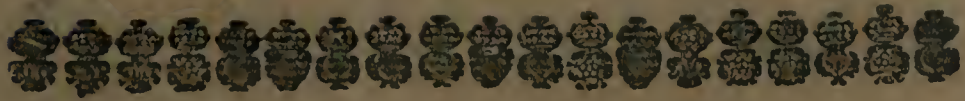


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JOURNALS

OF THE

HOUSE *of* REPRESENTATIVES

OF HIS MAJESTY'S PROVINCE OF
THE MASSACHUSETTS-BAY

1715



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House of Representatives
of the
Province of the Massachusetts-Bay



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No.....



Province of the
Massachusetts-Bay.

At a Session of the Great and GENERAL COURT,
Held at Boston, October 14th. 1713.

Resolved,

THAT it is for Her Majesties Service there be some Town-ships regularly Planted and Settled in the most Defensible manner, in the County of *Tork*, in the late Province of *Mayne*.

THAT a Committee be Appointed by this Court to Receive and Examine into the Claims of all Persons whatsoever, to Lands in the late Province of *Mayne*; who are therefore Ordered within Three Months next coming, to shew forth their Titles accordingly.

THAT there be Five Town-ships allowed at present; One at *Black Point*, One at *Saco*, One at *Old Casco*, One at *North Yarmouth*, and One at the Mouth of *Kennebeck River*.

THAT in Order there-unto the above-said Committee do forth-with Meet, Appoint their Clerks, and by them give Convenient Publick Notice of their Powers and Orders, and of the certain Times and Places of the said Committees Meeting, in Order to their bringing in their respective Claims, which being done to the Satisfaction of the Committee; They are Impowred to Admit them or others for them, with their Consent to the Number of One Hundred Families for each Place, who shall sit down Close and Defensible near the Sea-side, upon small Lots, not Exceeding Three or Four Actes to each Family, with Accommodations in Land suitably Extended for the Erecting a Town-ship.

THAT the above-named Committee, Do report the Claims and Proposals of the Proprietors and Others, for the Orderly Settlement of the said Towns, unto the next Session of this Court, that so a further Consideration may be had there-upon.

THAT no Person or Family presume in the mean time, and before the Committee shall Proceed to Order the proper Places, Except *Tork*, *Ruttry*, *Barwick* and *Wells*, to Build or Settle in any part of that County without License first had from the Governour and Council.

At a Session of the Great and General Court, Held at Boston,
February 10th. 1713.

Resolved,

THAT there be forthwith Ordered a Survey of a suitable Place to Erect a Town at or about *Casco*; the House Lots to be laid out, and a suitable Quantity of Out-Land Allotted for them: Which done, the Proprietors thereof to be Notified and Allowed to Settle the same, according to the Method proposed by this Court; and upon their Refusal, the General Court to have further Consideration thereof.

THAT there be forthwith Imprinted a sufficient Number of the Resolves of the General Court, to be dispersed into all the Towns of this Province; and that the Proprietors of Land at *Black Point*, *Saco*, *Old Casco*, *North Yarmouth*, and the Land upon *Kennebeck River*, be directed to Attend the Committee to shew forth their Claims, and offer their Proposals about Settling the said Towns; and further Time of Six Months be allowed for the same.

And that the Names of the Committee, with the Time and Place of their Sitting, be also inserted.

Isaac Addington, Secr.

BOSTON: Printed by B. Green, Printer to His Excellency the GOV. & COUNCIL. 1713.

The Names of the
Committee.

Elisba Hutchinson Esqr.
Isaac Addington Esqr.
John Phillips Esqr.
Paul Dudley Esqr.
John Clarke Esqr.
Edmund Quincy Esqr.
Thomas Oliver Esqr.
Ab. William Denison
Ab. John White.

The Committee Meet
at the Town-House in
Boston, On the Second and
Fifth Tuesday's of each
Month.

M. A. C. S. (copy) Great Court House of the State

JOURNALS

of the

HOUSE *of* REPRESENTATIVES

Of His Majesty's Province of the
Maffachufetts-Bay

1715

Edited by

WORTHINGTON CHAUNCEY FORD



BOSTON, Maffachufetts

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Statement of the Government of India

for the year ending 31st March 1911

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[Royal arms used in the session laws of May and July, 1715.]

A COPY of the printed Journals of the House of Representatives of his Majesty's Province of the Massachusetts-Bay in New England for the session which began at Boston on May 25, 1715, was given to Samuel Sewall by the printer, Bartholomew Green, on July 12, three weeks after the Governor had in angry mood prorogued that body. Stung by a slighting comment passed by Governor Dudley on their proceedings, the members of the House determined to print the full Journal of the session, as the best means of defending themselves. Thus began a practice of printing the Journals of the House which was continued in an almost unbroken series till the Revolutionary War. The convenience of having the record in such a form would alone have justified the publication; as time passed, the political advantages were also recognized, and the long controversies arising between the Governor and the House, or between the Council and the House, led to many papers, worthy to be called state papers, being spread upon the pages of the Journals. Such publications were intended more for the constituents of the House than for any effect they could produce upon those immediately engaged in the controversies; and, in the absence of an active press, the political questions received their discussion in messages, addresses, declarations, or the more formal proclamations, — the most final of all expressions of opinion.

The beginnings of this publication were small and uncertain. The clerk of the House was directed to prepare a copy of the Journal, and the representatives of Boston were desired to take care that the printing was seasonably done. The question of cost does not appear to have been considered at this time; but the expediency of continuing to print was at once recognized, and in the second session of this General Court measures were taken to learn the cost, and provide for the future regular appearance of the votes or minutes during the session. On June 30, 1715, the representatives of the Town of Boston were again desired to take the care of printing the Journals of the session, and "to Treat with a Printer about the Terms upon which they may be Printed here after."¹ Green was at this time printer to the Governor and Council, and appears to have been the only printer who submitted an estimate. He offered to print the Journals of the House "and all the other Printing directed by the Government, for the space of Seven Years next coming; and to furnish each Member of this Court, with a Copy of the said Votes, free of charge, on each *Tuesday, Thursday and Saturday*, of the several Sessions, during that Term, upon his being Allowed *Thirty Pounds per Annum* for his Service."² This offer was accepted by the House, and the concurrence of the Council was desired, but not given. The session came to an end while the matter was before the Council,

¹ *Post*, p. 48.

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² *Ibid.*, p. 52.

Council, and so the care of the printing of the Journal fell upon the representatives of Boston, "upon the foot of the Agreement with Mr. *Green* the Printer."

Thus for three sessions the House of Representatives took upon itself the printing of its votes and minutes, without any encouragement from the Governor and Council. The fourth and last session began on November 23, and continued until December 22, but the Journal was not printed, as the following entry in the proceedings in the House on June 27, 1716, proves: "An Accompt of Bartholomew Green, for Printing the Journal of this House, in their Sessions begun in May, July and August, the last Year, and finding Paper, Folding and Stitching them, Amounting to the Sum of *l.22 17s. 6d.* Presented to the House for Payment"—and allowed. Had the Journal of the November session been printed, it would have been mentioned with the others.

It is to be noticed that in each case the entire session was printed as one piece, and without title-pages. The form adopted was modelled after that of the printed laws, and had been used by the Governor and Council when they issued any resolves of the General Court. I have found one such resolve in the collections of the Boston Athenæum, and have reproduced it in a reduced form to serve as a frontispiece to this volume. It is the only issue in that form that I have seen, and might easily be mistaken for a page from the printed Journals, although no Journals were printed until 1715.

In default of the Journal of the House of Representatives for its November session (and the original manuscript records were long since destroyed), I have given the minutes of the Governor and Council during the sitting. Partial though this record is, so far as the proceedings of the House are concerned, it is better than nothing, and at least shows what business was sent up from the House. The minutes may also be accepted as the best contemporary record of public business, as they alone were copied to be sent to the English ministry, and not until the practice of printing the House Journals was introduced were these latter sent in like manner to the British authorities.

The political history of this session calls for little notice, as it turns more upon the change in the governorship than on any other factor. I have so fully described in another place the contest between the Governor and the Council for control of the government on the death of Queen Anne, that there is no necessity for attempting a summary of that intrigue.¹ Governor Dudley was restored to power by the act of the King, but enjoyed the office only a short time. For about a month before the date of the session it was known that Col. Elizeus Burges had been appointed Governor.

It would be unprofitable to exhume Elizeus or Elisha Burges from the oblivion which now engulfs him. Perhaps it would be unkind to do so, for the little we know of him is not greatly to his credit. There was a commission issued from Kensington, 13 March, 1693, appointing him to be "Brigdr and Eld-Lieut." in the Second Troop of Life Guard, but he had dropped from the regiment in 1694. We know that he served under General James, afterwards Earl Stanhope, in Spain, perhaps participating in the capture of Minorca in 1708, and in the surrender at Brihuega in 1710. Stanhope became second Secretary of State in 1714, under George I, and Hutchinson tells us that it was by Stanhope's interest that Burges was appointed in February, 1715 (the commission passed the seals March 17), and Sir William Ashurst wrote that the General (Stanhope) had promised to be answerable for his (Burges) good behavior.²

If Dudley was already discontented, the intelligence of the new appointment was not fitted to soothe his feelings. Bodily ills came to him as an added discomfort, and the first day of the sitting found him confined by a fit of gout to his house in Roxbury.

¹ See *Proceedings of the Massachusetts Historical Society*, December, 1901, p. 327.

² Hutchinson, *History of Massachusetts*, II, 192 (ed. 1795).

Roxbury. He gave a *Dedimus* to Col. Phillips, Col. Lynde and Judge Sewall to administer the oaths to the Deputies. This they did, and listened to the election sermon of Rev. Jeremiah Shepard, of Lynn, who preached from Isaiah lxiii. 12: "That led them by the Right Hand of Moses, with His Glorious Arm, Dividing the Water before them, to make Himself an Everlasting Name." A single sentence of this discourse will show its tendency: "A work never to be forgotten, is the Lord's preparing this wilderness for his people when he swept away thousands of those salvage Tawnies (those cursed Devil worshippers) with a mortal Plague, to make room for a better People."¹ The Deputies then dined at the Green Dragon, and later elected the Councillors, all of whom were satisfactory to the Governor except Nathaniel Byfield, long an object of Dudley's personal dislike.

It was not until May 31 that the Governor was able to come into Boston, and in the following fashion: "Was carried in Cous. Duñier's Sedan: but twas too tall for the Stairs, so was fain to be taken out near the top of them. He vehemently urg'd passing the Ministers' Motion for a Synod."² Thus it happens that there was no message or paper from the Governor at the opening of the session. For the first time in his long and not untroubled career, Dudley had nothing to say or to write to the Great and General Court. Bodily ill may in part account for this omission, but it may also be assumed that mental distress played a share in making the Governor silent on this occasion. The representative of the King in the Province followed the practice of the King at home, and the message to the Assembly was the counterpart of the message or King's speech in Parliament at the beginning of the session.

The cause of the printing of the Journal is given on page 34 of this publication, and bears every evidence of being a true account. The Governor was not a man who softened his expressions of opinion. Sewall's *Diary* gives a number of examples, where, perhaps, the zeal of a partisan has not made the words any gentler than the reality and may have added somewhat to their force. "A Committee brought in something about Piscataqua. Gov^r said he would give his head in a Stand-Basket as soon as he would pass it." When Dummer was appointed agent of the Province in England, Dudley, to whom he was obnoxious, burst out that "he will be drawn asunder with wild horses, before he will be thrust upon as last year." It will be interesting to add the version of Judge Sewall: "Tuesday, June 21. In the Forenoon Gov^r signifies his Intention to prorogue the Court; had sat 4 weeks and done nothing, were distemper'd. Bill for the Tax Read; I express'd my desire that the voting of it might be left to a longer time, at least to the afternoon: but the Gov^r would have it voted then; and it past in the Negative because 't was but for 11,000*l*. I voted not because of great moment, and so suddenly call'd for. Deputies are sent for in, and the Court prorogued to the 20th July at 10. M."³

While the appointment of Burges was well known in the Province, no official notice from the ministry had been received when the Assembly met on the day appointed. Dudley desired a short session, and in fact there was little to be done beyond providing the treasury with money and paying some regard to the condition of the bills of credit, already threatened with disparagement, and a menace to sound public credit. These two questions, however, were precisely the two questions on which there was the greatest difference of opinion between the House and the Council. The former, as the popular body, responded more quickly to the wishes of the people; and the people had tasted of the first delights of a resort to paper money, and began to see in that dangerous instrument a means of relieving themselves of the necessity of taxation, while supplying a medium of exchange. The House would divide the amount of the tax already passed and submitted

to

¹ Mr. Lindsay Swift says, "I have not come across a more heartless Pharisaism than this." — *Colonial Society of Massachusetts*, I, 414.

² *Diary of Samuel Sewall*, III, 47.

³ *Ibid.*, III, 47.

to the authorities in England, postponing the collection of one-half of it to a later year. To this the Governor and Council were greatly opposed, and thus arose the dead-lock between the two bodies. The session continued to August 1, without result, and thus another session, from August 24 to 27, was made necessary, but again with only partial results so far as the principal issues were concerned. The Governor prorogued the Assembly to September 28, and on September 22 issued a proclamation proroguing the meeting to October 26. These were among the last acts of Dudley's official career.

After the Governor had issued this proclamation an incident occurred of some interest. A new Secretary of the Province, Samuel Woodward, arrived bringing a letter of recommendation from the new Governor, Colonel Burges, addressed to the President and Council. The day after his commission was produced a Council meeting was held, and Sewall gives at length what passed:

"Gov' sits by the side of the Table facing to the South; L' Gov' [Tailer] in one of the South windows. The Comissions were produc'd and Read, Oaths given. Then the L' Gov' stood up and with deference enquired whether his Comission did not supersede the Gov'. The Gov' answered No. L' Gov' said he reckon'd himself oblig'd to propound it, Should rest in the Council's Opinion. Some Debate was had. Col. Hutchinson propounded there might be a fuller Council. Others said 't was requisite it should be imediately determin'd. Capt. [Andrew] Belchar answered in the Negative. Mr. [John] Clark seem'd to hesitat. I express'd my self that I was of Col. Hutchinson's mind, but if my answer was now expected, I said that, seeing the L' Gov's Comission directed him to Govern by the Comission and Instructions of Gov' Burgess, in case of his death or absence, I was of Opinion that the L' Gov's Comission did not impower him to be Comander in Chief of this Province: Because neither the Comission nor Instructions, Nor any Authentick Copy of them, refer'd to in it, were arrived. L' Gov' did not like the Vote should be so put. 'T was propounded to put it, whether the Governour did not abide.

"The Gov' call'd for the Proclamation, which was read. L' Gov' said, Now other provision was made, he had a Comission from King George. Mr. Cooke said, making other provision refer'd to the charter. Others said, The clause refer'd to what was pass'd, not to what was to come hereafter. At length the Gov' dictated to the Clerk to this purpose, Whether the Government was devolved on the Lieut. Gov', the Comission of Gov' Burgess, nor any copy of it, by which was to govern, not being arrived. It was *Nemine contradicente*, carried in the Negative. [Wait] Winthrop, Cooke, Elisha Hutchinson, [Samuel] Sewall, Joseph Lynde, Eliakim Hutchinson, [Andrew] Belchar, [Edward] Bromfield, [John] Clark, [Addington] Davenport, Thomas Hutchinson, All Noes."¹

The attempt to throw Dudley from the Governor's chair was thus foiled for the time, and to escape further contest with the Assembly he again postpones the day of meeting:

"Third-day 8^r 18. The Gov' prorogues the Gen' Court to the 23^d Nov'. I and Mr. Clark voted against it. Gov' pretended Deference to Gov' Burgess in doing it, in expectance of his Arrival; but in the Proclamation, never read to the Council, he said nothing of it, which was gravaminous to some."¹ His opponents had not been idle, and were intent upon obtaining from England the papers needed to establish their contention. Early in November the needed copy of Col. Burgess's commission reached Boston, and the government devolved on Lieutenant Governor Tailer. It was Dudley's old opponent, Colonel Byfield who brought the commission, and inveighed against "our Agent Duñer for betraying him after Duñer had given him his Word and Hand that he had done with Dudley." There was nothing for Dudley to do but to acquiesce in the act of the King, and so it was the new Lieutenant Governor who met the Assembly in its November meeting.

The

¹ *Diary of Samuel Sewall*, III, 58, 59.

² *Ibid.*, III, 62.

The newspaper of the day gave an account of the ceremonies attending the change of head, and the notice of the next session of the General Court :

“On Wednesday last an Exemplification of His Majesty’s Most Gracious Letters Patents, bearing date the 17th of *March* last, Constituting, and Appointing *Elizeus Burges* Esq; His Captain General, and Governour in chief in, and over this His Majesty’s Province of the *Massachusetts-Bay*, were Read, and Published; upon which the Cannon of the Castle, and the South Battery of the Town were discharged.

“Then the Honorable *William Tailer* Esq; Lieut. Governour of the said Province, by virtue of the Powers, and Authorities there into him granted, and His Majesty’s Commission to him, bearing date the 28th of *April* last, (being first duely Sworn) Issued forth a Proclamation, by, and with the Advice and Consent of the Council, Requiring all Officers Civil, and Military, to continue in, and proceed to the Execution and Discharge of their respective Trusts, and Offices, till further Order.

“After which the Honourable Lieut. Governour invited the Counsellors, the Representatives of *Boston*, and the Gentlemen present to his House, Where His Majesty’s, the Prince’s, and all the Royal Family’s Health were Drank, as also Col. *Burges*’s, Col. *Dudley*’s, and Prosperity to the Trade, and Welfare of this Province.

“I am Commanded to give Notice, That the Great, and General Court, or Assembly is appointed to meet upon Wednesday the 23d of this Instant *November*, it being the day to which it now stands Prorogued, and then to sit and do business; and all Persons therein concerned, are to take due notice thereof, and conform themselves accordingly.

“By the Honourable Lieut. Governours

“Boston, Novemb.
9th. 1715.

Command with Advice of the Council,
SAMUEL WOODWARD Secr.”¹

Sewall in his *Diary* describes the opening of the last session of this Assembly :

“Nov’ 23. L’ Gov’ makes a Cold Treat to the Councillours and Commission Officers. Was not a House in the Fore-noon. Mr. Speaker and many Deputies visited the L’ Gov’ A. M. A little after 3 L’ Gov’ proceeded to the Town House. I went on his right Hand, Col. Lynde on his Left; Capt. Dyer and two of his Officers went before him; before them, Mr. Winchcomb bare-headed, Two Trumpets, 4 Serjeants in red Cloaths with Horlberts. Major Gen’ [Wait Winthrop], Col. Hutchinson, Capt. Hutchinson met the L’ Gov’ at the Town-House. By [John] Cushing, [Nathanael] Norden, [Addington] Davenport, L’ G. sent Message to the Deputies; The Lieut. Gov’ is in the Chair and expects your Attendance. Seem’d to be out of Breath in reading his Speech.”

On November 24 Mr. Cooke and others brought a message from the Lieutenant Governor appointing an election to fill the vacancies in the Council—four in number.

“Dec’ 1. Election. Voted twice, and brought it to Nothing: Voters, 76. Major Bond who was the highest had 32. Deputies voted to chuse only one in the room of him Negativ’d: Council came not into it. I said, All or none.

“Dec’ 2. Voters 79. [Penn] Townsend chosen by 41 votes. 4th Stroke, Voters 75. Thomas Noyes Esqr. chosen by 53 Votes.

“Province of Main, Voters 71.

“Adam Winthrop Esqr. chosen by 52.

“At Large, Voters, 69.

“Nathan! Byfield Esqr. chosen by 60.”²

The choice was approved by the Lieutenant Governor, and the new Councillors took the oath. The advent to the Council Board of Col. Byfield foreshadowed trouble for Agent Dummer, who was unfortunate enough to antagonize this active politician. The Assembly in its August session had omitted to grant the usual allowance

¹ *Boston News-Letter*, 7-14 November, 1715.

² *Diary of Samuel Sewall*, III, 69.

allowance to Dummer, a measure in all probability instigated by Byfield. That the action was not entirely just to the Agent is shown by the grant of £200 made by the Assembly in its November session, but disallowed by the Lieutenant Governor.

“Xr. 21 Now about the Gov^r disallows the Votes for giving our Agent Mr. Dummer £200. And for continuing him Agent. I voted to the first but express’d my Doubtfulness as to the latter, when I heard what was pleaded by Col. Byfield as to his Unacceptableness to Gov^r Burgess, and the Ministers. I also Consider’d his giving up in print the place of the Attorney General as Reserv’d in the Charter to the King—and writ hardly to any of the Council: but very largely to the Speaker, and to Mr. White. Gov^r prorogues the Court to the 22^d of February.”¹

Dummer had warm supporters in the Province, and as a rule they were also supporters of Dudley. For example Rev. Eben Pemberton was “very warm about the Agent,” and regarded Tailer as a “usurper,” occupying a position that rightly belonged to Dudley. His wife was quite as good a politician, and asserted that the Agent had been handled barbarously, an opinion which led the pious Sewall, who received at the hands of Tailer on the next day a commission as Judge of the Superior Court, to remark: “The people made light of the errand of God’s people hither; indifferent”²—perhaps an early form of the creed that “to the victors belong the spoils.” Sewall’s position is all the more remarkable because he was a kinsman of Dummer; but his political creed was summed up in the dogma, “I was for upholding Government whether in or out of it.”³

Apart from the Journals this session was not rich in issues from the press. The election sermon was printed as usual, and the title-page was as follows:

“God’s Conduct of His Church | Through the Wilderness, | With His | Glorious Arm, | To make Himself an | Everlasting Name. | A | Sermon | Preached by Order of the Honourable | Representatives, of the Province of | the *Massachusetts-Bay*, in *New-Eng-land*. On *May* the *25th* 1715. | Being their Anniversary Day for Election of | His Majesties Council for that Province. | By Jeremiah Shepard, A.M. Pastor | of the Church of *Lynn*. | . . . *Boston*, Printed by *John Allen*, for *Nicholas Boone*, at | the Sign of the Bible in *Cornhill*. 1715.” 12mo. pp. 34.

The session laws were also printed, and extend from page 253 to 268 of the contemporary issues. The laws passed in each session were:

May Session.

An Act against Burglary.

An Act for altering the Time for holding the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas within the County of Barnstable.

An Act for the better Preserving, Increasing, and Securing Naval Stores; Particularly, Tar, Turpentine, and Rozin, within this Province.

July Session.

An Act for Building and Maintaining a Lighthouse upon the Great Brewster (called Beacon Island) at the Entrance of the Harbour of Boston.

An Act for the more safe keeping the Registry of Deeds and Conveyances of Lands.

An Act in Addition to an Act for Regulating Fees.

An Act in Addition to an Act of Limitation for Quieting of Possessions.

November Session.

An Act in Addition to an Act for Erecting of a Powder-house in Boston.

An Act to prevent the Oppression of Debtors.

An Act for preventing damage to the Housing and other Estate, within the several Towns of this Province.

An Act in Addition to an Act, Intituled, An Act against Counterfeiting the Bills of Credit of this Province, pass’d in the Third Year of Her late Majesty Queen ANNE.

¹ *Diary of Samuel Sewall*, III, 69.

² *Ibid.*, III, 70.

³ *Ibid.*, III, 84.

An Act in further Addition to the Act for encouraging the Killing of Wolves, made in the Fifth Year of the Reign of King WILLIAM and Queen MARY.

An Act for Maintaining and Propagating of Religion.

An Act for reviving and further continuing of an Act, Intituled, An Act to enable creditors to receive their just Debts, out of the Effects of their absent & absconding Debtors, Made & Pass'd by the Great & General Court or Assembly at their Session upon the 26th Day of May, 1708. in the Seventh Year of the Reign of Her late Majesty Queen ANNE.

An Act for the Encouraging the raising Hemp within this Province.

An Act for holding and keeping a Superiour Court of Judicature, Court of Assize and General Goal delivery, within and for the County of Hampshire.

An Act to prevent the unnecessary Journying of the Representatives.

An Act for the better Regulating of Town and Proprietary Meetings.

An Act in Addition to the Act, Entituled, An Act for the Regulating of Townships, choice of Town-Officers, and setting forth their Power, Made & Passed in the Fourth of WILLIAM and MARY.

An Act in Addition to an Act, Entituled, An Act for the Settlement and Distribution of the Estates of Intestates, Made and Passed in the Fourth Year of the Reign of King WILLIAM and Queen MARY.

Although none of these session laws bears the name of the printer, they were all printed by Bartholomew Green, at this time "Printer to His Excellency the Governour and Council."

WORTHINGTON CHAUNCEY FORD.

Boston, January, 1902.



[Royal arms used in the session laws of November, 1715.]

“The Boston News-Letter” for the week from Monday, May 23, to Monday, May 30, 1715, contains a list of the Members of the House of Representatives. The asterisk indicates a new member.

Boston,	{ Col. Adam Winthrop Capt. Oliver Noyes *Mr. William Payne *Mr. Elifha Cook	Charlestown, *Capt. Ch. Chambers Watertown, Mr. Samuel Sternes Cambridge, Mr. Jonat Remington Concord, *Mr. William Wilfon Woburn, *Capt. Josiah Converse Reading, Mr. Timothy Wily Sudbury, *Mr. Edmund Rice Marlborough, Mr. Thomas Rice Newton, Mr. John Ward Maldon, Mr. John Greenland Chelmsford, Mr. Stephen Pierce Billerica, Lieut. John Sternes Sherburn, *Capt. Joseph Morfe Groton, *Mr. Thomas Tarbal Lancafter, *Mr. John Houghton Framingham, Maj. Jos Buckminster Medford, *Capt. Peter Tufts Lexington, *Mr. Francis Bowman Weston, Capt. Francis Fulham Stow, *Mr. John Buttrick Springfield, *Luke Hitchcock Esq ; Northampton, Joseph Parsons Esq ; Hadley, Mr. Daniel Marsh Hatfield, Mr. John Partridge Suffield, *Mr. Atherton Mather Westfield, Mr. John Ashley. Enfield, ——— Plymouth, James Warren Esq ; Situat, Mr. Samuel Clap Bridgewater, *Mr. Edward Fobes Marshfield, Capt. Ifaac Little Duxbury, Seth Arnold Esq ; Rochester, *Mr. John Randel Pembrook, Capt. Thomas Barker Barnstable, *Mr. Joseph Lothrop
Roxbury,	Mr. William Denifon	
Dorchester,	Mr. Hopestil Clap	
Hingham,	Samuel Thaxter Esq ;	
Brantree,	*Mr. Joseph Allein [Allen]	
Dedham,	*Mr. John Fuller	
Medfield,	*Capt. John Boydon	
Weymouth,	Capt. Stephen French	
Milton,	Mr. Ephraim Tucker	
Wrentham,	Mr. John Guile [Guild]	
Mendon,	Mr. Samuel Thayer [Thayer]	
Brooklin,	—	
Woodstock,	*Mr. Samuel Payne	
Needham,		
Salem,	{ *Daniel Epps Esq ; Capt. Peter Ofgood	
Ipswich,	{ Mr. John Appleton Mr. Nath. Knowlton	
Newbury,	*Mr. William Moodey	
Lynn,	John Burril Esq ; Speaker	
Marblehead,	Mr. James Cawley	
Andover,	*Capt. Benjamin Stevens	
Beverly,	Mr. Samuel Balch	
Rowley,	*Mr. Ezekiel Northen	
Salisbury,	*Capt. Joseph Eaton	
Haverhill,	*Capt. John White	
Glocester,	*John Newman	
Topsfield,	Mr. Tobijah Perkins	
Boxford,	Mr. Joseph Hale	
Wenham,	*Capt. Thomas Fiske	
Amesbury,	*Mr. John Foot	
Bradford,	*Mr. John Hutchins	
		Eastham

Eaſtham,	*Mr. Samuel Mayo	Tiverton,	*Mr. William Mancheſter
Sandwich,	*Mr. John Chipman	Attleborough,	*Mr. David Freeman
Yarmouth,	*Mr. Joſeph Hall	Dighton,	Mr. Benjamin Jones
Harwich,	*Mr. Gerſhom Hall	Norton,	*George Leonard, Eſq ;
Truro,	*Mr. Conſtant Freeman	York,	*Abraham Prebble Eſq ;
Middleborow	*Mr. John Bennet	Kittery,	*Mr. Joſeph Hammond
Briſtol,	[Capt.] Simon Davis Eſq ;	Wells,	—
Taunton,	*Capt. Henry Hodges	Berwick,	*Mr. Eliſha Plaifted
Dartmouth,	Mr. Jonathan Delano	Edgar-Town,	Major Benj. Skiffe
Rehoboth,	Mr. Moſes Read	Tiſbury,	—
Little Comp.	Capt. W. Southworth	Chilmark,	—
Swanzey,	Mr. John Rogers	Nantucket,	James Coffin Eſq ;

JOURNAL

Of the House of

Representatives

Anno Regni Regis GEORG II nunc Magnæ Britannia, &c. Primo.

JOURNAL

Of the House of

Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in **New-England**, begun & held at **Boston**, upon Wednesday the 25th Day of **May**, Anno Domini, 1715.

SAmuel Sewall, John Phillips, and Joseph Lynde Esqrs. came down from the Council Board, and Acquainted the House that they were Appointed and Authorized by His Excellency the Governour, That this House should take the Oaths, Make and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration (as by the Royal Charter of this Province is Directed) before them, which was accordingly done by the Members present, and They withdrew.

The House Proceeded to write their Votes for a Speaker, which being Collected, and Examined, it was found that *John Burrill* Esq; was chosen by a major part of the House, and he was accordingly Conducted to the Chair.

The House Proceeded to write their Votes for a Clerk, which being Collected and Examined, it appear'd that Mr. *John White* was chosen by a major part of the House, who was accordingly sent for to the House.

Post Meridiem.

A Message sent up to the Council Board, by Capt. *Davis*, and Mr. *Cawley*, to report to His Excellency the Choice the House had made of a Speaker.

Who Returned, That His Excellency was not in Council, but by Sickness Confin'd at home.

Major *Skeffe*, and Mr. *Chipman*, were sent to Wait on His Excellency at His House at *Roxbury*, to Report to His Excellency, the Choice of the Speaker.

Who Returned, That His Excellency said, the Choice is very acceptable to him.

A Message sent up to the Board, by Mr. *Samuel Clap*, and Capt. *Davis*, That the House was now ready to proceed to the choice of Councillors.

Who Return'd, That the Board were ready to Proceed, and Join with the House in the Choice.

Ordered, That Mr. *Epps*, Capt. *Noyes*, Col. *Winthrop*, Col. *Thaxter*, and Mr. *Denison*, be a Committee to carry up the Votes of this House for Councillors, and assist in Sorting and Numbering them, together with the Votes of the Board, and Report to the House, the several Elections that shall be made.

The said Committee carried up the Votes of the House, for Councillors in the late Colony of the *Massachusetts-Bay* until Eighteen were chosen by a major part of the Voters.

Then for the late Colony of *New-Plymouth*, until Four were chosen, as aforesaid.

Then for the late Province of *Maine*, until Three were chosen, as aforesaid.

Then for the Territory between *Sagadehoc* and *Nova Scotia*, until One was chosen, as aforesaid.

And lastly, for Persons dwelling in any Part of the Province, until Two were chosen, as aforesaid.

And the said Committee Reported the choice to be as follows, *viz.*

Of the Inhabitants or Proprietors of Lands in the Territory formerly called the *Massachusetts-Bay*.

The Hon. <i>William Taler</i> Esq;	<i>Wait Winthrop</i> Esq;
<i>Elisha Cooke</i> Esq;	<i>Elisha Hutchinson</i> Esq;
<i>Samuel Sewall</i> Esq;	<i>John Appleton</i> Esq;
<i>John Higginson</i> Esq;	<i>Andrew Belcher</i> Esq;
<i>Edward Bromfield</i> Esq;	<i>Nathaniel Norden</i> Esq;
<i>Benjamin Lynde</i> Esq;	<i>John Clark</i> Esq;
<i>Addington Davenport</i> Esq;	<i>Thomas Hutchinson</i> Esq;
<i>Samuel Brown</i> Esq;	<i>John Pinchon</i> Esq;
<i>Thomas Oliver</i> Esq;	<i>Thomas Fitch</i> Esq;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called *New-Plymouth*, *viz.*

<i>Nathaniel Paine</i> Esq;	<i>Isaac Winslow</i> Esq;
<i>John Cushing</i> Esq;	<i>John Otis</i> Esq;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called the Province of *Maine*, *viz.*

<i>Eliakim Hutchinson</i> Esq;	<i>Ichaboa Plaisted</i> Esq;
<i>John Wheelwright</i> Esq;	

Of the Inhabitants or Proprietors of Lands lying within the Territory between *Sagadehoc* and *Nova Scotia*, *viz.*

Joseph Lynde Esq;

Of the Inhabitants or Proprietors of Lands in any Part of the Province.

<i>Nathaniel Byfield</i> Esq;	<i>Edmund Quinsey</i> Esq;
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And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 26 Maii 1715.

Ordere*d*, That Col *Thaxter*, Col. *Winthrop*, Capt. *Noyes*, Capt. *Osgood*, and Capt. *Davis*, Wait on His Excellency the Governour, with the above-written List of the Councillors, or Assistants, newly chosen for the Year ensuing, for His Excellency's Approbation of the Persons, therein Named, to be given in Writing under his Hand.

And inquire of His Excellency's Health.

The House Proceeded to Examine the Returns of the Precepts, made from the several Towns, of the choice of their Representatives.

Which being passed through,

The usual Orders of the House were Read: And

Ordered, To be the Orders, of the House during the Sessions thereof.

Ordered, That Mr. *John Sternes*, Mr. *Reed*, and Capt. *Arnold*, be Monitors of the House to take care that the Orders thereof are duely observed.

Ordered,

Ordered, That Mr. Speaker, Mr. *Denison*, and Mr. *Cawley*, Give the Thanks of this House to the Reverend Mr. *Jeremiah Shepard* for the Sermon Preach'd at their Desire, before this Court in a Publick Assembly Yesterday, being the Anniversary Day of Election of Councillors: And that they Desire him to give a Copy thereof to be Printed.

Post Meridiem.

An Accompt of *William Paine Joyner*, of the charge of Wainscotting, one half of the Chamber of the House of Representatives, and making of Seats therein, amounting to the Sum of 40 l. 16 s. 8 d. Presented to the House for Allowance.

Read and

Resolved, That the Sum of *Forty Pounds Sixteen Shillings and Eight Pence* be Allowed and Paid out of the Publick Treasury, to *William Paine*, the Accomptant to Discharge his Accompt.

Sent up for Concurrence.

An Accompt of *Edward Pell* Painter, for Painting half of the Representatives Chamber, amounting to the Sum of 5 l. & 2 s. offer'd to the House for Payment.

Read and

Resolved, That the Sum of *Five Pounds and Two Shillings*, be Allowed & Paid out of the Publick Treasury to *Edward Pell*, the Accomptant to Discharge his Accompt.

Sent up for Concurrence.

The List of Councillors sent to His Excellency the Governour this Morning: was Return'd to the House again, by the Members who carried it, His Excellency having Entred thereon as follows: *viz.*

I Consent to this Election of Councillors, except *Nathaniel Byfield* Esq;
Given under My Hand, J. DUDLEY.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 27 Maii 1715.

Ordered, That Capt. *Noyes*, Col. *Thaxter*, Mr. *Parsons*, Mr. *Denison*, and Capt. *Fullam*, be a Committee for Petitions to Examine the Matters and Allegations thereof, and report the same with their Opinion thereon to the House.

A Petition of *John Brigham*, *Hopestill Brown*, and Twenty-nine others, Presented to the House and Read, Praying, That the Land lying between the Towns of *Marlborough*, *Lancaster*, *Worcester* and *Hassanameesit*, may be granted to them, and made a Township.

Ordered, That the Petition be Rejected all the Names affixed thereto, except one being written by the same hand.

A Petition of *Francis Fullam* and *Daniel Livermore*, both of *Weston*, Presented to the House and Read, Praying this Court to give them leave to Purchase a piece of Land, containing about Six Hundred Acres, Lying on the Easterly side of the Town of *Oxford*, of the Indian Owner thereof, called *Mallalawing David*, for Reasons therein expressed.

Ordered, That the said Petition be committed to the Committee for Petitions.

Ordered, That Capt. *Noyes*, Mr. *Cooke*, and Col. *Thaxter*, be a Committee to prepare the Draught of a Vote, to bring forward, the Running of the Line between this Province and the Colony of *Rhode-Island*, pursuant to the Agreement of the Commissioners of the Two Governments for that end.

A Petition of *John Small-piece* of *Boston*, who was very much wounded, by a Blast of Gunpowder, in the Burning of the Impost-Office, the last Winter, when he was attempting to save what he could therein; Presented to the House and Read, Praying some Allowance towards his Cure and Subsistence.

In answer to the said Petition.

Resolved,

Resolved, That the Sum of *Twenty Pounds* be Allowed and Paid out of the Publick Treafury to *John Small-piece* the Petitioner, towards his Relief.

Sent up for Concurrence.

Andrew Belcher and *Addington Davenport Esqrs.* brought down a Letter from His Excellency the Governour, dated yesterday at *Roxbury*, and directed to the Gentlemen of the Council and Representatives: Intimating that he is under such Bodily Illness, that he is unable at present to Attend the Court, but would have the Court Proceed in the Business that lies before them.

And a Letter from Mr. Agent *Dummer*, dated at *Whitehall*, *Decemb.* 4th last, Directed to Mr. Secretary *Addington*, for the General Assembly: Which were Read.

Mr. *Edward Hutchinson*, having Represented to this House, That he with Mr. *John Watts*, have now more than Ten Families, gone and ready to go, to *Arowsick* Island, to make a Settlement there.

Voted, That His Excellency the Governour be requested, now to order a Serjeant with Nineteen Sentinels, from *Casco Fort*, to Defend and Assist their Settlement, agreeable to the Vote of this Court in *October* last: The said Undertakers having likewise represented that convenient Barracks will be ready for their reception, by the time they can remove thither.

Sent up for Concurrence.

A Report of the Committee, appointed by this Court, the 20th of last *October*, to Run the Line, between the Town of *Groton*, and the Plantation of *Nashoba*, offer'd to the House, and was Read accordingly.

Resolved, That the Report be Accepted.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 28 die Maii 1715.

Capt. *Noyes* from the Committee for Petitions, made Report to the House on the Petition of *Francis Fullam*, and *Daniel Livermore*, the prayer whereof was entred yesterday: That the Committee were of Opinion that the prayer of the Petition be granted.

Resolved, That the prayer of the Petitioners be granted; Provided the Land be no Part of Land appropriated by the Government, and the Quantity exceeds not Seven Hundred Acres. Sent up for Concurrence.

Ordered, That Col. *Adam Winthrop*, Mr. *William Paine*, Mr. *Elisha Cooke*, Mr. *Abraham Preble*, Mr. *James Cawley*, and *Luke Hitchcock Esq;* be a Committee to joyn with such as the Honourable Board shall Nominate, to Prepare the Draught of a humble Address and Memorial to His Majesty, humbly to Represent, and lay before His Majesty, the present State of this Province.

Sent up for Concurrence.

A Report of the Committee for Setling of the Eastern Parts of this Province: Offered to the House, and Read.

A Petition of *Joseph Morse* Representative of the Town of *Sherbourn*, Presented to the House, and Read; Praying that a Plat of Four Thousand Acres of Land, (there-with exhibited) laid out and protracted by *Thomas White* Surveyor, pursuant to a Grant of this Court, may be confirmed to the said Town.

A Message from the Board by *John Wheelwright*, and *John Clark Esqrs.* Desiring the House to have a further consideration of the Memorial of the Council that manag'd the Government, after the Death of Lieut. Governour *Stoughton*, until the Arrival of His Excellency our present Governour.

The said Memorial purporting as entred *Feb.* 20th 1713. Read.

And then the House Adjourn'd till Monday next Three a Clock afternoon.

Lunae 30 die Maii 1715.

A Petition of *Richard Coomes* and *Hephzibah* his Wife Daughter of *Joseph Newel*, late of *Roxbury*, deceas'd, presented to the House & Read; Praying Relief from great wrong they suffer, by the Heirs of *Florence Maccarty* late of *Boston*, deceas'd, injuriously with-holding from them Lands that were her Father's, lying in *Roxbury* aforesaid; and for which they are without remedy in the Law.

Ordered, That a hearing be granted on this Petition, before this Court, on Friday next at Ten a Clock in the forenoon: And that the Petitioners serve the adverse Party with a Copy of the Petition, and a Notification, That they may be heard, if they have any thing to Alledge why the prayer of the Petition should not be Granted. Sent up for Concurrence.

A Petition of *Daniel Marsh* Representative of the Town of *Hadley*, presented to the House & Read, praying, That a Tract of Land of Four Miles Square adjoining to the said Town may be annexed, and made part thereof, Agreeable to a Grant of this Court, formerly made, That the said Quantity should be laid to them.

