MINUTES
OF THE
PROVINCIAL COUNCIL
OF
PENNSYLVANIA,
FROM THE ORGANIZATION TO THE TERMINATION OF THE
PROPRIETARY GOVERNMENT.

PUBLISHED BY THE STATE.

VOL. I.
CONTAINING THE PROCEEDINGS OF COUNCIL FROM MARCH 10th,
1683, TO NOVEMBER 27th, 1700

Harrisburg:
PRINTED BY THEOPHILUS FENN.
1838.
# Table of Contents

**Vol. I.**

1. The memorial of the American Philosophical Society and of the Historical Society of Pennsylvania, to the Legislature of 1836-7, on the subject of printing the Records.

II. The report of the select committee of the House of Representatives on the same subject.

III. Extract from the Act of April 4th, 1837, authorizing the printing of the Minutes of the Provincial Council.

IV. Extract from the Act of April 14th, 1838, relative to the printing and distribution of the Colonial Records.

V. The Charter of Pennsylvania, granted by Charles the Second to William Penn.

VI. Certain conditions or concessions agreed upon by William Penn, and the first adventurers and purchasers in Pennsylvania.


VIII. The Frame of Government of the Province of Pennsylvania and Territories, granted by Wm. Penn, April 2d, 1683.

IX. The Frame of Government passed by William Markham, November 7th, 1696.*

X. Minutes of the Provincial Council, from March 10th to November 27th, 1700, the principal matters embraced in which are:

| Order of Council relative to the Seals of the several counties | 10 |
| Trial of James Kilner for Assault at sea | 23 |
| Trial of Charles Pickering & Samuel Buckley, for counterfeiting | 29, 31 |
| Proposals for an English School, by Enoch Flower | 36 |
| Anthony Weston, sentenced to be whipt | 37 |
| Trial of Margaret Matson, for Witchcraft | 40 |
| Tax proposed upon Liquors imported | 45 |
| Complaints of aggression by the Marylanders | 61, 141 |
| Commission of Provincial Judges | 68 |
| Condemnation of the ship Harp, of London | 69 |
| Boundaries of Chester county, of Bucks | 74 |
| James the Second proclaimed at Philadelphia | 81 |
| Declaration of the Assembly against Nicholas Moore | 83 |
| Proceedings thereon in Council | 87, 88, 90 |
| Several additional Laws promulgated | 122 |
| Refusal of Council to admit William Dyer, as a member | 150 |

*The Charter of October 28th, 1701, will be found on page 54, vol. 2.
Sundry proposals agreed on by the Assembly, 157
Letter of Thomas Lloyd to Governor Blackwell & Council, 193
Deposition of Zachariah Whitpaine, relative to the abdication of James the Second, 203
Petition relative to the bounds of Chester county, 220
Depositions of John Blunston, Thomas Usher and others, concerning the same, 221
Proceedings of Council on the subject, 221, 225
Writ of Election for members of Provincial Council, 238
Debate concerning the mode of Election, 239
Speech of Governor Blackwell to the Assembly, 244
Declaration of the Governor and Assembly, 252
Communication of the Governor concerning danger from the Papist & Indians, 257
Letter from the principal Secretary of State to Governor Blackwell, 260
Valedictory speech of Governor Blackwell, 270
Commissions from William Penn to the Council, 273, 274
Letter from William Penn to Council, 274
Instructions for the Government of Pennsylvania, 276
Declaration of Allegiance signed by the Council, 281
Instructions to Lacy Cock, relating to a journey among the Indians, 294
Commission to Benjamin Fletcher, constituting him Vice Admiral, 305
Benjamin Fletcher's Commission to Wm. Markham, constituting him Deputy Vice Admiral, 311
Commission to Benjamin Fletcher to be Captain General and Governor in Chief of the Province of Pennsylvania and Country of Newcastle, 312
Benjamin Fletcher's commission to be Captain General and Governor in Chief of New York, 317
Conference between Governor Fletcher and Indians from the upper part of the river, 335
Order of Council relative to fees paid to the clerk of Philadelphia market, 343
Letter of Governor Fletcher relative to the appointment of a commissioner to meet those of the other provinces at New York, 352
Regulations of the Philadelphia market, 353, 353
Proceedings of the commissioners met at New York to agree upon a quota of men and money for the defence of that province, 354
Information against Ann Le Tort, 357
Governor Fletcher's speech to the Assembly, 360, 361
Address of the Assembly to Governor Fletcher, 363
Governor Fletcher's answer, 364
Second address of the Assembly to Governor Fletcher relative to confirming the Laws of the province, 372
CONTENTS.

Titles of Laws in force in 1693, 373
Remonstrance of the Assembly to Governor Fletcher, May 17th 1693, 376
Conference between a Committee of the Assembly and Governor Fletcher, 378
Conference between the Assembly and a committee of the Council, 380
Answer of the Council to the Remonstrance of the Assembly 385
Several Discourses between Governor Fletcher & committees of the Assembly, 388, 389, 390, 391, 394
Examination of Ann Le Tort, 398
Petition of Philip England relative to a ferry over Schuykill, 400
Discourse between William Markham & some Delaware Indians, 410
Letter from Governor Fletcher to Lieutenant Governor Markham and Council, 417
Remonstrance of the Assembly, April 11th 1694, 420
Governor Fletcher’s speech to the Assembly May 23d, 1694, 422
Table showing the amount of Tax levied and paid in each county at the rate of one penny in the pound, 425
Governor Fletcher’s speech May 29th 1694, 426
June 2d “ 430
June 7th “ 432
June 9th “ 434
Remonstrance of Assembly in answer to the Queens Letter, 433
William and Mary’s Letters patent restoring William Penn to the government of Pennsylvania, 437
Commission of William Markham to be Governor, under William Penn, of Pennsylvania and Countries annexed, 438
Commission to John Goodson & Samuel Carpenter to be assistants, 439
Speech of Governor Markham to the council June 29th 1695, 444
to the Assembly May 20th 1695, 448
“ “ 29 “ 451
“ “ Sept. 10th 1695 455
Answer of the Assembly, 457
Speech of Governor Markham to the Council September 28th 1696, 461
Record of the Road from Tha. Parson’s water bridge Race to Oxford, in Oxford Creek, behind Dan Streets house, 466
Record of the road from Richard Dungworth’s mill to Thomas Parson’s grist mill, 466
Record of the road from Dunken William’s landing to the old kings road, 467
Speech of Governor Markham to the Assembly October 30th 1696, 470
Report of the Assembly relative to raising money, 472
Order of Council relating to the petition of the inhabitants of Bucks county for a market town, 480
CONTENTS.

Report of a committee of the Assembly on Governor Fletchers letter, 486
William Penn's letter relative to the growth of vice in Philadelphia, 494
Report of the committee appointed to consider William Penn's letter, 495
Proclamation by the Governor and Council, 497
Petition of Samuel Carpenter and others requesting that a society may be incorporated for the Establishment of a public school, 499
Commission to Francis Nicholson to appoint Judges, &c. for the court of Admiralty, 500
Commission to Matthew Birch to be Collector at Newcastle, 501
Commission to John Bewley to be Collector, 502
Commission to M. Birch to be Surveyor, &c. 503
Commission to William Massey to be Collector, 505
Letter from the Justices of Sussex county relative to a piratical vessel, 507
Petition of John Adams relative to the seizure of his goods, 509
Petition of David Evans, 517
Letter from Richard Halliwell relative to James Meinzie of Boston, 528
Complaint of the Inhabitants of Newcastle, 532
Return of Council and Assembly, May 10th 1699, 536, 568
Order of Council relative to the quality and weight of bread, 553
Speech of William Penn to the Council & Assembly, 568
Memorial of Robert Quarry against David Lloyd, 577
Proceedings upon the petition of Robert Turner, 581
No. I.

