in the case of the *Two Brothers* is

upheld, neither Mr. Anthony Merry nor any of the others concerned in the ship having answered the summons, and the vessel is accordingly declared to be forfeited.] [Vol. V. p. 55.]

1692.

(1697.)

[On hearing Mr. Brenton's appeal, the Council annul the decision of the Boston Court of Assistants in favour of the *Three Brothers*, owned by Ambrose Upton and commanded by Thomas Wilkinson, and declare the vessel with all its loading, tackle etc. forfeited for breach of the Acts of Trade.]

29 July.

[Vol. V. p. 55.]

(1700.)

[The Committee for Appeals dismiss the appeal of Mr. Brenton] touching the Brigantine *Mary* and her lading of Tobacco and Hides Seized by the appellant in the year 1691.

3 May.

[Vol. VI. p. 21.]

(1700.)

[The Council approve the Committee's report, affirming and ratifying the] Judgement given in the Court of Assistants at Boston in the Province of the Massachusetts Bay in New England the first day of March 1691, Reversing a former Judgement given in the County Court in that Province the 17th day of February 1691.

9 May.

[Vol. VI. p. 21.]

[481.] [The Council approve, and give orders in accordance with, the proposal of the Committee] that Instructions be sent to Colonel Codrington Governor in Chief of the Leeward Islands to sett a part a Glebe towards the maintenance of the Ministers in each Parish out of the Lands yet undisposed of, and where there is none such, out of the Lands that shall Escheat from time to time to the Crown, and that he propose to the Assembly that the Stated and Additionall Stipends of Ministers there may be ordered to be paid in mony.

22 Dec.  
Leeward  
Islands.

[p. 60. C.S.P. VIII. 2714.]

[482.] [The Council refer to the Admiralty for consideration and report] the humble Petition of Martha Dolby wife of William Dolby late Boatswain of the Assurance in the West Indies, Praying His Majestys Pardon for her said husband who is detained in Virginia under Sentence of Death as accessory to the Murder of One Mr. William Marshall an Inhabitant of Virginia.

29 Dec.  
Virginia.

[p. 62.]

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1693.

5 Jan. [483.] His Majesty being Informed that some of the Pro-  
West Indies. visions on board the Ships bound to the West Indies for the  
use of the Land Forces designed thither, has been lately  
damaged, [orders are given to the Admiralty and to the  
Victuallers of the Navy to have them changed], in case the  
same may be done without hindering the sailing of the said  
Ships, or of the West India Squadron. [p. 64.]

5 Jan. [484.] [Complaints against the Governor of Bermuda are  
Bermuda. referred to the Committee.—C.S.P. IX. 4.] [p. 65.]

26 Jan. [485.] [To the Committee is referred the petition of  
Maryland. Sir Thomas Lawrence] praying to be permitted quietly to enjoy  
what former Secretarys there alwayes had, and the benefit  
of navall officer or licencer of the Ordinarys there.  
[p. 72. C.S.P. IX. 35.]

2 March. [Order in accordance with report of Committee.—C.S.P.  
(1697.) IX. 150.] [p. 103.]

26 Aug. [A further petition of Sir Thomas Lawrence is referred to the  
Lords of Trade.] [Vol. V. p. 74. C.S.P. X. 1282.]

26 Jan. [486.] [Order in favour of Stephen Duport.—C.S.P. IX.  
St. Christopher. 32.] [p. 73.]

30 Nov. [His further petition referred to the Committee.—C.S.P.  
(1694.) IX. 707.] [p. 291.]

29 March. [A further petition referred to the Attorney General.]  
(1694.) [p. 387.]

12 April. [On the Attorney General's report, order is given as in  
(1698.) C.S.P. IX. 1012.] [p. 394.]

16 July. [A further petition is referred to the Board of Trade.—  
C.S.P. XI. 675.] [Vol. V. p. 204.]

26 Jan. [487.] [The Committee having laid before the Council  
New England. a letter from Sir William Phips, a letter is ordered to  
be written to him approving of his action as to witchcraft.—  
C.S.P. IX. 33.] [p. 74.]



[488.] [The petition of Joseph Earle and partners of Bristol is referred to the Admiralty] setting forth their late great Losses at sea, and proposing for the prevention thereof for the future to have a Ship of the Dimensions specified in the Petition ready by the 20th of July next to convoy their ships to the West Indies or elsewhere, His Majesty allowing Commissions to Officers for the said Ship, as are usuall to his Majestys Ships of the like Rate, as by the Petition more at large appears, and therefore Praying the Commissioners of the Admiralty may be directed to issue Commissions to such Persons to command the said ship, as the Petitioners shall name, with Power to dispose of such Prizes as they shall take, and to be allowed Presse warrants.

1693.  
2 Feb.  
West Indies.

[p. 83.]

[489.] [It is referred to Colonel Codrington to examine, and, so far as it is just and true, to grant] the humble Petition of Elizabeth Salenave Relict of Monsieur Salenave late Deputy Governor of the French part of the Island of St. Christophers Setting forth, That after the taking of that Island by Generall Codrington, the whole Army did consent, that the Petitioner should enjoy her Estate intire and undisturbed, whether Lands, Negros or other Goods in consideration that she was a Protestant, had suffered for her Religion, and on all occasions together with her Husband, had done friendly Offices to the English, and also readily submitted to their Majesties Government. Notwithstanding which, most of her Negros are taken and deteyned from her, though directed to be restored by Order from Generall Codrington, by the Advice of a Councill of Warr, And her Lands given her only for Life, And therefore Praying to be Reinstated in the Inheritance of her said Lands, and to have her Negros and other Goods effectually restored to her.

2 Feb.  
St.  
Christopher.

[p. 85. C.S.P. IX. 49.]

[Reference to the Board of Trade of the] Petition of Elizabeth Salenave, Widdow of Jordain Salenave . . . Praying That Her Majesty wilbe graciously pleased to let her possess and enjoy the Plantation left her by her said Husband

(1712.)  
17 April.

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within the said Island in the same manner as it was granted her by Order of Council of the 2d of February 1692 The French being driven out of the said Island, and the whole remaining under Her Majestys Dominion, and the Petitioner capable by Naturalization of claiming her Rights, as One of Her Majestys natural born Subjects.

[Anne, Vol. V. *pp.* 410-11.]

(1715.)

5 Jan.

[Reference to the Board of Trade of Elizabeth Salenave's petition for the restitution of her estate, of which she was dispossessed by the Peace of Ryswick.]

[Geo. I., Vol. I. *p.* 156.]

(1715.)

30 April.

[Order for the restoration of her lands and storehouse to Madame Salenave in accordance with a report of the Board of Trade, the facts being as reported by them on 5 May 1714, and the Treasury having no objection to the restoration of the French Protestant refugees whose cases had been examined by the Board of Trade.]

[Geo. I., Vol. I. *p.* 209.]

9 Feb.  
New York.

[490.] [On the Committee's report, order is given that the Admiralty] do forthwith cause to be Equipped and sent to New Yorke a Fifth Rate Fregat, for the Guard of that Coast, instead of the Alborough Ketch now there, which is of no use to the Colony, or otherwise, being a heavy Sayler and of no force.

[*p.* 88.]

[Also on the representation of the Committee, order is given to the Treasury to make provision] for Paying the Arrears due to the Two Fort Companys at New Yorke, before the Departure of the ships bound to Virginia and those parts, no other ships going thither till the next year.

[*p.* 88.]

9 Feb.  
Bermuda.

[491.] [The Officers of the Ordnance are directed to furnish for the defence and service of Bermuda]:—Fifty Barrills of Powder, Some Lanthornes, Six Melting Ladles, Four Barrills of Musquett Shott, One Barrill of Pistoll Shott, Fourty pounds of Twine, One Barrill of good Musquett flints, Ten Wicker Baskets, A Bouge Barrill of Thred, Timbles etc., Three Ream

of Cartridge Paper, 100 Weight of Sheet Lead, Ten yards of Trainbrough, Twelve Flags, Six Jacks, Six Pennants.

[p. 88. C.S.P. IX. 66.]

1693.

[492.] [The Council refer to the Committee for examination and report] the humble Petition of Richard and Killian van Renselaer.—C.S.P. IX. 68.]

[p. 89.]

9 Feb.  
New York.

(1695.)

10 Jan.

[The Council approve, and give orders in accordance with, the following report of the Committee]:—The Lords of the Committee having had under Consideration the Petition of Richard and Kilian van Renslaer . . . humbly praying to be Restored to their Inheritance in the Colony of Renslaerwyck in the Province of New Yorke. And the Petitioner Kilian van Renslaer having lately Represented, by his Petition to the Committee, that he has been Refused to be admitted to the Possession of the said Colony at New Yorke as being an alien borne, Whereupon he had been lately Naturalized by Act of Parliament in England. Their Lordships agree humbly to Report their Opinion in Councill that the Petitioners case be Referred to the Governor and Councill of New Yorke, and to return to the Committee a state of the whole matter, if upon the further consideration thereof, it shall not be thought fit to restore the Petitioners to their said Inheritance according to their Petition.

[p. 33.]

[493.] [To the Committee is referred Lord Baltimore's petition, praying for an order] to Colonel Copley Governor of Maryland to suffer the Petitioners Collectors to receive the Port Dutys or Anchorage Money, as formerly, according to Two severall Letters from his Majesty, and an Order of this Board in that behalf.

[p. 90. C.S.P. IX. 67.]

9 Feb.  
Maryland.

[494.] [Order to the Treasury to pay 200*l.* to Captain Goddard, Lieutenant Governor of Bermuda] for the Transportation of himself, Family, and Household Goods, being the usuall Allowance that hath been made to his Predecessors to carry them to that Government.

[p. 94.]

16 Feb.  
Bermuda.

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1693.

2 March. [His Majesty is pleased—if the Admiralty have nothing to object—to confirm Captain Goddard's design of sailing to his Government in Bermuda with stores for the Island in the ship *David*, 300 tons, James Smailes master, 12 mariners besides landsmen, the said ship to be protected and to be accompanied by the *St. Albans* prize, which is to wait fifteen days for that purpose before sailing for Virginia.]

[p. 105.]

16 March. [On a report from the Admiralty, the order is confirmed.]

[p. 113.]

16 Feb. [495.] [Order is given in accordance with a recommendation  
New York. of the Committee] That a Commission may passe under the Great Seale Appointing the Governor of New Yorke to be Comander in Cheif of the Militia of the Colony of Connecticut in New England, with a Clause therein for Superseding so much of Sir Wm. Phips Commission, as gives him the Command of the Militia of that Colony.

[p. 95. C.S.P. IX. 96.]

(1694.)  
19 April. [The report of the Committee on the petition of Connecticut is approved.—C.S.P. IX. 845-6, 1022.]

[pp. 401-4.]

23 Feb. [496.] [The Council refer to the Treasury for examination  
West Indies: and report] the humble Petition of severall Merchants of London that supplied his Majesty with Ships to transport Souldiers to the West Indies, Praying to be recompensed for the Stay of their Ships, to take aboard the Souldiers about Three Moneths beyond the time agreed on with the Commissioners for victualling.

[p. 90.]

23 Feb. [497.] [The Council approve, and give order in accordance  
Maryland. with the following report of the Solicitor General, Sir Thomas Trevor, dated 2 November, 1692, laid before them by the Committee]:—In obedience to your Lordships Order of Reference of the 19th of September last I have considered of the severall Demands made by my Lord Baltemore in the Province of Maryland, and Represented to their Majesties by the Assembly of that Province, and I have been attended

by the Lord Baltemore and his Councill, And as to his Lordships first Demand of 12*d.* per Hogshead for all Tobacco exported out of that Province, I find the said Duty is part of a certain Duty of Two shillings a Hogshead for all Tobacco Exported from that Province granted by an Act of the Assembly there of the 7th of March 1671. One Moyety whereof is by the said Act appropriated to the Publique Service for the better support of the Government, and the other Moytey (which is the 12*d.* a Hogshead now demanded by the Lord Baltemore) is thereby granted to the Lord Baltemore, to be received by him for his owne use as Proprietor of the said Province, and that the said 12*d.* a Hogshead was by Order of Councill the 26th of February 1690 directed to be answered and paid to the Lord Baltemore as Proprietor of Maryland, And I do not find, that the Assembly do much contest my Lords Right to this Duty of 12*d.* a Hogshead in the Representation they have made to their Majesties, where they say they are with their Majesties Royall Assent ready to confirm the same to his Lordship ; Provided his Lordship grant the same Conditions of Plantations, he did before the happy Revolutions, or the same that their Majesties do to the Colony of Virginia, to the Inhabitants of that Province, But what those Conditions are, it doth not appear to me otherwise then by looking into the said Act of the Assembly in 1671, by which the said Duty was granted to the Lord Baltemore, upon condition that his Lordship should accept a pound of Tobacco instead and in lieu of every 2*d.* Rent at any time reserved upon any Grant of Land made by his Lordship which Condition his Lordship affirms to me, He alwaies hath, and still is ready to comply with.

As to the Second Demand of Fourteen pence per Ton for all Tobaccos Exported out of that Province, I find that by an Act of the Assembly of that Province in 1661 It was Enacted, That all Vessells whatsoever, not properly belonging to that Province having a Deck flush fore and aft, coming in, and trading within that Province should pay for Port

1693.

Dutys and Anchorage a Pound of Powder, and Three pounds of Shot, or so much in value for every Ton of Burden to the said Proprietor and his Heires.

Which Duty hath by usage been turned into Money vizt. Fourteen pence per Ton, and so answered to the Lord Baltimore, and constantly applyed to his owne use, and not to the Support of the Government, as the Lord Baltimore affirms to me, and by Order of Councill of the 26th of February 1690, This Duty of 14*d.* per Ton, was directed to be answered to the Lord Baltimore, as Proprietor of the Province, and likewise Instructions given Col. Copley Governor of Maryland, to permit the Lord Baltimore or his Agents to receive the same without any Disturbance or Interruption, and I conceive, that upon the Words of the Act, this Duty doth belong to my Lord Baltimore as Proprietor, to be received by him to his owne use, and it would be a Thing of dangerous Consequence to admit of Paroll Proofs of an Intention in the Lawmakers different from the Words of the Law, to say that the Duty which the Act calls a Port Duty, was intended to be a Fort Duty, And it seems to be admitted by the Assembly, that this Duty of 14*d.* per Ton doth by Law now belong to the Lord Baltimore, by desiring their Majesties Royall Assent to an Act to invest it in their Majestys.

As to the Demands of Fines and Amerciaments I conceive upon perusall of the Charter granted by King Charles the 1st to the Lord Baltimore, and of their Majesties Commission granted to Col. Copley to be Governor in Cheif of that Province, that the Lord Baltimore hath not a Right to the Fines and Amerciaments that have accrued since their Majesties said Commission to Col. Copley, whereby their Majesties have taken the whole Government of that Province into their owne hands, Except only Fines and Amerciaments in the Courts of any Mannor of which the Lord Baltimore is Lord ; because I do not find, that Fines and Amerciaments are expressly granted to the Lord Baltimore by the Charter of King Charles the 1st so that I conceive he never had any

other Title to them, but as Governor of the Province, the Courts of Justice being held in his name, which Title is now determined by their Majesties Assumption of the Government into their owne hands, and appointing a Governor there, who by his Commission hath expresse Power granted him, to Erect Courts of Judicature for the better administration of Justice, as Occasion shall require, which Courts I conceive being erected by their Majesties Commission must be held in their Names, and are their Courts and not the Lord Baltemores, and the Fines and Amerciaments there set, will belong to their Majesties and I conceive such a Right in the Lord Baltimore to all fines etc. would be inconsistent with that part of their Majesties Commission to the Governor of that Province, whereby he hath Power granted him of Remitting and Pardoning Fines set upon offenders, according as he shall think them fit Objects of Mercy, which he cannot do, if the Lord Baltimore be intituled to them.

As to the Demand of Waifes, Strays, Wild Horses and Wild Hogs, I conceive that such Cattle as are mentioned in the Representation to be claimed as Strays, are not in Law such, because they are marked with the Mark of the Owner, Which Mark being on Record, Every Person is obliged to take notice to whom they belong, And I do not find, that Wild Horses or Hogs are granted to the Lord Baltimore by the Charter of King Charles the 1st and therefore I conceive the Right to them is in the Crowne as being *Fera naturâ*, and the Property thereof in no particular Person, And tho' there be an Act of the Assembly which gives such Goods (to which no Person hath a Right) to the Lord Proprietor, yet I conceive that Act cannot take away their Majesties Right thereto, unlesse the Royall Assent had been given to such Act, which doth not appear to me, was ever obteyned.

As to the last Demand in relation to Bills, Bonds, Records and other Writings belonging to his Lordships Lands, I conceive that the Bills and Bonds, if the Fact be as 'tis affirmed to me by the Lord Baltimore, that they are his

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securitys for the severall summes of Money agreed to be paid his Lordship by the Planters, upon his granting Land to them, and that they were in his custody, and seized and taken from his servant there, upon his Lordships being discharged of the Government. The Case being so, I thinke it may be just and reasonable, that they should be restored to his Lordship again, and I do not see any Prejudice can thereby happen to the Partys by whom such Bonds or Bills were given, tho' they have not Executed their Warrants, nor had Certificates returned, for the Bonds cannot be put in suit till the Lord Baltimore hath performed the Conditions on his part.

But I conceive it proper, that the Records which are of Publique Use to preserve the Inhabitants Title to their Lands should be kept under the Custody of the Governor.

All which is humbly submitted to your Lordships great Wisedome.

[pp. 99-101. C.S.P. IX. 117.]

2 March. ' [498.] [The Council refer to the Admiralty a petition for  
New Letters of Marque to be sent to Lisbon for the New England-  
England. built frigate *Baron*, George Lawson commander, 250 tons,  
30 guns, and 50 men.] [p. 103.]

2 March. [499.] [His Majesty approves a Barbados Act granting  
Barbados. to Sir Timothy Thornhill 1000*l.* current money of the island  
out of the duty arising on the excise of wines and other strong  
liquors] in consideration of his great charges and expences  
in Commanding a Regiment Employed in the Defence of  
Their Majestys Leeward Charibee Islands against the French  
. . . to be received by the said Sir Timothy Thorn-  
hill as soon as the Debts now due for the Fortifications and  
Pay of the matrosses of that Island shall be provided for.

[p. 104. C.S.P. IX. 151.]

30 March. [500.] [The Council refer to the Treasury the petition of  
Jamaica. Sir John Fleet as to the *Joseph*.—C.S.P. IX. 230.] [p. 122.]

[Also] the Petition of Richard Perry Esqr. and other merchants of London Owners of the ship Richard and Sarah



John Marshall Commander setting forth that the said ship being at Jamaica in the time of the late Earthquake there was taken up into Their Majestys Service as a Guard Ship for the safety and defence of the said Island, for which service there is due to them the summ of 121*l.* 7*s.* 7½*d.* And praying to be paid the same. [p. 123.]

1693.

[The report of the Treasury and one from the Commissioners of the Navy on Sir John Fleet's claim are referred to the Committee—C.S.P. IX. 601.] [p. 252.]

5 Oct.

[A further petition of Sir John Fleet for payment is referred to the Lord Treasurer.] [Anne, Vol. I. p. 271.]

(1702.)  
10 Dec.

[501.] [To the Committee are referred two addresses for the union of New Hampshire and Massachusetts Bay.—C.S.P. IX. 250.] [p. 130.]

6 April.  
New  
Hampshire.

[Order is given in accordance with the report of the Committee, that] it not appearing to the Committee that the said addresses were brought over or presented to Their Majestys by any Person duly authorised thereunto by the Representatives or Inhabitants of that Province, Their Lordships are humbly of opinion that Directions be sent to the Governor or Commander in Cheif of New Hampshire, that with the Council and Assembly there, he propose to Her Majesty what may be done for the security of the Inhabitants, and for the support of Their Majestys Government in that Province.

4 May.

[p. 150. C.S.P. IX. 326.]

[The petition of the Agents of Massachusetts Bay for a new Governor, and for union with New Hampshire, is referred to the Committee.—C.S.P. IX. 1876.] [Vol. IV. p. 143.]

(1695.)  
6 June.

[502.] [The Council refer to the Committee for examination and report] the Petition of Thomas Couch, William Lovell and others of Plymouth Merchants, Praying her Majesty to Signify her pleasure to the Lieutenant Governor of Virginia, to Review the Proceedings there, Concerning the Ship Fortune of Plymouth and her Cargoe. [p. 135.]

13 April.  
Virginia.

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4 May. [Order in accordance with report of Committee.—C.S.P. IX. 328.] [p. 150.]

27 April. [503.] [The Council, on hearing the report of 26 April  
Jamaica and Barbados. from the Admiralty, refer the whole matter of Admiralty Courts in Jamaica and Barbados to the Committee.—C.S.P. IX. 299.] [p. 141.]

25 May. [It is referred to the Committee] to consider and ascertain the Boundaries of the respective Jurisdictions of the said Governors, in Order to the filling up a Blank left for it in the said Commission. [p. 163. C.S.P. IX. 368.]

30 June. [The draft commissions are approved.—C.S.P. IX. 431.] [p. 177.]

4 May. [504.] [Order as to Luke Lopdell and the *Biscay Merchant*.  
Virginia. —C.S.P. IX. 327.] [p. 149.]

11 May. [505.] [The Council refer to the Treasury for examination  
New York. and report the petition of Thomas Dongan, late Governor of New York,] praying Her Majesty to Grant and Confirm to him and his Heires all Their Majestys Right and Interest in the soile and Quit Rents of the Island of Staten, within the Province of New Yorke, and other Lands, purchased by the Petitioner. [p. 152.]

18 May. [506.] [To the Committee is referred the petition of  
Barbados. Colonel John Hallet.—C.S.P. IX. 351.] [p. 156.]

5 Oct. [On the report of the Committee—C.S.P. IX. 425—order is made for the transmission of all papers relating to the case, for hindering any disposal of the 2350*l.* deposited in the Courts, and for protecting witnesses in the petitioner's behalf.] [p. 247.]

(1695.)

19 Dec. [Order given in accordance with C.S.P. IX. 2176.] [Vol. IV. p. 237.]

15 June. [507.] [The Ordnance are to provide, and the Admiralty  
New York. to cause to be transported in the *Richmond* frigate] Armes and Accoutrements for Two Troops of Dragoons, consisting of Sixty Men in each Troop. [p. 170. C.S.P. IX. 419.]

- [508.] [On the report of the Committee, the appointment is confirmed of Ralph Wormley, appointed Secretary of Virginia by the Governor and Council in place of Christopher Robinson, deceased.] [p. 170.] 1693.  
15 June.  
Virginia.
- [509.] [Among various memorials of different merchants and traders referred to the Admiralty, are those of the merchants and traders to New York, the planters and merchants trading to the Leeward Islands, the Jamaica merchants, the merchants trading to the Madeiras and thence to the West Indies, the merchant adventurers of the City of Exeter and places adjacent traders in the fishery of the New found land, the merchants trading to New found-land, and the traders to Barbados.] [p. 189.] 27 July.  
Plantation  
Trade.
- Several other Petitions, Memorialls and Proposals [are also referred to the Committee]. [p. 190.]
- [510.] [The Council refer to the Committee] the Petition of Sir Richard White.—C.S.P. IX. 490.] [p. 194.] 3 Aug.  
Jamaica.
- [His appeal is admitted on the usual terms.—C.S.P. IX. 600.] [p. 253.] 5 Oct.
- [511.] [The Council refer to the Committee] the humble Memorial of the Commissioners of the Leeward Islands. [p. 196. C.S.P. IX. 494.] 10 Aug.  
Leeward  
Islands.
- [512.] [The petition of Christopher Almy and the address of the Government of Rhode Island concerning their grievances are referred to the Committee.] [p. 203. C.S.P. IX. 524.] 24 Aug.  
Rhode  
Island.  
(1694.)
- [Order as to command of militia of Rhode Island, and as to disputed boundaries of that province in accordance with C.S.P. IX. 1176.] [pp. 521-5.] 2 Aug.  
(1698.)
- [The order is renewed.] [Vol. V. pp. 243-7.] 29 Sept.
- [513.] [Two draft charters for trading companies to New Jersey and Pennsylvania with the Attorney General's opinion thereon, referred to the Committee.—C.S.P. XII. 1302.] [p. 204.] 24 Aug.  
Pennsylvania  
and  
New Jersey.

1693.

28 Dec. [The Council approve, and give orders in accordance with, the Committee's report]—The Lords of the Committee having . . . Considered the Draught of a Charter proposed to be granted to Richard Haynes and others, to Incorporate them to trade with a Joynt Stock to Pensilvania in America, And the Committee having received their Proposals in writing touching the Pitch, Tar, Rosin and other Navall Stores of the Growth and production of those parts, they will undertake to provide yearly, to be sold for the use of their Majesties Navy, and the Petitioners having been heard thereupon and agreeing that a Clause shall be inserted in the Charter desired by them, whereby their Majesties may by Order in Councill determine or revoke the said Charter, in Case the Company shall not after five yeares make a yearly Provision of Pitch, Tarr, Rosin, and other Navall Stores to be sold for the use of their Majesties Navy, according to the said Proposals and the intents of the Charter to be granted them in this behalfe, And the Petitioners having further Offered to give security for the due performance of what is set forth in their said proposals, Their Lordships agree to present to his Majesty in Councill the said Draught of the Charter, with the Petitioners Proposals thereupon, and humbly to offer their Opinion, That his Majesty may please to Grant to the Petitioners a Charter according to the said Draught. . . .

[p. 307. C.S.P. IX. 571.]

28 Sept. [514.] Whereas it hath been Represented to Her Majesty Barbados. in Councill that a contagious sickness is yet remaining in the Island of Barbados, [order is given for quarantine to be performed at the Hope by all vessels coming thence.]

[p. 230.]

16 Oct. Their Lordships being informed, That Sir Francois Wheeler is arrived with the Ships under his Command and Convoy, at Spithead, and other the Western Ports, from America, And that as well the Seamen as Souldiers on board, are all in perfect Health; But that possibly there may remain some Contagion in the Clothes, which they have brought with him

- for Barbados. It is thereupon Ordered by their Lordships,  
That all Persons on board the said Ships, who came from  
Barbados, be obliged to wash, Air and Dry their Clothes, before  
they be permitted to come on shoar in any the Ports of  
this Kingdome. [The Treasury and the Admiralty are to  
give directions accordingly.] [p. 257.] 1693.
- [515.] [Orders given confirming Committee's report as to 28 Sept.  
Sir Thomas Lawrence.—C.S.P. IX. 588.] [p. 234.] (1695.)
- [Sir T. Lawrence's answer is referred to the Committee.— 13 June.  
C.S.P. IX. 1839.] [Vol. IV. p. 144.] (1695.)
- [Order in accordance with C.S.P. IX. 1937.] 25 July.  
[Vol. IV. p. 165.]
- [516.] [Extracts from two letters of Colonel Kendall 5 Oct.  
referred to the Admiralty.—C.S.P. IX. 567.] [p. 246.] Barbados.
- [517.] [The Council give order, subject to the approval 5 Oct.  
of the Admiralty, in accordance with a letter from Mr. Guy New  
submitted by the Committee with an extract of a letter from England.  
Mr. Taylor], Representing that he is informed from New  
England, that Sir William Phips had taken from Piscataqua  
a Company of Souldiers, that secured the Place from the  
French and Indians, to whom the Masts and all other  
Concerns there are now exposed, and Proposing, that the  
Fregat in those parts may be Ordered to be at Piscataqua.  
[The Order of Council refers to "One of the Ships appointed  
for the Security of the Coast of New England."]  
[p. 246. C.S.P. IX. 596.]
- [The Admiralty report is referred to the Committee.— 12 Oct.  
C.S.P. IX. 620.] [p. 256.]
- [518.] [Order in accordance with Committee's report as 5 Oct.  
to Captain Oakley.—C.S.P. IX. 599.] [p. 246.] Jamaica.
- [519.] [To the Treasury is referred an extract from a letter 5 Oct.  
of Colonel Codrington, and it is recommended] to their Leeward  
Lordships Consideration, as a Matter, wherein their Majesties Islands.

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1693. Service in those parts is very much concerned, that some speedy Order may be given therein.  
[p. 246. C.S.P. IX. 598.]
- 23 Nov. [520.] The Petition of the Planters and merchants Interessed  
Barbados. in the Island of Barbados [is referred to the Committee.—  
C.S.P. IX. 692.] [p. 284.]
- 7 Dec. [The same or a similar petition is referred to the Treasury.—  
C.S.P. IX. 727.] [p. 296.]
- 23 Nov. [521.] [A memorial of the Commissioners of the Leeward  
Leeward Islands. Islands is referred to the Committee.—C.S.P. IX. 696.] [p. 284.]
- 30 Nov. [A petition as to defence of Barbados is similarly referred.  
—C.S.P. IX. 709.] [p. 291.]
- 7 Dec. [The report of the Committee is referred to the Admiralty  
to report to the Committee.—C.S.P. IX. 725.] [p. 293.]
- 7 Dec. [Committee's report as to Barbados referred to Treasury.—  
(1694.) C.S.P. IX. 724.] [p. 293.]
- 4 Jan. [The Admiralty are called on to make their report forth-  
(1694.) with.] [p. 310.]
- 4 Jan. [A further memorial is referred to the Committee.—C.S.P.  
(1694.) IX. 770.] [p. 311.]
- 11 Jan. [On the Committee's report, order is given to the Treasury]  
That the arreares due to the Regiment of Foot, and Colonell  
Hills company in the Leeward Islands be paid, to the end  
the officers may be thereby enabled to Raise the Recruits  
now to be sent thither. [p. 313. C.S.P. IX. 803.]  
(1694.)
- 18 Jan. [The Admiralty report is referred to the Committee.—  
(1694.) C.S.P. IX. 821.] [p. 317.]
- 8 Feb. [On the report of the Committee, order is given accordingly.  
(1694.) —C.S.P. IX. 870.] [p. 335.]
- 5 April. [The ships of war intended for the service of the Leeward  
Islands] not being as yet ready or appointed, And the French  
having some weeks agoe sent from Rochell, Three men of

1693.

Warr more to those parts, whereby the said Islands may bee greatly Endangered, [order is given, on the petition of the Commissioners of the Leeward Islands, that the ships required to be sent in accordance with the Order of 8 February, be despatched as soon as may be.] [p. 390.]

[522.] [The petition of Thomas Newton is referred to the Committee.—C.S.P. IX. 695.] 23 Nov.  
New  
England. [p. 285.]

[523.] [To the Committee is referred a presentment from the Customs as to Jahleel Brenton.—C.S.P. IX. 708.] 30 Nov.  
New  
England. [p. 290.]

[The Council approve the Committee's report] that Commissioners should be appointed in New England to Examine upon Oath all persons, that shall be able to give Evidence relating to the Complaint of Jaleel Brenton Collector and Surveyor of their Majestys Customes in New England against Sir William Phips Governor of the Massachusetts Bay, and that the same and such other Examinations as have been taken in this matter, together with Authentick Copyes under the Seale of the Province of the Massachusetts bay in New England of all proceedings in the Complainant's Case be transmitted to the said Committee, as also that all parties concerned in the said Complaint bee ordered to returne their answer in writing assoon as may be, that their Lordships may be Enabled to lay before his Majesty the matter with their Opinion upon it. [The Treasury is directed to consider whether anything should be at present further done in this matter, and to present the names of persons fit to be commissioners for taking the examinations.] 7 Dec.  
[pp. 293, 294.]

[524.] [Captain Richard Short's petition is referred to the Committee.—C.S.P. IX. 728.] 7 Dec.  
New  
England. [p. 294.]

[525.] [His Majesty in Council is graciously pleased to give orders to the Treasury in accordance with,] the Petition of Thomas Dungan Esqr. setting forth, that the Petitioner having disbursed the greatest part of his Own Estate in the service of the Crowne for the defence of New York, against 14 Dec.  
New York.

1693.

the French (which is still remayning due to him) and being defeated of his Expectations of his brother the Earl of Limerick's Estate in Ireland, by his Majestys grant thereof to the Earl of Athlone, is unable to subsist in England, without receiving his debt due from the Crown, which he is unwilling to presse his Majesty for during this present expensive Warr, and that having therefore determined to goo and live upon a small Estate he has in America he has obtained Credit for goods from severall Merchants, but the charge of ffreight in this time of Warr, will eat up a great part of his profits, That some of their Majesties frigatts having lately taken a small Vessell called the Margarett Prize of One hundred and sixty tuns now condemned as Prize, and Lying at Plymouth, which will bee of litle service or value to their Majesties, but may bee a great security to the Petitioner in his Voyage and a means to support him there, and therefore praying His Majesty to Grant him the said Prize Vessell with her Rigging Apparell and eight or ten Guns for her defence against any French Privateer that may be Cruising on the Coast of America. [p. 301.]

(1694.) [This entry is repeated at pp. 308-9, the name of the ship being given as the *St. Margaret* privateer of St. Malo.]

25 Jan. [With reference to the grant of the *Margaret* of St. Malo to Col. Dongan, the Treasury report]: Wee sent to the Principall Commissioners for Prizes for an account of the said Ship, who have acquainted Us that the said Privateer is burthen about 260 Tunns, carrying Twenty four Gunns, was taken by Your Majestys Ship the Chatham Capt. John Leader Commander, and brought into Plymouth, where she now lyes and is appraised at Nine hundred ninety Eight pounds fourteen shillings six pence, For which is to be paid, as by the Act for Encourageing of Privateers is directed vizt.

	l.
For 24 Gunns .. .. .	240 0 0
For charges in Condemning etc. by Com- putation about .. .. .	40 0 0



1693.

For $\frac{1}{10}$ to the Treasurer of the Navy for	<i>l.</i>		
meddalls etc. . . . .	96	0	0
For $\frac{1}{3}$ part to Ditto for the sick and wounded	288	0	0
For $\frac{1}{3}$ to the Captain and Seamen . . . .	288	0	0
	<hr/>		
	952	0	0
Upon Balance of this account Your			
Majestys Share by the Act amounts			
but to . . . . .	46	14	6
	<hr/>		
	998	14	6

And wee further humbly Represent to your Majesty that wee cannot comply with the Order of Council, unlesse your Majesty shall be pleased to give directions that the Commissioners of the Prizes, pay the particular Summs above mentioned, out of any mony in their hands, and be allowed it on their account. [On reading this report, which is signed by Godolphin, Stephen Fox and Charles Montague, order was given that the *Margaret* should be bought for Col. Dongan by the Commissioners of Prizes, and the money so employed should be applied towards lessening the debt due to the petitioner from the Crown.] [p. 325.]

(1694.)  
1 Feb.

[On Colonel Dongan's representation that, despite the Order of the Board, the Commissioners of Prizes have sold the *Margaret* to the Admiralty], which, if deteyned by them, will tend to the Petitioners ruine, having on dependance of his Majestys Promise, Entred into Contraets with Merchants for Freight, and laid out all his Money for a Cargo, [order is given that the Admiralty forthwith deliver the ship to the petitioner without further trouble.] [p. 331.]

(1694.)  
8 Feb.

[On Colonel Dongan's petition that in accordance with the previous order, the Admiralty had directed the Commissioners of the Navy forthwith to deliver the ship to the petitioner, but the Commissioners of the Navy having acquitted the *Margaret* to the Commissioners of Prizes, refusing

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1693.

to stand to their agreement, for no other reason than that of his Majesty having granted the vessel to the petitioner, the money sent to the Treasurer of the Navy for the purchase of the vessel is ordered to be returned to the Exchequer and paid to the Commissioners of Prizes, who are thereupon to deliver the ship to Colonel Dongan without any further trouble.]

[p. 334.]

28 Dec. [526.] [On a report from the Committee, order is given  
New York. for sending to New York the following stores of war] the Brasse Guns onely excepted, instead whereof Iron gunns are to bee sent.

Account of Stores wanting in their Majestys Guarrison Fort William Henry in New York in America vizt.

10 Brasse Guns with the Kings Cipher and Crown on them vizt.

High Culverin	.. ..	2
Demie Culverin	.. ..	2
Sakers	.. ..	2
Minion	.. ..	2
Field Peeces	.. ..	2
Barrell Powder	.. ..	100

Glass for the windows of the Kings Chappell and Fort 500 foot uncutt.

The Kings Standard  
6 large Jack Flaggs  
2 Midlings Jacks  
26 Drums  
26 Spare Drum heads  
26 Drum Cords and Snears

Canvas and Oszenbridge of each 100 Ells

Needles	.. ..	5 dozen
Thread	.. ..	12 li.
Starch	.. ..	30 li.
Tard Merling	.. ..	40 li.
White Merling	.. ..	50 li. for the Lying of Tompkins

Paper for Cartridges 10 small Armes

Locks and hinges of all sorts, 8 dozen

Nails from 30d. to 2d.

Tard Rope of	4 Inches	.. ..	1 Quilo
	3 Inches	.. ..	1 Quilo
	2 Inches	.. ..	2 Quilo
White Rope	4 Inches	.. ..	1 Quilo
	3	.. ..	1 Quilo
	2	.. ..	2 Quilo

1693.

Glew for Carpenters .. .. .	12 li.
Linseed Oyle .. .. .	8 Gallons
Oyle of Turpentine .. .. .	4 Gallons
Oyle of Petro .. .. .	2 Gallons
Oyle of Spike .. .. .	4 Gallons
Oyle for small Armes .. .. .	8 Gallons
Tand Hides for the Covering of Powder, 30.	
Sheet Lead .. .. .	500 wt.
Melting Lades both sorts .. .. .	6
Spanish brown .. .. .	100 wt.
Red lead and whit Lead .. .. .	200 wt.
Black lead dust .. .. .	12 li.
Yellow Oaker .. .. .	50 li.
Fine blew .. .. .	20 li.

A bell for the Kings Chappell 30 Inches Diameter

Wyre Lettices for the Windows of the Chappell and Fort

Coll. Fletcher by his letter to the Lords of the Committee of Trade and Plantations dated the 9th of October 1693 does further desire

20 Great Guns besides the 10 above mentioned

And 200 light Fuzees for presents for the Indians who will not carry heavy Arms.

[p. 303-304.] (1694.)

18 Jan.

[Viscount Sydney, Master of the Ordnance, reports that the stores in question will amount to 2347*l.* 17*s.* 6*d.*, and the Ordnance Office insists] that money be assigned by the Treasury, before the same be granted, as also that severall of the Particulars mentioned in the said Estimate, do not properly belong to the officers of the Ordnance to provide, and that there will be great difficulty in finding out the Twenty great Guns therein last mentioned. His Majesty in Council taking notice of the great necessity of supplying the Forts at New Yorke and Albany with the said Stores for their present Security [orders] that only Ten of the Twenty Great Guns mentioned in the Estimate returned by the Office of the Ordnance . . with stores proportionable for them, and such other stores mentioned in the said Estimate, as are properly belonging to the Office of the Ordnance to provide, be forthwith provided and sent, by the said Office.

[p. 317. C.S.P. IX. 819.]

[527.] [On the Committee's report, order is given to raise the New York garrison to 400 men.—C.S.P. IX. 754.] [p. 304.]