And a Petition of *Ebenezer Pumry* and Nineteen others Inhabitants of the said Town, and the Town of *Northampton*; presented to the House & Read; Praying, That the said Lands, with others near adjoining may be Granted to them, to Settle and Form a Township there.

Ordered, That the said Petitions be referr'd to further Consideration, at the Session of this Court in the next Autumn.

And that in the mean time the Town of *Hadley* lay out their Grant of Four Miles Square, made to them by the General Court in *May* 1683. by a skilful Surveyor, under Oath, either of the South-west, or North-east End of the said Town. That the Province Land lying between the said Town, and the Town of *Springfield*, may not be cut in pieces, and made unfit for future Grants and Settlements, and return a Plat thereof to this Court for Confirmation.

Whereas a great Number of Guns were fired yesterday, being the Lords Day, at *Castle William*, for which we are not sensible of any necessary occasion.

Ordered, That Mr. Speaker be desired to wait on His Excellency the Governour, and inquire, Upon what occasion, and by whose order they were fired; and desire that for the future Orders may be given, That no Guns may be fired there on the Lord's Day, but in cases of necessity.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 31 die Maii 1715.

A Petition of *Samuel Partridge* Esq; Praying as entred the Third day of *Novemb.* last, Read again and Committed.

Sundry Accompts of charge arising for the furnishing of Major *John Stoddard*, and the Reverend Mr. *John Williams*, and their Attendants, to proceed on their journey to *Canada*, Anno 1713. being sent by this Court to obtain the English Captives there.

And Accompt of charge after their Return, and charge upon the Captives return'd, Presented to the House for Allowance and Payment: Read and committed to the Committee for Petitions.

The following Report offered to the House, viz. We under-written, having been appointed by the Honourable General Assembly of this Province the 10th day of *June*, Anno 1714. To view a Tract of Land adjoining to *Brookfield* on the South, and to *Brimfield* on the East, extending from *Brookfield* South-west Corner Eastward, Three Miles, in order to its being added to the Town of *Brimfield*, whose Bounds are straitned on the South, by the Partition Line of this Province, and the

Colony of *Connecticut*, and make a Report thereof. Having strictly Measured said *Brimfield* West Line, which we find to be Seven Miles & Sixteen Perch, as it Bounds on *Springfield*, tho' not so much Square off from the said Partition Line; and also the Distance between *Springfield*, and the South-west Corner of *Brimfield*, which we find to be Eight Miles one Quarter, and Twenty-two Perch, and no more; which said Tract is short of the Contents of Eight Miles Square, and withal very Mountainous, and uncapable to entertain a suitable Number of Families, without an addition at the East End: Are therefore humbly of Opinion, That unless Three Miles be added, to the said Town of *Brimfield*, as described in the Subsequent Map; It will not be inviting nor capable to entertain a Suitable Number of Families, according to the Direction of the Court, relating to the Settlement thereof; the said Eastermost End only being capable to entertain Inhabitants to Settle in a defensible manner. *April 21. 1715.* Signed

Joseph Parsons

(only not present at the Measuring)

John Partridge

John Chandler

Read and Accepted.

And Ordered, That the Report be accepted; And all the Land between the Province Line, and the South Line of *Brookfield*, for the Space of Three Miles from the East End of the Town of *Brimfield*, be Granted and Added to the said Town of *Brimfield*. Provided, It Intrench not upon the Four Miles Square, ordered to be Surveyed for *Wait-still Winthrop* Esq; nor upon any other former Grant.

Sent up for Concurrence.

Ordered, That *Mr. Cooke*, *Mr. Remington* and *Mr. William Paine*, be a Committee to consider what Acts are Expired, or near Expiring, that should be Revived or Continued; and prepare a Bill or Bills for the same; And to prepare and offer such other Bills, as they apprehend proper now to be Enacted.

Voted, That the right of this Province in and to the River commonly called *Piscataqua* River, be Asserted and Maintained.

And in order there-unto:

That a Breast-work for Six Guns be Erected in some convenient place, in the Town of *Kittery*, for the Defence of the River.

That Six Guns with Shot and Carriages be Ordered to the Town of *Kittery*, upon their Erecting a Breast-work, & Platform, & obliging themselves to Maintain the same.

That His Excellency be desired to give his Orders accordingly.

That it is for His Majesty's Service, That there be a Naval Office kept in the Port of *Kittery*, to avoid the Unreasonable Duties or Impositions Exacted from the Inhabitants of this Province, passing in and out said River, by the Naval Officer of the Government of *New-Hampshire*.

That all Ships or other Vessels that Load or Unload at the Port of *Kittery*, be obliged to enter, and clear with the Naval Officer there, and Pay the Duties of Impost and Powder Money according to Law.

That all the Harbours in *Kittery* and *Berwick*, shall belong to the Port of *Kittery*.

Sent up for Concurrence.

A Petition of Twenty-four Inhabitants of that Part of *Hingham*, called *Conihasset*, presented to the House and Read, praying, That they may be set off, and made a Separate or Distinct Precinct, as to the Publick Worship of God; for Reasons therein mentioned.

Ordered, That the Petitioners serve the Town of *Hingham* with a Copy of this Petition, and that they be heard before this Court, on the Eighth Day of *June* next, if they have any thing to offer why the prayer thereof should not be granted.

Sent up for Concurrence.

Post

Post Meridiem.

Mr. Treafurer *Allen* Attended the Houfe with his Accompts of the Treafury, which were Read, and he withdrew.

Ordered, That Mr. *Cooke*, Mr. *William Paine*, Capt. *Chambers*, Mr. *Remington*, and Mr. *Samuel Clap*, be a Committee to Examine and Audit the Treafurers Accompts, and inspect the Vouchers of the feveral Payments :

And make Report to the Houfe.

The Vote of this Houfe pafs'd the 27th Currant, for fending Twenty Men from *Casco Fort* to *Arowsick* Island, fent down from the Board, pafs'd upon there, viz. In Council *May 31 1715*. Read and Concurr'd, and that His Excellency be Desired, to add Ten Men more to the Garrifon of *Casco*, for the prefent Exigence, and until further Order.

Sent down for Concurrence. Read.

The Vote of this Houfe pafs'd the 28th Currant, for a humbly Adrefs to His Majesty, fent down from the Board, pafs'd upon there *May 31. 1715*. In Council, Read and Concurr'd; And that the Settlement of the Eastern Parts, and the Affair of *Cape Breton*, now in the hands of the *French*, be particularly confidered, in the faid Adrefs; and *Elisha Hutchinson*, *Samuel Sewall*, *John Higginfon*, and *Addington Davenport* Esqrs. are added to the Committee.

Read and Concurr'd; and Sent up again.

A Letter from Mr. Agent *Dummer*, to Mr. Secretary *Addington*, for the General Affembly, Dated *April 5th 1715*. Read.

And then the Houfe Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 1 die Junii 1715.

Capt. *Noyes* from the Committee for Petitions, made Report on the feveral Accompts of charge in the Out-fet of Major *Stoddard*, and Mr. *Williams* for *Canada*, &c. which was accepted by the Houfe, and the following Accompts allowed to be paid, viz.

To Dr. <i>Robert Ellis</i> his Accompt of Medicines & Attendance, } on Sick Captives, &c	9	15	00
To Mr. <i>Thomas Tarbol</i> his Accompt of Charge	5	17	00
To <i>Joseph Kellog</i> as per Accompt	3	15	00
To <i>Martin Kellog</i> as per Accompt	29	18	04
To Capt. <i>Thomas Baker</i> , Accompt of Charge in his ficknefs	12	04	00
To the Honourable <i>Samuel Partridge</i> Esq; for his extraordinary } Service for Six Years in the late War	25	00	00
To Col. <i>Samuel Partridges</i> Accompt. N ^o . 1.	22	12	10
To Col <i>Samuel Partridges</i> Accompt. N ^o . 2.	21	01	05

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Resolved, That the Sum of *One Hundred and Thirty Pounds, Three Shillings, and Seven Pence*, be Allowed, and paid out of the Publick Treafury, to the feveral Perfons named in the above Accompts, according to the Sums annexed to their Names, for the Difcharging of the faid Accompts.

Sent up for Concurrence.

A Petition of *John* and *Matthew Whipple* in behalf of the new Precinct in *Ipswich*, prefented to the Houfe and Read, praying, That feveral other Families near to them in the faid Town, may be added to the faid Precinct.

And a Petition of Sundry Perfons, Praying that they may be annexed, and laid to the faid Precinct. Read, and

Ordered,

Ordered, That the Petitioners serve the Town of *Ipswich* with a Copy of both these Petitions, who may be heard before this Court, if they have any thing to object against the prayers thereof, on the Tenth Day of this *Month*, if the Court continues Sitting so long, otherwise on the first Day of the next Session.

Sent up for Concurrence.

A Petition of *Joseph Pratt* and Fifty-nine others, Inhabitants of the Easterly Part of *Bridgewater*, presented to the House & Read, praying, That they may be set off, and made a Separate Precinct, as to the Maintenance of the Gospel Ministry.

Ordered, That the Petitioners serve the Town of *Bridgewater*, with a Copy of this Petition, and that a Hearing be granted on the first Thursday, of the next Session of this Court, if they have any thing to Alledge, why the prayer thereof should not be granted.

Sent up for Concurrence.

A new Platt of the Grant of the Township of *Sutton*, Laid before the House for Allowance and Confirmation; which being Inspected.

Ordered, That the said Platt be Rejected, as not being agreeable to the Grant of this Court.

Ordered, That all Platts of Land that shall be offered to this Court for Confirmation, be henceforward such, as the Surveyor and those who carryed the Chain, in Measuring the Land are under Oath, to a faithful and impartial performance of those Services.

Some of the Members Informed the House that Mr. *John Randall*, who is return'd Representative of the Town of *Rochester*, is a Profane person, and stands Convict of Scandalous Immorality's.

Mr. *Randall* had Opportunity given him, to make his Defence. But he express'd himself unconcern'd to clear his Reputation.

Whereupon he was Ordered to withdraw.

The Question being put, Whether the House esteem the said Mr. *Randall* to be a person worthy to Sit as a Member of this House?

It pass'd in the Negative.

Ordered, That the said Mr. *John Randall* be Expell'd this House.

The said Mr. *Randall* was again call'd into the House.

And Mr. Speaker acquainted him with the Vote, the House had pass'd. And that he was Expell'd the House. Whereupon he immediately Departed the House.

Ordered, That a Precept be sent to the Town of *Rochester*, to Elect and Send a Representative to Attend His Majesty's Service in this House, on the 10th Currant, and so *de die in diem*, during the Sessions thereof, in the room of the said Mr. *Randall*. And that they be Reprimanded for their abusing their Privilege, in Electing and Sending a person of such an Ignominious Character to Represent them.

A Memorial of some of the Ministers of the Gospel in this Province, Moving this Court to Countenance, and Assist the Calling of a Synod of the said Churches, by their Pastors and Delegates. Signed,

Joseph Gerrish
John Danforth
Benjamin Wadsworth
Ebenezer Pemberton
Benjamin Colman
Peter Thacher.

Sent down from the Board, pass'd upon there, *viz.* In Council *May 31. 1715.* Read and Voted, that the Synod and Assembly above-mentioned, is agreeable to them, and the Reverend Ministers, are Desired to take their own time for the said Assembly, and earnestly wish the Issue thereof may be a happy Reformation, in all the Articles of a Christian Life and Manners amongst His Majesty's good Subjects of this Province. Sent down for Concurrence. Read.

Post

Post Meridien.

A Petition of *Joseph Brown* & Forty-two Others, Inhabitants of the East and West Precincts in the Town of *Newbury*, presented to the House and Read; praying that they may be set off, and made a Separate Precinct for the Maintenance of the Publick Worship of God, which the Eastern Precinct have consented to, but as yet the Western have not.

Ordered, That the Petitioners serve the Western Precinct, with a Copy of this Petition, and Notifie them that they may be heard, before this Court on Friday the Tenth Currant, if they have ought to alledge why the prayer thereof should not be granted. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Erecting of a Powder-house in Boston*. Read a first time.

Ordered, That a Precept be sent to the Town of *Plymouth*, to Elect & Send a Representative, in the room of *James Warren* Esq; deceased, to appear at this House the 10th day of *June* Currant, at Nine a Clock.

A Petition of *James Cawley* Representative of the Town of *Marblehead*, presented to the House and Read, praying that the said Town may be freed from the Obligation to Maintain a Gunner at the Fort, in the said Town, in time of Peace, which they are enjoyned to do by an Order of this Court pass'd in *October* 1708. for reasons therein set forth.

Ordered, That the prayer of the Petition be granted. Sent up for Concurrence.

A Petition of *Joseph Hammond*, presented to the House and Read, praying that he may be allowed a proper Consideration, for his Time and Expences Ten Dayes in assisting with Others appointed by this Court, in April 1714, to Discover and Determine a proper place for Setling a Town at or near *Casco Bay*. Committed.

The Report of the Committee for Setling the *Eastern Parts*, Read again and committed to the Committee for Petitions, to Report their Opinion what is proper to be done thereon.

A Petition of *Samuel Emery*, and *Samuel Moodey* Ministers of the Towns of *Wells* and *York*, presented to the House and Read, Moving, That the Fort at *Winter Harbour*, may be supplied with a Chaplain. Committed.

A Petition of *Thomas Tarboll*, presented to the House and Read, praying consideration and allowance for his Time and Expences in going to *Canada*, with Major *Stoddard* & Mr. *Williams*, Anno 1713. to recover the Captives. Committed

A Bill Intituled, *An Act in Addition to the Act for Erecting of a Powder-house in Boston*. Read a second time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 2 die Junii 1715.

THE Committee appointed to Examine the Treasurers Accompts, Reported, That in these Accompts is an Article of Eight Pounds, given to the Troops that attended His Excellency the Governour, when he Re-assumed the Government; for which the Treasurer has no Warrant, from the Governour and Council directing its Payment.

And the Question being put, Whether the said Article be allowed in the said Accompt? It pass'd in the Negative.

Capt. *Noyes* from the Committee for Petitions, made Report on the Petition of *Thomas Tarboll*, viz. That they are of Opinion that nothing is due from the Province to the said *Tarboll*, since he proceeded as a Volunteer in that Service to *Canada*, & not imploy'd by the Government, but recommended him to the favour of the House.

Which was accepted by the House. And the House considering the Service he had done:

C

Resolved,

Resolved, That the Sum of *Ten Pounds* be Allowed and Paid out of the Publick Treasury to Mr. *Thomas Tarboll* the Petitioner for his Service mentioned in his Petition, being Voluntary. Sent up for Concurrence.

Mr. *Cooke* from the Committee appointed to Examine the Treasurers Accompts, made Report, &c.

The Committee having perused the Treasurers Accompts for the Year 1714 in which he chargeth himself with the Sum of *Eighty-three Thousand Eight Hundred and One Pounds, Ten Shillings and Eleven Pence*.

We find that he has Discharged himself by Order of the Governour and Council, of the Sum of Fifty One Thousand Three Hundred & Four pounds One Shilling & Nine pence; and that there is standing out, Seven Thousand, Seven Hundred and Seventy Five pounds, Three Shillings and Eight pence, of the Taxes; Fourteen Thousand Two Hundred & Nine pounds & Two pence, Neat Province Bills, for the Exchange of Bills. Six Thousand and Forty Nine pounds, Eleven Shillings and Two pence, Neat Province Bills. Four thousand Four hundred and Sixty three pounds Fourteen Shillings and two pence, Province Bills, with the *Five per Cent.* advance thereon, to be drawn into the Treasury; being in the whole, Thirty two thousand Four hundred Eighty nine pounds Nine Shillings and two pence, which he is further to be Accountable for, besides Twenty thousand two hundred and Forty One pounds of Powder in the Powder-house.

And that he has remaining in his hands, Three thousand Nine hundred and Fourteen pounds thirteen shillings and four pence, to Defray the charges of the Year One thousand Seven Hundred and Fifteen.

Boston,
June 2d.
1715.

Committee } *William Paine*
 } *Elisha Cooke jun.*
 } *Cha. Chambers*
 } *Samuel Clap*
 } *Jona. Remington*

Read and Accepted.

The Accompts of Mr. *Jer. Allen*, Treasurer and Receiver General of this Province beginning the 31 Day of *May*, 1714. and continued unto the 26th Day of *May*, 1715. Amounting unto the Sum of Eighty three thousand eight hundred & One pounds ten shillings & eleven pence, having been presented & laid before the House of Representatives, and Inspected by said House, by which it appears that there was standing out on the said 26th Day of *May*, Seven thousand seven hundred & seventy five pounds three shillings and eight pence, of the Taxes; Fourteen thousand two hundred and nine pounds, and two pence, Neat Province Bills, for the Exchange of Bills. Of Six thousand & forty nine pounds, eleven shillings and two pence, Neat Province Bills, and Four thousand four hundred and sixty three pounds fourteen shillings and two pence Province Bills, with the *Five per Cent.* advance thereon, to be drawn into the Treasury and further Accompted for.

Voted, That the said Accompts in the several Articles of Receipts, and Payments therein mentioned, Amounting unto the Sum of Fifty One thousand three hundred and Four pounds, One shilling and Nine pence, Be and are hereby Approved and Allowed of, and the said Treasurer is hereby Discharged of the said Sum of Fifty One thousand three hundred and Four pounds One shilling and Nine pence.

Sent up for Concurrence.

The *Vote* of this House, on a Plat of Two Hundred Acres of Land, (a Grant formerly made to *Thomas Eames*) passed, *Octob.* 29. 1714. not being that Session pass'd upon in Council.

Ordered, That the said *Vote* be Revived and Sent up for Concurrence.

A Petition of the Children, and Heirs of Mr. *John Haynes* late of *Sudbury*, deceas'd, presented to the House and Read, praying for the Confirmation of their Title, to a certain Tract of Land, formerly bought by the said Deceased, of *Joseph Robins*, and *Benjamin Antony*, Indians. Committed. In

In Consideration that the Trade of this Province is greatly Obstructed, and sunk by the Exportation of the Coin, & for want of a Medium of Exchange: and the only Medium now passing in Trade, is the Bills of Publick Credit, which are so far drawn in already, That it is a Difficulty, next to an Impossibility for this Province to pay the Tax of Twenty-two Thousand Pounds, Granted to be raised this Year, within the same.

And Considering, That no Damage will accrue to the Publick, or to Private Persons, but Conveniency & Advantage to both, by Protracting the Payment of Part of the said Tax to a further convenient time.

Voted, That Eleven Thousand Pounds only of the said Sum be Levied, and Collected this present Year; and that the Impost and Excise be a Fund and Security for Drawing in the Sum of Four Thousand Pounds more thereof.

And that the remaining Sum of Seven Thousand Pounds be Levied, at the Session of this Court in May, 1722. and Paid in to the Treasury by the last Day of December next after. Sent up for Concurrence.

Ordered, That Col. Winthrop, Capt. Noyes, Col. Thaxter, Mr. Parsons, Mr. Epps, and Capt. Arnold, be a Committee to Inquire after a Suitable & Convenient House, for the Reception & Entertainment of His Excellency Col. Burges, our expected Governour, when he shall Arrive, and to make Report to the House.

A Petition of the Select-men of the Town of Newton, presented to the House and Read, praying this Court to send a Committee, to View the said Town, and Consider of and Determine the most convenient Place for the Erecting a Meeting House for the Publick Worship, that shall best accommodate the whole Town. Sent down from the Board, pass'd upon there, viz. In Council, May 31. 1715. Read & Accepted. And the last Committee whereof John Otis Esq; was Chairman, are appointed a Committee, to go upon the Place, and prefix the certain Spot, for Erecting a Meeting-House; and this to be a final Settlement of the Town referring to the Place, for Erecting a House, for the Publick Worship of God.

Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 3 die Junii 1715

A Petition of *Isaac Amsden* and Sixty-six Others Inhabitants of the Town of *Marlborough*, presented to the House and Read, praying that an Addition may be made to the said Town, of certain Lands lying between it, and the South Line of the Town of *Lancaster*, and of Sundry Farms adjoining to them.

And a Petition of several Inhabitants of the said Farms, Read, praying that they may be annexed to the Town of *Marlborough*.

Referr'd to consideration at the next Session.

A Petition of the Inhabitants of the first, and eldest Precinct, in the East part of the Town of *Springfield*, presented to the House and Read, praying that the Lands belonging to them, which lie within the Precinct called *Long Meadow Precinct*, may be Excused for paying to the Ministry there, and pay to the first Precinct.

And the Question being put, Whether the prayer of the Petition be granted?

It pass'd in the Negative.

A Motion being made by *Joseph Parsons* Esq; Asking leave to bring in a Bill for the preservation of Pine Trees:

Ordered, That Mr. Parsons have leave to bring in a Bill for the preservation of Pine Trees.

The Petition of *Joseph Morfe*, praying, as entred the 28th May last, Read again. The Surveyor that took the Plat therein referr'd to, being Sworn. And the following Vote pass'd and entred on the Plat, viz. This Plat having been presented for Confirmation, and Viewed and Inspected by the House.

Ordered

Ordered, That the Land therein Described be Allowed, Granted, and Confirmed to the Town of *Sherbourn*, as an equivalent for the Seventeen Families laid to *Framingham*, Mentioned in the Plat: Provided it intrench upon no former Grant.

Sent up for Concurrence.

A Petition of *Joseph Green of Salem*, presented to the House and Read, praying, That a Surveyor may be appointed to lay out a Farm formerly Granted, to Marshal General *Mitchelson* (the laying out of that, and Mr. *Green* the Printer's Farm Interfering with one another.) Committed.

A Petition of *John Brigham*, and thirty Others, presented to the House and Read, praying, That a Tract of Land lying between *Marlborough*, *Lancaster*, *Worcester* and *Affanomisco*, may be Granted to them with the Privileges of a Township; Reserving to the Interested such prior Grants as are therein included.

Referr'd to further Consideration at the Sext [*next*] Session.

The Petition of *Joseph Hammond*, praying as entred the first Currant, further considered and the Report of the Committee thereon, which was Accepted by the House, and accordingly, In answer to the said Petition:

Resolved, That the Sum of Five pounds be allowed and paid out of the Publick Treasury to Mr. *Joseph Hammond*, the Petitioner, for his Service set forth in his Petition. Sent up for Concurrence.

The Vote of this House pass'd the 27th of *May* last, for Souldiers to Cover the Settlement at *Arrowsick* Island, sent down from the Board, pass'd on there, *viz.* In Council, *May* 31. Read and Concurr'd, and that His Excellency be desired to add Ten Men more to the Garrison at *Casco* for the present Exigency, and until further Order. Sent down for Concurrence. Read and Committed to the Committee for Petitions.

A Memorial of *Samuel Partridge* Esq; the Representatives of the several Towns of the County of *Hampshire*, and Others, presented to the House & Read, praying, That a Committee may be appointed, to Discover the most convenient Course, for a Cart-way to be made in, from *Marlborough* to *Brookfield*, to *Springfield*, and from *Brookfield* to *Hadley*; and Report a Calculation of what they suppose it may Cost to make such Roads passable, in order to it's being done.

Ordered, That Col. *Thaxter*, Mr. *William Wilson*, & *Joseph Parsons* Esq; be a Committee to Discover & Report the most convenient Course for the Roads proposed in the said Memorial, together with a Computation of the charge it will probably Demand to make them passable. Provided the Petitioners, or the County of *Hampshire*, will bear the charge of the Committee. Sent up for Concurrence.

Post Meridiem.

Capt. *Noyes*, from the Committee appointed to consider of a Suitable Place for the Reception & Entertainment of Col. *Burges* upon His Arrival to this Government. Reported, That inasmuch as there is no Suitable House to be Let, and the Mansion House, Land & Garden, &c. of *Peter Sergeant* Esq; deceas'd is now upon Sale: The Committee are of Opinion that it would be for the Interest & Benefit of this Province to purchase the same for their Use & Improvement.

The Petition of *Joseph Green*, praying as entred this Day, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the Petitioner may Employ an able Sworn Surveyor with Men under Oath to carry the Chain, to lay out so much of the Province Land adjoining to *Mitchelson's* Farm, as by mistake was taken up of *Green's* Farm, in the first laying out of *Mitchelson's* Farm, so as that the said *Mitchelson's* Farm, may contain three hundred Acres, as at first Granted; and lay a Plat thereof before this Court for Confirmation. Sent up for Concurrence.

Complaint

Complaint having been made to this House the first of this Instant June, That Mr. Samuel Sternes, a Member of this House & Representative of the Town of Watertown, and Treasurer of the said Town, has opposed the Execution of the Orders of this Court, relating to the Maintenance of the Ministry in the said Town.

And Mr. Sternes at his Desire, had time given him till this Day to make answer to the Complaint, which he did; several of his friends in the said Town, together with the Complainants, being present; And both Parties having been heard, they withdrew.

And Mr. Sternes was directed to withdraw until he is called for.

After some Debate:

The Question was put, Whether the House is of Opinion that Mr. Sternes is guilty of Opposing the Execution of the Orders of this Court relating to the Maintenance of the Ministry in Watertown?

And it pass'd in the Negative.

Ordered, That Mr. Sternes be called in, and have a caution given him in the words following, viz.

Mr. Sternes, This House have been so tender as not to Vote you guilty of Opposing the Orders of this Court in the Articles complain'd of against you. Yet they are very sensible you have not so encouraged & promoted Obedience thereunto as the publick Station, you have stood in, have Obliged you to do: And therefore caution you for the future to be very careful that you do not by word or deed Encourage a Disobedience to them.

But Advise & Exhort you, to use all proper Methods agreeable to your Duty as a Christian, a Member of this Court, and an Officer in the Town, to promote and forward a compliance, with the Orders of this Court, for the Support of the Ministry in your Town, that there be no further Disputes, or Differences about the raising the Maintenance of your Ministers, so plainly Directed in the Orders of this Court. And in that Expectation, we continue & entertain you a Member of this Honourable House.

A Bill Intituled, An Act in Addition to an Act for Erecting a Powder-house in Boston.

Read a third time.

Ordered, That the Bill do pass to be Engrossed. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 4 die Junii 1715.

A Petition of *Constant Freeman* Representative of the Town of *Truro*, presented to the House & Read, praying, That the Province Land at *Cape Cod*, not included within the Bounds of any Township, may be added to the Town of *Truro*, and so be brought under Government; Or else that the Inhabitants there may not belong to the Constablerick of the said Town, for reasons therein mentioned.

Committed.

A Report of the Committee for Petitions, on the Report of the Committee for Setling of the Eastern Parts of this Province. Read and Debated, Paragraph by Paragraph: And several Paragraphs Voted with some Amendments.

And then the House Adjourn'd till Tuesday Morning Nine a Clock.

Martis 7 die Junii 1715.

A Petition of *Samuel Partridge Esq;* *John Stoddard Esq;* and *Henry Dwight*, the Committee for Setling of the Town of *Northfield*, presented to the House & Read, praying the Direction of this Court, in several Articles relating to the Settlement of the said Place. *Committed.*

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A Bill Intituled, *An Act for altering the Time for the holding the Courts of General Session of the Peace & Inferiour Court of Common Pleas, within the County of Barnstable*, pass'd at the Board to be Engross'd. Sent down for Concurrence.

Read a first time.

A Bill Intituled, *An Act against Burglary*, pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

A Plat of One Hundred Acres of Land laid out by *Thomas White* Surveyor, contiguous to the Town of *Mendon*, being imployed by the Heirs of *Simon Broadstreet* Esq; deceased, formerly Governour of the late Colony of the *Massachusetts-Bay*, pursuant to a Grant of this Court, made *Novemb. 21. 1702.* Presented to the House for confirmation.

Ordered, That the Lands so Platted be confirmed to such of the Heirs of *Simon Broadstreet* Esq; as of Right the said Grant doth belong. Provided it doth not exceed the Quantity of One Thousand Acres, nor intrench upon any former Grant.

Sent up for Concurrence.

A Petition of *Isaac Hubbard* and Thirteen Others, Proprietors of the Town of *Swampfield*, presented to the House and Read, praying, That the said Township may be Enlarged, by the Addition of more Land thereto. Committed.

A Petition of *Mary Cole* of *Boston*, Widow, presented to the House and Read, praying, That she may be Enabled to Mortgage the House & Lands which were her late Husbands *Henry Cole's*, for 400 *l.* to redeem them from a Mortgage of 300 *l.* and to pay other Debts.

The Report of the Committee for Petitions, upon the Report of the Committee for Settling the *Eastern Parts* of this Province, further considered, and some other Paragraphs thereof Voted.

A Message from the Board, That according to the Order of the Day, Mr. Speaker and the House now come up to attend two Hearings.

The One upon the Petition of — *Lovering of London*, per *John Merion* his Attorney, — *Kimball of Watertown* the adverse party.

The Other on the Petition of *Richard Coomes*, & *Hephzibah* his Wife. The Heirs of *Florence Maccarty* the adverse party.

Mr. Speaker, and the House went up accordingly, and the said Hearings being finish'd Return'd to their own Chamber.

Post Meridiem.

The Vote of this House, pass'd the 2d. of *June*, Instant, for Raising the Tax of Eleven Thousand pounds only this Year, &c. Sent down from the Board, not Concurr'd. Read, and further consider'd, and

Ordered, That the said Vote be Insisted on and sent up again.

A Petition of *Jonathan Hastings* of *Cambridge*, presented to the House, and Read, praying, That he may be enabled to have a Hearing of Two Actions between him and *Job Bull* of *Boston*, who Married *Sarah* the Widow of *Richard Sherin*, before the next Superiour Court of Judicature, to be holden at *Charlstown*; having Appealed from the Judgment of the Inferiour Court, to the Superiour Court, and by a Mistake in his reasons of Appeal, both his Actions were Dismiss'd, by the Superiour Court.

Ordered, That the Petitioner serve the adverse Party with a Copy of the Petition, and Notifie them that they may be heard before this Court on Friday next, if they have Plea to make why the prayer thereof should not be Granted.

Sent up for Concurrence.

The Report of the Committee, for Petitions upon the Report of the Committee for Settling the *Eastern Parts* of this Province, further considered, and the remaining Paragraphs thereof Voted with some Amendments; and the whole is as follows, *viz.* In answer to the Proposals of *Thomas Hutchinson* & *John Wintworth* Esqrs. in behalf

of themselves & Partners, recommended by the Committee of the Eastern Claims, for the Settling of Two Towns forthwith in a regular & defensible manner.

Voted, That the said Towns proposed to be Settled be accepted, and encouraged according to their Report.

That the Land Platted for a Town from *Pejepscot Falls*, to *Macquoit* in *Casco Bay* be Constituted a Township, to be Laid out; the quantity of Six Miles Square, as the Land will allow; and be called by the Name of *Brunswick*, to be forthwith Settled in a defensible manner.

That the Other Town Platted in a Square of a Mile to the Eastward of *Ambrogging River*, fronting to *Merry Meeting Bay*, be allowed & accepted by the Name of *Topsham*, and be Platted & Laid out, the quantity of Six Miles Square, as the Land will allow; and a Return made in some convenient time to this Honourable Court.

Voted, That for the Satisfaction & Encouragement of those that offer to Settle in the said Towns, that this Court give a Confirmation to their Purchase, as Bounded and laid down in their Proposals, with a *Saving* for any and all other Grants, Titles, Interest, or Estates that may be found within the same. And particularly, that of *Harvard College*, and with a reservation of the Rights, Improvements & Possessions of any Inhabitants or Proprietors. *Provided always*, and it is to be understood that those persons shall be subject to such regulations of this Court, as has been made for their Settling in a defensible manner.

Voted, That the said Townships be freed from the Province Taxes, for the space of Five Years, from their first Setting down; and this Court do encourage the Ministry, as shall appear reasonable unto them. *Provided*, That the Proposers on their part, perform what they offer of Encouraging a Ministry, Minister & Schools, and Proceeding forthwith, to Grant such Tracts in Fee to such as will Settle there. And in order to the Covering these Settlements the Stone Fort near *Pejepscot Falls* be repaired, and that Fifteen Men, One of which to be a Serjeant, with a Commission Officer upon Ensignes Pay, be placed there for the Protection & Assistance of the New Settlements, in the room of the Fort, or Trading House at *Casco*, which being much out of Repair, We are of Opinion, It is for His Majesty's Service, It be slighted and no longer continued. That his Excellency the Governour be desired to give his Orders accordingly, and also for the Inlisting Five Men, which with Ten Men taken from *Casco* makes the Complement for *Brunswick*.

And in answer to the Representation of Mr. *Edward Hutchinson*, They humbly offer that the other Twenty Men of the Complement, that is now at *Casco* be removed to *Arrowfick* Island for their Covering, for the space of Six Months, and no more, agreeable to the Grant of the General Court.

Voted, That Major *John Wheelwright*, Mr. *Abraham Prebble*, Mr. *Joseph Hammond*, *Charles Frost Esq*; Mr. *John Leighton*, and any Three of them be a Committee, to Prosecute the regular Settlements, of the Eastern Frontier, and that in answer to the Petition of the Proprietors of *Cape Porpus*, and *Black Point* to the Committee for Claims, the said Committee be Directed to lay out the Town Plats, in a regular and defensible manner, at the charge of the Proprietors, and of such other Town as shall offer agreeable to the Order of the Court.

Voted, That the Memorial offered by the Reverend Mr. *Samuel Emery*, and Mr. *Samuel Moody*, be referred to the said Committee, to Report to this Court the State of *Winter Harbour*.

Voted, That agreeable to the Committee of Claims Report, relating to a Road to the Eastern Settlements. We are of Opinion that it is necessary that a Road be laid out in the most convenient Place, from *Wells* or *Newitchawanock* to *Pejepscot Falls*, as shall be thought most convenient & practicable, and a Computation made of the charge, be laid before this Court; and that it be an Instruction to the said Committee, to cause the same to be Surveyed, & to make their Report of the Place & charge. And that a Committee of both Houses be appointed to prepare the Draught of an

Act,

Act, for settling and quieting the Titles of the Lands that are to the Eastward of *Piscataqua River*. Sent up for Concurrence.

Complaint being made to the House that Capt. Benjamin Stevens, One of the Members thereof, Representative of the Town of Andover, was within the time of the present Session, viz. Yesterday Arrested in a Civil Action, by Benjamin Coker, Under Sheriff of the County of Essex, by virtue of a Warrant granted by Joseph Woodbridge Esq; Justice of the Peace; which is an Indignity offered to this House, a manifest Breach of the Privilege thereof, & a Transgression of the Law of this Province.

Ordered, That Mr. Justice *Woodbridge*, and Mr. Under-Sheriff *Coker*, be Summoned by a Warrant from Mr. Speaker forthwith to appear before this House to answer for their so doing.

Ordered, That Mr. *Seth Sweetser* of *Charlestown*, be impowered, & employed as a Messenger of this House to go and Serve the said Summons.

A Petition of Serjeant *Daniel Tucker*, presented to the House & Read, praying for consideration & Allowance to be Granted to him towards his Support, being under Cure of a Gun-shot Wound he received in the Service against the Indian Enemy, in the late War.

Resolved, That the Sum of Ten Pounds be Allowed, and Paid out of the Publick Treasury to *Daniel Tucker* the Petitioner, towards his Support.

Sent up for Concurrence.

A Petition of the Inhabitants of the Town of *Brookfield*, presented to the House and Read, praying, That the Lands of *Non-Resident* Proprietors, and other unoccupied Lands in the said Town, may be made liable to Town Assessments, for reasons therein rendered. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 8 die Junii 1715.

A Petition of *Wait Winthrop* Esq; praying, That the Committee appointed to lay out the Town of *Brimfield*, may be forbidden to proceed therein, so as to Encroach upon a Tract of Land belonging to him at *Tantiusques*, or the *Black Lead Mine Hill*. And that he may be Allowed to take a Plat of his Land there by an able Surveyor at his own charge, and lay the same before this Court for Confirmation. Sent down from the Board, pass'd upon there, viz. In Council *June 4th 1715*. Read and Ordered, That the prayer of this Petition be Granted.

Sent down for Concurrence. Read and

Ordered, That the prayer of the said Petition be so far Granted, That the Petitioner may employ at his own charge an able Surveyor, with Chain-men under Oath, to lay out Four Miles Square of Land, which shall include the *Black Lead Mines* that have been Opened in the *Hill Tantiusques*, mentioned in the Petition, without Intrenching on any former Grant; and present a Plat thereof, to this Court for Confirmation at their Session the next Autumn; and that the Surveyor and Chain-men were under Oath, to be certified on the Plat.

Sent up for Concurrence.

A Message from the Board, That Mr. Speaker, and the House, now come up to the Council Chamber, to attend the Hearing Ordered to be this day, upon the Petition of that Part of *Hingham* called *Conihasset*, praying they may be made a Separate Precinct.

Mr. Speaker, and the House went up accordingly, and when the Petitioners, and the other Part of the said Town had been fully heard, they withdrew. And Mr. Speaker and the House return'd to their own Chamber.

A Memorial of Capt. *Zechariah Tuthil* Victualler of His Majesty's Garrison at Castle *William*, presented to the House & Read, praying the Court to Direct and Order him a meet Allowance *per* Man, for his Victualling of the said Garrison for the Year next coming. Committed.

Post Meridiem.

The Memorial of the Reverend Ministers, Moving that a Synod be Assembled, which was Read the first Instant. Read again and upon a Motion being made,

Ordered, That any of the Subscribers thereof be admitted into the House, when they shall desire it, to speak to their Memorial.

The Petition of that part of the Town of *Hingham*, called *Conihasset*, upon which a Hearing was had this Day: Sent down from the Board, passed upon there. *viz.* In Council, *June 8th* 1715. A Hearing having been upon this Petition, *Ordered*, That *John Cushing, Thomas Fitch, Thomas Oliver & Edmund Quinsey* Esqrs. or any three of them be a Committee, with such as the Representatives shall add to them, to Repair to *Hingham*, giving a Weeks Notice to the Select-men of the Town, that they may appoint & warn a Town-Meeting. And that the said Committee do proceed to hear the Town, and the Petitioners on the Articles mentioned in the Petition. And that they use all means that the Petitioners may be peaceably established in the Support of a Minister at *Conihasset*, as is desired; and that they make Report of their proceedings, to the next Session of the General Assembly. Sent down for Concurrence. Read & Concurr'd; *Provided*, That two Months time be first allowed to the Petitioners to apply themselves in a suitable manner to the Town, that the affair may in the most peaceable Method be accommodated amongst themselves. But if after the said time is Expired, the Petitioners (having so applied themselves without success) Do attend the Committee herein Constituted, with their Desire, That in such Case, Capt. *Stephen French, Seth Arnold* Esqr; Mr. *John Ward*, Capt. *Isaac Little*, and Col. *Adam Winthrop*, (any Four of them to be a *Quorum* as to this House) are Nominated to joyn with the Committee of the Honourable Board, for the Service above-mentioned. Sent up for Concurrence.

A Bill Intituled, *An Act against Burglary*, Read a 2d, and a 3d time, and

Resolved, A Concurrence that the Bill be Engross'd with the Amendments annexed.

A Bill Intituled, *An Act for altering the time for holding the Courts of General Session of the Peace, & Inferiour Court of Common Pleas, within the County of Barnstable*. Read a 2d & a 3d time, and

Resolved, a Concurrence that the Bill be engross'd, with the Amendments annex'd.

The Petition of *David Lovering* by *John Merion* his Attorney, on which there was a Hearing Yesterday: Sent down from the Board, pass'd upon there, *viz.* In Council, *June 8th*. 1715. on consideration of the Allegations Yesterday in the Hearing upon this Petition. *Ordered*, That the Petition be Dismissed.

Sent down for Concurrence. Read and Concurr'd.

A Petition of *Josiah Chapin* of *Mendon* Esqr; presented to the House & Read, Shewing, That in the Year 1664. the General Court Granted to his late Father *Samuel Chapin*, Two Hundred Acres of Country Land, which Grant was laid out as was supposed without the Bounds of the said Town, but is since upon Running the Line found to be within them. Praying, That he may be allowed to take up and lay out the said Grant of Two Hundred Acres, in another place in the Province Land, where it may be found.

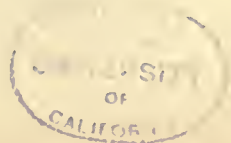
Ordered, That the prayer of the Petition be Granted: And that the Land be laid out in a proper regular Form, by an able Surveyor, and Chain-men under Oath; the Plat thereof to be laid before this Court, for Approbation.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

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Jobis 9 die Junii 1715.

MR. *Cooke* from the Committee appointed to prepare the Draught of such Bills, as were proper now to be Enacted, Offered to the House the following Bills, viz.