MEMORIAL

OF THE


RECOMMENDING THE PUBLICATION OF CERTAIN ANCIENT RECORDS.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania.

The memorial of the American Philosophical Society held at Philadelphia, for promoting useful knowledge, and of the Historical Society of Pennsylvania, by their committees for this purpose, specially appointed, most respectfully sheweth:

That it is the misfortune of the Nations of the old Continent, that their early history is lost in the night of time. Excepting the Holy Scriptures, no records have been preserved of the first settlements of mankind. All else beyond a period not very remote is veiled in obscurity. Recourse has been had to fabulous traditions made up of fabled Hero's and Demi-gods in abundance, the offsprings of vanity and of ignorance. Of our British ancestors, nothing is known before the invasion of their island by Julius Caesar, of our German forefathers, the noble defence made by the immortal Herman against the legions of Varus, whom he defeated and conquered, is the first authentic account, after which follows a long period of darkness to the time of their great emperor Charlemagne. The ancient history of Asia, (the cradle of mankind) engages at this moment the attention of the learned of Europe. For that purpose, Asiatic societies have been formed under royal patronage, both in England and in France. The study of Egyptian antiquities is every where patronized, encouraged and promoted. Scientific travellers are sent to that country at royal expense, obelisks and other monuments are imported at an immense cost, and grace the public squares, the museums, and other repositories of the great capitals. England boasts of the rosetta monumental stone. France of her Egyptian obelisk, which once adorned ancient Thebes, and is now erected in the midst of her capital, where it is the most attractive object to the admiration of travellers. Unable to penetrate into the future, man loves to inquire into the past, to interrogate his most remote ancestors, and to learn from their experience how to pursue good and eschew evil. He is disappointed and mortified, when instead of historical facts, he finds fabulous records and incredible tales, more calculated for the amusement of children than the instruction of mankind.
It is the good fortune of the people of these United States, that their early history is not involved in obscurity and doubt. Although of recent origin, it already engages the attention of the learned in this country and elsewhere. Historical and antiquarian societies are established in almost every state in the Union, and their labours are eagerly sought after and read by our citizens with patriotic pleasure, and by foreigners with ardent curiosity.

The history of Pennsylvania deserves and obtains a particular attention. She alone can boast of a founder, whose name will go down to posterity, with those of the most celebrated Legislators. Her citizens are descended from two illustrious nations, alike renowned for science, and for the glory acquired by arms. The mixture of German and of British blood, has implanted in our commonwealth those solid virtues which lead nations to prosperity; and the warmth of the Irish heart, has not contributed a little to the character which she has acquired for generous hospitality. In every respect, her history is full of interest and will become so more and more. It is therefore of the highest importance, that the authentic records from which that history is to be deduced should not be lost to posterity. The facts posterior to our revolution are in no danger of being so lost, the press since that time has been active in perpetuating them, in the shape of journals, newspapers and printed records of every description. But it is not so with the materials of our colonial history. In single manuscript copies, they are deposited in the office of the Secretary of State, where fire or some other accident may in a moment destroy them so that those interesting memorials, unless effectual measures are taken to preserve them, will be lost to us and to our posterity forever.

Among those documents the most important is undoubtedly the minutes of the Provincial Council from the organization of the Colonial government under William Penn, down to the revolution. This invaluable record was fortunately preserved amidst the horrors of war and the troubles attending our revolution. If it should be lost a link will be wanting in the chain of events which constitute the history of our state. Your honors well know that the council were not only possessed of the executive power, but were also a branch of the legislature, as they had a negative upon all the laws proposed by the assembly. If the records of their proceedings should by some accident be lost, many important parts of our colonial history will be lost in obscurity, and false notions will at length be established in their stead by the ingenuity or perhaps design of future chroniclers.

More than eighty years ago, in the year 1752, when Pennsylvania was yet a poor infant colony, and her means and resources were not in the least degree to be compared to those of this rich and powerful state, a patriotic legislature caused to be printed at their expense, the votes and proceedings of their predecessors from the time of the landing of the founder, and his first assembly held at Chester in 1682, and the work was continued in six large folio volumes, down to the time of our revolution. The cost of this publication must have been
to them and to the people whom they represented, comparatively immense, while on the contrary, your memorialists have reason to believe that that of publishing the minutes of council will be but trifling, particularly if we consider it in comparison with their importance. They hope that your honors will not show themselves in this respect, less patriotic than their noble and virtuous predecessors.

Next to the minutes of Council, your memorialists consider the treaties made with the Indians under the colonial government, to be the most important. They will be of the utmost interest to our descendants, and it will be highly honorable to this great state, to show to the world that in all the relations of Pennsylvania with the Indian tribes, no recourse has been had to war or to the shedding of human blood, except when we were obliged to combat them as the allies of another nation, who employed them for the purpose of subduing our country.

What other public anter-revolutionary documents there are in the Secretary’s office that may be thought worthy of publication, your memorialists do not know; but they would humbly suggest the propriety of having a correct list of them made and published for future consideration; and also, that those who are engaged in the study of the history of our country, may know what materials exist in the possession of the government, which may be consulted by them in the prosecution of their labours.

Your memorialists therefore respectfully pray that your Honors will be pleased to take the above suggestions into their serious consideration, and adopt such measures as their wisdom shall dictate in favor of the objects of this memorial.

And they shall ever pray, &c.

For the American Philosophical Society, held at Philadelphia, for promoting useful knowledge.

PETER S. DU PONCEAU, J. FRANCIS FISHER.

Committee.

For the Historical Society of Pennsylvania,

PETER S. DU PONCEAU, JOB R. TYSON.

Committee.

Philadelphia, December 8th, 1836.
INTRODUCTORY

No. II.

REPORT
OF THE COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

J. WASHINGTON TYSON, Chairman.

The Committee to whom was referred the joint memorial of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge and of the Historical Society of Pennsylvania, recommending the publication of certain public records, report:

That they have examined the subject with that attention which its importance and the character of the memorialists demand. These two societies whose memorial is before the committee include a large portion of the intellect, literature and science of Philadelphia. One of them, the Historical society of Pennsylvania, has for its objects, the collection and preservation of the materials of our domestic history. All know how much it has already contributed to these purposes and to the correction of historical errors. Its published memoirs, attest the intelligence, industry and public spirit of its members. About twenty years ago, the Philosophical Society, added to its standing committees, a committee of history. Since that period, it has embraced within the wide circle of its investigations, every thing connected with our state and federal annals. The volume published by the committee, comprising a learned correspondence between Du Ponceau, and Heckewelder, and an excellent account of the Moravian indians, by the latter, as well as the collections which, it is understood, have since been made, constitute some of the Historical claims of the society. As chairman of each of the two committees who drafted the memorial before us, it is gratifying to find the name of the distinguished and venerable Du Ponceau, himself—a name of which the state, nay, the whole country, has so much reason to be proud for his great talents, deep erudition and fervent patriotism.—

The memorial is therefore commended to the respectful consideration of this body, by the character of the memorialists who speak in it upon their own subject, upon one with which they may be presumed to be intimately acquainted; and upon one of high and commanding importance to the state.