28 Dec.  
New York.  
(1694.)

[Orders to the Treasury and the Admiralty to send the reinforcements with all speed.—C.S.P. IX 1023.] [p. 399.]

19 April.

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1693.

(1694.) [As there are to be sent to New York two companies of  
28 June. foot at 100 men each, 80 men to complete the two companies  
now there to the like number, and 60 more as recruits for  
these companies, order is given to the Earl of Romney, Master  
of the Ordnance, to provide (1) bedding for the 340 soldiers ;  
(2) powder, ball, and flints for the two new companies ; and  
(3) for the 80 recruits] 80ty Firelocks, 80 Cartridge Boxes,  
80ty Girdles and Frogs, 80 Byonets, 80ty Hatchets, 2 Drums,  
2 Halberts, with Powder, Ball and Flints proportionable.

[p. 439.]

28 Dec. [528.] [To the Committee is referred the petition of  
Barbados. Charles Mein.—C.S.P. IX. 750.] [p. 304.]  
(1694.)

18 Jan. [Charles Mein's petition that his father Patrick may enjoy  
the office of Naval Clerk in Barbados to which he was  
appointed by the Governor and for which Mr. Cranfield is  
nevertheless obtaining letters patent, is referred to the  
Treasury, on the representation of the Committee, who, after  
hearing both parties by counsel, report] that the Navy  
Office in Barbados is appointed for the better Execution  
of the Acts of Trade and Navigation in those Parts, wherein  
Their Majestys Revenue of the Customes is greatly concerned.

[p. 316. C.S.P. IX. 820.]

(1694.)  
15 March. [On a report from the Treasury, who had consulted the  
Customs and the Attorney General, the opinion is adopted  
that the Governor is not liable to any of the penalties men-  
tioned in the Committee's report concerning the Navy Office  
in Barbados where the officer is put in by his Majesty, and  
Mr. Cranfield is accordingly appointed Clerk of the Navy  
Office there.] [p. 378.]

28 Dec. [529.] [On the Committee's report, it is ordered] that Colonel  
Barbados. Russell Governor of the Barbados be, and he is hereby  
allowed in consideration he has been a long time detained  
here to his Extraordinary expence in preparing for his Voyage  
to the said Island to Receive the first present, the Assembly  
of Barbados shall thinke fitt to give him in mony or Sugar

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- after his Arrivall there, any Order or Instruction to the contrary notwithstanding. [p. 306.] 1693-4.  
(1695.)
- [Colonel Russell is allowed to receive a present of 200*l*. granted him by the Assembly of Barbados.] 23 May.  
[Vol. IV. p. 138. C.S.P. IX. 1850.] (1696.)
- [Leave to accept another similar present is granted.—C.S.P. X. 156.] 20 Aug.  
[Vol. IV. p. 502.] (1697.)
- [Leave granted to his executors to receive a further present.—C.S.P. XI. 208.] 3 Feb.  
[Vol. V. p. 156.]
- [530.] [To the Admiralty is referred the Committee's representation of Colonel Russell's desire for 200 tons of shipping to transport his family and effects.] 28 Dec. Barbados.  
[p. 306.] (1694.)
- [On the Admiralty report, order is given for providing one hundred tons of shipping for the purpose.] 1 Feb.  
[p. 331.] (1694.)
- [Order that Col. Russell's goods may be shipped to Barbados without paying any custom or duty.] 15 Feb.  
[p. 345.] (1694.)
- [On Colonel Russell's petition, it is ordered that the Admiralty do provide, besides the hundred tons of shipping already ordered, so much] as they shall conceive necessary for transporting to the said Island his Equipage, vizt. Two Coaches, One and Twenty Horses, Thirty Two Servants, and Twenty Chaldrons of Coales. [p. 350.] 22 Feb.
- [531.] [Order as to William Barnes in accordance with C.S.P. IX. 785.] 1694.  
[p. 313.] 11 Jan. Leeward Islands.
- [532.] [Jean Reaux to be prosecuted.—C.S.P. IX. 804.] 11 Jan. New York.  
[p. 313.]
- [533.] [The petition of Richard Rawstone of Maryland is referred to the Committee.—C.S.P. IX. 832.] 22 Jan. Maryland.  
[p. 321.]
- [534.] [The Council refer to the Treasury Colonel Nicholson's petition] that the Government of the Massachusetts Bay, be directed, out of the publick Revenue there, 22 Jan. New England.

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1694.

to pay the Petitioner the summ of Three hundred Eighty one pounds sterling due to him as Lieutenant Governor of New England. [p. 322.]

22 Jan.  
Tobacco.

[535.] [The Council refer it to the Treasury to give order upon the petition of] John Gray, praying some allowance for his service in destroying Tobacco Planted about Bristoll.

(1703.)

[p. 322.]

4 Feb.

[The Council refer to the Lord Treasurer the petition of Dorothy Gray] that consideration may be had of her and her Childrens Sufferings and ruinated condition occasioned by her late Husbands Services in discovering divers Tobacco Plantations growing near Bristoll, for which he never received any reward out of the Penaltys due to the Crowne, the same being Privately compounded for, to avoyd Tryalls at Law.

[Anne, Vol. I. p. 308.]

25 Jan.  
Jamaica.

[536.] [The Council refer to the Admiralty the petition of Susannah Brown for] some allowance, in Consideration of the loss of her husband Nathaniel Browne Commander of Their Majestys Ship Falcon, who dyed at Jamaica.

[p. 326.]

1 Feb.  
New  
England and  
Canada.

[537.] Whereas Captain Cyprian Southack, who has been for severall years employed by the Government of New England at sea, and has performed divers Signall Services in severall Expeditions against the French in those parts, having this day had the Honour to kisse his Majestys Hand, Hath presented to his Majesty a Draft of Newfoundland, Nova Scotia, the River of Canada, and the Seas and Territorys thereunto adjoyning made by himself in the said severall Expeditions, His Majesty taking into his gracious Consideration the Services of the said Cyprian Southack, and for his further Encouragment is pleased to Order, As it is hereby Ordered, That the summe of Fifty pounds be paid to him for the buying of a Gold Chain, as a Mark of his Majestys Royall Favour, and that the . . . Admiralty do give all necessary Directions for the speedy payment of the said summe.

[p. 330. C.S.P. IX. 855.]

[538.] [The Committee having presented a Barbados Act of 15 June 1692] for enabling John Kirton to sell certain Lands in the Parish of Christchurch in the said Island, for the payment of his debts, [and also a petition against the Act by the daughter and coheirs of John Brookhoven merchant deceased, the Attorney General is directed to insert a clause preserving the rights of the Crown, as usual in Acts of Parliament, and the Act is then to be confirmed by his Majesty.]

[p. 332. C.S.P. IX. 869.]

1694.  
8 Feb.  
Barbados.

[539.] [On the report of the Committee] That having under Consideration the great Encrease of the Quakers in Pennsylvania and other parts of America, And taking notice of a Representation from Col. Fletcher, That those of Pennsylvania deny their Assistance for the Defence of New Yorke and Albany the Frontiers of those Parts against the French, which may endanger the Losse of some of those Plantations, And having likewise had before them the Extract of a Letter writ by Mr. Pen to Pennsylvania Advising them to protest against the Commission under the Great Seale of England for the Governor of New Yorke to take upon him the Government of Pennsylvania, . . . It was Ordered by his Majesty in Councill, That Mr. Attorney Generall do peruse the Patent granted to Mr. Pen of the Propriety of Pennsylvania, that he may be prepared to give the said Committee an account thereof.

[p. 334.]

[540.] [Order to recall Sir William Phips given in accordance with C.S.P. IX. 862.]

[p. 336.]

8 Feb.  
New England.  
(1695.)  
31 Jan.

[The petition of Phips for a speedy hearing is referred to the Committee.—C.S.P. IX. 1666.]

[Vol. IV. p. 48.]

[541.] [On the report of the Committee, the Master of the Ordnance is ordered to present an estimate for the stores desired by the Commissioners of the Leeward Islands (500 firearms, 2000 weight of shot, and a barrell of flints) in order that it may be transmitted to the Treasury who are to provide money for that service.]

[p. 347. C.S.P. IX. 883.]

15 Feb.  
Leeward  
Islands.

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1694.

- 8 March. [517L., the amount of the estimate presented by the Master of the Ordnance, is ordered to be paid by the Treasury to the Treasurer of the Ordnance, that the stores may be provided and sent by the officers of the Ordnance. The necessary Order is also given to the Ordnance.]

[p. 369. C.S.P. IX. 938.]

- 15 Feb. Barbados. [542.] [The Council refer to the Committee the] Petition of the People called Quakers in London in behalf of their Friends in the island of Barbados, with their Case annexed setting forth the Sufferings and Hardships they undergo in that Island, by reason they cannot for Conscience sake bare Armes. And Praying to be releived therein. [p. 348.]

- 22 Feb. Maryland. [543.] [The petition of Lord Baltimore is referred to the Committee.—C.S.P. IX. 895.] [p. 350.]

- 1 March. Bermuda. [544.] [The petition of Isaac Richier against Lieut. Governor Goddard is granted, and execution thereof referred to the Committee.—C.S.P. IX. 911.] [p. 365.]

- 15 March. [Letter in accordance sent to Lieut. Governor Goddard.] [p. 377.]

(1695.)

- 17 March. [The Council refer to the Committee the petition of Isaac Richier praying the appointment of some indifferent person on the island to examine his complaint against Governor Goddard.] [Vol. IV. p. 93.]

(1695.)

- 19 Dec. [On Richier's complaint that despite the letter of 15 March, 1694, he has been kept a prisoner and his goods detained from him, order is given as in C.S.P. IX. 2209.]

[Vol. IV. p. 241.]

(1697.)

- 17 May. [Orders given in accordance with report of Committee.—C.S.P. X. 1029.] [Vol. V. p. 12.]

(1699.)

- 22 Aug. [A further petition is referred to the Board of Trade.—C.S.P. XII. 934.] [Vol. V. p. 308.]

(1699.)

- 23 Nov. [The appeal is to be heard on the 30th.—C.S.P. XII. 992.] [Vol. V. p. 303.]



[On a report from the Board of Trade, the whole matter is referred to the Committee for Appeals.] [Vol. V. p. 396.]

1694.  
(1699.)  
30 Nov.  
(1699.)  
21 Dec.

[The report of that Committee is approved, and order given that on Richier giving 1000*l.* bail to answer such action as shall be brought against him by Mr. Trott in the King's Bench at Westminster, the two judgments given against him on 15 Dec. 1693 in Bermuda for 2000*l.* and 95*l.* be declared null and void, and that a Commission be issued under the public seal of Bermuda to three nominees of each of the parties to examine witnesses and take depositions to be sent to the King's Bench with the record of all former proceedings.

A memorandum is added that Richier gave the required bail before Lord Chief Justice Holt on 20 February 1700.]

[Vol. V. pp. 404 and 444-5.]

[545.] [On the report of the Committee, order is given to the Admiralty for Col. Nicholson's passage to his Government in Maryland in one of their Majesties' frigates and for the transport of his servants and goods in like manner as Col. Copley was accommodated.] [p. 369.]

8 March.  
Maryland.

[546.] [The stores for New York being on board the *Canterbury* and the *Happy Jane*, one of the men of war convoying the Virginia fleet is to take these two ships under convoy] and to see them safe in the Port to which they are bound.

8 March.  
New York.

[p. 369.]

[547.] [On the Committee's report, it is ordered] that for the present Security of the Island of Jamaica, One good Fourth Rate Frigatt, One fifth, and one Sixth Rate be sent thither, to guard the Island from the Continuall Depredations made upon it by the French, and that particularly the Fourth Rate Frigatt be forthwith sent to Jamaica, in the place of the Mordant, lately lost upon the Coast of Hispaniola; And that Directions be given to the Commanders of such men of warr as shall be sent from time to time to Jamaica, not to Imprest Seamen there without the Governors leave, and that the said Commanders carry with them, such Number of

8 March.  
Jamaica.

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1694.

Supernumerary Seamen, as may Serve to Recruit the Ships remaining at Jamaica for the Guard of the Island. And the Lords Commissioners of the Admiralty are to give all necessary Directions accordingly. [p. 370. C.S.P. IX. 937.]

22 March. [548.] [Leave of absence granted to Sir E. Andros.—C.S.P. Virginia. IX. 979.] [p. 380.]

29 March. [549.] Whereas it hath been Represented to His Majesty Barbados. that Colonel Kendall Governor of Barbados did suspend Major George Andrewes and Mr. John Bromley from their Places in the Councill of Barbados, and bound them over to the Generall Sessions for returning members to the Generall Assembly, who had not produced Certificates of their having received the Sacrament within Twelve months, as was provided by an Act then in force for Regulating Elections, which Act has been since disallowed by His Majesty. And whereas His Majesty hath been pleased to Restore them to their Places in the Councill there. It is this day Ordered by His Majesty in Councill, That Colonell Francis Russell, now appointed Governor of Barbados, do upon his Arrivall in the said Islands, cause the Recognizances of the said Major Andrews and Mr. Bromley either to be discharged, or to suspend all Prosecutions thereupon, untill upon his transmitting over an account of the matter, His Majestys Pleasure shall be known therein. And the Right Honourable Mr. Secretary Trenchard, is to prepare an additional Instruction to Colonel Russell accordingly. [p. 385.]

29 March. [550.] [On the representation of the Committee, His Majesty New England. is pleased to approve, and to give orders in accordance with], the Proposals of Sir Henry Ashurst and Sir Stephen Evance for the bringing to the Port of London within One year if possible, a Ship load of the severall species of Navall Stores from New England vizt. Pitch, Tarr, Rosin, Plank and Knee Timber usefull for Shipping, with an account attested under the hands of the Governor and Assembly, what quantities thereof, They will engage to send over yearly, The Proposers humbly praying,

1694.

that upon produceing Bills of parcells of the first Cost, Interest, Charges, and Insurance of the said Goods, the same may be paid to them, Referring themselves to His Majesty for such further allowance for their paines and hazard as His Majesty shall think they may deserve. [p. 388. C.S.P. IX. 994.]

[A letter to the Governor of Massachusetts Bay to give all possible aid to the promoters of the undertaking] which tends so much to the Encrease of the Trade and Navigation of New England, and to the Good of Their Majesty's Service in Generall. 5 April.  
[p. 388. C.S.P. IX. 1003.]

[551.] [The Council refer to the Committee] the Petition of Jeronimy Clifford an Inhabitant of Surinam, Praying his Majestys Letter to the States of Holland, that he may have Liberty to returne to England, his Native Country, with his Estate. 5 April.  
Surinam.  
[p. 390.]

(1702.)

. . The Petition of Jeronimy Clifford setting forth that being 21 April.  
an Inhabitant of Surinam in the year 1667, and Intituled to the Articles of Capitulation then made upon the Surrender of that Colony to the Dutch, and thereupon intended in the year 1687 to Transport himselfe and Estate to Jamaica, but by an Order of the Governor and Councill of Surinam was Prohibited to Remove or Dispose of his Estate, together with severall other matters of Complaint . . is hereby Referred to the Lords Commissioners of Trade and Plantations.

[Anne, Vol. I. p. 107.]

(1702.)

[On their report it is ordered that the Envoy at the Hague be furnished with papers and proofs to solicit the States General for relief to the petitioner.] 31 May.  
[Anne, Vol. I. p. 137.]

(1704.)

[It is referred to the Board of Trade to have a definite statement of the accounts of Jeronimy Clifford prepared by some able merchants so as to show what is due to him, and to report their opinion on his petition] Complaining of the many vexatious and unjust proceedings of the Governor and Councill of Surinam, in laying Great Fines on him, Imprisoning his 10 Feb.

1694. Person; and contrary to the Articles of Capitulation . . . and the Treaty of Peace concluded in 1674 denying him the Liberty to remove, or dispose of his Estate or Effects, and that he hath not yett had any good Effect from the severall Applications that have been made to the States Generall in his behalfe, And therefore Praying, That his case may be taken into consideration, and such Order given for Obteyning Redress and Satisfaction for his Great Damages, and for removing his Estate from Surinam, as shall be thought meet. [Anne, Vol. II. p. 54.]
- (1704.) 6 Sept. [A petition of Mr. Clifford complaining of delays in examining his papers is referred to the Board of Trade who are to recommend to the referees the hastening of their report.] [Anne, Vol. II. p. 172.]
- (1705.) 3 May. [The petition of Jeronimy Clifford, prisoner in the Fleet, is recommended to the Treasury for some allowance while his difference with the Dutch as to the excessive damage done him at Surinam is still dependnig, and the Board of Trade are to recommend those to whom Clifford's accounts are referred to hasten their report, that an early statement of the matter may be laid before her Majesty.] [Anne, Vol. II. p. 348.]
- (1705.) 9 July. [The report of two eminent merchants on his accounts is submitted by the Board of Trade and approved, and Mr. Secretary Harley directed to lay the same before her Majesty at a convenient time for her Majesty's further pleasure therein.] [Anne, Vol. II. p. 385.]
- 5 April. [552.] [Order is given granting in full the petition of Jamaica. sundry merchants and others concerned in the Island of Jamaica that the Commission for the Condemning of Prizes there] being for the Publick good of all his Majestys subjects concerned there, and Trading thither may bee passed without fees, except Clerkes fees. [p. 392.]
- 5 April. [553.] [The Council refer to the Committee] a Memoriall of John Taylor merchant concerning his Contract for New England Masts, Bowspritts, etc. [p. 393. C.S.P. IX. 1006.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 271

1694.  
[Letters in his behalf to the Governors of Massachusetts Bay and New Hampshire.—C.S.P. IX. 1066.] 24 May. [pp. 417-8.] (1695.)
- [A further petition of John Taylor is referred to the Committee.—C.S.P. IX. 1922.] 28 June. [Vol. IV. p. 150.]
- [554.] [The petition of William Alexander is referred to the Committee.—C.S.P. IX. 1024.] 19 April. [p. 398.] Pennsylvania.
- [The petition of Robert Lee on behalf of the children of the late Earl of Stirling is referred to the Committee.—C.S.P. IX. 1596.] 13 Dec. [Vol. IV. p. 7.] (1703.)
- [The Council refer to the Board of Trade] the Petition of Robert Lee, Executor in Trust for the Younger Children of the late Earl of Stirling, relating to a large Tract of Land in America, conveyed by the said Earl to His Royall Highness the Duke of York, in or about the year 1663. 7 Jan.
- [Anne, Vol. I. p. 284.] (1703.)
- [On the representation of the Board of Trade, the matter is referred to the Lord Treasurer to report to the Council.] 20 March. [Anne, Vol. I. p. 339.]
- [555.] [The Council refer to the Committee] the Petition of the Agents for the Pensilvania Charter, Praying that the same may Passe under the Great Seale of England. 19 April. Pennsylvania.
- [p. 398. C.S.P. XII. 1318.]
- [556.] [The Council refer to the Treasury the] Petition and Papers of Lionell Copley, for himself, his Brother and sister, humbly praying that Mr. Plaister, Mr. Paggen, and Mr. Knight, may be directed to Pay such mony as they stop in their hands, which was due to Colonel Lionell Copley late Governor of Mariland. 17 May. Maryland. [p. 414.]
- [On the report of the Treasury it is ordered that the Treasury do give all necessary directions to Mr. Plater Collector of the moiety of two shillings per hogshead, and the additionall Impost of Three pence per hogshead, on Tobacco in Mariland, for the returning over the Bills for the said Dutys by him] 26 July.

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1694.

Collected, And that when the Bills are so returned, their Lordships do cause to be paid therout to the Petitioner, what mony shall appear to have been due unto the said Colonell Copley deceased. [p. 449.]

14 June. [557.] [The Council give order in accordance with a Memorial Barbados. from the Agents for Barbados representing] That the Owner of the Ship Friends Adventure now ready to sayle for that Island, Proposes to carry, without any Charge to their Majesty, One Hundred Souldiers of Colonel Russells Regiment, which were raised for their Majestys Service in the said Island, So as there may be forthwith put on board her by the Victuallers of the Navy, Two Moneths Provisions for the said Souldiers, which the said Agents humbly prayed, might be granted, in consideration of the great Necessity, the Island is at present in for Men. [p. 434.]

21 June. [558.] [The Committee lay before the Board a presentment of Navigation Acts. the Customs to the Treasury of 22 Feb.] for Preventing Ships trading from Virginia, Maryland and Pensilvania to Scotland and Ireland, contrary to the Acts of Trade and Navigation. [It is referred to the Treasury, who are to consult the Attorney General and the Commissioners of the Customs, and propose remedies] for the future preventing the abuses complayned of, so much tending to the Diminution of their Majestys Revenue, and the Trade and Navigation of this Kingdome. [p. 437.]

12 July. [On reading the report of the Treasury, it is referred to the Committee to consider of this matter.]

[p. 445. C.S.P. IX. 1139.]

9 Aug. [On the report of the Committee, it is ordered that Governor Nicholson be instructed] to cause one or more small Vessells of about 40 tuns each, to be hired with skilfull Comanders in those parts, for whom he will be answerable, and to appoint them to Cruise upon the Coasts of Maryland and Pensilvania with Power to Examine all Ships trading to and from those parts, and to Inspect the Clearings of the said Ships in the Collectors Bookes, in order to the discovery of

1694.

Forged Cocquetts and Certificates, And that for the defraying the Charges of such Vessells and the Encouragement of the Commanders, he dispose of their Majesties Third part of the forfeitures upon the Acts of Trade and Navigation, and the Penalties recovered on forfeited Bonds within his Government, in such manner as he shall most Conduceing to their Majesties Service herein.

[Similar orders are sent to Sir Edmond Andros.]

[p. 455. C.S.P. IX. 1212.]

(1696.)

[A presentment from the Customs of 17 Dec., brought in by the Treasury] concerning illegal Trading of ships between the Plantations and Scotland [is referred] to a Committee of the whole Council.

[Vol. IV. p. 257.]

9 Jan.

[559.] [The Council refer to the Admiralty] the Petition of William White a Prisoner in the Marshalseas on pretence of his running into Martenico with 24 men as he was coming from Barbados.

28 June.  
Martinique.

[p. 440.]

[560.] [The Council refer to the Attorney General the] Petition of James Earle of Arran Son and Heir of William Duke of Hamilton and Anne Dutchesse of Hamilton, Praying to be heard touching his Right to certain Lands in New England, before the Boundarys of Rhode Island now under Consideration be settled, As part whereof the Petitioners said Lands are claimed by the Governor and Company of that Colony . . . But it is not intended, That the Settlement of the Boundarys of Rhode Island, now lying before him, and the Reporting thereof to this Boord, should by means thereof, be in any wise obstructed or delayed.

28 June.  
Rhode Island.

[p. 442.]

(1698.)

[In accordance with Sir Henry Ashurst's petition, it is ordered that he receive] a copy of the Representation of the Councill of Trade dated the 10th of August 1697, upon the Petition, and Case of the Dutchess of Hamilton relating to the Narragansett Country or Kings Province in America.

24 Nov.

[V. p. 270.]

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1694.

5 July. [561.] [Mr. Penn's petition is referred to the Attorney  
Pennsylvania. and Solicitor General.—C.S.P. IX. 1128.] [p. 444.]

12 July. [On their report, the matter is referred to the Committee.—  
C.S.P. IX. 1138.] [p. 445.]

9 Aug. [Order in accordance with Committee's report.—C.S.P.  
IX. 1213.] [pp. 453-4.]

2 Aug. [562.] [The petition of Jane, wife of William May, steward  
Piracy. of the ship *Charles the Second*, merchantman of London,  
Capt. Gibson late commander, Ann Johnson, Mary Gulston,  
Mary Gyham, Ann Ivy and others, to be answered by  
Sir James Houblon and such others of those concerned as  
are in or about London.] [p. 452.]

16 Aug. [The petition and Houblon's answer referred to the Com-  
mittee.—C.S.P. XII. 1321.] [p. 461.]

13 Sept. [On reading a representation from the Committee, orders  
are given for the seizure of the *Charles the Second* in the  
plantations or wherever met with, the crew having run away  
with the vessel from Corunna, as is supposed, upon a piratical  
design. The Admiralty are to give the necessary directions  
to all commanders of ships, etc.] [p. 473.]

[Letters to this intent are addressed to the Governors of  
Jamaica and Barbados on 13 Sept, but entered under dato  
27 September.] [p. 487.]

9 Aug. [563.] [On the representation of the Committee, orders are  
New York. given to the Master of the Ordnance to deliver a sufficient  
quantity of powder and ball for two companies of foot,  
consisting in all of 150 fusiliers, now going under command  
of Captain Hide to New York or New England by the *Hope*,  
Aaron Everden commander.] [p. 455. C.S.P. IX. 1209.]

9 Aug. [564.] [A memorial from the Commissioners of the Leeward  
Leeward Islands. Islands as to neutrality in America is referred to the Com-  
mittee.—C.S.P. IX. 1215.] [p. 455.]

29 Nov. [A memorial praying for reinforcements is similarly referred.  
—C.S.P. IX. 1564.] [p. 513.]



ACTS OF THE PRIVY COUNCIL (COLONIAL). 275

[A similar memorial is similarly referred.—C.S.P. IX. 1703.] 1694.  
[Vol. IV. p. 85.] (1695.) 7 March.  
(1695.)

[On the report of the Committee, it is ordered that the *Hastings* frigate be at once despatched.] 10 March.  
[Vol. IV. p. 87.]

[565.] [Order for the speedy departure of an advice boat 23 Aug.  
to Jamaica with a despatch from the Privy Council, and for Jamaica.  
its return with Sir William Beeston's despatches.] [p. 463.]

[566] [In accordance with the Committee's representations, 6 Sept.  
orders are given for the despatch to Jamaica of the ships of Jamaica.  
war, *Dunkirk*, *Ruby*, *Reserve* and *Assistance* with the *Terrible* New York.  
and the *Hawk* fireships with four months provision for 1700  
men of two regiments being sent thither, besides other  
necessary stores. Ten more men of the companies bound  
for New York are to be shipped and victualled with the others  
on the *Hope* at Plymouth.] [p. 470. C.S.P. IX. 1294.]

[The troops for Jamaica to be victualled by petty warrant. 23 Dec.  
—C.S.P. IX. 1641.] [Vol. IV. p. 33.]

[567.] [The petition of Paul de Brissack is referred to the 20 Sept.  
Committee.—C.S.P. IX. 1327.] [p. 475.] Antigua.

[568.] [The Council refer to the Committee the petition 20 Sept.  
of William Carbonell for payment for the services of the Barbados.  
*Coronation* and the *New England* frigate taken into employ-  
ment as fourth rate men of war by the Governor and  
Council of Barbados.] [p. 476. C.S.P. IX. 1326.]

[The Council refer to the Treasury a memorial from the 24 June.  
Admiralty on the petition of William Carbonell and other  
merchants of London for 615*l.* 13*s.* 5*d.* for the service of the  
*England* frigate and 222*l.* 11*s.* 5*d.* for the *Coronation*, taken  
into his Majesty's service at Barbados in 1691, at the rate  
of ten shillings per ton *per mensem* for the time of service.]  
[Vol. V. p. 31.]

[569.] [Order for the appointment of John Murray as 27 Sept.  
Commissary etc.—C.S.P. IX. 1352.] [p. 478.] Jamaica.

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1694.  
30 Oct. [Dr. Wm. Fleming is appointed Physician to the forces for Jamaica at a salary of 20 shillings a day, and Mr. Wm. Mortimer Apothecary at 200*l.* per annum.]  
[p. 496. C.S.P. IX. 1463.]
- 27 Sept. [570.] [800*l.* of arrears due to Leeward Islands regiment  
Leeward ordered to be paid.—C.S.P. IX. 1353.] [p. 479.]  
Islands.
- 20 Dec. [1400*l.* to be paid by the Treasury.—C.S.P. IX. 1612.]  
(1695.) [Vol. IV. p. 11.]
- 10 March. [On the report of the Committee, they are ordered to confer with Colonel Holt and the officers of the regiment of foot now in the Leeward Islands as to the manner of raising 200 men besides the 200 recruits already ordered, and to report to the Board.] [IV. p. 87.]  
(1695.)
- 14 March. [The Treasury to pay 1400*l.* to the officers of the Leeward Islands regiment, as ordered on 16 December, for raising 200 recruits, and as soon as these are raised to pay another 1400*l.* for 200 more recruits.] [IV. p. 89.]  
(1695.)
- 14 March. [The remainder of Colonel Russell's regiment being this day ordered to the Leeward Islands, the Treasury are to] satisfy the Clothiers of the said Regiment by such Assurances of Payment for their Cloths, as their Lordships shall think fitt, that the same may be forthwith delivered out to the Officers, [and to give the requisite directions for the pay and subsistence of the regiment]. [IV. p. 90.]  
(1695.)
- 14 March. [On reading the memorial of William Bridges, and on a representation from the Committee, orders are given as to the transportation of Colonel Russell's regiment and as to aid from Barbados.—C.S.P. IX. 1719–20.] [IV. p. 94.]  
(1695.)
- 28 March. [On the Committee's representation, further orders as to their transportation.—C.S.P. IX. 1750–2.] [IV. p. 99.]  
(1695.)
- 23 May. [On the representation of the Committee, the Commissioners of Transportation are ordered to provide "Hamacas" or bedding for the Leeward Islands recruits, and to pay the surgeons half a crown per man for their care of them on the voyage.] [IV. p. 135.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 277

[On the representation of the Committee, orders are given that the necessary orders be given by the Admiralty that the recruits for Colonel Russell's regiment be victualled by petty warrant till they sail from Plymouth so that they may have their full complement of provisions on board at the time of sailing.] (1694.)  
(1695.)  
6 June.  
[IV. p. 142.]

[On reading the petition for payment of arrears of Colonel Holt—C.S.P. IX. 1894-5—he and such of his officers as are in or about town are ordered to appear on Thursday next. The Agents of the Leeward Islands are also ordered to attend on Thursday next with their charter parties and agreements for transporting the recruits of Colonel Russell's regiment.] (1695.)  
20 June.  
[IV. p. 146.]

[The Admiralty are ordered to transport 160 recruits now ready to embark at Portsmouth for Colonel Holt's regiment.] (1696.)  
4 Jan.  
[IV. p. 253.]

[Two memorials of Colonel Holt relating to his regiment are referred to the Treasury.] (1696.)  
9 Jan.  
[IV. p. 257.]

[On the report of the Committee, it is ordered that four tons of clothing for the Leeward Islands regiment be carried in the ships now going thither with recruits.] (1696.)  
6 Feb.  
[IV. p. 280.]

[Orders to the Admiralty to deliver to the officer in chief with the recruits going to the Leeward Islands,] the Hamacers remaineing in the handes of Mr. Weaver the Officer of the Commissioners of the Customes att Portsmouth. [The like order to the Master of the Ordnance about delivering "the Hamacos and Bedding."] (1696.)  
30 April.  
[IV. p. 414.]

[571.] [The petition of Thomas Sutton and Francis Blackmore is referred to the Committee.—C.S.P. IX. 1490.] 8 Nov.  
Jamaica.  
[p. 499.]

[On the report of the Committee, the petition is referred to the Governor and Council of Jamaica.—C.S.P. IX. 1565.] 29 Nov.  
[p. 520.]

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1694.  
15 Nov. [572.] [Order in accordance with C.S.P. IX. 1476. In  
Jamaica. addition, Captain Elliot is recommended to the Admiralty for  
command of a ship of war.] [p. 505.]
- 22 Nov. [573.] [On the report of the Committee; Colonel Codrington  
Virgin is ordered to hinder foreign settlement in the Virgin Islands.  
Islands. —C.S.P. IX. 1539.] [p. 510.]
- 22 Nov. [574.] [10*l*. is allowed to the surgeon going with the  
New York. troops to New York besides the half-crown per man allowed  
for his care of the men. Another month's provision for the  
men is to be put on board for which the usual deductions will  
be made from their pay. The necessary directions are to  
be given by the Admiralty. To complete the companies,  
30 recruits are to be taken from any regiments lying near  
the Thames, the usual levy money allowed for recruits being  
paid by the commanding officer. The necessary directions  
are to be given by William Blathwayt Esqr. Secretary at  
War.] [p. 510. C.S.P. IX. 1538.]
- 29 Nov. [575.] [The Council refer to the Committee a petition of  
Jamaica. divers Jamaica merchants for putting impartially into execution  
the clause in the Jamaica Militia Act relating to invasions,  
and for the appointment by the sufferers in the late French  
invasion of Commissioners to act with the Council's nominees  
in assessing damages and distributing the money raised.]  
[p. 513. C.S.P. IX. 1566.]
- 13 Dec. [4000*l*. from the profit on exchange to be applied to the  
relief of the sufferers.—C.S.P. IX. 1594.] [Vol. IV. p. 8.]
- 29 Nov. [576.] [On the Committee's report, the Council refer to  
New York. the Treasury the petition of the captains of the two com-  
panies going to New York that two months' subsistence now due  
and one month's in advance be allowed them to provide neces-  
saries for themselves and their men during the voyage], in  
regard the said Companys have been three months on board  
and suffered very much at Sea, and by the losse they have  
Sustained in an Engagement with the Enemy. [p. 518.]

[The 150 men for New York being still detained at Plymouth for their convoy, order is given for the transport and victualling in the same ships of fifty more men who have meanwhile been raised to complete the two companies.] [Vol. IV. p. 51.]

1694-5.  
(1695.)  
5 Feb.

WILLIAM III. VOL. IV. (2 Dec. 1694—23 April 1697.)

[577.] (1) [To the Admiralty are referred the petitions of several merchants and planters trading to Jamaica that the *Robert and William*, Edward Moor master, 120 tons, 10 men, may replace the disabled *James and Mary*; of Gilbert Heathcote, that the *Anne*, which was sent from Jamaica with an account to his Majesty of the state of that island, may be permitted to return thither; and of Thomas Dade and other merchants of London for the *Phoenix* with 25 men to sail to Jamaica.] [pp. 5-8.] 13 Dec.  
Ship Passes.

[On the report of the Admiralty, permission is granted.] [pp. 11-12.] 16 Dec.  
1695.  
3 Jan.

(2) [Petitions for the *Swan* to return home to New England, and for the *Recovery* to go to Barbados in place of the *Success* sunk at Beachy, are referred respectively to the Admiralty and the Treasury.] [p. 25.] 10 Jan.

[On a report from the Admiralty, the *Swan* is allowed to sail] with six men, two Native Indians, and a Boy, all belonging to New England. [On the report of the Customs, the *Recovery* is also allowed to sail.] [p. 31.] 10 Jan.

(3) [To the Admiralty is referred the petition of Philip Bass, commander of the *Mary Ann*, to return to Boston with 20 men, all of New England.] [p. 31.] 10 Jan.

[The same or a similar petition is referred to the Customs.] [p. 48.] 31 Jan.

[On the report of the Customs, he is allowed to sail.] [p. 63.] 14 Feb.

(4) [To the Admiralty are referred the petitions of Sir William Cann of Bristol, merchant, for the *Gift* of Bristol to Barbados; of several Jamaica merchants of London for the *Elizabeth* to Jamaica, with some naval stores for his Majesty's service beside their own goods; of Samuel Travers, Simon Alcock, and Trial Travers of Dublin for the *Unity*, 70 tons, laden with servants and provisions, to sail from Dublin to Jamaica, without coming first for England; of Alexander Lorimore and other merchants of London for the *Friendship* to sail with servants and provisions from Dublin to Jamaica.] [p. 40.] 18 Jan.

(5) [To the Customs is referred to examine, and to report whether the mariners are natives of New England, or how long they have been inhabitants there, the petition of John Cooper, master of the *Elizabeth*, New England built, owned and manned, to return home.] [p. 55.] 7 Feb.

[On their report, allowed to sail.] [p. 65.] 17 Feb.

(6) [The Council refer to the Admiralty the petition of the Newfoundland merchants of Plymouth for five ships to sail under convoy of the *Africa*

14 Feb.

## 280 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1695.

frigate, designed for New England, till they are out of the Channel; for convoys for the ships that will be ready to sail in May; and for a light frigate or two to secure the Newfoundland coast from the insults of the French. [p. 63.] On the report of the Admiralty, the five ships are referred to the Customs, on 13 March, to inquire into the matter of fact, whether the ships design to sail to Newfoundland, as they pretend. [p. 80.] On 17 March, 6 ships are allowed to sail. [p. 93.] On 21 March, 4 more. [p. 96.] 8 more on 28 March [p. 100.] On 4 April a petition that the convoy be fitted out and sail with the first fair wind is referred to the Admiralty [p. 104]; 6 more ships are allowed to sail on 7 April [p. 107]; on 21 April, 14 are referred to the Customs, and on 28 April allowed to sail [pp. 118 and 121]; on 9 May, 7 more [p. 131]. On 23 May, 7 more are referred to the Admiralty. [p. 135.] The names, tonnage, etc., of all are given in the Register.]