A Bill Intituled, *An Act for Reviving & further Continuing several Rates & Duties of Impost & Tunnage of Shipping, &c.*

A Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine, & Rozin, within this Province.*

A Bill Intituled, *An Act for the more due & equal Raising of Money, for Defraying of the Charges arising in each respective County, within this Province.*

A Bill Intituled, *An Act for the Reviving & Continuing, An Act for Raising an Excise upon Wines, Liquors, and other Strong Drinks, Sold by Retail, &c.*

All which were Read the first time.

Agreeable to the Vote of the House Yesterday, the Reverend Mr. *Wadsworth*, Mr. *Pemberton* & Mr. *Colman*, were admitted into the House, and by Sundry Arguments inforc'd the Memorial of the Reverend Ministers, for the Convening of a Synod, and withdrew.

Upon a Motion being made;

Ordered, That the Reverend Dr. *Increase Mather*, with any Other of the Reverend Ministers that Desire it, may be heard before this House upon the said Memorial, at Four a Clock this day.

A Petition of *Simeon Stoddard* Esq; and 189 Others Principally Inhabitants of the Town of *Boston*, presented to the House & Read, praying, That a Medium of Exchange in Trade, may be provided by this Court, for Reasons therein set forth.

Post Meridiem.

Agreeable to the Order of the House this Day the Reverend Dr. *Increase Mather*, was admitted into the House, and Assigned several Reasons why he thought that a Synod should not be Convened at this time, as was moved by the Memorial of the Reverend Ministers, and with-drew.

Ordered, That a Light-house be Erected at the charge of this Province, at the Entrance of the Harbour of *Boston*, on the same Place and Rates proposed in a Bill, projected for the Town of *Boston's* doing it, accompanying this Vote; and that a Bill be drawn accordingly. Sent up for Concurrence.

The following Vote sent down from the Board, viz. In Council *June 9th* 1715. *Ordered*, That *Andrew Belcher*, *Thomas Fitch* Esqrs. and Mr. Treasurer *Allen*, with such as the Representatives shall appoint, be a Committee to inspect the former Grants & Funds, of the General Court, in order to the settling the Tax for this present Year, and Report the same. Sent down for Concurrence.

Read and Non-concurr'd.

The Petition of *Mary Cole*, praying as entred the 7th Currant. Read again, and sent up.

An Accompt of *Rowland Dike* of the charge of his Dining this House on the last Day of Election of Councillors, Amounting to 12 *l.* 15 *s.* presented to the House for Allowance and Payment.

Resolved, That the Sum of Twelve Pounds and Fifteen Shillings, be allowed and paid out of the Publick Treasury to *Rowland Dike*, the Accomptant to Discharge the said Accompt. Sent up for Concurrence.

Capt. *Noyes* from the Committee for Petitions made Report on the Memorial of Capt. *Zechariah Tuthil* that was Committed Yesterday, which was accepted by the House, and accordingly,

Ordered, That Four Shillings & Ten Pence, half Peny *per Man per Week*, be Allowed for the Victualling of the Garrison at Castle *William*, for the space of One Year next coming. And

And that no person whatsoever, Voluntarily Inlisting himself for His Majesty's Service at the said Castle, shall upon any Occasion whatsoever be removed from thence for Service else where. Sent up for Concurrence.

Capt. *Noyes* from the Committee for Petitions, made Report, on the several Petitions after named, which were accepted by the House, and the following Orders agreeable there-unto passed thereon. *viz.*

The Petition of the Town of *Truro*, praying as entred the 4th Currant.

Ordered, That the Petitioners Serve the Inhabitants of the Precinct at *Cape Cod*, or the Principal of them, with a Copy of this Petition, That they may shew Reason, if any they have, why the prayer thereof should not be Granted, on the first Tuesday of the next Session of this Court. And also, why they do not Entertain a Learned Orthodox Minister of the Gospel, to dispense the Word of God to them, as they are Directed, by an Act of this Court, made the last Year for that end.

Sent up for Concurrence.

The Petition of the Inhabitants of the Town of *Brookfield*, praying as entred the 7th Currant.

Ordered, That for Seven Years next coming all Town Assessments, in *Brookfield* be Raised on Polls, as the Law directs, and on the Real Estates of the Non-Resident as well as the Resident, Proprietors exclusive of Personal Estate, which the Committee for Settling the said Town, are hereby Directed and fully Impowred to Levy and Collect accordingly; so long as they shall be continued by this Court.

And to take care the Town be Setled in the most regular, compact, and defensible manner that may be. Sent up for Concurrence.

The Petition of the Committee for Settling the Town of *Northfield*, praying as entred the 7th Currant.

Ordered, That the Order of this Court, passed at their Session in *Febr. Anno 1713*. for Settlement of the Town of *Northfield*, be further continued for three Years more. That the Committee be Directed to Setle the Town in the most regular, and defensible manner that may be. That all Town Taxes in *Northfield* for the Space of Five Years next coming, be Rais'd on Polls as the Law directs, and on the Lands that are or shall be Divided or Allotted out; and that where a General, or Common Field, or Fields, is agreed upon to be Fenced in for Improvement, The Proprietors of the Inclosed Land shall pay their just Proportion towards the charge of Making and Maintaining the Fence, whether they Improve their Land or no; and if any such Proprietors are out of the Province, and cannot be come at by Law to Pay their just Proportion of such charge, then their inclosed Lands, shall stand chargeable therewith until it is paid. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 10 die Junii 1715.

A Copy of the Sermon, Preached by the Reverend Mr. *Jeremiah Shepard* on the last day of the Election of Councillors, laid before the House by the Committee appointed to procure the same.

Ordered, That Mr. *William Paine*, and Mr. *Cooke* be a Committee, to agree for the Printing thereof, at the most reasonable Rate they can, and to Reserve One of the Books for each of the Members of this Court, and of the Ministers of the several Towns, and to present the Author with Thirty.

A Petition of *Thomas Fitch*, *Oliver Noyes*, *Nathanael Cary*, *Charles Chambers*, and *Samuel Greenwood*, a Committee appointed by this Court, to provide Sundry necessaries for the Train of Artillery, &c. Directed by Her late Majesty, to be here provided, for the Expedition against *Canada*, Anno 1711. And for the Sums they advanced in that Service, They received Bills of Exchange Drawn by His Excellency the

the Governour, upon the Lord High Treasurer of *Great Britain*, none of which nor any part of the said Bills have been yet paid. And the Petitioners had the Loan of 3812 *l.* 8 *s.* 7 *d.* Granted to them in Bills of Publick Credit out of the Publick Treasury; in consideration of their being in Advance in, and for that Service, and which they are oblig'd to Pay into the Treasury in *July* next; presented to the House & Read, pray the continuance of the said Loan for One Year more.

Ordered, That the prayer of the said Petition be granted.

Sent up for Concurrence.

A Petition of *Nathanael Henchman* of *Boston* Merchant, presented to the House and Read, shewing, That he Received of the Ten Thousand pounds Loan of Province Bills, *Anno* 1711. the Sum of Fourteen Hundred pounds, which he disbursed to pay off Transports, that were taken up on Her Majesty's Accompt in the Expedition to *Canada*, *Anno* 1711. and took Bills of Exchange on the Lord High Treasurer of *Great Britain* for the same, to the Sum of 996 *l.* 18 *s.* 8 *d.* Sterling, payable at 30 days sight: But no part of the said Bills is yet paid, and praying the continuation of the Loan of the said Fourteen Hundred pounds for One Year more.

Ordered, That the prayer of the Petition be Granted. Sent up for Concurrence.

A Petition of *Thomas Patch* and Four more Inhabitants of the Town of *Wenham*, presented to the House & Read, Complaining that those who were Select-men of the said Town the last Year, did in an unjust manner Draw Money out of the Treasury of the said Town, & praying this Court to take Cognizance of, & Redrefs the wrong.

Ordered, That the Petitioners forth-with Serve *Samuel Kemball*, *John Porter*, *William Rogers* and *Caleb Kemball*, who were Select-men of *Wenham* the last Year, and *Samuel Porter*, that was then Constable, with a Copy of this Petition, and direction to appear before this Court on Friday the 17th Currant, to answer the Complaint thereof. Sent up for Concurrence.

A Petition of *Francis Allen* of the Town of *Kittery*, presented to the House and Read, Shewing that before *Berwick* was set off, a Separate Township from the Town of *Kittery*, he agreed with *Kittery* for Twelve pounds *per* Year, to Maintain *Thomas Younglove* a blind impotent Man of that Town; but that since *Berwick* has been made a Separate Township, *Kittery* Refuses to pay him: And that he can obtain no Remedy by the Law, the Justices of the Inferiour Court being Inhabitants of *Kittery*; praying Remedy from this Court. Committed.

A Bill Intituled, *An Act for the Reviving & Continuing an Act for the Raising an Excise upon Wines, Liquors, ana other Strong Drink, Sold by Retail.* Read a 2d time.

A Bill Intituled, *An Act for the more convenient & equal Raising of Money for Defreying of the charges arising in each respective County, within this Province.* Read a 2d time.

A Bill Intituled, *An Act for Reviving & further Continuing several Rates & Duties of Impost & Tunnage of Shipping, &c.* Read a 2d. time.

A Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine & Rozin, within this Province.* Read a 2d time.

A Message from the Board, That Mr. Speaker & the House now come up to the Council Chamber to attend the Hearing appointed this Day, upon the Petition of the Southwesterly Precinct in the Town of *Ipswich*.

Which was forth-with done & the Hearing being finished, Mr. Speaker and the House returned to their own Chamber.

Post Meridiem.

A Petition of Sundry Inhabitants of the Town of *Dorchester*, living Westward of *Milton*, including *Puncapaog* Plantation, presented to the House and Read, praying, That they may be Constituted a Township, for the better Support of the Gospel Ministry according to the Bounds they mention, &c.

And the Question being put, Whether the prayer of the Petition be Granted?

It pass'd in the Negative.

The

The Petition of *Francis Allen*, praying as entred this Day, further considered, & the Report of the Committee thereon, which was accepted by the House, & accordingly,

Ordered, That the Town of *Berwick* pay the same Proportion of the Twelve pounds mentioned in the Petition, during the time of the Impotent Man's necessities, That they paid in the last Town-Rates, when they were part of the Town of *Kittery*. Sent up for Concurrence.

A Petition of *William Dudley*, in behalf of the Proprietors of the Town of *Rutland*, presented to the House & Read, praying, That the Plat they formerly laid before this Court to be confirmed as the laying out of the said Township, may be now confirmed, for Reasons therein mentioned. Committed.

A Plat of 143 Acres of Land, laid out by *John Gardner* Surveyor, employed by *John Higginson* Esq; as part of his Right of 460 Acres, the said Surveyor, and those that carried the chain in Measuring the Land being Sworn; presented to the House for Approbation: And the following Vote pass'd thereon, *viz.*

This Plat laid before the House and Inspected by them.

Ordered, That the Land, therein Described & Platted, be confirmed to *John Higginson* Esq; provided, It doth not Intrench on any former Grant.

Sent up for Concurrence.

An Accompt of *Robert Ellis* Surgeon his Administration to Serjeant *Daniel Tucker*, for the cure of a Gun-shot Wound in his Body, which he received in the Service against the Indian Enemy, *Anno 1711.* from *Aug. 16. 1713.* to *May 25th 1715.* further considered, and

Resolved, That the Sum of Thirty-five pounds be allowed & paid out of the Publick Treasury to *Dr. Robert Ellis* the Accomptant, for his Service, &c. mentioned in his Bill. Sent up for Concurrence.

A Petition of *John Campbell*, praying, That he may be Allowed the Sum of 35 *l. 3 s. 3 d.* due for the Postage of Publick Letters. Sent down from the Board having been Read there. Read and Committed.

And a Representation of the said *John Campbell*, shewing Reasons to Induce the Publick to assist him in the Printing his Weekly News-Letter. Read & Committed.

Ordered, That *Col. Winthrop*, *Mr. William Paine*, and *Mr. Jonathan Remington*, be a Committee to prepare and lay before the House a Draught of a Bill, to lay the like Duty on the Trade of the Province of *New-Hampshire*, to this Province, that the Government there have laid upon the Trade of this Province.

A Message from the Board, That *Mr. Speaker* and the House, now come up to the Council Chamber, to attend a Hearing upon the Petition of *Joseph Brown*, and Others, Inhabitants of the East and West Precincts in the Town of *Newbury*; which was forth-with done, and the Hearing being finish'd, *Mr. Speaker* and the House return'd to their own Chamber.

A Petition of *George Momeusque* Indian, praying, That he may have Liberty to Sell a Tract of Land belonging to him, which adjoyns to the Southern Line of the Town of *Worcester*. And a Petition of the Inhabitants of the Town of *Worcester*, praying, That they may have Liberty to Purchase the said Land of the said Indian. Were both severally presented to the House and Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 11 die Junii 1715.

A Petition of *John Higginson jun.* and *Nathanael Higginson* of *Salem*, presented to the House and Read, praying, That they may be Allowed to lay out a New Farm of Seven Hundred Acres, formerly Granted to the Reverend *Mr. John Higginson*, and laid out by a Pond called *Haverhill Bound Pond*, the Marks then made being mostly Effac'd, and not to be found.

Ordered,

Ordered, That the prayer of the Petition be granted, and that the Plat be taken by a skilful Surveyor, and Chain-men under Oath, (to be so certified thereon) and return'd to this Court for confirmation. Sent up for Concurrence.

Mr. *Seth Sweetfor*, who was Employed as the Messenger of the House, made Return, That he had Summoned Mr. Justice *Woodbridge*, and Under-Sheriff *Coker*, to appear before the House, & produc'd a Letter from Mr. *Woodbridge*, to Mr. Speaker and the House, which was Read, excusing his not appearing by Reason of his own and his Families Sickness; and intreating that his Error in Issuing forth a Writt against Capt. *Stevens* may be Over-look'd, inasmuch as he was Ignorant of his being a Member of this Honourable House.

Mr. Under-Sheriff *Coker* appear'd before the House and begg'd pardon of the House for his Error & Offence, in Serving a Writ upon Capt. *Stevens*, One of the Honourable Members thereof: And affirm'd that he knew him not to be a Representative, when he Served the Writ.

Mr. *Coker* was Ordered to with-draw a while.

It not appearing to the House, That Mr. Under-Sheriff *Coker*, did know that Capt. *Stevens* was a Member of this House when he Arrested him.

Ordered, That the said Mr. *Coker* be dismifs'd. Mr. *Coker* was accordingly call'd in and dismifs'd.

A further Report of *Stephen Frances*, *Josiah Converse*, and *John Ware*, a Committee sent by this Court in *June* 1701. to Settle the Line between the Town of *Sherborn* and *Framingham*; and to Determine who should bear the charge: Having formerly made Report as to the Line, now Determine as to the charge of the Committee, That one third part thereof be paid by the Town of *Sherborn*, the Other two thirds by the Town of *Framingham*, each of the Committee having been Seven days upon that Service.

Ordered, That the said Report be Accepted, and that the said Committee be paid accordingly Four Shillings *per* day to each of them for the time of their Service.

Sent up for Concurrence.

And then the House Adjourn'd till Monday next Three a Clock afternoon.

Lunae 13 die Junii 1715.

THE Bill Intituled, *An Act for the better Preserving, Increasing & Securing Naval Stores, particularly, Tar, Turpentine & Rozin, within this Province.* Read a 3d time.

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

The Proprietors of the Town of *Rutland* having Represented to this House, that the Direction given by this Court at their last Session, for the laying out the said Township contiguous to the Town of *Lancaster* (which was then so Ordered to preserve a Regular Face to the Frontiers, and not leave a slip of Land between the said Towns too small for a Township) will remove them in some measure from the Lands they had purchased of the Natives.

And having Propos'd and Petition'd, That the Form & Place of their Township, may be as Discrib'd in this Plat, which will help the said Inconveniencies.

Ordered, That the said Proprietors be Directed to Protract, and lay out their Grant of Land for a Township, named as abovesaid, agreeable to the Plat above Delineated, by a Surveyor and Chain-men under Oath (to be so returned on the Plat) Reserving & Laying out for this Province, One Thousand Acres of Land, in the Angle between *Worcester* and *Leicester*, in a figure as near a Square as they can, and lay the Plat so taken before this Court for Confirmation.

Sent up for Concurrence.

The Bill Intituled, *An Act for the more Convenient & equal Raising of Money for Defreying of the charges arising in each respective County within this Province.*

Read a 3d. time, and

Resolved,

Resolved, That the said Bill do pass to be Engross'd. Sent up for Concurrence.

A Message from the Board, that Mr. Speaker and the House now come up to the Council Chamber, to attend the Hearing appointed to be this day, upon the Petition of *Jonathan Hastings*, between him & *Job Bull*; which was forth-with done. And the Parties being fully heard, with-drew; and Mr. Speaker, and the House Return'd to their own Chamber.

The Vote of this House pass'd the 7th of this Instant *June*, respecting the Settling of the *Eastern Parts* of this Province: Sent down from the Board, pass'd upon there, *viz.* In Council *June 10th 1715*. Read and Concurr'd. And by His Excellency the Governour, *viz.* At the Desire of the Council and Representatives, I shall give the Warrants to Draw out Nineteen Men, and an Ensign from *Casco Fort* for *Arrow-sick*. And shall also raise Fifteen Men, for *Brunswick*, with a Commission Officer for the Service projected; But cannot at present see Reason to Demolish the Fortification at *Casco*, until His Majesty's pleasure be known therein. J. DUDLEY.

The Precept sent to *Plymouth*: Return'd Major *John Bradford* chosen their Representative: who appeared.

A Petition of *Jeremiah Dummer* and Thirty Others, Merchants, &c. to whom this Court Lent of the Publick Bills of Credit, in the Year 1711. to enable them, to Supply the *British Troops*, then designing an Expedition against *Canada*, for which Supplies they received of the Governour & Admiral of the said Expedition Bills of Exchange on the Lord High Treasurer of *Great Britain*; presented to the House and Read: Shewing, That as yet no more than two thirds of the Bills of Exchange are paid, and that with great Disadvantage: Praying, That one third part of the said Bills of Credit that are out-standing in their hands, may be Lent to them for One Year more.

Ordered, That the prayer of the Petition be Granted; and that the Bills out-standing in the Petitioners hands, and those a-like concerned be Lent to them for One Year more. And that the Committee that this Court Employed to lend out the Bills, and take Security for the Re-payment, be Reviewed & Impowred, to Review and Consider the Bonds, and Security given for the same, as well those on which the after Ten Thousand pounds Loan was issued, as those which this Petition refers to; and that such of the bonds wherein any of the Obligors are Dead, Removed out of the Province, or by adverse Providence considerable Impaired, in Estate, or wherein the Security refuse to continue so, be Sued out when due; unless other and further sufficient Security, be given to the Satisfaction of the Committee, the Obligors to pay the Committee for their trouble. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to the Act for Granting unto His Majesty several Rates & Duties of Impost, and Tunnage of Shipping*. Read a first time.

A Petition of *Andrew* and *Jonathan Belcher* of *Boston*, Merchants; presented to the House and Read, praying, That Fourteen Hundred pounds part of the Sum Lent to them in Bills of Credit, out of the Publick Treasury, *Anno 1711*. to Assist them to furnish Stores to General *Hill*, and Admiral *Walker*, for the Army & Fleet under their Command, bound on the Expedition to *Canada*: May be Lent to them for Four Years more to come, for Reasons therein Alledged.

Ordered, That the prayer of this Petition be so far Granted, That the said Fourteen Hundred pounds be Lent to the Petitioners, for One Year more.

Sent up for Concurrence.

The Vote of this House pass'd the 2^d Instant for *Post-poning* the payment of Eleven Thousand pounds, part of Twenty-two Thousand pounds, granted to be Levyed this Session. Sent down from the Board again, pass'd on there, *viz.* In Council *June 13th 1715*. put to the Question, Whether the Council do depart from their Vote of Non-concurrence within mentioned, on *June 4th Currant*?

Pass'd in the Negative. Read

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis

Martis 14 die Junii 1715.

THE Vote of this House pass'd the 31 of *May* last, for Ascerting the Right of this Province to *Piscataqua River*: Sent down from the Board, pass'd upon there, viz. In Council *June* 1. 1715. Read & Concurr'd. And by His Excellency the Governour, viz. I agree to this Vote and the Establishment of a Naval Officer at *Kittery*, so soon as the Breast-work for Six Guns Voted, shall be built, and the Guns Mounted.

J. DUDLEY.

Major *John Bradford* Returned Representative of the Town of *Plymouth*, was sent up to the Board to take the Oaths, &c.

THIS House having at diverse times for several Years past, Voted the Fort or Trading-House at *Casco Bay*, to be of little or no Service as a Barrier to our Frontiers, a Bridle to the Indian Enemy, or Security to the Fishery, and therefore of no Publick Benefit. And this House with the Honourable Board (as by their Votes of the 7th & 10th Instant) having offered to His Excellency as their Opinion, That it is for His Majesty's Service, That the Fort at *Casco Bay* be slighted, and no longer continued, and that a Stone Fort near *Pejepscot Falls* be Repaired instead thereof, as more conveniently Situated for Covering the New intended Settlements and keeping the Indians, from their Fishery in case of a Rupture. And His Excellency having signified under his Hand, That he cannot at present see Reason to Demolish the Fortification at *Casco*, until His Majesty's pleasure be known therein.

And forasmuch as the Charter Granted to the Inhabitants of this Province, by their late Majesty's King *William* and Queen *Mary* of Glorious Memory, Doth give full Power to the Governour, for the time being, at his pleasure to Demolish Forts and Fortifications.

Voted, That no more Money be drawn out of the Publick Treasury, for the Subsisting and Paying any Officers, or Souldiers at the Fort at *Casco*, after the First Day of *September* next.

And that a Copy of this Vote be sent to Mr. Treasurer, for his future Direction.

Sent up for Concurrence.

A Petition of *William Maccarty* Administrator of the Estate of his late Father *Florence Maccarty* of *Boston*, deceas'd, presented to the House and Read, praying, that a Deed of Gift, wherein *Joseph Nowell* conveyed his Real Estate to his Wife, which was forgotten to be mention'd in the Hearing that has been upon *Coomes* his Petition, may be now receiv'd, and have its consideration in the Proceeding of this Court upon the said Petition.

The Copy of the said Deed, and *Coomes*, his answer to the said Petition of *William Maccarty*, Read & sent up.

The Bill Intituled, *An Act in Addition to the Act for Granting unto His Majesty several Rates & Duties of Imposst, and Tunnage of Shipping*. Read a 2d time.

The Vote of the Board, upon the Vote of this House of the 2d Currant, for Post-poning the Raifing of *Eleven Thousand Pounds* of the Tax to be Levyed this Session, entred Yesterday, Read again and further Considered, and Debated.

Ordered, That the House Adhere to their Vote aforesaid, as first passed.

Sent up.

Ordered, That Mr. *Elisha Cooke*, Mr. *Samuel Clap*, Col. *Adam Winthrop*, Col. *Samuel Thaxter*, and Capt. *Francis Fulham*, with such as the Honourable Board shall joyn, be a Committee to prepare the Draught of a Bill, for Settling and Quieting the Titles of the Lands, that are to the *Eastward* of *Piscataqua River*, pursuant to the Vote of this Court this Session. Sent up for Concurrence.

Ordered, That Mr. *William Paine*, Col. *Samuel Thaxter*, and Col. *Adam Winthrop*, with such as the Honourable Board shall joyn, be a Committee to Build a Light House, at the Entrance of the Harbour of *Boston*, pursuant to the Votes of this Court.

Sent up for Concurrence.

An

An Engrofs'd Bill Intituled, *An Act for altering the time for Holding the Courts of General Sessions of the Peace, and Inferiour Court of Common Pleas within the County of Barnstable.* Read and

Resolved, That the Bill do pass to be Enacted. Sent up.

An Engrofs'd Bill Intituled, *An Act against Burglary.* Read and

Resolved, That the Bill do pass to be Enacted. Sent up.

A Message sent up to the Board, Desiring them now to joyn with the House in the choice of a Treasurer, for the Province.

Ordered, That Mr. *Denison*, and Mr. *William Parrie*, carry up the Votes of the House for a Treasurer, and assist in Sorting & Numbering them, with the Votes of the Board, and Report the choice.

The Votes of the House being prepared & collected, the Members afore-named carried them up to the Board, and Returned that Mr. *Jeremiah Allen* was chosen Treasurer for the Year ensuing, by a Unanimous Vote of both Houses.

A Message sent up to the Board, That the House are now preparing their Votes for an Impost Officer, Desiring they will do the same.

The Votes of the House being prepared & collected, were sent up by Col. *Winthrop* and Mr. *Denison*. Who Return'd & Reported that Mr. *Daniel Russell* was chosen Impost Officer for the Year ensuing, by a major part of the Voters.

A Message sent up to the Board, That the House are now ready to proceed to the choice of an Attorney General, Desiring them to joyn in the choice of that Officer.

Voted, That the Line between this Province and the Colony of *Rhode-Island*, as by agreement between Commissioners, for both Governments met at *Roxbury* on *January 19th 1710*, 11. and begun to be Investigated on the 23d of *April* following, according to said agreement from the Stake set up by — *Woodward* and *Saffery*, be finished. And the former Committee for this Province be Revived and fully Impowered, to perfect said Line, giving timely Notice to the Committee or Government of *Rhode-Island* of the time and place of their Meeting; and upon their Refusing or Neglecting, The Committee for this Province be directed to proceed & perfect the Line according to the aforesaid agreement now on Record.

Sent up for Concurrence.

Ordered, That a further Message be sent up to the Board, that the House are preparing their Votes, for an Attorney General, and Desire they would joyn with them in that choice.

The Members that carried up the said Message, Return'd answer, That the Council said they had been busied in other affairs, and had not yet considered of that Motion.

A Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands.* Read a first time.

A Bill Intituled, *An Act in Addition to the Act for Regulating Fees.* Read a 1st time.

Post Meridiem.

The Accompts of *Jeremiah Dummer* Esq; Treasurer of the County of *Suffolk*, for the Years 1713. & 1714. Presented to the House. Read and Allowed.

Sent up for Concurrence.

The Accompts of *Nathanael Paine* Esq; Treasurer of the County of *Bristol*, of the Year 1713. & 1714. Presented to the House. Read and Allowed.

Sent up for Concurrence.

The Accompts of *John Otis* Esq; Treasurer of the County of *Barnstable*, of the last Year. Presented to the House. Read and Allowed.

Sent up for Concurrence.

The Accompts of *Daniel Russell* Treasurer of the County of *Middlesex*, of the Years 1711, 1712, 1713. & 1714. Presented to the House. Read and Allowed.

Sent up for Concurrence.

A Petition of *Peter Roe*, *John Kent*, *James Younglove* & *Jacob Adams*, jun. Select-

men of the Town of *Suffield*, Shewing, That the Town are in great Confusion by reason of Differences about the choice of their Town Officers, as set forth in the Petition, praying Remedy from this Court. Sent down from the Board, pass'd upon there, *viz.* In Council *June 11. 1715.* Read & Ordered, That the Justices of *West Hampshire*, appoint an extraordinary Session at *Suffield*, and Command a Town Meeting to be Summoned there; and upon Reading the Papers & Proof of the Allegations therein, That they Establish the Selectmen chosen according to the usual Custom of the Town for Ten Years past, to proceed in the business of the Town for this Year: but that for the future they proceed according to the Direction of the Law. Sent down for Concurrence.

Read and not Concurr'd, and

Ordered, That the Inhabitants of the Town of *Suffield* be Ordered to Meet the first Monday in *July* next, and then to chuse all Town Officers to Serve for the Remainder of the Year; and that the Selectmen of the last Year be Directed & Impowered to give the Inhabitants Notice to Convene together according to the Order of this Court. Sent up for Concurrence.

A Message from the Board, That they are still of Opinion, That the half of the Tax Granted to be Levied this Session can't be *Post-pon'd*, since it is so Granted by an Act of this Court, under the Seal of the Province, and so return'd to *Whitehall*; and mov'd the House to proceed to Levy the whole Tax, except what Abatement may be made upon account of the Funds for drawing in the Bills, exceeding the Sum of the Bills out-standing.

The Petition of *John Campbell*, Deputy Post-Master General of *New-England*, praying as entered the 10th Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Twenty-five pounds three Shillings and three pence, be allowed and paid out of the Publick Treasury to Mr. *John Campbell*, in full of his Account of Postage of Publick Letters, to the 3d Currant.

Sent up for Concurrence.

A Petition of *Samuel Sewall* in the Name & behalf of the Trustees, of Governour *Hopkins* his Legacy, presented to the House and Read, praying, That leave may be given to the said Trustees to Purchase of the *Natick Indians*, a certain Tract of Land belonging to them, called *Maguncoog*, which they would do with the said Legacy, Designing to commit the purchase-consideration to Trustees, to be Improved for the benefit of the said Indians, in their more regular Settlement, & civil Cohabitation, &c.

Committed.

The Plat of Five Hundred Acres of Land, laid out for *Richard Hollingsworth's* Grant, which was accepted & confirm'd the 4th day of last *Novemb.* & sent up to the Board for Concurrence: not being pass'd upon there, but mislaid & not to be found.

Another Plat of the same Dimensions, presented to the House, and the same Vote pass'd thereon as on the former, *viz.*

A Plat of Five Hundred Acres of Land laid out by *William Ward* Surveyor, offered by Mr. *Samuel Prince* for Confirmation.

Ordered, That the Plat on the other side be allowed and confirmed as the Five Hundred Acres of Land Granted by this Court to *Richard Hollingsworth*, Anno 1673. If that Grant has not been laid out afore said, and this Plat does not interfere with any prior Grant. Sent up for Concurrence.

Whereas this House have Credible Intelligence that His Excellency Col. Elizeus Burges is Commissioned by His Majesty to be Governour of this His Majesty's Province, and may in a few Weeks be Expected to Arrive here.

Ordered, That Mr. Speaker, the Representatives of the Town of *Boston*, and Col. *Thaxter*, be a Committee to provide a suitable Place for His Excellency's present Reception, and Entertainment when he shall Arrive, and to Invite him thereto; and Compliment His Excellency in the Name of this House upon his safe Arrival.

A Petition of *Zebediah Wheeler, Richard Whitney, and Stephen Farr*, in behalf of the Town of *Stow*, presented to the House and Read, praying this Court to give Order for the Running and Setling of the Line between the said Town & the Town of *Concord*, which the said Towns cannot agree in amongst themselves.

In answer to the said Petition.

Ordered, That Capt. *Josiah Converse*, Mr. *John Sternes*, and Mr. *John Houghton*, be a Committee to Investigate & Settle the Bound Marks between the Towns of *Stow* and *Concord* (if the said Towns do not agree therein themselves by the last Day of *Novemb.* next) and make Report to this Court of their doings, and of their Opinion by whom of Right the charge of the said Committee ought to be born.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 15 die Junii 1715.

A Proposal of his Honour the Lieut. Governour *Tailer*,^r Commander of His Majesty's Castle *William*, was presented to the House and Read, Moving that a Coat and pair of Breeches, of Fifteen Shillings value lying in the Publick Stores, may be given to each of the Inlisted Souldiers, at the said Castle, for Reasons therein Assigned.

Ordered, That the Allowance proposed by his Honour the Lieut. Governour of a Coat and pair of Breeches, to each One of the Inlisted Souldiers at Castle *William* be Granted. Sent up for Concurrence.

The Petition of *Samuel Sewall*, praying as entred Yesterday, Read again, and the Report of the Committee thereon, which was accepted by the House, & accordingly.

Ordered, That the prayer of the Petition be Granted, the Pious Intention proposed therein being very acceptable to this Court. Sent up for Concurrence.

An Account of the several Dayes that each of the Honourable Gentlemen of the Council, gave their Attendance, to Exercise the Power of the Governour & Council, when the General Court was not Sitting, from the 10th Day of July 1701. to the 11th Day of June 1702. which was from the Death of Lieut. Governour Stoughton, to the Arrival of His Excellency Governour Dudley. Read and

Resolved, That *Five Shillings per Day* be allowed and Paid out of the Publick Treasury for each Day the Gentlemen of the Honourable Council attended to Exercise the Power of the Governour and Council, as on the other side, to each One of them (or such who legally Represent them) the Sum annexed to their Name; The whole Amounting to the Sum of *Two Hundred Thirty-five Pounds and Five Shillings.*

Sent up for Concurrence.

An Account of the several Dayes, that each of the Honourable Gentlemen of the Council, gave their Attendance, to Exercise the Governour & Councils Power, when the General Court was not Sitting, after the Expiration of Six Months, from the Demise of Queen ANNE, till the Arrival of His Majesty's Proclamation for the Continuance of Officers, viz from Feb. 4th. to March 21. 1714. Read and

Resolved, That *Five Shillings per Day* be Allowed and Paid out of the Publick Treasury for each Day the Gentlemen of the Honourable Council Attended to Exercise the Power of the Governour and Council, as on the other side, to each One of them (or such who legally Represent them) the Sum annexed to their Name; The whole Amounting to the Sum of *Fifty Eight Pounds and Five Shillings.*

Sent up for Concurrence.

The Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands.* Read a 2d & a 3 time.

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

A Plat of Three Hundred Acres of Land laid out by *John Gardner* Surveyor, under Oath, and the Chain-men under Oath, on *June 7th 1715*. being a Grant formerly made to Marshal General *Mitchelson*, presented to the House for Confirmation.

Ordered, That the Plat on the other side be Allowed & Confirmed, as the Three Hundred Acres of Land formerly Granted to Marshal General *Edward Mitchelson*, provided it Intrench upon no prior Grant. Sent up for Concurrence.

A Plat of Three Hundred and Seventeen Acres, and Sixty Poles of Land taken by *John Gardner* Surveyor, and Chain-men under Oath, and offered as the remaining Part of the Right of *John Higginson* Esq; (the whole being Four Hundred & Sixty Acres) presented to the House for Allowance.

And the following Vote pass'd thereon, *viz.*

This Plat being laid before the House and Inspected.

Ordered, That the Land therein Described and Platted, be Confirmed to the Honourable *John Higginson* Esq; Provided it Intrench upon no prior Grant.

Sent up for Concurrence.

Post Meridiem.

The Petition of *John Whipple* and *Mathew Whipple*, praying as entred the first Currant, upon which a Hearing has been this Session, sent down from the Board, pass'd upon there, *viz.* In Council *June 14th 1715*. *Ordered*, That the consideration of this Petition be deferr'd till next *October* Session; and that in the mean time the Petitioners make their Application to the Town of *Ipswich*, [*for relief in the Premisses.*]

Sent down for Concurrence.

Read and Concurr'd with this amendment, *viz.* The words [*for relief in the Premisses*] to be left out, and the following words to be added, *viz.* And joyn with them in Settling the Partition Line between them; That a further consideration of this Petition may then be had.

A Message from the Board, That the Council have considered the Motion of this House to proceed to the choice of an Attorney General.

And do not see cause to agree to it.

Ordered, That Capt. *Noyes*, Mr. *Cooke*, Capt. *Chambers*, Capt. *Cawley*, Major *Bradford*, Mr. *Samuel Clap*, and Capt. *Osgood*, Go up to the Council, and Desire, If it may be that this House may know the reasons that Induce that Honourable Board to Refuse joyning with them in the choice of that Officer, which the House esteem to be a Privilege belonging to this Court.

Who Return'd, That they had Delivered the Message but received no answer.

A Draught of a Letter from His Excellency the Governour in the Name of this Court, to the Governours of the Neighbouring Governments, Intimating the great Mischiefe that may probably accrue to these His Majesty's Provinces, by permitting the Indian Captives from *Carolina*, to be Imported, and Sold amongst them; which is therefore by a Law strictly forbidden in this Province. Read & approved, and sent up again with a Message, That His Excellency be desired to Write to the said Governours that some Persons may be appointed here to Exchange the Torn and Unserviceable Bills of those Governments.

A Petition of *William Spooner*, *John Delano*, *Caleb Blackwell*, in behalf of themselves and Others the Inhabitants of the Town of *Dartmouth*, presented to the House and Read, praying that *Twenty Pounds* may be Allowed out of the Publick Treasury towards the Maintenance of their Minister for this Year, for Reasons therein alledged.

Resolved, That the Sum of *Twenty Pounds* be Allowed and Paid out of the Publick Treasury, towards the Maintenance of the Ministry in the Town of *Dartmouth*, for the Year ensuing. Sent up for Concurrence.

A Message from the Board, Moving that the Salary for the Treasurer's Service the last Year be Granted; he being unwilling to be Sworn in order to the Service of another Year, until that is done.

A Petition of *Henry Bridgham* of *Boston* Guardian of *Sarah*, and *Esther Maccarty* Daughters and Co-heirs of *Florence Maccarty* late of *Boston*, deceas'd, Intestate, presented to the House and Read, praying, That he may be enabled to make Sale of the Real Estate Divided & Assigned to the said Minors, for Reasons therein alledged.

Committed.

Ordered, That the House now proceed to Apportion to the several Towns of the Province, the Sums they are to Pay in a Tax of the Eleven Thousand Pounds.

The House proceeded to Vote the Sum which each Town in the County of *Suffolk* should pay in the Tax afore-mentioned, each Town being consider'd, and their Sum Voted separately, Opportunity being first given to the respective Representatives to inform the House of the State and Circumstances of their Town, and wherein they differ from what they were the last Year.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 16 die Junii 1715.

THE House proceeded to Vote the Sum which each of the Towns in the Counties of *Essex*, *Middlesex*, and *Hampshire*, should pay in a Tax of Eleven Thousand Pounds, in manner as afore said.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 17 die Junii 1715.

A Bill Intituled, *An Act for Building and Maintaining a Light-house upon the Great Brewster*, called *Beacon Island*, at the Entrance of the Harbour of *Boston*.

Read a first time.

The Petition of *Henry Bridgham*, praying as entred the 15th Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the prayer of the said Petition be Granted.

Sent up for Concurrence.

A Bill Intituled, *An Act, in Addition to the Act for Granting unto His Majesty several Rates & Duties of Impost, and Tunnage of Shipping*. Read a 3^d time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

The House proceeded to Vote the Sum which each of the Towns in the Counties of *Plymouth*, *Barnstable*, *Bristol*, *York*, *Dukes County*, and *Nantucket*, should Pay in a Tax of Eleven Thousand Pounds, in manner as afore expressed.

Post Meridiem.

A Message from the Board, That Mr. Speaker and the House do now come up to the Council Chamber, to attend the Hearing appointed this Day, upon the Petition of several Inhabitants of the Town of *Wenham*.

Which was forthwith done, and Mr. Speaker and the House return'd to their own Chamber.

A Petition of *Wigglesworth Sweetser*, and *Urilla* his Wife of *Boston*, presented to the House and Read, praying, That a Surveyor may be appointed to lay out Three Hundred Acres of Land for them, which this Court allowed the last Year, to be their Right.

H

Ordered,

Ordered, that the Petitioner may Employ a skilful Surveyor with Chain-men under Oath, to lay out the said Three Hundred Acres of Land, and present a Plat thereof to this Court for confirmation. Sent up for Concurrence.

A Petition of Mr. *James Taylor* late Treasurer of this Province, praying, That the Sum of Eighty-Eight Pounds, Thirteen Shillings, and Four Pence, of the Province Bills, belonging to the Treasury, which were Stolen out of his House in the last Year of his Service in that Office, may be paid to him out of the Publick Treasury. Sent down from the Board: Read and Recommended.

Read & Debated. And the Question being put, Whether the prayer of the said Petition be Granted? It pass'd in the Negative.

A Petition of *Thomas Patch*, &c. Selectmen of the Town of *Wenham*, praying as entred the 10th Currant, upon which there has been a Hearing this Day. Sent down from the Board, pass'd upon there. *viz.* In Council *June 17. 1715.* *John Appleton, John Higginson, Thomas Noyes, Samuel Appleton, and John Burrill Esqrs*; Justices of the Peace in the County of *Essex*, are appointed to hold a special Sessioin, in the Town of *Wenham*, some time in the Month of *July* next. If the Parties are not agreed before, (giving Notice of their coming) to Hear and Determine the Matter in Controversy, contained in the Petition and Papers, and to make Report of their doings therein, to this Court the next Sessioins; the Town to bear the charge. Sent down for Concurrence.

Read and Concurr'd, the Sessioin to be some-time in *September*.

A Bill Intituled, *An Act in Addition to the Act of Limitation, for Quieting Possessions.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 18 die Junii 1715.

A Petition of *Ezekiel Bull* of *Rhode-Island*, Shewing, That in an Action against *Aaron Mellish*, which he brought by Appeal before the Superiour Court of Judicature lately holden at *Bristol*, he neglected to Seal his Reasons of Appeal, and thereupon his Action was dismist, and he is left without Remedy in the Law, and praying that a further Hearing may be Ordered to him. Sent down from the Board, pass'd upon there, *viz.* In Council, *June 16th 1715.* Read and Ordered, That a Hearing be had of the Action before the next Superiour Court to be holden at *Bristol*, the Petitioner to Serve the adverse Party with a Notification, so that he may have time to make his Defence.

Sent down for Concurrence. Read and Concurr'd.

The Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster called Beacon Island, at the entrance of the Harbour of Boston.* Read a 2d time.

The Bill Intituled, *An Act in Addition to the Act for Granting several Rates and Duties of Impost, &c.* Sent down from the Board with some Amendments, which were Read and Agreed to by the House: And the Bill sent up again.

The Bill Intituled, *An Act in Addition to the Act of Limitation, for Quieting of Possessions.* Read a second time; and a third time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Plat of Five Hundred Acres of Land laid out by *John Chandler* Surveyor, and One of the Chain-men under Oath, as the first half of One Thousand Acres of Land, Granted to *John Pynchon* Esq; deceas'd, *Anno 1659.* to be laid out in two Places, lying near the West Bounds of the Town of *Brookfield*, Presented to the House for Confirmation. And the following Vote pass'd thereon, *viz.*

Ordered, That the Land Described and Platted on the other side, be Allowed and Confirmed as the first half of the Grant, made to *John Pynchon*, Esq; deceas'd, *Anno 1659.* Provided it Intrench upon no prior Grant. Sent up for Concurrence.

A Plat containing the Quantity of Eight Miles Square of Land (Four Miles Square, belonging to the Indians of *Hassanamisca* being part thereof) Presented to the House for Allowance and Confirmation, by the Proprietors of the Township of *Sutton*. And the following Vote pass'd thereon, *viz.*

Ordered, That the Land Described and Platted on the other side, be Allowed, and Confirmed to the Proprietors of the Township of *Sutton*. Provided it Intrench upon no former Grant. Sent up for Concurrence.

The Petition of *Richard Coomes* and *Hephzibah* his Wife, upon which there has been a Hearing this Session. Sent down from the Board, for this House to proceed upon first. Read and Committed, and

Ordered, That Mr. Cooke be joynd with the Committee for Petitions in the Consideration of the said Petition.

The Petition of *Mary Cole*, praying as entred the 7th Instant. Sent down from the Board, pass'd upon there, *viz.* In Council, *June* 16. 1715. Read and Referr'd to the Superiour Court. Sent down for Concurrence. Read & Concurr'd.

Capt. *Noyes* from the Committee for Petitions, made Report on the Petition of *Richard Coomes*, which was accepted by the House, and accordingly,

Voted, That the Petitioners ought to have the Equity of Redemption, in as much as the Mortgage made to *Florence Maccarty*, by *Joseph Newel* the Father of the Petitioners, was not Recorded until *April* 7th 1714, by reason whereof they were De-feated of the benefit of An Act Intituled, *An Act for Hearing and Determining of Cases in Equity*, Made and pass'd in the Tenth of *William* the Third, &c.

And that they be Impowered to file a Bill for their Right, or Equity of Redemp-tion in the next Court or Courts of Law, proper to hear the same.

Sent up for Concurrence.

The Bill Intituled, *An Act in Addition to the Act for Erecting a Powder-house in Boston*. Sent down from the Board Concurr'd, with some Amendments; to which they Desire the Concurrence of this House.

Read & Concurr'd, and Sent up.

Ordered, That Mr. *Cooke*, Capt. *Noyce*, and Mr. *Epps*, Go up to the Council, and Acquaint them, *That Whereas this House have pressingly moved that Honourable Board to joyn with them in the Election of an Attorney General; which they had not seen cause to do. And Desired to be Informed of the Reasons that Inclind them to refuse joyning with the House in so great a Privilege; but had not been favour'd with an answer to that their Desire. This House therefore being still desirous to do all that is proper for them to Pre-serve the Privilege of that choice: Purpose to Proceed thereto on Monday next, and Repeat their Motion to the Board to joyn with them in it.*

The Petition of *Jonathan Hastings*, praying, as entred the 7th Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 18. 1715.

Ordered, That a Hearing be had of the said Actions at the next Superiour Court to be holden at *Cambridge*, for the County of *Middlesex*; as though the same properly lay before that Court by Appeal: The Petitioner to give the adverse Party timely Notice thereof. Sent down for Concurrence.

Read and Concurr'd.

A Message from the Board, Moving the House to bring forward the most neces-sary buifness of the Session, that the Court may Rise. And to Grant a Salary to the Treafurer, for his last Years Service: Who still declines being Sworn again to that office, until it is done.

And then the House Adjourn'd till Monday next Three a Clock afternoon.

Lunae 20 die Junii 1715.

A Petition of the Heirs of Mr. *John Haynes of Sudbury*, praying as entred the 2d Curreant, further considered, and
In Answer to the said Petition.

Ordered, That the Petitioners may take a Plat of the Land mention'd in their Petition by a Sworn Skilful Surveyor, and Chain-men under Oath, at their own charge, and lay it before this Court for confirmation.

Sent up for Concurrence.

A Petition of several Inhabitants of the Town of *Freetown*, presented to the House and Read, praying Assistance towards the Maintaining of a Ministry there.

Resolved, That the Sum of Twenty Pounds Allowed out of the Publick Treasury towards the Maintenance of the Ministry in the Town of *Freetown* the last Year, but not drawn out; they not being supplied with a Minister.

Be Allowed for that end in the Year Curreant: provided they Procure, and Entertain a Minister this Year. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to the Act for Regulating Fees.*

Read a 2d time.

A Message sent to the Board, to Inquire whether His Excellency had consented to the whole of the Vote of this House, pass'd the 7th Curreant, and Concurr'd too by the Board, relating to the Settling of the *Eastern Parts* of this Province, excepting the clause concerning *Casco Fort*?

Answer was return'd, That His Excellency said, He did consent to all but that of slighting *Casco Fort*.

The House prepared their Votes for an Attorney General; and sent them up to the Board by Capt. *Noyes*, Mr. *Cooke*, and Mr. *Remington*, with a Message Desiring the Council to joyn with the House in the choice of that Officer, and to tender their Votes to be told at the Board: But if they declin'd it, to Acquaint them, That this House could not foregoe their Privilege, and therefore should think it proper to Examine their own Votes: And Report the choice made by them.

The said Members return'd, That the Board said, They had come to no Determination in the affair.

The House proceeded to Examine their Votes, and it was found that *Thomas Newton* Esq; was chosen by a major Part of the Voters.

And the Members last named went up again to the Board, and Reported the choice which was made.

The following Vote sent down from the Board, *viz.* In Council *June 20th 1715.*
Ordered, That the Honourable *William Tailer* Esq; Lieut. Governour, *Wait Winthrop*, *Elisha Cooke*, *Elisha Hutchinson*, *Samuel Sewall*, & *Eliakim Hutchinson* Esqrs. be a Committee, with such as the Representatives shall joyn with them, to take Order for a Place for the Reception of the Governour, upon his Arrival, which is speedily to be Expected. Sent down for Concurrence. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 21 die Junii 1715.

A List of the Sums which the several Towns of the Province are Voted to Pay, in the Tax of Eleven Thousand Pounds. Read and

Ordered, That the several Towns Pay the Sums respectively annexed to them, in the Subsequent List in the Tax to be Levyed this Session, and that a Bill be drawn accordingly. Sent up for Concurrence.

The

The Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster called Beacon Island, at the entrance of the Harbour of Boston.*

Read a 3d time. and

Resolved, That the Bill do pass'd to be engross'd. Sent up for Concurrence.

A Petition of *Richard Peebody* of *Boxford* Guardian to *Olive Peebody*, a Minor, presented to the House and Read, praying, That he may be Impowered to make Sale of Sixty Acres of Land belonging to the said Minor, to raise Money necessary for his Education.

And the Question being put, Whether the prayer of the Petition be granted?

It pass'd in the Negative.

A Bill Intituled, *An Act in Addition to an Act for Regulating Fees.*

Read a 3d time, and

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

A Petition of *Isaac Woono*, and *Joshua Shanton*, Indians, Agents for *Ketticut*, an Indian Town, praying, That the said Town may be ordered to lie to the County of *Bristol*. Be relieved from sundry Encroachments made upon them by the English; particularly, *Mr. Mitchel*. And have some further Powers granted to them necessary in their Township. Sent down from the Board, pass'd on there, *viz.* In Council *June 18th 1715*. Read and Referred to the next Sessions of this Court in *October* next; and that *Mr. Mitchel* and the Select-men of *Bridgewater*, be Notified thereof. Sent down for Concurrence.

The Vote of the Board sent down and entred Yesterday for a Committee to take Order for a Place for the Reception of the Governour, when he shall Arrive.

Read and

Non-Concurr'd, Inasmuch as Matters of charge ought to Originate in this House. And this House have a Week since, appointed a Committee to provide for His Excellency's Reception, when he shall Arrive, who have already proceeded in the Affair. Sent up.

A Petition of *Simeon Stoddard*, and One Hundred and Eighty-Eight Others Inhabitants of the Town of *Boston*, &c. Presented to the House and Read, praying this Court to provide a Medium of Exchange in Trade, for want whereof the Trade of this Province is almost ruin'd.

Ordered, That the Consideration of the said Petition be referr'd to the next Session.

A Message from His Excellency, That if the House have anything of necessity to be done, they should bring it forward presently, for His Excellency had Determin'd upon a short Prorogation.

The Bill Intituled, *An Act for the more safe keeping the Registry of Deeds, and Conveyances of Lands.* Sent down from the Board Concurr'd with some Amendments; which Amendments were Read, and agreed to by the House.

And the Bill sent up.

Ordered, That a Message be sent up to the Board by *Capt. Noyes*, *Capt. Fulham*, *Major Bradford*, *Mr. Lothrop*, *Mr. Parsons*, *Capt. Osgood*, and *Capt. Southworth*, that there are several Bills of Publick Importance and Benefit, that have some of them pass'd through both Houses; others that have had Readings in them, which the House are Desirous to Perfect before they are Prorogu'd. And that the said Members present and leave a List of them before His Excellency.

But as this Message was going up a Message came down from the Board, That *Mr. Speaker* and the House do now attend His Excellency in the Council Chamber.

The said Members went up with the afore-written Message, and particularly, Laid before His Excellency the great Importance of the Bills for Impost and Excise.

An Engrofs'd Bill Intituled, *An Act for the better Preserving, Increasing and Securing Naval Stores; Particularly, Tar, Turpentine, and Rozin, within this Province.*

Read, and

Resolved, That the Bill do pass to be Enacted.

Ordered, That *Worcester* Petition be referr'd to the next Session.

Mr. Speaker, and the House went up to the Council Chamber, and His Excellency Prorogu'd the Court to *Wednesday* the 20th Day of *July* next, at Ten a Clock in the fore-noon.

The Representatives returning to their own Chamber, and taking into Consideration His Excellency's Speech, directed to the Court, before he Declared the Prorogation: — Importing, That it was almost a Month since the beginning of the Sessions, and that they had done little or nothing for the good of the Province, and that the Houses were distempered, and therefore he should Raise them by a short Prorogation, hoping they would come together in a better Temper: — Did therefore Unanimously Agree and Conclude to Print their Journal of the present Sessions, and Desired the Representatives of Boston to take care that the same might be Seasonably done; and the Clerk to prepare a Copy accordingly.

BOSTON: Printed by *B. Green*. Sold by *Samuel Gerrish* at his Shop on the North side of King Street, near the Town House. 1715.

Anno Regni Regis GEORGE II nunc Magnæ Britannæ, &c. Primo.

JOURNAL

Of the House of

Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in ~~New-England~~, begun & held at ~~Boston~~, upon Wednesday the 25th Day of ~~May~~, Anno Domini, 1715. And continued by Prorogation to Wednesday the 20th Day of July next after, and then Met.

MR. Speaker, sent up a Message to the Board, by Mr. *John Sterns*, That a Quorum of the House are met, and ready to proceed upon the business of the Session.

A Message from His Excellency by *Thomas Hutchinson Esq*; That Mr. Speaker and the whole House forthwith attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and His Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House return'd to their own Chamber.

His Excellency's Speech, Read, and is as follows, *viz.*

GENTLEMEN

At the Last Sessions of this Assembly I earnestly recommended to you the Raising of 22000l. Granted & Determined by two former Assemblies of the Province, for the Drawing in of that Sum of the Province Bills, Raised & Emitted for the Support of the late War, and Troubles with the Indians; which said Acts of Assembly were Passed; by the Representatives, and the Council of the Province, and Presented to the Governour to be Sign'd, & Pass'd by the Seal in due manner and accordingly in that Form, were sent home, and are there of Record, and Accepted by the Right Honourable the Lords of the Council of Trade & Plantations, as I was commanded by the Instructions for the Government, of which every body Concerned, being apprized, I made no doubt you would without any Delay have Proceeded to Apportion, and Levy it as those Acts Direct; as vls the Impost & Excise, which is thereby in like manner Determined, to be Raised in Aid, of the said Taxes severally; You are all sensible how well & thriftily, as well as successfully those Sums were Disbursed, and applyed to Defray the necessary Expenses of the War, and with what Honour your Bills Passed for the Support of those heavy Charges, without any Disparagement: And its as easy to see how the Credit of those Bills, must needs sink & fail, if the present or any future Assembly, shall upon any Pretence whatsoever, break in upon those Clauses in the said Acts, for the time of Payment, which I am willing to give my Opinion, We have no Power to do. Nor if we had, any reason at present to Project it, for that we are in Peace, and very capable to Discharge our Debts, in such Proportion as they are Determin'd, and since we have neither Power, nor need to delay the Payment, I am of Opinion we shall Disparage the Publick Faith of the Province, to that Degree that our Bills will fail in their Value, to the very great Injury of every Body that have taken them, or are in Possession of them; and in this we are justified by His Majesty's Most Gracious Speech from the Throne, "That nothing can Contribute more to the Support of the Credit of the Nation, than a strict Observance of Parliamentary Engagements.

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I therefore earnestly Recommend the Consideration of the Tax, Impost and Excise to your present Resolves, and hope you will make no Delay but pass through them, in two or three Dayes, not admitting of any other business this Session.

You will also Remember, That the Treasurers Support in his Office, is not provided for, and others in Office at Home or Foreign depending on your Justice, and respect to them in such manner, as has been usual; which being done, I shall not further Delay your own Business, which Demand your being at home.

I shall Account my self happy to see these Affairs well agree'd, and there shall be nothing wanting on my Part for His Majesty's Service, the Honour of the Government, and the benefit of all His Majesties good Subjects concern'd herein.

J. DUDLEY

A Bill Intituled, *An Act in Addition to an Act for Regulating of Fees.*

Read a first and a second time.

A Bill Intituled, *An Act in Addition to an Act for Erecting a Powder-house in Boston.*

Read a first and a second time.

A Bill Intituled, *An Act for the more safe keeping the Registry of Deeds & Conveyances of Lands.* Read a first and a second time.

A Bill Intituled, *An Act in Addition to an Act of Limitation, for Quieting of Possessions.* Read a first and a second time.

A Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster, called Beacon Island, at the entrance of the Harbour of Boston.*

Read a first and a second time.

Mr. *Gershom Hall* return'd Representative of the Town of *Harwich*, who was not present at the last Session, now appeared. And made his Excuse to the House for his Absence the last Session.

Ordered, That his Excuse be accepted, and that he go up to the Board to be qualified by taking the Oaths, &c.

Some Letters advising that the *Cape Sables* Indians had taken some Fishing Vessels belonging to the Inhabitants of this Province; Sent down from the Board & Read. And the Governours Orders to Capt. *Cayley* Commander of His Majesties Ship the *Rose Man* of War, to take on board & transport Col. *Edmund Goffe*, and Capt. *Cyprian Southack*, Commissioners appointed to Treat with the said Indians, and know the reasons of their Insulting the Fishery, and Taking the Vessels, and Demand their Restoration; and to Conciliate and Establish Friendship with the said Indians.

Read.

Post Meridiem.

A Petition of *Archibald Stobo*, a Minister of the Gospel, lately arriv'd from *Carolina*, Driven from his Habitation there by the Hostility of the *Indians*, presented to the House & Read, praying that the Duty upon Eleven Negro Women and Children by him Imported, may be abated.

A Message from the Board by *Andrew Belcher* Esq; That Capt. *Southack* being sick, Col. *Higginson* & Col. *Goffe* are appointed Commissioners to go and Treat with the *Cape Sables* Indians. And His Excellency & Council desire the Clerk of this House may be spared to go with them, and assist in that Service, being acquainted with the Treaties that have been with the Indians.

A Message sent up to the Board by Mr. *William Paine*, That the House (as his Excellency in his Speech to the Court Directs) are desirous to Dispatch the business of the Session as speedily as possible, & therefore can by no means spare their Clerk.

His Excellency's Speech Read again, and that Paragraph thereof which relates to the Levying of 22000*l.* this Year, long debated, and a Resolution formed.

In Consideration that the Trade of this Province, is greatly Obstructed, & sunk by the Exportation of the Coin, and for want of a Medium of Exchange, &c. the only Medium

now

now passing in Trade, is the Bills of Publick Credit, which are so far drawn in already, that by reason thereof the Inhabitants of this Province, will labour under great Difficulty to pay the Tax of Twenty two Thousand Pounds, granted to be raised this Year within the same. And Considering, That no Damage will accrue to the Publick, or to private Persons, the Possessors of the Bills: (this Court having abundantly secured the Credit of the Bills by making them a legal Tender) but Conveniency, and Advantage to both by Protraſting the Payment, of part of the said Tax to a further Convenient time.

Voted, That Eleven Thousand Pounds only of the said Sum, be Levied and Collected this present Year, and that the Impost and Excise be a Fund & Security for drawing in the Sum of Four Thousand Pounds more thereof.

And that the remaining Sum of Seven Thousand Pounds be Levied at the Session of this Court in *May*, 1722, and paid into the Treasury by the last Day of *December* next after. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 21 die Julii 1715.

A Bill Intituled, *An Act for Granting to His Majesty several Rates & Duties of Impost & Tunnage of Shipping.* Read a first and a second time.

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

Ordered, That Mr. Paine, Mr. Remington, Col. Thaxter, Mr. Balch, and Capt. Cawley, Go up to the Board, and acquaint his Excellency, That this House desire to be Informed, Whether His Excellency has consented to the several Publick and Private Bills, pass'd by both Houses at the last Session. And what steps have been since taken for the Repair of the Fort at *Brunswick near Pejepscut Falls?* Who Return'd, That His Excellency had consented to the several Bills, but His Excellency had still under consideration the Vote on the Petition of *Richard Coomes*. And that nothing was yet done to the Repairing of the Fort at *Brunswick*.

A Bill Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster (called Beacon Island) at the Entrance of the Harbour of Boston.*

Read a third time, and

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Regulating Fees.*

Read a third time, and

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Erecting of a Powder-house in Boston.* Read a third time, and

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act of Limitation, for Quieting Possessions.*

Read a third time, and

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

A Bill Intituled, *An Act for the more safe-keeping the Registry of Deeds & Conveyances of Lands.* Read a third time, and

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

Post Meridiem.

The Petition of *Archibald Stobo*, praying as entred Yesterday. Read again, and

Ordered, That the prayer of the Petition be Granted. Sent up for Concurrence.

A Bill Intituled, *An Act granting to his Majesty an Excise upon Wines, Liquors and other Strong Drink, Sold by Retail.* Read a first and second time.

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

Whereas

Whereas the Subjects of the *French King* are vigorously carrying on a very considerable Settlement at *Cape Breton*, which must necessarily demand large Supplies, of Provisions, Timber, Plank Boards, Nails, &c. for the well effecting thereof. And inasmuch as there are just Grounds to believe that some evil Minded Persons, in this as well as in the Province of *New-Hampshire*, in manifest contempt of the Fifth & Sixth Articles of a Treaty for a Neutrality, in *America*, between *England* and *France*, made at *Whitehall* the 6th of *November*, 1686. wherein it is Inserted, in the Fifth Article of the aforesaid Treaty, "That if any Ship or Vessel shall be found Trading or Fishing, contrary to the Tenour of the aforesaid Treaty, the said Ship or Vessel with its Loading, proof being made thereof, shall be Confiscated. Which Articles were lately sent from the Secretary of State to this Government, for their Observation thereof, and Printed & Published here. As also a Proclamation against a Commerce & Trade, with the *French* of *Canada*, *Cape Breton*, &c. Issued forth by Order of the Governour, with the Advice of the Council the 3d Day of *January* last past, and one other of the same Import, on the 29th Day of *March* last past, for the Lucre of gain have from time to time furnished the *French* at *Cape Breton*, with Live Cattel, Pork, Corn, Lumber, and other things, without which the aforesaid Settlement would have been very much Retarded, if not wholly Defeated.

Wherefore Resolved, That a Message be sent up to His Excellency the Governour to desire that he would be pleased to Order Capt. *Cayley* in His Majesty's Ship *Rose* after he has accomplished his intended Cruise to the *Eastward*, forthwith to proceed to *Cape Breton*, and there to Cruise as long as the Season will allow; to prevent the aforesaid clandestine Trade, which will be of great Service & Honour to the Crown: But if not timely done, may prove very injurious to this Province, with respect to the Fishery, which at all times deserves a very great Regard. And that the Commissioner be Instructed to proceed to *Cape Breton*, and acquaint the Chief Officer there of the Insults & Captions, made by the *Indians* & *French* amongst the Fishery, on the Coast of *Nova Scotia*, which the *Indians* do affirm was by the Instigation of the *French* at *Cape Breton*, from whom they have received great Presents; which is a manifest Breach of the Peace concluded between Her late Majesty, and the Most Christian King; and that this Government accordingly represent the same to His Majesty.

The Petition of *Samuel Sewall* Esq; pass'd upon in this House the last Session. Brought down from the Board, not having been pass'd upon there. Read again, and the Vote of this House thereon, and

Ordered, That the said Vote be Revived, and sent up for Concurrence.

A Plat of Seven Hundred Acres of Land, laid out by *John Gardner*, Surveyor, and the Chain-men under Oath, for *John* & *Nathanael Higginson*, pursuant to the Order of this Court at their last Session. Presented to the House for Confirmation.

Ordered, That the Land laid out and protracted in the said Plat be confirmed as the Seven Hundred Acres formerly Granted to the late Reverend Mr. *John Higginson*: provided it Intrench not upon any former grant. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 22 die Julii 1715.

THE Precept last sent to the Town of *Rochester*, Return'd into the House, and Mr. *Samuel Prince* their Representative; who appear'd: And went up to the Board to be qualified by taking the Oaths, &c.

A Letter from Major *John Fencks* of Providence, Moving that the Line between this Government and that of *Rhode-Island*, may not be Settled, according to the last agreement of the Commissioners for that end. Read.

A Report of *Eliakim Hutchinson*, &c. the Committee appointed the last Year to count & burn unserviceable Bills in the Treasury, Dated *January 24. 1714.* Read. Signifying, That they had then counted & burnt the Sum of *14427l. 4s.* of the said Bills. *2589l. 9s. 9d.* thereof being part of the *40000l.* Loan received into the Treasury, the remaining *11837l. 14s. 3d.* thereof being such as were Exchang'd.

Ordered, That the Treasurer be Discharged of the said Bills, which the Committee Report on the other side they have seen burnt to ashes. Sent up for Concurrence.

A Report of the Committee last mentioned, Dated *March 24. 1714* Read. Shewing, That they then had counted & burnt of Bills received

in exchange	l. 6000	00	0
Of Province Neat Bills	15638	12	1
Receiv'd into the Treasury with <i>5 per Cent.</i> advance, is	781	18	7
	l.22410	10	8

Ordered, That the Treasurer be Discharged of the Bills, which the Committee report on the other side they have seen burnt to ashes. It being agreeable to the Treasurers General Accompts, pass'd by this Court at their Session in *May* last, so far as relates to them. Sent up for Concurrence.

A further Report of the Committee last mentioned, Dated *May 19. 1715.* Read. Shewing, That they had then counted & burnt, *7953l. 5s. 7d.* of the said Bills of Publick Credit, that were receiv'd in Exchange as not fit to pass any longer.

Ordered, That the Treasurer be Discharged of the Bills which the Committee report on the other side, they have seen burnt to ashes. Sent up for Concurrence.

A Petition of *Peter Roe, James Younglove, John Burbank & Jacob Adams jun.* Selectmen of the Town of *Suffield*, presented to the House & Read, Shewing, That pursuant to the Order of this Court at their last Session, the said Town had a Meeting and chose Town Officers, but that *John Austan*, Clerk of the said Town the last Year, detain's and refuses to Deliver the Town Book to the Town Clerk chosen for this Year, which creates confusion in the affairs of the Town. Praying Remedy.

Resolved, That *John Austan* the late Town Clerk of *Suffield*, be preremptorily required to deliver the Town Books & Records to *Joseph Winchel*, the person last chosen and Sworn to be Clerk of the said Town, upon the Penalty of paying *Ten Pounds per Week*, for the use of the County of *Hampshire*, for every Week he continues to detain them, after the said *Winchel* makes demand thereof.

Sent up for Concurrence.

The Vote of this House pass'd the 20th Currant for a Tax of *11000l.* only to be raised this Year. Sent down from the Board, pass'd on there, *viz.* In Council *July 21. 1715.* Read and Non-concurr'd.

Ordered, That the said Vote be Insisted on, and sent up.

A Petition of *Zechariah Tuthill* Lieut. & Master Gunner, of His Majesty's Castle *William*, presented to the House & Read, praying, That Arrears of Wages due to him may be paid; as set forth in the Petition.

Ordered, That the said Petition be referr'd to the next Session for further Consideration.

A Petition of *Mary Haddrell*, and *Magdalene Beauchamp*, lately arrived from *Carolina*, being driven from their Livings there by the Incurfions of the Indians, presented to the House & Read, praying, That the Duty on Eight Negro Slaves belonging to them here Imported, may be abated.

Resolved, That the prayer of the Petition be granted. Sent up for Concurrence.

A Message from the Board by *John Higginson, Andrew Belcher, John Cushing*, and *Addington Davenport* Esqrs; Moving, That in the Bill for the Erecting & Maintaining a Light-house, &c. the Vessels belonging to the Province of *New-Hampshire*, may be inserted among those that are to be accounted Coasters.

The Question being put, *Whether the House agree to the said Amendment?*

It pass'd in the Negative.

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A Message was sent up to the Board to acquaint them with the said Vote.

A Petition of *James Minot*, and Sixty seven others, presented to the House and Read, praying, That a Tract of Land of Eight Miles square, lying on the Westerly and Northerly sides of *Brookfield*, may be granted to them and made a Township, and that they may have leave to purchase the Indian Title thereof.

Ordered, That the said Petition be referr'd to the next Session, for further consideration.

Post Meridiem.

Whereas this Court have ordered the Calling in & Exchanging of several of the Denominations of the Bills of Publick Credit on this Province; and many of the Bills that are paid into the Treasury are Torn & Defac'd which can be of no use, but some hazard to lodge long in the Treasury.

Ordered, That the Representatives of the Town of *Boston*, Capt. *Chambers*, & Mr. *Denison* with such as the Honourable Board shall Nominate, be a Committee, at any time (between this Session & the Session of this Court in *May* next) when the Treasurer shall have *Two Thousand Pounds*, or more of Bills in the Treasury, that are received in Exchange, as aforesaid, or otherwise defac'd, and unfit for use, at his application to them, to take an account of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them; and burn the said Bills to ashes, and make report of their doings to this Court, as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer equal to what the said Bills would have been, if they had continued in his hands. Sent up for Concurrence.

A Petition of *Amos Merrel* of *Boston*, presented to the House & Read, praying, That the Taile upon the Land descended to him from his late Father *Jeremy Merrel*, may be cut off for reasons therein mentioned.

Ordered, That the said Petition be Referr'd to the next Session, for further consideration.

A Petition of *William Manley* Sen. and fifteen others, Inhabitants of the Tract of Land commonly called *Taunton* North Purchase; presented to the House & Read, praying, That they may be form'd into a Township, for reasons therein mentioned.

Ordered, That the said Petition be Referr'd to the next Session, for further consideration.

Resolved, That the Sum of *Five Hundred Pounds* be allowed and paid out of the Publick Treasury, to the Committee appointed by this Court, to Erect a Lighthouse on *Beacon Island* at the Entrance of the Harbour of *Boston*, pursuant to an Act of this Court, for a present supply towards carrying on of that affair, who are to keep, and render fair Accompts of their Disbursing thereof to this Court.

And the said Committee are hereby Impowred to Treat with the Owners of the said Island, and purchase it of them, for the said Service.

Sent up for Concurrence.

A Bill Intituled, *An Act for Establishing a Rule for the Apportioning of Town & County Assessments, for the Year Seventeen Hundred & fifteen.* Read a second & a third time.

Resolved, That the Bill do pass to be Engros'd. Sent up for Concurrence.

The Vote of this House pass'd the 20. Currant for the Raising of a Tax of 11000*l.* only this Year: Sent down again from the Board, pass'd upon there, *viz.* In Council *July 22. 1715.* put to the Vote whether the Board do Insist on their Vote of Non-concurrence, within-mentioned, on the 21 *July* Currant? Pass'd in the Affirmative.

For that the Grant of Twenty Two Thousand Pounds mentioned in the Introduction, to the Vote of the House of Representatives, cannot justly be taken away, altered, or abated by this Court.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 23 die Julii 1715.

A Petition of *Joseph Lord* Pastor of the Church at *Dorchester* in *South Carolina*, praying, That an Indian Girl his Servant attending upon Two of his Children, whom he has sent to this Province to avoid the Danger of the Indian Enemy, may be allowed to be Imported & Remain here for that Service, the Law of the Province to the contrary notwithstanding. Sent down from the Board pass'd upon there, viz. In Council *July* 20th. 1715. Read & Ordered, That the prayer of this Petition be granted, provided the Petitioner engage, to Transport the Indian Girl, when his Family go from hence; and that he do not make Merchandize of her in the mean time. Sent down for Concurrence. Read & Concurr'd.

The Vote of this House pass'd the 20th current for a Tax of 11000*l.* only to be Raised this Year, and the last Vote of the Board thereon entred yesterday further considered, and

Ordered, That the Vote of the House be adhered to, and sent up.

An Engross'd Bill, Intituled, *An Act for Granting to His Majesty several Rates & Duties of Impost & Tonnage of Shipping.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act for Building & Maintaining a Light-house upon the Great Brewster, called Beacon-Island, at the Entrance of the Harbour in Boston.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill, Intituled, *An Act Granting to His Majesty an Excise upon Wines, Liquors, & other Strong Drink, Sold by Retail.* Read and

Resolved, That the Bill do pass to be Enacted.

A Plat of One thousand Acres of Land lying ten Miles, South-westward of *Wachusett-Hill*, laid out several Years since by *John Haynes*, Surveyor, pursuant to a Grant made *Anno* 1681. to the Six Youngest Children of Major *Simon Willard*, and now renewed by *John Haynes*, Surveyor, Son of the said *John Haynes*; presented to the House by *Samuel Sewall* Esq; for confirmation. And the following Vote pass'd thereon: viz.

Ordered, That the Land contained in the Plat above Delineated, be allowed and confirmed to be the Thousand Acres granted to the Six Youngest Children of Major *Simon Willard* in the Year 1681. Sent up for Concurrence.

A Draught of a Stone Fort proposed to be Erected at *Pejepscut Falls* in *Brunswick*, & a computation of the Cost, sent down from the Board, & Inspected & Considered.

It appearing to this House by the Projection & Computation laid before them, that the Building of a Stone Fort at *Brunswick*, near *Pejepscut Falls*, will be attended with a great & unnecessary charge, and require a considerable time before it can be completed.

Voted, That the Fort to be built there be made of Logs or Timber, not exceeding the Dimensions of Fifty Feet Square; and that Col. *John Wheelwright*, Capt. *Lewis Bane*, and *Charles Frost* Esq; who built the Fort at *Winter Harbour*, be a Committee to build the said Fort, with as much Expedition as may be; that the Stores at *Casco-Fort*, so far as needful, may be removed thither: which we are Informed are too much exposed to the Indians, through the decay'd State of that Fort.

Sent up for Concurrence.

An Accompt of *Joseph Jencks* jun. his charge in building the Great Bridge over *Pautucket* River, amounting to the Sum of 223*l.* 14*s.* 11*d.* Read, with a Letter from Mr. *Richard Ward*, Secretary of the Colony of *Rhode Island*, Moving this Government to pay one half of the said Sum.

Ordered, That the said Accompt be Referr'd to the next Session, for further consideration.

Ordered, That such Petitions as were the last Session referr'd to this, and have not now been considered, be referr'd to the next Session. The

The Vote of this House pass'd this Day for a Wooden Fort to be built at *Brunswick*; Sent down again from the Board with a Message, That they are of Opinion, since there is a Stone Fort there that may be repaired, It is better to be proceeded in than that a New one should be built with Wood, and therefore the Board had not Concurr'd with the said Vote.

An Engross'd Bill Intituled, *An Act for establishing a Rule for the Apportioning of Town & County Assessments for the Year Seventeen Hundred & Fifteen.* Read and Resolved, That the Bill do pass to be Enacted.

A Message from the Board by *Addington Davenport*, and *Edmund Quinsey* Esqrs; That His Excellency and Council, have pitch'd upon the Clerk of this House for a Commissioner to proceed to *Cape Sables* to Treat with the Indians there, and desire the consent of the House that he may attend that Service.

The Question being put, *Whether the House consent to the said Motion from the Board?* It pass'd in the Negative.

A Message sent up to acquaint His Excellency & the Board with the said Vote.

And then the House Adjourn'd till Monday next Three a Clock in the afternoon.

Lunae 25 die Julii 1715.

A Memorial of *Andrew Belcher* Esq; at the desire and in behalf of *Samuel Pa[r]tridge* Esq; Moving, That liberty may be granted to those that had Boxed Pine Trees to draw Turpentine in the County of *Hampshire*, before the Act pass'd the last Session did prohibit it, may be allowed to draw the Turpentine from them this Summer, paying such acknowledgment as this Court shall see meet to Order, brought down from the Board, having been there Read, and Recommended. Read.

And the Question being put, *Whether the Request of the said Memorial be granted?*

It pass'd in the Negative.

A Message from the Board by *Andrew Belcher*, *Isaac Winslow*, & *John Pynchon* Esqrs; That His Excellency & Council, have found no proper Person, besides Col. *Goffe*, that they can prevail with to proceed as Commissioner, to Treat with the *Cape Sable* Indians, and that they apprehend His Majesty's Subjects in their hands are in danger of Suffering by them. Desiring the Advice of the House in the affair. And left two Affidavits of such Persons as have lately been in the hands of the said Indians, which were Read:

And a Petition of *Jotham Odiorn* in behalf of himself, and *William Pepperell* Esq; of *Kittery*, Shewing, That the Indians at *Cape Sables* have taken two Fishing Sloops and a Shallop belonging to the said *Pepperell*, and two Fishing Sloops of the said *Odiorn's*: praying, That they may have liberty to send and Ransom their Vessels, and bring home Eleven Men now in the hands of the said Indians: And that a suitable Number of Men may be allowed to go with them, for that end in such Vessel as this Court shall Order. Read and

Ordered, That the Petition be Rejected; the Petitioner *Odiorn* being an Inhabitant of the Province of *New-Hampshire*; it is proper for him to apply there.

Ordered, That a Message be sent up to His Excellency the Governour, earnestly moving, That the Request of this House of the 21st. currant agreed to by the Council, for the Guard-ship to proceed to *Cape Breton*, &c. when she had finished her Intended Cruize, may be answered.

That if it be Suspected, That any of the English have Injured, or Defrauded any of the Indians, that it may be inquired into and Justice done to the Indians, That no proper means may be neglected to prevent the great Calamity of a War returning upon us.

That His Excellency will please to give Instruction to the Captain of the Man of War, to Represent to the Commander in Chief at *Cape Breton*, That the French are Fishing

Fishing to the Westward of the Gut of *Canso*, which is contrary to the late Treaty of Peace.

A Message from the Board, That His Excellency did agree to the Message last sent to him from the House.

A Message from the Board by *John Clark*, *Thomas Fitch*, and *Edmund Quinsey* Esqrs; That the Man of War is delay'd Sailing on her Cruize Eastward by nothing but the wanting of another Commissioner, in which they should be glad of the advice of this House.

A Message sent up to the Board by Capt. *Noyes* & Col. *Thaxter*, That the House is of Opinion, That Mr. *John Nelson* is a Person very proper for that Service.

Who Return'd, That Mr. *Nelson* could not be obtain'd for that Service.

A Message from the Board by *Addington Davenport* and *John Pynchon* Esqrs; Desiring, Mr. *William Paine* a Member of this House, to undertake the Service of a Commissioner, to Treat with the *Cape Sables* Indians; and that the House would consent to his proceeding therein.

But Mr. *Paine* acquainted the House, That he could by no means attend that Service.

The following Vote sent down from the Board, *viz.* In Council *July 25. 1715.*

In answer to the Petition of *William Pepperell* Esq; He has leave to Visit the Indians in friendship, at *Cape Sables*, and use all proper methods to regain his Men and Vessels, out of the Indians hands; and the Frigot being also ordered to visit that Coast may cover them, and afford them their Advice and Protection.

Sent down for Concurrence.

Read and Non-concurr'd: As a Matter of dangerous Consequence, for this Government to give allowance to the Ransoming of Captions from the Indians.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 26 die Julii 1715.

A Petition of the Eastern Congregation in the Town of *Watertown* by their Committee, praying, That they may be made a Separate Town, the Western Part of the said Town continuing to Illude the Orders of this Court for the Maintenance of the Ministry in the said Town: Sent down from the Board with their Vote thereon for Concurrence, which was Read and Agreed to by the House, with an Amendment. And is as follows, The Amendment being inserted, *viz.*

Ordered, That the Petitioners, serve the Selectmen and Assessors of *Watertown* with a Copy of this Petition and Summon them to attend this Court on the Second Wednesday of the next Fall-Session, to answer the Complaints, made therein, of their neglecting to comply with the Orders of this Court, for the Maintenance of their Ministers. Sent down for Concurrence. Read and Concurr'd.

The Honourable Board not seeing Cause to agree to the Vote of this House of the 23d Currant for Building a Fort with Wood.

Voted, That His Excellency the Governour be Requested to Order the Repairing of the Stone Fort at *Brunswick* near *Pejepscut Falls*, agreeable to the Vote of this Court at their last Session. Sent up for Concurrence.

Ordered, That a Message be sent up to the Board, desiring, That the Bills that have pass'd the Houses, may be Engross'd and Enacted, that the Court may rise; this House having now no business before them.

The Petition of *Jostiah Chapin* Esq; of *Mendon*, upon which a Vote was pass'd in this House, the 28th *June* last; sent down from the Board, the Council not having then pass'd upon it.

Ordered, That the said Vote be Revived and sent up for Concurrence.

And the Vote of this House pass'd on the Petition of the Inhabitants of *Brookfield*, the 9th of *June* last, not being then pass'd upon in Council: Sent down again to be Revived.

Ordered, That the said Vote be Revived and sent up for Concurrence.

A Petition of *Edward White* of *Boston*, shewing, That Mr. *Joseph Dowding* of the said Town hath wrongfully taken away, and with-holds from him his House, wherein he is without remedy in the Law; And that the Committee appointed by this Court to Audit, and Adjust the Accompts depending between them, have reported a considerable Sum to be due to him: Praying, That the said Report may be confirmed, and the said *Dowding* be compelled to pay him accordingly; or that his Affair may again have its course through the Law.

Sent down from the Board, pass'd upon there, viz. In Council *July 26. 1715.* Read, and the prayer of the Petition is so far granted, That the Petitioner be admitted to a new Trial. Sent down for Concurrence. Read & concurr'd.

A Letter from His Excellency the Governour to the two Houses. Sent down from the Board, and is as follows, viz.

Council Chamber in *Boston*, *July 26. 1715.*

GENTLEMEN,

The News from Cape Sables increasing upon us, that the Indians have proceeded in their Hostilities, so far as to make themselves Masters of about Twenty-seven of our Fishing Vessels, and Men belonging, of whom they have Murdered Eight, and wounded Others.

I am of Opinion, That the Frigot proceed immediately to Annapolis Royall, and Acquaint the Government there, of our present Posture, and their Danger, and obtain their advice of any Method, to be used to Recover our Vessels, and Prisoners out of the Indian hands; and from thence to proceed to Cape Sables, to advise our Fishing Vessels there of their Danger: And that there be taken up forth-with two good Sloops with Thirty Men each, to Defend and Secure our remaining Fishery, upon the Coast of Cape Sables, and Parts Adjacent, and to hold his Cruise there for Twenty Dayes; and then give us Notice for our further Proceedure; and that the Frigot sail forth-with, with Col. Goffe on Board, no other fit Person to be joyned with him in this Negotiation appearing.

J. DUDLEY.

Pass'd upon in Council, viz. *July 26th. 1715.* Read and Accepted, and desired that it be forth-with proceeded upon. Sent down for Concurrence.

Read and Concurr'd.

An Engross'd Bill, Intituled, *An Act for the more safe keeping the Registry of Deeds and Conveyances of Lands.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act in Addition to an Act for Regulating Fees.*

Read and

Resolved, That the Bill do pass to be Enacted.