In regard to the prayer of the memorialists, your committee cannot but heartily concur in the opinion, that it is important to preserve from eventual destruction and all detriment, the records of this commonwealth while under a colonial government, and that the safest means of effecting such preservation, is to cause them to be published and widely distributed through the state. These valuable records, are at present in a state of great insecurity, and liable to many accidents, any one of which may occasion their loss and total destruction. To guard against such events, is therefore of the highest importance.

The history of a country, is all in the acts of its government. The
public records are the only safe materials on which the historian can rely. Before the invention of printing, those documents could with difficulty be preserved; they were liable to be, and immense numbers of them were in fact destroyed by fire, by foreign and civil wars by the perishable quality of their materials, and by the carelessness of those in whose custody they were placed. After the art of printing became known, the jealousy of government, prevented for a long period the publication of most important records, and the proprietary government of Pennsylvania, participated in that feeling, so that the proceedings of the colonial councils, were in a great measure considered as state secrets, and accessible but to few. Before the revolution, their publication could not have been permitted.

In the infancy of the Colony, when printing presses were few, and the expense of printing too great to be borne by our small and dispersed population, even the daily proceedings of the legislative body remained in manuscript for the space of seventy years. It was not until the year 1752, that the legislature determined on publishing their journals; beginning with those of the first assembly, which met at Upland, now Chester, Delaware county, in the year 1682. It was a bold and an expensive project for that time, it was nevertheless undertaken; the old journals were printed, and the publication continued until the period of the revolution. The whole, consisting of seven large folio volumes, is in our library at this place, and in many of the public and private libraries throughout the state, a monument of the zeal and patriotism of our ancestors.

Since the revolution, all important public documents, have been regularly published under the authority of the legislature, and the copies have been multiplied through a great number of newspapers, so that the facts which are to be the materials of our future history, are beyond the reach of any accident, above contingency, and secure from the danger of being lost to posterity.

But those of the preceding period, are still exposed to the dangers of decay, removal, mutilation and destruction. If they should happen to be lost, through the neglect of the present generation, a stigma will rest upon us, which no lapse of time can efface. The nations of Europe are at this moment strongly impressed with the necessity of preserving their ancient records, by means of the press. The government of Great Britain have, at an immense expense, commenced the publication of theirs, beginning with Dooms-day book, a record of the time of William the Conquerer, and thence proceeding through the series of past ages. Thirty two volumes of this collection have already been published; sixteen of which are large thick folios, and no cost has been spared to ensure the accuracy of the text, and the beauty of the impression. With a commendable liberality, they have distributed numerous sets of this valuable collection, in America and Europe, in donations to public libraries, and learned societies, and amongst others, the American Philosophical Society, and the Library company of Philadelphia, have shared in that bounty. The latter institution has received the whole collection; and the former only part
of it, the remainder in England having been accidentally consumed by fire, so that it is to be begun anew. Other nations are following that example aided by Antiquarian societies, which are established in almost every large city of Europe.

The general government of the United States have not been behind hand, in adopting this mode of preserving the ancient records of our Union. They have re-published the journals of Congress under the confederation, and many other important documents; and they have permitted individuals to have access to their records, and to take copies of such papers, as, being of interest, may afford a profit to the editor who devotes his time and his labor to their publication.

Some of the individual states, and the state of Maryland in particular, have lately taken similar measures for discovering and publishing important documents, in which process they have found that a great number are irrecoverably lost. To avoid a like misfortune, your committee think it their duty to recommend the publication of the colonial records of Pennsylvania, which are in the custody of the Secretary of the Commonwealth. Of the importance and necessity of multiplying the copies of those valuable and curious papers, we are impressively admonished by the late fire at Washington—documents of inestimable price, both in a pecuniary and historical point of view, were, no doubt, by that event, entirely destroyed. The absence of duplicates by means of the press, renders the loss altogether irreparable.

The memorialists have very properly pointed out the minutes of the proprietary councils as those that deserve to be first attended to.—Your committee, therefore recommend, that they be immediately printed, under the direction of the Secretary of the Commonwealth. The publication of other documents may be postponed until it shall be known of what they principally consist.

The memorialists have mentioned the Indian treaties as next in importance. What are called "Indian treaties" are conferences between Indian chiefs deputed by their respective tribes, and the governors of the colony of Pennsylvania, in which their mutual interests are discussed and settled. Several of these are contained in the minutes of council, and need not be printed twice. Under the name of "Indian treaties" are also designated the deeds and conveyances of lands made by Indian chiefs or land owners, to the proprietors. Of these, the late Judge Smith has given a full abstract in the second volume of his edition of the laws of Pennsylvania. It will nevertheless be desirable that they should be published at large, as many titles to lands are derived from them, and they are moreover interesting in an historical point of view. But as the minutes of council are most important among our ancient records, your committee would recommend their publication in the first instance.

Your committee have not had time to inspect the public documents in the Secretary's office with that care which they desired to bestow upon them, and which would have enabled them to give to the House a clear view of their contents.
It is their opinion that the Secretary should be directed to prepare a report on their contents, to be laid before the legislature at their next session, by means of which they will be best able to determine which of them deserve to be published, and to act thereon as their wisdom shall direct.

In accordance with these views, the committee beg leave to report the accompanying bill.

No. III.

Extract from the Act of April 4th, 1837, authorizing the printing of the Minutes of the Provincial Council.

Section 2. That the Minutes of the Council of the Proprietary Government, from the year one thousand six hundred and eighty, one, to one thousand seven hundred and seventeen, inclusive, which are deposited in the office of the Secretary of this Commonwealth, with a suitable index, and such introductory matter as may be deemed proper, be immediately printed, in the octavo form, under the direction of the said Secretary, to the number of one thousand copies: Provided, That the cost does not exceed three thousand dollars.

Section 3. That two hundred copies of the said Minutes, when printed, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that twenty copies shall be presented to the director of the Philadelphia Athenæum, twenty copies to the Historical society, to be by them deposited as they may think best for their preservation and safe keeping; one copy to each of the several Colleges within the Commonwealth, five copies to the Franklin library in the city of Philadelphia, and one copy deposited in each of the several Record offices in the Commonwealth, and one copy placed in the hands of the members of the present Legislature, five copies in the State library, and one copy in each of the public libraries of the state, five copies to the Historical society.

Section 4. That the Secretary of this Commonwealth shall prepare and report to the legislature at their next session a list of the Colonial documents deposited in his office, with his opinion as to those that are worthy of preservation by means of the press, and the probable expense of publishing the same.

Section 5. That the said Secretary of the Commonwealth shall cause the original charter of Pennsylvania, now in his office, to be framed, covered with glass, and placed in said office for the inspection of visitors, and that the expense thereof be paid out of any funds in the Treasury, not otherwise appropriated.