- 21 Feb. (7) [To the Admiralty is referred the *Nicholas*, Rogor Vavasor commander, 300 tons, 35 guns, praying for letters of marque] to enable her to go with Two other Privateers of like force upon a Designe against the French, on the Backside of Newfoundland. [p. 69.]
- 21 Feb. (8) [William Wormal, master of the *Fisher* of Boston, 100 tons, 6 guns, 10 men, New England built, owned, and manned, is referred to the Customs.] [p. 70.]
- 3 March. [On the report of the Customs that he and the mariners have been inhabitants of New England for more than ten years, and that most of them are natives, the ship is allowed to sail.] [p. 79.]
- 28 Feb. (9) [The *William*, Jamaica owned and manned, praying to return home, is referred to the Customs.] [p. 74.]
- 10 March. [Allowed to sail; names of crew given.] [p. 88.]
- 24 March. (10) [Nathaniel Wilmer owner, and James Thomas master, for the New England built and manned *London Merchant*, to proceed to Barbados, are referred to the Admiralty.] [p. 98.]
- 31 March. (11) [Reference to the Treasury of the report of Captain Foulis of the *Gloucester* from Bristol, touching the merchant ship *Potomac Merchant*, which he had stopped from breaking the embargo, and sailing for Nevis.] [p. 102.]
- 4 April. (12) [The *John's Adventure*, New England owned and manned, to return home, is referred to the Customs.] [p. 104.]
- 14 April. [Allowed to sail; names of crew given.] [p. 114.]
- 11 April. (13) [*St. Jago* of New England to return home with Barbados and Leeward Island convoy referred to Customs.] [p. 109.]
- 21 April. [Allowed to sail; names of crew given.] [p. 117.]
- 11 April. (14) [The *Unity* with perishable merchandise for Pennsylvania to sail with the next convoy for Cadiz—referred to the Admiralty.] [p. 110.]
- 14 April. (15) [On two reports from the Customs and a letter from Mr. Symms, one of the Surveyors of the Port of Bristol, the Admiralty are directed to prosecute such as have broken the embargo or assisted in so doing.] [p. 113.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 281

- 1695-6.  
21 April. (16) [The *Johnson* frigate, Samuel White commander, 250 tons, 30 guns, 20 seamen, 15 landmen including boys, New England built and manned, is referred to the Admiralty.] [p. 116.]
- [On their report, allowed to sail.] [p. 131.] 9 May.
- 21 April. (17) [The *Martin's Adventure* to Barbados for Robert Heysham's sugars, which have lain for some time perishing—referred to the Admiralty.] [p. 119.]
- (18) [The *Robert* of New York to return home—referred to the Customs.] 2 May. [p. 127.]
- [Allowed to sail.] [p. 131.] 9 May.
- (19) [The *Merchants Adventure* with stores for H.M.'s ships in the Leeward Islands is allowed to sail thither.] [p. 128.] 2 May.
- (20) [On a memorial from the Master General of the Ordnance, the *Ann and Hannah* with stores for the *Bristol* and *Play* prize at Barbados, the *Adventure* with stores for the *Chester* at Antigua, and the *Elizabeth* pink with stores for the *Hampshire* and *Experiment* at Jamaica, are allowed to sail. So also is the *Durham Yard*, on a memorial from the Admiralty, with stores for the *Bristol* and *Play* prize.] [pp. 134-5.] 23 May.
- (21) [The *Barbara* of Coleraine from Beaumaris to the Leeward Islands with beef, pork, and Irish linen—referred to the Customs.] [p. 135.] 23 May.
- (22) [On a memorial from the Admiralty, the embargo is taken off.] [p. 139.] 30 May.
- (23) [On a report from the Committee, a general embargo is ordered to be laid on 1 Dec. next, with certain exceptions not affecting the plantations. See also 594.] [p. 188.] 12 Sept.
- (24) [Reference to the Admiralty of the petition of Jeremiah Johnson of London for twenty seamen to go to New England by the *Prudent Sarah* in order to bring from thence the petitioner's new ship *Jeremiah*, 400 tons.] [p. 213.] [On 5 December, on the Admiralty report, protection is granted for 20 men in New England to bring over the *Jeremiah*, and for such of them as are New Englanders to return thither.] [p. 228.] [On the 13th Johnson's petition for 30 men in New England to sail the *Prudent Sarah*, Benjamin Gillam master, is referred to the Admiralty] [p. 234]: [on 9 Jan. 1696, on their report of 21 December, the petition is granted on the same conditions as for the *Jeremiah*.] [p. 256.] 21 Nov.
1696.  
9 Jan. (25) [The petition of several London and West Country merchants for their ships to sail to Newfoundland, and to have a convoy assigned, is referred to the Admiralty; names not given.] [p. 257.]
- [On the report of the Admiralty, 28 ships (names given) with 272 seamen and 321 landmen, are allowed to sail. The Admiralty report that orders will be sent to the several ports forbidding the pressing of any of these men, provided they keep on board the ships whereto they belong.] [pp. 275-6.] 23 Jan.

# 282 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1696.

6 Feb. [The petition of several merchants for 17 ships (names not given) with 223 seamen, to sail to Newfoundland, since of the 600 men annually allowed for that trade only 272 have yet been granted protection, is referred to the Admiralty.] [p. 280.]

16 Jan. (26) [Christopher Fowler and others of London, owners and freighters of the *Richard and Michael*, already cleared at the Custom House for Barbados, are referred to the Customs; so also is Thomas Man, master of the *Edward and Francis*, already cleared for Carolina.] [p. 270.]

23 Jan. [The latter is permitted to sail.] [p. 275.]

6 Feb. [The *Edward and Francis* to proceed with the convoy.] [p. 280.]

6 Feb. (27) [The *New York Merchant*, Thomas Jeffers master, 80 tons, which on 14 December put in at Cowes to pay his Majesty's customs, on her way from Holland to New York, petitions to be allowed to proceed.] [p. 281.]

13 Feb. [Allowed to sail.] [p. 285.]

13 Feb. (28) [The *Peter and Mary* a prize ship bought at Falmouth for London merchants and delayed on the way from Falmouth to London, to sail to Jamaica with perishable goods—referred to the Admiralty.] [p. 283.]

23 Feb. (29) [A strict general embargo is laid; all protections are vacated and recalled, except such as are for his Majesty's immediate service.] [p. 290.]

23 April. (30) [The petition of Nicholas Oursell of London for 35 seamen to sail the *Oursell* frigate, 300 tons, 20 guns, 35 men, New England built, from New England to London, is referred to the Admiralty to be granted, such of the seamen as are New Englanders to be allowed to return thither.] [p. 403.]

26 April. (31) [The embargo is removed.] [p. 405.]

1694.

6 Dec. [578.] [Protections are granted to the seamen on the transport ships hired to carry the soldiers to Jamaica.] [p. 4.]

(1695.)

10 Jan. [It is referred to the Admiralty whether it shall be an instruction to Captain Wilmot to send a man of war home as convoy with the merchant ships from Jamaica.] [p. 32.]

(1695.)

18 Jan. [On an Admiralty report, desiring to know his Majesty's pleasure in the matter, order is given that Captain Wilmot send home one of the men of war.] [p. 38.]

(1695.)

28 Nov. [The Jamaica merchants, petitioning for an extension of time till 31 Dec. for their ships sailing to Jamaica, are referred to the Admiralty.] [p. 215.]

(1695.)

5 Dec. [On their report, the prolongation is granted.] [p. 226.]



[579.] [Notwithstanding the embargo, in consideration of the late contrary winds, the Admiralty are to allow some further time for the Virginia, Canary and Portugal ships to reach the Downs.]

[p. 5.]

1694.  
9 Dec.  
Virginia and  
Maryland.

(1695.)

[The petition of the Virginia and Maryland merchants for an extension of the time for their ships to be ready in the Downs to attend the convoy, from 1 Dec. to 31 Dec. is referred to the Admiralty.]

[p. 210.]

14 Nov.

[On the Admiralty report, the time is prolonged accordingly.]

[p. 214.]

(1695.)

21 Dec.

[A report of the Board of Trade as to convoys for the Virginia merchants is referred to the Admiralty.]

[p. 518.]

(1696.)

24 Sept.

[On their report, it is referred back to them to consider whether it is most advisable to stop the Convoy that is now at Virginia, or to send a New Convoy thither.]

[p. 523.]

(1696.)

1 Oct.

[The Customs are ordered to] send an Account to this Board in writing on Tuesday next, of what numbers of Ships have been cleared in the Port of London for Virginia and Maryland, and went with the last Convoy or since, As also what Ships have returned from those Places to the Port of London since the First of January last.

[p. 524.]

(1696.)

2 Oct.

Upon consideration this day had at the Boord of a Representation of the Councill of Trade touching Convoyes for the Virginia and Maryland Trade, [as it is deemed too late to send orders to the Convoy now in Virginia and Maryland to stay till the merchant ships there (over 100) can load this year's crop, the Admiralty are directed to send two men of war to be there in February to convoy home the fleet bringing this year's tobacco crop].

[p. 526. C.S.P. X. 332.]

(1696.)

22 Oct.

[580.] [The Committee's report on the petition of the Commissioners of the Leeward Islands, recommending that one or two ships be sent to replace the *Chester*, now become useless by reason of her long stay in those parts, is referred to the Admiralty.]

[p. 11.]

16 Dec.  
Leeward  
Islands.

284 ACTS OF THE PRIVY COUNCIL (COLONIAL).

- 1694-5.  
23 Dec. [A fifth-rate ship to be sent.—C.S.P. IX. 1616.] [p. 15.]
- 23 Dec. [581.] [His Majesty in Council approves the instructions  
Jamaica. prepared by the Committee for Sir William Beeston, relating  
to the expedition to Jamaica, for Colonel Lillingston, com-  
manding the foot regiment, for John Murray, the Commissary.  
—C.S.P. IX. 1617—and for Captain Robert Wilmot, com-  
mander of the squadron.] [pp. 10 and 14.]
1695.  
10 Jan. [582.] [Letters from the Court of Madrid to the Governors  
Hispaniola. of Hispaniola and Cuba and the Captain General of the  
Spanish Fleet in the West Indies relating to the intended  
expedition in these parts are to be delivered to the Governor  
of St. Domingo by Captain Wilmot, who is also to send  
copies in advance by the *Swan* frigate, whose commander is  
to proceed thither directly from the Straits and to use all  
expedition.] [p. 32.]
- 10 Jan. [583.] [Prizes to be distributed.—C.S.P. IX. 1643.]  
West Indies. [p. 32.]
- 18 Jan. [584.] [Officers and seamen captured in H.M.S. *Falcon*  
Jamaica. to be exchanged.—C.S.P. IX. 1655.] [p. 38.]
- 28 Feb. [585.] [The Council refer to the Committee the petition  
Newfound- of Hugh Redman of London to be made Governor of New-  
land. foundland.] [p. 74. C.S.P. XII. 1331.]
- 14 March. [586.] [The Council refer to the Committee the petition  
Barbados. of Richard Holder and Wylde Clarke of London merchants  
that an appeal be admitted against the condemnation at  
Barbados of their ship *Experiment*, taken on the coast of  
Barbary by Charles Coates, commander of the *Exchange*  
privateer.] [p. 92. C.S.P. IX. 1721.]
- 19 Dec. [On the Committee's report, the Council admit the appeal  
(1696.) and appoint the first Council day in November 1696 for its  
hearing.] [p. 241. C.S.P. IX. 2208.]
- 5 Nov. [Holder and Clarke representing that they are now ready  
to be heard on their appeal, the hearing of the case] is hereby  
referred to the Council of Trade. [p. 532.]

[The Council, on the report of the Committee of the whole Council, reverse the sentence given at Barbados in Nov. 1693 against the *Experiment*. It was held that his Majesty's subjects had been allowed for years to trade with South Barbary and to export thither gunlocks and other English manufactures, and as no one appeared on behalf of Captain Coates to defend the seizure, the judgment was annulled.] [p. 573.]

1695.  
(1697.)  
21 Jan.

[587.] [The Council refer to the Treasury the petition of Captain Robert Dorrill for payment of 1015*l.* 6*s.* 3*d.*, the amount of two bills on the Victuallers of the Navy drawn by the captains of the *Tiger* and *Mermaid* frigates whom he supplied at Barbados.] [p. 98.]

24 March.  
Barbados.

[588.] [The Council refer to the Admiralty, to give such further bounty as they shall think fit, the petition of Mary Heath for a pension and his Majesty's bounty in consideration of the loss of her husband, Captain Thomas Heath of the *Chester*, in the West Indies, and of his services in burning the *Royal Sun*.] [p. 98.]

28 March.  
West Indies.

[To the Admiralty are referred for consideration and report the petitions of Anne Pugh and Hannah Warren for allowances for the loss of their respective husbands, Captain Richard Pugh, cast away in the *Norwich* in the West Indies, and Captain George Warren of the *Pembroke*, lost at Martinique.] [p. 127.]

2 May.

[589.] [Peter Gaillardet having put 1700 livres worth of goods on board the *Unity* the better to discover the designs of persons concerned in a trade with France, and the ship on her voyage to Guadeloupe having been taken by his help and condemned in the Admiralty here, the value of his goods is ordered to be restored to him from the money arising by the sale of prizes.] [p. 126.]

2 May.

[590.] [The petition of Wait Winthrop, Samuel Sewall, John Saffin and others is referred to the Committee.—C.S.P. IX. 1844.] [p. 127.]

2 May.  
New  
England.

# 286 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1695.

23 May. [591.] [A list of stores ordered to be sent to Virginia from the Ordnance Office and paid for out of his Majesty's revenue of quit rents in the said province]:—

Round Shott	{ Culvering .. .. .	1040	
	{ Demy Culvering .. .. .	320	
		La.	Spon.
Ladles and	{ Culvering .. .. .	26	26
Spunges for	{ Demi Culvering.. .. .	8	8
	Ladle Staves .. .. .	18	
Cases of wood	{ Culvering .. .. .	36	
for Cartridges for	{ Demy Culvering .. .. .	12	
	Funnells of Plates .. .. .	3	
	Corn Powder .. .. .	126	barlls.
	Match .. .. .	4	cwt.
	Sheet Lead.. .. .	4	cwt.
	Crowes of Iron .. .. .	34	
	Spikes .. .. .	300	
	Fore Lockkeys .. .. .	40	pr.
	{ 20 d. .. .. .	200	
Nailes	{ 10 .. .. .	400	
	{ 6 .. .. .	1000	
	{ 2 .. .. .	2000	
	Heads and Rammers grt. .. .. .	20	pr.
Formers	{ Great .. .. .	3	pr.
	{ Small .. .. .	2	
	Budge barrells .. .. .	3	
	Tann'd Hydes .. .. .	6	
	Baskets .. .. .	24	
	Paper Royll. .. .. .	5	Rhm.
	Starch .. .. .	8	li.
	Needles .. .. .	8	Doz.
	Thread .. .. .	8	li.
Lanthornes	{ Ordinary .. .. .	2	
	{ Dark Do. .. .. .	1	}
	Muscovia Lights .. .. .	3	
	Wadhookes.. .. .	8	
	Hand Crow leavers .. .. .	40	
	Powder Hornes .. .. .	46	
	Priming Irons .. .. .	18	
	Linstocks .. .. .	6	
	Marlin .. .. .	30	li.
	Twine .. .. .	6	li.
	Wyre .. .. .	6	li.
	Hand screws .. .. .	2	

[p. 138. C.S.P. IX. 1851.]

6 June. [592.] [The Council refer to the Admiralty the petition of Virginia. Captain Isaac Townsend, late commander of H.M.S. *Foresight*

1695.

for repayment of money disbursed by him for quarters of sick men in Virginia.] [p. 143.]

[The Admiralty memorial is referred to the Committee, who are also to inspect the commission and instructions of the Commissioners for Sick and Wounded Seamen and to settle such further powers and authority for them as they shall think necessary.] 11 July. [p. 161.]

[593.] [On the Committee's report that Colonel Fletcher has represented to them that a present from the King would confirm the Five Nations in their allegiance and prevent them from starting to the French, the Treasury are directed to pay to Mr. Gilbert Heathcote 200*l.* desired by Colonel Fletcher for the purchase of the goods named in the following list] :— 6 June. New York.

A Lyste of Goods proper to be presented to the Five Nations of Mohaques and Sineques and the River Indians at Albany :—

- 24 Coates of Blew Cloath which costs in England about 9*l.* the Peice, the said Coates to be laced with St. Martins Lace and brasse Buttons finely set forth.
- 24 Hats of about ffour shillings apeice in England, laced about as above.
- 24 Shirts of Ordinary Linnen.
- 24 Striped Neckclothes.
- 24 pair of Shoes and Buckles.
- 24 Pair of Ordinary Stockings.
- 6 Half peices of Red Stroud water Cloth.
- 6 Peices of striped Blankets.
- 10 Peices of Blew } Duffells.
- 2 Peices of Red }
- 20 dozen of Woollen Hose Red, Blew, Yellow and White.
- 500 Ells of White Osenb. for Shirts.
- 2 Grosse of Knives, black hafted, sharp Points.
- 1 Grosse of Brasse Tobacco Boxes.
- 1 Barrill of Tobacco Pipes.
- 6 li. of Vermillion.
- 50 Brasse Kettles of 2, 3 and 4 pounds apeice, thin beaten and light to carry when they go a Hunting or to Warr.

[The list is dated New York 10 November 1694 and signed, S. V. Cortland, David Jamison, S. Conly.]

[p. 143. C.S.P. IX. 1877.]

# 288 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1695.

20 June. [594.] [The Committee are ordered to prepare a scheme  
Plantation of next year's trade and convoys.] [p. 147.]  
Trade.

12 Sept. [To the order to the Admiralty, laying an embargo, is added]  
That the usuall convoys be Provided for the severall forrein  
Trades ready at or before the said first of December; and that  
three convoys be Provided for the ships bound for the Barbados,  
in case the same may be spared from other services, so as to  
be ready by the said first of December And that the mon of  
warr in the West Indies be Releived by the Convoys that shall  
be sent to those Parts. [p. 188.]

(1696.)

3 Sept. The merchants trading to the plantations desiring to send  
out their ships next month if the convoys may be then ready,  
the Council of Trade is directed to confer with the merchants  
as to the convoys and report to the Board. [p. 509.]

20 June. [595.] [The Council admit and refer to the Committee  
Barbados. the petition and appeal of William Sharpe.—C.S.P. IX.  
1904.] [p. 147.]

25 July. [On the report of the Committee, the appeal is ordered  
to be heard on Thursday next.] [p. 164.]

1 Aug. [The appeal is dismissed, and the judgments against the  
petitioner confirmed.—C.S.P. IX. 1984.] [p. 168.]

28 June. [596.] [The Council refer to the Committee the] Petition  
Jamaica and of Anthony Gomez Serra, Nuno Fernandes Nunes, Andrew  
Barbados. Lopez and Manoel Lopez of London Merchants in behalf of  
several of the Hebrew nation settled in Jamaica and  
Barbados.] [p. 150. C.S.P. IX. 1921.]

6 July. [597.] [The Council refer to the Committee the petition  
Jamaica. of Captain Philip Daves.—C.S.P. IX. 1945.] [p. 157.]

6 July. [598.] [The Council refer to the Committce the] Petition  
Newfound- of Captain William Holman Commander of the William and  
land. Mary Galley; humbly praying to be satisfyed for the  
losses and Charges he was at last year, in preserving the

ACTS OF THE PRIVY COUNCIL (COLONIAL). 289

1695.  
Harbour of Ferryland in Newfoundland, and some English Ships, from being destroyed by two French Men of Warr, and for building Forts there. [p. 157.] (1697.)
- [A similar petition is similarly referred.—C.S.P. X. 1038.] 20 May.  
[Vol. V. p. 16.] (1697.)
- [Order in accordance with the report of the Board of Trade.—C.S.P. X. 1105.] 24 June.  
[Vol. V. p. 33.]
- [599.] [The Council refer to the Committee the] Petition and Appeal of Richard Bate, Isaac Hawkins, John Burrow and Christopher Prissick, Executors of Barbara Newton Deceased. 11 July.  
Barbados.  
[p. 160. C.S.P. IX. 1954.]
- [On the Committee's report, the appeal is ordered to be heard on this day fortnight] [p. 164]; [on 1 August it is postponed till the 15th] [p. 172]; [on the 8th till the 22nd] [p. 174]; [on the 22nd till the 29th] [p. 181]. 25 July.
- [The judgment at law and decree in equity given against Barbara Newton in Barbados are reversed.] 20 Aug.  
[p. 184.]
- [600.] [Extra instructions for Governor Russell.—C.S.P. IX. 1997.] 8 Aug.  
Barbados.  
[p. 174.]
- [601.] [The Committee's report about quit-rents in Virginia is referred to the Treasury.] 15 Aug.  
Virginia.  
[p. 176.]
- [602.] [The petition of Sir Henry Ashurst and the memorial of the Massachusetts Agents are referred to the Committee with directions for a speedy report in order that instructions may be given to the Earl of Bellomont, appointed Governor of that colony, before his departure thither.] 15 Aug.  
New  
England.  
[p. 179.]
- [603.] [The Council refer to the Committee the petition and appeal of Samuel Hubbard.—C.S.P. IX. 2017.] 22 Aug.  
Bermuda.  
[p. 181.]
- [On the Committee's report, the appeal is dismissed.] 19 Dec.  
[p. 237.]

290 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1695.

22 Aug. [604.] [The Council refer to the Committee the petition  
New York. of Robert Livingston of Albany in New York.—C.S.P. IX.  
2018.] [p. 181.]

21 Nov. [The Committee having reported, order is given as in C.S.P.  
IX. 2149.] [p. 211.]

21 Nov. [A further report of the Committee is referred to the  
Treasury.—C.S.P. IX. 2147.] [p. 216.]

21 Nov. [Orders are sent to Colonel Fletcher in accordance with  
a report of the Committee.—C.S.P. IX. 2148.] [pp. 216-7.]

(1695.)

16 Jan. [Livingstone's claim for interest allowed.—C.S.P. IX. 2242.]  
[p. 272.]

(1695.)

16 Jan. [He is confirmed in certain offices.—C.S.P. IX. 2241.]  
[p. 273.]

24 Oct. [605.] [The Council refer to the Committee the] Address  
Maryland. of His Majestys Governor, Council and Burgesses of  
Assembly of the Province of Maryland, Praying leave to  
make a law for advancement of Coyns in that Province.  
[p. 203.]

14 Nov. [606.] [The Council refer to the Admiralty (A) the petition of  
West Indian the traders to Barbados for prolongation of the time of sailing  
Trade. from 1 Dec. till 1 Jan., or that one man of war designed for  
Barbados may remain to convoy the ships that cannot be  
sooner got ready: (B) the memorial of the Leeward Islands  
Commissioners for one fourth and one sixth rate ship to  
protect the islands and their trade, and that convoy be  
appointed for merchant ships homeward bound from thence.]  
[p. 210.]

21 Nov. [On the report of the Admiralty, the date of sailing for the  
Barbados convoys is extended to 31 Dec.; the *Hastings*,  
a 5th rate ship now at the Leeward Islands, is ordered to  
convoy home the merchant ships there, and a 4th and a 6th rate  
ship are to be forthwith sent for the security of the islands.]  
[p. 214.]



ACTS OF THE PRIVY COUNCIL (COLONIAL). 291

- [On the petition of the traders to the Leeward Islands, the time for sailing is extended to 1 Jan.] [p. 226.] 1695.  
5 Dec.
- [A representation of the Council of Trade as to convoys for the trade to the plantations in the southern parts of America, is referred to the Admiralty.] [p. 523.] (1696.)  
1 Oct.
- [Order is given in accordance with the Admiralty report, which agrees with that of the Council of Trade—C.S.P. X. 287—save that merchant ships may be allowed to put in at the Madeiras to take in water and buy wine for their men.—C.S.P. X. 333.] (1696.)  
22 Oct.
- [Order is also given as to New York and the West Indies.—C.S.P. X. 336.] (1696.)  
22 Oct.
- [The Council refer to the Admiralty petitions of the Leeward Islands Commissioners and the Barbados merchants about the convoys for their respective trades. In accordance with these petitions, it is ordered on the 18th that, unless the winds hang westerly till the other ships of war can be victualled (in which case they may proceed with their proper convoys as was first designed), the three men of war now ready proceed to the West Indies as convoys to the merchant ships now at the Isle of Wight, and that one of them go directly to the Leeward Islands without touching at Barbados.] (1697.)  
11 March.
- [607.] [The Council refer to the Committee the] Petition of Sir Thomas Laurence Secretary of Maryland relating to his office and the Passing of Grants for lands in that Province. [p. 212.] 21 Nov.  
Maryland.
- [The matter is referred to the Attorney General.—C.S.P. IX. 2229.] [p. 253.] (1696.)  
4 Jan.
- [The Council approve, and give orders in accordance with the following report of the Attorney General of 21 Jan. on Sir Thomas Lawrence's petition and Lord Baltimore's answer]:—The first Thing in controversy between them being whether the Warrants and Patents for Land in that Province, to be (1696.)  
13 Feb.

1695.

granted by my Lord Baltimore the Proprietor thereof, and the Returns and Entrys of Certificates from my Lords Surveyors ought of right to be prepared and passe through the Petitioners Office, or by such Persons, as my Lord Baltimore should think fit to Appoint; My Lord Baltimore to avoyd any further Dispute thereupon, Did offer, that in case such Warrants and Grants, and Certificates might be prepared and passed by his Officers, that such Fees as are allowed by the Acts of Assembly there for the same, should be equally divided between the Petitioner and the Secretary of the said Province for the time being and his Officers, Which offer the Petitioner is willing to comply with, as to his owne Concerne therein, if your Majesty shall think fit so to direct.

The next Thing in Question being, Whether such Grants to be made by the Lord Baltimore should passe under his Lordships Seale, or under your Majestys Greater or Lesser Seale of that Province in custody of your Majestys Chancellor there, The Lord Baltimore made the same Offer as before, that the Fees for sealing such Grants should be divided between those Persons he should appoint to seale such Grants, and your Majestys officers in whose custody your Majestys Lesser and Greater Seale of that Province shall be, so as he may have Leave to seale such Grants with his owne Seale, which Offer the Petitioner is willing to comply with, if your Majesty shall think fit to Approve thereof. And as to all the other Matters mentioned in the said Petition, vizt. That all such Grants and Patents to be made by the Lord Baltimore should be Recorded in the Petitioners Office, and that the Records of that Province which are the Enrolled Securitys of all the Freeholders Estates there, may remain in the Petitioners Office as Secretary, who has given Security for the safe Keeping thereof, And that the usuall Fees for Searches and Copies of the same may be paid by the Lord Baltimore and his Agents, aswell as by other Persons, And that no Searches be made into the said Publique Records, but by the proper Officer appointed, with such Fees as are settled

1695.

by Law, I am humbly of Opinion, that what the Petitioner desires therein is reasonable, Except only that the Lord Baltimore may have Leave by his Servants, and in the presence of the Petitioner or any appointed by him to make Search, and to take Copies of former Grants and Patents in order to make up his Rent Rolls, without paying any Fees for the same, which the Petitioners do not oppose.

[p. 282.]

[608.] [On reading a presentment from the Customs to the Treasury] touching the stealing and seiseing of the Shipp Isaac Brigantine, comeing from Barbados, out of the Harbour of the Groyne in Spain by a Dutch Privateer, called the Mount Ætna, Captain Ulrick alias Falconier Commander [representations are ordered to be made to the Dutch Ambassador here, and also at the Hague, to stay 'proceedings till further examination.]

12 Dec.  
Plantation  
Trade.

[p. 230.]

[609.] [On the report of the Committee, orders are given for settling 50*l.* per annum on a Protestant divine and 30*l.* on a schoolmaster to be sent to Pennsylvania on the recommendation of the Bishop of London, these sums to be paid] out of the Revenue of the Penny per pound on the Side Trade of Pensilvania and the arreares of the same.

19 Dec.  
Pennsylvania.

[p. 240.]

[A similar order.]

[Vol. V. p. 137.]

(1697.)

16 Dec.

(1698.)

10 Nov.

[A report from the Customs concerning the salaries of the two officials is referred back to the Treasury for a true state of the matter relating to the duty of a penny per pound in Virginia and Maryland upon tobacco exported thence to other plantations in America.]

[Vol. V. p. 267.]

(1700.)

[A petition of Colonel Quarry for continuance of the payments is referred to the Treasury.]

[Vol. VI. p. 6.]

18 April.

(1702.)

2 May.

The Right Reverend the Lord Bishop of London having humbly moved her Majesty this day, [the payments are continued].

[Anne, Vol. I. p. 114.]

# 294 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1695-6.

19 Dec. Maryland. [610.] [His Majesty grants Sir Thomas Lawrence's petition, presented by the Committee, setting forth] that a Church, Free schoole, and State-house for the Administration of Justice, are building att Anapolis, Designed to be the Cheif Seate of that Province and humbly praying his Majesties Picture and Armes to be Placed there. [p. 240.]

1696.

4 Jan. St. Christopher. (1698.) [611.] [The Lieut. Governor of St Christopher is allowed to come to England.—C.S.P. IX. 2231.] [p. 253.]

16 July. [The Council refer to the Treasury the petition of Margaret, widow of Lieutenant General Thomas Hill, for satisfaction out of the  $4\frac{1}{2}$  per cent. duty in the Leeward Islands or otherwise for the pay due to her husband as Captain of an independent Company in St. Christopher, but never received by him.] [Vol. V. p. 203.]

13 Jan. New England. [612.] At the Committee of the whole Council.

[Upon reading a presentment from the Customs, two memorials from Edward Randolph are referred to the Treasury.—C.S.P. IX. 2237.] [p. 269.]

28 Jan. [An extract from the report of the Customs dated 17 Jan., is referred to Sir Charles Hedges, Judge of the Admiralty,] for his opinion, Whether the Privateers therein mentioned may not be treated as Pyrates, or how they are otherwise to be proceeded with. [p. 278. C.S.P. IX. 2250.]

28 Jan. [Another extract from the report "relating to the Erecting Courts of Exchequer in the Plantations" is referred to Sir Thomas Trevor, the Attorney General.] [p. 278.]

23 Jan. Newfoundland. [613.] [Orders are given in accordance with the Admiralty report—] in regard the Merchants of Biddeford have desired that a Man of Warr may be appointed to Convoy their Ships from Ireland to Newfoundland by the later end of this Month, Wee cannot comply with the Petitioners request, in sending two Men of Warr together from Plymouth, but will appoint one to proceed from thence at the time they desire,

and will direct her Commander upon joining the other that goes with the Biddeford Ships off of Newfoundland to cruise in Company with her there, during the Fishing Season.

To the second Article of their Petition praying that one Ship may be ordered to sail from Cadiz by the 15th of March next, with the Ships that are there, loaden with Salt &c., Wee do not think it advisable in regard the ships which go on that Trade from Portugall, Spain and other Places do but seldome return to England in less then two or three years, but in case there shall be any ships at Cadiz bound with Salt for Newfound Land, Wee doubt not but the cheif Flagg officer in those parts, will take care for their being seen into the Sea, as was done the last year.

To the third Article praying that an other Man of Warr may be ordered to Sail from England by the 10th of June next with the Ships that shall be then ready to fetch off the Fish and carry it to forein markets, wee do humbly Report Our Opinion that it is very reasonable to grant the same.

And Wee do also think it reasonable that after the Frigats haue Cruised on the Coast of Newfound Land, till the beginning of September next, they should proceed and Convoy their Ships to the Severall Ports according as is Proposed in the 4th Article of their Petition, and that a Frigatt be timely sent from hence to bring home the Ships with Train Oile and Passengers. [p. 277.]

[614.] [On reading the petition of John Ive, Joseph Alford and others, setting forth that the ship *Dolphin* of New England, sailing with tobacco from Virginia to England] was taken by a Dunkirk Privateer and afterwards ransomed by the Master for Eight Hundred pounds, and delivered into the possession of her Mate and Mariners (the Master being kept in France till the payment of the Money) to bring her to London. [On her way she was captured by an Ostend man-of-war, carried into Ostend, and condemned as prize, only allowing the said 800*l.* ransom. Not content with this, the captor has appealed

6 Feb.  
Plantation  
Trade.

# 296 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1696.  
for a new trial by way of review, intending to have the whole ship and cargo, without allowing the ransom money. The Duke of Shrewsbury is ordered to write to Mr. Wolsley, his Majesty's Envoy Extraordinary at Brussels, with orders effectually to interpose, and to have the ship and goods restored.] [p. 279.]
- 6 Feb. [615.] [The Council refer to the Admiralty the Committee's  
West Indies. report on Colonel Russell's letters.—C.S.P. IX. 2264.] [p. 279.]
- 13 Feb. [616.] [Circular letters to enforce the Laws of Trade, etc.,  
Scotch against the Scotch Darien Company.—C.S.P. IX. 2273.]  
Darien Company. [p. 284.]  
(1700.)
- 25 Jan. [A proclamation is read and approved for seizing the author etc. of a libel entitled] An Enquiry into the Causes of the Miscarriage of the Scotch Colony at Darien, or, Answer to a Libell, Intituled, A Defence of the Scots Abdicating Darien. [Vol. V. p. 412.]
- 13 Feb. [617.] [The Council refer to the Ordnance the petition of  
New York. Abraham Depeyster of New York for 15 barrels of gunpowder for the like quantity taken from him by Jacob Leisler.] [p. 286.]
- 27 Feb. [618.] [The petition of Usher Tyrrell is referred to the  
Jamaica. Committee.—C.S.P. IX. 2290.] [p. 301.]  
(1697.)
- 23 Dec. [A similar petition is referred to the Board of Trade.—  
C.S.P. XI. 119.] [Vol. V. p. 142.]
- 4 March. [619.] [The Admiralty to send two advice boats to the  
Advice Island Plantations and two to the Continent from the  
Boats. Western Ports with packets prepared for the Governors by His Majesty and this Board.] [p. 310.]
- 10 March. [620.] [Circular letters concerning the frustration of the  
Embargo. plot against the King's life, and subsequent embargo.—  
C.S.P. IX. 2299.] [p. 320.]

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- [A letter of congratulation from Rhode Island is referred to the Board of Trade.—C.S.P. X. 1159.] [Vol. V. p. 36.] 1696.  
(1697.)  
6 July.
- [621.] [The Council refer to the Treasury the petition of Colonel Nathaniel Blakiston, late Lieutenant Governor of Montserrat, for payment of arrears due to him as Captain in the regiment now commanded by Colonel Holt.] [p. 367.] 2 April.  
Montserrat.
- [622.] [The Council refer to the Committee the petition of Colonel Luke Lillingston.—C.S.P. IX. 2307.] [p. 368.] 2 April.  
West Indies.
- [623.] [The Council refer to the Committee the petition of Charles Knights and others.] [p. 368.] 2 April.  
Jamaica.
- [624.] [The Council refer to the Committee the petition of Nicholas Trott junior that his Majesty would confirm his appointment by Lieutenant Governor Goddard as Secretary and Attorney General of Bermuda.] [p. 385.] 9 April.  
Bermuda.
- [625.] [The Council refer to the Treasury the petition of Joseph White for payment of a bill for the hire of a shallop employed in his Majesty's service by Captain Wilmot in Jamaica.] [p. 385.] 9 April.  
Jamaica.
- [626.] [A circular letter to colonial governors enclosing an Act for preventing frauds and regulating abuses in the Plantation Trade and requiring the due execution of this and other Acts of Trade; 200 copies of the Act are ordered to be delivered at the Plantation Office.] [pp. 393-4.] 15 April.  
Plantation  
Trade.
- [627.] [Circular letters of warning against a French attack.—C.S.P. IX. 2337.] [p. 398.] 20 April.  
Colonial  
Defence.
- [628.] [To the Admiralty is referred a petition of the merchants and planters concerned in the island of Jamaica as to the sending a fireship and some men of war, and the impressing of seamen.] [p. 402.] 23 April.  
Jamaica.
- [The Committee having reported the desire of the Jamaica merchants for some recruits to be sent to secure the island against the French, order is given as in C.S.P. IX. 2341.] [p. 403.]

1696.

29 April.  
Colonial  
Defence.

[629.] [The Council refer to the Admiralty the following report of the Committee]:—The Lords of the Committee agree to Represent to His Majesty in Council that the Publick Service in the Plantations has Suffered very much by the Generall Disagreement between the Governours there and the Commanders of the Men of Warr, sent to those parts and particularly upon Account of the Irregular Impresting Seamen by such Commanders whereby the Merchants shippes are much Disabled in their Voyage and the Seafaring men forced to Leave their Habitations in those parts to the greate hindrance of Trade.

That there is a great Want of Navall Stores and of a Magazine to be settled in those parts, for Supplying the Kings Shippes and the Refitting such of them as may be Disabled by Fight or the Accidents of Weather, which is the more wanted for that the French have such a Magazine provided with all Necessary Stores att Martinico, whereby they are Enabled to give so great Annoyance to the Plantation Trade.

The Merchants of Jamaica do further pray, that a Fireship be sent thither to Lye att the Entrance of the Chief Harbour of the Island, which would hinder the comeing in of the Enemies Shippes.

That it has been proposed to the Committee by Collonell Codrington, Governour of the Leeward Islands and others that the Men of Warr in New England and Northern Plantations instead of being laid up there all the Winter by reason of the Ice and Ill Weather may be sent to Cruise amongst the Leeward Charibee Islands or Southern Plantations, where the Weather is more Favourable in those Seasons And Convoy the Merchants Shippes from New England and the Salt Tortudos. [p. 409.]

30 April.  
New  
Hampshire.

[630.] [The Council refer to the Committee the] Petition of Samuell Allen, Proprietor and Governour of the Province of New Hampshire, Setting forth, that the present Lieutenant



Governour desires to be Dismist from that Trust and that Mr William Partridge Merchant is a person well Quallified to succeed. [p. 414.]

1696.

Mr. William Partridge an eminent Merchant there, and Treasurer of the Province, [is appointed Lieutenant Governor of New Hampshire during his Majesty's pleasure.] [p. 448.]

8 June.

[631.] [The Council refer to the Admiralty the] Petition of William Partridge of the Province of New Hampshire . . . together with Proposals for building of Ships there fit for his Majestys Navy, and providing Navall Stores to the great Advantage of this Kingdome. [p. 446.]

8 Juno.  
New  
Hampshire.

[This or a similar petition is again referred to the Admiralty.] [p. 463.]

9 July.

[William Partridge's answer to the report of the Commissioners of the Navy on his proposals is referred to the Admiralty, who are to receive the reply of the Commissioners of the Navy, and report to the Board.] [p. 474.]

16 July.

[On reading the representation of Sir Henry Ashurst and Sir Stephen Evans on the report of the Commissioners of the Navy, the Council appoint the matter to be heard on Thursday next.] [p. 480.]

23 July.

[632.] To the Right Honourable the Lords of the Council of Trade lately established by his Majesty under the great seal [is referred the petition of William Bowtell and Thomas Wenborne.—C.S.P. X. 46.] [p. 451.]

18 June.  
Virginia.

[633.] [Books and papers in the Plantation Office relating to the Committee of Trade and Plantations to be delivered by Mr. Povey to Mr. Popple, Secretary to the Council of Trade, by list or schedule to be signed by the said Secretary, and all matters which were depending before the Committee to be referred to the said Council of Trade.] [p. 461.]

7 July.  
Colonial  
Administra-  
tion.

[634.] [On the petition of the East India Company] setting forth, that Henry Every Commander of a Ship called the

16 July.  
Every the  
Pirate.

300 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1696.

Phancy of Forty Six Gunns is turned Pyrate and now in the Seas of India or Persia, who with diverse other Englishmen and Forreigners to the Number of about One hundred Thirty, run away with the said Ship then called the Charles from the Port of Corunna in Spaine, That the said Pyrate had Pillaged severall Ships belonging to the Subjects of the Mogull in their Passage from the Red Sea to Suratt. And Praying that effectuall means may be Used for preventing the great Losso and Dammage which thereby Threatens the said Company, [the Attorney General is ordered to prepare the draft of a proclamation] for Seizeing the said Every, with the said Ship and men, as Pyrates and Sea Robbers with a Promise of Pardon to such of them as shall be Instrumentall in the Seizeing or apprehending them. And a Reward of Five hundred pounds to such person or persons who shall Seize or Apprehend or cause to be Apprehended the said Every with his said Ship and men. [p. 474.]

17 July. [The draft of the proclamation is approved, and the East India Company having agreed to pay the reward, it is ordered to be prepared in order to be printed.] [pp 475-6.]

10 Aug. [The proclamation is ordered to be engrossed and laid before the Lords Justices in Council for their signature in order to be printed and published.] [p. 492.]