A Petition of *John Austan*, late Town Clerk of *Suffield*, presented to the House and Read, praying this Court to Order the Proprietors of the said Town, to have a Meeting; and that the Justices of the General Sessions of the Peace in the County of *Hampshire*, may Hear and Determine their Differences relating to Grants of Lands in the said Town.

Ordered, That the Inhabitants of the Town of *Suffield*, be advised & directed to Compromise, and Issue their Differences in the Affairs afore-mentioned, among themselves as speedily as may be. But if they shall not be so wise as to do it, in the space of three Months next coming, & signifie it to the Honourable *Samuel Partridge* Esq; That then the Justices of the General Sessions of the Peace in the County of *Hampshire*, Hold a Special Session at the said Town, Hear both Parties & Determine and Settle their Differences, whose Determination shall be a final Issue, and be so entred in their Town Book.

The charge of the Session to be born by the said Town.

And the Town Clerk is directed to Enter no Record of the Lands in controversy, before

before the Session order'd of the Justices, unless the Town come into a good and amicable agreement therein. Sent up for Concurrence. With a Message that the House have no business before them and desire to Rise.

A Message from the Board by *John Clark, Thomas Hutchinson, and Edmund Quinsey Esqrs*; That several Allowances which are wont to be made Annually at the *May* Session, are not yet done; as the Allowance to the Judges, Treasurer, &c. Moving the House now to Grant the same. And intimated that the Treasurer is not willing to be Sworn for the Service of the Year current, until his Allowance for the last Year's Service is Granted.

The Question being put, *Whether the House will proceed to make Allowances at this time, inasmuch as the Tax to be Levied this Year is not agreed on?*

It pass'd in the Negative.

And the said Vote was sent up to the Board by Capt. *Noyes, Mr. William Paine, and Mr. Chipman.*

The following Vote sent down from the Board, *viz. July 26th. 1715. Elisha Hutchinson, Eliakim Hutchinson, Andrew Belcher, Thomas Hutchinson and Edmund Quinsey Esqrs*; are a Committee to confer upon the Tax, with such as the Representatives shall appoint, that the Occasions of the Province be not lost for want of a Supply. Sent down for Concurrence. Read & Concurr'd with an Amendment added, *viz. And consider some Expedient wherein the Houses may be likely to agree for raising one.*

And Capt. *Noyes, Mr. Cooke, Mr. Epps, Capt. Fullam, Maj. Bradford, Capt. Parsons, Capt. Cawley, Mr. Knolton, and Capt. Chambers* are joined in the Affair.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 27 die Julii 1715.

A Plat of Land, offered to the House for confirmation, pursuant to the Vote of this Court at their last Session for 1686. Acres to be laid out, in answer to the Petition of the Heirs of *John Haynes.*

And the Petition of the Heirs of the said *John Haynes*, presented to the House and Read, praying, That the Land in the said Plat may be confirmed to them.

And a Petition of *Hopestill Brown, John Brigham, Joshua Haynes, & Edward Goddard*, presented to the House and Read, praying, That a certain Tract of Meadow, belonging to them, and others, lying within the Limits of the said Plat, may be reserved to them, together with some Up-land to Stack their Hay upon, and a convenient High-way to the Meadow.

An Answer of the Heirs of the said *John Haynes* to the last mentioned Petition, Read; and the Question being put, *Whether the Plat be Confirmed?*

It pass'd in the Negative. It appearing to the House that the Plat is fallaciously drawn, and contains several Hundred Acres of Land more than the 1686. design'd to be confirmed by this Court.

The Petition of the Committee of fundry Proprietors of *Swampfield*, praying as entred the 7th Day of *June* last. Read again, and

Ordered, That the Petitioners lay before the Court a Plat of their Original Grant, and of the Land they Petition to have added to them by a Surveyor and Chain-men under Oath. Sent up for Concurrence.

A Message from the Board by *John Clark & Thomas Fitch Esqrs*; Moving the House to Vote the Wages that shall be given to a Surgeon for the Sloops Ordered to *Cape Sables.*

Ordered, That a Message be sent up to the Board, That some proper Person be agreed with for that Occasion, upon such reasonable Terms as he can be obtained.

The

The following Vote brought from the Board by *Andrew Belcher, Isaac Winslow, Thomas Hutchinson, Thomas Fitch, and Edmund Quinsy Esqrs*; viz.

Proposals for the Drawing in 22000*l.* to be Levied on Polls and Estates, for this present Year 1715.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Interest on the 50000 <i>l.</i> Loan Money	2000	0	0
In the Treasury, as appears by the Treasurers Accompts	2000	0	0
Impost and Excise, suppose to be	5000	0	0
A Tax on Polls & Estates to be Levied this present Year, } to compleat the 22000 <i>l.</i>	13000	0	0
l. 22000 0 0			

In Council July 27th. 1715. Voted & Accepted unanimously.
Sent down for Concurrence. Read

Post Meridiem.

A Message sent up to the Board by Mr. *William Denison, Mr. Hitchcock, and Mr. Chipman*, That the House desire to see the Report of the Committee of both Houses, appointed to confer about the Tax. Which they brought down, & is as follows, viz.

Proposals, for Drawing in the Tax of 22000*l.* Granted to be paid in the Year 1715. viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
A Tax on Polls and Estates	11000	0	0
Interest of the 50000 <i>l.</i> Loan	2000	0	0
In the Treasury, with an Obligation & Judgment of Court	2050	0	0
Impost and Excise	6950	0	0
l 22000 0 0			

A Tax to be Granted on Polls and Estates to make good Deficiencies on any of the above Sums, 5000*l.* To be Levied in 1712, or 1713.

Read and Accepted. Sent up for Concurrence.

A Message from the Board by *Elisha Hutchinson, Andrew Belcher, Edward Bromfield, John Clark, Thomas Hutchinson, Thomas Fitch, Thomas Oliver, and Edmund Quinsy Esqrs.* who brought down the Vote of this House upon the Report of the Committee of both Houses, concerning the Tax non-concurr'd. And Acquainted the House that the Council could not consent to the *Post-poning* any part of the Tax, and mov'd the House to consent to the Vote of the Board relating to the Tax sent down this Day.

The Vote of the Board relating to the Tax, entred in the forenoon, and then sent down for Concurrence. Read and Non-concurr'd.

Ordered, That the House Adhere to their Vote on the Report of the Committee of both Houses. And that it be sent up again.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jovis 28 die Julii 1715.

AN Engros'd Bill Intituled, *An Act in Addition to an Act of Limitation, for Quiet-
ing of Possessions.* Read and

Resolved, That the Bill do pass to be Enacted.

Ordered, That Col. *Thaxter, Col. Winthrop, and Mr. William Paine*, with such as the Honourable Board shall Nominate, be a Committee to Consider & Treat with Persons Skilful in Surveying; and acquainted in the Frontiers, in order to take a Plat of the ungranted Lands, in the Frontiers lying between *Conneticut* Great River, and *Merrimack* River, up as high Westward, as *Penicook*, upon *Merrimack* River, and from thence upon a strait Line, to the nearest part of *Conneticut* River: the Plat to
Include

Include all the ungranted Lands lying between the said two Rivers, and the said strait Line, and the Frontier Towns. And in order to take Plats of the ungranted Lands that are within the said Frontiers. And make a Report to the next Session of this Court what the charge may probably amount to. Sent up for Concurrence.

Post Meridiem.

The following Propofal presented to the House by the Subscribers. viz.

WE the Subscribers Proprietors of the Lands in Brunswick, Topsham, &c. being Desirous to make such a Settlement, as may be able to sustain a War with the Indians, Do acknowledge the Favour of the General Court, in their readiness to Encourage and Proteēt the intended Settlements, and particularly in the Repair of the Fort there; yet perceiving the House inclinable to a Wooden Fort, on account of the cheapness of it; We being sensible that as this Fort is set, so as to be a Bridle to the Indians: So if a War should arise, it may be Expected, they will leave no means untryed, to become Masters of it, towards which the Remoteness from Succour will give them great advantage, and considering how much the Lives & Estates there will depend upon the Strength & Security of that Fort; We have been Induced to make the following Propofal.

That whereas the Wooden Fort at Winter Harbour cost, as we are informed 400l. Pounds, when Provisions, & Labour were much cheaper, than at this time, We can't suppose such an one now would cost much less than 500l. Pounds; and a Stone Fort supposed to be much more Chargeable: Yet rather than the said Fort should be of Wood, and so liable to be Consumed by Fire, in case it should be Assaulted by French as well as Indians.

We Offer, That if the General Court will please to Allow Five Hundred Pounds, and let us now have the Fifteen Men, which are Designed for that Garrison, we will enter into Engagements to Repair & Finish the aforesaid Stone Fort: To be 50 Foot square, as proposed, with Four Bastions, Two of which of Wood on the Top of the Angle; at our own Charge, although it should amount to more than that Sum. And we shall set about it in a Weeks time if possible, and hope to finish it before Winter, if not Obstructed by the Indians. We desire to have Three Hundred Pounds of the said Sum as occasion shall require, to provide Materials, &c. and the remainder when the work is finished.

Boston, July 28th. 1715.

Memorandum,

It is agreed that the Foundation of the said Fort shall be Three Foot under ground, That the Wall shall be Three Foot Thick at Bottom, and at least Ten Foot High above the

Ground; and laid in Lime Mortar, with Barracks for Fifteen Men; to be built on or near the Spot where the Fort now stands.

Thomas Hutchinson.
Adam Winthrop
Oliver Noyes.
In behalf of themselves
and partners.

Voted, That the said Proposals be accepted, and the Sums be paid out of the Treasury as proposed. Sent up for Concurrence.

A Message from the Board by *Thomas Fitch, & Thomas Oliver Esqrs*; That Capt. *Bommazeen* with the other Four Eastern Indians that have been here some Days upon a Visit, are now returning home, and the Council think it convenient that something be given them, to bear their Expences.

Voted, That the Sum of Four Pounds be allowed them to bear their charges home. Sent up for Concurrence.

A Message sent up to the Board by Mr. *Remington*, and Capt. *Osgood*, That this House have no business lying before them, and if there be none to come down from the Board, the House desire to be dismiss.

Who return'd answer, That His Excellency said the Treasury is not yet supplied, nor the Tax to be Raised this Session agreed upon, nor the Treasurers Salary Voted, and he, as yet not Sworn, which ought to be done before the Court Rises.

The following Vote sent down from the Board, viz. In Council July 28th. 1715. Voted, That if the Assembly agree to lay Eleven Thousand Pounds Tax at this Session, in part of the Twenty two Thousand Pounds Granted by two former Acts of Assembly, to be paid this Year; the Council will agree to the Act.

Sent down for Concurrence. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Oeneris 29 die Julii 1715.

AN Act for Apportioning & Assessing a Tax of Eleven thousand pounds, on Polls and Estates, which with the Sum of Two thousand pounds in the Treasury, Two thousand pounds Interest of the Loan Money, and Seven thousand pounds by the Impost, Excise & Tunnage of Shipping, past this present Session, will make up the Sum of Twenty two thousand pounds pursuant to the Funds & Grants, made to Her late Majesty by this Court, at their several Sessions in *Novemb.* 1710 & *May* 1711.

Ordered, That the Preamble of the Tax Bill to be pass'd this Session, be formed agreeable to the above-mentioned Minutes. And that a Bill be drawn accordingly, as expeditiously as may be. Sent up for Concurrence.

Resolved, That the Treasurer be & hereby is Directed & Impowred, to Issue forth and Emit the Sum of Four thousand pounds, of the Bills of Publick Credit of this Province, that are or shall be received into the Treasury, for payment of the Publick Debts of the Province already contracted; for the Defence & Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province; and for the Subsisting of Forts, or Garrisons, and Wages arising for their Service: (But the Fort at *Casco Bay* for no longer time, than the first Day of *October* next;) for Payment of Grants, Salaries, and Allowances, made or to be made by this Court, according to such Draughts as from time to time shall be made upon him, by Warrant or Order of the Governour, by & with the Advice & Consent of the Council: and the said Bills shall pass out of the Treasury at the value therein expressed, equivalent to Money; and shall be taken, and accepted in all Publick Payments at the Advance, and after the Rate of *Five Pounds per Cent.* more.

And as a Fund & Security for the same, There be, and hereby is Granted to His Most Excellent Majesty, to the ends & uses, as aforesaid, a Tax of Four thousand pounds, to be levied on Polls & Estates both Real & Personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts within the same as shall be agreed on, and ordered by the Great and General Court of Assembly of this Province, at their Session in *May Anno* 1722. And paid into the Treasury on or before the last Day of *December* next after.

Sent up for Concurrence.

Resolved, That the Sum of Forty Shillings be allowed, and paid out of the Publick Treasury to Mr. *Benjamin Rolf* for his Service in writing for this Court the last Year. Sent up for Concurrence.

Post Meridiem.

A Bill Intituled, *An Act for Apportioning & Assessing a Tax of Eleven Thousand Pounds upon Polls & Estates.* Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 30 die Julii 1715.

A Bill Intituled, *An Act for Apportioning & Assessing a Tax of Eleven Thousand Pounds upon Polls & Estates.* Read a 2d and a 3d time.

Resolved, That the Bill do pass to be Engross'd. Sent up for Concurrence.

Ordered, That the Representatives of the Town of *Boston*, be desired to take the care of Printing the Votes of this House this Session, and Treat with a Printer about the Terms upon which they may be Printed here-after.

WHEREAS It is Enacted, in the Act for Granting to His Majesty several Rates, and Duties of Impost and Tunnage of Shipping. viz. "That there shall be paid by the " Master of every Ship, or other Vessel coming into any Port, or Ports in this Province,

" to

“to Trade or Traffick, the major part of the Owners whereof are not belonging to this Province; except such Vessels as belong to the Provinces, or Colonies of *Pennsylvania, West & East Jersey, New-York, Connecticut, or Rhode Island*; every Voyage such Ship or Vessel does make, the Sum of *Eighteen-Pence per Ton*, or one Pound of good New Gunpowder, for every Ton such Ship or Vessel is in burthen; to be paid into the Commissioner, or Receiver of the Duties of Impost, and to be Employed for the Supply of His Majesty's Castle, and Forts, within this Province.

Ordered, That it be an Explanation of the said Act, That the said Duty is not to be paid for such Part or Parts, of any Ship or other Vessel, that is owned by any person or persons Inhabiting this Province; and that it be an Instruction to the Officer of Impost to govern himself accordingly.

Sent up for Concurrence.

A Complaint of *Nathanael Healy*, and four others of the South Part of *Newton*, Shewing, That they are assessed to the Support of the Ministry in the said Town, notwithstanding by an Order of this Court, they are annexed to the Western Precinct in *Roxbury*. Sent down from the Board, pass'd on there, *viz.* In Council, *July 30th. 1715.* In Answer to this Petition. Voted, That the Vote and Advice of this Court, at their Session in *May 1713.* to the Town of *Newton*, to allow Six Families lying next to *Roxbury* to Attend the Worship of God at that Precinct, was and is a Positive Order, to the said Town; to Dismiss the said Six Families, from them to Attend the Publick Worship of God at *Roxbury*; and accordingly they are Discharged from paying to the Ministers in *Newton*.

Sent down for Concurrence. Read and

Ordered, That the consideration of this Petition be refer'd to the next Session of this Court; and that in the mean time no Distress be made upon the Petitioners.

Sent up for Concurrence.

A Message from the Board by *Wait Winthrop, John Clark, & Thomas Fitch Esqrs.* That the Board had not pass'd upon the Vote of this House, sent up Yesterday, for Supply of the Treasury: His Excellency having intimated to them, That he could not consent to the clause therein relating to *Casco Fort*. And they left the said Vote to be further considered of.

The said Vote was sent up to the Board again by Mr. *Cooke*, and Mr. *Remington*, with a Message, That the House is of Opinion, They can't abate the clause concerning *Casco Fort*, without the hazard of having both the Old Fort at *Casco*, and a New one at *Pejepscut* to be maintained.

The Vote of this House for Supply of the Treasury, sent down again from the Board, with a clause proposed in the room of that concerning *Casco Fort. viz.* And that the Treasurer send the Subsistence for the Garrison at *Casco* till the first Day of *October* next; not doubting of the Governours Direction to Draw off the Garrison at *Casco* so soon as the New Fort at *Pejepscut* be finished and ready to receive the Stores, and Soldiers now lodged at *Casco Fort*.

The Question being put, *Whether the House agree to the said Amendment propos'd by the Board?*

It pass'd in the Negative. *Nemine Contradicente.*

Ordered, That the House Adhere to their Vote. Sent up.

And then the House Adjourn'd till Monday next Three a Clock in the afternoon.

Lunae 1 die Augusti 1715.

Adlington Davenport Esq; Brought down from the Board some Letters advising of the Return of the Vessels and Men, that were taken by the *Cape Sables* Indians, and inform'd the House there is no business lying before them.

Mr.

Mr. *Cooke*, Mr. *Paine*, and Capt. *Fullam* were sent up to the Board, to Inquire whether the Vote of this House, for Supplying the Treafury is concurr'd. And to Acquaint them that this House have no bufinefs before them.

A Message from the Board by *Andrew Belcher*, *Edward Bromfield*, *John Clark*, *Addington Davenport*, *Thomas Hutchinson*, *Thomas Oliver*, and *Edmund Quinsy* Esqrs. That the Council could not concur with the Vote of this House for Supply of the Treafury, with that clause in it relating to *Casco Fort*; But that His Excellency says, He is ready to remove the Stores from *Casco Fort*, to *Brunswick*, as soon as the Fort at *Brunswick* shall be fit to receive them, and will do it, if it lyes in his Power, when the Fort at *Brunswick* shall be ready: And they left the said Vote, whereon is entred, viz. In Council, *August* 1st. 1715. Read and Non-Concurr'd.

The following Vote entred on the Vote for Supply of the Treafury, and sent up. viz.

Voted, That it is the undoubted Right of this House to Appropriate their Grants.

And that the House are necessitated to adhere to this their Resolve, without abating the clause relating to *Casco Fort*, having Voted the Repairing of the Fort at *Brunswick*; which Vote is Concurr'd by the Honourable Board, and consented to by His Excellency.

A Petition of *William Clap*, and Fourteen others Inhabitants of *Cape Cod*, Assigning reasons why they would not be annex'd to the Town of *Truro*; and why they are without a Minister: and praying, That they may be made a Township, and assisted out of the Publick Treafury in Building a Meeting-House, and Maintaining a Minister. Proposing that the Treafury may be reimburs'd by a Duty laid on the Fishery there. Sent down from the Board. Recommended.

Ordered, That the Consideration of the said Petition be referr'd to the next Session.

Sent up for Concurrence by Capt. *Chambers*, and Mr. *Moodey*, with a Message that the House have no bufinefs before them, and desire to Rise.

A Message from the Board by *Edmund Quinsy* Esqr; That His Excellency Directs the Speaker and the whole House to attend him forthwith in the Council Chamber.

Mr. Speaker, and the whole House went up accordingly; and His Excellency Prorogu'd the Court to *Wednesday* the 24th Day of *August* Currant, at Ten a Clock in the forenoon.

Anno Regni Regis GEORGIi nunc Magnæ Britanniaë, &c. Secundo.

JOURNAL

Of the House of

Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in **New-England**, begun & held at **Boston**, upon Wednesday the 25th Day of **May**, Anno Domini, 1715. And continued by Prorogation to Wednesday the 24th Day of **August** next after, and then Met.

A Number sufficient to constitute a House not appearing, the Members present agreed to meet again at Three a Clock in the afternoon.

Post Meridiem

Mr. Speaker sent up a Message to the Board by Col. *Thaxter*, and Capt. *Cawley*. That a *Quorum* of the House are now met, and ready to proceed upon the Business of the Session.

A Message from His Excellency by *Edmund Quincey* Esq; That Mr. Speaker and the House forthwith attend him in the Council Chamber.

Mr. Speaker and the House accordingly went up to the Council Chamber, and His Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House return'd to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

Boston, August 24th. 1715.

GENTLEMEN,

I Should not have given you the Trouble of a Session at this time, but that I thought it necessary to give you the Opportunity to Provide for the Support of the Government in the hands of the Civil Officers, The Judges, the Treasurer and Others who ought to be provided for, and have at no time been neglected by the Assembly besides which it is necessary, to have some-thing in the Treasury for the Defreying of other Emergencies, that may require the same, This will not Demand more than a Day or Two to Resolve, and I am not willing, to enter into any other Affairs that may Detain you from your own business in the Country that is pressing at this time.

J. DUDLEY.

A Motion being made, That the House will not proceed to make a Grant for Supply of the Treasury, without an Introduction thereto, to shew the reason of it's not being done afore, and to vindicate the House therein.

Which meeting with some Opposition.

The Question was put, *Whether the House will proceed to make a Grant for supply of the Treasury, without such Introduction?*

It pass'd in the Negative.

Ordered, That Mr. *William Paine*, Capt. *Noyes* and Mr. *Remington*, be a Committee to prepare a draught of such Introduction and lay it before the House.

Which they did accordingly, and was Read and Accepted by the House, and pass'd together with a Resolve for a supply of the Treasury: as follows, *viz.*

This House having on the 29th Day of July in their last Sessions; Voted, That the Sum of Four Thousand Pounds of the Bills of Publick Credit of this Province be Emitted by the Treasurer, for the Support of the Government, and for Payment of Grants, Salaries and Allowances, Made or to be made by this Court, &c. which said Vote was then Non-concurr'd by the Honourable Council. For Reviving therefore of the said Grant, and that this House may again shew their readines to supply the Treasury.

Resolved, That the Treasurer be & hereby is Directed & Impowred, to Issue forth and Emit the Sum of Four thousand Pounds, of the Bills of Publick Credit of this Province, that are or shall be received into the Treasury; for Payment of the Publick Debts of the Province already contracted; for the Defence & Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province; and for the Subsisting of Forts, or Garrisons, and Wages arising for their Service: (But the Fort at Casco Bay for no longer time, than the first Day of October next;) for Payment of Grants, Salaries, and Allowances, Made or to be made by this Court, according to such Draughts as from time to time shall be made upon him, by Warrant or Order of the Governour, by and with the Advice and Consent of the Council: and the said Bills shall pass out of the Treasury at the value therein expressed, equivalent to Money; and shall be taken, and accepted in all Publick Payments at the Advance, and after the Rate of Five Pounds per Cent. more.

And as a Fund & Security for the same, There be, and hereby is Granted to His Most Excellent Majesty, to the ends and uses, as aforesaid, a Tax of Four thousand Pounds, to be levied on Polls and Estates both Real and Personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts within the same, as shall be agreed on, and ordered by the Great and General Court or Assembly of this Province, at their Session in May Anno 1722. And paid into the Treasury on or before the last Day of December next after.

Sent up for Concurrence.

The Vote of this House pass'd the 28th of July last, relating to the taking a Survey of the Western Frontiers, not having been then pass'd on by the Board, was sent for from thence, and Read, and

Ordered, That the said Vote be Revived, and Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 25 die Augustii 1715.

A Motion being made, That Provision be made in the Law to give certain and seasonable Notice to the several Members of this Court of the Prorogations thereof, that shall be made from time to time when this Court is not Sitting.

Ordered, That Mr. Cooke be desired to prepare a Draught of a Bill for that end, and lay it before the House at their next Session.

Post Meridiem.

The Committee of this House appointed the last Session to Treat with a Printer for the Imprinting the Votes of this House, made Report that Mr. Bartho. Green Printer, had offered to do the same, and all the other Printing directed by the Government, for the space of Seven Years next coming; and to furnish each Member of this Court, with a Copy of the said Votes, free of charge, on each Tuesday, Thursday and Saturday, of the several Sessions, during the Term, upon his being Allowed Thirty Pounds per Annum for his Service.

Ordered, That the said Proposal be Accepted. Sent up for Concurrence; with a Message to the Board, That this House have no business before them; and Desire if there is any thing to come down, it may be sent as soon as may be.

Ordered,

Ordered, That the Eastern half of the Thousand Acres of Land reserved to the Province in the Grant of the Township of *Rutland*, be, and hereby is Granted to *John Burrill* Esq; Speaker of this House, and his Heirs and Assigns for ever; in consideration of his long & good Service to this Province. Sent up for Concurrence.

Ordered, That a Message be sent up to the Honourable Board, Requesting them to Meet in Council earlier, if it may be to give as speedy a Dispatch as possible to the affairs of the Session.

Nathanael Paine Esq; brought down the Resolve of this House for the supply of the Treasury, Concurr'd in Council with an Amendment added to the clause therein relating to *Casco Fort*, viz. Provided the New Fort at *Pejepscot*, be then in a readiness to receive the Fifteen Men appointed by the Government, and the necessary Stores.

Read, And the Question being put, *Whether the House agree to the said Amendment?* It pass'd in the Negative.

Ordered, That the said Resolve of this House be Insisted on. Sent up by Capt. *Noyes*, Mr. *William Paine*, Col. *Winthrop*, Col. *Thaxter*, Mr. *Epps*, Capt. *Chambers*, and Mr. *Cawley*.

The said Resolve, sent down from the Board, pass'd upon, as follows, viz. In Council, Aug. 25. 1715. Resolved, That the Board do adhere to their former Amendment to the Vote of the Representatives, for that the Board are of Opinion the Fort at *Pejepscot* will not be in a readiness to receive the Men and Stores necessary for its Defence by the time limited. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Oeneris 26 die Augustii 1715.

THE last Vote of the Board upon the Resolve of this House for supplying the Treasury, Read again, and

Ordered, That Capt. *Noyes*, Capt. *Fullam*, Mr. *Denison*, Mr. *William Paine*, Mr. *Remington*, and Capt. *Cawley*, be a Committee, to Examine and Consider the Votes that have pass'd this Year between the Houses concerning the Forts at *Casco Bay* and *Brunswick*, and prepare the Draught of a Vote proper for the House to pass in answer to the said last Vote of the Board.

A Petition of *Gershom Woodel* of *Tiverton*, presented to the House & Read, shewing, That he is a Weakly person, unable to sustain hard labour to procure a Livelihood, and is therefore desirous to obtain a Licence to keep a Tavern, which the Select-men of the said Town refuse to give their Approbation of, without rendering any reason for their Refusal. Praying, That the Justices of the Quarter Sessions may be enabled to License him, Notwithstanding he has not the Approbation of the Select-men, there being no Taverner in the said Town. Some Testimonials of his Qualifications for such Licence were also Exhibited and Read.

It being Represented, That there is no Inn-holder in the Town of *Tiverton*, and that there is frequent Occasion for an Inn there, for the Entertainment of Travellers, &c.

Ordered, That the Petitioner Serve the Select-men of *Tiverton*, with a Copy of this Petition, that they may shew reason to the Justices of the General Sessions of the Peace in the County of *Bristol*, at their next Session, if any they have, why the prayer thereof should not be Granted. And if they do not lay before them sufficient reason why it should not be granted: That then the said Justices be and hereby are Impowred to Grant a Licence as prayed for, without the Approbation of the said Select-men, If it appears to them that the Petitioner is a meet Person to be Licensed.

Sent up for Concurrence.

The Vote last entred sent down again, Pass'd upon in Council, viz. Read and Concurr'd with the addition of any Law, Usage or Custom to the contrary notwithstanding. Sent down for Concurrence. Read and Concurr'd. And sent up.

A Plat of the Original Grant of the Township of *Swampfield*, and a Tract of Land adjoynd thereto Platted out therewith, which the Proprietors Desire may be added to the said Township; The Surveyor *Thomas Hastings*, and the Chain-men being under Oath; presented to the House for Allowance and Approbation. And the Question being put, *Whether the said Tract of Land prayed for, being more than Eighteen Thousand Acres, be added to the said Township?* It pass'd in the Negative.

Ordered, That the Plat of the Original Grant of the said Town, being Nine Miles long and Four Miles Wide, be Allowed and Confirmed to the lawful Proprietors; Provided it interfere with no former Grants. Sent up for Concurrence.

A Message from the Board by *John Clark* and *Thomas Fitch* Esqs; That they have no business before them, and if there is any to come from this House, they desire to have it quickly, for His Excellency is desirous soon to dismiss the Court.

The Committee appointed, brought in a Draught of a Vote, in answer to the last Vote of the Board on the Resolve for supply of the Treasury, which was Read and Pass'd by the House. *viz.*

This House having for sundry Years past represented, the Fort or Trading House at *Casco Bay* to be of no Service to His Majesty, either as a Barrier to our Frontiers, or Security to our Fishery, and particularly on the Seventh & Tenth Dayes of their Sessions in *June* last, in Concurrence with the Honourable Board, did offer to His Excellency as their Opinion, That it was for His Majesties Service, that the said Fort of *Casco Bay*, be slighted, and no longer continued, and that a Stone Fort near *Pejepscot Falls*, be repaired in stead thereof, as more convenient to cover the new intended Settlements of *Brunswick*, *Topsham*, &c. and to keep the Indians from their Fishery in case of another Rupture; and did further Vote, That no more Money be drawn out of the Publick Treasury, for the subsisting and paying any Officers or Souldiers, at the Fort of *Casco* after the First Day of *September* next; and Ordered a Copy of the Vote to be sent to Mr. Treasurer, for his future Direction, to which the Council did concur; and having on the Twenty eighth Day of *July*, Ordered the Sum of Five Hundred Pounds to be Issued out of the Treasury for repairing the said Fort at *Pejepscot Falls* (which Fort was built by Sir *Edmund Andros* as the best bridle to the Eastern Indians) And did Grant the Number of Fifteen Men as a Garrison for the said Fort, who are now the greatest part on the Place, to secure the Work-men in repairing and finishing the same, to receive the stores from *Casco*, where they may be in greater Danger by the ruinous State of the Fort, than they will be at *Pejepscot* by the First of *October*; And the House thereon Resolved, That no more Money should be raised, for the Subsistence of the said Fort at *Casco* after the First Day of *October* next, and Asserted it, as their undoubted Right to appropriate their Grants; which Resolve has been revived this Session; and as it is no Infringement on His Majesty's Honour or Service, but agreeable to the Charter, and a great Ease to His Majesty's Subjects. *Therefore Resolved*, That the House do adhere to their former Vote; and they think themselves bound in Duty to His Majesty and the People they Represent, so to do. Sent up.

Ordered, That the several Petitions referr'd to this Session, be continued, and referr'd to the next Fall Session.

Post Meridiem.

Ordered, That Col. *Winthrop*, and Mr. *William Paine*, be desired to Consult with the Treasurer what are the several Articles of the ordinary Charge of the Province annually, and make Report to this House at their next Session.

A Message sent up to the Board by Mr. *Newman*, and Mr. *Partridge*, That there is no business lying before the House, and if there be any to come from the Council they desire to receive it.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati

Sabbati 27 die Augustii 1715.

A Message sent up to the Board by Mr. *William Paine*, Col. *Thaxter*, and Capt. *Cawley*, To inquire whether the Council had Concurr'd to the Votes of this House Granting 500 Acres of Land to Mr. Speaker *Burrill*; and for the annual Printing proposed to be done for the Government. And to desire if there is any business to come from the Board, that it may be sent as soon as conveniently may be, the House having none before them. Who Return'd, That the Council said, the said Votes were now under their Consideration.

The Resolve of this House for supply of the Treasury, sent down from the Board with the following Vote, viz. In Council Aug. 27th. 1715. The Resolve of the House of Representatives of the 24th Currant being read, Concurr'd with, only extending the Limitation relating to *Casco Fort*, to the First of *November* next ensuing; and Ordered, That the Undertakers to build the Fort at *Pejepscot*, be directed with utmost Speed and Diligence to Proceed in that affair, and accomplish the same by the time, so that it may be capable, to receive and entertain the Men and Stores proposed; and that if it be not possible to build and finish the said Fort according to the Order of this Court by the time, then what is wanting to be made up by Stockadoes, to Secure and make it defensible, until the Season will Allow the Stonework to be finished. Sent down for concurrence. Read and Concurr'd.

Ordered, That a Message be sent up to the Board, Desiring that the Stores may be remov'd from *Casco* to *Pejepscot Fort*, as soon as the latter shall be ready to receive them, which is hop'd will be sooner than the First of *November*: Which was carried up by Capt. *Noyes*, Mr. *William Paine*, and Mr. *Epps*, who return'd, That His Excellency said, He would do all that he had said concerning it.

A Motion being made that the House will now have the Consideration of making an Allowance to Mr. Agent *Dummer*, for his Service. After some Debate.

The Question being put, It pass'd in the Negative.

Ordered, That the Consideration of that Affair be Referred to the next Session.

A Message to His Excellency the Governour by Col. *Winthrop* and Capt. *Noyes*, That the House desire to be Inform'd, Whether his Excellency has Consented to the Resolve for supplying the Treasury, with the Amendments made to it; being willing to Proceed to Grant the usual Allowances, if the Treasury is enabled to pay them. Who return'd answer, That His Excellency said, He should under-write it, before he went out of the Court.

A Message from the Board by *John Clark* and *Thomas Fitch* Esqrs; That the House would make Allowance for Mr. Secretary *Addington's* Service, the time he liv'd after his last Allowance was made.

And to Mr. *Joseph Hiller* for the time he has Serv'd as Clerk of the Council.

A Message to the Board by Capt. *Fullam* and Mr. *Knolton*, That the House is ready to Grant the usual Allowances, as soon as they are Certified that His Excellency has Sign'd the Resolve for Supplying the Treasury.

Who Return'd answer, That His Excellency said, He should not Sign it this Day, It not being customary for him to Sign the Votes of the Court before they were entred Fair in a Book: But that He would Sign it before any Money was drawn out of the Treasury.

A Message to the Board by Mr. *William Paine*, Capt. *Noyes*, and Col. *Thaxter*, That the House think it necessary, That all Acts and Votes of the Court should be Sign'd, and Perfected before the Session is ended. And that the Return of a Message from His Excellency this Day Inform'd the House, That His Excellency was pleas'd to say, He would under-write the Vote for supply of the Treasury before he went out of the Court.

Who Return'd That His Excellency said, It had hitherto been his Custom to Sign the Votes of the Court after they are entred Fair in a Book, and not in the Original Draught: And that he is not willing to alter it now.

Post Meridiem.

Mr. *Hiller* brought down the Vote for Supplying the Treasury, Subscrib'd by His Excellency: viz. *I consent to this Grant.* J. DUDLEY.

Ordered, That the Votes of this House in the present Session be Imprinted upon the foot of the Agreement with Mr. *Green* the Printer: And that the Representatives of *Boston* be desired to take the Care of having them Printed.

Resolved, That the Sum of Two Hundred and Fifty Pounds, be Allowed and Paid out of the Publick Treasury to His Excellency JOSEPH DUDLEY Esqr; Captain General, and Governour in Chief of this His Majesty's Province, for his Support in Managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of Fifty Pounds, be Allowed and Paid out of the Publick Treasury, to the Honourable *William Tailer* Esqr; in Consideration of his readiness at all times to Serve this Province. Sent up for Concurrence.

Resolved, That the Sum of Three Hundred Pounds, be Allowed and Paid out of the Publick Treasury, to the Honourable the Judges of the Superior Court of Judicature, in Proportion to the Courts they attended the Year past.

Sent up for Concurrence.

Resolved, That the Sum of Forty Pounds, be added to the Allowance of the Reverend Mr. *John Leverett*, President of Harvard College, for the Year Currant beginning in *January* last, and Paid out of the Publick Treasury, in Consideration of the extraordinary Scarcity and Dearness of Provisions, and other Necessaries of House-Keeping. Sent up for Concurrence.

Resolved, That the Sum of Two Hundred and Twenty-five Pounds, be Allowed and Paid out of the Publick Treasury, to Mr. *Jeremiah Allen*, Treasurer of this Province, for his Service the Year past, his Trouble being extraordinary in Changing the Bills of Credit, and taking care for the supply of the Garrisons.

Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *John White* Clerk of this House, in Part for his Service the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *Joseph Hiller*, for his Service as Clerk of the Honourable Council, for half a Year, beginning the 13th Day of *March* last.

Sent up for Concurrence.

Resolved, That the Sum of Forty Pounds, be Allowed and Paid out of the Publick Treasury to Mr. *John Flagg*, Door-keeper to His Excellency the Governour and Council, and this Court, for his Service the Year past, ending the 26th Day of *June* last. Sent up for Concurrence.

A Message from the Board by *Eliakim Hutchinson*, *Andrew Belcher*, and *Addington Davenport* Esqrs; Moving the House to Grant an Allowance to Mr. Agent *Dummer* at this time, It being more than a Year since any Allowance had been Granted to him.

A Message sent up to the Board by Capt. *Chambers*, and Capt. *Fullam*, That the House have already Voted to Refer the Consideration of Making an Allowance to Mr. Agent *Dummer*, to the next Session. And desire if the business of the Session be finished that the Court may Rise.

Who Return'd, That His Excellency desired the House now to Consider Mr. *Dummer's* Service, as they use to do.

A Message from His Excellency the Governour by *Edmund Quincey* Esq; That Mr. Speaker and the House do now Attend Him in the Council Chamber.

Which they did accordingly, and His Excellency Prorog'd the Court, to *Wednesday* the 28th Day of *September* next, at Ten a Clock in the Forenoon.

MINUTES

Of the

Governor and Council

November & December, 1715

Anno Regni Regis GEORGII Secundi

MINUTES

Of the

Governor and Council

At a Great & General Court or Assembly for his Majesty's Province of the Massachusetts Bay in **New England** begun & held at **Boston** upon Wednesday the twenty fifth of **May** 1715. And continued by several Prorogations to Wednesday the twenty third of **November** following, & then mett, Being their fourth Session.

Wednesday Novem' 23. 1715

Present in Council.

The Honble *William Tailer* Esq' Lieu. Gov'.

<i>Elisha Hutchinson</i>	} Esq'	<i>John Appleton</i>	} Esq'	<i>Benj^r. Lynde</i>	} Esq'
<i>Sam^r. Sewall</i>		<i>Edw^d. Bromfield</i>		<i>John Clarke</i>	
<i>Joseph Lynde</i>		<i>John Cushing</i>		<i>Addin Davenport</i>	
<i>Eli^r. Hutchinson</i>		<i>John Higginson</i>		<i>Thomas Fitch</i>	
<i>Andrew Belcher</i>		<i>Nath^r. Norden</i>		<i>Sam^r. Browne</i>	

A Message by *John Cushing, Nath^r. Norden & Addington Davenport* Esq' to the Represent^{rs}. To Acquaint M^r Speaker & the House, That the Lieu^t Governour & Council are fitting; And that the Honourable the Lieutenant Governour expects their Attendance on him forthwith in the Council Chamber.

M^r Speaker & the Represent^{rs} being accordingly come up; The Hon^{ble} the Lieu^t Govern^r made a Speech in the Words following, *viz*:

GENTLEMEN,

YOU are sensible His Majesty has been graciously pleas'd to Appoint his Excellency Col. *BURGES* Governour of this Province; His Comission has been lately Publish'd here, but some Important Affairs detain him still in *England*, and he may not be expected here before the Spring; Which makes it my Province to meet you at this Juncture, tho' later than usual, but I do it with great Satisfaction, because I am well assur'd of your Loyalty, and Affection to His present Majesty, and your Zeal for the Protestant Succession, which leaves no room to doubt but that you are come together with full Dispositions to Maintain the Honour of the Crown, and to promote the Interest and Weal of His Majesty's Good Subjects in this Province.

The great and insupportable Difficulty we now labour under with respect to our Trade, deserves your consideration this Session, and I hope you will find out some way for the Support and Increase of it.

Q

In

In your former Sessions you were pleas'd to give directions for the Reception of your Governour then Expected. In his Letter to the Council he has assur'd them that he has nothing so much at heart as the Welfare and Interest of this Province; You have in return the best Opportunity now of showing your good Inclinations to him by timely providing a Suitable House for him, which he has Signified to me would be very Acceptable to him, and which you may Expect he may requite in his readines to Serve you on all Occasions.

His Majesty has been pleas'd likewise to Appoint Mr. *Woodward* Secretary of this Province, which with the Character of his Excellency Col. *BURGES* has been pleas'd to give me of him, as likewise my Personal Knowledge of him since his Arrival, makes me with the greater freedom Recommend him to you for your due Encouragement.

You cannot Oblige me more than by giving me an Opportunity to Serve my Country, therefore what necessary Laws for the Good of the Province you may see cause either to Revive, or Enact, You may be fully assur'd of my ready Concurrence to them, while I have the Honour to Serve to my present Station: These and all other Matters referred to this present Session, will, I hope by your Application, and Unanimity be so dispatch'd, as will in a short time bring it to a happy Conclusion.

W. TAILER.

The Honble the Lieu' Govern' having ended his Speech deliver'd a Copy thereof to the Speaker & dismissed the House to their business.

John Appleton, John Higginson, John Cushing, Nath! Norden, Benj^r. Lynde & Samuel Browne Esqⁱ severally took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, Repeated & Subscrib'd the Test or Declaration took the Oath of Abjuration, & the Oath of Councillour, as the Law directs.