LEWIS DEWART,
Speaker of the House of Representatives.

J. R. BURDEN,
Speaker of the Senate.

Approved—the fourth day of April, A. D., eighteen hundred and thirty-seven.

JOS. RITNER.
No. IV.

Extract from the Act of April 14th, 1838, relative to the printing and distribution of the Colonial Records.

SECTION 7. That the Secretary of the Commonwealth be, and he is hereby authorized and required, to continue the printing of the Minutes of the Council of the Proprietary Government, down to the period of the Revolution, on the plan by him proposed in his report to the Legislature of the thirtieth of January last, and to include the other public records and documents therein mentioned, to be added as appendixes to each volume, to the number of fifteen hundred copies.

SECTION 8. That the Secretary be, and he is hereby authorized to purchase of the printer, for the use of the state, the five hundred copies of the first volume which he has printed over and above the one thousand copies directed by the act entitled "A supplement to the act entitled, an act to authorize the printing and distribution of the pamphlet laws in the German language, and for other purposes," passed Anno Domini, one thousand eight hundred and thirty-seven.

SECTION 9. That one thousand out of the fifteen hundred copies of the work directed to be printed and purchased, be disposed of by a subscription, to be opened at the several County Treasuries of the Commonwealth, at the price of one dollar and sixty cents per volume, the proceeds whereof shall be applied to the continuation of the work, and to the binding of the volumes.

SECTION 10. That one thousand one hundred and forty-six dollars and twenty-five cents be, and the same is hereby appropriated for purchasing the additional five hundred copies and carrying on the work, in addition to the appropriation of last year, until the proceeds of the subscription shall come into the Treasury.

SECTION 11. That the Secretary be, and he is hereby authorized to employ a clerk to aid him in the prosecution of the work, at a salary of eight hundred dollars per annum, to be charged on the Treasury, and to be paid to him from the time that he has begun to be so employed.

SECTION 12. That two hundred copies of said Minutes, when printed and bound, shall be placed in the hands of the Governor, to be by him distributed among learned societies and public libraries, in other states of this Union, at his discretion; that five copies shall be presented to the American Philosophical society, five to the Historical society, five to the Philadelphia library, two to the Philadelphia Athenæum, one copy to each of the several Colleges and public Libraries in the state, one to each of the members and clerks of the present and last legislature, and that five copies shall be deposited in the State Library, and one copy in each of the Record offices of the Commonwealth.

SECTION 13. That the third section of the supplement to the act entitled "An act to authorize the printing and distribution of the pamphlet laws in the German language, passed January twenty-third A. D., one thousand eight hundred and thirty-seven, and for other purposes," be and the same is hereby repealed.
CHARLES THE SECOND, BY THE GRACE OF GOD King of England, Scotland, France and Ireland, defender of the faith, &c., To all to whom these presents shall come GREETING. Whereas our Trustie and well beloved Subject, William Penn, Esquire, sonn and heire of Sir William Penn, deceased, out of a commendable desire to enlarge our English Empire, and promote such usefull commodities as may bee of benefitt to us and our Dominions, as alsoe to reduce the Savage Natives by gentle and just manners to the love of civill Societie and Christian Religion hath humbly besought leave of vs to transport an ample colonie vnto a certayne Countrie hereinafter described in the partes of America not yet cultivated and planted. And hath likewise humbly besought our Royall majestie to give grant, and conforme all the said countrey with certayne priviledges and Jurisdiccons requisite for the good Government and saftie of the said Countrie and Colonie, to him and his heires forever. KNOW YE, therefore, that wee, favouring the petition and good purpose of the said William Penn, and haveing regard to the memorie and meritts of his late father, in divers services, and particularly to his conduct, courage and discretion under our dearest brother, James Duke of Yorke, in that signall battell and victorie, sought and obtayned against the Dutch fleete, comanded by the Heer Van Opdam, in the yeare One thousand six hundred sixtie five, in consideration thereof our special grace, certayne knowledge and meere motion, Have given and granted, and by this our present Charter, for vs our heires and successors, Doe give and grant unto the said William Penn, his heires and assigns all that tract or parte of land in America. with all the Islands therein conteyned, as the same is bounded on the East by Delaware River, from twelve miles distance, Northwarde of New Castle Towne unto the three and fortieth degree of Northern latitude if the said River doeth extend soe farre Northwards; But if the said River shall not extend soe farre Northward, then by the said River soe far as it doth extend, and from the head of the said River the Eastern bounds are to bee determined by a meridian line, to bee drawn from the head of the said River vnto the said three and fortieth degree, the said lands to extend Westwards, five degrees in longitude, to bee computed from the said Eastern Bounds, and the said lands to bee bounded on the North, by the beginning of the three and fortieth degree of Northern latitude, and on the south, by a circle drawne at twelve miles, distance from New Castle Northwards, and Westwards vnto the beginning of the fortieth degree of Northern Latitude; and then by a straignt line Westwards, to the limit of Longitude above menconed. WEE DOE alsoe give and grant vnto
the said William Penn, his heires and assignes, the free and vndis-
turbed vse, and continuance in and passage into and out of all and
singular Ports, harbours, Bayes, waters, rivers, Isles and Inletts, be-
longing vnto or leading to and from the Countrey, or Islands afores-
said; and all the soyle, lands, fields, woods, vnderwoods, mountaines,
hills, fens, Isles,Lakes,Rivers, waters, rivuletts, Bays and Inletts, scit-
uate or being within or belonging vnto the Limitts and Bounds aforesaid
together with the fishing of all sorts of fish, whales, sturgeons, and
all Royall and other fishes in the sea, bayes, Inletts, waters or Riv-
ers, within the premises, and the fish therein taken, and alsoe all
veines. mines and quarries, as well discovered as not discovered, of
Gold, Silver, Gemms and preetious Stones, and all other whatsoever,
stones, metals, or of any other thing or matter whatsoever, found or
to bee found within the Countrey, Isles, or Limitts aforesaid; and
him the said William Penn, his heires and assignes, WEE DOE, by
this our Royall Charter, for vs, our heires and successors, make,
create and constitute the true and absolute proprietaries of the Coun-
trey aforesaid, and of all other, the premises, saving always to vs,
our heires and successors, the faith and allegiance of the said William
Penn, his heires and assignes, and of all other, the proprietaries ten-
ants and Inhabitants that are, or shall be within the Territories and
precincts aforesaid; and saving alsoe vnto vs, our heires and Susccess-
sors, the Sovereignty of the aforesaid Countrey, TO HAVE, hold and
possesse and enjoy the said tract of Land, Countrey, Isles, Inletts and
other the premises, vnto the said William Penn, his heires and as-
signes, to the only proper vse and behoofe of the said William Penn,
his heire and assignes forever. To be holden of vs, our heires and
Successors, Kings of England, as of our Castle of Windsor, in our
County of Berks, in free and comon socage by fealty only for all
services, and not in Capite or by Knights service, Yeelding and pay-
ing therefor to us, our heires and Successors, two Beaver Skins to bee
delivered att our said Castle of Windsor, on the first day of January,
in every yeare; and also the fifth parte of all Gold and silver Oare,
which shall from time to time happen to bee found within the Limitts
aforesaid, cleare of all charges, and of our further grace certaine
knowledge and meere mocon, wee have thought fitt to Erect, and wee
doe hereby Erect the aforesaid Countrey and Islands, into a province
and Seigniorie, and doe call itt Pensilvania, and soe from henceforth
wee will have itt called, and forasmuch as wee have hereby made,
and ordeyned the aforesaid William Penn, his heires and assignes,
the true and absolute Proprietaries of all the Lands and Dominions
aforesaid. KNOW YEE therefore, that wee reposing special trust
and confidence in the fidelitie, wisedome, Justice and provident cir-
cumspecon of the said William Penn, for vs, our heires and succes-
sors, Doe grant free, full and absolute power, by vertue of these
presents to him and his heires, and to his and their Deputies, and Lieu-
tenants, for the good and happy government of the said Countrey, to
ordeyne, make, enact and vnder his and their Seales to publish any
Lawes whatsoever, for the raising of money for the publick vse of
the said province, or for any other end aperteyning either vnto the
publick state peace, or safety of the said Countrey, or vnto the private
utility of particular persons, according vnto their best discretions, by
and with the advice, assent and approbation of the freemen of the
said Countrey, or the greater parte of them, or of their Delegates or
Deputies, whom for the Enacting of the said Lawes, when, and as
often as need shall require. WEE WILL, that the said William
Penn, and his heires shall assemble in such sort and forme as to him
and them shall seeme best, and the same lawes duly to execute vnto,
and upon all people within the said Countrey and limitts thereof; and
WEE doe likewise give and grant unto the said William Penn, and
his heires, and to his and their Deputies and Lieutenants, such power
and authority to appoint and establish any Judges, and Justices, mag-
istrates and officers whatsoever, for what causes soever, for the pro-
bates of wills and for the granting of administracions within the pre-
cincts aforesaid, and with what power soever, and in such forme as
to the said William Penn, or his heires, shall seeme most convenient.
Alsoe to remitt, release, pardon and abollish, whether before Judgement
or after, all crimes and offences, whatsoever committed within the said
Countrey, against the said Lawes, treason and wilfull and malitious
murder onely excepted; and in those cases, to grant repieves untill
our pleasure may bee knowne therein, and to doe all and every other
thing and thinges which vnto the compleat establishment of Justice
vnto Courts and Tribunalls, formes of Judicature and manner of pro-
cedings doe belong, altho' in these presents expresse mencon bee
not made thereof; and by Judges by them delegated to award pro-
cesse, hold pleas and determine in all the said Courts and Tribunalls,
all accions, suits and causes whatsoever, as well criminall as civil,
personall, reall and mixt, which Lawes soe as aforesaid, to bee pub-
lished. Our pleasure is, and soe Wee enioyne require and comand
shall bee most absolute and avaylable in law, and that all the Liege
people and Subjects of vs, our heires and successors, doe observe and
keepe the same inviolable in those partes, noe farr as they concerne
them, vnder the paine therein expressed, or to bee expressed. Pro-
vided; Nevertheless, that the said Lawes bee consonant to reason, and
bee not repugnant or contrarie; but as neere as conveniently may bee
agreeable to the Lawes, statutes and rights of this our Kingdom of
England, and saving and reserving to vs, our heires and successors,
the receiving, heareing and determining of the appeale and appeales,
of all or any person or persons, of, in or belonging to the territories
aforesaid, or touching any Judgement to bee there made or given.—
And forasmuch as in the Government of soe great a Countrey, sudden
accidents doe often happen, whereunto itt will bee necessarie to apply
a remedie before the freeholders of the said Province, or their Dele-
gates or Deputies can bee assembled to the makeing of Lawes, nei-
ther will itt be convenient that instantly vpon every such emergent
occasion, soe greate a multitude should be called together. There-
fore, for the better Government of the said Countrey, WEE WILL,
and ordeyne, and by these presents for vs, our heires and successors,
Doe grant vnto the said William Penn, and his heires, by themselves