[The proclamation is given in full both at p. 475 and at p. 493, and includes orders for the arrest of Every not only to all commanders at sea, but to] all His Majestys Governours and Commanders of any Forts Castles or other Places in His Majestys Plantations. [On 10 Aug. a second proclamation is given on further information] that the said Henry Every hath Changed his Name and now goes by the Name of Henry Bridgeman and that James Cray, Thomas Summerton, Edward Kirwood, William Down, John Reddy, John Stroger, Nathaniel Pike, Peter Soanes, Henry Adams, Francis Frennier, Thomas Johnson, Joseph Dawson, Samuel Dawson, James Lewis, John Sparks, Joseph Goss, Charles Falconer, James

Murray, Robert Rich, John Miller, John King, Edward Savill, William Philips, Thomas Jope and Thomas Belisha, together with severall others whose Names are not yet Discovered (amongst whom were Fifty Two Frenchmen, Fourteene Danes and others of other Nations) were with the said Henry Every alias Bridgeman in the said Ship Phansie, when the severall Acts of Piracye were Committed and were Aydeing and Assisting therein and shared in the Plunder so by them Piratically taken to the Amount of One thousand poundes a Man or thereabouts. And Whereas Wee are Informed, that the said Henry Every [and his crew] have since they Committed such acts of Piracy, left the said Ship in the Island of Providence and are arrived in Ireland in Two small Sloops, and have there dispersed themselves, some of which persons remaine there and others are come into this Kingdome and the Kingdome of Scotland, as Two of their Accomplices, who are now taken and in Custody, have Confessed and Declared . . . [They] may probably be knowne and Discovered by the greate Quantities of Gold and Silver of florreign Coynes which they have with them. [pp. 494-5.]

[Sir Charles Hedges is to give directions for seizing the sloop *Seaflower* now at Bristol, on information that it belongs to Henry Every and brought him and others of his companions from America to Ireland.] 12 Aug. [p. 495.]

[Reference to the Admiralty of a memorial from the East India Company and the owners of the ship *Charles* which was carried away by several pirates, praying that a man of war be sent from Jamaica or otherwise to bring the *Charles* and all that belongs to her from Providence to Jamaica.] 12 Aug. [p. 496.]

[A letter to the Governors of plantations recites the facts about Every, and encloses a copy of the proclamation.] 27 Aug. And whereas Information has been likewise given that divers Pyrates and Sea Robbers have of late yeares gonn from Severall parts of His Majesties Plantations in America, to

1696.

the Seas of India and Persia and other Remote partes upon the like Pyratieall Designes, and that some of them have returned home againe and Dispersed themselves in His Majesties Plantations, with great Quantities of Gold and other Plunder. Wee do hereby in His Majesties Name strictly require and Command you forthwith upon Receipt hereof to cause the said Proclamation to be Published within your Government and that for the Suppresseing as much as may be all such Evill Practices for the Future. Whereby the Trade of His Majesties good Subjects in Forreign Parts may be Otherwise greatly Disturbed. Wee do hereby in His Majesties Name strictly charge and require you and all His Majesties Officers and Loving Subjects within your Government to take all possible Care and vse all due meanes for the seizeing and Apprehending all such Pyrates and Sea Robbers and such as may reasonably be suspected for the same, either by reason of the Great Quantities of Gold and Silver of Forreign Coynes they usually have with them, or, by other Probable Circumstances. And to cause them to be Streightly Imprisoned and their Ships Goodes and Plunder to be kept in safe Custody, untill upon returneing a full Account unto Us of the said persons, their Ships Goodes and Plunder, with the Evidences relateing to them, His Majesties Pleasure shall be known and Signified concerneing them. [pp. 506-7.]

3 Dec. [Orders are given warning proprietors of plantations against sheltering pirates.—C.S.P. X. 456.] [p. 551.]

(1697.)

5 Oct. [A letter of 30 June from Colonel Nicholson with a copy of his proclamation for apprehending Henry Every, the pirate, is sent to the Council of Trade.] [Vol. V. p. 93. C.S.P. X. 1363.]

(1697.)

25 Nov. [The Council refer to the Treasury the claim of John Dann and Brockett Smith for the 500*l.* reward offered by proclamation for their informing the Duke of Shrewsbury that Every's ship *Charles the Second* was at the island of Providence in the West Indies, where she was afterwards found, and is now in the possession of the East India Company.] [Vol. V. p. 135.]

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1696.  
23 July.  
Admiralty  
Jurisdiction.
- [635.] [An extract of a presentment from the Customs to the Treasury is referred to the Admiralty for an opinion on the erection of Admiralty Courts in the Plantations, and another extract to the Council of Trade] as to what Relates to Attorney Generalls to be appointed for the Plantations. [Cf. 639.] [p. 480. C.S.P. X. 107.]
- [The Admiralty representation is referred to the Council of Trade.—C.S.P. X. 405.] 19 Nov. [p. 540.]
- [Directions are given in accordance with the report of the Council of Trade.—C.S.P. X. 454.] 3 Dec. [p. 549.]
- [A further report of the Council of Trade.—C.S.P. X. 511—is read.] 31 Dec. [p. 562.] (1697.)
- [Commissions of Vice-Admiralty requested for the proprietary colonies.—C.S.P. X. 606.] 21 Jan. [p. 574.] (1701.)
- [On a representation from the Committee for Appeals touching some doubts as to the regular method of appealing from the Courts of Admiralty in the Plantations in cases relating to the execution of the Navigation Acts, it is referred to the Board of Trade] to send to the Governors of His Majestys Plantations in America for an account whether the Courts of Admiralty there, are held by Vertue of the Power given to the said Governors, by the Commission they receive from the Lords Commissioners of the Admiralty, or by Vertue of a Clause under the great Seal, Impowering them to Erect the said Court of Admiralty [and to report to the Board]. 18 Dec. [Vol VI. p. 282.]
- [636.] The Commissioners of the Navy and the Agents for the Massachusetts Bay in New England haveing been this day heard at the Board, upon the Proposals of the Agents for Importing Navall Stores from those parts for the vse of His Majesties Navy. Their Excellencies in Councill are pleased to Order, that the Commissioners of the Navy and the Agents for New England do each of them Propose a person fittly Quallified to Judge what Shipp Timber of the Growth of that 30 July. New England.

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1696.

Colony may be proper for Standards Knees, Compass Timber, Clamps, Beams, Futtocks and other Timbers for the Vse of His Majesties Navy and in a Particular manner what Oak Planks, and Ciprus Masts may be there found for the said Service. And that they do further Propose each of them another person who may be fittly Quallified to Judge what Rozin, Pitch, Tar, Hemp, and other Navall Stores may be there had of the Product of the said Colony for the vse of his Majesties Navy. Which said Four persons are to be sent over into New England and to bring over Specimens of the said severall Sortes of Navall Stores, which they shall Judge fit for His Majesties Vse in the Navy as aforementioned And the Right Honorable the Lords Commissioners of the Admiralty are to prepare a Draught of Instructions to be laid before this Board, for the said Four persons so to be sent to New England.

[p. 486.]

3 Sept. [The draft instructions from the Admiralty are referred to the Council of Trade.—C.S.P. X. 182.] [p. 510.]

17 Sept. [The Council refer to the Treasury the] Representation and Petition of Sir Henry Ashurst Bart. concerning two Persons named by him to go to New England as Commissioners to Inspect and bring over Severall Species of Navall Stores and praying One thousand Pounds per annum for his charge and Trouble for so long, as the said Persons shall be Employed in His Majestys Service, And that Four hundred Pounds thereof may be presently advanced for the hiring of Servants and making Provision for their Voyage. [p. 516.]

22 Oct. [The instructions prepared by the Admiralty for John Bridger and Benjamin Furzer going on his Majesty's behalf to inspect the naval commodities of the growth of New England, differing from those prepared by Sir Henry Ashurst, agent for Massachusetts, for William Partridge and Captain Robert Lamb on behalf of the said Colony, instructions are ordered to be prepared by the Admiralty according to the amendments and additions proposed by the Council of Trade.] [p. 526. C.S.P. X. 334.]

1696.

[The Treasury, on considering a report from the Admiralty and an extract of a letter from the Navy Board, are to report their opinion as to the allowance to be made to the two persons sent on his Majesty's account,] such allowance to be one intire Summe, and not an Annuall Salary for the said service.

12 Nov.

[p. 537.]

[The Council refer to the Treasury Sir Henry Ashurst's petition] that the Method of Payment of the Costs and Charges of the Navall Stores to be sent from New England may be Referred to . . . the Treasury to be settled there according to the Representation of the Councill of Trade.

26 Nov.

[p. 542.]

[500*l*. is allowed to the nominees of Sir H. Ashurst and the same to those of the Navy Board for inspecting the naval stores of New England production : when the service is completed, such further reward will be made as shall seem reasonable.]

10 Dec.

[p. 553.]

[On the petition of Sir Henry Ashurst, Thomas Bletso is approved of in place of Mr. Lamb.]

31 Dec.

[p. 564.]

(1697.)

[Mr. Benjamin Jackson is approved of in place of Mr. Bletso.]

22 July.

[Vol. V. p. 47.]

(1700.)

[The Council approve and give orders in accordance with a report of the Admiralty representing as to the inspectors appointed that] Whereas the said Persons did some time since send over to England Specimens of those Commodities and are now Ordered to dispatch some others, which they have got in readiness, by which a Judgement may be made of the Qualities thereof ; It is therefore most humbly Proposed, that in regard the Charge of Maintaining the aforesaid two Agents on this Service, has already been very considerable, They may be ordered to Desist in Collecting any more Specimens of those Navall Stores ; And that Mr. Bridger may be forthwith Ordered home, the other who succeeded, upon the Death of his Companion, being an Inhabitant of New England, and consequently will continue his Residence there. [Vol. VI. p. 98.]

14 Nov.

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1696.

20 Aug. [637.] [The Council refer back to the Council of Trade their  
New York. report on the present state of the plantations, and a memorial  
from the New York Agents.—C.S.P. X. 157.] [p. 502.]

27 Aug. [638.] [A letter from the Governor of New York is referred  
New York. to the Council of Trade.] [p. 504. C.S.P. X. 169.]

10 Sept. [639.] [On a representation from the Council of Trade, it is]  
Attorneys Referred to Mr. Atturney Generall to consider whether an  
General in Plantations. Atturney Generall may not be appointed for His Majesty in  
each of the severall Colonys and Provinces of Carolina,  
Pensilvania, East and West New Jerzey, Conectiutt, Road  
Island and the Massachusetts Bay in America, notwithstanding  
the Grants and Charters to the said Colonys and  
Provinces. [See 635.] [p. 514. C.S.P. X. 198.]

5 Nov. [The petition of the colonies concerned is referred to the  
Council of Trade.—C.S.P. X. 365.] [p. 532.]

24 Sept. [640.] [The Council refer to the Council of Trade a petition  
Barbados. of Philip Kirton of Barbados for confirmation of an Act passed  
there empowering him to sell certain lands in the parish of  
Christ Church.] [p. 518.]

24 Sept. [641.] [The Council refer to the Council of Trade the]  
East New Petition of Jeffrie Jones of East New Jersey in America,  
Jersey. humbly praying that all further Proceedings against him and  
his Estate, on a Judgement given in the Court of Common  
Right held at the Town of Amboy Perth in East New Jerzey,  
in the behalf of James Fullerton may be superseded, and the  
Petitioner Restored to whatsoever by the said Judgement he  
hath lost. [p. 520.]

(1697.)

4 Feb. By a Committee of the whole Councill, Present Earle of  
Bridgewater, Earl of Stamford, Mr. Secretary Trumbull,  
[Tuesday the 23rd instant at 10 in the morning is appointed  
the time for hearing the matter of the appeal of] Geoffrey  
Jones of Elizabeth Towne in the County of Essex in the  
Province of East New Jersey . . . from a Judgment in



Ejection obtained against him in the Court held at Amboy  
Perth by James Fullerton, upon the Demise of the Proprietors  
of the said Province.

[p. 578.]

1696.

(1697.)

[The Lords of the Committee of the whole Council agree  
to recommend that the verdict against Jones be reversed.]

23 Feb.

[p. 585.]

(1697.)

[This decision is confirmed.]

[p. 586.]

25 Feb.

[642.] [A letter to be written to Colonel Fletcher.—  
C.S.P.X. 338.]

[p. 527.]

22 Oct.

New York.

[643.] [On a representation of the Council of Trade,  
four hundred light Dutch fusees, to be disposed of  
amongst the Indians for confirming them in their friendship  
and union with the English and for arming them against the  
French, are to be sent by the Master of the Ordnance to  
Colonel Fletcher together with the following stores desired  
by him.]

22 Oct.

New York.

Cannon Powder .. .. .	60	} Barrels.
Fine Powder .. .. .	40	
Match .. .. .	100	wt.
Shovells and Spades .. .. .	8	doz.
Hand Baskets .. .. .	100	
Stock Locks large .. .. .	4	doz.
Spring Locks ditto .. .. .	4	doz.
A Bell for the use of the Fort .. .. .	30	Inches Diamr.
Musket Locks for spare Barrells .. .. .	50	
Hooks and Hinges large and small .. .. .	8	doz.
Starch for making up Cartridges .. .. .	50	pound.
White Lead, Red ditto with other Colours .. .. .	100	wt.
Falcon Shot .. .. .	200	
White Marlin .. .. .	50	li.
Cartridge Boxes for Demy Canon .. .. .	2	doz.
Lanterns Ordinary .. .. .	1	doz.
Lamb black .. .. .	12	Barrells.

[p. 528. C.S.P. X. 335.]

[644.] [On a representation from the Council of Trade  
of pressing instances from Colonel Fletcher, order is given  
as in C.S.P. X. 337.]

22 Oct.

New York.

[p. 528.]

[645.] [Orders are given for sending a skilful engineer to  
Jamaica, and advice boats to the West Indies, in accordance

12 Nov.

Jamaica.

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1696.

with the report of the Council of Trade.—C.S.P. X. 387 and 391. The question of fire-ships, etc., is referred to the Admiralty.] [pp. 535-6.]

12 Nov.  
Piracy.

[646.] [Reference to Sir C. Hedges of the petition for pardon of William Bishop, one of Every's crew, the execution being in the meantime respited.] [p. 538.]

31 Dec.

[On the petition of Charles Falconer, surgeon, and on information that he was not concerned in Every's design, but forcibly carried away by him, it is ordered that bail be taken for his appearance by one of the Judges, and that a pass be given him to come into England, if it shall be desired.] [p. 563.]

(1698.)

17 Feb.

[The Council refer to the Treasury John Tyzack's petition for a grant of one third of such of the moneys and goods concealed by the men executed for Every's piracy as he shall discover.] [Vol. V. p. 156.]

12 Nov.  
St.  
Christopher.

[647.] [On a representation from the Council of Trade, letters regarding St. Christopher are to be written to Colonel Codrington by the Council of Trade.—C.S.P. X. 386.]

[p. 537.]

12 Nov.  
Newfound-  
land.

[648.] [Petitions from the merchants of Barnstaple and of Bideford, are referred to the Council of Trade.]

[p. 537. C.S.P. X. 392-3.]

19 Nov.  
New York.

[649.] [Orders for sending an engineer, mortars, and flags to New York.—C.S.P. X. 404.]

[pp. 541-2.]

3 Dec.  
West Indies.

[650.] [On a representation from the Council of Trade, order is given for freeing certain pressed men.—C.S.P. X. 460.]

[p. 549.]

3 Dec.  
Leeward  
Islands and  
Barbados.

[651.] [An engineer and master gunner for Barbados.—C.S.P. X. 457.]

[p. 550.]

3 Dec.  
Navy in  
Plantations.

[652.] [The Council refer to the Admiralty various proposals of the Council of Trade:—[1. that to obviate] the Greate Inconveniencies arising to His Majesties Affaires in

the Plantations, for Want of an Agent, some Person or Persons be appointed by the Lords Commissioners of the Admiralty to Supply His Majesties Ships of Warr in these Parts with the Necessary Provisions at such Times as they may stand in Need thereof, as it often falls out, that for Want of an Officer so Appointed, that no Person will act therein, nor give any Credit for the Supply of His Majesties Navall Service there, His Majesties said Ships in these Parts do often remaine Uselesse. [2] That for the better Health of the Seamen of His Majesties Ships of Warr in the Plantations, they may dureing their Stay there be Furnished with Fresh Provisions, the Want whereof is Complained of as the Occasion of the Greate Mortallity of Seafareing men in these Parts . . . [3] And . . . for the takeing away the Occasion of the Greate Inconvenience arising to His Majesties Plantations by Impresting of Seamen, That if it shall be Inconvenient for His Majesties Ships of Warr, to take with them thither more men then their respective Complements, some Supernumerary for His Majesties said Ships of Warr, in these Parts, may be sent thither in Fleets to be Divided Proportionally among the Merchant Ships, who will accept their Labour, dureing their Voyage for their Passage and deliver them, when arrived to whomsoever they shall be Directed to do it.

[p. 550. C.S.P. X. 459.]

[653.] [Power of impressment placed solely in the hands of the Governors.—C.S.P. X. 455.] 3 Dec. [p. 551.] Impressment.

[654.] [Several papers from the Massachusetts Assembly and letters from the Governor of New York are referred to the Council of Trade.] 10 Dec. New England. [p. 552. C.S.P. X. 483.]

[The Council approve the report of the Council of Trade.—C.S.P. X. 763.] (1697.) 25 Feb. [pp. 586-8.]

[655.] [A memorial from the Council of Trade about convoys for the Newfoundland salt ships is referred to the Admiralty.—C.S.P. X. 482.] 10 Dec. Newfound-land. [p. 553.]

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1696.

10 Dec. [656.] [A skilful engineer is to be sent to Bermuda.—  
Bermuda. C.S.P. X. 488.] [p. 559.]

10 Dec. [657.] [It is ordered] That all Appeals from any of the  
Appeals from Plantations. Plantations be heard as Formerly by a Committee who are  
to Report the Matters so heard by them with their Opinion  
thereupon to His Majestie in Councill. And in Order there-  
unto His Majestie did Declare His Further Pleasure, that all  
the Lords of the Councill or any Three or more of them, be  
Appointed a Committee for that Purpose. [p. 559.]

10 Dec. [658.] [Order as to New Tertholen in accordance with  
Tortola. C.S.P. X. 490.] [pp. 560-1.]

31 Dec. [659.] [A presentment from the Customs] concerning  
Maryland. a Small Vessell to be Employed on the Coasts of Maryland  
Pennsyl- and Pensilvania for Examining all Ships and Vessells Tradeing  
vania. there [is referred back to the Customs to report] in what  
Manner they Propose the said Vessell should be Provided and  
by whom. [p. 564.]

(1697.)

6 May. [On reading a report from the Customs the Council refer it  
to the Admiralty to give the necessary orders accordingly or  
state any objections to the course proposed. The report states  
that the intention of their proposal of 7 November was that  
a vessel of 40 tons] with a Proportionable force of men and  
Gunnns should be sent away by the Lords of the Admiralty  
and at the Charge of the Navy instead of a man of warr, which,  
as the said Colonel Nicholson [Governor of Maryland]  
adviseth, signifies little in looking after undue Traders, And  
that for defraying the Charges thereof in the Country and the  
Commanders Encouragement, That the said Colonel Nicholson  
might be authorized to dispose of His Majestys Third part of  
the Forfeitures upon the acts of Trade and Navigation, and  
the Penaltys Recovered on Forfeited Bonds in such manner  
as he should find most conducing to His Majestys Service  
and in case of any want or deficiency therein, the remainder  
to be charged on the Navy. [Vol. V. p. 2.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 311

- [660.] Three Ministers to have 20*l.* apiece, paid them out of His Majesties Treasury of Maryland, when they arrive there. 1696-7.  
[p. 567. C.S.P. X. 550.] 31 Dec. Maryland.
- [661.] [Order for sending forthwith to Barbados certain stores of war.—C.S.P. X. 546.] 31 Dec. Barbados.  
[p. 567.]
- [662.] [Emigrants for Jamaica.—C.S.P. X. 547-8.] 31 Dec. Jamaica.  
[p. 568.] 1697.
- [663.] [The Council of Trade to inquire into the record of Nicholas Webb.—C.S.P. X. 644.] 28 Jan. Bahamas.  
[p. 575.]
- [664.] [The petition of Thomas Bulkeley is referred to the Council of Trade.—C.S.P. X. 681.] 4 Feb. Bahamas.  
[p. 579.]
- [665.] [Edward Parsons to succeed John Palmer as Secretary of the Leeward Islands.—C.S.P. X. 707-8.] 11 Feb. Leeward Islands.  
[p. 581.]
- [666.] [No person to be permitted to speak with the Canadian prisoners.—C.S.P. X. 731.] 16 Feb. Canada.  
[p. 584.]
- [Order as to their treatment.—C.S.P. X. 761.] 25 Feb.  
[p. 589.]
- [667.] [The Attorney General to inspect and report on the Charters of Connecticut and Rhode Island.] 25 Feb. Connecticut.  
[p. 585. C.S.P. X. 764.] Rhode Island.
- [668.] [Orders to the Ordnance and Admiralty] that each of His Majestys Ships of Warr now going to Newfoundland, be supplied with fifteen Rounds Extraordinary of Powder and Shott to carry with them ; And that all other of His Majestys Ships of Warr which shall hereafter be ordered to the Streights and the West Indies be allowed and supplied with their highest Complement of Guns, though not with a greater Proportion of Stores then for their middle Complement. 11 March. Newfoundland.  
[p. 590.] West Indies.
- [669.] [To the Duke of Schomberg and the Horse Guards is referred a representation from the Council of Trade upon the complaints of three officers.—C.S.P. X. 794.] 11 March. New York.  
[p. 592.]

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1697.

25 March. [670.] [The Victuallers of the Navy are to put on board Newfoundland. the transport ships bound for Newfoundland three months provisions of the quality usually allowed to seamen, with water cask proportionable, for 450 land soldiers, and to take care that the masters are furnished with necessary and extra necessary money to provide candles, firing, platters, spoons etc. for the use of the men, as pursers are allowed on men of war.]

[p. 597.]

28 March. [A similar order for stores and accomodations for sixty men belonging to the Ordnance Office on these ships. The 60 men are to sail, 35 in the *Katherine*, 15 in the *Oxenden*, and 10 in the *Ninion and Benjamin*.]

[p. 602.]

8 April. [671.] [Two private Jamaica bills referred to the Council of Trade.—C.S.P. X. 912.]

[p. 604.]

8 April. [672.] [On a memorial from the Admiralty, the *Benjamin*, Newfoundland. given by the enemy at Newfoundland to convey home several English seamen and inhabitants there, is made a free ship, and the money arising from the sale is to be for the sole benefit of those to whom the ship was so given.]

[p. 606.]

15 April. [673.] [The report of the Council of Trade as to salaries New York. is referred to the Treasury.—C.S.P. X. 941.]

[p. 609.]

15 April. [674.] [The appeal of Anthony Peterson of Nevis, planter, Nevis. from a judgment of the Court of Nisi Prius there in favour of his sister Christian, relating to part of a plantation there, which he claims to be contrary to the will of his father and to law, is referred to the Committee for Appeals.]

[p. 610.]

8 July. [The Committee appoint the 15th instant for hearing the appeal.]

[Vol. V. p. 37.]

(1698.)

4 Aug. [In accordance with a report of the Committee of 21 Dec. 1697, his appeal is dismissed, and the judgment of the Nevis Court upheld and confirmed.]

[Vol. V. p. 213.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 313

[675.] [A petition of the Clerks of the Privy Council for the continuance of the extra salary of 100*l.* formerly paid them for their transmission and dispatch of business to the Committee of Trade and Plantations, is granted on their representation that their work has been rather increased than lessened by the establishment of the Council of Trade in place of the Committee.] [p. 613.]

1697.  
15 April.  
Clerks re  
Plantation  
business.

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WILLIAM III. VOL. V. (5 May 1697—30 March 1700.)

[676.] [Order for Lord Bellomont's transportation, and for light fusees to the value of 200*l.* to be provided by the Ordnance for presents to the Five Nations on the occasion of a change of Governors.] [pp. 8-9. C.S.P. X. 1009.]

11 May.  
New  
England.

[Order for 200*l.* of warlike stores instead of fusees.—C.S.P. X. 1074.] [p. 26.]

10 June.

[677.] [To the Admiralty is referred the report of the Council of Trade on three memorials from the Massachusetts Agents: (1) that a fourth rate frigate may be added to those already appointed; (2) that one of the guardships may in winter act as convoy to the vessels going to Salt Tortudas for salt; and (3) that the men of war convoying the mast ships for New England may be directed to take charge of other merchant ships ready to sail with them both out and home.

17 May.  
Massachu-  
setts Bay.

A similar report upon three further memorials is referred to the Ordnance: (1) and (2) that it is quite unseasonable at present to propose the building of fortifications and the maintenance of garrisons at Port Royal and St. Johns in Acadia; (3) that Massachusetts Bay be pressed to use the utmost efforts in its own defence.—C.S.P. X. 1024.]

[p. 13.]

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1697.

27 May. [The Admiralty approve of the report, and promise to give orders accordingly to the captain of the *Deptford*, appointed to carry Lord Bellomont to his government. The Council approve of the Admiralty report; and order directions to be issued accordingly.—C.S.P. X. 1044.] [p. 21.]

20 May. [678.] [The Council refer to the Treasury the petition  
West Indies. of Captain James Norton for five years arrears due for service in the West Indies], and that he may be subsisted as a Reformed Captain, untill he be otherwise Provided for. [p. 17.]

27 May. [679.] [Mr. John Nelson and Mr. Duport to attend next  
Hudson's Bay. Council day in connection with the petition of Gabriel de la Forest late Governor of Fort Bourbon alias Nelson. De la Forest claims to be set at liberty, as he had been promised his discharge as soon as the French Court should release Mr. Nelson of a certain obligation, which has now been offered to be delivered to him by Mr. Duport.] [p. 19.]

3 June. [The petition of Gabriel de la Forest is referred to the Commissioners for Exchange of Prisoners of War.] [p. 25.]

5 Aug. [Order for the discharge of Gabriel de la Forest, and his conveyance to France in the first ship for exchange of prisoners.] [p. 62.]

22 July. [680.] [Order in Council as to salary of Governors and  
New York. Lieutenant Governors.—C.S.P. X. 1199.] [p. 55.]  
New  
England.

29 July. [681.] [Order as to disorders in New Hampshire.—C.S.P.  
New X. 1215.] [p. 51.]  
Hampshire.

29 July. [682.] [Directions to Lord Bellomont as to appeals by  
New officers of the Customs.—C.S.P. X. 1214.] [p. 54.]  
England.

29 July. [683.] [On the representation of the Council of Trade, fifty  
Leeward women convicts are ordered to be transported to the Leeward  
Islands.—C.S.P. X. 1216.] [p. 56.]



1697.

[684.] [Order to the Ordnance Office to despatch the following stores to New York with the Earl of Bellomont] :— 5 Aug. New York.

Shovells and Spades .. .. . 300  
 Pickaxes .. .. . 150  
 Nails of 8 inches 500, of 7 Inches 500, of 6 inches 4000,  
 in all .. .. . 5000  
 Nails of all sorts to make Wheelbarrows .. .. . 16000  
 Four square iron bars to make Spindles for the  
 Wheelbarrows .. .. . 600 wt.  
 Ditto of a larger sort for severall Vses .. .. . 500 wt.  
 Greate Flatt bars of two Sorts .. .. . 1000 wt.  
 Rodd Iron .. .. . one bundle.  
 One two handed Saw, two fine whip Saws to Slit Deal Boards.  
 Two ditto Saws of a Courser Sort, twelve hand Saws.  
 Six files of three sorts to sharpen the respective Saws.  
 Trowells for Masons 25, Hammers for Ditto 25.  
 Iron Crows 8, Greate Iron Sledges 6.  
 Lyne of 9 Threads to Keelspitt 400 yards.  
 Smiths Coals two Chaldron.

[p. 63.]

[685.] [Captain James Norton to be Lieutenant Governor of St. Christopher and Captain of a Company there in place of Colonel Hill deceased. Colonel Codrington to have his choice between his present company in Colonel Holt's regiment and the independent company lately commanded by Colonel Hill.] 12 Aug. St. Christopher.

[p. 65. C.S.P. X. 1241.]

(1698.)

[The Council refer to the Treasury Captain Norton's petition for the payment of such a sum out of the money due to him for service in the Leeward Islands as shall be thought fit, towards his expense in equipping and transporting himself and family to St. Christopher.] 3 Feb.

[p. 159.]

[686.] [The Council refer to the Council of Trade the petition of Captains William Hide and James Weemes.— C.S.P. X. 1283.] 26 Aug. New York.

[p. 74.]

[As Captain Weemes' and Captain Hide's troops have already received and spent their pay till the time of landing in New York, the deduction of 30 per cent. is not to be required by the Governor. The Council of Trade further report on the general question that, after deduction of 349*l*. 15*s*. 10*d*. for 4 Nov.

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1697.

payment of chaplain, storekeeper, armourer, master gunner, and two matrosses from the 2040*l.* 7*s.* arising by the deduction of 30 per cent. from the pay of the companies, a surplus of 1619*l.* 11*s.* 2*d.* remains to be applied to the service of the companies and the fortifications of the Province, but that an account of this sum should be required from the Commander in Chief by the Council of Trade: and orders are given accordingly. Their Excellencies the Lords Justices in Council will submit to His Majesty's royal determination at this Board a further recommendation of the Council of Trade that as a great encouragement to the forces in performance of their duty the Order for the deduction of the 30 per cent. should be revoked.] [p. 114. C.S.P. XI. 29.]

(1701.)

16 Jan. [The Council approve and give orders in accordance with a representation from the Board of Trade as to the pay of the troops in New York. Hitherto the deduction of 30 per cent. on the exchange for the establishment for two companies of fifty men each has amounted to 553*l.* 4*s.* 11*d.* of which 349*l.* 15*s.* 10*d.* has sufficed for maintaining a chaplain, surgeon, storekeeper, armourer, master gunner, and two matrosses, leaving 203*l.* 9*s.* 1*d.* available for contingent uses of the companies. But as four companies of 100 men each have lately been established at a charge of 7093*l.* 3*s.* 4*d.*, the men's grievance as to the deduction of 30 per cent. may be redressed, as a deduction of 10 per cent. will provide about 709*l.* 6*s.*, leaving a greater overplus for contingent uses after the payment of chaplain etc. than formerly. [Vol. VI. pp. 128-9.]

23 Sept.  
East New  
Jersey.

[687.] [The Council refer to the Council of Trade the petition of the proprietors of East New Jersey.—C.S.P. X. 1342.] [p. 86.]

25 Nov.

[Order given on report of Council of Trade.—C.S.P. XI. 69.] [pp. 139-141.]

(1699.)

9 March. [A further petition is referred to the Council of Trade, assisted by the Attorney and Solicitor General.—C.S.P. XII. 164.] [p. 308.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 317

- [The representation of the Board of Trade—C.S.P. XII. 272—is referred to the Attorney General.] [p. 325.] 1697.  
(1699.) 20 April.
- [688.] [Proclamation of peace to be sent to all Plantation Governors.—C.S.P. X. 1399.] [p. 104.] 21 Oct.  
Peace.
- [689.] [A copy of the representation of the Council of Trade relating to men of war that may be henceforward necessary to attend Barbados, Jamaica, and the Leeward Islands, is referred to the Admiralty.] [p. 114. C.S.P. XI. 26.] 4 Nov.  
West Indies.
- [The Admiralty having reported their agreement with the proposal of the Council of Trade to send to Barbados one fifth rate, to the Leeward Islands a fifth or sixth rate, and to Jamaica one 4th and one 6th rate ship, the Council direct the issue of orders accordingly.] [p. 117. C.S.P. XI. 32.] 8 Nov.
- [690.] [On the report of the Council of Trade, it is ordered that no more members be added to the Council of Barbados till the number be reduced to 12.] [p. 114. C.S.P. XI. 28.] 4 Nov.  
Barbados.
- [691.] [On the petition of David Waterhouse of London, merchant, it is ordered that the British Plenipotentiary at the Hague use his best endeavours with the French Plenipotentiaries to secure the restoration of the barque *Andrew*, laden with sugar at Montserrat and taken by the French on 18 Oct. five leagues south of Scilly and carried into Brest.] 25 Nov.  
Montserrat.  
[p. 132.]
- [692.] [150 tons of shipping to be provided to convey Mr. Grey's servants and goods to Barbados.—C.S.P. XI. 63.] 25 Nov.  
Barbados.  
[p. 133.]
- [Mr. Grey is to be provided with shipping for his goods beyond the 150 tons already allowed, to the same extent as was granted to Col. Russell in February 1694.] [p. 143.] 30 Dec.  
Barbados.  
(1698.)
- [Mr. Grey's goods to be transported to Barbados free of any custom or duty.] [p. 160.] 17 Feb.
- [693.] [Order as to transportation.—C.S.P. XI. 65.] 25 Nov.  
Transported  
Convicts.  
[pp. 133 and 135.]
- [694.] [A letter from Col. Codrington of 5 July 1697 is referred to the Council of Trade.] [p. 137. C.S.P. XI. 105.] 16 Dec.  
Leeward  
Islands.

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1697-8.

16 Dec. [695.] [The Council refer to the Treasury the Council of  
Newfound- Trade's representation on the accounts of Colonel Gibson.]  
land.

[p. 138. C.S.P. XI. 102.]

16 Dec. [696.] [The Council refer to the Treasury a memorial from  
Ships built in the Admiralty relating to the-granting of Mediterranean  
Plantations. (1698.) passes desired for ships built in the plantations.] [p. 138.]

17 Feb. [Some doubt having arisen in the case of the application  
for such a pass for the *John and Margaret*, now on a voyage  
to Virginia, or at present there, it is ordered by his Majesty  
that a pass be granted], And that for the future all Ships  
belonging to his Majestys Subjects, that are on trading Voyages  
to, or remayning in any Port of his Majestys Plantations,  
may have Passes granted them in like manner as if they  
were in a Forrain Port, The Owners first making the Usual  
Oathes and giving the Security required for Passes for Ships  
(1698.) in forrain Ports. [p. 157.]

31 March. [On a report from the Treasury, after consultation with  
the Customs, it is ordered that the Admiralty] grant  
Mediterranean Passes to ships built in the plantations in the  
same manner as those Built in Scotland and Ireland upon  
producing the usual certificates and entring into Bond as  
(1700.) is required. [p. 168.]

6 June. [Further orders as to passes.—C.S.P. XIII. 502.]

[Vol. VI. pp. 48-50.]

13 June. [In pursuance with the treaty of 10 April 1682 with  
Algiers, all vessels trading from England or Ireland to the  
Mediterranean, the Plantations, or elsewhere "in the way of  
the Algerines" are required to provide themselves with passes,  
"purporting their ships to belong to his Majestys Subjects,  
and to no Forrainer,"—such passes to be produced on  
demand by any Algerine ship of war or other vessel.] [p. 52.]

1698. 13 Jan. [697.] [The Ordnance Office having represented the great  
Engineers in expense of maintaining so many engineers in the plantations,  
Plantations. their memorial is referred to the Council of Trade along with  
the annexed list for an opinion whether any of the engineers  
should be continued in his Majesty's service in the plantations]:—

Employments.	Places.	Names of Persons.	By what Warrant or Order of the King or Council.	Date of Commission.	Time of Commencement.	Pay pr diem.
Engineers	{ Antigua Jamaica. Borbado's. Loward Islands New Yorko Borbado's.	Hugh Simms	11th September 1691	26 <sup>o</sup> September 1691	1691 September 26	10s.
		Christian Lilly	12th November 1696	17th November 1696	1696 November 17th	20s.
		Talbot Edwards	10 <sup>o</sup> December 1696	23 <sup>o</sup> January 1697	1697 January 23d.	20s.
		Heber Lands	10 <sup>o</sup> December 1696	26th January 1697	1697 January 26 <sup>o</sup>	12s.
		Coll. Romor	15th July 1697	27th July 1697	1697 July 27th	10s.
Master Gunner	Borbado's.	Robert Chapman	15th December 1696	15th December 1696	1696 December 15th	5s.
Which per annum amounts to 1405 5 0						

1698.

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1698.

17 Feb. [Order for their recall.—C.S.P. XI. 237.] [p. 158.]

27 Jan. [698.] [On a report from the Solicitor General of Ireland],  
Montserrat. Thomas Nugent of Streamstowne in the County of West  
Meath Gentleman alias Thomas Nugent of London Merchant  
alias Thomas Nugent of Montserrat in America Merchant  
[is pardoned and freed from outlawry, as he was not any ways  
concerned in the late rebellion in Ireland, being a Protestant  
who lately lived with his family in one of his Majesty's  
American plantations.] [p. 151.]

3 Feb. [699.] Vpon reading this day at the Boord the humblo  
Maryland. Petition of Thomas Bray Dr. in Divinity, Praying That his  
Majesty would be graciously pleased, in order to promote and  
propagate the true Reformed Religion in Maryland, to grant  
to him his Heirs and Assignes, the Rents, Issues and Profits  
of a certain parcell of Ground called Middle Row alias Rotten  
Row in the Parish of St. Giles Cripple Gate in the County of  
Middlesex with the Arrears thereof due to the Crowne, To be  
employ<sup>d</sup> in setling of a compleat Library in every Parish  
within his Majestys said Plantation of Maryland, The  
Petitioner having already with the Contribution of severall  
Lords and Gentleman, aswell as Clergy sent thither such  
Librarys for half the Parishes there. It is Ordered by his  
Majesty in Council, That the Consideration of this Petition  
be referred to the Right Honorable the Lords Commissioners  
of the Treasury, who are to cause Enquiry to be made into the  
true value of the Rents mentioned in the Petition, and his  
Majestys Right and Title thereunto, and to report the state  
thereof to his Majesty with their Opinion what may be done  
for gratefying the Petitioner in his Request. [p. 154.]

(1701.)

8 May. [On the petition of Thomas Bray D.D.,] praying Letters  
Patents for Constituting such Persons as your Majesty shall  
think fitt a Body Politick, and Corporate, and Granting to  
them and their Successors power to receive Gifts and Legacies  
from any Persons for the Maintenance of an Orthodox Clergy  
in your Majestys Provinces and Plantations in America, and

1698.

other your Majestys Provinces Plantations and Factories beyond the Seas, [the Attorney General reports that there is no objection in law to the request, and that the petitioner has submitted a suitable list of names. Order is given for granting the request]. [Vol. VI. p. 199.]

[His Majesty approves and gives order for preparing for his signature the Attorney General's draft of a warrant for a Charter to the Archbishop of Canterbury and others for propagating the Gospel in the plantations, with Dr. Bray's alterations of articles 7, 8, and 9 as conducing more to the furtherance and better management of that work, and with the further alteration of making the quorum 7 instead of 9.] 5 June.

[Vol. VI. p. 214.]

[700.] [The Council refer to the Council of Trade the petition of John Lord Cutts, Sir Henry Pickering of Barbados and Joseph Dudley of New England.—C.S.P. XI. 209.] 3 Feb. Coining in Plantations.

[p. 155.]

[701.] [A representation of the Council of Trade of 27 January was read regarding Barbados Acts passed from 9 Oct. 1694 to 1 July, 1696.] 3 Feb. Barbados. [p. 156. C.S.P. XI. 207.]

[702.] [The request of the Board of Ordnance to be relieved from the charge of the Newfoundland garrison is referred to the Council of Trade.—C.S.P. XI. 239.] 17 Feb. Newfoundland.

[p. 159.]