A Message from the Represent^t by Cp^t *Oliver Noyes & William Payne* that the House desire the Perusal of the Book wherein the Govern^t Lieu^t Govern^t & Secretaries Comissions are recorded.

Which was sent in accordingly.

Adjourn'd to To morrow at Ten in the Morning.

Thursday Nov. 24. 1715.

Present in Council

The Hon^{ble} *William Tailer* Esqⁱ Lieu. Govern^t

<i>Wait Winthrop</i>	} Esq ⁱ	<i>John Higginson</i>	} Esq ⁱ	<i>Benjⁿ Lynde</i>	} Esq ⁱ
<i>Elisha Hutchinson</i>		<i>And^w Belcher</i>		<i>John Clarke</i>	
<i>Sam^l. Sewall</i>		<i>Edw^d Bromsfield</i>		<i>Addin Davenport</i>	
<i>Joseph Lynde</i>		<i>John Cushing</i>		<i>Tho^o Hutchinson</i>	
<i>Elia^m Hutchinson</i>		<i>Nath^l. Payne</i>		<i>Thomas Fitch</i>	
<i>John Appleton</i>		<i>Nath^l Norden</i>		<i>Samuel Brown</i>	

A Message from the Represent^t by Cpt. *Oliver Noyes & M^r. Elisha Cook* requesting that an account of Colonel *Edmund Goffes* Proceedings at *Annapolis-Royal* may be laid before them.

The following Order pass'd in the House of Represent^t Read & Concur'd.

Upon Reading the Petition of *John Nelson* of *Boston* in the County of *Suffolk*, setting forth that *John Cotta Jun^r & Sarah* his Wife, *Bethia, Martha & Dorothy Wharton*, Spinsters, all of *Boston* aforesaid at the Inferior Court of Common Pleas for the said County of *Suffolk* held at *Boston* on the first Tuesday of *July* 1714, Commenced an Action or Plea of the Case against your Petitioners, setting forth that whereas they the said *Cotta &c* by a Letter of Attorney impowered your Petitioner to

fell

sell & dispose of an Estate in Land to them belonging in the Colony of *Rhode-Island* to their best Profit & Advantage & to render a true Account of the Proceedings therein to the said *Cotta &c*. And they in fact said that your Petitioner by Virtue of the said Letter of Attorney had sold & disposed of the said Lands for near Three Thousand Pounds, as it was said, nevertheless the said Petitioner tho' often thereto requested by the said *Cotta &c* utterly neglected & refused to render a just & true Account thereof, & to pay what of right belong'd to them out of the Proceeds of the s^d Lands to their Damage One Thousand Pounds, And your Petitioner gave Bond to appear at & abide the Judgment of said Court, w^h Action was continued to *October* Court then next following, But by Reason of the Demise of the late Queen, When it was suppos'd all Actions at that Court would fall, yet they were continued to the first Tuesday of *November*. When by Reason that your Petitioner lived upon an Island, & the then Extremity of the Weather, he could not appear, but made default, and Judgment was render'd against your Petitioner to render an Accompt within one month afterwards, or pay the Sum of Five hundred Pounds, & Cofts of Suit, And your Petitioner sheweth that being altogether unacquainted with the Judgment aforesaid, Did not Render an Accompt, Pursuant thereunto, Whereupon Execution was taken out against him for the Five hundred Pounds & Cofts; And as soon as your Petitioner had Knowledge thereof, He presented an Accompt to the s^d *Cotta &c*, Whereby it plainly, truly & honestly appears, That there is not one Penny due to the said *Cotta &c*. And tho' your Petitioner has sundry times offer'd to submit his Accompt to any impartial Men, & give security to pay what they shall find due to them, yet they are so unreasonable that they will not accept thereof, But take Advantage of your Petitioners Latches, and will not be satisfied with any thing less than the said Five hundred Pounds & Cofts, And Prosecute your Petitioner with their Execution, That he cannot go about his lawfull Occasions. Now for asmuch as your Petitioner can have no Remedy at Law, to be reliev'd in the Premisses without a new Tryal, By Reason of his not appearing & Pleading to the said Action, Your Petitioner therefore humbly Prays, That a new Tryal may be granted, & that he will be ready to pay to the said *Cotta &c* whatever shall be found due on a full & fair Hearing, and that in the mean time Execution against him may be suspended &c.

Ordered, That the Petitioner serve *John Cotta Jun^r Bethia, Martha & Dorothy Wharton* with a Copy of this Petition, That they may shew Reason, if any they have, why the Prayer thereof should not be granted, on Tuesday next at Ten o Clock Forenoon. And that in the meantime the serving of the Execution be suspended.

Consented to, W^m TAILER.

A Messsage from the Represent^{ees} by M^r *Elisha Cooke*, M^r *William Payne*, & M^r *Jonathan Remington*, Desiring the Concurrence of the Board with them in the Choice of four new Councillours to fill up the Vacancy, there being that number wanting.

A Messsage to the Represent^{ees} by *Addington Davenport & Sam^l Brown Esq^r*, That the Board will concur with them in filling up the Vacancies, If they do not see cause to defer it, on Consideration that the Represent^{ees} for the Province of *Main* are not present.

Upon which a Messsage was sent from the House by M^r *Parsons* & M^r *Epps*, That the Represent^{ees} desire, that the Election of Councillours to fill up the Vacancies be defer'd till Tuesday next at ten o Clock in the morning.

The following Order pass'd in the House of Represent^{ees}, Read, & Concur'd with an Amendment; *viz*:

Upon Reading a Petition of *Stephen William Samuel Williams, Edw^d Dor, John Mayo, John Bowles & John Holbrook* Feoffors in Trust for the Oversight & Management of the free School in the Town of *Roxbury*, Setting forth that the said free School is one of the most ancient & famous Schools in this Province, Where by the favour of God more Persons have had their Education, who have been, & now are, worthy Ministers of the everlasting Gospel, than in any, we may say, than in many

Towns

Towns of the Bigness, in this Province, Whereby (your Petitioners humbly beg leave to suggest) the said Town hath well deserved of the Publick, and the Hon^{ble} General Court were pleas'd at their Session in *October* 1660, so far to consider said School as to make a Grant of Lands towards the maintenance of it in the Terms following, *viz:* The Court judgeth it meet to grant to the Town of *Roxbury* Five hundred Acres of Land towards the maintenance of a free School (an attested Copy whereof is herewith exhibited) w^h Grant your Petitioners cannot find was ever laid out (altho they have made diligent Enquiry) and they are well assur'd It hath never been by your Petitioners; Therefore now humbly pray to perfect & make effectual the pious Intention of the former Grant, by allowing your Petitioners to protract & take up the afore Granted Tract of Five hundred Acres of Land by a Skilful Surveyour & Chainmen under Oath, in any Place within this Province not yet granted, at the Charge of the said School, And present a Plat thereof to this Honour^{ble} Court for their Allowance & Confirmation, for the use & Benefit of the s^d School for ever;

Ordered, That the Prayer of this Petition be granted, Provid'd the said Grant has not been satisfied & laid out heretofore, The Petitioners to present their Plat for Confirmation, at or before the Session of this Court in Autumn next; Provided likewise that it be not taken up between the Purchase of *Moguncoy & Sutton*.

Consented to, W^m TAILER.

This Day being appointed for the Hearing the Petition of Sundry of the Easterly Part of the Town of *Bridgewater*;

Ordered, That the Hearing be deferr'd to Wednesday the seventh of *December* next, and that the adverse Party be serv'd with a Copy of this Order. Concur'd by the Represent^{ees}

Consented to, W^m TAILER.

Adjourn'd unto To Morrow at ten a Clock in the Morning.

Friday Nov 25 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Govern^r.

<p><i>Wait Winthrop</i> <i>Elisha Hutchinson</i> <i>Sam^l. Sewall</i> <i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>Thomas Hutchinson</i></p>	}	Esq ^r :	<p><i>John Appleton</i> <i>John Higginson</i> <i>And^w. Belcher</i> <i>Edw^d Bromfield</i> <i>John Cushing</i> <i>Sam^l Brown</i></p>	}	Esq ^r :	<p><i>Nath. Payne</i> <i>Nath^l. Norden</i> <i>Benjⁿ Lynde</i> <i>John Clarke</i> <i>Addin Davenport</i> <i>Thomas Fitch</i></p>	}	Esq ^r :
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COLO. *Thaxter* brought up M^r Agent *Dummer's* Letters &c directed to *John Burrel* Esq^r Speaker which he receiv'd in the Recess of the Court: And were all severally Read at the Board.

The following Order pass'd in the House of Represent^{ees}, Read & Concur'd, *viz:*

Upon reading the Petition of *John Legg* Esq^r, Cap^t *Edward Brattle*, *Richard Skinner*, *Richard Trevot*, *Eleazer Ingofs*, *John Stacey*, *John Hofman*, *John Palmer* & *Jeremiah Getchel*, a Committee for *Marblehead* in behalf of themself & those whom they represent, setting forth that the said Town of *Marblehead* being of late years by the good Providence of God greatly increas'd, Infomuch that the Inhabitants cannot possibly with any Conveniency assemble together in one Place or House for the Publick Worship of God, and a second or new Meeting House hath for some time been tho't convenient & necessary, Whereupon the Petitioners & their Associates (being mov'd as they trust by a good Principle, & not in the least from any Disaffection to the Rev. Pastour & Church of Christ with whom they have hitherto assembled) on the fifth day of *February* last solemnly agreed upon several Articles referring to the building

building a new Meeting House in the said Town of *Marblehead* for the Publick Worship of God, the Advancement of Religion, & the Ease & Comfort of themselves & Families, & all such as shall succeed them with a particular regard to the Rev^d M^r *Edward Holyoke* for their intended Minister, As may be seen by a Copy of the Articles of Agreement, Of all which the said Town of *Marblehead* were very well acquainted, and so far satisfied in, as on the fourteenth Day of *March* last past to come to the following Resolutions; *viz:* That the Town gives their Consent & Liberty to the Undertakers for building a new Meeting-House in this Town, The said Undertakers doing it at their own Cost & Charge, & the Town as a Town not to be burthen'd or charg'd therewith, Also in the Interim until the New Meeting House be built & finish'd, M^r *John Bernard* & *Edward Holyoke* be the two Gentlemen of the Ministry to help & assist the Rev^d M^r *Sam^l Cheever* the Minister of this Town in Preaching the Word of God to the Inhabitants in their turns, And that the said M^r *Bernard* & M^r *Holyoke* be maintain'd at the Town Charge out of the Publick Treasury of the Town as formerly, or as can be agreed for: — Pursuant to which Articles under the Countenance & Encouragement of the Town of *Marblehead* by their Votes, the Petitioners have with great Diligence & Pains & Expence, rais'd & upon the matter finished a large, fair & convenient Meeting House or Church every way fitted for the Use & Service before mention'd & intended, & were under just Hopes & Expectations that their Fathers, Brethren & Neighbours of the Town of *Marblehead* would according to their good Beginning have gone on & held out in Assisting & Encouraging their lawfull commendable & indeed necessary Design as aforesaid, And therefore it is with great Unwillingness & Grief of Mind that they are under a Necessity of laying their Complaint & Representing their Condition to the Great & General Court, And that at a Town-meeting of the Inhabitants of *Marblehead* on the twenty sixth day of *September* last there was Voted a Salary of Eighty Pounds £ Annum to be paid to the Rev^d M^r *John Bernard* the chosen Minister of the Town, so long as he remain & continue a Minister there, to be paid out of the Town Treasury by Order of the Select Men of the said Town, Against which Votes the Petitioners for themselves & their Associates, who are a very considerable number, offered two several Petitions or Protests in writing, one of which was refus'd to be read, & the other tho' read, had no Answer made to it, contrary (as the Petitioners suppose) not only to Christian Charity, but to the Rules of common Justice, and the Usage & Practice of Towns in such cases, So that your Petitioners have very little Reason to expect any manner of Relief under their deplorable Circumstances, unless it be from the Hon^{ble} General Court: — Humbly Representing (1) That not only in the Judgment of the neighbouring Towns & People, But in the Judgment of the Inhabitants of *Marblehead* it self, They are grown so numerous as to be able comfortably to fill two Houses for the Publick Worship of God, And that in the manner & method of the Established Churches & Congregations of New England. (2) That the Petitioners humbly hope & believe by the favour of God handsomely & Comfortably to support the Charge of the Ministry by & among themselves, & shall be very willing & thankful to be allowed so to do. (3) That they have always declar'd themselves to be & still are willing so long as the Rev^d M^r *Cheever* their worthy & faithful Pastour shall live to be at their full Proportion of Charge toward his Honorable maintenance. (4) That they humbly hope that the Hon^{ble} Court will be of Opinion, That so soon & so long as they shall support a Minister of the Ordinances of the Gospel by & among themselves at their own sole Charge (which will be very considerable) they should not besides & added to all that, be oblig'd to support any Assistant or Successour to the said M^r *Cheever*; (5) That they doubt not but the Hon^{ble} Court will think it very hard & unreasonable, When they were first encourag'd by a Vote of the Town to build a new Meeting House They should now have that Grant of the Town encumbered & in a Sort defeated by Laying a Burthen upon the Petitioners which was not then so much as thought of; (6) That they suppose it to

be against the Rules both of God & Man, That when they regularly & honourably support an Orthodox Minister of their own, They should be oblig'd to pay any Thing towards the Maintenance of a Minister of another Church, & under whose Ministry they are not to be. And forasmuch as there are several distinct Precincts or Congregations in several Towns in this Province, especially in *Boston*, Where with great Ease Freedom Justice & Cheerfulness they maintain their several & respective Ministers;— That the Petitioners do humbly pray that the Hon^{ble} Court will be pleased to take their Case into Consideration & either make them a distinct & separate Parish or Order the whole Charge of the Ministers of M^r *Cheever's* Church as it is called, & that built by the Petitioners to be assess'd & laid in Common upon the Inhabitants of the said Town attending the said Churches, or allow the Inhabitants or People of each respective Church or Congregation by Subscription or Contribution to maintain their respective Ministers.

Ordered, That the Petitioners serve the Town of *Marblehead* with a Copy of this Petition, That they may shew Reason (if any they have) to this Court on the seventh Day of December next, why the Prayer thereof should not be granted.

Consented to, W^m TAILER.

The Survey of Ten thousand, two hundred & forty Acres of Land being the contents of Four miles Square lying at the South West Corner of the *Hadly* Township, & is describ'd by a Plan there of, And adjoining to the said Township of *Hadly* on the North, on *Connecticut* River Westerly, & on *Springfield* Southerly, by *John Chandler Jun^r*

Ordered, That the said Plat be accepted, & the Land therein contain'd be confirm'd to the Town of *Hadly* as the Fulfilment of the Grant of Four Miles Square of Land made to them by the General Court in May One Thousand six hundred & eighty three.

W^b Order afore said being pass'd in the House of Represent^{es} was Read & Concurr'd in Council.

Consented to, W^m TAILER.

Upon Reading the Petition of *Charles Greenfield* of *Amesbury* setting forth, That at the last court of Assize & holden at *Salem* in the County of *Essex* in *November* Instant he discov'd & bro't to Justice one *Henry Trussel* of *Amesbury* for Altering & Encreasing one of the Bills of Credit of this Province, viz: a four shilling Bill into a Forty shilling Bill, of which Crime the said *Henry Trussel* was convicted, For which publick Service, he hop'd to have receiv'd a Reward of Fifty Pounds mention'd in an Act of this Province against Counterfeiting Bills of Credit, But the Hon^{ble} Judges of the said Court of Assize & being of Opinion that the said Reward concern'd only making or altering counterfeit Bills from off a Plate, The Petitioner makes Application to the Great & General Court, Humbly hoping they will take his service into Consideration & allow him some Reward for it.

In the House of Represent^{es} *Resolved*, that the Sum of Fifteen Pounds be allowed & paid out of the Publick Treasury to *Charles Greenfield* the Petitioner in Consideration of his good service to the Publick mention'd in his Petition: In Council; Read & Concurr'd.

Consented to, W^m TAILER.

A Plat of Land containing Seven hundred acres formerly granted to the Rev^d M^r *John Higginson*, Beginning upon a Pond formerly call'd *Haverhill* Pond, lately called *Policy* Pond, There being some White Birch Trees mark'd H & an Heap of Stones, one of which Stones is also mark H, From thence running South upon *Haverhil* Line Seven hundred & thirty Poles to a Pitch Pine standing in *Haverhil* Line, the Top of which is broken of[f], & is mark'd with two Hs & some Stones sett about it, one of which is likewise mark'd with the Letter H, and then running from thence North Four hundred & sixty five Poles, to the Pond above mention'd, Where is a Hemlock Tree mark'd with the Letter H the cross way, & an heap of Stones by the

the said Tree, w^h is mark'd with the Letter H, and from thence along the Pond to the Bounds above mention'd:—Upon which Platt of Land the following Vote pass'd in the House of Represent. *July 21, 1715, viz:*

Ordered, that the Land laid out & protracted in the Plat be confirmed as the seven hundred acres formerly Granted to the late Rev^d M^r *John Higginson*, Provided it entrench not upon any former Grant.

Which Order was this Day reviv'd & sent up, and In Council; Read & Concur'd.

Consented to, W^m TAILER.

Saturday Nov: 26. 1715.

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu. Gov^r

Wait Wintrop
Elisha Hutchinson
Sam^l Sewall
Joseph Lynde
Eli^m Hutchinson

} Esq^r

John Appleton
John Higginson
Edw^d Bromfield
Andrew Belcher
Nath^l Payne

} Esq^r

John Cushing
Nath. Norden
John Clarke
Addin Davenport
Thomas Fitch

} Esq^r

IN the House of Represent^{es}; *Resolved,* that the Sum of One hundred Pounds be further allow'd & paid out of the Publick Treasury to D^r *Thomas Oaks*, w^h with the Sum of Three hundred & fifty Pounds heretofore paid him is in full for his service as Agent for this Province at White-Hall from *December One Thousand six hundred & eighty nine*, to *October One thousand six hundred & ninety two*.

In Council; Read & Concur'd;

Consented to, W^m TAILER.

Upon Reading the Memorial of *Elisha Cook* Esq^r of *Boston* in the County of *Suffolk*, Setting forth, That in the Month of *December One Thousand six hundred & eighty nine*, The Hon^{ble} *Elisha Cook* Esq^r Father to the Memorialist was by the then General Court of the Colony of the *Massachusetts Bay* constituted & appointed one of their Agents, to transact & manage their Affairs at the Court of *England*, & in the month of *february* following proceeded on his Voyage there, Where he continued in that service till the Month of *October One thousand six hundred & ninety two*, almost three Years, All which time to the utmost of his Skill & best ability, he constantly faithfully & industriously served his Country, tho to the very great hurt & damage of his own particular Estate by being so long from his family, & consequently to his Loss in his Practice as a Physician, which he then us'd & apply'd himself to, and in as much as he never receiv'd more than One hundred & fifty Pounds, w^h is much less than he would have gotten in one year had he remain'd at home by his Practice; Praying the Hon^{ble} Court to take the Premises into their Consideration, & make such further Recompence & Satisfaction for his Father's Service, as they shall in their great Prudence think meet & reasonable.

In the House of Represent^{es} *Resolved,* that the sum of Three hundred Pounds be allowed & paid out of the Publick Treasury to M^r *Elisha Cook* the Memorialist for the Heirs of *Elisha Cook* Esq^r Dec^d W^h with the sum of One hundred & fifty Pounds already paid, is in full for the Service of the Memorialist's Father in his Agency for this Province, from *December One thousand six hundred & eighty nine* to *October One thousand and six hundred & ninety two*.

In Council, Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading a Petition of several of the Inhabitants of the East End of *Taunton North Purchase*, Setting forth, That it being formerly reserved by the General Court in their Grant of a Township that one Half Part of *Taunton North Purchase* (namely the

the Easterly Part thereof next to *Bridgewater* should be & belong to the Inhabitants thereof to make a distinct Plantation as soon as the Court should judge them able & fit to have the Privilege of a distinct Village or Plantation granted them; The Petitioners notwithstanding their Poverty & the small number of their Inhabitants humbly Praying that they may be formed into a distinct Town, & that they may have the Privilege of a Township Granted to them.

In the House of Representatives Ordered, that *Sam' Thaxter, Josiah Edson & George Leonard Esq'* be a Committee to enquire into the State and number of the Inhabitants, the Extent & Quality of their Lands, & Whether they be fit to be erected into a Township or Precinct, And make return to this Court in *May* next, the Petitioners to bear the Charge of the Committee.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

An Accompt of Torn & Defaced Bills of Credit deliver'd to the Committee appointed for Burning the same.

962 ³ / ₄ — 2	96	5	6
913 ¹ / ₂ — 2.6	114	3	9
496 ³ / ₄ — 3	74	10	3
683 ³ / ₄ — 3.6	119	13	1
579 — 4	115	16	—
1443 — 5	360	15	—
1970 — 10.	985	—	—
1878 — 1.	1878	—	—
1242 — 2.	2484	—	—
317 — 2.10	792	10	—
411 — 3.	1233	—	—
403 ¹ / ₄ — 5.	2016	5	—
	<hr/>		
	10269	18	7

Province Bills of the New Impression.

138 ¹ / ₄	1.	6	18	3
94 ¹ / ₂	1 6	7	1	9
89 ¹ / ₂	2	8	19	—
75	2 6	9	7	6
45 ¹ / ₄	3	6	15	9
36	5	9	—	—
28	10.	14	—	—
21 ³ / ₄	1.—	21	15	—
3	2.—	6	—	—
		<hr/>		
		89	17	3
		10269	18	7
		<hr/>		
		£10359	15	10

Upon Acc ^o of Bills Exchang'd	2209.	—	2
Bills rec ^d for the Province Galley	1582.	7:	6
Upon the Province Acc ^o in Nett Bills	6568.	8.	2
Adv ^a thereon at 5 % Cent	328.	8	4
	<hr/>		
	£10.688	4	2

In Obedience to an Order of the Great and General Court at their Sessions in *May* 1715. Appointing Us the Subscribers a Committee to take an Accompt of torn & defaced Bills of Credit &c: We have accordingly receiv'd of M^r Treasurer *Allen* the several Bills of the Denominations mentioned in the within Accompt, amounting to the Sum of Ten thousand three hundred fifty nine Pounds fifteen shillings and ten pence at their express'd Value; All of which Bills We have consum'd

sum'd to ashes. Whereof six thousand five hundred and sixty eight Pounds eight shillings & two pence, Part of the abovesaid sum were deliver'd us upon the Province Acc^o, as being receiv'd for Taxes Impost & Excise, Which with the Adv^o of 5 7/8 Cent, as they were taken into the Treasury, amount to the Sum of Six Thousand eight hundred & ninety six Pounds fifteen shillings & six pence, Also Two Thousand two hundred & nine Pounds & two pence Nett Bills as being exchang'd in the Treasury, And One Thousand five hundred eighty two Pounds seven shillings & six pence Nett Bills, receiv'd for the Province Galley, making in the whole, Ten Thousand six hundred eighty eight Pounds four shillings & two pence, As Witness our Hands this fifteenth of *October*, 1715.

<i>John Clarke</i>	<i>Thomas Fitch</i>	<i>W^m Payne</i>
<i>Addin Davenport</i>	<i>Adam Wintrop</i>	<i>Elisha Cook</i>
<i>Tho. Hutchinson</i>	<i>Oliver Noyes</i>	<i>Cha. Chambers</i>

In the House of Represent^{es} Read & Accepted, and
Order'd That the Treasurer be discharg'd of the Sum of Ten Thousand six hundred eighty eight Pounds four shillings & two pence.
 In Council; Read & Concur'd.

Consented to, W^m TAILER

Adjourn'd until Monday at three o Clock in the Afternoon.

Monday Nov. 28 1715

Present in Council

The Hon^{ble} *William Tailer* Esq' Lieu Gov'

<i>Wait Wintrop</i>	} Esq'	<i>John Appleton</i>	} Esq'	<i>Addin Davenport</i>	} Esq'
<i>Sam' Sewall</i>		<i>Andrew Belcher</i>		<i>Nath' Payne</i>	
<i>Joseph Lynde</i>		<i>Edw^d Bromfield</i>		<i>Tho. Hutchinson</i>	
<i>Eli^m Hutchinson</i>		<i>John Clarke</i>		<i>Tho' Fitch</i>	

Adjourn'd to To Morrow at Ten o Clock in the Morning.

Tuesday Nov^r 28. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq' Lieu Gov'

<i>Wait Wintrop</i>	} Esq'	<i>John Appleton</i>	} Esq'	<i>John Clarke</i>	} Esq'
<i>Elisha Hutchinson</i>		<i>Andrew Belcher</i>		<i>Addin^o Davenport</i>	
<i>Sam' Sewall</i>		<i>Edw^d Bromfield</i>		<i>Thomas Hutchinson</i>	
<i>Eli^m Hutchinson</i>		<i>Nath' Payne</i>		<i>Thomas Fitch</i>	
<i>Joseph Lynde</i>				<i>Edmund Quincey</i>	

A Hearing of the Case between *John Nelson* Esq' & *John Cotta* &^c was this day had before the whole Court.

A Message from the Represent^{es} by M^r *Remington*, That the House desire that the Choice of Councillours appointed this day to be made, may be deferr'd to Thursday next in the Afternoon, Several of their Members not now attending by reason of the Extremity of the Weather.

Upon Reading a Petition of *William Williams* of *Weston* in the County of *Middlesex* Clerk, Importing that he humbly address'd the Great & General Court or Assembly at their Session in *June* last, Praying that he may be rewarded for his Service in attending upon the Gentlemen Commissioners in their Journey to *New York* in the Service of the Government, whom he served as their Chaplain & Clerk & was at

extraordinary Expence for an Horfe &c, for six or seven Weeks in the said Service, as appears more fully in his Petition aforesaid, — That his said Petition happened to be read when some worthy Members were absent, who were well acquainted with his Service, Humbly hoping that the General Court will be pleas'd to take his Case & Service into Consideration, & make him such Allowance as they shall think meet;

In the House of Represent^{es}, *Resolved*, that the sum of Ten Pounds be allowed & paid out of the Publick Treasury to the Rev^d M^r *William Williams* in full for his Service mention'd in his Petition.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Edmund Quincy Esq^r took^r the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, Repeated & Subscrib'd the Test or Declaration, Took the Oath of Abjuration & the Councillours Oath: All which Oaths & Declarations were taken & subscrib'd by *Nath^l Payne* Esq^r upon Thursday last the 24th of this Instant.

Adjourn'd to To Morrow Morning at Ten o Clock.

Wednesday Nov^r 30. 1715.

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r

<i>Wait Wintrop</i>	}	E ^s q ^r	<i>John Appleton</i>	}	E ^s q ^r	<i>John Clark</i>	}	E ^s q ^r
<i>Elisha Hutchinson</i>			<i>And^w Belcher</i>			<i>Addin Davenport</i>		
<i>Sam^l Sewall</i>			<i>Edw^d Bromsfield</i>			<i>Thomas Fitch</i>		
<i>Joseph Lynde</i>			<i>Isaac Winslow</i>			<i>Tho^r Hutchinson</i>		
<i>Eli^m Hutchinson</i>			<i>Nath^l Payne</i>			<i>Edm^d Quincy</i>		

THE Hon^{ble} Lieutenant Governour appointed next fryday seven night for the nomination of Civil Officers, And a General Council was intimated for that Purpose.

Adjourn'd to To Morrow at Ten o Clock in the Morning.

Thursday Dec^r 1. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu. Gov^r

<i>Wait Wintrop</i>	}	E ^s q ^r	<i>And^w Belcher</i>	}	E ^s q ^r	<i>John Cushing</i>	}	E ^s q ^r
<i>Elisha Hutchinson</i>			<i>Edw^d Bromsfield</i>			<i>John Clark</i>		
<i>Sam^l Sewall</i>			<i>Isaac Winslow</i>			<i>Tho^r Hutchinson</i>		
<i>Joseph Lynde</i>			<i>Nath^l Payne</i>			<i>Addin Davenport</i>		
<i>Eli^m Hutchinson</i>			<i>Nath^l Norden</i>			<i>Thomas Fitch</i>		
<i>John Appleton</i>						<i>Edm^d Quincy</i>		

UPON Reading a Petition of *Hugh Pike*, Importing that in the Year One thousand seven hundred & seven being engaged in her late Majesty's & his Countrey's Service in the Expedition to *Port Royal* in the Post of an Ensign to the Hon^{ble} *Colo Walton*, And that in the said Service he was unhappily wounded by the Enemy, Which depriv'd him of the use of one of his Leggs, w^h hath render'd him wholly incapable of Contributing any thing to the Subsistence of him self or family for diverse years past, That he has already had some Allowance in the nature of a Pension, which he is very thankful for, that he is now under Confinem^t in the Prison of *Boston* for Debt in a most miserable Condition, And that he most humbly Prays

Prays the Hon^{ble} Court will be pleas'd to take his case into their Consideration, & grant him such Relief as in their great Wisdom they shall think fit.

In the House of Represent^{ees}, *Resolved*, that the Sum of *eight Pounds* be given to the Petitioner, and that *D' Ellis* take care of him in his present Exigency.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

A Plat of the Township of *Rutland* Ninety three Thousand one hundred & sixty Acres, Including One thousand Acres for *M' Sewall* surveyed by *William Ward* Sworn Surveyor & *Ephraim Wilder* of *Lancaster* & *Daniel Stow* of *Sudbury* Chain men under Oath in the Month of *October* One thousand seven hundred & fifteen, And is describ'd as follows, *viz!* (a White Oak from C to B 1920 Rods, — from B to A is 1200 Rods, from A to F 2340 Rods, at F a Pine Tree & Stones; from F to E 3230 Rods, at E Stones near a little Oak, From E to D 4080 Rods, at D an Ash Tree in a Swamp, from D to C Run by *M' Hayners* 3421 Rods.

In the House of Represent^{ees}, *Ordered*, that the Land describ'd & delineated in the Plat presented laid out & protracted by *William Ward* Surveyor be allowed & confirm'd to be the Township of *Rutland*, and that the Fee & Property thereof be vested & settled, Pursuant to the Order of this Court past in *February*, Anno One Thousand seven hundred & thirteen, Whereby the Town of *Rutland* was first granted Reserving to the Province the Thousand Acres reserv'd & laid out in the said Plat to that End, and to particular Persons such Prior Grants as are contain'd therein.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Daniel Epps Esq! Coll. *Adam Wintrop* & *M' William Denison* a Committee of the Represent^{ees} brought up the Votes of that House for the Election of Councillour to fill up the Vacancies, And with *Sam' Sewall*, *Addin' Davenport* Esq! & *M' Secretary Woodward*, a Committee appointed by the Board attended the numbering & sorting the Votes of both Houses; But the Election not being finish'd at twice Voting,

The Represent^{ees} sent a Message by *M' William Payne* & *Cap' Chambers* Desiring that the Election of Councillours may be referr'd till to Morrow Morning: To which the Board Concur'd.

Isaac Winslow Esq! took the Oath appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, Repeated & Subscribed the Test and Declaration, And took the Oath of Abjuration & the Councillours Oath.

Adjourn'd unto To Morrow at Ten o Clock in the Morning.

Fryday Dec' 2. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq! Lieu Gov^r

<i>Wait Wintrop</i>	} Esq ^r	<i>Andrew Belcher</i>	} Esq ^r	<i>John Cushing</i>	} Esq ^r
<i>Elisha Hutchinson</i>		<i>Edw^d Bromfield</i>		<i>John Clark</i>	
<i>Sam' Sewall</i>		<i>Isaac Winslow</i>		<i>Addin: Davenport</i>	
<i>Joseph Lynde</i>		<i>Nath^l. Payne</i>		<i>Tho' Hutchinson</i>	
<i>Eli^m Hutchinson</i>		<i>Nath^l. Norden</i>		<i>Thomas Fitch</i>	
<i>John Appleton</i>				<i>Edm^d Quincy</i>	

THe same Committee, w^h was yesterday appointed for Numbering & Sorting the Votes for Councillours, attended this day until the Elections were finished.

Upon Reading the Petition of *Thomas Wabon* & *Solomon Thomas* in Behalf of themselves & all other the Proprietors & Inhabitants of the Indian Plantation of *Natick* within this Province, Importing, That whereas the Gentlemen of the Committee for the Purchase of the Lands of *Moguncoy* having consummated that Matter,

as

as may appear under the Hands & Seals of the Committee bearing Date the eleventh of *October* 1715, They do most gratefully acknowledge the Kindness of these Gentlemen to them in that Concern, and as it hath been intimated to them by these Gentlemen, That they should have their own free Choice in the Nominating such Gentlemen as shall be appointed Overseers or Trustees in the Taking Care of & rendering to them & their Successors such yearly Income as they have agreed for in the aforesaid Concern of *Moguncoy* Lands, Humbly Praying that *Samuel Sewell* Esq^r The Rev^d M^r *John Leverett* President of Harvard College & Major *Thomas Fitch* may be Trustees & Overseers for them.

The Sum to be managed by the Trustees for Behalf of the said Indians is four hundred Pounds in Bills of Credit on this Province.

In Council, Read & Ordered that the Prayer of the Petition be granted, And that M^r *Daniel Oliver* of *Boston* Merchant be added to the Trustees.

In the House of Represent^{es} Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading the Petition of Cp^t *Mathew Whipple*, *John Whipple*, *Mathew Whipple* Tertius, all of *Ipswich* within the New Precinct called the Hamlett in Behalf of themselves & others, Praying that a farm called *Saltonstals* farm & the neighbouring Inhabitants may be sett off to & made part of the said Precinct: — And likewise a Petition of several of the neighbouring Inhabitants, Praying to be dismissed from the Town of *Ipswich* & incorporated into the said New Precinct.

Upon which two several Orders were passed in the last *May* Sessions, viz: One upon the first of *June*, & the other upon the fourteenth of *June*.

In Council, This Day Read & Ordered that the Prayer of the Petition be so far granted, That the farm call'd *Saltonstals* farm & the neighbouring Inhabitants, who have supplicated this Court that it may be so, be sett off to the New Precinct called the Hamlet, except *Nathl Adams* who has petition'd the Contrary. In the House of Represent^{es}, Read & Concur'd.

Consented to, W^m TAILER.

Adjourn'd to To Morrow at ten o Clock in the Morning.

Saturday Dec^r 3. 1715.

Present in Council

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r

<i>Wait Wintrop</i>	}	Esq ^r	<i>Penn Townsend</i>	}	Esq ^r	<i>John Clark</i>	}	Esq ^r
<i>Elisha Hutchinson</i>			<i>And^w Belcher</i>			<i>Addin Davenport</i>		
<i>Sam^l Sewall</i>			<i>Edw^d Bromfield</i>			<i>Thomas Hutchinson</i>		
<i>Joseph Lynde</i>			<i>Isaac Winslow</i>			<i>Thomas Fitch</i>		
<i>Elia^m Hutchinson</i>			<i>Nath^l Payne</i>			<i>Edmund Quincy</i>		
<i>John Appleton</i>			<i>John Cushing</i>			<i>Adam Wintrop</i>		
			<i>John Norden</i>					

M^R *Cook* M^r *Denison* & M^r *Bradford* attended the Hon^{ble} Lieutenant Governour with a List of the Names of the four Persons elected yesterday to be Councillours or Assistants with this Province to fill up the Vacancies for his Honours Approbation in Writing under his hand, The Secretary attesting the said Elections to be duly made by the Council & Represent^{es}

His Honour signified his Approbation in Writing upon the said List of the four Persons therein mention'd; wh^h are, viz^t.

<i>Pen Townsend</i>	}	Esq ^r	<i>Thomas Noyes</i>	}	Esq ^r
<i>Nath. Byfield</i>			<i>Adam Wintrop</i>		

The

The Report of the Committee appointed to go to *Newtown* to make Report of the most suitable Place for the Erecting a Meeting House *viz!* We the Committee appointed to go to *Newtown* to determine & report to the General Assembly the most suitable Place in the s^d Town for Erecting a Meeting House for the Inhabitants of said Town, Having been there on the ninth of June Instant, Pursuant to a Vote of said Town & their Petition, & view'd the Places propos'd by them for the End aforesaid, are of Opinion, That the most suitable Spot for Erecting a Meeting House in the said Town for Accommodation of the greatest Number of said Inhabitants is upon a Piece of Land of *Nathl Parker's* about one hundred & twenty eight Rods East South East near a Quarter of a Point Easterly from the Center of said Town (according to a Plan drawn & taken by M^r *Joseph Burnap* Surveyour) Where there are several Trees mark'd on said Spot.

Sign'd, *John Otis* in Behalf of the Major Part of said Committee.

In Council, Read & Accepted, & Ordered, that the Meeting House remain where it now is for the Space of Five Years, and that then a new Meeting House be erected* in such Place near the Center of the Town, as the Town shall then agree upon.

In the House of Represent^{es}, Read & Concur'd with an Amendment*

Consented to, W^m TAILER.

Upon Reading a Petition of *Joseph Bramhal* of *Boston* Cooper, Importing, that he was impress'd in to the Service while he was an Apprentice in S^r *William Phips's* Governm^t & afterwards was a Soldier twelve Years at the Castle, Having been always in the Service till he was discharged about fifteen months since, that by his Hardships in the Service he contracted the Distemper call'd the Dry-Belly-ach, Whereby he has for the Space of ten months past lost the Use of his Limbs in a great measure, & has been Bed-ridden for eleven months & unable to help himself, and has spent all his Substance upon Doctors & Medicines; Therefore most humbly Praying that the Court will be pleas'd to compassionate his distress'd Condition.

In the House of Represent^{es} Resolved, That the Sum of *Five Pounds* be allowed & paid out of the Publick Treasury towards the Relief of the Petitioner & that *Coll Adam Wintrop* be desir'd to receive the same, & expend it as he shall think most for the Benefit of the Petitioner.

In Council; Read & Concur'd.

Consented, W^m TAILER.

Upon Reading the Petition of *John Staples* Treasurer of the Town of *Newtown*, Importing, That whereas the Inhabitants of the said Town did agree with the Rev^d M^r *Cotton* to give him One hundred & fifty Pounds in Money for his Settlement, That notwithstanding the General Court had given Orders to sett of six families to the new Precinct in *Roxbury* so long as they should contribute there, That M^r *Nathl Healy* who is one of the six families did publickly declare that he did not apprehend that these families were by the General Court Order freed from paying the Settlement Rate, but only from the Yearly Salary, That the said M^r *Healy* being rated accordingly hath freely paid his Proportion. But that *William Ward* & some others of the said six families do absolutely refuse to pay their Proportion of the said Rate, By which means the said M^r *Cotton* has been kept out of his just Right above ten months, That he humbly craves the opinion of the General Court Whether those six families sett of to *Roxbury* shall be oblig'd to pay the said Settlement Rate or not, And whether a certain sum of Money given to a Minister to settle himself withal be a proper & sufficient Settlement.

In the House of Represent^{es} Read & Resolved that the said six families who are allowed to attend the Worship of God in *Roxbury* are dismiss'd from the Charge of the Annual Maintenance of the Ministry at *Newtown* until this Court give further Order & from no other Town Charges; And that whereas the Town agree to give a Sum of money to their Minister to purchase for himself a Settlement the

T

Inhabitants

Inhabitants are rateable thereto: And equally as if the Town had made such Purchase.

In Council; Read & Concur'd.

Consented to, W^m TAILER

Upon Reading the Petition of *William Spooner, Jabez Delane, Caleb Blackwell, &* others the Inhabitants of the Town of *Dartmouth*, importing, That whereas M^r *Samuel Hunt* has been near seven years Minister of the said Town to their great Satisfaction upon a very slender Salary, That all his Hearers are not able to allow him more than Thirty Pounds, That upon greater Encouragements to him from other Towns make them apprehensive of his leaving them destitute of a Minister: Humbly praying, that the Great & General Court would please to compassionate their Case, & to encourage M^r *Hunt* to remain among them by Giving such an Allowance as they shall see meet.

In the House of Represent^{es} June 15. 1715.

Resolved, that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury towards the maintenance of the Ministry of *Dartmouth* for the Year ensuing.

Dec^r 1. Resolved; that the Vote above be revived & sent up for Concurrence; The Year to begin in *June*.

In Council Dec^r 3. 1715. Read & Concur'd.

Consented to, W^m TAILER.

An Accompt brought in by *Joseph Marion* of Transcribing several Bills in the last May July & August Sessions & Engrossing the same, as also for Engrossing the Journal of the House of Represent^{es} in their several Sessions in the Months of May, July & August in the present Year 1715.

In the House of Represent^{es}, Resolved, that the Sum of twelve Pounds, fifteen shillings & three pence be allowed & paid out of the Publick Treasury to *Joseph Marion* to discharge his Accompt.

