

Appeals to the Privy Council

Calendar of State Papers Colonial Series

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Thayre v [Savage]

Massachusetts

Calendar of State Papers Colonial, America and West Indies, Volume 11: 1681–1685, J. W. Fortescue, ed. (London: Longman, 1898), no. 834, p. 347:

Dec. 8. Whitehall.	834. Order of the King in Council. Referring the petition of Richard Thayre to the Lords of Trade and Plantations for report. <i>Signed</i> , Francis Gwyn. $\frac{1}{2}$ p. <i>Annexed</i> ,
	834. I. Petition of Richard Thayre of Braintree, New England. I went to New England forty years ago and bought a large tract of land from Wompatuck Josias, an Indian Sachem, which is now called Braintree. Though the southern bounds of Massachusetts are fixed by charter, they have lately enlarged them by an imaginary line, and thereby taken Braintree and other lands belonging thereto into their jurisdiction, and disposed of a great part of my land to Captain Thomas Savage and Captain Clapp. These men have long distrurbed me in possession, and I was compelled to defend my title at Boston. But the Court would not allow my enrolled deed from Wompatuck, and I thereupon appealed to your Majesty in Council, but this also was refused. Three years ago I came over to England to appeal in person, but was dissuaded by the Agents Bulkeley and Stoughton, who assured me that I should have justice in New England. I therefore returned thither, where, instead of being restored I have been dispossessed and ruined. Now as Braintree lies outside the jurisdiction of Massachusetts, I and the other Proprietors wish to be under your Government and not under the tyranny and oppression of Massachusetts. I beg for consideration and redress. <i>Copy. 2 pp.</i> [<i>Col. Papers, Vol. XLIX., No. 122, and Col. Entry Bk., Vol. LXI., pp. 168, 169.</i>]

The manuscript document from TNA, [CO 1/49/122](#).

Calendar of State Papers Colonial, America and West Indies, Volume 11: 1681–1685, J. W. Fortescue, ed. (London: Longman, 1898), no. 989, p. 402:

March 2. Whitehall	989. Order of the King in Council. Report of the Lords of Trade and Plantations on the petition of Richard Thayre (<i>see ante</i> , No. 834). On consideration of this case we are of opinion that the petitioner's appeal should be heard by you in Council, that the town of Braintree be required to furnish copy of the deed wherein Thayre is concerned, and that the Government of Massachusetts give notice to Thomas Savage and Captain Clapp of this appeal, dated 10th February. Ordered accordingly. The case to be heard at the
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	first council day of next Michaelmas term. <i>Signed</i> , Francis Gwyn. [<i>Col. Entry Bk.</i> , Vol. LXI., pp. 169–170.] [Now CO 5/904, pp. 169–170.]
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Calendar of State Papers Colonial, America and West Indies, Volume 11: 1681–1685, J. W. Fortescue, ed. (London: Longman, 1898), no. 1620–21, p. 613:

[April 2.]	1620. Petition of Richard Thayre to the King and Privy Council. On receipt of the Order in Council of 2nd March 1683 (<i>see No. 989</i>) I sailed for New England, and delivered a copy thereof to Governor Bradstreet and to the select men of Braintree. The select men absolutely refused to call the inhabitants together as the Order directed. A few days later Governor Bradstreet issued a warrant to call the inhabitants together to choose jurymen for the Court, and then, after taking a copy of the Order, they bade me go about my business, defying me to prove the seal to be that of the Council. They said that it might be made under a hedge for all they knew, and the King was nothing to them and they were a free people. I beg either that I may be restored to the possession of my lands till the trial be over or the Government prove that it is theirs by purchase, or that your Majesty will make some other Order for my relief. 1 <i>p.</i> <i>Endorsed</i> . Read in Council 2 April 1684 and referred. Read 9 April. [<i>Col. Papers, Vol. LIII., No. 65.</i>]
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The manuscript document from TNA, [CO 1/54/65](#).

April 2. Whitehall.	1621. Order of the King in Council. Referring the petition of Robert Thayre to Lords of Trade and Plantations for report. (<i>See preceding abstract</i>). <i>Signed</i> , Phi. Lloyd. <i>Memorandum below</i> .—On consideration hereof the Lords think that petitioner must attend the issue of the <i>quo warranto</i> against the charter of Massachusetts. [<i>Col. Entry Bk.</i> , Vol. LXI., p. 212.] [Now CO 5/904, p. 212]
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