[Order is given in accordance with the report of the Council of Trade.—C.S.P. XI. 337. The report includes the following section :]

Wee also find that Col. Gibson upon his departure thence did leave for Guard of the said Fortifications, the Major of his Regiment, Lieutenant Col. Thomas Handasyd as Commander in Cheif, together with three Captains, four Lieutenants, three Ensignes twelve Serjeants, twelve Corporalls, Eight Drummers and two hundred and twenty private Centinells, besides thirty seven sick men who were not fit to be put on

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1698.

board the Hospitall Ships, and likewise one Enginier, One Fire Master, One Sub Engineer One Gentleman of the Ordnance, One Fire worker, three Bombardeers, One master Gunner Twelve other Gunners, four Carpenters, four Smiths, with One Surgeon. [pp. 169-70.]

31 March. [Further order in accordance with a representation of the Council of Trade.—C.S.P. XI. 338 and 340.] [p. 171.]

17 Feb. [703.] [Order, on the representation of the Council of Trade, as to white servants in plantations.—C.S.P. XI. 238.] [p. 160.]

24 Feb. [704.] [The Council refer to the Admiralty the petition of Mary, widow of John Fletcher, late commander of H.M.S. *Hampshire*, sunk by an unexpected shot from a French man of war near Hayes River in Hudson's Bay, to which place he was convoying several merchantmen.] [p. 162.]

4 Aug. [On a report from the Admiralty that Captain John Fletcher of the *Hampshire* lost his life in actual engagement with a French man of war in Hayes River, Hudson's Bay, it is ordered that a pension of the value of half the pay he received as captain of the *Hampshire* be settled on his widow.] [p. 212.]

24 Feb. [705.] [The Council refer to the Admiralty the petition of Samuel Day for a ship to transport himself, his family and his goods, to Bermuda.] [p. 162.]

31 March. [The Admiralty having reported that they can find no precedent for one of his Majesty's ships to transport a Governor to Bermuda, but that Mr. Day represents that there is a more particular occasion at this time for one of his Majesty's ships to go thither by reason of recent disorders and to bring over some persons thence, and as it is now time of peace, a small frigate is granted to transport Mr. Day.] [p. 168.]

31 March. [706.] [Directions are given for preparing proper seals for the use of Virginia, Bermuda, and New Hampshire.] [p. 167. C.S.P. XI. 344.]



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[The new seals for Virginia and New Hampshire are directed to be transmitted to these provinces with warrants allowing and directing their use in the respective governments.] 1698.  
(1699.)  
5 Jan.  
[p. 287.]

[707.] [The petition of Governor Ralph Grey is referred to the Council of Trade.—C.S.P. XI. 452.] 12 May.  
Barbados.  
(1699.)  
[p. 178.]

[The petition of Francis Eyles, on behalf of Governor Grey, is similarly referred.—C.S.P. XII. 218.] 30 March.  
[p. 318.]

[On their report, the payment of the 2000*l.* is approved.—C.S.P. XII. 425.] 18 May.  
[p. 333.]

[708.] [The Council refer to the Admiralty a complaint from the Customs about the beating and abusing of the tidesmen who boarded his Majesty's hired ship *Princess Anne* on her arrival from Jamaica and desiring orders to be given to the officers of the King's ships that the officers of the Customs be not hindered in the performance of their duty.] 9 June.  
Jamaica.  
[p. 184.]

[709.] [In accordance with a report from the Admiralty, to whom it had been referred on 9 May, his Majesty grants a pension of 200*l.* a year to the widow of Vice Admiral Neville who died on board the *Cambridge* during the epidemic in the West Indies, in like manner as the pension to the widow of Sir Francis Wheeler was settled, although by the rules of the Navy no pension is allowed in such a case.] 16 July.  
West Indies.  
[p. 202.]

[710.] [The Council refer to the Council of Trade the petition of Edward Walrond.—C.S.P. XI. 676.] 16 July.  
Leeward Islands.  
[p. 204.]

[A further complaint is similarly referred.—C.S.P. XI. 774.] 25 Aug.  
[p. 219.]

[Order in accordance with their report.—C.S.P. XI. 970.] 3 Nov.  
[p. 266.]

[711.] [The Council refer to the Council of Trade the petition of John Tucker and others.—C.S.P. XI. 678.] 16 July.  
Barbados.  
[p. 204.]

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1698.

16 July. [712.] [The Council refer to the Committee for Appeals] Rhode Island. the Petition of Daniel Peirce and others, Tenants of William Brown and Benjamin Brown of New England Esqrs and of the said William and Benjamin Brown . . . humbly praying to be allowed to appeal from a Verdict and judgement in the Court held at Newport in Rode Island, in the behalf of Edmund Willie and Margaret his wife, and Richard Hancock and Judith his wife, touching a Moiety of Prudence Island in New England. [p. 205.]

2 Sept. [The Committee for Appeals refer it to the Attorney General to inspect the charter of the colony and report to the Committee what may be done for the petitioner's relief.] [p. 223.]

16 July. [713.] [The Council refer to the Council of Trade the Massachusetts. address of the Lieutenant Governor and Council of Massachusetts.—C.S.P. XI. 677.] [p. 206.]

4 Aug. [714.] [Directions for providing the usual accommodation Maryland. for transporting Colonel Nathaniel Blakiston to his Government of Maryland.] [p. 212.]

25 Aug. [On a report from the Admiralty and a petition from Col. Blakiston, the Council give directions that the usual accommodation be provided for Col. Blakiston's transportation by the Commissioners of the Navy, the freight or hire and other charges whereof are to be paid by Col. Blakiston.] [p. 218.]

25 Aug. [A further order directs the Treasury to pay the amount of these charges to Col. Blakiston, in order to his discharging the same.] [p. 218.]

9 Aug. [715.] [The Council refer to the Attorney General, in consultation with the Judge of the Admiralty, an alteration Maryland. made by the Council of Trade in Col. Blakiston's commission.—C.S.P. X. 736.] [p. 215.]

1 Sept. [716.] [The Council refer to the Committee for Appeals Massachusetts. the] Petition of Elizabeth Shrimpton Widdow and Executrix of Colonell Samuel Shrimpton late of Boston in New England

praying, that the Appeales of Jahleel Brenton Esqr. Collector of His Majesties Customes in New England, touching his Seizure of a Parcell of Iron claimed by the Petitioners late Husband may be Dismissed he haveing not Prosecuted the same within the Time limited in an Order of Councill for that purpose. [*Cf.* 480. 27 May 1697.] [*p.* 222.]

1698.

[The Council admit, and refer to the Committee for Appeals, the appeal of Jahleel Brenton from the judgment given against him in the County Court at Boston on 26 July 1692 in the case of a parcel of iron seized by him as illegally imported from Spain.] [VI. *p.* 34.]

(1700.)  
30 May.

[The Committee report in favour of dismissing the appeal as having been lodged only about May 1697, he having meanwhile acquiesced under the said Judgment. [VI. *p.* 72.]

(1700.)  
28 June.

[Order accordingly.]

[VI. *p.* 72.]

(1700.)  
18 July.

[717.] [The Council refer to the Council of Trade Sir Thomas Lawrence's claim for 150*l.*—C.S.P. XI. 863.] [*p.* 233.]

29 Sept.  
Maryland.

[Order in accordance with their report.—C.S.P. XI. 935 and 968.] [*pp.* 264–5.]

3 Nov.

[718.] [Order as to government of Leeward Islands on death of Colonel Codrington.—C.S.P. XI. 861.] [*p.* 234.]

29 Sept.  
Leeward  
Islands.

[719.] [The Council refer to the Council of Trade several papers concerning Arnold Nodine.—C.S.P. XI. 910.]

20 Oct.  
Maryland.

[*p.* 257.]

[720.] [Orders concerning New York (P.R.).—C.S.P. XI. 936.] [*pp.* 261–2.]

25 Oct.  
New York.

[721.] [Colonel Fletcher to be heard in his defence.—C.S.P. XI. 937.] [*p.* 262.]

25 Oct.  
New York.  
(1699.)

[The Council refer to the Attorney and Solicitor General a representation from the Council of Trade, who have heard Colonel Fletcher.—C.S.P. XII. 167.] [*p.* 316.]

16 March.

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1698.

(1699.) [Part of the representation of the Board of Trade is to be  
16 March. sent for reexamination to the Commissary General of the  
Musters or his Chief Deputy.—C.S.P. XII. 181.] [p. 313.]

3 Nov. [722.] [Draft of a letter to Lord Bellomont approved.—  
New York. C.S.P. XI. 967.] [p. 263.]

3 Nov. [723.] [The Council approve the draft of an instruction  
Naval Office for Colonial Governors relating to the Naval Officers in those  
in parts (P.R.).—C.S.P. XI. 971.] [p. 263.]  
Plantations.

3 Nov. [724.] [Colonel Romer to stay in New York till Christmas  
New York. 1699, and his allowance to be reduced to twenty shillings  
a day.—C.S.P. XI. 966.] [p. 264.]

10 Nov. [725.] Upon reading this day at the Board the annexed  
Slave Trade. memoriall of the Royall African Company of England desiring  
leave to export Beans for carrying on their Trade to Africa,  
and supplying the Negros in their Transportation from thence  
to the Plantations; And also a Presentment from the Com-  
missioners of the Customes relating to the Exportation of the  
said Beans, for the said purpose, and other Graines for the  
Plantations. It is this day Ordered by Their Excellencies  
the Lords Justices in Councill, That the Right Honorable the  
Lords Commissioners of the Treasury do send for the Royall  
African Company and adjust with them the Conditions upon  
which they may be permitted to Export Beans, for the supply  
of negros from the Coast of Africa to the Plantations, and  
what security the Company may give that the said Beans  
shall not be Employed to other uses then for the sustenance  
of the Negros in their said Passage. And Their Lordships  
are also to receive Information from the Commissioners of the  
Customes, whether Corne, meal Biscuit or Bread have hereto-  
fore been usually Exported for the supply of His Majestys  
Plantations in America; And to Report the same to this  
Board. [p. 268.]

8 Dec. [726.] [A proclamation is read and ordered to be issued  
Piracy. for suppressing the pirates in the East Indies.] [p. 276.]

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- [The Attorney and Solicitor General are to prepare drafts of commissions for trial of pirates in the East Indies, as desired by the East India Company.] [VI. p. 19.] 1698-9. (1700.) 2 May.
- [727.] [Order for a Commission of Inquiry into the state of Rhode Island.—C.S.P. XII. 17.] [p. 287.] 1699. 5 Jan. Rhode Island.
- [The draft of the commission is approved.—P.R.] [p. 297.] 16 Feb.
- [The draft of the instructions to Lord Bellomont—P.R.—are approved.—C.S.P. XII. 163.] [p. 308.] 9 March.
- [728.] [The Council refer to the Admiralty a representation from the Council of Trade—C.S.P. XII. 29—as to sending men of war to the plantations on the Continent of America.] 12 Jan. Navy in Plantations. [p. 291.]
- [Order for sending ships of war to the colonies.—C.S.P. XII. 157.] 9 March. [pp. 311-3.]
- [729.] [The Council refer to the Admiralty the proposals made by the Jamaica agents to the Council of Trade.—C.S.P. XII. 92.] 9 Feb. Indented Servants. [p. 297.]
- [Order is given in accordance with the Admiralty report.—C.S.P. XII. 166.] 9 March. [p. 313.]
- [On a further complaint from Barbados, order is given in accordance with a representation thereon of the Board of Trade.—C.S.P. XII. 990.] 23 Nov. [p. 395.]
- [730.] [Order as to residence of patent officers.—C.S.P. XII. 91(1).] 16 Feb. Jamaica. [p. 300.]
- [731.] [The Council refer to the Admiralty the] Petition of Elizabeth Meese Widdow Praying a Grant of Five Hundred pounds, which was received for contingent Charges of the Treasurer of the Navy, by her Son George Meese, when he went with a Squadron of his Majestys Ships of Warr under his Command, to the West Indies, where he lost his Life, to the end she may receive the Pay due to him which is stopt till an Accompt be given of the Disposall of the 23 Feb. West Indies.

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1699. said contingent Money, which the Petitioner is unable to do by reason of the Losse of her Sons Papers. [p. 301.]
- 18 May. [Mrs. Meese is discharged of the sum of 500*l*. according to her petition, the Admiralty having this day reported :—]that the said Captain Meese dying in the West Indies, it is very probable the Papers necessary for Passing the account of the said Imprest, are lost ; And in regard the Rules and Methods of the Navy do not allow of the settling Pensions on any others, then the widows of such Persons who loose their lives in His Majestys Service, that Two hundred Pounds per annum is, by His Majestys Order, allowed to the widow of Vice Admirall Nevill who likewise dyed in the said Expedition ; And Captain Meese having always faithfully served His Majesty, and deservedly gained the Character of a very good Officer : Wee do most humbly Recommend the necessities of His Mother and Relations to His Majestys Charity. [p. 336.]
- 23 Feb. [732.] [The Council refer to the Council of Trade the petition  
Rhode of Francis Brinley, a Rhode Island merchant.—C.S.P. XII.  
Island. 122.] [p. 302.]
- 27 April. [Order in accordance with the report of the Board of Trade.—C.S.P. XII. 315. The order adds :—]As also, that in all such Cases the Governor and Company of the Colony of Rhode Island do take notice that it is the Inherent Right of His Majesty to Receive and Determine Appeals from all His Majestys Colonies in America : and that they do Govern themselves accordingly. [p. 331.]
- 23 Feb. [733.] [The Council refer to the Council of Trade the  
Connecticut. petition of Edward Palmes Esqr. and John Hallam merchant of Connecticut.—C.S.P. XII. 119.] [p. 302.]
- 9 March. [Orders given in accordance with their report.—C.S.P. XII. 160.] [p. 310.]
- 9 Feb. [734.] [The Council refer to the Council of Trade the  
Connecticut. petition of John and Nicholas Hallam of Connecticut.—C.S.P. XII. 120.] [p. 302.]

ACTS OF THE PRIVY COUNCIL (COLONIAL). 329

[A further petition is similarly referred.—C.S.P. XIII. 974.] [Vol. VI. p. 109.]

1699.  
(1700.)  
5 Dec.  
(1701.)

[On their report the appeal is admitted on the usual security being given, and ordered to be heard on the first Council day in February, 1702.] [Vol. VI. p. 218.]

12 June.

[The Council refer to the Committee for Appeals the petition of Nicholas Hallam that a day be appointed for hearing his appeal from a sentence of the Court of Assistants in Connecticut in a case in which he and his brother John are plaintiffs, and John Fitz Winthrop and Edward Palmes defendants, as also an Address from the General Assembly of Connecticut relating to the case.] [VI. pp. 343-4.]

(1702.)  
12 Feb.

[The Council approve, and give orders in accordance with the report of the Committee for Appeals on the appeal of Nicholas Hallam against a sentence of the Court of Assistants in Connecticut of 2 May 1700 in favour of Fitzjohn Winthrop and Edward Palmes and on the address of the Assembly of Connecticut relating to the case:] it appearing that the Examinations taken in Connecticut, in behalf of both Partys relating thereunto, had not been taken regularly in such manner as that the Partys might Interchangeably Examine the Witnesses. Their Lordships humbly offer their Opinion to His Majesty that Order may be given that both Partys be sent back to Connecticut, to Examine such Witnesses as they can Produce in the said Cause respectively, and that the Examination be regularly taken in such manner as that they may Interchangeably Examine the said Witnesses without any Lett or Molestation whatsoever, by the Governor and Magistrates of that Colony, or any other whom it may concerne, and that such Examinations as shall be taken in this Case in Connecticut be transmitted to this Board under the Seal of the Colony, the whole Proceeding to be at the Cost and Charges of the Respondents, it appearing to the Committee, that the Appellant has been greatly delayed in the Prosecution of his said Appeal, by the Proceedings and at the

(1702.)  
18 March.

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1699. Instance of the said Respondents to the Extraordinary Charge and Damage of the Appellant. [Anne, Vol. I. p. 39.]
- (1703.) 2 Dec. [Hallam's petition that his appeal may be heard and determined is referred to the Committee for Appeals.] [Anne, Vol. I. p. 467.]
- (1704.) 3 Jan. [The Committee for Appeals report in favour of confirming the sentence of the Court of Assistants in favour of Mr. Winthrop and Mr. Palmes.] [Anne, I. p. 489.]
- (1704.) 9 Jan. [Order accordingly.] [Anne, I. p. 494.]
- 16 March. [735.] [The Council refer to the Council of Trade, to be Antigua. granted if no objection is seen, the petition of Sir William Phippard.—C.S.P. XII. 185.] [p. 316.]
- 30 March. [736.] [The Council refer to the Council of Trade the petition Tobago. of Sir William Waller and Nicholas Dupin.—C.S.P. XII. 219.] [p. 319.]
- 18 May. [The settlement of Tobago is forbidden.—C.S.P. XII. 422.] [p. 337.]
- (1700.) 7 March. [A further petition is referred to the Board of Trade.—C.S.P. XIII. 203.] [p. 430.]
- (1700.) 28 March. [A representation from the Board of Trade is sent to Mr. Secretary Vernon to be used in answering the Duke of Courland's envoy.—C.S.P. XIII. 265.] [p. 440.]
- 6 April. [737.] [The Council approve, and give orders to the Newfoundland. Admiralty, the Treasury, the Ordnance, and the Board of Trade, in accordance with a representation from the Board of Trade upon the defence of Newfoundland.—C.S.P. XII. 238.] [pp. 321-3.]
- 27 April. [On reading reports from the Treasury, Admiralty, and Ordnance, orders are sent to them for speedy compliance with the above orders] His Majesty being very sensible of the Importance of the said services. [p. 328. C.S.P. XII. 312-4.]



ACTS OF THE PRIVY COUNCIL (COLONIAL). 331

- [Further orders in accordance with a representation from the Board of Trade.—C.S.P. XIII. 55.] [p. 413.] 1699.  
(1700.)  
25 Jan.
- [On two reports from the Ordnance, orders are given (1) as in C.S.P. XIII. 102; (2) for sending 46 cartridge boxes, 26 flock beds furnished, and 52 pairs of sheets for the use of the company there.] [p. 419.] (1700.)  
8 Feb.
- [738.] [In the draft commission for Colonel Codrington, His Majesty in Council directs that in place of the words "To execute martial law in time of invasion or war," there be inserted these words, "to execute martial law in time of invasion, insurrection or war, as also upon soldiers in pay, according to former Commissions."'] 20 April.  
Leeward Islands.
- [p. 324. C.S.P. XII. 281.]
- [Further amendment and instructions.—C.S.P. XII. 308.] 27 April.  
[p. 330.]
- [739.] [Edward Chilton is appointed Attorney General of Barbados.] 27 April.  
Barbados.  
[p. 329. C.S.P. XII. 311.]
- [740.] [On reading a representation from the Board of Trade, that part of it referring to the stationing ships of war off the coasts of Africa for suppressing piracy is referred to the Admiralty.] 27 April.  
Piracy.  
[p. 330.]
- [741.] [The fine laid on John Lucas in Antigua is remitted.—C.S.P. XII. 405.] 18 May.  
Antigua.  
[p. 334.]
- [742.] [On the representation of the Board of Trade that John Dudgeon, secretary of Bermuda, is willing by reason of some infirmities to resign his place of secretary, and that Edward Jones is a suitable person to be appointed secretary and provost marshal in accordance with his petition, he is accordingly appointed to these posts.] 18 May.  
Bermuda.  
[p. 334. C.S.P. XII. 418.]
- [743.] [The Council refer to the Board of Trade a presentment from the Customs] relating to the Province of Transilvania, with the Papers thereunto annexed.—C.S.P. XII. 450. [p. 338.] 25 May.  
Pennsylvania.

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1699.

29 June. [A letter from Robert Quarry is similarly referred.—C.S.P. XII. 574.] [p. 352.]

29 June. [On a report from the Council of Trade, they are ordered to prepare circular letters urging Governors to assist the officers of the Customs and Admiralty.—C.S.P. XII. 573.] [p. 353.]

31 Aug. [Two representations from the Board of Trade are approved, and recommended to Mr. Penn.—C.S.P. XII. 749.] [p. 371.]

31 May.  
New York. [744.] [The Council refer to the Treasury in consultation with the Lords Commissioners of Trade and Plantations the deposition of Chidley Brooke, late Collector of New York, and] the Petition of divers merchants and Traders to New Yorke from the City of London, setting forth that their Factors and other Correspondents Residing at New Yorke, vizt. Miles Forster, Robert Lurting, Ebenezar Wilson, Thomas Wenham, Caleb Heathcote, John Morris, William Morris, Jeremiah Tothill merchants, Col. Nicholas Bayard, William Nicolls Esq. James Emett Esq. Capt. John Evans, Major William Merritt and Matthew Clerkson Esq., were Jointly and Severally bound to His Majesty in the summ of Ten thousand pounds, conditioned that Colonell Benjamin Fletcher late Governor of New Yorke, should be answerable to His Majesty for what publick mony should appear to be converted by him to his own use. And humbly praying that the said Bond may be Cancelled for that Col. Fletcher hath been in England almost twelve months. [p. 341.]

31 May.  
Barbados. [745.] [The Council refer to the Board of Trade the report of the Customs on the complaint of William Sharpe of Barbados.—C.S.P. XII. 476.] [p. 343.]

13 July. [The Council approve the draft of a letter to the Governor in this matter, and also the draft of another letter to the Governors of Plantations for putting in execution the Acts of Trade (P.R.).] [p. 357.]

31 May.  
West Indies. [746.] [Application is ordered to be made at the Spanish Court for redress in accordance with] the petition of Thomas

1699.

Dalton late master and part Owner of the Friendship Sloop of New Providence in America, in behalf of himself, his mate and mariners, complaining of Fransico Ferdinando a Spaniard of Compeachy for taking away the said Sloop and her Cargo as Prize on the 2d of March 1697 as she was at Anchor, between the West End of Cuba and the Maine, and of other hard Usage and Sufferings by the Spaniards, Alleaging their Losses thereby Sustained, Amount to near Three Thousand five hundred Pounds and praying to be Releived. [p. 344.]

(1700.)

[On a further petition of Dalton praying letters of marque and reprisal, since nothing has been effected by Mr. Stanhope's intervention at the Court of Spain, further representation is ordered to be made at that Court by the Earl of Jersey.]

18 April.

[Vol. VI. p. 7.]

[747.] [On condition that security be given and that execution be not meanwhile stayed, the Council admit for hearing on the first Council day in June 1700, the Appeal] of George Peers of Barbados merchant, in behalf of himself and the rest of the Owners and Laders of the Sloop called the Turtle of Barbados, Robert Cunningham master, Setting forth that about the month of July 1697, The Petitioners laded on Board the said Sloop at Barbados, some sugar, Rum, Malosses and Negro Slaves, to the value of above Twelve hundred Pounds, and sent her on a Trading Voyage to Charles Town in the Province of Carolina; where she arrived on the 14th of August following, That on her arrivall in the said Port, the master duly Entred the said Sloop with the Navall Officer there Mr. Jonathan Amory, who afterwards seized and proceeded against her and her Cargo, in the Court of Admiralty of Carolina, as forfeited on pretence that the master was a Scots man, and so not navigated according to the Act of navigation. That the said Court on the 27th of August last, condemned the said Sloop and Cargo as forfeited, only because the master was a Scots man borne; From which Judgement the Petitioners Correspondents would have appealed, first to the Governor and Council there, and afterwards to His Majesty

31 May.  
Carolina.

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1699.

in Council, But were Refused ; Wherefore humbly praying to be admitted to Appeal from the aforesaid Judgement. .

[p. 345.]

(1700.)

20 June.

[His petition for a short day for hearing is referred to the Committee for Appeals. The defendant's agent, Mr. Mountague, is required to attend their Lordships from time to time.]

[Vol. VI. p. 57.]

(1700.)

31 Dec.

[Committee for Appeals. On consideration of the case of the *Turtle* of Barbados referred on 20 June, it is alleged that the informer against the vessel or his executors had not been duly summoned, and the Committee recommend that the hearing of the case be further postponed till 1 June 1701.]

[VI. p. 123.]

(1700.)

31 Dec.

[Order accordingly.]

[VI. p. 125.]

(1701.)

17 July.

[The petitioners seek a hearing, copies of the proceedings having been transmitted and all the parties summoned. They are referred to the Committee for Appeals.]

[VI. p. 233.]

(1701.)

11 Sept.

[The Committee agree to hear their appeal.]

[VI. p. 256.]

15 June.

West Indies.

[748.] [The Council refer to the Admiralty the petition of Elizabeth, widow of Charles Coates, late captain of the *Owners' Content* under the command of Col. Russell to be considered for the loss of her husband in his Majesty's service.]

[p. 348.]

22 June.

Barbados.

[749.] [Order as to Robert Chaplain of London.—C.S.P. XII. 544.]

[p. 349.]

(1700.)

20 June.

[The Council refer to the Committee for Appeals the petition of Robert Chaplin of London, merchant, for a speedy hearing of his appeal against a sentence of the Governor and Council of Barbados in favour of Captain Alexander Cunningham, the petitioner having obtained authentic copies of all proceedings relating to the said appeal.]

[VI. p. 56.]

1699.  
(1700.)  
2 Nov.

[The Committee report that it appears to them] that Alexander Cunningham the Defendent, having in the year 1677, taken a Lease from John Peers Esqr. of Staple Grove Plantation, at the Yearly Rent of Eight hundred Pounds; The Defendant and the said Peers did on the 23th of May 1684, Enter into Covenants concerning a further Lease, And that in consideration of two hundred Pounds per annum to be advanced in the Rent, The said Peers should put fifty negros more on the Plantation, within Three years after the said Lease; That a new lease was accordingly Granted to the Defendant the first of March 1685, at the yearly Rent of One Thousand Pounds, And Accompts Stated between him and the said Peers the 10th day of June following, Upon the Balance whereof there remained due to the said Peers the Sum of two thousand Three hundred and Ninety Pounds, for the Payment Whereof the Defendant Entred Securitys according to Agreement between them. That the said Peers having Omitted to put the said fifty Negros on the said Plantation, within the said Three Years, Dyed; And the Petitioner as administrator to him, suing the Defendant in Barbados, for arrears of Rent for the said Plantation, Commissioners were appointed by the Court of Chancery there, to state and adjust Accompts between them, who, not taking notice of the stated Accompt in 1686, Proceeded to Retrospect and New Examine the Accompts relating to the Plantation from the year 1680, And allowed the Defendant Damages at the Rate of five hundred Pounds per annum for want of the said fifty Negros from that time, tho' four years before the said Covenant, Thereby making the Appellant Indebted to him in the sum of Twelve hundred and fourteen Pounds seventeen Shillings five pence and one third of a Penny; Whereupon a Decree was past laying a perpetuall Injunction upon the Appellant, and from an other Decree for the said Sum of 1214*l.* 17*s.* 5½*d.*, in favour of the Defendant, And the mony levied accordingly. Upon the whole matter, Their Lordships agree humbly to offer their Opinion to His Majesty, That the Decree for the

336 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1699.

Injunction and the Decree for the said 1214*l.* 17*s.* 5½*d.* be Reversed and set aside by His Majesty, And the appellant permitted to take his Remedy at Law in Barbados against the Defendant [and] that in the Hearing and Determining the said Differences between the said Parties, The Courts in Barbados do allow of the Balance of the Accompt Stated between the Defendant and the said Peers in the year 1686, And that the Accompts be Stated between the said Parties from the said Balance without Retrospect before that time ; As also that the Damages to be Allowed to the Defendant for the said Peers not having put the said fifty Negroes on the Plantation within Three years from the Lease in 1685, according to the Covenant in 1684, be Tried and Assessed, by a jury of twelve Men upon Oath in Barbados, and be Reckonned only from the first of March 1688, being three years after the making of the said Second Lease.

[VI. pp. 93-94.]

(1700.)

5 Nov.

[Order accordingly.]

[VI. p. 97.]

29 June.

Bermuda.

[750.] [The Council refer to the Committee for Appeals the] Petition and Appeale of Martha Johnstowne, Widdow and Relict of Captain Edward Johnstowne, late of the Island of Bermudas, and formerly the Relict and Executrix of Thomas Outerbridge the Elder, and of William Outerbridge junior Son and another Executor of the said Thomas, Praying to be releived as to their Pretensions to a House and One Share of Land in Hambleton Tribe in the said Island, which was mortgaged by William Outerbridge Father of the said Thomas, to Robert Wood Esqr.

[p. 352.]

(1701.)

24 April.

[Their further petition is similarly referred, the hearing of the case on the former reference having been prevented by the death of John Place and some hopes of accommodation.]

[Vol. VI. p. 192.]

(1702.)

29 Jan.

[On the report of the Committee for Appeals the Council reverse the judgment of the Court of Chancery in Bermuda

of 7 Nov. 1696 which dismissed the appellants' bill against William Place touching the house and lands in question.]

[Vol. VI. p. 332.] (1704.)

[The Council refer to the Committee for Appeals the petition of Rhoda Place, widow, and William Place, an infant, for hearing their appeal against a decree of the Bermuda Chancery in favour of Martha Johnstowne and others.]

1699.

6 Sept.

[Anne, Vol. II. p. 173.]

[751.] [The Council refer to the Committee for Appeals the] Petition of George Powell of the Island of Antegoa in America Planter Brother and Administrator of Captain Garret Powell of the said Island deceased, Praying Liberty to proceed on a Decree made in his Majestys Court of Chancery in the said Island in a Cause depending between John Cockrane and Robert Cockrane by his Father and Guardian William Cockrane and the said Garret Powell and Elizabeth his Wife, formerly the Wife of Col. Archibald Cockrane, notwithstanding the Appeal of the said William Cockrane in regard he hath neglected to prosecute the same within the time limited, And that the Bond of 1000*l*. entred into by him and his Suretys may be put in suit in order to satisfy the Petitioner the Expence and Damage he has susteyned by the said Vexatious Appale.

29 June.  
Antigua.

[p. 353.]

On the Petition of George Powell of Antigoa, The Partys concerned to be summoned to attend the next Committee.

6 July.

[p. 355.]

[His petition for liberty to proceed on the decree is ordered to be sent to the Governor of the Leeward Islands, to examine it, and to grant it if true, the Committee for Appeals having reported] that there was a summons sent upon the Exchange, and time given for the Appellant to appear, But the messenger who served it, was informed by divers Eminent Merchants Trading to the Leeward Islands, that the said appellant was not in England, nor expected that they knew off, and it being Eight months since that the said appeal should have been prosecuted, as the Petitioner sets forth.

3 Aug.

[p. 362.]

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1699.

13 July. [752.] [Order to the Ordnance to furnish an estimate of  
New York. the cost of stores for New York.—C.S.P. XII. 640.] [p. 356.]

22 Aug. [The estimate is approved, and orders in accordance given  
to the Ordnance and the Treasury.—C.S.P. XII. 733.]

[pp. 369-70.]

13 July. [753.] [On a representation of the Board of Trade, order  
Bermuda. as to Edward Randolph, imprisoned by Governor Day of  
Bermuda.—C.S.P. XII. 642.] [p. 357.]

31 Aug. [Order approving of the report of the Board of Trade,  
(1700.) and admonishing Mr. Day.—C.S.P. XII. 753.] [pp. 372-3.]

29 Feb. [Sir Thomas Day to be heard in his son's defence.—  
(1700.) C.S.P. XIII. 173.] [p. 428.]

7 March. [On hearing Sir Thomas Day, six weeks is allowed him to  
(1700.) present the answer he expects shortly to receive from his son  
concerning the charges against him.] [p. 432.]

18 April. [Sir Thomas Day is granted two weeks longer, no letters  
(1700.) having yet arrived.] [Vol. VI. p. 6.]

2 May. [The Council refer to the Board of Trade an abstract of  
letters to the Board of Trade from Mr. Day and Mr. Randolph,  
dated 29 January, as also the petition of Sir Thomas Day  
—C.S.P. XIII. 383.] [VI. p. 20.]

9 May. [On a representation of the 8th instant from the Board  
(1700.) of Trade, the determination of the matter is suspended  
till the 30th and no longer.] [VI. p. 24.]

21 May. [The Council grant and give orders in accordance with the  
petition of Sir Thomas Day] setting forth, that altho' he might  
have great reason to beleive, from the last Letters he Received  
from his son, now His Majestys Lieutenant Governor at  
Bermudas, together with severall Affidavits and other Papers  
attested under the Seal of that Island, that such further Proofs  
would suddenly arrive and be attended by a Person of Credit,  
and one of the Council there, by which the Reputation of the  
said Governors Behaviour would be cleared; [yet that his



son's adversaries refuse him copies of the depositions against him, and therefore praying that his son may be recalled, to clear himself in person].

[VI. p. 30.]

1699.

(1701.)

[Sir Thomas Day setting forth that his son was recalled, and] was ready to return for England, but was arrested and still Detained Prisoner at Bermudas by Vertue of an Action for two Thousand Pounds there Entred against him by Colonell Richier late Governor of the said Islands, upon pretence he did not put in Execution an Order of His Majesty in Council for a Security to be Reciprocally given by the said Richier and Colonell Goddard, And praying the said Samuel Day may be forthwith sent Home to England to Answer what shall be Objected against him. [It was ordered that on his giving security of 2000*l.* to answer Col. Richier's complaint at the Board on the first Council day in May, Mr. Day be allowed to return to give his Majesty an account of his government.]

[VI. p. 248.]

21 Aug.

(1702.)

[Samuel Day's petition is referred to the Attorney General, setting forth that he is under arrest, and praying to be sent for to England] upon giving Bail for his appearance to answer what shall be alleaged against him by any of his Accusers or Prosecutors at Bermudas.

[Anne, Vol. I. p. 125.]

21 April.

(1702.)

[The Attorney General having reported that her Majesty may properly grant her royal order for the said Mr. Day's being sent for to England, security being first given for his answering suits brought against him for his conduct in Bermuda, and that the Secretary of the colony give him copies of such papers as are necessary for his defence; and bond for 4000*l.* having been furnished accordingly, Her Majesty gives orders in accordance with the report.] [Anne I. p. 150.]

11 June.

[754.] [On reading a letter from the Board of Trade to the Earl of Jersey, Mr. Day is directed to send into England Daniel Smith, whom he had committed to prison on suspicion of piracy until further orders should be received from the Secretary of State.]

[p. 357.]

13 July.  
Bermuda.

# 340 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1699.

13 July. [755.] [The Council refer to the Attorney and Solicitor  
Slave Trade. General a representation from the Board of Trade] on the  
Petition of Sir Stephen Evance, Jeffrey Jeffreys Esqr. John  
Stafford and William Richardson Merchants, on behalf of them-  
selves and other merchants. [p. 358. C.S.P. XII. 645.]

31 Aug. [The report of the Board of Trade is approved, and  
orders given accordingly.—C.S.P. XII. 752.] [pp. 373-4.]

22 Aug. [756.] [The petition of Richard Bate is referred to the  
Barbados. Board of Trade.—C.S.P. XII. 732.] [p. 367.]

26 Sept. [The Council approve, and give orders in accordance with,  
a report of the Board of Trade of 20 Sept., which adds to the  
facts previously given, that Dr. de la Rouze was "endenized" in  
Barbados in 1651, after which he purchased the estate, in  
which he was confirmed by Lord Willoughby in 1666; the report  
bases on the Solicitor General's report the opinion] not only  
that the Letters of Denization within the Island of Barbados  
granted unto the foresaid Dr. de la Rouze severall years before  
the Purchase of the said Estate in pursuance of the Letters  
Patents granted by King Charles the first to the Earl of  
Carlisle for all the Charibbee Islands, did sufficiently capacitate  
the said Doctor to purchase the same, and make his Purchase  
valid, and that therefore (according to Mr. Solicitors Opinion)  
there remains no pretence of Title in His Majesty to the Estate  
in Question; But also, though there were any defect in the  
Instrument of Denization aforesaid, Yet there having been  
now above thirty years' quiet possession (after which Mr.  
Solicitor Esteems that a Prosecution upon such a Pretence in  
England would be thought very hard and not prevaile) Wee are  
further humbly of Opinion that it would be much more hard,  
that any Such pretence should be countenanced in His Majestys  
Plantations, and very prejudiciall to the Settlement and  
Improvement thereof, upon both which Considerations as well  
of Justice to the Petitioner as that the present case may not be  
made a President for other Prosecutions of this nature, Wee  
humbly offer unto your Excellencies that order may be given,

- according to the prayer of the foresaid Petition, that His Majestys Atturney Generall of the Island of Barbados, do enter a noli prosequi in the Proceedings there begun against the Petitioner for the foresaid Estate. [pp. 378-379.] 1699.
- [757.] [The Council refer to the Committee for Appeals] 22 Aug.  
the Petition of More Darrell an infant by His Guardian Daniel Bermuda.  
Keel, Setting forth that he hath appealed from a sentence of the Governor and Councill of Bermudas of the 7th of February 1697, touching a Store House with half an acre of land lying round about it, and the wharf thereunto belonging on the North side share of the land of Mr. John Darrell Deceased, in Southampton Tribe in Bermudas, And humbly praying to be heard on the said appeal. [p. 368.]
- [The Committee report in favour of reversing the sentence 13 Dec.  
in favour of George Darrell.] [p. 401.]
- [Order accordingly.] [p. 406.] 21 Dec.
- [758.] [Order disallowing and disapproving of William 31 Aug.  
Markham as Lieutenant-Governor of Pennsyvania.—C.S.P. Pennsylv-  
XII. 750.] [p. 370.] ania.
- [759.] [Certain Acts of Pennsylvania declared null and 31 Aug.  
void.—C.S.P. XII. 751.] [p. 371.] Pennsylv-  
vania.
- [760.] [All persons committed for piracy in plantations 31 Aug.  
to be sent to England for trial.—C.S.P. XII. 749.] [p. 371.] Piracy.
- [On a representation of the Board of Trade, a similar, but 26 Sept.  
more general order is given.—C.S.P. XII. 819.] [p. 376.]
- [Drafts of letters are approved.—C.S.P. XII. 924.] 2 Nov.  
[p. 385.]
- [Three further orders.—C.S.P. XII. 942, 944, 945.] 9 Nov.  
[pp. 388-9.] (1700.)
- [Letters to Plantation governors to be prepared.—C.S.P. 11 Jan.  
XIII. 30.] [p. 409.] (1700.)
- [The drafts are approved (P.R.).—C.S.P. XIII. 82.] [p. 418.] 1 Feb.