In Council, Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading the Memorial of *Joseph Marion* importing; That he was employ'd almost four years as Clerk to the Hon^{ble} *Isaac Addington* Esq^r late Sec^{ry} of this Province, & that during the time of the late Expedition to *Canada* (in an especial manner) with all Diligence & Fidelity attended the said Office by Dispatching much Business in the Affairs of the Gov^t upon that extraordinary Occasion; That upon M^r *Addinton's* Indisposition, he was directed to attend at the Council Board, w^h accordingly he did, And by Order of the Governour & Council, assisted in July last past in dispatching the publick Business upon the late Rupture with the Indians, That the Memorialist never receiv'd more than his ordinary Allowance of two shillings & eight pence per Diem, nor any consideration for his Service in attending at Council Board, Humbly Praying that the General Court will consider his service, & make such Allowance as they shall see meet.

In the House of Represent^{es}, Resolved, That the sum of Ten Pounds be allowed & paid out of the Publick Treasury to *Joseph Marion* the Memorialist in full for his Service sett forth in his Memorial.

In Council; Read & Concur'd.

Consented to, W^m TAILER

Penn Townsend & Adam Wintrop Esq^r being elected Councillours of this Province, severally took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, Repeated & Subscrib'd the Test or Declaration, & took the Oath of Abjuration & the Councillour's Oath.

Upon Reading the Petition of *Josiah Whitcomb* of *Lancaster*, importing, That whereas the Great & General Court or Assembly at the Session in O^{ct} 1714, in consideration that the Land called *Nashoba* Land then ordered to be made a Township

was

was purchas'd of the Indians one Half by M^r *Bulkley* & M^r *Henchman*, & the other half by *Whetcomb* (the Petitioner, who was suppos'd to be dead as he is inform'd) And that one *Powers* did order that the said Purchase be confirm'd to the Children of the said *Bulkley Whetcomb* & *Powers* & to Cpt. *Robert Mears* Assignee of M^r *Henchman* according to their respective Proportions, as by the Copy of the Order of Confirmation of the General Court will more fully appear, Humbly Praying that the General Court will please to revoke the Confirmation or Grant made to his Children, & confirm to him his fourth part of the said Land, that he may enjoy what he honestly purchas'd, & that he may have Liberty to make Disposition thereof according to his own Will & Pleasure.

In Council, Read & Consented to, that the Prayer of the within Petition be granted, and *Ordered* that the name of the Township be henceforth called *Littleton*:— In the House of Represent^{es}, Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es}, *Ordered*, That Cp^t *Noyes*, M^r *Cook*, M^r *Remington*, Coll. *Thaxter*, M^r *Denison* & Cp^t *Chambers* with such as the Hon^{ble} Board shall appoint be a Committee to prepare & lay before the Court a Draught of an humble Address to his Majesty, Humbly entreating his Royal favour upon the following Heads, *viz*: That the Charter Privileges of this his Majesty's Province may be preserved:— That the Raising & Manufacturing Naval Stores in this Province may be encouraged— That the Mischeifs threatened to these His Majessty's Plantations by the growing Settlements of the French at *Cape Breton* may be prevented.

In Council; Read & Concur'd, & *Ordered* That *Samuel Sewall*, *John Clark*, *Addin^g Davenport Esq^r* & M^r *Secry Woodward* be added to the Committee to prepare the Address.

Consented to, W^m TAILER.

Adjourn'd unto Monday at three o'Clock in the Afternoon.

Monday Dec^r 5. 1715.

Present in Council

The Hon^{ble} *William Tailer* Esq^r Lieu. Govern^r

<i>Wait Wintrop</i>	} Esq ^r	<i>And^o Belcher</i>	} Esq ^r	<i>Nath Norden</i>	} Esq ^r
<i>Elisha Hutchinson</i>		<i>Edw^d Bromfield</i>		<i>John Clark</i>	
<i>Sam^l Sewall</i>		<i>Isaac Winslow</i>		<i>Addin: Davenport</i>	
<i>Joseph Lynde</i>		<i>John Cushing</i>		<i>Tho: Hutchinson</i>	
<i>Eli^m Hutchinson</i>		<i>Nath^l Payne</i>		<i>Thomas Fitch</i>	
<i>John Higginson</i>		<i>Benjⁿ Lynde</i>		<i>Edmund Quincy</i>	
<i>Penn Townsend</i>				<i>Adam Wintrop.</i>	

UPON Reading a Petition of *Daniel Powning* Keeper of the Powder House in *Boston*, Importing that for six years past he has serv'd as Keeper of the Powder House in *Boston*, & constantly attended the same both in Receiving & Delivering out Powder, at the Times limited & directed by the Governour's Instructions to him, w^h is upon Mondays, Wednesdays & Frydays, weekly from the first of *March* to the first of *November* from ten o'Clock to twelve in the forenoon, that notwithstanding his strict Observance of his Instructions, He finds by Experience that the time limited is not sufficient, many Persons coming in other Seasons, whereby his time is principally taken up in that Service & the Province Stock of Powder daily increasing from the Impost Office, & other Quantitys of the Merchants Powder being now Houfed & which he has himself turn'd once a month. That the Quantity of Powder is very great & daily increasing, w^h will put him under the Necessity of Hiring a Person to assist him in Turning it, w^h will much lessen his Salary. Humbly Praying that
the

the General Court will please to consider the Premises & either enlarge his Salary or give Directions for some fees to be paid by such Persons as shall attend at the appointed Hours.

In the House of Representatives: *Ordered* That the Petitioner be allowed to demand & take the Sum of *six pence* for every single Barrel, Half Barrel, or Quarter of a Barrel of Powder deliver'd out of the Time order'd by this Court for his Attendance' For two Barrels one Shilling, & for any greater Quantity than three Barrels Two Shillings: In Council. Read & Concur'd.

Consented to, W^m TAILER.

A Plat of One Thousand Acres of Land purchas'd by the Rever'd *John Eliot* Clerk, of *Roxbury* Dec^d, of *Woottonookin* & *Nahan* the twenty seventh of *September*, 1655, & Confirm'd & Allowed by the General Assembly of the Province of the *Massachusetts-Bay* to such of the descendants of the said *John Eliot* as are legally entituled to the same on the 17 & 22 of *June*, 1714, as of Record appears; Which said Thousand Acres of Land lies Southward of & contiguous to the Township of *Brookfield* alias *Quaboag*, It begins at a Popple Tree mark'd & an Heap of Stones about it about two Perch from a Pond called *Pookookappoy*, And thence runs by the Needle of the Surveying Instrument West 27°. 00' North 402 Perch to the Stake & Heap of Stones on the Eastward Side of a Hill, And then South 5°. 00' West 400 Perches to a large Heap of Stones to the Westward Side of a Ridge of Rocks, From thence East 27°. 00' Degrees South 460 Perch, & from thence North 3°. 00' West 428 Perch to the Corner first mentioned, as is describ'd by the Plat.

Surveyed by *John Chandler*, Jun^r Surveyor.

In the House of Representatives; *Ordered*, that the Plat be accepted, and the Land therein describ'd be confirm'd to the Descendants of the late Reverend *John Eliot* Dec^d, Pursuant to the Vote of this Court pass'd for that End at their Sessions in *June* 1714.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourn'd unto To Morrow at ten o Clock in the Morning.

Tuesday Dec^r 6. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu. Govern^r

<i>Elisha Hutchinson</i> <i>Samuel Sewall</i> <i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>Penn Townsend</i> <i>John Higginson</i> <i>Nath Byfield</i>	}	Esq ^r	<i>And^m Belcher</i> <i>Edw^d Bromfield</i> <i>Isaac Winslow</i> <i>John Cushing</i> <i>Nath^l Payne</i> <i>Nath^l Norden</i> <i>John Otis</i>	}	Esq ^r	<i>Benjⁿ Lynde</i> <i>John Clark</i> <i>Addinⁿ. Davenport</i> <i>Tho^o Hutchinson</i> <i>Thomas Fitch</i> <i>Edmund Quincy</i> <i>Adam Wintrop.</i>	}	Esq ^r
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UPon Reading a Petition of *Martin Kellog*, Importing, That being an Inhabitant of the Town of *Deerfield* in the Time of the great Destruction of it by the French & Indians about twelve years since, & a great Sufferer both in the Loss of his Estate & in the Hardships of a tedious & long Captivity, from which by a dangerous Adventure he escaped, & has since been in the Service & at all times shew'd himself ready to serve his Country, And humbly Praying that the General Court will be pleas'd to consider his Circumstances, and make him such Recompence as they shall think meet.

In the House of Representatives, *Resolved*, that the Sum of Ten Pounds be allowed &

& paid out of the Publick Treasury to *Martin Kellog* the Petitioner in Consideration of his uncommon Bravery & Suffering in the Publick Service.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

A Petition of *Joseph Hill* being twice read was order'd to be dismiss'd.

John Otis Esq^r took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, Repeated & Subscrib'd the Test or Declaration, & took the Oath of Abjuration, & the Councillours Oath.

In the House of Represent^{es} Voted that the Direction & Order of this Court Pass'd at their Session *Octob^r 1712*, for the Maintenance of the Ministry in the Town of *Watertown* be punctually observ'd & effectually executed without any farther Delay: And in as much as the Selectmen, Assessors & other Town Officers in Combination with the Major Part of the Inhabitants at a Town Meeting *Janu 27. 1714* did in manifest Contempt of the Authority of this Govern^t Vote a Non-Compliance with this Order, & do to this day justify themselves in their open & vile Practice.

Be it therefore *Resolved* that the Select Men & Assessors shall forfeit & pay the Sum of Fifty Pounds, Unless the Money which is or ought to have been collected be appropriated to the Uses therein mention'd, on or before the tenth day of *January* next, and the Sum of Twenty Pounds per Month till the same be accomplish'd and they discharged by each of the Ministers, to be recovered by Bill Plaint or Information in any Court.

In Council, Read three several times & Non-Concur'd.

In Council, *Ordered* that *Samuel Sewall, Benjamin Lynde & John Clark* Esq^r be a Committee to prepare & draw up a Report upon the Affair of *Watertown*, & present it to the Board as soon as may be.

Upon Reading a Petition of *Elisha Hedge, John Smith* Son & Heir to *Samuel Smith* late of *Eeasham* Dec^d *David Melvil & Hugh Stuart* of *Monomoy* alias *Chatham*, Importing that whereas they did in the year 1694 purchase of the Indians *John Quason & Josephus Quason* of *Monomoy* alias *Chatham* in the County of *Barnstable*, a certain Beach commonly called *Monomoy* Beach lying Eastward of said *Monomoy*, with several Parcells of Meadow or Sedge Ground lying adjacent thereunto, as may be seen by an Instrument of Conveyance under the Hands & Seals of the said *John Quason & Josephus Quason*, w^h said Meadow & Beach was never as they can learn by the General Court granted to any Persons whatsoever, And therefore they thought they might with safety purchase the same, It being no way to the Prejudice of the said Indians to sell a Beach, which was no way likely to be profitable to them, That the said Purchase was made before any Law of this Province was made to the Contrary, That they have for many years quietly enjoyed & possess'd the said Beach with its Appurtenances, & have since sold and made Conveyances of a considerable Part of the said Beach, to other Persons, who have quietly possess'd the same without any manifest Dislike to the Indians, yet notwithstanding some English do trespass upon the said Beach by turning over Horses & Cattle to graze thereon, & they also molest & disturb the Persons to whom it was sold, Whereby great Inconvenience & Damage is like to ensue to your Petitioners unless timely prevented; Humbly Praying that the General Court will please to take this Matter into Consideration, & relieve them by Confirming a Grant of the said Beach with its Appurtenances which are specified in the Deed of Sale made to them by *John & Josephus Quason*.

In the House of Represent^{es} *Ordered*, That this Petition be continued until the next *May* Session, and that in the mean time Publick Notice be given by the Petitioners in the Town of *Chatham*, That if any Persons have any reasonable Objection to make, they may then be heard.

In Council, Read & Concur'd.

Consented to, W^m TAILER.

An Act in Addition to an Act for erecting a Powder House in Boston: Pass'd by the Represent^{es}

In Council: Read three several times & Pass'd to be engros'd.

Consented to, W^m TAILER.

Upon Reading the Petition of *Zechariah Tuthil* Lieu^t & Master Gunner of His Majesty's Castle *William*, Importing, That in Sundry Petitions to the Hon^{ble} General Court he suppof'd considerable Arrears due to him by an Establishment made & pass'd in the Year 1700. But since is inform'd that by a Resolve pass'd by the General Court the first day of December 1705, It was intended that the said Establishment should not continue, but for the future, That the Offices of Lieutenant & Master Gunner should be in two suitable Persons, And that the Lieutenant should receive out of the publick Treasury the Sum of Sixty Pounds ꝑ Annum, & that according thereto he has been paid, and now he Humbly Prays that for the Year & ten Months before that Resolve was made, He may receive his Arrears then due, w^{ch} amounts to the Sum of Sixty five Pounds nineteen shillings & six pence, He having receiv'd no more than Forty Pounds for his first Years Service, & after the Rate of Fifty Pounds for his second Year; Humbly Praying, That the General Court will please to consider his Service & make such Allowance as they shall think meet.

In the House of Represent^{es}; Whereas the General Court at their Session in *May* 1700, Resolved that the Lieutenant of the Castle on *Castle Island* performing the Duty of Lieutenant & Gunner should be paid out of the publick Treasury Eighty Pounds per Annum, And in as much as in *December* 1705. The Court did again Resolve that the Office of Lieutenant & Gunner should be in two Persons;

Voted That the Sum of Sixty five Pounds nineteen Shillings & six pence be allowed & paid out of the publick Treasury to the Petitioner, He having no Pretence or Claim to any more by reason of the last Resolve, altho he may have since that perform'd the Duty of Lieuten^t & Gunner.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourn'd to To Morrow at ten o Clock in the Morning.

Wednesday Decem. 7. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu. Gov^r

<p><i>Wait Wintrop</i> <i>Elisha Hutchinson</i> <i>Samuel Sewall</i> <i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>Penn Townsend</i> <i>Nath^l. Byfield</i></p>	}	Esq ^r	<p><i>John Higginson</i> <i>And^m Belcher</i> <i>Edw^d Bromfield</i> <i>Isaac Winslow</i> <i>John Cushing</i> <i>John Otis</i> <i>Nath^l. Norden</i></p>	}	Esq ^r	<p><i>Benj^a Lynde</i> <i>John Clark</i> <i>Addin: Davenport</i> <i>Thomas Fitch</i> <i>Edmund Quincy,</i> <i>Thomas Hutchinson</i> <i>Adam Wintrop.</i></p>	}	Esq ^r
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A Hearing was had before the whole Court upon the Petition of *John Legg* Esq^r & several others of the Town of *Marblehead*.

A Hearing was had before the whole Court upon the Petition of the Eastern Part of the Town of *Bridgewater* for a new Meeting House.

In Council, Ordered, That *John Cushing* & *Edmund Quincy* Esq^{rs} with such as the Represent^{es} shall joyn with them be a Committee to repair to *Bridgewater* & view the Town & consider of the most convenient Place for Erecting a new Meeting House, Having a Regard to the Suggestion of the Town, That there will soon be need of a third meeting House; and make Report to this Court at their next Session, Unless the Town in the mean time agree the matter among themselves, The Town to be at the Charge of the Committee.

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In the House of Represent^{es}; Read & Concur'd, & Cp: *George Leonard*, Cp: *Henry Hodge* & Cpt. *Jacob Thomson* are join'd with the Compt^{ee}
 In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourn'd unto to Morrow at ten o Clock in the Morning.

Thursday Dec^r 8. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r

<i>Wait Wintrop</i>	} Esq ^r	<i>Nath. Byfield</i>	} Esq ^r	<i>John Clark</i>	} Esq ^r
<i>Elisha Hutchinson</i>		<i>John Higginson</i>		<i>Addin: Davenport</i>	
<i>Sam^l Sewall</i>		<i>And^w Belcher</i>		<i>Tho^r Hutchinson</i>	
<i>Joseph Lynde</i>		<i>Edw^d Bromfield</i>		<i>Thomas Fitch</i>	
<i>Eli^m Hutchinson</i>		<i>Isaac Winslow</i>		<i>Edm^d Quincy</i>	
<i>Penn Townsend</i>		<i>John Cushing</i>		<i>Adam Wintrop</i>	
		<i>Benj^a Lynde</i>			

AN Act entituled *An Act to prevent the Oppression of Debtors* Pass'd by the Represent^{es}

In Council; Read three several times & Concur'd to be Engros'd.

Consented to, W^m TAILER.

Adjourn'd unto to Morrow at ten o Clock in the Morning.

Fryday Dec^r 9. 1715.

Present in Council

The Hon^{ble} *William Tailer* Esq^r Lieu. Govern^r

<i>Wait Wintrop</i>	} Esq ^r	<i>Elisha Hutchinson</i>	} Esq ^r	<i>Sam. Sewall</i>	} Esq ^r
<i>Joseph Lynde</i>		<i>And^w Belcher</i>		<i>Benj^a Lynde</i>	
<i>Eli^m Hutchinson</i>		<i>Edw^d Bromfield</i>		<i>John Clark</i>	
<i>Penn Townsend</i>		<i>John Cushing</i>		<i>Addin Davenport</i>	
<i>John Appleton</i>		<i>John Otis</i>		<i>Thomas Hutchinson</i>	
<i>Nath^l. Byfield</i>		<i>Nath^l Norden</i>		<i>Thomas Fitch</i>	
<i>John Higginson</i>		<i>Adam Wintrop</i>		<i>Edm^d Quincy</i>	

IN the House of Represent^{es}: Voted, that *Nathaniel Payne* Esq^r, Mefs^{rs} *Moses Reed* & *John Rogers* be a Committee to consider and compute the Charge of a High Way to Pautuckett Bridge & lay the same before this Court; and that the further Consideration of the Account of building of the said Bridge be defer'd until the Vouchers thereof be produced, or the said Accompt be return'd, examined & allowed by the Govern^r of *Rhode Island*, neither of which are yet done.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading the Petition of *Hugh Adams* Clerk of *Chatham* in the County of *Barnstable*, Importing that the Select Men of the Town of *Chatham* have refused to see collected his Rate for this Year according to the Towns firm & unanimous Agreement with him, That he & his family are like to be oppres'd for want of it. That he made complaint & Application to the Hon^{ble} Justices of the Court at *Barnstable* at their last Session in *October* last, but had no Redress otherwise than an Order for an Ecclesiastical Council of the three next neighbouring Ministers of *Eastham*, *Harwich* &

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& *Yarmouth* with their Delegate; which Council accordingly mett, and advif'd fo contrary to his Expectations that he was immediately constrained to appeal to another Ecclesiasticall Council, Humbly Requesting, First, That the Petition of his friendly Auditors may be heard & granted, & that he be continued in his Ministry untill another Council be obtain'd; Secondly, That the next Ecclesiastical Council may consist of the Rev^d Ministers & Messengers of the Churches of *Plymouth, Duxborough, Mashfield & Upper Scituate*. Thirdly, That for his immediate supply *Thomas Atkins* his Neighbour may be authorized by Warrant to make & collect his Rate for this Year according to Agreement. Fourthly, That the Hon^{ble} the Justices of the Court of the County of *Barnstable* may be directed to hear his just Complaints against several of his defaming Neighbours: Fifthly, That the present Tavern Keeper may no longer be licenced :

In Council; Read & Ordered, That the Prayer of the Petitioner be so far granted, as that he be recommended to the Quarter Sessions of the County of *Barnstable*, and that they give order for the Inhabitants of the Town of *Chatham* to pay the Petitioner his due as per Agreement, until he be regularly dismiss'd.

Adjourn'd unto to Morrow at ten o Clock in the Morning.

Saturday Dec^r 10. 1715

Present in Council

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r

<p><i>Wait Wintrop</i> <i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>Penn Townsend</i> <i>John Appleton</i> <i>Nath^l. Byfield</i> <i>John Higginson</i></p>	}	<p>Esq^r₂</p>	<p><i>Elisha Hutchinson</i> <i>Andrew Belcher</i> <i>Edw^d Bromsfield</i> <i>John Cushing</i> <i>Nath Norden</i> <i>Benj^a Lynde</i></p>	}	<p>Esq^r</p>	<p><i>Sam^l Sewall</i> <i>John Clark</i> <i>Addin Davenport</i> <i>Tho^o Hutchinson</i> <i>Thomas Fitch</i> <i>Edmund Quincy</i> <i>Adam Wintrop.</i></p>	}	<p>Esq^r</p>
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AN Act for Reviving & further Continuing an Act, entitled *An Act to enable Creditors to receive their just Debts out of the Effects of their absent & absconding Debtors*, Made and Pass'd by the Great & General Court or Assembly at their Sessions upon the twenty sixth Day of May 1708, in the seventh Year of the Reign of her late Majesty Queen *Ann*: Pass'd by the Represent^{es} In Council; Read three several times & concur'd to be engroft.

Consented, W^m TAILER.

A Message from the Represent^{es} by M^r *William Payne*, Cpt. *Noyes*, M^r *Cook*, M^r *Hutchinson* & *Samuel Thaxter* Esq^r, That the House desire the Concurrence of the Board in the Choice of an Attorney Gen^l upon Wednesday next.

An Act in further Addition to an Act for Encouraging the killing of Wolves made in the fifth Year of the Reign of King *William* & Queen *Mary*. Pass'd by the Represent^{es}

In Council; Read three several times & Concur'd to be engroft.

Consented to, W^m TAILER.

Upon Reading the Petition of *Roger Billing* of *Dorchester*, *Jonathan Gulliver* of *Milton*, & *John Billings* of *Dorchester* aforesaid, in behalf of a blind Indian man called *Thomas Oucuncanog*, aged above sixty years, Residing at the Dwelling House of *Roger Billing* aforesaid, Importing, that the said Indian was born in *Brantry*, & has liv'd the greatest part of his time in & about it, and since *Philips* War has been a faithful Soldier in the Country Service under twelve several Captains, And particularly under Cpt. *Robinson* as they were guarding the mast Cutters at the Eastward

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in felling of Mafts for his Majeftys Service, a Chip from one of the Trees flew into one of his Eyes which foon occafion'd the Lofs thereof, By Reafon of which Accident he foon loft the other, fo that fince the twenty fourth of *March* 1714 he has been entirely blind, & thereby render'd incapable of providing any fubfiftence for himfelf & in a very miferable & deftitute Condition; Humbly Praying, That the Gen^l Court will please to take his cafe into their Confideration & grant fome annual Allowance to preferve him from perifhing.

In Council; Read & Recommended.

In the Houfe of Reprefent^{es} Resolved, that the fum of fix Pounds be allowed & paid out of the publick Treasury to *Roger Billing* the Petitioner to be laid out by him in the beft manner he can for the neceffary Relief & Supply of the blind Indian in whofe Behalf the Petition is made. In Council; Read & Concur'd.

Confented to, W^m TAILER.

Upon Reading the Petition of *John Tappin* of *Salisbury*, Importing that he has been formerly a Soldier under the Command of Captain *Lothrop* in the Country Service at *Deerfield* he had the Misfortune in an Engagement with the Indian Enemy to receive a wound in his right Shoulder, Whereby he was & ftill is rendered unable to work, That both he & his Wife are aged & infirm, & under great Difficulties to fupport himfelf & Family, That by living near the Province Line he is greatly opprefs'd by being not only rated in *Hampton*, but in *Salisbury* alfo, That he has often made Application for an Abatement in Confideration of his Wound in the Service, but that the Affeffors have no Regard to his Request. Humbly Praying that the General Court will be pleas'd to take his Cafe & Service into Confideration; & free him for the future from all publick Taxes & Rates while he continues in this Province.

In Council; Read & Recommended.

In the Houfe of Reprefent^{es} Ordered, that the Petitioner be recommended to the Town of *Salisbury* for Relief.

In Council; Read & Concur'd

Confented to, W^m TAILER.

Adjourn'd unto Monday at three o Clock in the Afternoon.

Monday Dec 12. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Gov'

<i>Elisha Hutchinson</i>	}	Esq ^r	<i>Andrew Belcher</i>	}	Esq ^r	<i>Addin: Davenport</i>	}	Esq ^r
<i>Samuel Sewall</i>			<i>Edw^d Bromfield</i>			<i>Tho^s Hutchinson</i>		
<i>Joseph Lynde</i>			<i>John Cushing</i>			<i>Thomas Fitch</i>		
<i>Eli^m Hutchinson</i>			<i>John Otis</i>			<i>Edmund Quincey</i>		
<i>Penn Townsend</i>			<i>John Clark</i>			<i>Adam Wintrop</i>		
<i>Nath^l. Byfield</i>						<i>John Appleton.</i>		

AN Engros'd Bill entitled *An Act to prevent the Oppreffion of Debtors*: Pafs'd in the Houfe of Reprefent^{es} to be Enacted. In Council; Read & Concur'd to be Enacted.

Confented to, W^m TAILER.

An Engros'd Bill in Addition to the Act entituled *An Act againft Counterfeiting the Bills of Credit &c*, Pafs'd by the Reprefent^{es} to be Enacted. In Council; Read & Concur'd to be Enacted.

Confented to, W^m TAILER.

An Engros's'd Bill entituled *An Act in further Addition to the Act for Encouraging the Killing of Wolves &c.* Pass'd by the Represent^{ves} to be Enacted. In Council; Read & Concur'd to be Enacted.

Consented to, W^m TAILER.

An Engros's'd Bill entituled *An Act for Reviving & further Continuing of an Act entituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent & absconding Debtors &c.* Pass'd by the Represent^{ves} to be Enacted. In Council; Read & Concur'd to be Enacted.

Consented to, W^m TAILER.

Adjourn'd unto to Morrow at ten o Clock in the Morning.

Tuesday Dec^r 13. 1715

Present in Council.

The Hon^{ble} William Tailer Esq^r Lieu Gov^r

<p><i>Elisha Hutchinson</i> <i>Samuel Sewall</i> <i>Nath^l Byfield</i> <i>And^{rs} Belcher</i> <i>Edw^d Bromfield</i> <i>Nath^l Payne</i></p>	}	Esq ^r	<p><i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>John Cushing</i> <i>John Clark</i> <i>Addin: Davenport</i> <i>Benj^a Lynde</i></p>	}	Esq ^r	<p><i>Penn Townsend</i> <i>John Appleton</i> <i>Thomas Hutchinson</i> <i>Thomas Fitch</i> <i>Edmund Quincy</i> <i>Adam Wintrop.</i></p>	}	Esq ^r
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AN Engros's'd Bill entituled *An Act in Addition to an Act for Erecting a Powder Houfe in Boston.* Pass'd by the Represent^{ves} to be Enacted. In Council; Read & Concur'd.

Consented to, W^m TAILER.

A Bill entituled *An Act to prevent Damage to the Housing & other Estate within the severall Towns of this Province:* Pass'd by the Represent^{ves} In Council; Read three severall times & Concur'd to be Engros's'd.

Consented to, W^m TAILER.

In Council, *Ordered*, that the Consideration of the Vote of the Represent^{ves} for the Choice of an Attorney General be referr'd to next *May* Sessions.

Consented to, W^m TAILER.

Upon Reading the Petition of *Samuel Sewall, John Leverett & Thomas Fitch* Esq^{rs} & *Daniel Oliver* Merch^{ts} a Committee appointed by the Trustees of the Legacy of the Hon^{ble} *Edward Hopkins* Esq^r Dec'd, Importing, that whereas they were appointed to purchase a Tract of Land call'd *Moguncoy* & having by the Allowance & Approbation of the General Court made & perfected the Purchase of the said Land in the Name & in Behalf of the Trustees of the Legacy aforesaid according to the Decree in Chancery to the good Advantage & universal satisfaction of the Indians late Proprietors of the said Land, and the said Trustees are desirous to settle a Plantation upon the Purchase they have made & to erect a Town or Village by the Name of *Hopkinton*, to the perpetuating the Memory of the pious Benefactor, But that upon the Survey of the said Land, they find the same scanty & too streight, And that they are informed & assured there lies a Quantity of Country Land adjoining to the said Purchase neither sufficient by it self to make a Plantation or so much as a Village, nor as yet assign'd to any Township, nor needed by any of the neighbouring Towns on which it borders, nor desired by any of them, & may be a very accomodable Enlargement unto the Purchase they have made for the pious Intentions of the aforesaid Benefactor, Humbly Praying that the said Tract of Land lying between *Sutton* & the said Purchase not appropriated may be granted to the said Trustees, and that the whole Tract may be incorporated with the said Purchase into a Township by the Name of *Hopkinton*.

In the House of Represent^{es}; *Ordered*, that the Prayer of the Petition be so far granted, that the Lands petitioned for together with the Plantation & Purchase of *Moguncoy* be erected into a Township to bear the Name of *Hopkinton* & have & exercise the Powers & Privileges of a Town; And that the Fee & Property of the Lands petitioned for do still remain in the Province: In Council; Read & Concur'd.
Consented to, W^m TAILER.

Adjourn'd unto to Morrow at ten o Clock in the Morning.

Wednesday Decem^r 14. 1715

Present in Council

The Hon^{ble}: *William Tailer* Esq^r Lieu Gover^r.

<i>Elisha Hutchinson</i>	} Esq ^r	<i>Edw^d Bromfield</i>	} Esq ^r	<i>Benj^a Lynde</i>	} Esq ^r
<i>Sam^r Sewall</i>		<i>John Cushing</i>		<i>John Clark</i>	
<i>Eli^m Hutchinson</i>		<i>Nath^l Payne</i>		<i>Addin: Davenport</i>	
<i>Penn Townsend</i>		<i>Nath^l Norden</i>		<i>Tho^r Hutchinson</i>	
<i>Nath^l Byfield</i>		<i>John Otis</i>		<i>Thomas Fitch</i>	
<i>John Appleton</i>		<i>Thomas Noyes</i>		<i>Edmund Quincey</i>	
<i>Andrew Belcher</i>				<i>Adam Wintrop.</i>	

A Message from the Represent^{es} by Capt *Noyes Samuel Thaxter* Esq^r & M^r: *Lothrop*, That the Board would reconsider their Vote referring to the Choice of an Attorney General, And give a direct Answer, and if the Board do not see meet to concur with them, They desire a Conference with them upon that matter this Afternoon.

A Bill entituled *An Act for maintaining & propagating Religion*. Pass'd by the Represent^{es} In Council; Read three several times & Concur'd to be Engros'd.
Consented to, W^m TAILER.

An Engros'd Bill entituled *An Act to prevent Damage to the Housing & other Estate within the several Towns in this Province*. Pass'd by the Represent^{es} to be enacted. In Council; Read & Concur'd.
Consented to, W^m TAILER.

It being put to the Vote Whether the Council will reconsider their Vote referring to the Choice of an Attorney General. Pass'd in the Affirmative.

In Council *Voted* a Non-Concurrence to the Vote of the Represent^{es} for the Choice of an Attorney General, and agreed to a Conference on that Affair this Afternoon.

Upon Reading the Petition of *James Taylour* late Treasurer of the Province of the *Maffachusetts-Bay*, Importing, That for one & Twenty years past he had the honour to serve this Province as Treasurer & zealously fought the Good of it, as well as faithfully discharg'd the Trust committed, and that during that time he did with all readines upon every exigent or necessitous Occasion advance his own Money for the publick Service without any Allowance for it, That it so unfortunately happened in the last year of his Service, That a Robbery was committed upon the Treasury, and the Sum of Eighty eight Pounds thirteen shillings & four pence was stolen thence & carryed away, That the Person or Persons that stole the same are not yet discovered, tho' all proper means have been used, that he has accounted for the said Sum of Eighty Eight Pounds thirteen shillings & four pence with the present Treasurer & paid the same: Humbly Praying that the General Court will please to take the Premisses into Consideration & order the s^d Sum of Eighty Eight Pounds thirteen shillings & four pence to be repaid him out of the publick Treasury, that so he may not sustain the Loss of it.

In

In the House of Represent^{ts}; In Consideration of the good & faithfull Service of M^r *James Taylour* for many years as Treasurer of this Province, and that this House is well satisfied of his advancing his own Money in the publick Affairs, & that he has sustain'd considerable Loss in the executing that Office;

Resolved, that the Sum of ninety Pounds be allowed & paid out of the publick Treasury to the said M^r *James Taylour*. In Council; Read & Concur'd.

Consented to, W^m TAILER.

It being put to Vote in Council, Whether the Nomination & Appointment of an Attorney General belongs to the Governour & Council? It pass'd in the negative. The Council expressing themselves that it belongs to the General Court.

A Message from the Represent^{ts} by Mefs^r *Epes, Cooke & Chipman*, That the House are willing to defer the Choice of an Attorney General till fryday morning next, And that there is daily expectation of a Gentleman from *England* Commisioned for that Post, And that therefore they think proper to fill it up, That they may be able to inform him so, when he comes; That the Represent^{ts} of *West Hampshire* are now here, & the Represent^{ts} of *York* daily expected, And that the House desires the Concurrence of the Board in the Choice of an Attorney General that Time.

In the House of Represent^{ts}, *Ordered*, that *Oliver Noyes, Sam^l Thaxter, Elisha Cook & Edward Hutchinson Esq^r* & Cpt. *Francis Fulham* with such as the Hon^{ble} Board shall nominate be a Committee to consider that Paragraph of his Honour the Lieu^t Governours Speech, which refers to the support & increase of Trade, and make report what they think proper to be done by this Court for that End: In Council; Read & Concur'd and *Eliakim Hutchinson, Nathaniel Byfield, Thomas Hutchinson & Thomas Fitch Esq^r* join'd to the Committee.

Upon Reading the Petition of *John Usher Esq^r* of *Charlestown*, Importing, That he being Treasurer of the Territory & Dominion of *New England* during the Government of Sir Edmund Andrews, & untill the Revolution, That he did advance & pay for publick Uses several considerable Sums of Money more than came to his Hands belonging to the Treasury, w^h Accompts His Majesty was pleas'd to refer the Examination of to the Governour & Council of this Province with Directions that Payment should be made to him of the ballance of his Accompts or Render a Reason to the Contrary, That pursuant to His Majesty's Orders, There was a Committee appointed by His Excellency *Joseph Dudley Esq^r* late Governour to inspect & examine his said Accompts, w^h Committee reported that the Ballance demanded was One thousand thirty eight Pounds & one penny, w^h Report the Governour & Council Read & accepted, w^h is still unpaid, That he could never obtain any Order or Warrant for the Payment of the same, Nor any particular Reasons rendered according to the Kings Order, That he has been kept out of his Money these twenty six years, for which he has been obliged to pay yearly Interest, w^h amounts to sixteen hundred Pounds, That last year he made Application to the General Court Pressing for an Answer, but obtain'd none; Humbly Praying that the General Court will please to take his Case into Consideration & Order him the Ballance of his Accompt or Render Reasons to the Contrary.

In the House of Represent^{ts}, *Ordered*, that *Elisha Cook, William Denison, Samuel Thaxter, Edward Hutchinson & Charles Chambers Esq^r* with such as the Hon^{ble} Board shall nominate be a Committee to whom this Petition is refer'd, That they consider the Subject Matter & Allegations thereof & the former Proceedings of this Court relating thereto, & make Report what they think proper to be done in Answer thereto.

In Council; Read & Concur'd, and *Andrew Belcher, Addinton Davenport & Adam Wintrop Esq^r* joined to the Committee.

A Message from the Represent^{ts} that the House desire a Conference about the Time for Chusing an Attorney General.

In Council, Concur'd, and *Samuel Sewall, Andrew Belcher, Nathaniel Byfield & Benjamin Lynde Esq^r* are appointed to manage the Conference.

Adjourn'd unto To Morrow at Ten a Clock in the Morning.

Thursday Dec^r 15. 1715

Present in Council.

The Hon^{ble} *William Tailer Esq^r* Lieu Govern^r:

<i>Elisha Hutchinson</i>	} Esq ^r	<i>And^m Belcher</i>	} Esq ^r	<i>John Clark</i>	} Esq ^r
<i>Samuel Sewall</i>		<i>John Cushing</i>		<i>Addin: Davenport</i>	
<i>Joseph Lynde</i>		<i>Nath. Payne</i>		<i>Tho' Hutchinson</i>	
<i>Eli^m Hutchinson</i>		<i>Nath^l Norden</i>		<i>Thomas Fitch</i>	
<i>Penn Townsend</i>		<i>Thomas Noyes</i>		<i>Edward Bromfield</i>	
<i>John Appleton</i>		<i>Benj^s Lynde</i>		<i>Edmund Quincey</i>	
<i>Nath^l Byfield</i>		<i>John Otis</i>		<i>Adam Wintrop.</i>	

IN Council, *Voted*, that the Choice of an Attorney General be deferred to the next May Sessions.

In the House of Represent^{ees} Non-Concur'd.

Upon Reading a Petition of *Humphry Bradstreet* of *Newbury* in the County of *Effex*, Physician, Importing, that *Ebenezer Davis* was a Soldier in her late Majesty's Service at *Haverhil* under the Command of Coll. *Richard Saltonstall* in the year 1709. And was taken ill in the Service, & put under his Care, And that he expended Sundries amounting to the Sum of One Pound & seven shillings, That one *Henry Flood* under the Command of the said Colo. *Saltonstall*, who was likewise put under his Care, & he expended upon him one Pound fifteen shillings, as appears by the several Accompts sign'd by the said Col^o *Saltonstall*, That *Nicholas Davison* of *Newbury* who was wounded upon the Expedition to *Port Royal* in the year 1709, and was by the late Governour *Dudley* put under his Care, Which was done both with great Difficulty & Expence; and that there remains due to him Ten Pounds & five shillings, Humbly Praying that the General Court will order payment of the same.

In the House of Represent^{ees}, *Resolved*, that the Sum of Three Pounds & two shillings be allowed & paid out of the publick Treasury to *Humphry Bradstreet* in full of the Petition; Cpt. *Nicholas Davison* not being in the Service of this Province when he receiv'd his Wound. In Council; Read & Concur'd.

Consented to, W^m TAILER.

In Council; *Voted* a Non-Concurrence Nemine Contradicente to an Act pass'd by the Represent^{ees} entituled *An Act for the frequent Calling of Great & General Courts or Assemblies*, The Board being of Opinion that the Purport of the Bill is expressly contain'd in the Charter & so construed by the Laws of this Province & uninterrupted Practice all along.

In Council; *Voted*, that the Council adhere to their Vote above about the Choice of an Attorney General.

In the House of Represent^{ees} Upon a Motion being made in the House & a Letter receiv'd from the Hon^{ble} the Lieutenant Governour & Council of the Province of *New-Hampshire*, That the Partition Line may be run between this Province & that to ascertain the Inhabitants bordering thereon where to pay their Taxes, & to prevent further Differences, *Ordered*, that Col^o *Samuel Appleton*, Col^o *Thomas Noyes* & Cp^t *John Gardner* be a Committee on Behalf of this Province fully impowered to meet & join with such Persons as shall be appointed and fully impowered by the General Court of the said Province of *New-Hampshire* finally to settle & determine the Course & Running of the Line, Pursuant to the Directions of the Royal Charter

of this Province, And make Report to this Court. The Property of the Lands that have been improved or laid out to any Persons near the said Line to continue & remain to them as now it is, on which side soever of the Line they shall happen to fall. And his Honour the Lieu: Governour is requested to furnish them with Powers necessary to proceed in the Affair, pursuant to this Vote.

In Council; Read & Concur'd, and *John Higginson* Esq' added to the Committee in the Affair. Any three of which to be a Quorum.

Consented to, W^m TAILER

In the House of Representatives: *Resolved*, That the Treasurer be directed to purchase good Bills of Exchange for Two hundred Pounds Sterling to be paid to Mr. *Jeremiah Dummer* of London, Agent for this Province, further to enable him to Negotiate the Affairs thereof. In Council; Read and Concur'd. By the honourable the Lieutenant Governour, I do not consent to the Vote above.

W^m TAILER.

In Council; In Answer to the Petition of *John Legg & Edward Brattle* Esq' & several others Inhabitants of the Town of *Marblehead* (enter'd at the seventh Page of this Book at large), *Ordered*, that so long as the Auditor of the New Meeting House, w^h the Reverend M: *Edward Holyoke* now preaches in, shall maintain a learned & orthodox Minister there, they shall be discharged from Paying towards the Maintenance of any other Minister, excepting their Proportion towards the Maintenance of the Rev^d M: *Samuel Cheever* during his natural Life.

In the House of Represent^{es} Read & Concur'd.

By the Hon^{ble} Lieu: Governour

Consented to, W^m TAILER.

Adjourn'd unto To Morrow at ten o Clock in the Morning.

Friday Dec: 16. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq' Lieu Gov:

Elisha Hutchinson
Sam: Sewall
Joseph Lynde
Eli^m Hutchinson
Penn Townsend
John Appleton
Nath. Byfield

} Esq'

Andrew Belcher
Edw^d Bromfield
John Cushing
Nath: Payne
John Otis
Thomas Noyes

} Esq'

Benj^a Lynde
John Clark
Addin: Davenport
Tho' Hutchinson
Tho' Fitch
Edmund Quincey
Adam Wintrop.