VOL. I.
or by their magistrates and officers, in that behalfe, duely to bee or
deyned as aforesaid, to make and constitute, fit and wholesome or
dinances from time to time within the said Countrie, to bee kept and
observed as well for the preservation of the peace, as for the better
government of the people there inhabiting, and publickly to notifie the
same, to all persons whome the same doeth or any way may concerne,
which ordinances our will and pleasure is, shall be observed inviolably
within the said Province, under paines therein to bee expressed,
soe as the said ordinances bee consonant to reason and bee not re-
pugnant nor contrary, but soe farre as conveniently may bee agreeable
with the Lawes of our kingdome of England, and soe as the said
ordinances be not extended in any sort to bind, charge or take away
the right or interest of any person or persons, for or in their life,
members, freehold, goods or Chattells; and our further will and pleas-
ure is, that the Lawes for regulating and governing of proprietie,
within the said Province, as well for the descent and enjoyment of
lands, as likewise for the enjoyement and succession of goods and
Chattells, and likewise as to felonies, shall bee and continue the same
as shall bee for the time being, by the generall course of the Law
in our Kingdome of England, untill the said Lawes shall bee altered
by the said William Penn, his heires or assigns, and by the freemen
of the said Province, their Delegates or Deputies, or the greater part
of them. And to the End the said William Penn, or heires, or other,
the Planters, Owners or Inhabitants of the said Province, may not att
any time hereafter, by misconstrucon of the powers aforesaid,
through inadvertency or designe, depart from that faith and due al-
giance which by the Lawes of this our Realme of England, they
and all our subjects, in our Dominions and Territories, always owe
unto vs, our heires and successors, by colour of any extent or large-
nesse of powers hereby given, or pretended to bee given, or by force
or colour of any lawes hereafter to bee made in the said Province,
by virtue of any such powers. Our further will and pleasure is, that
a transcript or Duplicate of all lawes which shall bee soe aforesaid,
made and published within the said province, shall within five yeares
after the making thereof, be transmitted and delivered to the privy
Councell, for the time being, of vs, our heires and successors; and if
any of the said Lawes within the space of six moneths, after that they
shall be soe transmitted and delivered, bee declared by vs, our heires
and successors in our or their privy Councell, inconsistent with the
sovereignty or lawfull prerogative of vs, our heirs or successors, or
contrary to the faith and allegiance due by the legall Government
of this realme, from the said William Penn, or his heires, or of
the Planters and Inhabitants of the said province: and that thereupon
any of the said Lawes shall bee adinged and declared to bee void by
vs, our heires or successors, vnder our or their Privy Seale, that then,
and from henceforth such Lawes concerning which such Judgement
and declaracon shall bee made, shall become void, otherwise the
said lawes soe transmitted, shall remaine and stand in full force ac-
cording to the true intent and meaninge thereof. Furthermore, that
tht this new Colony may the more happily increase, by the multitude of people resorting thither: THEREFORE, WEE, for vs, our heires and successors, doe give and grant by these presents, power licence and libertie vnto all the liege people and subjects, both present and future of vs, our heires and successors, excepting those who shall bee especially forbidden, to transport themselves and families vnto the said Countrey, with such convenient shipping, as by the lawes of this, our kingdom of England, they ought to use with fitting provisions paying only the customes therefore due, and there to settle themselves, dwell and inhabitt and plant for the publique and their own private advantage; AND FURTHERMORE, that our subjects may bee the rather encouraged to-undertake this expedicon with ready and cheerful minde. KNOW YEE, that wee of our especial grace certaine knowledge and meere monon, Doe give and grant by vertue of these presents, as well vnto the said William Penn and his heires, as to all others who shall from time to time repaire vnto the said Countrey, with a purpose to inhabitt there, or to trade with the natives of the said Countrey, full license to lade and freight in any Ports whatsoever of vs, our heires and successors, according to the lawes made, or to be made within our kingdom of England, and into the said Countrey, by them, their servans, or assignes, to transport all and singular their wares, goods and merchandizes, as likewise, all sorts of graine whatsoever, and all other things whatsoever necessary for food or cloathing, not prohibited by the lawes and Statutes of our kingdomes and Dominions, to be carried out of the said kingdomes without any lett or molestacon of vs, our heires and successors, or of any the officers of vs, our heires and successors, saving always to vs, our heires and successors, the legall imposisions, customes and other duties and payments for the said wares and merchandize, by any law or statute due or to be due to vs, our heires and successors. AND WEE DOE further for vs, our heires and Successors, give and grant vnto the said William Penn, his heires and assignes, free and absolute power to Divide the said Countrey, and Islands, into Townes, Hundreds and Counties, and to erect and incorporate Townes into Borroughs, and Borroughs into Citties, and to make and constitute faires and marketts therein, with all other convenient privileges and immunities according to the merit of the inhabitants, and the fittnes of the places; & to doe all and every other thing and things touching the premises which to him or them shall seeme requisite, and meet; albeit they be such as of their owne nature might otherwise require, a more especiall commandement and warrant, then in these presents is expressed. WEE WILL ALSOE, and by these presents for vs, our heires and successors, WEE doe give and grant licence by this our charter, vnto the said William Penn, his heires and assignes, and to all inhabitants and dwellers in prince aforesaid, both present, and to come to import or vnlade by themselves or their Servants, factors or assignes, all merchandizes and goods whatsoever, that shall arise of the fruittes and commodities of the said province, either by Land or Sea, into any of the Ports of vs,
our heires and successors, in our kingdome of England, and not into any other countrey whatsoever. And WEE give him full power to dispose of the said goods in the said ports, and if need bee, within one yeare next after the unladen of the same, to lade the said merchandizes and goods again into the same or other shipps, and to export the same into any other Countreys, either of our Dominions or forreigne, according to lawe: Provided alwayes, that they pay such, customes and imposicons, subsiplies and duties for the same to vs, our heires and successors, as the rest of our subjects of our kingdome of England, for the time being shall be bound to pay, and doe observe the acts of Navigation and other lawes in that behalle made.