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1699.  
(1700.) Commissions for trying pirates in America are to pass under  
9 May. the Great Seal of England, not under the seal of the Admiralty.  
—C.S.P. XIII. 419.] [Vol. VI. p. 23.]
- (1700.)  
6 June. [Further orders as to commissions.—C.S.P. XIII. 503-4.]  
[VI. p. 50.]
- (1701.)  
23 Jan. [A draft of a proclamation for apprehending pirates is  
referred to the Admiralty to propose the amount of the  
rewards to be offered.] [VI. p. 129.]
- (1701.)  
20 Feb. [The draft is sent to the Board of Trade to fix the time to  
be allowed to pirates to come in and confess.] [VI. p. 137.]
- (1701.)  
6 March. [The proclamation is approved.] [VI. pp. 162-5.]
- (1701.)  
10 April. [On a representation from the Board of Trade, Mr. Secretary  
Vernon is directed to prepare and deliver to George  
Larkin Esqr. his instructions as to the commissions  
for trial of pirates in the plantations, and also letters to the  
Governors of the several plantations—P.R.] [VI. p. 185.]
- (1704.)  
3 Aug. [The Council approve, and give orders in accordance with,  
the following representation of the Board of Trade]:—  
Commissions having been Granted by His late Majesty to all  
the Governors in America for the Tryall of Pirates, in  
pursuance of an Act of Parliament past in the Year 1700 for  
the more Effectuall Suppression of Piracy, And Sir Beville  
Granville Your Majestys Governor of Barbados, having  
Transmitted to Us the Report of the Atturney and Sollicitor  
Generall of that Island, containing their reasons why upon the  
Demise of his late Majesty, no proceedings can now be had upon  
thé Commission to the Lord Gray late Góvernor of that Island,  
We have thereupon Consulted Your Majestys Atturney Generall  
who is of Opinion, that it is necessary that a New Commission  
be Issued out in Your Majestys Name pursuant to the said  
Act; Whereupon We humbly Offer that such Commission  
be renewed accordingly as well for the Government of  
Barbados, as for the other Governments in the Plantations  
amongst which We have Comprehended the Bahama Islands

1699.

as formerly, to take Effect when those Islands shall be resettled and brought under a Regular Government, they remaining Uninhabited since their being Destroyed by the French and Spaniards; And in Order thereunto, We humbly lay before Your Majesty the Names of Commissioners to be inserted in each respective Commission, which We are humbly of Opinion may be prepared by Your Majestys Atturney and Sollicitor Generall, and Dispatched to the Plantations by the first Opportunity. [The names are not given.]

[Anne, Vol. II. p. 154.]

[761.] [The Council refer to the Board of Trade the petition of Charles Walker, gentleman, Lieutenant Colonel Anthony White and Captain Thomas Harford for restoration to the Council of Bermuda.—C.S.P. XII. 754.] [p. 372.]

31 Aug.  
Bermuda.

[762.] [The Council refer to Lord Chief Justice Holt in consultation with the Attorney and Solicitor General a representation from the Board of Trade as to Massachusetts appeals.—C.S.P. XII. 818.] [p. 376.]

26 Sept.  
Massachu-  
setts.

[763.] [The Council approve, and give orders in accordance with, the following report of the Board of Trade of 14 September]:—A Memoriall having some while since been presented to us by Catherine the wife of Robert Richardson and William Thornburgh Executors to Sir Peter Colleton deceased complaining, that by reason of Colonel James Colletons being made Judge in a Precinct of the Island of Barbados where certain actions brought against him by the said Executors about Lands and Negros of Considerable Value were to be Tryed, They were obstructed in Justice and could haue no Redress in Law. And Wee having thereupon wrote to the President and Councill of the said Island the 7th of December 1697, to take such care in those Cases, that the Regular Course of Justice might not be obstructed; but having never received any Answer upon that Subject, nor the said Executors (as they have set forth in a late Memoriall) having yet been able to obtain any Releif, Wee humbly crave

26 Sept.  
Barbadoes.

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1699.

leave to lay before your Excellencys the annexed Copy of the said late Memoriall offered to us by the foresaid Robert Richardson in the Name and Right of Catherine his Wife daughter and Executrix to Sir Peter Colleton aforesaid deceased, together with the Copy of Petition presented to the President and Council of Barbados the 27th of July 1697, by William Sharp, George Peers and Thomas Gath Attornys for the said Executors in the Island of Barbados, praying that the foresaid Colonell James Colleton might not be made judge in the Precinct where such considerable actions were depending between him and the said Executors ; notwithstanding which the said President did constitute him judge in the said Precinct. And Wee thereupon humbly offer unto your Excellencys that Our foresaid letter having been ineffectuall, and it being wholly unfit that any person should either be Judge in his own Case, or by being judge in a Precinct where matters in Controversy between him and others lye, be thereby enabled to obstruct the Regular Course of Justice ; Your Excellencys would therefore be pleased to give directions to Mr. Grey at present Governor of the foresaid Island, that some other impartiall and disinterested Judge be appointed to hear and determine the matters there in Controversy between the Executors of Sir Peter Colleton, and Colonel James Colleton aforesaid, or such other way taken as may be effectuall to remove all delay or obstruction of Justice in the Case.

[pp. 377-78. C.S.P. XII. 823.]

(1702.)

22 Oct.

[The Council refer to the Committee for Appeals the petition of Sir John Colleton] praying that some impartiall and Disinterested person may be appointed a Judge in the Room of Mr. James Colleton at Barbados, for hearing and determining the Petitioners Action against the said James and Peter Colleton for Severall Lands and Negroes devised to the Petitioner by his Fathers Will, which they unjustly deteyned from him.

[Anne, Vol. I. p. 227.]

(1702.)

31 Dec.

[On the Committee's report the Order of 26 Sept. 1699 is renewed in favour of the petitioner, and some impartial person

ACTS OF THE PRIVY COUNCIL (COLONIAL). 345

- is to be appointed to act as judge in the case, or other effectual means for the removal of all delay or obstruction of justice to be taken by the Governor, Sir Bevil Grenville.] 1699.
- [Anne, I. p. 279.] (1703.)
- [The draft of an instruction to the Governor in this matter is approved.] 21 Jan.  
[Anne, I. p. 296.]
- [764.] [The estimate and report of the Ordnance as to stores for St. Christophers are referred to the Board of Trade.—C.S.P. XII. 884.] 23 Oct.  
St. Christophers.  
[p. 381.]
- [765.] [An extract of a presentment from the Customs touching a seizure made by Charles Goodman, Collector at Perth Amboy in East New Jersey, is referred to the Board of Trade.—C.S.P. XII. 885.] 23 Oct.  
East New Jersey.  
[p. 382.]
- [766.] [On a representation from the Board of Trade on an extract of a letter from Venice, the Treasury are ordered to give directions to the Customs to prosecute on the first opportunity the ship *Sea Flower* (30 tons, Caleb Fibber master), reported to be at Venice with logwood from Honduras, and designing to proceed to Guinea for negroes and thence to the West Indies, thus illegally managing an indirect trade without touching in England.] 23 Oct.  
Illegal Trade.  
[p. 382.]
- [767.] [The Council refer to the Committee for Appeals the examination of the petition and appeal of Valentine Cruger for a speedy hearing of his appeal from a sentence of the Governor and Council of New York given against him on 4 April last in a case touching matters of account between the petitioner and Abraham Depeyster.] 23 Oct.  
New York.  
[p. 384.]
- [The Committee report] that in the Proceedings at New Yorke, the Record had not been Removed up, by the Proper Persons, from the Supream Court, to the Court of the Governor and Councill of that Province; and that therefore, They are of opinion the Judgement of the said Governor and Councill of the 4th of Aprill last should be Declared null and void, But at the same time the appeal be Dismist, so farr as relates to the Judgement of the Governor and Councill, And 19 Dec.

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1699. that the appellant may be at liberty to go back and proceed in due form, before the Governor and Council of New Yorke. [p. 401.]
- 21 Dec. [Order accordingly.] [p. 404.]  
(1700.)
- 5 Dec. [The Council refer to the Committee for Appeals Valentino Cruger's petition for a speedy hearing of his appeal against a sentence of the Governor and Council of New York of 22 June in favour of Abraham Depeyster.] [Vol. VI. p. 108.]  
(1701.)
- 12 June. [On the report of the Committee, the appeal is upheld, and the decree of the Governor and Council reversed.] [Vol. VI. p. 219.]
- 23 Oct. [768.] [The Governor of Barbados to defend his Majesty's Sta. Lucia. right to Santa Lucia.—C.S.P. XII. 883.] [p. 384.]  
Tobago.
- 2 Nov. [The draft of a letter to the Governor is referred back to the Board of Trade for alteration. A claim is also to be made as to Tobago.—C.S.P. XII. 923.] [p. 385.]
- 9 Nov. [The draft is approved] with the amendment following, vizt. after the words in the 17th line (That unlesse they remove from off that Island and discontinue their Settlement thero) these words be added (in some short time which you shall appoint). [p. 389. C.S.P. XII. 939.]  
(1700.)
- 4 Jan. [A report of the Board of Trade on Tobago is approved, and orders given accordingly.—C.S.P. XIII. 10.] [p. 408.]
- 2 Nov. [769.] [The report of the Board of Trade as to Mr. Day's seizure of the *Dolphin* is approved, and orders given accordingly.—C.S.P. XII. 917.] [pp. 385-7.]  
Bermuda.  
(1700.)
- 2 May. [A further petition of the owners is referred to the Board of Trade.—C.S.P. XIII. 383A.] [Vol. VI. p. 20.]  
(1700.)
- 9 May. [On the report of the Board of Trade, order is given as in C.S.P. XIII. 413.] [Vol. VI. p. 25.]
- 7 Dec. [770.] [The Council refer to the Committee for Appeals the Virginia. petition and appeal of Thomas Starke of London merchant



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- from a judgment at a General Court in Virginia of 17 April last.] [p. 398.] 1699-1700.  
(1700.)  
[The Committee dismiss his appeal and affirm the judgment of a General Court in Virginia, 17 April 1699, in favour of Thomas Parker and Francillia his wife as executrix of Joseph Goodricke deceased, 5*l.* being awarded to the defendants for costs relating to the said appeal.] [Vol. VI. p. 31.] 22 May.  
(1700.)  
[Order accordingly.] [Vol. VI. p. 34.] 30 May.  
[771.] [The draft is approved of an instruction for the Governors of the Leeward Islands and of Jamaica as to Kidd the pirate.—C.S.P. XII. 1041.] [p. 399.] 7 Dec.  
Piracy.  
(1700.)  
[On a memorial from the Admiralty, the trial of Captain Kidd and his accomplices is put off for some time longer.] 2 May.  
[Vol. VI. p. 19.]  
[772.] [The Council approves the draught of an Instruction] whereby Sir William Beeston . . . may be impowered to take to himself the summ of two thousand Pounds per annum, appointed for a salary of a Captain Generall and Governor in Chief [of Jamaica]. [p. 402. C.S.P. XII. 1055.] 14 Dec.  
Jamaica.  
[773.] [Dr. Cox's title to Caralana, *alias* Carolana Florida is referred to the Board of Trade.—C.S.P. XII. 1081.] [p. 405.] 21 Dec.  
Carolana  
1700.  
[774.] [The petition of Dorothy Bishop of Barbados is referred to the Board of Trade.—C.S.P. XIII. 27.] [p. 409.] 11 Jan.  
Barbados.  
[775.] [The petition of Samuel Allen, proprietor of New Hampshire, is referred to the Board of Trade.—C.S.P. XIII. 42.] 18 Jan.  
New  
England.  
[p. 410.]  
[The petition of certain London merchants is similarly referred.—C.S.P. XIII. 336.] 18 April.  
[Vol. VI. p. 7.]  
[The petition of the London merchants is granted.—C.S.P. XIII. 412.] 9 May.  
[Vol. VI. p. 24.]  
[The London merchants, owners of the *Mary*, representing that before the granting of their petition, their correspondent,

1700.

Mr. Partridge, had entered into bond of 3,000*l.* for the *Mary* to sail directly to England, where she is accordingly now arrived, and praying that she may sail to Lisbon as originally intended and that the bond given in New England be cancelled: the Council, on the representation of the Board of Trade, grant the request.] [Vol. VI. *p.* 85.]

18 Jan.  
Naturalisa-  
tion in  
Plantations.

[776.] [The report of the Attorney and Solicitor General on reference of 3 November 1698—C.S.P. XI. 969)—as to denization of aliens is approved, and orders given accordingly.—C.S.P. XIII. 44. The cases given are]:—By an Act Passed in the Generall Assembly of the Province of Mariland the 10th of June 1697, Stephen Francis an Italian and George Hacombe a German were naturalized, and thereby vested with all the Rights and Priviledges of naturall born Subjects of that Province; and that by an other Act Passed in the same Assembly the 31th of March 1698, one Peter Dondee a Frenchman was in like manner Naturalized, but in both the said Acts, there is an express Provisoe, that they shall not be Construed to enable or qualify the said Persons, to hold or enjoy any Place, office calling or Employment, Prohibited by an Act of Parliament, made in the 7th and 8th years of your Majestys Reigne, for preventing Frauds and Regulating abuses in the Plantation Trade, or any other Statute Law of England. And Wee likewise find that in November 1697, Col. Benjamin Fletcher then Governor of the Province of New Yorke, did Grant Letters of Denization, under the Seal of the said Province, unto one Arnold Nodine a foreiner, in which Grant, there is a Clause to Enable the said Nodine, to take and hold Lands, Tenements, Hereditaments, etc., to himself, his heires and assignes in fee Simple, with Power to sue and be sued, and to Enjoy all other Rights and Priviledges as a naturall Borne Subject of that Province, without any Restriction or regard to the said Act of Navigation or any other Statute of England; but Wee do not find that the said Col. Fletcher had any Express Power by his Commission to Grant any Letters of Denization. [*pp.* 410–11.]

1700.  
[777.] [The Council refer to the Admiralty the petition of Ruth, widow of Captain Robert Wilmott, late commodore of the West India Squadron], relating to several stops put to the Payment of her husbands Wages, particularly one for five hundred Pounds, Imprested to him for contingencies and necessary Expences relating to the said Squadron; And humbly praying that the said stops may be taken off, and that She may be Discharged of the said Debt of 500*l*. [p. 415.] 25 Jan. West Indies.
- [On the Admiralty report, the petition is granted. Of the papers necessary for passing her husband's accounts all that the petitioner has been able to secure is a book of his writing forwarded to her long after his death by his successor, Captain Butler. In this book disbursements are noted to the amount of 160*l*., and the Admiralty believe] that had he lived to come home, he would have Passed a fair Account for the said Five hundred pounds. [Vol. VI. p. 74.] 25 July.
- [A similar petition for 200*l*. of Elizabeth, widow of Captain Horatio Townsend of H.M.S. *Lynn*, who died at Jamaica of a pestilential fever :—granted on 16 Jan, 1701.] 5 Dec.  
[Vol. VI. pp. 109 and 127.]
- [778.] [The petition of Francis Burghill to be made governor of Bermuda is referred to the Board of Trade.—C.S.P. XIII. 57.] 25 Jan. Bermuda.  
[p. 416.]
- [779.] [A memorial from the Admiralty as to naval timber in New England is referred to the Board of Trade.—C.S.P. XIII. 104.] 8 Feb. New England.  
[p. 419.]
- [780.] [The Council refer to the Admiralty the petition of Philemon Pownoll, late Lieutenant on H.M.S. *Rupert* to be allowed half pay, he being rendered incapable of service at sea by sickness contracted in the West Indies.] 15 Feb. West Indies.  
[p. 423.]
- [The Admiralty report was read and] nothing done thereon. 7 March.  
[p. 434.]
- [781.] [Petition against union with New England referred to the Board of Trade.—C.S.P. XIII. 151.] 22 Feb. New York.  
[p. 427.]

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1700.

- 29 Feb. [782.] [The *Frederick* of New York having been seized  
New York. by Sir Paul Ricaut His Majestys Resident at Hamburg in  
1698 for illegal trading there, Robert Heysham of London  
claimed ship and goods for the owner Frederick Philips of New  
York, and consented to the sale of the goods, leaving the money  
in the hands of the Resident. The case now depending before  
the Court of Delegates, Heysham petitions that Sir Paul  
Ricaut pay in to the Court the money received for the goods ;  
the petition is referred to the Court of Delegates.] [p. 420.]
- 7 March. [783.] [On a representation from the Board of Trade.—  
Virginia. C.S.P. XIII. 199—they are ordered to prepare a letter to  
Virginia as to the settlement of French Protestant refugees  
in Norfolk County, Virginia.—C.S.P. XIII. 201.] [p. 431.]
- 14 March. [The draft of the letter is approved.—C.S.P. XIII. 226.]  
[p. 435.]
- 22 Oct. Whereas it hath been this day Represented to his Majesty  
in Council by his Grace the Lord Arch Bishop of Canterbury,  
That a further Number of five hundred Vaudois and other  
Protestant Refugies in this Kingdome, have humbly Craved  
his Majestys Leave to Settle in Norfolk County in Virginia.  
[A similar order is made in their favour, and a letter ordered  
to be prepared.] [Vol. VI. p. 92.]
- 14 March. [784.] [Order as to boundary between New York and  
New York. Connecticut.—C.S.P. XIII. 221.] [p. 435.]  
Conn.
- 28 March. [Letters to be written to the Governors—C.S.P. XIII. 270—  
enclosing the order of Council—C.S.P. XIII. 268. The report  
of 10 Oct. 1684 of the surveyors and commissioners appointed  
is quoted in full, as follows :] Wee went to Lyons Point on  
the East side of Byram River, and from the Mouth of said  
River where it falls into the Sea, Wee measured up said River,  
and found it to be One Mile and a half and twenty Rodds,  
bearing North, half Easterly, and so came to a great stono  
at the Wading Place where the Road Cutts the said River,  
thence directed Our Course, North, North West Six Miles  
and a half, and there marked three white Oake Trees as in  
C.R.

the margint, Then directed Our Course West and by North Seven Miles and one hundred and twenty Rodds, which brought us to the Norther-most End of a Reach of Hudsons River, which bears, Wee Judge, South and by West a Quarter Westerly, and North and by East, a Quarter Easterly, which abovesaid Line falls upon the said Reach, about Three Miles above Frederick Philips's upper Mills over against Tapan, And the said River bearing North as to its generall Course upwards, Wee concluded the above mentioned West and by North Line to be the shortest from said Three marked Trees to Hudsons River, And having unanimously concluded that part of the sound from Lyons point Easterly, to bear East North East ; Wee did from said Trees, at Eight Miles Distance, runn a Paralell to the Sound, vizt. East North East, Twelve Miles, and still continued said Twelve Mile Line East North East, One Mile and sixty four Rodds, which then gave us Twenty Miles from Hudsons River, and is Eight Miles North Northwest from the Sound ; Then finding the Oblong of twelve miles East North East, and Eight Miles North, North West, did Diminish, sixty one Thousand four hundred Forty Acres, from the Twenty Miles from Hudson's River, Wee added to the abovesaid Twenty Miles, upon the East North East line, Three hundred and five Rodds more, to run at the additionall Breadth Paralell to Hudsons River, till it meet with the Massachusets Line, which wee deemed One hundred distant Miles from Our Eight Mile Line, which severall Courses, with their Distances, together with Three hundred and five Rodds added, do clearly appear in the Plat by the Surveyors drawn and hereto annexed ; which addition of Three hundred and five Rodds Wee Referr for its Confirmation and Ratification to the Two Governments from whence Wee are Employed. [pp. 441-3.]

[785.] [Thomas Cotton, Chief Clerk of the Supreme Court, 28 March. and Leonard Compere, Receiver General of Jamaica, having  
Jamaica.  
represented that the Act transmitted from Jamaica for patentees to "Execute in their proper Persons," lies with others before the Attorney General, and petitioning that his report

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1700.

may be made forthwith to the Board of Trade, directions are given accordingly to the Attorney General.] [p. 440.]

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WILLIAM III. VOL. VI. (4 April 1700—19 Feb. 1702.)

- 11 April. [786.] [The Council refer to the Board of Trade the  
Bahamas. petition of Captain Haskett to be confirmed in the governor-  
ship of the Bahamas.—C.S.P. XIII. 308.] [p. 2.]
- 6 June. [A further petition of Captain Haskett is similarly referred.  
—C.S.P. XIII. 505.] [p. 47.]
- 13 June. [The report of the Board of Trade is referred to the  
Attorney General.—C.S.P. XIII. 540.] [p. 51.]
- 20 June. [The case is referred to the Board of Trade.—C.S.P. XIII.  
572.] [p. 57.]
- 27 June. [On their report his appointment is confirmed, and he takes  
the oath accordingly.—C.S.P. XIII. 597.] [p. 60.]
- 11 April. [787.] [The Admiralty are ordered to grant the same  
pension to Elizabeth, widow of Captain Thomas Urry, late  
commander of the *Margate* who died in the West Indies of  
wounds received in fight, as would have been granted in  
case he had been actually killed in fight at sea in his Majesty's  
service.] [p. 3.]
- 11 April. [788.] [The representation of the Board of Trade of  
Rhode 8 April as to Rhode Island is referred to the Attorney and  
Island. Solicitor General.—C.S.P. XIII. 309.] [p. 3.]
- 18 April. [789.] [The Council refer to the Board of Trade the  
Bermuda. petition of Captain George Brock for the Government of  
Bermuda.—C.S.P. XIII. 339.] [p. 7.]
- 18 April. [790.] [The Council refer to the Admiralty] the Petition  
West Indies. of Edmunder Bugdon, setting forth that being Commander

1700.

of the Ship Jersey in the Year 1696, he, according to Orders from the Lords Commissioners of the Admiralty, brought home the said Ship, from the Leeward Islands ; But five Months after, he was Tryed by a Court Martiall, under pretence of bringing the Ship home, without Orders, and not being then able to produce a Copy of the same in his Justification, was Condemned by the Said Court ; That now he can produce Copies of such Orders, which he conceives do clear him, Wherefore praying to be again Employed in His Majestys service. [p. 7.]

Report from the Admiralty about Captain Bugden Read, nothing done. 2 May. [p. 20.]

[791.] [The Council refer to the Attorney and Solicitor General] the Petition of Alexander Skene Esqr. Relating to His Majestys Grant of the Office of Secretary of the Island of Barbados ; into which office, the Governor and Councill of that Island have Refused to admit the Petitioner under pretence of his not being a Naturall Borne subject of England ; And praying to have the Enjoyment of his said Office and the benefit of His Patent. 2 May. Barbados. [p. 20.]

[Their report of 11 May is read and approved, and orders given accordingly.—C.S.P. XIII. 444.] 16 May. [p. 27.] (1701.)

[To the Board of Trade is referred a further petition of Skene, complaining of obstruction made to his enjoyment of the office.] 3 April. [p. 182.] (1701.)

[To the Board of Trade is referred a further petition of Skene, complaining against the Governor of Barbados for refusing to admit him as Secretary of the Island and forcing him to make a deputation to Edmond Bedingfield, who kept from him the greatest and most beneficial part of the said office.] 12 June. [p. 217.]

[792.] [A letter to be written to the plantation governors to seize the *Beckford* galley, commanded by one Ryder, a notorious pirate.—C.S.P. XIII. 415.] 9 May. Piracy. [p. 23.]

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1700.  
20 June. [The draft of the letter is approved.—C.S.P. XIII. 571.]  
[p. 57.]
- 6 June. [793.] [On the petition of Christopher Codrington, the  
Leeward Admiralty are directed] to provide in the best manner they can,  
Islands. such Accomodation for transporting the Petitioner to his  
Government of the Leeward Islands as hath been usuall in  
like Cases. [p. 50.]
- 20 June. [794.] [The Council refer to the Committee for Appeals  
Bermuda. the petition and appeal of Lewis Johnstowne gentleman  
against a sentence of the Bermuda Court of Chancery of  
5 February] in a Cause there depending, between Thomas  
Burton Mary his Wife and severall others Complainants in the  
said Cause, against the Apellant, who was Defendant there,  
touching Four Messuages and Five Shares of Land in the said  
Islands heretofore the Estate of Henry Ford, the Petitioners  
great Uncle, Praying a Reversall of the said Decree, And that  
a day may be appointed for hearing his Appeale. [p. 56.]
- 8 July. [The Committee report in favour of reversing the decree in  
favour of Thomas and Mary Burton, Benjamin and Rebecca  
Wood, and William and Elizabeth Outerbridge] so as never-  
theless, that the said Reversall of the said Decree, be not  
prejudiciall to the Defendants Proceeding by Writt of  
Ejectment, for the Tryall of their Title, to the said Lands  
and Messuages in Question. [p. 70.]
- 18 July. [Order accordingly.] [p. 71.]  
(1701.)
- 15 May. [The Council refer to the Committee for Appeals the petition  
of Lewis Johnstowne for a speedy hearing of his appeal from  
a decree of the Court of Chancery in Bermuda in February  
last in favour of Thomas Burton and others regarding the  
estate of the late Henry Ford.] [p. 203.]
- 29 May. [The Committee recommend the reversal of the Bermuda  
decree of 24 February, and that the parties be at liberty to pro-  
ceed at law as if there had been no such judgment] And that if  
upon a New Tryall at the Court of Assizes in the said Islands



1700.

in the Petitioners Case matter of Law shall Arise, the Jury be Directed to find the matter of Fact Specialty, to the end that upon a True State thereof Justice may be done. [p. 213.]

[Order accordingly.] [p. 218.] 12 June.  
(1705.)

[The Council refer to the Committee for Appeals a further petition of Lewis Johnstowne, complaining that the Governor of Bermuda refuses to obey the order of 12 June, 1701.] 29 Nov.

[Anne, Vol. III. p. 20.] (1705.)

[The Committee recommend that the petitioner be put into quiet and immediate possession of his estate.] 12 Dec.

[Anne, Vol. III. p. 31.] (1705.)

[Order for the Governor and Council] to take Notice and Yeild Obedience hereunto, by Causing Possession to be Delivered accordingly. 13 Dec.

[Anne, Vol. III. p. 43.]

[795.] [The Council refer to the Committee for Appeals] 20 June.  
The Petition of Charles Walker of Bermuda Merchant . . . Bermuda.  
Praying his Majestys Order to the Lieutenant Governor of Bermuda to grant him a Probate of the Will of Henry Ford, whereby he gave the Petitioner Five Shares of Land in the said Island with all his personall Estate, in trust for severall of his poor Relations and Servants, And that the Hearing of the Difference between Lewis Johnstown and Thomas Burton and others touching the said Shares of Land may be put off for a year, in which time the Petitioners Right may be tried.

[p. 56.]

[The Committee report that Walker be allowed to appeal to the new Governor for probate of the will of Henry Ford, but that the determination of Lewis Johnstowne's appeal be not deferred, as its decision can be no bar to his right, if he have any.] 8 July.

[p. 70.]

[Order accordingly.] [p. 71.] 18 July.

[796.] [The Council refer to the Treasury for consideration 27 June.  
and report the petition of Andrew Hamilton and Robert West Post Office.

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1700.

to her Majesty] to grant unto them a further Term of years in the Post Office in North America, after the Expiration of the Terme of 21 years granted by Letters Patents unto Thomas Neale Esqr. deceased, with such additionall Priviledges as are necessary for the Improvement of the said Post.

[p. 62.]

18 July.  
Judicial  
Procedure.

[797.] [Plantation Governors to give an account of their methods of procedure in all sorts of causes.—C.S.P. XIII. 651.]

[p. 72.]

18 July.  
Carolina.

[798.] [The Council refer to the Committee for Appeals] the Petition of Benjamin Niccoll, John Crosse Patriok Walsh, and Giles Been of London merchants, Owners and Freighters of the Cole and Bean Gally and her Cargoe, condemned in the Court of Admiralty in Carolina, under pretence of not having a Register or Certificate in forme, according to a late Act of Parliament; And praying to be admitted to appeal therefrom.

[p. 72.]

19 Sept.

[The Committee report in favour of admitting the appeal, on security being given by the owners.]

[pp. 82 & 85.]

22 Oct.

[Order accordingly. The hearing is fixed for the first Council day in May.]

[p. 85.]

(1701.)

22 May.

[A petition of the owners for a speedy hearing is referred to the Committee for Appeals.]

[p. 210.]

(1701.)

31 July.

[The Council approve and give orders in accordance with the report of the Committee recommending the reversal of the sentence of condemnation passed in the Carolina Court of Admiralty on 3 Jan. 1700.]

[pp. 241-2.]

25 July.

St.  
Christopher.

[799.] [The petition of John Cole of St. Christopher is referred to the Board of Trade.—C.S.P. XIII. 658.]

[p. 74.]

11 Sept.

[On their report Colonel Codrington is ordered to have the matter investigated.—C.S.P. XIII. 773.]

[p. 82.]

(1701.)

8 May.

[Colonel Codrington having reported that, on examination of the complaints against Captain Norton, he had suspended him from being Lieutenant Governor of St. Christopher, the

1700.

Council, on the recommendation of the Board of Trade remove Captain Norton from that office and direct Colonel Codrington to appoint a fit person in his place till his Majesty's further pleasure be known.] [p. 201.]

(1701.)

[To the Board of Trade is referred Norton's petition], complaining of the Proceedings of the Governor of the Leeward Islands against him. [p. 283.]

18 Dec.

[800.] [The Council refer to the Committee for Appeals] the Petition of Richard Alsop, setting forth that having, in the 5th year of His Majestys Reign, obtained a Verdict and Judgement thereupon for an Estate of Houses and Lands in the Province of New Yorke, together with Damages and Costs of Suite, against Audry Vaudall widow; which said Judgement was afterwards, upon the Appeal of the said Vaudall, confirmed by the Governor and Councill of the said Province; which notwithstanding, the present Governor and Councill of New Yorke, have Reversed the said Judgement and the Affirmation thereof; The Petitioner therefore humbly prays to be Restored to the Premisses. [p. 81.]

5 Sept.  
New York.

[The Committee recommend that his petition be admitted on security being given, and that copies of the proceedings be sent from New York under the seal of the province.]

2 Nov.

[p. 95.]

[Order for hearing the appeal on the first Council day in August 1701.] [p. 102.]

5 Nov.

(1701.)

[The Council refer to the Committee for Appeals Alsop's petition for a hearing, copies of the proceedings having been sent.] [p. 258.]

16 Sept.

[801.] [The Council refer to the Committee for Appeals] the Petition of Perient Trott, Samuel Trott, and John Trott of Bermudas Gent., Humbly praying that their Appeal from a Decree of the Court of Chancery in the Bermudas of the 4th of March last, for vacating a Verdict and Judgement against Gilbert Nelson Esqr. for Five hundred pounds, for

5 Sept.  
Bermuda.

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1700.

denying the Petitioners Father Hamilton Trott Esqr. an habeas Corpus, may be heard, and that the said Decree may be Reversed. [p. 81.]

22 Oct.  
Maryland.

[802.] [Thomas Lawrence is appointed to fill a vacancy in the Council of Maryland occasioned by the departure of his father, Sir Thomas Lawrence, from the colony, the Board of Trade reporting that they understand from Colonel Blakiston, the Governor, that it is expedient to keep the number of the Council full, since] by reason of the distance of the Habitations of the Members of his Majestys Council there, He many times finds it difficult to get together a sufficient Quorum of Councillors, when the Publique Service requires their Meeting. [p. 86.]

22 Oct.  
Massachu-  
setts.

[803.] [The Council refer to the Committee for Appeals the petition and Appeal of Jonathan Ting of Boston in New England, Executor of Hezekiah Usher late of Boston] from a Judgment given in the Superior Court of Judicature at Boston, for affirming a former Verdict and Judgment in the inferior Court of Common Pleas, against the Petitioner's tenant Wait Wynthorp, for present Possession of a messuage and certain Lands in Boston, to which the Petitioner is intitled, as solo Executor of the said Hezekiah Usher. [p. 86.]

5 Nov.  
Maryland.

[804.] [The petition of Lord Baltimore is referred to the Board of Trade.—C.S.P. XIII. 905.] [p. 96.]

5 Nov.  
East New  
Jersey.

[805.] [The petition against their proprietors of the inhabitants of East New Jersey is referred to the Board of Trade.—C.S.P. XIII. 908.] [p. 96.]

5 Dec.  
Leeward  
Islands.

[806.] [Order as to validity of Acts of the Leeward Islands.—C.S.P. XIII. 972.] [p. 107.]

5 Dec.  
Plantation  
Trade.

[807.] [The Council refer to the Treasury] the Petition of Ann Washington Widdow of John Washington late of Virginia, humbly praying to be released from a Bond of one Thousand Pounds dated the 5th of February 1693/4 Entred into by her said Husband, in the Navall Office at Virginia

Conditioned that the Lading of a Small Vessel (being 89 Hogsheads of Tobacco) should be delivered at some Port in England, but was falsly Carryed by the Master Nicholas Lawrence into Scotland; Whereby the Bond became forfeited, altho' the Petitioners Husband was not any Way Concerned in Interest therein. [p. 110.]

1700.

[808.] [The Board of Trade are directed to write to the Governor of Barbados as to delays in the Court of Chancery there.—C.S.P. XIII. 975.] [p. 110.]

5 Dec.  
Barbados.

[The petition of Isaac Hawkins on behalf of Barbara Newton, making the same complaint, is referred to the Board of Trade.—C.S.P. XIII. 993.] [p. 115.]

12 Dec.

[A similar petition of Thomas Hodges is similarly referred.—C.S.P. XIII. 1030.] [p. 119.]

19 Dec.

[On a report from the Board of Trade, they are directed to prepare drafts of letters to the Governor.] [p. 137.]

(1701.)

13 Feb.

[The Council refer to the Board of Trade] the Petition of Isaac Hawkins Esqr. one of the Executors of Barbara Newton late of the Island of Barbados Widow, Complaining of the present Constitution of the Court of Chancery and Court of Errors in that Island, and praying His Majesty for the better Administration of Justice there, will give such further Directions therein as shall seem fitt. [p. 291.]

(1702.)

1 Jan.

[On a representation from the Board of Trade dated 12 December] Relating to Complaints of Delays and other Irregularitys in the Administration of Justice in Barbados [they are directed to write to the Governor] Admonishing him to a Constant Care and Watchfullness in this behalfe. [p. 294.]

(1702.)

4 Jan.

[The Council, approving a representation of the Board of Trade of 23 Jan. on the petition of Isaac Hawkins, order that in the draft of Instructions for Mitford Crowe, the new Governor] an Article be Inserted as is proposed in the most

(1702.)

5 Feb.

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1700-1.

Pressing Manner to Enforce the Directions which have been already given by His Majesty for the Reformation of all Irregularitys in those Courts, and for the due and speedy Administration of Justice. [p. 333.]

12 Dec.  
Virginia.

[809.] [The Council refer to the Admiralty the petition of Joseph Man for a recompense for his services, he having been sent over by the Governor of Virginia to be an evidence against the pirates sent thence to be tried here.] [p. 113.]

19 Dec.

[On the Admiralty report Man is granted 60*l*. for his services on board the *Shoreham* which captured the pirate ship off the Capes of Virginia; besides the five months' pay as an able seaman which he and the others sent hither will receive from the Governor of Virginia.] [p. 118.]

(1701.)

18 Dec.

[The Council refer to the Admiralty] the Petition of Samuell Baker, John Jollers, Peter Shaw, and Thomas Lisle, praying some allowance for their Service, at Virginia, on board the Ship *Shoreham*, in the taking of a Pirate Ship. [p. 284.]

19 Dec.  
Jamaica.

[810.] [The petition of Robert Chaplin is referred to the Board of Trade.—C.S.P. XIII. 1031.] [p. 119.]

1701.

23 Jan.  
Newfound-  
land.

[811.] [On the representation of the Board of Trade, the last convoys being now about to sail for Newfoundland, orders are given to the Treasury and Admiralty for sending thither for the company of foot now there :—

For a full and Entire Cloathing, to serve them two Years ; (the Cloathing they have at présent, having been sent them last May was Twelvemonth). . . . .	260	11	0
For Subsistance Money (at 2 <i>d</i> . a day each Soldier, 8 <i>d</i> . each Ser- jant, and 4 <i>d</i> . each Corporall and Drummer) which with what has been already Issued, will support them to the first of May 1702 ; They receiving the rest in Provisions fur- nished them by the Victuallers of the Navy . . . . .	62	0	4
For one Years Allowance for Fire and Candle, and other Con- tingencyes . . . . .	50	0	0

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Making In all . . . . . £373 0 10

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# ACTS OF THE PRIVY COUNCIL (COLONIAL). 361

1701.

The Species and Quantity of the Provisions sent yearly to the Company of Foot in His Majestys Service at Newfoundland.

Hopps	.. .. .	168 Pound.
Biscuit	.. .. .	14784 Pound.
Pease	.. .. .	66 B: one Gallon—In Cask.
Oatmeal	.. .. .	99 B: one Gallon.
Flower	.. .. .	2115 Pound.
Beef	.. .. .	1410 Peices
Pork	.. .. .	2115 Peices
Suett	.. .. .	352 Pound—In Do.
Butter	.. .. .	793 Pound.
Cheese	.. .. .	In Cask 1586 Pound.
Malt	.. .. .	56 Quarters—In Iron Bound Cask.

[pp. 130-1.]

[812.] [The Council approve, and give orders in accordance with, the following representation from the Board of Trade]:—  
Wee humbly begg leave to lay before Your Majesty some Considerations relating to the settlement of your Majestys Revenue in Jamaica.

23 Jan.  
Jamaica.

An Act having been past in the Generall Assembly of that Island, for raising a Publick Revenue for the support of the Government thereof, the same was Confirmed by His late Majesty King Charles the Second, together with severall other Laws for the Good of that Island, to Continue in force for 21 Years, from the first of November 1683, and will accordingly expire, the first of November 1704.

In the Year 1688, an Act of Assembly was past there, by the Duke of Albemarle to the same Effect, for Raising a Publick Revenue to the King His Heirs and Successors, without any Limitation of time. [But owing to various disputes, no determination has been come to, and the Assembly have shewn an averseness to the perpetuating of the revenue and given many intimations of their design to keep it precarious ; it is therefore recommended that a letter be written to the Governor, to be communicated to the Council and Assembly, to the effect that one year longer be allowed them to present a fitting Act for settling the revenue, whereupon the other Acts temporarily sanctioned with the 21 Years Revenue Act will also be confirmed ; but failing the passing of a suitable permanent Revenue Act, His Majesty will be obliged to confirm the Act of 1688.]

[pp. 131-3.]

# 362 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.  
22 May. [The draft of a letter to the Governor is approved (P.R.)].  
(1702.) [p. 210.]
- 10 Dec. [Order is given in accordance with a representation of the Lords of Trade that] the Governor not being yett dispatched, We look upon that time as too Short, and Offer Our Opinion to Your Lordship that in the Instructions now to be given to the Earl of Peterborough the time may be Prolongued untill October next. [Anne, Vol. I. p. 261.]
- 23 Jan. [813.] A Representation from the Commissioners of Trade  
New and Plantations on the petition of John Crown Esqr. Read, England. ordered to be given to Mr. Secretary Vernon. [p. 133.]
- 13 Feb. [814.] [Vpon consideration of a representation from the  
Maryland. Board of Trade] relating to an Act passed in the Generall Assembly of Maryland the 26th of Aprill last, For the Service of Almighty God and Establishment of Religion in that Province according to the Church of England, wherein are conteyned severall Matters and Clauses, besides those mentioned in the Representation, which are lyable to materiall Exceptions ; It is Ordered [that the Board of Trade] do present to his Majesty a new Bill . . . Inserting therein such proper Alterations, as are agreeable to the Toleration allowed here, with a Clause for Repealing the Act now in force, upon passing the New Bill in the Generall Assembly of the said Province, which is to be done immediately in the next Generall Assembly, if it arrives there while they are setting, Otherwise . . . before Christmas next ; And in the mean time, the present Act is to subsist, and continue in force, but not to be put too rigorously in execution. [Instructions to this effect are to be sent to the Governor along with the new bill.] [p. 136.]
- 22 May. [Order for hearing on 5 June counsel for certain Quakers petitioning on behalf of their friends in Maryland against the proposed Act.] [p. 211.]
- 5 June. [On hearing counsel for the Quakers and also the reasons offered in favour of the bill, it is ordered that the draft of the



1701.

bill be transmitted to the Governor and Council of Maryland to be offered to the General Assembly at the first session after receipt thereof.] [p. 215.]