} Esq'

A Message from the Represent^{es} by *Samuel Thaxter & Joseph Parsons* Esq' That the House desire that Matters of the greatest Consequence may be brought forward, That if it be possible they may rise this Week.

Upon Reading the Petition of *Richard Coomes & Hephzibah* his Wife, Daughter & only Child of *Joseph Newell* late of *Roxbury* Mariner Dec'd, Importing that the said *Joseph Newell* in the year 1691, mortgaged his Estate in *Roxbury* to *Florence Macarty* late of *Boston* Butcher Dec'd for the Sum of Twelve Pounds, Conditioned to pay the Sum of Sixteen Pounds & sixteen shillings within the Space of four Years, as appears of Record. Which is after the Rate of Ten Pounds ⁷/₁₀₀ Cent ⁷/₁₀₀ Annum, When the Land at the least Value is worth Three Hundred Pounds, And that he soon after it went to Sea & died, And that not long after the said *Joseph Newell's* Decease, the Petitioner *Hephzibah* was born, & the Mortgagee by Contrivance prevail'd with & over persuaded the Widow the Petitioner *Hephzibah's* Mother to sell & convey the Land by Deed to him, & took Possession of it accordingly before the four Years limited in the Deed of Mortgage was expired, & put his Deed on Record, & held

held his Possession untill the Petitioner *Hephzibah* came of Age, When she understood the illegal Proceedings in Conveying her Inheritance from her, That she had a Tryal at the Inferior Court held at Boston in April 1713. Where the said *Florence Maccartys* Heirs produced their Deed of Sale & were cast. After which Tryal the Mortgagee proved the said Mortgage, & enter'd it upon Record, when it had been hid for more than twenty Years before, And by Virtue thereof obtain'd a Verdict upon his Appeal to the Superior Court, Whereupon the Petitioner review'd having first tender'd to the Heirs of the said *Florence Maccarty* more than sufficient to pay both the Principal & Interest Money in Current Silver Money, ready in the Court to have taken up the Mortgage, But it was said it was too late; And the Court would give no Relief in the Premises, the Mortgager having made Default & the Mortgagee being in actual Possession thereof, & had Possession beyond the Time limited by Law, That Judgment was given against the Petitioners, Which is to their utter Ruine, And this not thro' any Default, He being beyond Sea, imprefs'd & detained on board one of His Majesty's Ships of War in *Barbadoes*, In which Service he died before the time of Redemption was expired, nor can it appear to be a Default in the Petitioner *Hephzibah*, she being an Infant, That notwithstanding the Mortgagee has been at no more charge than the Twelve Pounds, & a Yearly payment of five Pounds to the Mother of the said Mortgager which the Land stood charged, & some small charge of Fencing &c. Humbly Praying the General Court to take the Premises into Consideration, & allow them their just Right of Redemption.

In the House of Represent^{es}; Voted, that the Petitioners ought to have the Equity of Redemption, Inasmuch as the Mortgage made to *Florence Maccarty* by *Joseph Newell* father of the Petitioners was not recorded untill April the seventh 1714, By Reason whereof they were defeated of the Benefit of an Act entituled *An Act for hearing & determining Cases in Equity* made & pass'd the tenth of William the third &c. And that they be empower'd to file a Bill for their Right or Equity of Redemption in the next Court or Courts of Law proper to hear the same.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es} Voted, that M^r *Jeremiah Dummer* be still continued the Agent of this Province. In Council; Read & Concur'd. By the Hon^{ble} Lieu^t Governour, I do not consent to the Vote above.

Adjourn'd unto To Morrow at Ten o Clock in the Morning.

Saturday Dec^r 17. 1715

Present in Council.

The Hon^{ble} *William Tailer* Lieu. Gov^r

<i>Elisha Hutchinson</i>	} Esq ^r	<i>Andrew Belcher</i>	} Esq ^r	<i>Benj^a Lynde</i>	} Esq ^r
<i>Sam^l Sewall</i>		<i>Edward Bromfield</i>		<i>Addin : Davenport</i>	
<i>Eli^m Hutchinson</i>		<i>Nath. Payne</i>		<i>John Clark</i>	
<i>John Appleton</i>		<i>John Otis</i>		<i>Tho^t Hutchinson</i>	
<i>Penn Townsend</i>		<i>Nath^l Norden</i>		<i>Thomas Fitch</i>	
<i>Joseph Lynde</i>		<i>Thomas Noyes</i>		<i>Edmund Quincey</i>	
<i>Nath^l Byfield</i>				<i>Adam Wintrop.</i>	

THE Hon^{ble} the Lieu Governour intimated a General Council, for the Nomination & Appointment of Civil Officers, to sit in *Boston* upon Saturday the twenty fourth of this Instant.

In the House of Represent^{es}, Insisted on their former Vote in Reference to the Select Men & Assessors & other Town Officers of the Town of *Watertown*.

In Council; Reconsider'd & Concur'd.

Consented to, W^m TAILER.

The

The following Proposals humbly offered by the Subscribers Trustees for the Fifty Thousand Pounds, *viz:* First, That for the receiving in the Bill of Credit now on Loan to several Persons by Virtue of an Act of the said Province made in the first Year of his present Majesty's Reign the Persons hereafter named to receive in the said Bills be directed & impowered upon the Receipt of the Annual Interest or any part of the Principal, as the same becomes due by Vertue of the said Act, and the Mortgages given thereon to endorse on the Original Deed of Mortgage the Receipt thereof, and when the whole both Principal & Interest is paid, Then to give a Receipt for the same on the said Deed, to be signed by three at least of the Trustees named in the said Act or their Successors, And the Deed shall be delivered to the Person who pays the said Bills, W^h Receipt being entered in the Margin of the Book of Registry where the said Deed is recorded shall fully discharge the Premises therein mentioned from any other Claim & Demand whatsoever, & render the said Deed null & void, Any Law Custom or Usage to the contrary notwithstanding: Secondly, That when at any time the said Trustees shall have receiv'd the Sum of One Thousand Pounds of the said Bills, either Principal or Interest, The Treasurer of the Province for the time being be directed & impowered to take in the same from them, & to pass his Receipt, W^h shall be a full discharge to the said Trustees, and the Bills so receiv'd by him to be burned to Ashes at the first Opportunity by the Committee appointed or that shall be appointed by this Court for the Burning unserviceable Bills: Thirdly, That the said Trustees do meet on every Wednesday Weekly in one of the Rooms of the Court House in *Boston*, there to give their Attendance from ten to twelve o'Clock in the Forenoon, & from three to five in the Afternoon, to receive in the Bills from Persons coming to pay the same: Fourthly, that the Trustees for their Service be allowed to pay themselves one $\frac{1}{2}$ Cent on all the Bills by them hereafter to be receiv'd on the Accompt of the Principal, and to be accountable to this Court yearly, if demanded for their Transactions in this Affair.

Sign'd

Andrew Belcher
Addin: Davenport
Thomas Hutchinson

John White
Edw^d Hutchinson

In the House of Represent^{es} Voted, That the foregoing Proposals be Accepted, & put into Practice as they now stand amended. In Council; Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es} Voted, That the Treasurer of this Province, the Treasurer of the County of *Suffolk*, & the Treasurer of the Town of *Boston* be a Committee or Trustees to purchase the House & Land in *Boston* aforesaid late *Power Sergeants* Esq^r Dec'd for the Use of this Province. And that the said Treasurers & their Successors for the Time being have Power of fitting & repairing the same when wanting, Agreeable to such Orders as they shall from Time to Time receive from this Court. And that the Province Treasurer do emitt & pay the Sum of Two Thousand three hundred Pounds for purchasing the same, That the said House & Land be a fund & Security for drawing in the said Bills into the Treasury again for the Space of twenty one Years, That at the Expiration of the said Term, It shall be sold for that end by the said Trustees or their Successors, unless this Court shall then see cause to order otherwise.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading the Petition of *Isaac Woono* & *Joshua Shanton* Agents in Behalf of *Ketticut* an ancient Indian Town or Plantation always inhabited by Indians, W^h lyeth between *Taunton Middleborough* & *Bridgewater*, & have had the Gospel preached to them by an English Minister many Years at times, but constantly by an Indian Minister, Importing, that their English Neighbours of *Bridgewater* did some years pass'd disturb them by laying Claim to their Town or a considerable Part thereof

under

under pretence of some Grant or Purchase, where upon there was Application made to the Great & General Court in the Year 1703. Upon which the Court were pleas'd to order a Committee to meet at *Barnstable* to consider of the Matter, that the said *Woono* was at the said Meeting, but for want of Copys of some Records & a true Understanding of the English Laws, The Committee drew up a Report not altogether in their favour, upon which M^r *Mitchell* of *Bridgewater* takes advantage thereby to Claim the best part of our said Indian Town & gives us Trouble at Law, W^h they suppose to be contrary to the Intent of the General Court, when they accepted the Report of the said Committee, W^h could be no otherwise than that *Bridgewater* should have the full Extent of your Grant, Which was six miles South of *Ketticut*, which is their Center to *Ketticut River*, Which plainly appears by the *Bridgewater* Grant, By which the Indian Lands were reserv'd to them, W^h was likewise done in Taunton Grant long before. That the said M^r *Mitchel* does prosecute them at law for the greatest part of their Town. That he by a Petition to the General Court got the Bounds of *Plymouth* & *Bristol* Counties unsettled for no other Reasons but to prosecute us at Law, That the General Court were pleas'd so far to favour him as to appoint a Committee to go & examine into that Affair; Humbly Praying that they may be continued in *Bristol* County from whence they have their English Minister, & that the General Court will be pleas'd to take their Case into Consideration & not suffer them & their Families to be utterly ruined by Depriving them of their Lands &c.

In Council; Read & Referred to the first Fryday of the next Sessions. In the House of Represent^{ts}: Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading the Memorial of *Edmund Quincey* Esq^r for & in Behalf of the Town of *Brantrey*, Importing, That the General Court at their Sessions held in May 1714. in Answer to a Petition prefer'd by the Memorialist in Behalf of said Town, Praying that a Surveyour might be appointed to protract & lay out Six thousand Acres of Land granted by the General Court *October* 1666 to the Inhabitants of *Brantrey* limited to one Place, not prejudicing any Plantation or particular Grant &c:

Ordered, that the Prayer of the Petition be granted, and M^r *Sam^l Jones* Jun^r of Concord (being propos'd by the Memorialist) was appointed to survey & lay out the said Grant, Provided the Land be taken up in *Middlesex* County, If in the County of *Suffolk* *John Chandler* Esq^r was to be Surveyour, as best knowing in their own Counties, The Plat when taken to be presented to the Court for Confirmation, as by the Records will more plainly appear, That for as much as the said *Samuel Jones* tho' requested, neglected & delayed to attend the Service aforesaid, and it being uncertain Whether the said Land lies in the County of *Hampshire* or *Middlesex*, So that the same not being to be found in the County of *Suffolk*, the Memorialist did not apply himself to *John Chandler* Esq^r, but prevail'd with M^r *William Ward* of *Marlborough* Surveyour, to survey & lay out the said Six thousand Acres of Land, who being upon Oath with the Help & Assistance of *Daniel Livermore* & *Gershom Ward* Chainmen (who were also sworn before M^r Justice *How*) laid out the same in the Angle between the Towns of *Brookfield* & *Rutland*, As plainly appears by the Plat thereof now presented; Humbly Praying that for the Considerations aforesaid the General Court will please to ratifie & Confirm to the Town of *Braintree* the said Six thousand Acres of Land according as it is protracted & laid out by the said *William Ward* in & by the Plat now presented for Confirmation, It no way prejudicing any Plantation or particular Grant, as the Memorialist is credibly informed.

Brantrey Six thousand Acres of Land lying in the Angle between *Brookfield* & *Rutland* is thus describ'd in the Platt: viz:

A a Pine Tree being *Brookfield* Corner. B a heap of Stones
G a Point, Survey'd by *William Ward*.

In the House of Represent^{es} Ordered, that the Plat on the other side be accepted, & the Land therein describ'd be confirm'd to the Town of *Brantrey* in Fulfilment of a Grant of Six thousand Acres made to them the Eleventh of *October*, 1666. by the General Court, Provided it interfere with no former Grant, And that this Court annex the said Lands to such Town as they shall think proper hereafter.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourned unto Monday at three o Clock in the Afternoon.

Monday Dec^r 19. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r:

<i>Sam^l Sewall</i>	} Esq ^r	<i>Andrew Belcher</i>	} Esq ^r	<i>Thomas Noyes</i>	} Esq ^r
<i>Joseph Lynde</i>		<i>Edw^d Bromfield</i>		<i>Addin: Davenport</i>	
<i>Eli^m Hutchinson</i>		<i>John Clark</i>		<i>Tho^l Hutchinson</i>	
<i>Penn Townsend</i>		<i>Nath^l Payne</i>		<i>Thomas Fitch</i>	
<i>Nath^l Byfield</i>				<i>Adam Wintrop.</i>	

A Bill entituled *An Act for Holding & Keeping a Superior Court of Judicature Court of Assize & General Goal Delivery within & for the County of Hampshire.* Pass'd by the Represent^{es}:

In Council; Read three several times & Concur'd to be Engross'd.

A Bill entituled *An Act in Addition to the Act for the Regulating of Townships, Choice of Town Officers, & Setting forth their Power, made & Pass'd in the fourth Year of William & Mary:* Pass'd by the Represent^{es}:

In Council; Read three several Times & Concur'd to be Engross'd.

A Bill entituled *An Act to prevent the unnecessary Journeyings of the Represent^{es}:* Pass'd by the Represent^{es}:

In Council; Read three several Times & Concur'd to be Engross'd.

A Bill entituled *An Act for the Encouraging of the Raising of Hemp within this Province.* Pass'd by the Represent^{es}:

In Council; Read three several Times & Concur'd to be Engross'd.

Upon Reading a Petition of the Inhabitants of the Westerly Part of the Blew Hills within the Town of *Dorchester*, commonly call'd the New Grant, Importing, That they live very remote from any Place of Publick Worship, The nearest being about six miles distant from *Dorchester Dedham & Milton*, Were upon that account very uneasy & Petitioned the Town of *Dorchester* that they might be sett off a Precinct by themselves, Whereupon at a Meeting of the Town of *Dorchester*, on the twelfth Day of *May* 1707. they did by a Vote manifest their Consent thereto. And that the Petitioners should be impowered to agree with & settle an able Minister among themselves, & to raise a Tax to defray the Charges of Building their Meeting-House, & Maintenance of their Minister &c. And chose a Committee, who with the Petitioners on the tenth Day of *June* following agreed upon the Place where the Meeting House should stand & now stands, & what should be the Bounds & Limits of their Precinct, as by the Committees return may appear, And moreover the Town of *Dorchester* gave the Petitioners about thirty Pounds towards Building their Meeting House, That upon this Encouragement the Petitioners sett about building their Meeting House, And in *May* 1708. petitioned the General Court for Confirmation of what was done, & to impower them to do such other Acts as might be agreeable to the Laws &c. Which pass'd in the House of Represent^{es}, But was Non-Concur'd in Council, That they have improv'd [*employ'd?*] the Rev'd M^r: *Joseph Morse* as their Minister

Minister for above these eight years, but not ordain'd, nor the Petitioners enabled to levy a Tax for his Support, Which lays them under very great Inconveniencies for want of the Gospel, & as to the Ministers Support, Which falls heavy upon some while others refuse to pay any thing at all, Humbly Praying that the General Court will please to Confirm the said Town Vote & the Doings of the Committee thereupon, and that they may be a distinct Precinct & Impower'd to choose fit Persons among themselves to assess & Levy a Tax for the Support of their Minister & Defraying other Charges, & to do such other Acts as may be agreeable to the Laws &c.

In the House of Represent^{es} Ordered, that the Prayer of this Petition be granted so far, That a new Precinct be constituted & sett off with all the necessary Powers & Privileges used & exercised by Precincts for the Maintenance of the Gospel Ministry agreeable to the Limits & Conditions express'd in the Report of the Committee appointed by the Town of *Dorchester* for that End, & which is signed by *Samuel Clap*, *Samu^l Topliffee* & *Samuel Wales*. In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourned unto To Morrow at ten o Clock in the Morning.

Tuesday Dec^r 20. 1715.

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu Gov^r

<i>Wait Wintrop</i>	} Esq ^r	<i>Nath^l Byfield</i>	} Esq ^r	<i>John Clark</i>	} Esq ^r
<i>Elisha Hutchinson</i>		<i>And^m Belcher</i>		<i>Addin: Davenport</i>	
<i>Sam^l Sewall</i>		<i>Edw^d. Bromfield</i>		<i>Tho^l Hutchinson</i>	
<i>Joseph Lynde</i>		<i>Nath^l Payne</i>		<i>Tho^l Fitch</i>	
<i>Eliam Hutchinson</i>		<i>Thomas Noyes</i>		<i>Edm^d Quincy</i>	
<i>Penn Townsend</i>				<i>Adam Wintrop.</i>	

IN the House of Represent^{es} Resolved that the Sum of Two Hundred Pounds be allowed & paid out of the Publick Treasury to his Honour *William Tailer* Esq^r Lieutenant Governour & Commander in Chief of this his Majesty's Province for his Support in Managing the Affairs of the Governm^t: In Council; Read & Concur'd, and, Advised & Consented that a Warrant be made out to the Treasurer for the Payment of the above Two hundred Pounds.

Consented to, W^m TAILER.

The Award of the Committee upon the Island of *Chebaquidduck*, Concur'd in both Houses. Entr'd in the Book of Laws Page 249 at large.

In the House of Represent^{es} Resolved, that the Sum of Five Hundred Pounds be allowed & paid out of the publick Treasury to the Committee appointed by this Court to build a Light House on *Beacon Island* at the Entrance of the Harbour of *Boston*, for the carrying on of that Work, To be accounted for to this Court.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es} Resolved, that the Sum of Thirty Pounds be allowed & paid out of the Publick Treasury to *John White* Clerk of this House for his Service in the Year Currant.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es} Resolved, that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to *John Flagg* Door-keeper to his Honour the Lieu^t Governour & this Court for his Service half a year ending the 26 Day of *December* Instant.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

In

In the House of Represent^{es} The Gentlemen appointed by this Court a Committee to take Care for the Building of a Light House &c not having Leisure to attend that Work,

Ordered, that the Oversight of that Work be committed to M^r *William Payne* & M^r *Zechariah Tuthill* to carry on & finish the same agreeable to the Advice & Direction they shall from time to time receive from the said Committee, And that Sixty Pounds be allowed to them for the whole of that Service, When it shall be compleated.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

An Engross'd Bill entituled *An Act for the Encouraging the Raising of Hemp within this Province.* Pass'd by the Represent^{es} to be Enacted.

In Council; Concur'd to be Enacted.

Consented to, W^m TAILER.

An Engross'd Bill entituled, *An Act for Holding & Keeping a Superior Court of Judicature, Court of Assize & Generall Gaol Delivery within & for the County of Hampshire.* Pass'd by the Represent^{es} to be Enacted.

In Council; Read & Concur'd to be Enacted.

Consented to, W^m TAILER.

An Engross'd Bill entituled *An Act to prevent the unnecessary Journeyings of the Represent^{es}.* Pass'd to be Enacted by the Represent^{es}.

In Council; Concur'd to be Enacted.

Consented to, W^m TAILER.

An Engross'd Bill entituled *An Act in Addition to the Act Entituled An Act for Regulating of Townships, Choice of Town Officers, & Setting forth their Power, Made & Pass'd in the fourth of William & Mary.*

Pass'd by the Represent^{es} to be Enacted.

In Council; Concur'd to be Enacted.

Consented to, W^m TAILER.

An Engross'd Bill entituled *An Act for the maintaining & propogating of Religion.* Pass'd by the Represent^{es} to be Enacted.

In Council; Concur'd to be Enacted.

Consented to, W^m TAILER.

Upon Reading the Petition of *Richard Car* of *Salisbury* in the County of *Effex*, Mariner, Importing, That about the Year 1687, The then Governour & Council were pleas'd to grant Liberty to Lieu Col^o *March* to keep a new Ferry over the lower Part of *Merrimack River* between *Newbury* & *Salisbury*, During their Pleasure, W^h Ferry has been since continued & of late settled by the Quarter Sessions of the said County upon the Towns of *Newbury* & *Salisbury*, both which are in Prejudice of a Grant formerly made by the General Court to M^r *George Car* the Petitioners Father, and have been & now are very injurious to his Heirs, and humbly Prays that Justice may be done him. To which End he offers the following Particulars; viz: That there was by Order of the General Court, a Covenant made between the Court of *Salisbury* & M^r *John Car* the Petitioners Father, about building a Float Bridge over *Merrimack River* &c And Confirm'd by the General Court Anno 1650 & 1660, & therein an ancient Grant of the whole Ferry or Ferrys between *Newbury* & *Salisbury* was conditionally made to the said *Car* & his Heirs; that the Covenant on the said *Cars* Part was fulfilled to the Satisfaction of all, as appears not only on Record, But also in that there was never any Objection made against him, nor can there be justly at this time, That in Fulfilling this Covenant the said *Car* was at more than Three Hundred Pounds expence in first Building the Bridge & other Accommodations for the Ferry, And that in the Settlement of the said *Car's* Estate, This Grant & Privilege was apportioned & apprais'd to his Heirs *James* & *Richard* (the Petitioner) at near Four hundred Pounds; That the Granting or Settling a Ferry between
Newbury

Newbury & Salisbury or any others was a Breach of Covenant on the Countrey's Part, & contrary to the Intention & Meaning of the Covenanters on both Sides, & a manifest Illusion to said *Car* & his Heirs; That the said *Car* would not have been at so great a Charge, had he thought that a Ferry but a little below him would have ever been Granted to any other, Which would spoil both the Custom & Profit of that which was attended with so great a Charge, as it hitherto hath been, almost to the undoing of us to whose Lot this Part of our Fathers Estate fell, Who for being kept out of our Right are damnified at least Fifty & Sixty Pounds a Year, That it cannot be supposed the General Court made any Reservation to the Contrary, but that the true Intent & Meaning of their Grant & Covenant was the said *Car* & his Heirs should have the sole Benefit of Ferry or Ferrys between the two Towns aforesaid, w^h is evident, in that the other Ferry below was put down as soon as the Bridge was finished, And that when another Ferry was thought needful some miles above the Ferry, The General Court judged it just to give the said *Car* the Offer & Grant of it Anno 1669. And at the same time declared it was needful so to do to make good their ancient Covenant with him, And that if any other Ferrys should be thought useful for the Countrey within the aforesaid Limits, the s^d *Car* should have the Refusal of keeping them, That when the lower Ferry aforesaid was first sett up, The Offer of it was never made to M^r *Car*'s proper Heirs of that Right, Neither had they both the Refusal of it, That what ever was proposed to the Petitioner about it was not rejected. That he only objected against some Proposals, which he supposed he had just Reason for, as being contrary to the ancient Grant & Covenant, That the first Grant or Permit to keep the lower Ferry aforesaid to Coll. *March* was only during Pleasure, That it can be no Prejudice or Detriment to the Countrey nor any Person what soever, now to grant & settle it on them to whom it of Right belongs; That the late Settlement by the Sessions of a Ferry at the same Place upon the two Towns aforesaid was done without the least Offer to either of the Heirs or the said *Car* or Giving them any opportunity of Setting forth their Right or Speaking for themselves, & contrary to the Grant & Covenant according to which the Ferry was not to be kept by *Newbury & Salisbury* till the aforesaid Bridge fell down, and then no longer to continue so, but till it should be rebuilt by the said *Car* or his Heirs; That it is of necessity that that Ferry should be kept up, where & for which the Bridge was built for the publick Benefit of the Countrey, Because it is impossible to keep or pass the lower Ferry at all Times, & very hazardous for a great Part of the Winter, tho' it may be convenient in the Summer, when it draw away all the Custom & Profit of the old ferry; That the Petitioner supposes it just & reasonable, that he who keeps up the old Ferry of necessity for the publick Good sh^d have the Benefit & Profit of the new Ferry, W^h is only for the Conveniency of some Persons & at some times, to support & maintain at an extraordinary charge that which is kept of necessity, That he humbly offers these Considerations to the General Court, Humbly Praying that the aforesaid Ferry over the lower part of *Merrimack River*, may be either wholly put down, or settled according to the aforesaid Grant & Covenant with the said *Car* & his Heirs, or that the Refusal of keeping the same, at the same price at which it is now kept may be given to the Petitioner.

In the House of Represent^{es}; Ordered. That the Petitioner serve the Towns of *Newbury & Salisbury* with a Copy of this Petition, That they be heard there upon before this Court, upon the second Wednesday of the Session of this Court in May next, If they have any thing to object, Why the Prayer thereof should not be granted.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

A Bill entituled *An Act in Addition to an Act entituled An Act for making Lands & Tenements liable to the Payment of Debts, Made & Pafs'd in the eighth Year of the Reign of King William: Pafs'd by the Represent^{es} to be Engros'd.* In Council; Concur'd.

Adjourn'd unto To Morrow at ten o Clock in the Morning.

Y

Wednesday

Wednesday Decem. 21. 1715

Present in Council

The Hon^{ble} *William Tailer* Esq' Lieu' Govern'

<i>Elisha Hutchinson</i> <i>Samuel Sewall</i> <i>Joseph Lynde</i> <i>Eli^m Hutchinson</i> <i>Penn Townsend.</i>	}	Esq'		}	<i>Andrew Belcher</i> <i>Edw^d Bromfield</i> <i>Nath^l. Payne</i> <i>Nath^l. Byfield</i> <i>Thomas Noyes</i> <i>John Clark</i>	}	Esq'		}	<i>Addin : Davenport</i> <i>Tho: Hutchinson</i> <i>Thomas Fitch</i> <i>Edm^d Quincey</i> <i>Adam Wintrop.</i>	}	Esq'
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UPON Reading a Petition of several of the Inhabitants of *Hatfield*, Importing, That they have humbly offered a Petition to the General Court for Relief from the Grievances they lye under from the Impositions of their Neighbours of *Hadley* upon them, which Petition is still depending, That they are inform'd that some of the General Court are of Opinion, That tho' there may be reason to release the said Town of the Burthen complain'd of, yet the Altering the Bounds of Townships may prove matter of future Inconvenience, That they now renew their Petition, setting forth the Hardships they ly under in Paying their Proportion of Taxes to the Township of *Hadley*, not only for the Province but the Ministry also, & all Town Charges, tho they partake of no Town Privileges, That they are of the same Opinion with their Neighbours, that all their Lands on the West side of the River may be assigned to pay their Proportion of all Town Charges to & with the Township of *Hatfield* forever, Altho' their dues there upon will be greater than at present to *Hadley*, their accommodations being double in Value, If the Lands petitioned for be annex'd to them, Inasmuch as they enjoy the Ministry & all Town Privileges in Common they think it reasonable to be at an equal Expence with them in supporting them. Praying humbly Relief.

In the House of Represent^{es} Read & Ordered, that *John Pynchion* Esq' M^r *Luke Hitchcock* M^r *John Ashley* be a Committee to whom this Petition is refer'd, to consider the subject matter & Allegations, and make Report what they think proper to be done thereon at the Session of this Court in *May* next.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

The Report of a Special Sessions held at *Wenham* Sept 6. 1715. viz^t

Essex s^s Anno Rⁱ Reg^o *Georgii* secundo.

At a special Sessions of the Peace holden at *Wenham* within & for the County of *Essex* by a particular Order of the Governour & General Court for the Hearing & Determining the Differences arising in the Town of *Wenham* sett forth in a Petition under the Hands of *William Fairfield*, *Joseph Herrick* &c in Behalf of themselves & others.

Present, *John Appleton* Esq', *John Higginson* Esq', *Thomas Noyes* Esq', *Samuel Appleton* Esq', *John Burril* Esq'.

The Court of Special Sessions being opened, The Petitioners & Defendants call'd & appeared & after a full Hearing of all sides, & the Papers Read & perused, After some Overtures of an Accommodation W^h prov'd abortive; It is considered by the Justices aforefaid in Special Sessions assembled as before express'd in manner following; viz^t

That the Petitioners or Complainants had no sufficient Ground of Complaint in Manner as sett forth in their Petition to the General Court.

In Council; Read & Accepted. In the House of Represent^{es} Read & Concur'd.

Consented to, W^m TAILER.

A Report of the Committee relating to *Sudbury*.

In Obedience to the Order of the Great & General Court or Assembly, We the within named Committee have been at *Sudbury*, & have view'd the several Places shewn to us by the Inhabitants on the West Side of the River for Setting up a New Meeting House & are of Opinion that a Place called Poplar Swamp Gutter on the West Side of the said Gutter & on the North Side of Lancaster Road between the 1st Gutter & Heart Pond is the most convenient Place for Erecting the said Meeting House. We have also heard the Inhabitants on both Sides the River referring to the way of Supporting the Ministry; The Inhabitants on the East Side are willing to give one Half of the Land in *Sudbury* to make the West Precinct, & so each maintain their own Minister, Which the Inhabitants of the West Side of the River do refuse, & instead thereof propose to build a Meeting House at their own Charge & settle a Minister, And that the Ministry on both Sides the River be supported equally by the whole Town: The said Committee do also report that there is a new School House erected on the West Side just by the River, Which may accommodate at present the whole Town, all which is humbly submitted:

(Signed) PENN TOWNSEND, in the name of the Committee.

Boston, December 8. 1715.

In Council; Read & Accepted as to the Place for Erecting the new Meeting House, and that the Inhabitants do in common maintain & pay both their Ministers.

In the House of Represent^{es} Read & Concur'd.

Consented to, W^m TAILER.

In the House of Represent^{es} Resolved, That the Treasurer be and hereby is Directed & Impowered to issue forth & Emit the Sum of Four Thousand Pounds of the Bills of publick Credit on this Province that are or shall be receiv'd into the Treasury for Payment of the publick Debts of the Province for the Defence & Support of the Governm^t & the necessary Protection & Preservation of the Inhabitants of this Province, And for the Subsisting of Forts or Garrisons & Wages arising for their Service, And for Payment of Grants Salaries & Allowances made & to be made by this Court, According to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour or Commander in Chief for the time being by & with the Advice & Consent of the Council. And the said Bills shall pass out of the Treasury at the Value therein expres'd equivalent to Money. And shall be taken & accepted in all public Payments at the Advance & after the Rate of Five Pounds per Cent more.

And as a Fund & Security for the same, there be, & hereby is granted unto his more Excellent Majesty to the Ends & Uses aforesaid, a Tax of Four Thousand Pounds to be levyed upon Poles & Estates both Real & Personal in this Province, according to such Rules & in such Proportions on the several Towns & Districts within the same, As shall be agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in *May Anno 1719*: & paid into the Treasury on or before the last Day of December next after.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading an Accompt presented by *Joseph Jenks*, amounting to Two hundred twenty three Pounds fourteen shillings & eleven pence being the expence of building a Bridge over *Pawtucket River*.

In the House of Represent^{es} Resolved, that the Sum of Fifty one Pounds seventeen Shillings & five pence half penny be further allowed & paid out of the publick Treasury to *Joseph Jenks* the Accomptant, which with Sixty Pounds already paid by this Province is one half of this Accompt, & is in full of what this Province pays to the building of the said Bridge.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

An

An Acc^o being presented by *Andrew Belcher Esq^r Addin : Davenport Esq^r Thomas Hutchinson Esq^r Edward Hutchinson Esq^r & M^r John White* the Trustees for the Fifty Thousand Pounds Loan, of all their Proceedings therein: Upon which the following Order pass'd; viz'.

In the House of Represent^{es} This Accompt being laid before the House & considered, *Ordered*, that it be accepted, & the Service of the Trustees be approv'd so far as they have proceeded in the Affair.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

In Council; In Answer to the Petition of *John Nelson Esq^r* sett forth at large in *Ordered*, that the Action be heard at the next Inferior Court of Common Pleas to be held for the County of *Suffolk*, as to the merit of the Cause upon the former Writt, the Petitioner giving Security in One Thousand Pounds with a sufficient Bondsman to abide the Order of the Court in the common form, And serving the Plaintiffs with a Copy of this Order seven Days before the said Courts Sitting, And that Execution upon the Judgment by Default be stay'd untill this Tryal be over & then to be utterly void: In the House of Represent^{es} Read & Concur'd.

Consented to, W^m TAILER.

Upon Reading a Petition of *Richard Car of Salisbury*, Mariner, Importing, that at his Majesty's Superiour Court of Judicature holden at *Ipswich* for the County of *Effex* the third Tuesday of *May* 1712, he had an Action depending there by Appeal from a Judgment of an Inferior Court of Common Pleas held at *Salem* in *June* before against the Executors of Coll. *John Wainright* Dec'd for One Hundred & thirty seven Pounds seventeen shillings, But he mistaking the time of the Court appealed from, Calling it the third Tuesday of *May*, when it ought to have been the last Tuesday of *June*, The Court quash'd his Reasons, so that now he cannot proceed in the Law without an Order of the General Court; Humbly Praying that he may be enabled to amend his Reasons, And that giving due Notice to the adverse Party his Cause may be tried at the next Superiour Court at *Ipswich* in *May* next, That he may not be ruined for so small a mistake.

In the House of Represent^{es} *Ordered*, that the Petitioner serve the adverse Party with a Copy of this Petition, that they may be heard before this Court on Wednesday the twenty first Currant at ten o Clock in the forenoon, If they have any thing to alledge, Why the Prayer of this Petition should not be granted.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

A Bill for the better regulating Town & Proprietary Meetings. Pass'd by the Represent^{es} In Council; Read three several times, and Concur'd to be Engross'd with Amendments.

A Report of the Committee appointed for the Examination of the Memorial & Accompts of *John Usher Esq^r*: vizt.

Pursuant to an Order of this Court of the fourteenth Instant appointing us a Committee to consider the Memorial of *John Usher Esq*, We have inspected the Accompts of the said *Usher*, and the former Proceeding of this [Court] relating thereto, & have heard the said *Usher* there upon, And are of Opinion, that there is nothing due from this Court to the said *Usher*, and that therefore the Memorial be Dismiss'd: All which is humbly submitted.

Dec^r 21

(Signed) By Order of the Committee

AND^w BELCHER.

In the House of Represent^{es} Read & Concur'd with the Committee.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Upon

Upon Reading the Petition of *Cord Wing*, Ship wright, Son of Cpt. *John Wing* of *Boston* Mariner Dec^d. Importing, That at the Inferiour Court held at *Boston* in *January* 1711. *Sarah Tomlin* as Executrix to the Will of her former Husband *John Street* Dec^d; And as Administratrix to the Estate of her late Husband *Thomas Tomlin* Dec^d. Intestate recovered two Judgments. And again at the Superiour Court held at *Boston* in *May* 1712. as Executrix aforefaid obtain'd a third Judgment, all against the Estate of the said Cpt. *John Wing* Dec^d. The several Sums by her recover'd including Costs of Suit amounting in the whole to the Sum of One hundred forty six Pounds or thereabouts, That three several executions issued out upon the said Judgments in the Month of *December* 1712. That on the twenty fifth Day of the said Month the Sheriff of *Middlesex* levied the same upon a Parcell of Upland & Meadow lying in the Township of *Worcester* shewn by the said *Sarah Tomlin* to be the Estate of the said Cpt. *John Wing* Dec^d, Which Land with all the Estate which he died seiz'd of in *Worcester* aforefaid was apprais'd at the Sum of One hundred & fifty two Pounds, seventeen penny half penny weight and being reckon'd just enough to satisfie the said Executions & Charges thereupon. The said *Sarah Tomlin* accepted the same in Satisfaction thereof accordingly & paid the Sheriff his Fees; That he has Reason to think that neither the Sheriff himself nor the Appraisers knew of all the Estate, which the s^d Cpt. *John Wing* died seiz'd off in the Town of *Worcester* (altho' it be so expres'd in the Apprizement in very ambiguous terms) for that really the Estate of the said Cpt. *John Wing* in *Worcester* is worth at least Five hundred Pounds, That he has tendered her the aforefaid Sum of One hundred & fifty two Pounds with Interest thereof from the time that the said Executions were levied upon the said Estate, in order to free the same from the Incumbrance aforefaid; That the said *Sarah Tomlin* relying on the Sheriffs returns, & the Appraisers Doings as aforefaid, utterly refuses to accept the Sum offered her, & to release & quit her Claim in the said Estate unjustly holding Possession thereof, That he is without Remedy in the Law without relief from the General Court, and must loose an Estate worth above Five hundred Pounds (which was apprais'd by Men most certainly ignorant of the Quantity of Acres or the intrinsic Value thereof) at no more than One hundred & fifty two Pounds; That all the Estate of the said Cpt. *John Wing* was given to him by his last Will & Testament; Humbly Praying that the General Court please to take the Premisses into Consideration. That the said Estate may be confirm'd to him & his Heirs for ever, Pursuant to his Father's Will, upon his paying to the said *Sarah Tomlin* the principal Sums which she recovered against his said Father's Estate, together with the Costs of Suit & Sheriff Fees & other Charges with the Interest of the whole, For that the said *Sarah Tomlin* has been at no Expence to improve or increase the Value of the said Estate &c.

In Council; *Ordered*, that the Petitioner serve the adverse Party with a Copy of this Petition that they may be heard before this Court on the second Fryday of the next Sessions, If she hath any thing to object why the Prayer thereof should not be granted.

In the House of Represent^{ts} Read & Concur'd.

Consented to, W^m TAILER.

A Bill entituled *An Act in addition to an Act for the Settlement & Distribution of the Estates of Intestates made & Pass'd in the fourth Year of the Reign of King William & Queen Mary &c.* Pass'd by the Represent^{ts} to be Engroft. In Council; Concur'd to be Engroft.

In the House of Represent^{ts} Upon Reading the Petition of *Nathaniel Goodhue* & *Thomas Choat*,

Ordered, that the Petitioners serve the Town of *Ipswich* with a Copy of this Petition, that they may be heard before this Court on the second Fryday of the next Session, If they have any thing to object why the Prayer thereof should not be granted,

granted, And that in the mean time, The Persons & Estates about which there is a Controversy continue to pay to the Ministry as formerly.

In Council; Read & Concur'd.

Consented to, W^m TAILER.

Adjourn'd to To Morrow at Ten o Clock in the Morning.

Thursday Dec^r 22. 1715

Present in Council.

The Hon^{ble} *William Tailer* Esq^r Lieu. Govern^r

<i>Wait Wintrop</i>	}	Esq ^r	<i>Nath^l. Byfield</i>	}	Esq ^r	<i>John Clark</i>	}	Esq ^r
<i>Elisha Hutchinson</i>			<i>John Higginson</i>			<i>Addin: Davenport</i>		
<i>Sam^l. Sewall</i>			<i>And^m Belcher</i>			<i>Tho^r Hutchinson</i>		
<i>Joseph Lynde</i>			<i>Edw^d. Bromfield</i>			<i>Thomas Fitch</i>		
<i>Eli^m Hutchinson</i>			<i>Nath^l. Payne</i>			<i>Edm^d Quincey</i>		
<i>Penn Townsend</i>			<i>Thomas Noyes</i>			<i>Adam Wintrop.</i>		

AN Engroft Bill entituled *An Act for the better regulating Town & Proprietary Meetings*; Pass'd by the Represent^{rs} to be Enacted.

In Council; Read & Concur'd. And signed by the Lieu: Governour.

An Engrofs'd Bill entituled *An Act in addition to an Act for the Settlement & Distribution of the Estates of Intestates &c*: Pass'd by the Represent^{rs} to be Enacted.

In Council; Read & Concur'd. And signed by the Lieu: Governour.

In Council, Upon Reading the Petition of *Richard Car* of *Salisbury* Mariner, which is at large sett forth in the

Ordered, that the Prayer of this Petition be granted, and that the Petitioner serve the adverse Party with a Copy of this Order fourteen days at least before the Courts Sitting. In the House of Represent^{rs} Read & Concur'd.

Consented to, W^m TAILER.

A Message to the Represent^{rs} by *Andrew Belcher & John Clark* Esq^{rs} That the Bills for Regulating the Collectors & the Admiralty fees being of great Consequence, the Board desire they may be deferr'd untill the next Session, That they may have a more mature Consideration of them.

A Message from the Represent^{rs} by Cpt. *Noyes* that the House have defer'd the Consideration of the Vote for Two hundred Pounds to M^r: Agent *Dummer* till next Session.

A Message from the Hon^{ble} the Lieu: Governour by *John Clark & Addington Davenport* Esq^{rs} to the Represent^{rs} to Desire their Attendance on him forthwith in the Council Chamber.

And M^r Speaker & the House being accordingly come up, The Hon^{ble} the Lieu: Governour signified his Pleasure That this Great & General Court or Assembly be Prorogued unto Wednesday the twenty second of *february* next at ten o Clock in the Morning, which was published by the Secretary.

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