AND FURTHERMORE, of our more ample and especiall grace,certain knowledge and meere motion, WEE DOE, for vs, our heires and successors, Grant vnto the said William Penn, his heires and assignes, full and absolute power and authoritie, to make, erect and constitute within the said province, and the Isles and Islettes aforesaid, such and soe many Seaports, harbours, Creeks, Havens, Keyes and other places, for discharge and vnladen of goods, & merchandize out of the shipps, boates and other vessells, and Ladeing them in such and soe many places, and with such rights, Jurisdictions, liberties and privilidges unto the said ports, belonging as to him or them, shall seeme most expedient, and that all and singular the shipps, boates and other vessells. which shall come for merchandize and trade, vnto the said prvince, or out of the same shall depart, shall be laden or vnladen onely att such ports as shall be erected and constituted by the said William Penn. his heires and assignes, any vse, custome or other thing to the contrary notwithstanding: PROVIDED, that the said William Penn and his heire, and the Lieutenantts and Governors for the time being, shall admitt and receive in and about all such ports, havens, Creeks and Keyes, all officers and their Deputies, who shall from time to time be appointed for that purpose, by the farmers or Comissioners of our customes, for the time being. AND WEE DOE further appoint and ordaine, and by these presents for vs, our heires and successors, WEE DOE grant vnto the said William Penn, his heires and assignes, that he the said William Penn, his heires and assignes, may from time to time forever, have and enjoy the customes and subsidies in the ports, harbours and other Creeks, and places aforesaid, within the prvnce aforesaid, payable or due for merchandizes and wares, there to be laded and vnladen, the said customes and subsidies to be reasonably assessed, vpon any occasion by themselves, and the people there as aforesaid, to be assembled to whom WEE give power, by these presents for vs, our heires and successors, vpon just cause, and in a due pporcon, to asesse and impose the same, saving vnto vs, our heires and successors, such imposcons and customes as by act of parliament are and shall be appointed; and it is our further will and pleasure, that the said William Penn, his heires and assignes, shall from time to time constitute and appoint an attorney or agent, to reside in or neare our City of London, who shall make knowne the place where he shall dwell or may be found, vnto the Clerks of Our privy Counsell, for the time
being, or one of them, and shall be ready to appeare in any of our Courts att Westminster, to answer for any misdemeanors that shall be comitted, or by any wilfull default or neglect permitted by the said William Penn, his heires or assignes, against our Lawes of Trade or Navigacon, and after it shall be ascertained in any of our said Courts, what damages WEE or our heires or successors shall haue sustained, by such default or neglect, the said William Penn, his heires and assignes, shall pay the same within one yeare after such taxacon and demand thereof, from such attorney, or in case there shall be noe such attorney, by the space of one yeare, or such attorney shall not make payment of such damages, within the space of one yeare, and answer such other forfeitures and penalties within the said time, as by the acts of parliament in England, are or shall be required, according to the true intent and meaning of these presents; Then it shall be lawful for vs, our heires and successors, to seize and Resume the government of the said prince or Countrey, and the same to retaine untill payment shall be made thereof. But notwithstanding any such seizure or resumption of the Government, nothing concernenig the propriety or ownership of any Lands, Tenements or other hereditaments, or goods, or chattels of any the adventurers, Planters or owners, other then the respective offenders there, shall be any way affected or molested thereby: PROVIDED alwayes, and our will and pleasure is that neither the said William Penn, nor his heires, nor any other the inhabitants of the said prince, shall at any time hereafter haue or maintain any correspondence with any other king, prince or State, or with any of their subjects, who shall then be in warr against vs, our heires or successors; Nor shall the said William Penn, or his heires, or any other the inhabitants of the said prince, make warre or doe any act of hostility against any other king, prince or state, or any of their subjects, who shall then be in league or amity with vs, our heires or successors. And because in soe remote a Countrey, and scituate neare many Barbarous Nations, the incursions as well of the savages themselves, as of other enemies, pirates and Robbers, may phably be feared. Therefore, WEE have given and for vs, our heires and successors, Doe give power by these presents unto the said William Penn, his heires and assignes, by themselves or their Captaines or other, their officers to levy, muster and traine all sorts of men, of what condicon, or wheresoever borne, in the said prince of Pennsylvania, for the time being, and to make war and pursue the enemies and Robbers aforesaid, as well by Sea as by Land, yea, even without the Limits of the said prince, and by God's assistance, to vanquish and take them, and being taken, to put them to death by the law of Warr, or to save them att their pleasure, and to doe all and every other act and thing, which to the charge and office of a Captaine generall of an Army, belongeth or hath accustomed to belong, as fully and freely as any Captaine Generall of an Army, hath ever had the same. AND FURTHERMORE, of our especiall grace and of our certaine knowledg and meere motion, WEE have
given and granted, and by these presents for vs, our heires and suc-
cessors, Doe give and grant vnto the said William Penn, his heires
and assignes, full and absolute power, licence and authoritie, That he
the said William Penn, his heires and Assignes, from time to time
hereafter forever, att his or thereis will and pleasure, may assigne,
alien, grant, demise or infringe of the premises, soe many, and such
partes and parcels to him or them, that shall be willing to purchase
the same, as they shall thinke fitt. TO HAVE AND TO HOLD to
them, the said person and persons willing to take or purchase, their
heires and assignes, in ffeo simple or ffeo tailie, or for the terme of life,
or liues, or yeares, to be held of the said William Penn, his heires
and assignes, as of the said Seigniory of Windsor, by such services,
customes and rents, as shall seeme fitt to the said William Penn, his
heires and assignes, and not imediately of vs, our heires and succes-
sors, and to the same person or persons, and to all and every of
them, WEE DOE give and grant by these presents, for vs, our
heires and successors, Licence, authoritie and power, that such person
or persons may take the premises or any parcel thereof, of the afore-
said William Penn, his heires or assignes, and the same hold to them
selues, their heires and assignes, in what estate of inheritance soever,
in ffeo simple, or in ffeo tailie or otherwise, as to him the said William
Penn, his heires and assignes, shall seem expedient. · The Statutes
made in the parlement of Edward, sonne of king Henry, late king
of England, our predecessor, comonly called the Statute Quia Em-
tores terrarum, lately published in our kigndome of England, in any
wise notwithstanding, and by these presents, WEE give and grant
licence vnto the said William Penn, and his heires, likewise to all
and every such person and persons to whom the said William Penn,
or his heires, shall at any time hereafter, grant any estate of inheri-
tance as aforesaid, to erect any parcell of Land within the prince
aforesaid, into manors, by and with the licence to be first had and
obtayned for that purpose, vnder the hand and seal of the said Wil-
liam Penn, or his heires, and in every of the said manors, to haue
and to hold a Court Baron, with all things whatsoever, which to a
Court Baron do belong; and to haue and to hold view of franks-
pledge, for the conservaco of the peace, and the better government
of those partes by themselves or their Stewarts, or by the Lords for
the time being, of other manors to be deputed when they shall be
erected, and in the same, to use all things belonging to view of franks-
pledge; and WEE doe further grant licence and authoritie that every
such person and persons, who shall erect any such manor or man-
ners as aforesaid, shall or may grant all or any parte of his said
lands to any person or persons, in ffeo simple or any other estate of
inheritance, to be held of the said manors respectively, soe as noe
further tenures shall be created, but that vpon all further and other
alienacons thereafter, to be made the said lands soe aliened, shall be
held of the same Lord and his heires, of whom the alien did then
before hold, and by the like, rents and services, which were before
due and accustomed. And further, our pleasure is and by these
presents for us, our heires and successors, WEE doe Covenant and
grant to and with the said William Penn, and his heires and assignes,
that WEE, our heires and successors, shall att no time hereafter sett
or make, or cause to be sett, any imposicon, custome or other taxa-
con, rate or contribucion whatsoever, in and upon the dwellers and
inhabitants of the aforesaid province, for their lands, tenements, goods
or chattels, within the said province, or in and vpon any goods or
merchandize within the said province, or to be laden or vnladen within
the ports or harbours of the said province, vnles the same be with the
consent of the pprietary, or chiefe Governor and Assembly, or by act
of parliament in England. And our pleasure is, and for us our
heires and successors, WEE charge and comand, that this our De-
claracon, shall from henceforward be received, and allowed from
time to time in all our Courts, and before all the Judges of vs, our
heires and successors, for a sufficient and lawful discharge, pay-
ment and acquaintance, comanding all and singular the officers and
ministers of vs, our heires and successors, and enioyning them vpon
paine of our high displeasure, that they doe not presume att any time
to attempt any thing to the contrary of the premises, or that they
doe in any sort withstand the same, but that they bee att all times
aiding and assisting as is fitting vnto the said William Penn, and
his heires, and to the inhabitants and merchants of the province afores-
said, their servants, ministers, fectors and assignes, in the full vse
and frution of the benefitt of this our Charter: And our further
pleasure is, And WEE doe hereby, for vs, our heires and successors,
charge and require that if any of the inhabitants of the said province,
to the number of Twenty, shall att any time hereafter be desirous,
and shall by any writing or by any psan deputed for them, signifi
such their desire to the Bishop of London, that any preacher or
preachers to be approved of by the said Bishop, may be sent vnto
them for their instrucon, that then such preacher or preachers, shall
and may be and reside within the said province, without any Deniall
or molestacon whatsoever; and if pchance it should happen here-
after, any doubts or questions should arise concerning the true sence
& meaning of any word, c'ause or sentence, conteyned in this our
present charter, WEE WILL ordaine and comand, that att all times
and in all things such interpretacon be made thereof, and allowed in
any of our Courts whatsoever, as shall be adjudged most advantage-
ous and favouable unto the said William Penn, his heires and
assignes: PROVIDED alwayes, that no interpretacon be admitted
thereof, by which the allegiance due vnto vs, our heires and succes-
sors, may suffer any preudice or diminucon, although expres mencon
be not made in these presents, of the true yearly value or certainty
of the premises, or of any parte thereof, or of other guifs and grants
made by vs, our pgenitors or predecessors, vnto the said William
Penn, or any Statute, act, ordinance, pvision, pclamacon or restraint
heretofore, had made, published, ordained or pvided, or any other
thing, cause or matter whatsoever to the contrary thereof, in any
wise notwithstanding. In Witness whereof WEE have caused these our letters to be made patents, Witness our selves at Westminster, the fourth day of March, in the three and thirtieth yeare of our Reigne.