[815.] [His Majesty having approved a representation of the Board of Trade of 4 Dec. 1699 that a Chief Justice and an Attorney General for New York should be appointed with powers to act respectively as Judge of the Admiralty and Advocate General (with particular regard to pirates and illegal traders) in the neighbouring colonies as well as in New York, and having appointed William Attwood and Sampson Shelton Broughton to the said offices, further commissions are granted to them, on the representation of the Board of Trade, to act for the purposes mentioned as Judge of the Admiralty and as Advocate General in Massachusetts, New Hampshire, Rhode Island, Connecticut, and the Jerseys as well as in New York.]

6 March.  
New York.

[pp. 166-7.]

[816.] [The Council refer to the Committee for Appeals the petition of James Cowes and his wife Elizabeth complaining of proceedings in the Courts of Barbados and the refusal to allow an appeal to his Majesty, in their case against William Sharpe for 5512*l.* 10*s.* decreed to Elizabeth Cowes by the Court of Chancery in England out of the estate of her father, the late Colonel William Sharpe of Barbados.]

6 March.  
Barbados.

[p. 167.]

[The Committee recommend that the appeal be admitted, and heard the first Council day in November next.] [p. 183.]

9 April.

[Order accordingly, Mr. Cowes and Mr. Melaliah Holder entering into bond of 500*l.* on 1 May to prosecute the appeal.]

10 April.

[p. 187.]

[The Council refer to the Committee for Appeals a further petition of James and Elizabeth Cowes for liberty to appeal (and to be heard at the same time as already ordered) against a decree of the Court of Chancery of 28 April 1693 to the prejudice of Elizabeth Cowes then under age and destitute of counsel, friends and money.]

24 April.

[p. 191.]

# 364 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.

30 April. [On the report of the Committee that no appeal from this sentence was made within fourteen days, as by law provided, and that it would be of ill consequence to allow appeals after so long a time, this appeal is dismissed.] [p. 195.]

28 June. [A further petition of James and Elizabeth Cowes, John Farmer, Humphry Waterman, William Rawlin, John Pilgrim, and John Holder that their first appeal be heard at the next sitting of the Committee, the Governor having before the order of 10 April admitted the appeal and certified all the proceedings, is referred to the Committee.] [p. 227.]

9 July. [The Committee fix the hearing for the 23rd instant.] [p. 231.]

31 July. [The Council approve, and give orders in accordance with the report of the Committee], that the Order or Decree made in the Court of Chancery in Barbados the 6th day of November 1700, Dismissing the Appellants said Bill, upon the Defendants Plea in Bar, be Reversed by Their Excellencies and all Issues thereupon Declared Null and Void ; And that the Courts in Barbados be left at Liberty to Examine the whole merits of the Cause without being bound by the Decree made in the High Court of Chancery here in England, And that the Decree made in the Court of Chancery in Barbados the 28th day of April 1693, In favour of the said Defendant William Sharpe be also Declared Null and Void by their Excellencies, so far forth as the same relates to Elizabeth Sharpe one of the Defendants therein mentioned, now Elizabeth Cowse one of the Appellants. [pp. 240-1.]

(1702.)

19 Feb. [On the petition of James Cowes and others, they are permitted to amend their said bill so as to make the same conformable to the Order of 31 July, 1701.] [p. 355.]

(1704.)

23 Feb. [The Council refer to the Board of Trade the petition of James Cowes of Barbados and his wife Elizabeth praying an order to the Governor and Council of Barbados to compel William and John Sharpe to put in an answer without further

1701.

delay to the petitioners' bill filed in the Chancery Court there for the recovery of the portion assigned to Elizabeth by her father William Sharpe and detained from her by his sons, the defendants.]

[Anne, Vol. II. p. 61.] (1701.)

[On their report on the petition, in which the delay is ascribed to the influence of William Sharpe the younger, who is a member of the Council and a Chancery Judge in Barbados, the desired letter is ordered to be prepared by one of the Secretaries of State.]

[Anne, Vol. II. p. 77.] (1701.)

9 March.

[A petition of William Sharpe and his wife Barbara relating to the proceedings both here and in Barbados, is referred to the Board of Trade.]

[Anne, Vol. II. p. 90.] (1701.)

23 March.

[The Council refer to the Committee for Appeals the petition of James and Elizabeth Cowes for a hearing of their appeal from a decree of the Barbados Chancery of 17 May dismissing their bill.]

[Anne, Vol. II. p. 173.] (1701.)

6 Sept.

[The Committee recommend that the decree be reversed and the defendants obliged to answer the appellants' bill, and that the decree of April 1693 in favour of Wm. Sharpe be annulled so far as it relates to Elizabeth Cowes.]

[Anne, Vol. II. p. 207.] (1701.)

6 Dec.

[Order accordingly.]

[Anne, Vol. II. p. 219.] 14 Dec.

[817.] [A representation from the Board of Trade on a petition from the Agents of Barbados and others concerned there for applying the  $4\frac{1}{2}$  per cent. duty to uses therein mentioned was read but nothing done thereon.]

[p. 174.]

20 March.  
Barbados.

[818.] [The Council refer to the Board of Trade the petition of Samuel Allen proprietor of New Hampshire that his appeal be admitted from a verdict in favour of Richard Waldron given in the Superior Court of Judicature in New Hampshire on 13 August last.]

[p. 174.]

20 March.  
New  
Hampshire.

[On a representation from the Board of Trade, the appeal, which relates to certain quit rents of land, is granted, and ordered to be heard on the first Council day in December.]

[p. 191.]

24 April.

366 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.  
20 Nov. [The Council refer to the Committee for Appeals Allen's petition for a further day, since by reason of a miscarriage of the Order of 24 April in the sending of it to New Hampshire,] the Petitioner cannot Summon the Partys Concerned against the said day. [p. 275.]
- 18 Dec. [On the report of the Committee for Appeals, Allen is granted further time to prosecute his appeal until the first council day in August next, security of 500*l*. for his then prosecuting the appeal and abiding by the determination of the Council being given. On 26 Dec. this is given by John Usher and Whitfield Hayter.] [p. 285.]
- (1702.)  
9 July. [The petition of Richard Waldron and others for a further delay was referred to the Committee for Appeals.] [Anne, Vol. I. p. 177.]
- (1702.)  
23 July. [On a petition of Samuel Allen, representing the consent of the solicitors of both parties that the case be heard on the first Council day in October, it is referred to the Committee for Appeals to be heard on that date.] [p. 185.]
- (1702.)  
17 Dec. [In accordance with a report from the Committee for Appeals, it is ordered] that the said Judgement be Affirmed, But in regard the said Judgement is not finall in its Nature that the Appellant be left at Liberty to bring a New Action in Ejectment in the Courts in New Hampshire in Order to trye his Title to the Propriety of the Lands in Question, or certaine Quitt Rents, payable out of the same, and that in Case upon such Tryall any Doubt in Law shall arrise the Jury be Directed to find the matter Specially, that is what Title the Appellant and Defendant do severally make out to the said Lands in Question, and that the Point in Law be reserved to the Court before whom the same shall be Tryed, or if upon such Tryall any Doubt shall arrise concerning the Evidence given at such Tryall such Doubts are to be Specially Stated and taken in Writing, To the end that in Case either Party shall think fitt to Appeal to Her Majesty

- in Council from the Judgement of the Court therein, Her Majesty may be more fully Informed in Order to a final Determination of the said Case. [p. 269-70.] 1701. (1705.)
- [The Council refer to the Board of Trade the petition of Thomas Allen that the appeal of his father Samuel Allen to the Governor and Council of New Hampshire against a verdict of the Superior Court there in favour of Richard Waldron, defendant to an Ejectment at Law brought by Samuel Allen in a dispute as to lands there, be revived in the petitioner's name, it having been abated by the death of his father.] 11 Oct. [Anne, Vol. III. p. 5.] (1706.)
- [The petition is granted, and the jury ordered to find the matter specially as to the titles made out by the parties and to state specially any doubts concerning the evidence taken, for the information of the Council in case either party shall appeal to her Majesty.] 16 May. [III. p. 199.] (1708.)
- [Reference to Committee for Appeals of Allen's petition that a day be appointed for hearing his appeal.] 26 June. [IV. p. 119.] (1708.)
- [Committee minute for dismissal of Allen's appeal and affirmation of the judgments of 15 April and 12 Aug. 1707.] 20 Dec. [p. 221.] (1708.)
- [Order accordingly.] 30 Dec. [p. 227.]
- [819.] [On the petition of Nicholas Gillibrand, he is recommended to the Admiralty for employment in the Navy for his services in the seizure of King the pirate at Cape Mountserade on the Guinea Coast in 1699.] 20 March. [p. 175.] Piracy.
- [820.] Representation from the Council of Trade, relating to the Governments under Proprietors and Charters Read. 3 April. Proprietary Colonies. [p. 183.]
- [821.] [The Council refer to the Treasury the petition of Lieutenant Daniel Hunt for examination of his services in the plantations and an allowance for the same] and particularly for bringing over Captain Kidds Treasure. 24 April. West Indies. [p. 193.]
- [822.] [The Council refer to the Board of Trade the petition of William Partridge Lieutenant Governor of New Hampshire 24 April. New Hampshire.]

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1701.

for leave of absence from his province for a short time in order to the settling of his affairs in this kingdom.] [p. 193.]

30 April. [Leave granted on their recommendation.] [p. 196.]

30 April. [823.] [In an order for the sale of decayed naval stores  
New mention is made of "Wreckt Timber and Cordage sent from  
England. New England" but so inconsiderable as not to be worth the  
cost of transport from Cornwall to Plymouth.] [p. 196.]

30 April. [824.] [Upon a representation of the Board of Trade as  
Plantation presents to Governors of Plantations] nothing done. [p. 197.]  
Governors.

8 May. [825.] [The Council refer to the Board of Trade the petition  
Virginia. of William Byrd for the office of Secretary of Virginia vacant  
by the death of Mr. Wormley.] [p. 200.]

5 June. [A similar petition of William Spencer is similarly referred.]  
(1702.) [p. 214.]

1 Jan. [On a representation from the Board of Trade on Edmund  
Virginia. Jennings' petition, Jennings is appointed Secretary of Virginia  
in the place of Ralph Wormley deceased, and obliged to  
reside in the town of Williamsburg during his tenure of  
the office.] [p. 201.]

5 June. [826.] [An estimate of 2895*l.* 9*s.* 8*d.* for brass mortar  
Jamaica. pieces, iron ordnance and other stores for Jamaica is approved,  
and the stores ordered to be despatched from the Ordnance  
Office by the first opportunity.] [p. 215.]

31 July. [A representation from the Board of Trade is referred to the  
Ordnance to consider what is therein proposed as to field pieces  
and other stores of war to be sent to Jamaica.] [p. 237.]

12 June. [827.] [To the Admiralty is referred the petition] of Dorothy  
West Indies. Searle Widdow of the late Captain Henry Searle, Praying  
a Pension in consideration of the Losse of her said Husband  
and Two Brothers in his Majestys Service, Carey Meese Cap-  
tain of a Troop of Horse in Ireland, and George Meese Rere  
Admirall in the West Indies. [p. 216.]

28 June. [On the Admiralty report, she is granted the same pension  
as if her husband had been killed in fight at sea.] [p. 225.]

[828.] [Sir Thomas Lawrence is appointed Secretary of Maryland, the Board of Trade representing that he formerly behaved very well in that employment and promises to reside there and execute the office in person.] [p. 218.] 1701.  
12 June.  
Maryland.

[829.] [On reading a report from the Board of Trade upon the several petitions of Lieutenants George Wingfield and Henry Harris for the Government of St. Christopher, it is ordered that Colonel Codrington be informed of the applications made and desired to return an account of the state of the island and to recommend a fit person for the government.] In the mean time, His Majesty is pleased to leave it to him to take such Methods for the governing and securing that Island, as he shall judge most proper. [p. 220.] 19 June.  
St.  
Christopher.

[830.] [His Majesty approves the drafts of commissions for Colonel Joseph Dudley to be Governor of New Hampshire and Massachusetts. Order is also given on the recommendation of the Board of Trade for the issue to him of a Vice Admiralty Commission for these colonies, Rhode Island and the Narragansett County or King's Province. The Admiralty are directed to make provision for the Governor's passage as usual, and the Ordnance are to supply him with fifty barrels of powder to be sent by the first conveyance to answer a present exigency reported by Mr. Stoughton, Lieutenant Governor of Massachusetts, but this is not to be drawn into precedent,] His Majesty expecting, that for the future the said Colony do provide for their Security, at their own Expence. [pp. 222-3.] 28 June.  
New  
Hampshire.  
Massachu-  
setts.

[His Majesty approves the draft of a commission for Lord Cornbury as Governor of New York with a clause for determining the commission of Captain John Nanfan, the Lieutenant Governor, and another empowering the Governor to command the militia of the Jerseys and of Connecticut, since, though the latter was comprised in Lord Bellomont's commission as Governor of New England, not of New York, it is now deemed more convenient that it should be in the hands of the Governor of New York.

# 370 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.

On the recommendation of the Board of Trade, it is ordered that in consideration of the great expences of the colony for several years in its defence, there be sent thither with Lord Cornbury, 100 light muskets, 50 barrels of powder with ball proportionable, 6000 flints, 100 "Granado Shells," and 6 drums with drum cords proportionable. The Ordnance are also to] direct Colonel Romer, who has been Employed about the Forts and Fortifications necessary for the Security of the said Province to Inform the Lord Cornbury in all things relating thereunto, [and so to remain there as long as his Lordship shall find requisite.

Order is given for the issue of a commission to Lord Cornbury to be Vice Admiral of New York, Connecticut, and the Jerseys : and provision is to be made by the Admiralty for his passage.] [pp. 223-4.]

28 June.  
Nevis.

[831.] [The Council refer to the Attorney General the petition of Daniel Collet, a French Protestant refugee, who had been made a free denizen of the kingdom and not rightly understanding the purpose of the letters patents, after making two voyages unmolested, made a third to Nevis as master of the *Adventure*. The ship being seized there for breach of the Navigation Acts, he was forced to find security for 577*l.*, the value of the ship, and allowed 15 months to prove himself legally qualified to be master thereof.] [p. 228.]

31 July.  
Bahamas.

[832.] [The Council refer to the Board of Trade a letter from the Admiralty to Mr. Secretary Vernon with five papers relating to proceedings in the Bahamas about the Vice Admiralty Jurisdiction there.] [p. 236.]

31 July.  
Bermuda.

[833.] [To the Board of Trade is referred an extract of a letter from Mr. Bennett, Lieutenant Governor of Bermuda, of 9 June, proposing that stores of war be sent thither and giving an account of the fortifications and munitions now there.] [p. 237.]

21 Aug.

[The Council approve an estimate from the Ordnance of 3579*l.* 0*s.* 4*d.* for the stores desired, and give orders for furnishing and transporting them.] [p. 248.]



1701.

31 July.

[834.] [On a representation by the Admiralty of the Inconvenience by Merchant Ships wearing the King's Collours in and among the Plantations abroad, under Collour of Commissions from the Governors of the said Plantations and Proposing other Colours to be worne by the said Ships to distinguish them from Private Ships, [the Council approve of the suggestion and give orders to the Admiralty and to the Governors of Plantations accordingly. A further Admiralty report gives details: no other Jack is to be worn by ships commissioned by Governors of Plantations than that worn by his Majesty's ships], with the distinction of a White Escutcheon in the Middle thereof, and that the said Marke of Distinction may extend itselſe to one halfe of the Depth of the Jack, and one Third part of the Fly thereof, [according to a sample annexed in the margin].

[p. 238.]

[835.] [On considering a representation from the Board of Trade on a memorial from Brigadier Selwyn, the Lords Justices in Council give orders to the Ordnance] to send an Engineer and Sub-Engineer with two Armourers or Gunsmiths with the said Brigadier Selwyn to Jamaica and that such of the said Stores as are mentioned in the Schedule hereunto annexed as can be Immediately furnished be forthwith Delivered out and put on Board such of His Majestys Ships as are bound to that Island and that the rest be gott ready and sent by the first Opportunity, and the said Brigadier Selwin is to have Notice that none of the said Armes or Stores are to be Delivered out, but upon very necessary Occasions, unless the Assembly of that Island take Care for the Reimbursing the Cost of the same.

12 Aug.  
Jamaica.

1000 Musketts.	300 Wheelbarrows.
200 Carbines.	100 Handbarrows.
1200 Cartouch boxes.	800 Spades.
200 pair of Pistolls	500 Shovells.
with Flints and Powder and Ball	500 Pickaxes.
proportionable.	100 Felling Axes.
also 600 French Tents.	100 Hand hatchetts
100 Horse Tents, and	And Nails for Platforms for 50 Peices.
100 Barrells of Powder besides.	

[pp. 244-5.]

# 372 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.  
21 Aug.

[It is ordered] That Six Brass Minions and Six Falcons, with Carriages, Harness, Ammunition and whatsoever else the Principal Officers of the Ordnance shall think necessary for such a Train be forthwith provided and sent for His Majestys Service to the Island of Jamaica and an Estimate thereof returned to this Board, As also that One Master Gunner and two Mates, one able Mason and two Mates for building Fortifications, one Master Carpenter and two Mates, one Master Smith and Mate with their necessary Tools, And the Ingredients for fixing of Bombs, Carcasses and hand Granados mentioned in the Annexed Estimate from the Board of Ordnance be likewise Provided and sent thither. [These ingredients are to be entrusted to Mr. Bell, one of the engineers going to Jamaica and not to be delivered out by him without order in writing from the Governor. The master gunner and his mates are to instruct the inhabitants in the art of gunnery. Stores are not to be issued save upon absolute necessity, unless the Assembly reimburse the Ordnance Office the costs of the same—which the Governor is to endeavour to induce the Assembly to do. The stores are to be furnished and sent with all expedition.]

		<i>ll. s. d.</i>
Pitch .....	2 Barls. pd. 6 Cwt. at 15s. per C.	4 10 00
Tar .....	1 Barrll. att 26s. per Barrell ..	1 00 04
Saltpetre double refined .....	300lb. at 18d. per lb. ....	22 10 00
Brimstone.....	150lb. att 3d. per lb. ....	1 17 00
Rozin .....	100lb. att 6d. per lb. ....	2 10 00
Wax .....	100lb. att 15d. per lb.....	6 05 00
Antimony .....	5lb. att 6d. per lb. ....	0 02 00
Linseed Oile .....	4 Galls. att 4s. per Gallon....	0 16 00
Turpentine .....	4 Galls. att 11s. 3d. per Gall...	2 05 00
Spirit of Wine .....	2 Galls. att 11s. per Gall.....	1 02 00
Camphire .....	4lb. at 6s. per lb.....	1 04 00
Cottonwick .....	60lb. att 2s. 9d. per lb.....	8 05 00
Saile Cloth .....	150 yds. att 18d. per yd. ....	11 05 00
Hambro Lines .....	5 pces. att 20d. per pce. ....	0 08 04
Packthread.....	50lb. att 8d. per lb.....	1 13 04
Glew .....	30lb. att 8d. per lb. ....	1 00 00
Cartridge Paper .....	3 Rhs. att 19s. per Rho.....	2 17 00
fine Sives .....	4 att 4s. each .....	0 16 00
Iron pots 3 galls. each .....	2 att 8s. each .....	0 16 00
Brass Kettle of 2 Galls .....		0 10 00
Brass Glew pott .....		0 04 00
Furs for Handgranado's .....	1200 att 5s. 6d. per C.....	3 00 00
		<hr/> 75 08 08

1701.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Package freight to Portsm <sup>o</sup> and other incident Charges.....	5	00	00
	80	08	08

[*pp.* 249-251.]

[As the Ordnance represent] that they have but three 4 Sept.  
Falcons and no Minions, and therefore propose the sending of  
Twelve three pounders which they conceive may be as proper  
for the service, and that they must Wait for further Directions  
whether One Hundred Rounds or more of Powder and Ball will  
be Sufficient, [orders are given for sending to Jamaica 12 three-  
pounders and 100 rounds of powder and ball]. [*p.* 252.]

[The Admiralty representing that the ships at Plymouth  
have loaded as much of the stores for Jamaica as they can con-  
veniently stow and that there is no frigate going to Bermuda,  
it is ordered, on their recommendation, that such of the stores  
ordered as cannot be sent on ships of war now bound for  
Jamaica or Bermuda], be sent thither in Merchant Ships, to  
be provided at the Expence of the Office of the Ordnance, with  
all Convenient speed. [*p.* 252.]

An Estimate of the Charge of the Ordnance &c. for  
a Traine and Tools for Artificers to be sent to His  
Majestys Island of Jamaica with the Annuall Pay  
of Gunners and the said Artificers to be sent there  
also.

			<i>l.</i>	<i>s.</i>	<i>d.</i>
Brass Ordnance	} 3 Pounders .....12	Ordnance .....	720	0	0
mounted on Travl.		Carriages.....	216	0	0
Carriages compt.	} 3 Pounders..... 2 att 18l. Each.....		36	0	0
Spare Travellg. Car-					
riages Compt. ...	} 3 Pounders..... 2 pr. att 9l. each pr.		18	0	0
Spare Fore wheels					
for Ditto .....	} 3 Pounders ..... 3 pr.att 9l. each per pr.		27	0	0
Spare hand wheels					
for Ditto.....		Guin furnished ... 1.....	8	0	0
		Sling Cart ..... 1.....	20	0	0
Spare Extrees for do.	3 Pounders ..... 3 at 10s. Each.....		1	10	0
Round Shott .....	3 Pounders..... 1200 pois. 32T. 16lb.				
		at 12s. per C....	19	5	8½
Sadles and Sponges	3 Pounders..... 12 Sa. 12 Sp. ....		8	14	0

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1701.

		l.	s.	d.
Tinn Cases filld with	} 3 Pounders..... 240 at 8d. Each....	8	0	0
Musqt. Shott ...				
Cases of Wood ....	3 Pounders..... 24 at 14d. Ea.....	1	8	0
	Funnells of Plate . 6 att 3s. Ea.....	0	18	0
	Hatchetts ..... 12 att 3s. Ea.....	1	16	0
	Sheet Lead ..... 1 Cwt. ....	0	14	0
	Aprons of Lead .. 12 att 8d. Each....	0	8	0
	Crows of Iron ... 12 att 10s. Ea.....	6	0	0
	Linch pins ..... 18 pr. at 8d. per pair	0	12	0
	Spikes ..... 200 at 3d. Ea.....	2	10	0
	Forelockeys ..... 24 pr. at 1½d. per Pr..	0	3	0
	Feild Beds ..... 12 at 2s. 6d. Each..	1	10	0
	Ditto Coines ..... 36 at 9d. Ea.....	1	7	0
	Feild Tampeons .. 12 small at 9d. Ea..	0	9	0
	Formers Small ... 4 att 6d. Ea.....	0	2	0
	Budge Barls..... 12 att 2s. 4d. Each..	1	10	0
	Basketts ..... 20 at 6d. Ea.....	0	10	0
	Barras ..... 30 Ells at 8d. per Ell	1	0	0
	Paper Royall .... 2 Rh at 19s. 6d. per Rh	1	19	0
	Oyl ..... 2 Galls at 6s. 3d....	0	12	6
	Starch ..... 6lb. at 5d. per lb....	0	2	6
	Needles ..... 6 Dozn.....	0	0	8
	Thread ..... 6lb. at 2s. 6d. ....	0	15	0
Lanthorns.....	{ Ordinary..... 5 at 20d. each.....	0	8	4
	{ Tinn ..... 3 at 4s. Ea.....	0	12	0
	{ Dark ..... 2 at 2s. 9d. Ea.....	0	5	6
Muscovia Lights ..	Ordinary ..... 2 at 7s. Ea.....	0	14	0
	Wad Hookes ..... 12 at 21d. Ea.....	1	1	0
	Hand Crow Leavrs. 24 at 20d. Ea.....	2	0	0
	Powder Hornes .. 18 at 8d. Ea.....	0	12	0
	Priming Irons .... 12 at 2½d. Ea.....	0	2	6
	Linstocks with			
	Cakes..... 12 at 2s. 6d. Each..	1	10	0
	Marlin ..... 12lb. at 6d. per lb..	0	6	0
	Twine ..... 6lb. at 6d. per lb....	0	4	0
	Wire ..... 3lb. at 12d. per lb..	0	3	0
	Hand Screws .... 2 at 24s. 6d. Ea....	4	5	0
	Claw Hamers..... 12 at 20d. Ea.....	1	0	0
	Pincers ..... 12 pr. at 2s. per pr.	1	4	0
	Brass Scale with			
	Iron Beam with	} 2 pr. at 3l. Ea. ..	6	0 0
	Weightsof 8l. Pile			
	Great Melt Ladles 2 at 3s. Ea.....	0	6	0
	Small Ditto ..... 4 at 5½d. Ea.....	0	1	10
Nailles ..... {	40d..... 200.....	0	6	8
	30 ..... 200.....	0	5	0
	20 ..... 400.....	0	6	8
	10 ..... 500.....	0	4	2
	6 ..... 1000.....	0	5	0
	2 ..... 1000.....	0	1	8

White Rope.....	{ 2½ Ins. .... 1 Co. } per 2C. at 48s.	ll. s. d.	
	{ 1½ Ins. .... 1 Co. } per C. ....	4 16 0	
	Sheepskins .....	1 2 6	
	Tanned Hydes .... 4 at 18s. Each.....	3 12 0	
	Tallow .....	½ Hundred weight...	1 3 0
	Tarr .....	2 Barl. at 27s.....	2 14 0
	Candles .....	50lb. at 6d.....	1 5 0
	Bushell Bags .... 300 at 20d.....	25 0 0	
	½ Bushell Ditto .. 400 at 10d.....	16 13 4	
	Felling Axes .... 25 at 2s. 6d.....	4 7 6	
	Leather Bucketts.. 8 at 3s. 4d.....	1 6 8	
	Hatchetts helv'd.. 200 at 3d.....	30 0 0	
	Close Tumbrills .. 12 at 10l.....	120 0 0	
	Ditto open .....	6 at 8l.....	48 0 0
	Clouts .....	4 doz. at 6s. per doz.	1 4 0
	Clout Nails..... 2000 at 8d. per 100..	0 13 4	
	Washers .....	4 doz. at 8s. per doz.	1 12 0
	Tarpawling for the } 12 at 18d. Each ..	0 18 0	
	Lockers .....		
	Corne Powder .... 27 Barl. at 3l. 10s...	94 10 0	
	Match .....	3 Cwt. at 30s. per C	4 10 0
Harness for Horse	{ Thrill Harness ... 30 }	} at 25s. 6d.....	114 15 0
	{ Ditto Trace ..... 60 }		
	{ Fore Horse Halters 30 }		
	{ Bitt Halters..... 30 }		
	{ Hemp Halters ... 90 }		
Mens Harness .....	at 15 to a Sett .. 12 Setts at 4l. 17s. 6d.	22 10 0	
	Brass Kettles with		
	Covers .....	12.....	5 2 0
	Iron in Bars .... 2 C. }	} at 18l. per tn..	2 14 0
	Ditto in Rods ... 1 C. }		
	Handsaws .....	4 at 5s. Each .....	1 0 0
	Grindstone .....	1 .....	1 5 0
	Bare Hydes .... 2 at 7l. 10s. Ea....	15 0 0	
	Tilts of Wadmill 4 at 1l. 10s. Ea....	6 0 0	
			1060 14 0½
Insident Charges in Packing and Shipping			
the same, Freight being to be provided			
by the Admiralty .....			50 0 0
Charge of Tools for	{ 3 Masons .....	15 9 0	
	{ 3 Carpenters .....	16 8 10	
	{ 2 Smiths .....	49 1 6	
	{ 2 Armourers .....	25 13 5	
			106 12 9
			1817 6 9½

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1701.

		l.	s.	d.
Annuall Pay of the Gunners and Artificers .....	1 Master Gunner/.....	91	5	0
	2 Mates /.....	109	10	0
	1 Master Mason.....	91	5	0
	2 Mates /.....	109	10	0
	1 Master Carpenter.....	91	5	0
	2 Mates.....	109	10	0
	1 Master Smith .....	73	0	0
	1 Mate .....	54	15	0
		730	0	0

[pp. 253-5.]

21 Aug. [836.] [On a report from the Admiralty upon a memorial  
Piracy. of the Royal African Company, order for the Royal African Company to send to England an exact inventory of pirates' goods seized by them, and to sell perishable goods, and transmit the proceeds to England with an inventory.] [p. 247.]

21 Aug. [837.] [The Council refer to the Committee for Appeals]  
Barbados. the Petition of Thomas Symcocks, Merchant owner of the Ship Rebecca and her Cargo arrived at Barbados, where before she broke Bulk, she was Seized and Condemned under pretence of not having a Register according to an Act of Parliament, for preventing frauds and regulating abuses in the Plantation Trade ; Wherefore humbly praying to be admitted to Appeal from the Sentence of Condemnation in Barbados. [p. 249.]

11 Sept. [At the Committee for Appeals.] Report on the Petition of Thomas Symcocks, owner of the Ship Rebecca, That the Appeal be admitted, the Report is Entred underneath. [p. 256.]

16 Sept. [The Council approve the report of the Committee in favour of admitting the appeal. The Rebecca was sent with provisions from Galway to Barbados, ship and cargo being valued at 1500*l.*, seized at Barbados for breach of an Act of which both the owner and the Customs Officers at Galway were] wholly Ignorant not having had any Notice thereof from the Commissioners of the Revenue in Ireland, [and] Condemned in the Court of Admiralty in Barbados, for want of such a Register, Notwithstanding she had the usuall Passport from the Mayor

1701.

of the Towne, Certifying that she was English Built and belonged to His Majestys Subjects, and altho the Master of the said Ship had by His Petition to the Governor prayed that he might be permitted to Depart the Island without Breaking Bulk, or to Trade there, giving Security to procure a Register in Convenient time. [On security being given, the Council agree to hear the appeal the first Council day in June.]

Memorandum. That the said Thomas Symcocks and Daniel Alford of London Merchants did enter into Bond of Five hundred Pounds, to prosecute the Appeal according to the above Order, the 24th day of September, 1701. [p. 256.]

(1703.)

27 May.

[The Committee for the Affairs of Jersey and Guernsey remit a petition of Symcocks to the Board of Trade desiring their Lordships to speak with Lord Grey and return their opinion. Symcocks' appeal against the seizure of the *Rebecca* in Barbados had been depending before the Committee for twelve months until answers should be received to letters written by the Board of Trade to colonial Governors at the desire of the Committee to determine a question which had arisen as to the authority by which Admiralty Courts in the plantations are constituted. The only reply yet received was from the Governor of the Leeward Islands, but Lord Grey, who was Governor of Barbados at the time of the seizure, was now in England, and Symcocks petitioned that he be summoned to answer to this point and that the case be heard.] [p. 395.]

[838.] [The Council refer to the Committee for Appeals the petition of Anthony Monteyro and others owners of the *Experience and Susanna* and cargo condemned in the Antigua Court of Admiralty on her arrival there from Boston in New England, under pretence that the master and three fourths of the crew were not English, whereas the petitioners maintain that they were duly qualified under the Navigation Acts.] [p. 257.]

16 Sept.  
Antigua.

[839.] [The Council refer to the Committee for Appeals the petition of Samuel Barron, owner of the *America*, seized

16 Sept.  
Leeward  
Islands.

# 378 ACTS OF THE PRIVY COUNCIL (COLONIAL).

1701.

in March 1701 at Antigua by Colonel Codrington, complaining of Governor Codrington's reversal of the sentence of the Leeward Islands Court of Admiralty in favour of the ship. Barron] had Appealed to the High Court of Admiralty here in England, But is since Advised and accordingly doth humbly pray leave to Appeal to His Majesty in Council from the said Sentence. [p. 258.]

18 Dec. [On the report of the Committee for Appeals the Council reverse the sentence of condemnation given by Colonel Codrington on 18 March against the *America* and order that she and her cargo be restored to the owner.] [p. 286.]

(1702.)

30 Oct. [The complaint of Barron or Barons that Colonel Codrington still refuses to restore the *America*, is referred to the Committee for Appeals, who are to be attended by the petitioner or his agents at 6 on Monday at Whitehall.]

[Anne, Vol. I. p. 230.]

(1702.)

17 Dec. [On the Committee's report it is ordered that] Colonel Codrington do forthwith and without further delay give due and Punctuall Obedience to the said first Order . . . And . . . returne an Account to this Board, why he hath refused to Obey the said first Order as is alledged by the Petitioner. [p. 273.]

(1705.)

5 April. [The Council refer to the Attorney and Advocate General the petition of Samuel Barons, complaining that, notwithstanding two Orders of Council and royal letters of 29 Jan. 1703 he hath not yet been able to obtain his ship, and praying an instruction to that end to the new Governor of the islands and satisfaction and damages from Colonel Codrington.]

[Anne, Vol. II. p. 316.]

(1705.)

9 July. [Orders are given in accordance with the report of the Advocate and Attorney General, which gives the history of the case, and recommends that as the value of the ship and cargo cannot be appraised without some further proceedings, the new Governor give all necessary directions for the



1701.

recovery of ship and cargo or full value from the parties concerned, and that if difficulty be made about restitution, an action be commenced in Antigua for obtaining the same, and all the evidence be found specially that the facts may fully appear if there should be a further appeal to His Majesty.] [pp. 397-400.]

[840.] [The Council refer it to the Attorney and Solicitor General to examine and report upon] a Presentment from the Commissioners of the Customes dated the 23rd of this Month, concerning a Ship which came directly from the Bay of Campeach to Leghorne without having touched at any of His Majestys Plantations or any part of England, to Pay His Majestys Customes. [p. 263.]

25 Sept.  
Campeachy  
Bay.

[841.] The Petition of Theophilus Turner, setting forth his Services in discovering of Pyrates, and of being a Wittness against them, for which he has been inserted in His Majestys most Gracious Pardon; [and humbly praying the restitution and delivery out of the Court of Admiralty of his treasure, which was brought over by Admiral Benbow, is referred to the Admiralty for consideration and report]. [p. 272.]

11 Nov.  
Pennsyl-  
vania.

[Similar reference is made of the similar petition of Robert Bradenham, surgeon, an evidence against Captain Kidd and other pirates, whose treasure amounted in value to 350*l.*] together with the Cases of such others as have been lately Pardoned upon account of their being Evidences against Pirates. [p. 276.]

20 Nov.

[842.] [A presentment from the Customs of 28 October with an extract of a letter of 26 August from Henry Carpenter of Nevis] relating to the hardships and Ill Usage Received by the said Mr. Carpenter, who was appointed to Act as one of the Commissioners and Collectors of His Majestys Duty of Four and half per Cent. at Nevis, in the Execution of his Office, from Colonel Roger Elrington, the Lieutenant Governor of the said Island, [is referred to the Board of Trade to consider and write to Col. Elrington requiring him to permit

11 Nov.  
Nevis.

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1701.

Carpenter and his subordinates to attend the duty of their respective employments, and to send an answer to Carpenter's complaints, on consideration of which their Lordships are to report to the Board.] [p. 273.]

20 Nov.  
Barbados.

[843.] [The Council refer to the Board of Trade] the Petition of Richard Worsham, Bartholomew Rees, and William Battin Esqrs. Executors of the last Will and Testament of John Cousens late of the Island of Barbadoes Esqr. Deceased, Complaining of the great delay in the Proceedings of the Lord Grey Governor of Barbados, upon their Petition relating to the Guardianship of John Cousens an Infant, Son of the Deceased John Cousens, whereby the Petitioners are Disabled to Pay the Debts and Legacys of the said Deceased, And humbly praying to be releived. [p. 275.]

27 Nov.  
Nevis.

[844.] [The Council refer to the Board of Trade] the Petition of William Mead Esqr. complaining of Proceedings in the Court at Nevis, Relating to Two Plantations called Harveys Plantations [and] the Petition and Appeal of William Shipman Gent. and Mary his wife, and Thomas Harvey a Minor by the said William Shipman his Guardian [to the same effect]. [p. 283.]

(1702.)

19 Feb.

[The Council, on the report of the Board of Trade, admit the appeal of Mead and of the others and order that Colonel Codrington receive a copy of the petition and return a speedy answer, taking care that the petitioners be not prejudiced by any forcible or irregular proceedings.] [p. 353.]

18 Dec.  
St.  
Christopher.

[845.] [The Council refer to the Board of Trade] the Petition of William Freeman Esqr. complaining of Proceedings in St. Christophers relating to the Plantation called the mannor of Godwyn Granted to the Petitioner and his Heirs by his Majestys Letters Patents. [p. 283.]

(1702.)

5 Feb.

[On the report of the Board of Trade, as Freeman's complaint seems to be directed chiefly against Colonel Codrington, it is ordered that copies of the petition, and of the order of

1701-2.

18 December and the report in accordance therewith be sent to him to be immediately answered]: he is hereby also required not to give any Obstruction Directly or Indirectly by himselfe or others to such Legall proceedings as the Petitioner shall have recourse to, for the Redresse of the Injury that he conceives to have been done him by the Actings of the two Pretended Justices of the Peace of the said Island mentioned in the said Report, or otherwise in relation to the Plantation in Question. And . . . in Case the Partys concerned or any of them aggrieved by any Sentence passed in this Matter in the Proper Courts of Justice in the Leeward Islands, they are not to be hindred from Appealing to his Majesty in Councill; Care being taken that as well the Defendants as Appellants do give Sufficient Security to abide by his Majestys Determination, and to Answer all Costs and Damages, that may have accrewed, and shall be awarded against them. [p. 333.]

[846.] [The Council refer to the Committee for Appeals the petition of John Farmer and Katherine his wife for the hearing of their appeal against a judgment of the Barbados Court of Chancery of 3 September last in favour of Elizabeth Bond widow, John Hallett and John Eginton Esqrs, and Francis Bond gentleman, in a suit for 5000*l*.] [p. 286.]

18 Dec.  
Barbados.

(1702.)

[In accordance with the report of the Committee for Appeals, the sentence of the Barbados Court of Chancery dismissing the bill of complaint of John and Katherine Farmer is reversed, and the bill retained in the said Court to be answered by the defendants.] [p. 308.]

18 Jan.

[847.] [The Council refer to the Board of Trade] the Petition of Joseph Jory Agent for the Island of Nevis, setting forth that the Lieutenant Governor Councill and Assembly of the said Island, have sent Home Six hundred Match lock Barrells belonging to His Majestys Forts there, and humbly praying that the said Barrells may be received into the Tower of London, and that a sufficient Number of Firelock Armes

1702.

1 Jan.  
Nevis.

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1702.

may be Ordered to be forthwith delivered for a Supply of His Majestys Forts in that Island as his Majesty shall think most fitt. [p. 291.]