By Writt of privy Scale.

JOHN SHALER, chv.
xxvij die Janry, 1692, Fir.

CERTAIN CONDITIONS OR CONCESSIONS,

Agreed upon by William Penn, Proprietary and Governor of the Province of Pennsylvania and those who are the adventurers and purchasers in the same province the Eleventh of July, One thousand six hundred and eighty one.

First. That so soon as it pleaseth God that the above said persons arrive there, a quantity of land or Ground plat shall be laid out for a large Town or City in the most convenient place upon the River for health and navigaton; and every purchaser and adventurer shall by lot have so much land therein as will answer to the proportion which he hath bought or taken up upon rent. But it is to be noted that the surveyors shall consider what Roads or Highways will be necessary to the Cities, Towns, or through the lands. Great roads from City to City not to contain less than forty feet in breadth shall be first laid out and declared to be for highways before the Dividend of acres be laid out for the purchaser and the like observation to be had for the streets in the Towns and Cities, that there may be convenient roads and streets preserved not to be encroached upon by any planter or builder that none may build irregularly to the damage of another.—In this custom governs.

Secondly. That the land in the Town be laid out together after the proportion of ten thousand acres of the whole country, that is two hundred acres, if the place will bear it: However that the proportion be by lot and entire so as those that desire to be together, especially those that are by the catalogue laid together, may be so laid together both in the Town & Country.