8 Jan.

[The Council approve and give orders in accordance with the report of the Board of Trade that, since] there have been 550 Match Locks, sent to the Leeward Islands since Your Majestys Accession to the Crowne, and other Numbers of the like Armes formerly ; And Whereas such Match locks are Generally not so Serviceable as Fire locks, and more particularly Dangerous in Marches through a Country full of Sugar Canes . . . the Board of Ordnance may be Directed to receive the foresaid Six hundred Match lock Barrils and in lieu thereof to Deliver to Mr. Jory the like Number of Firelocks, to be forthwith sent by him to the Island of Nevis for Your Majestys Service in the Defence of the said Island, which we humbly conceive to be very requisite in this present Conjunction. [p. 293.]

1 Jan.  
Barbados.

[848.] [The Council refer to the Committee for Appeals the petition of Anne Baylie for a hearing at the Board of her appeal from a sentence of the Barbados Court of Chancery of 9 July in favour of John Holder and others, all proceedings in the case having been certified and notice given to the defendants in Barbados.] [p. 291.]

29 Jan.

[On the report of the Committee for Appeals, the Council reverse the sentence of the Barbados Court of Chancery in favour of John Holder and his wife Margaret, administratrix of John Baylie, William Baylie, Mathias and Thomasin Lake, Nicholas Prideaux, and William Carter, executors of Edward Baylie deceased.] [p. 319.]

8 Jan.  
Jamaica.

[849.] [The Council refer to the Committee for Appeals] the Petition of Edward Baugh, setting forth that he Obtained a Decree in the High Court of Chancery against one Thomas Woods, Administrator of Jonathan Woods, late of the Island of Jamaica for one hundred Seventy Seven Pounds, Fourteen Shillings ; That the Petitioner Obtained a writt

1702.

of Sequestration directed to the Governor of Jamaica, and others to Sequester the Estate of the said Jonathan Wood, who have Neglected to Execute the same without His Majestys Particular Order. [p. 294.]

[850.] [On a representation from the Board of Trade] 8 Jan. relating to the Disorders in His Majestys Provinces of East and West New Jersey in America and the Surrender the Proprietors of those Provinces are willing and ready to make to His Majesty of all their Right or Pretence of Right to the Government they have hitherto Claimed, [the Attorney General is ordered to prepare such a form of surrender] as may be most Effectual to the Extinguishing their said Pretentions.

[p. 294.]

[The Attorney General's form of surrender for the pro- 29 Jan. prietors of New Jersey having been approved; the Board of Trade are directed to call upon them to execute the surrender according to the said form.] [p. 319.]

This day the severall Proprietors of East and West New 17 April. Jersey in America, did in Person, present a Deed of Surrender by them Executed under their hands and Seals to Her Majesty in Councill, and did Acknowledge the same to be their Act and Deed, and humbly desire Her Majesty to accept the same that it might be enrolled in the Court of Chancery, whereby they did Surrender their Power of the Government of those Plantations, which Her Majesty Graciously accepted and was pleased to Order as it is hereby Ordered, that the same be Enrolled in Her Majestys said High Court of Chancery . . and the said Instruments are to be Delivered to Mr. Attorney Generall who is to take Care that the same be enrolled accordingly. [Anne, Vol. I. pp. 96-7. P.R.]

[851.] [The Council refer to the Board of Trade the 8 Jan. petition of Caleb Heathcote in behalf of himself and the other New York. inhabitants of the parish of Westchester in New York] That His Majesty will Bestow an Escheat of One Hundred and

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Ten Acres of Land, falne to His Majesty by the Death of Thomas Williams, towards the Maintenance of their Minister. [p. 299.]

18 Jan.  
Nevis.

[852.] [The Council refer to the Committee for Appeals the petition of William Mead, Collector of Nevis and one of the Commissioners of the  $4\frac{1}{2}$  per cent. duty in the Leeward Islands, to be admitted to appeal from a sentence of the Antigua High Court of Admiralty of 20 March 1701, reversing a sentence of the Nevis Court of Admiralty, relating to the condemnation of the *Swan*, Joseph Wright master, for trading contrary to law.] [p. 303.]

18 March.

[The Council approve, and give orders in accordance with the report of the Committee that the sentence pronounced by Colonel Codrington, Governor of the Leeward Islands, Principal Judge and Commissary of the High Court of Admiralty there, be] Reversed and declared Null and Voyd. [Mead is to be] put into the Possession of the said *Swan* Sloop with her Guns, Tackle and Apparell, or the full Value thereof, to be disposed of as the Statute Directs. [Anne, Vol. I. p. 41.]

29 Jan.  
Maryland.

[853.] [The Council refer to the Judge of the Admiralty] the Petition of Thomas Webb Esqr. Administrator of the Estate of His Brother Colonell Nicholas Webb Deceased, relating to the Effects of the said Coll. Webb, which were taken out of the Sloop *Sea Flower* by Capt. Munday Commander of the Ship *Hopewell*, and put on Board his own Ship, and Carryed to Mariland where they were Seized by the Governor, as Pirates Goods for His Majestys use. And humbly praying that His Majesty will be pleased to Grant the Petitioner His Majesty s Interest in the said Effects. [p. 318.]

12 Feb.

[The Council approve, and give orders in accordance with, the following report from Sir Charles Hedges, Judge of the Admiralty] :—

In humble Obedience to Your Majestys Order of Referrence upon the Petition of Thomas Webb Esqr., relating to severall Peices of Plate, Chequins and some Spanish and other Forreign

1702.

Silver, said to be the Effects of Coll. Nicholas Webb, taken by Pirates, and afterwards Seized as Pirates Goods by the Governor of Maryland, it is my humble Opinion that your Majestys Interest in the said Goods cannot regularly be Granted to the Petitioner before they are legally condemned as Pirates Goods, and therefore the Proper Course with humble Submission will be to Direct a Prosecution against the said Goods at your Majestys Suit, and then the Petitioner may put in his Claim, and upon due proofs restitution will be Decreed to him, or if they shall, for want of such Proofs, be Condemned to your Majesty they may be Granted to the Petitioner if your Majesty shall think meet, however if any of the Plate has the Armes of Colonel Webb engraved upon it, as is suggested, I can see no just Cause why the same should not be Delivered to the Petitioner without farther Charge or trouble, all which is most humbly Submitted to your Majestys Royall Wisdom. [p. 344.]

[854.] Upon reading this day at the Board the Petition of 29 Jan.  
 Severall Merchants of London Trading to Virginia and Virginia and  
 Maryland, setting forth that a Considerable fleet of Merchant Maryland.  
 Ships are already gone to Virginia and Maryland, and some  
 other ships are now ready to sail thither in all to the Number  
 of two hundred sail or upwards that will all be Laden and  
 ready to return Home by the latter end of May or the  
 begining of June next, That the said Fleet is of great Value  
 and will Pay a considerable Sume to his Majesty for Customes,  
 And therefore humbly praying that a Convoy of four fourth  
 Rates and one Fifth Rate Frigatts may be Ordered for them,  
 to be in Virginia by the Middle of May next if Possible; [His  
 Majesty in Council grants the request, and gives orders  
 accordingly to the Lord High Admiral]. [p. 319.]

[855.] [Reference to the Judge of the Admiralty of the 5 Feb.  
 petition of Joseph Wheeler, Arnout Viele and other prisoners Piracy.  
 in the Marshalsea, who had embraced the benefits of his  
 Majesty's proclamation offering pardon to such pirates as

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surrendered themselves, and were returning home when seized by Captain Lowth and brought from the Cape of Good Hope and cast into prison.] [p. 334.]

12 Feb.  
Barbados.

[856.] [The Council refer to the Committee for Appeals the petition of several merchants and others having interests in Barbados] setting forth the great Difficultys they lye under and the Danger of their being great Sufferers by reason of a Clause inserted in the Governors Instructions for allowing Appeals to his Majesty in Council from Judgements given by the Governor and Council in that Island And therefore praying to be heard, as to the reasonableness of Altering that Instruction. [p. 344.]

18 March.

[On the report of the Committee, the matter is ordered to be heard at the second meeting of the Council in April.]

[Anne, Vol. I. p. 37.]

21 May.

[It is ordered to be heard next Council day.] [p. 129.]

2 July.

[On hearing the merchants, the matter is ordered to be further heard on 9 July.] [p. 166.]

9 July.

[On hearing all parties and a report from the Committee of the whole Council on the complaint against a clause in the Governor's instructions providing for appeals to her Majesty in Council in cases of over 500*l*. on notice being given within fourteen days after sentence and also security to abide by the award of the Council, it is referred to the Board of Trade to consider not only this clause but also for what lesser sum appeals may fittingly be admitted, and also the method of admitting appeals from the inferior Courts of Barbados to the Governor and Council there.]

[p. 178.]

26 Nov.

[A representation from the Board of Trade is approved, and order given for issuing the necessary directions.] [p. 248.]

12 Feb.  
Maryland  
and  
New York.

[857.] [The orders of 12 Aug. 1697 and 20 Jan. 1698 (*see* 31), for the despatch of 30 large bibles, and the like number of other Church books to Maryland, and of 6 large folio bibles and other



1702.

Church books to New York could not be complied with] by reason that at that time there were no such Bibles and Prayer Books Printed. [It is ordered that Samuel Carr, H.M. Stationer, deliver the books forthwith to the Bishop of London or his nominee.] [p. 345.]

[858.] [The Council refer to the Committee for the Affairs of Jersey and Guernsey the petition of the Procurator of the Royal Court of Jersey and William Chamberlain, Register of Certificates there] setting forth that the Ship Rachel being partly Owned by Aliens, and having Traded to and from Virginia, and Imported a Loading of Tobacco contrary to the Act of Navigation, The Petitioners Exhibited an Information against the said Ship and Lading in the Royall Court of the said Island, And being brought to a hearing the Court did not proceed to a finall Sentence, but referred the same to this Board. And therefore praying his Majestys Direction herein. [p. 345.]

12 Feb.  
Plantation  
Trade.

[The Council approve, and give order in accordance with 18 March. the report of "the Lords of the Committee of the Privy Council" that the Royal Court of Jersey be directed to proceed to final sentence.] [Anne, Vol. I. p. 40.]

[859.] [On 4 January 1702 on a memorial from the Admiralty, orders are given for laying a complete embargo, coasters excepted, till such time as the fleet be manned, and the Admiralty and Treasury are notified on the 18th. In spite of this, the following passes are granted, the name of the master, tonnage, guns, and number of crew being almost always given :—]

Jan.-Feb.  
Ship Passes.

Date.	Ship.	From	Destination.	Cargo.	Notes.
18 Jan.	Rose .....	—	Antigua	20 barrels of powder and other supplies	—
	Way galley ....	—	Africa and Jamaica.	—	This being the only proper season for that part of Africa she is bound to.

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Date.	Ship.	From	Destination.	Cargo:	Notes.
18 Jan.	<i>Selwyn</i> .....	—	Jamaica	50 or 60 tons of H.M.'s Ord- nance and other goods.	—
	<i>Nassau</i> .....	—	Virginia	—	With 150 passengers.
	<i>New Frisby</i> ....	—	Virginia	—	With 15 passengers.
	<i>Prince Louis of Baden</i>	London	New York	—	With several poor French families, transported passage free by the charity of the owner, Nicholas Oursell, a French Protestant refu- gee.
25 Jan.	<i>Loyalty</i> .....	Liverpool	Virginia	—	{ The first vessel is laden with beef and other perishable commodities; the cargo of the others is not given. These and the other vessels allowed to sail were ready laden before the embargo was imposed, but detained by contrary winds.
	<i>Virginia</i>				
	<i>Elizabeth and Ann</i>				
	<i>Lion</i> .....				
	<i>Adventure</i> .....				
	<i>Amity</i> .....				
	<i>Thomas and Mary</i>	Bristol	Jamaica	Mainly British manufactures	{ On a memorial from the representatives of Bristol,
	<i>Society</i> .....				
	<i>Happy Return</i> . }	Bristol	West Indies	Mainly British	{ On a memorial from the representatives of Bristol,
	<i>Mountjoy</i> .....		Virginia	—	
	<i>Thomas and John</i>	London	Guinea and Virginia	—	To be accompanied by the tender, the little <i>John</i> .
	<i>Tiger galley</i> ...	London	Guinea and Jamaica	—	—
	<i>Susan</i> .....	—	Virginia	—	—
29 Jan.	<i>Happy Union</i> ..	London	Virginia	—	Called before embargo, driven into Plymouth after 20 days at sea.
	<i>Essex frigate</i> ...	—	Jamaica	Passengers and provisions.	Similarly driven back after 16 days.
	<i>Ursley</i> .....	London	Maryland	—	Also forced back by con- trary winds and bad weather.
	<i>Moses brigantine</i>	London	Cork & Nevis	Beef, herrings, etc.	—
	<i>Jonathan and Mary</i>	London	Virginia	—	—
	<i>Exchange</i> ketch	London	New England	—	Called over a month past, but was driven into Falmouth.
	<i>Messenger</i> brigantine	London	"The Plan- tations"	Wine and other goods.	—
	<i>Industry</i> pink .	London	Maryland	Perishable pro- visions.	—

Date.	Ship.	From	Destination.	Cargo.	Notes.
29 Jan.	<i>Adventure</i> .....	London	Nevis	<i>Inter alia</i> 15 tons of provisions for H.M.S. <i>Maidstone</i> .	—
	<i>Mary</i> .....	London	Cork and St. Kitts.	Provisions.	—
	<i>Bennet</i> .....	London	Barbados	Provisions and necessaries.	—
	<i>Speedwell</i> .....	London	Leeward Ids.	Provisions.	—
	<i>Alexander</i> galley	—	Leeward Ids.	"Plantation necessaries."	—
	<i>Abigail</i> .....	London	Virginia	—	Sailed on 6 December, but was forced back to Plymouth.
	<i>Dispatch</i> brigantine	Bristol	Ireland and Jamaica	—	—
	<i>Elizabeth</i> .....	—	New York	Lord Cornbury's household goods.	—
	<i>Barbados Merchant</i>	London	Maryland	—	A Maryland ship, ready to sail 24 Dec. detained by sickness of master, now dead.
	<i>Sarah Mary</i>	—	Barbados	Provisions and Necessaries.	"In Consideration of the Great Want of Provisions and other Necessaries in the Island of Barbados."
	<i>Hopewell</i>	—			
	<i>Lascelles</i> frigate	—			
	<i>Friends' Adventure</i>	—			
	<i>Crowder</i> .....	—			
	<i>Endeavour</i> .....	—			
	<i>Isaac</i> .....	—	Jamaica	—	—
	<i>Princess Anne</i>	—			
5 Feb.	<i>Gilbert and Ann</i>	—	Jamaica	—	—
	<i>Reswick</i> .....	—	Barbados	Perishable goods.	—
	<i>Lark</i> .....	London	New York	—	Sailed above 5 weeks since: forced back to Falmouth.
	<i>Don Carlos</i> ....	London	Guinea and Jamaica.	—	To Angola in Guinea to purchase negroes for Jamaica: this being the proper time to sail for these parts.
	<i>Content</i> .....	Lancaster	Virginia and Barbados	—	—
	<i>Employment</i> ...		Barbados	—	—
	<i>Friendship</i> .....	Topsham	New England	—	New England ships, to carry only such stamens as are inhabitants of New England.
	<i>Greyhound</i> .....	London	England	—	
	<i>Abion</i> galley ..	—	Newfoundland	—	{ On the recommendation of the Ordinance. To carry 300 tons of stores for works and fortifications freight free.
	<i>Heart pink</i> ....				
	<i>Rotterdam</i> .....				
	<i>Merchant Hopewell</i> .....				

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Date.	Ship.	From	Destination.	Cargo.	Notes.
5 Feb.	<i>Society</i> .....	—	Newfoundland	—	{ On the recommendation of the Ordnance, To carry 300 tons of stores for works and fortifications freight free.
	<i>Desire</i> .....				
	<i>Mary pink</i> ....				
	—	London	Barbados	Provisions, etc.	—
	<i>Canary Merchant</i>				
	<i>Phoenix</i> .....				
	<i>Virginia Merchant</i>	Plymouth	Maryland	—	{ <i>Virginia Merchant</i> has a cargo of 5000 <i>l.</i> value on board and has been ready to sail since before Christmas.
	<i>Maryland Merchant</i>				
	—				
	<i>Somerset</i> .....	Minehead	Barbados	White herrings	Ready to sail 22-3 December: embargoed while waiting in the port of Minehead for a wind.
	<i>Elizabeth</i> .....				
5 Feb.	<i>Nisbett</i> .....	—	Barbados	Stores and provisions.	"The Inhabitants . . without Speedy Supplies cannot Subsist."
15 Feb.	<i>Bellomont</i> .....	—	New England	{ The goods and equipage of Col. Dudley, Governor of Massachusetts Bay and New Hampshire.	—
	<i>Michael and Samuel</i>				
19 Feb.	<i>Prosperous Hannah</i>	—	Barbados	Provisions and perishable commodities.	—
	<i>Henry</i> .....				
	<i>Tryon</i> .....				
	<i>William &amp; John</i>	Newcastle	Newfoundland	—	Carrying 30 chaldrons of coals freight free for his Majesty's service.
	<i>Elizabeth</i> .....				

[pp. 305-355.]

## ANNE. VOL. I. (8 March 1702—18 Jan. 1704.)

1702.

8 March. [860.] (1) Upon reading this day at the Board the Petition of Thomas Ship Passes. Power junr. of Biddeford Merchant and others, humbly praying that the Hope of Biddeford, Gilbert Berry Master, Burthen Seventy Tuns with Six Men, which was Manned, Victualled, Cleared at the Customs House long before the Embargo, and Laden with Goods Proper for Virginia, Sailed from Biddeford on her intended Voyage, and was above a fortnight at Sea, but by the late Storms and contrary Winds was Driven into Ilford Comb; may have leave to Sayle, It is Ordered in Council that the said Ship Hope with Six Men be Protected and Permitted to proceed on her Intended Voyage, Notwithstanding the Embargo, Provided the Petitioners make out the truth of their Allegations above recited; And the Right Honourable

the Lord High Admirall And the Lords Commissioners of the Treasury are to give the necessary Directions accordingly. [p. 22.]

(2) [On this date, similar orders are issued for \*Samuel Barwick of Antigua, *Samuel*, 200 tons: George Wheateley and 18 men, to Antigua, carrying pease, bread, flour and other perishable goods for the subsistence of the people of Antigua. James Crispin: *London*, 200 tons: James Crispin with 14 seamen and 4 able landmen, to Montserrat, with provisions, powder, arms and other necessities for the use of the island. John Buck: *Dolphin* of Bideford: Jonathan Fallomy and 7 men, to the West Indies; at sea seven weeks before the embargo, but driven back to Ilfracombe. Benjamin Braines: *John* of London, 250 tons: Richard Berwick and 17 men, Isle of Wight to Virginia, with a loading of considerable value proper for that country and divers passengers: sailed on 30 December, and driven back to Plymouth by stress of weather. William Scott: *Providence* pink, 50 tons: Charles Hunt, 5 men and a boy, to Londonderry and Barbados, with perishable commodities: ready to be cleared when the embargo was laid. Stephen Godin of London, *David*, 60 tons: John James and 7 men, to Madeira and the West Indies, sailed in December: forced back to Plymouth from 70 leagues beyond the Scilly Islands. Samuel Everaen of New England: *Friends' Adventure*, 60 tons: John Vauteman and 6 men, from London to New England, the crew are New England men and the cargo consists of English manufactures. John Forster of New England: *Boston*, 100 tons: 8 men, to New England; Ditto. Robert Haysham: *Employ*: Charles Culliford, to Madeira and Barbados; provisions and woollen manufactures to be unloaded at Madeira, and a fresh cargo taken to Barbados. John Goodman and Thomas Drake of London: *Ozenden*, 140 tons: Elias Pearse and 16 men, to Jamaica; with provisions, arms and 21 tons of coal for the use of the island: stopped by the embargo while clearing at the Custom House. Robert Bristow and Richard Perry of London: *Johannah*, 120 tons: Richard Burbridge and 9 men, to Ireland and Virginia; carrying 1000 bushels of salt, and designing to load provisions in Ireland for the petitioners' ships in Virginia, which have waited three or four months in hope of a convoy, and will be much straightened for want of provisions unless supplied. James Cock and Henry Ceane of Plymouth: *Daniel* pink, Richard Pearse and 5 seamen and 2 landmen, to Virginia; cleared before the embargo, but kept back by contrary winds. William Nicholas and Richard Harris: *Primrose*, 70 tons: Edward Thompson and 7 men, to Jamaica; sent from Jamaica for naval stores, ammunition, and provisions of absolute necessity for subsistence and defence. Joseph Jory, agent for Nevis: *Mary and Sarah*, 240 tons: James Elleis and 18 men and boys, to Nevis, with 600 firelocks from the Tower in 24 chests, for the forts in Nevis. Charles Cox: *Southwark*, 200 tons: John Tuckey and 18 men, to Jamaica; cleared and ready to sail by 24 Dec., but detained by contrary winds: laden with bread, beer, malt and other necessities. Joseph Martin of London: *Exchange*, 100 tons: Nicholas Burrows with 10 men, from Bristol to Cork and Nevis; sailed in November, but driven back for repairs: laden with herrings, beef and other provisions which do daily suffer great damage. [pp. 22-31.]

8 March.

\* The name of the petitioning owner precedes that of the ship, and that of the master follows.

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18 March. (3) John Rolles: *New Hopewell*, 140 tons: John Rolles, 13 men and a boy, Poole to Newfoundland; sailed 29 November, driven back and damaged by storm. James Doliff of London: *Speedwell*, 70 tons: Robert Hatch, 7 men and 2 boys, Dartmouth to Ireland to take in provisions for Newfoundland; the petitioner's correspondent at Dartmouth has procured a number of able seamen equal to the ship's complement for service in H.M.S. *St. George*. Sir William Phippard: *Dolphin*, 200 tons: Josias Toms and 14 men: *Katherine*, 30 tons: Hugh Rockett and 5 men, to the Isle of May and Newfoundland; according to the petitioner's desire, 200 men from Poole have entered on board H.M.S. *St. George* and other ships of war.

[pp. 42-3.]

26 March. (4) Symon Cole of London: *Tobias*: David Roberts and 6 men, Dartmouth to Newfoundland; to bring home fish belonging to the owners, who have sent six able seamen on board the *Elizabeth*, tender to H.M.S. *St. George*. Micaiah Perry of London: *Richard and Sarah*: 300 tons, Edward Forrest and 18 men, to Virginia; with materials to rebuild the State House and prison lately burned: and with arms and ammunition. Samuel Turrell: *Lydia*, 100 tons: Samuel Turrell, 8 men and a boy, to return home to New England; owned and manned by New England men: carrying bale goods, cordage and other English products and merchandise. James Aynsworth of London: *Wheeler* frigate, 200 tons: 36 men, to Guinea with stores for the Company: thence to Barbados with negroes; ready to sail for two months. John Champante: *Hopefor*, 120 tons: John Cumby and 14 men, to New York, with "a Double Clothing" for the four independent companies. Thomas Byfield: *Friends' Adventure*: 80: Michael Cole and 8 men, to South Carolina; to supply a great want of arms and ammunition there. Benjamin Braines of London: *Dover Merchant*, 90: Richard Hubbard and 9 men, to Maryland; in place of the *Barbados Merchant*, for which a pass was secured on 29 Jan., but which refuses to sail. Samuel White of London: *Rainbow*, 300: William Young and 20 men, to Barbados; with 1200 barrels of strong beer, and considerable quantities of bread, pease, oatmeal, flour and other goods for the troops and inhabitants. Nathaniel Balston: *Elizabeth and Mary*, 100: Nathaniel Balston and 9 men, to return home to New England; manned by New Englanders, and laden with English manufactures.

[pp. 59-63.]

12 April. (5) Forty-nine ships, all named in Register: to Newfoundland; if ready to sail by the beginning of May (this applies to all the passes of this date). In one case the vessel is to carry beef, pork, &c., to the Isle of May and there load salt. William Wallis: *Hope*: Aaron Everden and 30 men, to New England; to load masts for the Navy according to contract (cf. 808) Thomas Turner of Exeter: *Thomas and Samuel*, 10: Daniel Browne and 16 men, to Ireland and Barbados. Thomas Clarke: a hoy with 3 men, to Cherbourg; for the rigging and other salvage of the *Happy Return*, wrecked on 5 October while coming from Antigua. Cap. Vavasor Cago: *Bebuda*, 100: 8 men, to Antigua. Nathaniel Marks of London: *Philadelphian*, 120: Nathaniel Puckle and 10 men, to Pennsylvania; with passengers and goods: on 21 May Richard Harvey, one of 6 men impressed from this ship, is ordered to be released as being entrusted with confidential business by one of the owners. [p. 130.] Thirteen ships, all named, to Virginia; with passengers, necessaries, woollen manufactures and other goods. Bigloy Wilson for John Harris: *Sarah*, 90: Andrew Elton and 10 men, Topsham to New

1702.

England; with woollen manufactures. Thomas Corbin and Robert Dunkley: *Martha and Sarah* of London, 120: Thomas Crofts, 10 men and a boy, to Maryland; to bring home the petitioners' effects. Robert Cago and Edward Morris: *Morris* galley: Nevison Taylor and 16 men, to Guinea; for negroes for the petitioners' and other plantations in Virginia. Charles Noden and Charles Hosier: *Carolina Merchant* pink, 120: Thomas Foster and 14 men, to Carolina; with 40 passengers and cargo. James Wallis of Bristol: *Nightingale*: John Noyes and 7 men, to Barbados; to bring over tobacco sent from Virginia in the *Sarah*, which sprung a leak and had to put in to Barbados. John Hall of London: *Lucy* frigate, 150: William Evans and 18 men, to Madeira and Jamaica; to carry wine from Madeira to Jamaica. Samuel Hutchins: *Newnham*, 80: William Wassell and 8 men, to Madeira and Jamaica; to carry wine from Madeira to Jamaica. Francis Rogers of Bristol: *Robert and Francis*, 200: John Burroughs and 16 men, to Ireland and Jamaica; with 100 tons of perishable commodities and to take in 1000 barrels of beef at Cork. Barbados merchants: *Hamover* galley, 70: 10 seamen and 6 landsmen, to Guinea; for negroes for Barbados. Abraham Mendez of London: *Adventure*, 120: John Blackburne and 10 men, to Barbados; with provisions and other necessaries much wanted there. Josua Gee of London: *Unity* of Bridgwater, 80: 7 men and 2 boys, to the West Indies; with fish and other commodities. William Holberton, master of the *Mary*, 50, with 5 men and 2 boys, to return to New England; the crew being New Englanders. John Smith of Bideford: *Laurel*, 120: Thomas Whitefield and 15 men, to Maryland; with English manufactures. Sylvanus Grove of London: *Recovery*, 150: 10 men and 2 boys, to the West Indies; with bread, oatmeal, pease, etc. 11 vessels, all named, to Newfoundland; three of these sail first to Portugal, as the lading is to be taken in there. [pp. 82-94.]

(6) Abel Ward: *Katherine* sloop, 60: Henry Van Bael and 9 men: and *Endeavour* brigantine, 40: Thomas Duly and 6 men, Isle of Wight to the West Indies; with provisions. Six ships, averaging nearly 300 tons, to West Indies; to sail under convoy with stores for Admiral Benbow's squadron. 13 April.

(7) John Burrige and Joseph Paice: *John* of Lyme, 100: Robert Read and 11 men, to Barbados; with provisions. *Thanet*, Robert Eason, to New England; for masts and naval stores for her Majesty's service. 19 April. [pp. 99-101.]

(8) [The declaration of war against France and Spain is read, and a strict embargo laid.] 2 May. [p. 111.]

(9) *Katherine* sloop, Henry van Bael; *Industry*: James Bridgeman; and *Adventure*: Thomas Dudley: Cowes to Boston and New York. *Hopeful*: John Cumby and 13 men, to New York; with clothing for the four companies there. *Friends' Adventure*: Michael Cole and 8 men, to South Carolina; with arms, ammunition, and other English merchandise. [pp. 123-4.] 14 May.

(10) John Baker of London: *Charles* galley, 70: Bristol to Barbados and Jamaica; with packets from the Secretary of State. [p. 135.] 24 May.

(11) *Joseph* of Carolina, James Norman and 8 men: to Bermuda; with packets from the Secretary of State. [p. 138.] 31 May.

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- 1702-4.  
11 June. (12) [On a memorial from the Lord High Admiral, the embargo is removed.] [p. 146.]
1703.  
1 Feb. (13) [On a memorial from the Lord High Admiral, for the more effectual and speedy manning of the fleet, an embargo is laid on all ships till those already cleared furnish one-fourth and those not yet cleared one-half of their complement for service in the fleet. Coasters are to have no pass till one-half the seamen of their respective ports have been produced and entered Her Majesty's service.] [p. 300.]
- 4 Feb. (14) [The Lord High Admiral is authorised to issue passos to ships which have complied with these conditions to enable them to sail immediately.] [p. 305.]
- 4 March. (15) [It is referred to the Lord High Admiral to report on the petition of several merchants that their ships (names not given in Register) with provisions for Virginia may be allowed to pass Gravesend and join the convoy in the Downs as they may then more readily furnish the required half of their men for the fleet.] [p. 330.]  
[Similarly referred is the petition of several merchants trading to Newfoundland for permission for their ships to set sail.] [p. 330.]
- 7 March. (16) [On his report, 18 named ships are allowed to sail to Newfoundland, without supplying the number of men required by the Order of 1 Feb.] [p. 335.]
- 16 March. (17) [On his report, on the petition of Edward and Dudley Carleton, merchants of London, the *Providence*, Thomas Markin master, 18 men, is allowed to sail for Maryland on supplying four men to the fleet. On his report on the petition of the merchants to Barbados, 7 named ships are allowed to sail to Barbados with the present convoy, though they have not furnished their whole quota.] [p. 330.]
- 20 March. (18) [On the petition of John Lordell, Nicholas Hutching and other merchants, the *Reformation*, John Province master, 9 seamen, 18 landsmen, and the *Partridge*, Joseph Prall master, 6 seamen, 12 landsmen, are allowed to sail from Topsham with the convoy, if the Lord Admiral have no objection.] [p. 338.]
- 23 March. (19) [On a memorial from the Lord Admiral of 19 March, the embargo is taken off all ships outward bound.] [p. 341.]
1704.  
15 Jan. (20) [Several Newfoundland merchants referred to Lord Admiral.] [p. 508.]
- 28 Jan. [Granted on his report. Ships not named.] [II. p. 37.]
1702.  
26 Nov. [861.] (1) Upon reading this day at the Board the Petition of the Merchants and Owners of the Ship Richard and James, James Greenwell Commander, Burthen Three hundred and



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Fifty Tuns, Twenty four Guns with forty men, bound for Virginia, humbly praying that the said Ship being of Good Defence, may not be Embargo'd by the Governor of Virginia, but may Sail from thence to London as soon as she shall be Laden. It is ordered by Her Majesty in Councill that it be, and it is hereby Referred to His Royall Highness Prince George of Denmarke, Lord High Admirall, who is desired to consider of the matter of the said Petition, a Copy whereof is hereunto annext, and to Report to this Board what His Royall Highness thinks fit to be done therein. [p. 249.]

[Upon reading this day at the Board a Report from His Royall Highness Prince George of Denmarke Lord High Admirall in the words following, vizt. : 3 Dec.

Her Majesty having been pleased by Her Order in Councill of the 26th Instant, to referr unto me, the Petition of the Master and Owners of the Ship Richard and James, James Greenwell Commander, Burthen 350 Tuns, 24 Guns, with 40 men bound for Virginia, wherein they pray that the said Ship may not be Imbargoed by the Governor of Virginia, being of Good Defence, but permitted to sail from thence to London as soon as she shall be Loaden, I have considered of the same, and doe report to Her Majesty that I have no Objection to the Petitioners having their desire granted, which is nevertheless submitted to Her Majesty.

By Command of his Royal Highness. George.

J. Burchett.

Admiralty Office, 30th November, 1702.

Her Majesty in Councill approving the same, is Pleased to Order, as it is hereby Ordered that Francis Nicholson Esqr. Governor of Virginia or the Commander in Cheif thereof for the time being do not lay any stop or Embargo on the said Ship Richard and James but to suffer and permitt her and her Lading to Returne from Virginia to London when the Master or Owners shall think fit according to their Request.

[pp. 252-3.]

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31 Dec. (2) [Similarly dealt with are] *Golden Lion*, John Gundry, 26 guns and 50 men; and *Baltimore*, Matthew Foster, 24 guns and 40 men, Virginia and Maryland to London, having already received letters of marque; referred to Lord Admiral on 31 Dec., 1702 [*p.* 280]; petition granted on 7 Jan. 1703, on his report. [*pp.* 283 and 286.]

8 March. [862.] [The public seals in use in the plantations in the  
The new time of the late king are to be made use of till others are  
Reign. sent.] [*p.* 12.]

9 March. [A draft of a proclamation for proclaiming the Queen in the plantations is approved and ordered to be printed and sent to the plantations.] [*p.* 15]. [A proclamation for continuing persons in offices in the plantation is also given under this date.] [*p.* 15]. [Formal letters sent with these proclamations to the Governor of Barbados, to the Proprietors of Carolina, and to the Governor of New York for East and West New Jersey, are also given. *pp.* 18-20.]

31 May. [On a representation from the Board of Trade, new seals are ordered to be prepared and sent.] [*p.* 136.]

18 March. [863.] [Order is made for the passage to Barbados on  
Barbados. board a man-of-war of Governor Mitford Crowe, with 150 tons of shipping for his household goods.] [*p.* 37.]

18 March. [864.] [A memorial from Joseph Dudley, Governor of  
New Massachusetts] humbly offering to consideration, whether it  
England. might not be for Her Majestys Service that one of the four Companys of Foot now at New York be removed from that Province and disposed in Proper Places within the Provinces of the Massachusetts Bay and New Hampshire in New England for their Security and Defence [is referred to the Board of Trade: and another] relating to Cannon and Great Ordnance for the Fortifications, in the Province of the Massachusetts Bay in New England as also humbly praying, that the Adventure Brigantine may have Liberty to Import from Holland forty Barrells of Gun Powder in Order to be

shipt for New England, and that the Katherine Sloop may Import the like Quantity to be shipt for New Yorke for the Benefitt and Defence of Her Majestys Subjects there, [to the Officers of the Ordnance]. [p. 38.]

[The desired permission to import powder into Massa- 26 March.  
chusetts Bay and New York is granted.] [p. 54.]

[865.] [The Council approve, and give orders in accordance 26 March.  
with, the following representation of the Board of Trade]:— Newfoundland.  
The Season of the Year Approaching for the usuall Convoys to be sent to Newfoundland, We humbly take leave to lay before Your Majesty such Account of the State of that Place as We conceive necessary for the further Security and Advantage thereof.

The Importance of that Trade and Fishery being very great, to this Kingdome and severall Provisions having been made by a late Act of Parliament for the better regulating the same, We did in pursuance thereof prepare particular heads of Enquiry and Directions, which were accordingly given by the Lords Commissioners of the Admiralty to Captain Graydon Commander in Cheif of the Squadron sent thither the last Year unto which We received Answers; And humbly Offer to Your Majesty, that it does appear to Us;

That the Inhabitants in Generall have not a due regard to the severall Regulations for the more Advantageous, Managment of the Fishery; It being found that Northward of St. Johns as far as Carbonier, and to the Southward as far as Ferryland, the Trees are Rinded and the woods Destroyed as much as before the late Act.

That the Admiralls and Masters of Ships do not Exactly observe the Rules prescribed by Act of Parliament.

That the Vessells from Newfoundland Supply the People of Newfoundland with Provisions.

That European Commoditys are carryed Directly from France, Spain, and Portugal to Newfoundland in English Ships, contrary to Law, and Sold or Truckt, with the Traders

1702.

from New England, for Tobacco, Sugar and other of the Enumerated Commodities, and carryed to Forreign parts ; So that at the latter end of the Year the Masters are wholly taken up in the management of that Illegal Trade, which might in some measure be prevented, had the Officer or Officers, Commanding Your Majestys Ships, Power like that of a Custome house Officer, to Seize such Goods.

That the New England Traders Seldome depart the Country, 'til the Men-of-War are first Sailed ; And then they carry with them Numbers of Handy Crafts Men, Seamen, and Fishermen, whom they Entice thither in expectation of great Wages.

That the Masters of Ships are very negligent in bringing their Men Home, whereby they save the Charge of their Passage, and those Men so left are enticed and Carryed to New England.

Against which Irregularitys, We humbly conceive it necessary that the Commander of the Convoy now going thither be directed to take Care as far as in him lyes, that upon his arrival there, the best remedys be applyed for the prevention of those Mischeifs : And that upon his Report some further Clauses be Proposed at the next Sessions of Parliament, for the more Effectuall regulating that Trade.

As to the State of the Fortifications in St. Johns Harbor which is the Principal Place of Defence, We have already humbly represented that Stone and other Materials are wanting for compleating the same, for the Transporting of which, We have disposed some Merchants to be Assistant with their Ships at easy Charge ; and We humbly Offer that Your Majesty would be Pleased to give the necessary Directions therein to the Master Generall of Your Majestys Ordnance.

And Whereas there is wanting a Boom and other Materials for Floating and Fixing a Chain, which has been sent thither some time since for the Security of that Harbour ; And the Officers of Your Majestys Ordnance having alleaged that the

Charge thereof ought to be born by the Navy Board, and that Board (on the other side) having insisted that the Care of this Service appertains to the Board of Ordnance; We humbly Offer that Your Majesty be pleased to interpose your Directions that this necessary Service be Performed.

And it having been further Offered to Us, that it may be usefull for the better carrying on the Works there, that the Seamen on Board your Majestys Ships of War have Orders to Assist therein, dureing their Stay in those Parts, We humbly Report to Your Majesty that those Orders have been formerly given, and further Offer that they be now renewed, as likewise that such other Workmen, and what ever else may appear necessary to the Office of Ordnance for these Services, by the Informations they have received, be sent thither with the aforementioned Materials.

And Whereas Your Majesty has there one Company of Foot consisting of Eighty Men beside Officers, for whom all necessarys are Yearly sent by every Convoy; We humbly lay before Your Majesty hereunto annexed the several accounts of what appears to Us to be wanting for the Support of the said Company in Subsistence, Cloathing, and Provisions for the Provideing of which the most Speedy Orders are requisite.

In relation to the said Company, We further humbly Report that We have received from Captain Powell their Commander, severall Letters of Complaints against the Agent Employed in Transacting for them here, As if he had not duly remitted the Subsistence Mony allowed them according to their Establishment; To which having required the said Agent to give Answer, He has Stated, and layed before Us such Accounts of his Transactions as seem to Us to be without Exception; But in Order to the more perfect Examination of those matters, We humbly Offer that Copys of all Papers relating thereunto be given to the Commander of this Years Convoy and that he be Directed to Report his Opinion thereupon and redress as far as in him lyes what he shall find amiss.