Thirdly. That when the Country lots are laid out, every purchaser from one thousand to Ten thousand acres or more, not to have above One thousand acres together, unless in three years they plant a family upon every thousand acres; but that all such as purchase together, lie together; and if as many as comply with this Condition, that the whole be laid out together.

Fourthly. That where any number of purchasers, more or less, whose number of acres amounts to Five or ten thousand acres, desire to sit together in a lot or Township, they shall have their lot or Township cast together, in such places as have convenient Harbours or navigable rivers attending it, if such can be found, and in case any one or more Purchasers plant not according to agreement, in this concession to the prejudice of others of the same Township upon
complaint thereof, made to the Governor or his deputy, with assistance they may award (if they see cause) that the complaining purchaser may, paying the survey money, and purchase money, and Interest thereof, be entitled, inrolled and lawfully invested in the lands so not seated.

Fifthly. That the proportion of lands that shall be laid out in the first great Town or City, for every purchaser, shall be, after the proportion of Ten acres, for every Five hundred acres purchased, if the place will allow it.

Sixthly. That notwithstanding there be no mention made in the several Deeds made to the purchasers, yet the said William Penn, does accord and declare, that all Rivers, Rivulets, Woods and Underwoods, Waters, Watercourses, Quarries, Mines and Minerals, (except mines Royal,) shall be freely and fully enjoyed and wholly by the purchasers into whose lot they fall.

Seventhly. That for every Fifty acres that shall be allotted to a servant, at the end of his service, his Quitrent shall be two shillings per annum, and the master or owner of the Servant, when he shall take up the other Fifty acres, his Quitrent shall be Four shillings by the year, or if the master of the servant, (by reason in the Indentures he is so obliged to do,) allot out to the Servant Fifty acres in his own Division, the said master shall have on demand allotted him from the Governor, the One hundred acres, at the chief rent of Six shillings per annum.

Eighthly. And for the encouragement of such as are ingenious, and willing to search out Gold and silver mines in this province, it is hereby agreed that they have liberty to bore and dig in any man’s property, fully paying the damage done, and in case a Discovery should be made, that the discoverer have One Fifth, the owner of the soil (if not the Discoverer) a Tenth part, the Governor Two fifths, and the rest to the public Treasury, saving to the king the share reserved by patent.

Ninthly. In every hundred thousand acres, the Governor and Proprietary by lot reserveth Ten to himself, which shall lie but in one place.

Tenthly. That every man shall be bound to plant or man so much of his share of Land as shall be set out and surveyed within three years after it is so set out and surveyed, or else it shall be lawful for new comers to be settled thereupon, paying to them their survey money, and they go up higher for their shares.

Eleventhly. There shall be no buying and selling, be it with an Indian, or one among another of any Goods to be exported but what shall be performed in public market, when such place shall be set apart or erected, where they shall pass the public Stamp or Mark. If bad ware and prized as good, or deceitful in proportion or weight, to forfeit the value as if good, and full weight and proportion to the public Treasury of the Province, whether it be the merchandize of the Indian or that of the Planters.
Twelfthly. And forasmuch as it is usual with the planters to over-reach the poor natives of the Country in Trade, by Goods not being good of the kind, or debased with mixtures, with which they are sensibly aggrieved, it is agreed, whatever is sold to the Indians, in consideration of their furs, shall be sold in the market place, and there suffer the test, whether good or bad; if good to pass; if not good, not to be sold for good, that the natives may not be abused nor provoked.

Thirteenthly. That no man shall by any ways or means, in word or deed, affront or wrong any Indian, but he shall incur the same penalty of the Law, as if he had committed it against his fellow planters; and if any Indian shall abuse, in Word or Deed, any planter of this province, that he shall not be his own Judge upon the Indian, but he shall make his complaint to the Governor of the province, or his Lieutenant or Deputy, or some inferior magistrate near him, who shall, to the utmost of his power, take care with the king of the said Indian, that all reasonable Satisfaction be made to the said injured planter.

Fourteenthly. That all differences between the Planters and the natives, shall also be ended by Twelve men, that is, by Six planters and Six natives, that so we may live friendly together as much as in us lieth, preventing all occasions of Heart burnings and mischief.

Fifteenthly. That the Indians shall have liberty to do all things relating to improvement of their Ground, and providing sustenance for the families, that any of the planters shall enjoy.

Sixteenthly. That the laws as to Slanders, Drunkenness, Swearing, Cursing, Pride in apparel, Trespasses, Distresses, Replevins, Weights and measures, shall be the same as in England, till altered by law in this province.

Seventeenthly. That all shall mark their hogs, sheep and other cattle, and what are not marked within three months after it is in their possession, be it young or old, it shall be forfeited to the Governor, that so people may be compelled to avoid the occasions of much strife between Planters.

Eighteenthly. That in clearing the ground, care be taken to leave One acre of trees for every five acres cleared, especially to preserve oak and mulberries, for silk and shipping.

Nineteenthly. That all ship masters shall give an account of their Countries, Names, Ships, Owners, Freight and Passengers, to an officer to be appointed for that purpose, which shall be registered within Two days after their arrival; and if they shall refuse so to do that then none presume to trade with them, upon forfeiture thereof; and that such masters be looked upon as having an evil intention to the province.

Twentiethly. That no person leave the Province without publication being made thereof in the market place, Three weeks before, and certificate from some Justice of the peace, of his clearness with his
neighbours and those he has dealt withal, so far as such an assurance can be attained and given; and if any master of a ship shall contrary hereunto receive, and carry away any person that hath not given that public notice, the said master shall be liable to all debts owing by the said person, so secretly transported from the province. Lastly, that these are to be added to or corrected by and with the consent of the parties hereunto subscribed.

Sealed and delivered in the presence of

William Boelham,
Harbert Springet,
Thomas Prudyard,

Sealed and delivered in the presence of all the proprietors who have hereunto subscribed, except
Thomas Farrinborough and John Goodson, in the presence of
Hugh Chamberlen,
R. Murray,
Harbert Springet,

WILLIAM PENN.
Humphry South,
Thomas Barker,
Samuel Jobson,
John Joseph Moore,
William Powel,
Richard Davie,
Griffith Jones,
Hugh Lambe,
Thomas Farrinborough,
John Goodson.

No. VII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania, in America; together with certain laws in England, by the Governor and divers freemen of the aforesaid Province. To be further explained and confirmed there by the first Provincial Council that shall be held, if they see meet.

THE PREFACE.

When the great and wise God had made the world, of all his creatures it pleased him to choose man his deputy to rule it; and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use them justly. This native goodness was equally his honour and his happiness; and whilst he stood here, all went well; there was no need of coercive or compulsive means; the precept of divine love and truth in his bosom was the guide and keeper of his innocency. But lust prevailing against duty, made a lamentable breach upon it; and the law, that before had no power over him, took place upon him and his disobedient posterity, that such as would not live conformable to the holy law within, should fall under the reproof and correction of the just law without, in a judicial administration.

This the apostle teaches in divers of his epistles. The law (says he) was added because of transgression: In another place, knowing that the law was not made for the righteous man; but for the disobedient and ungodly, for sinners, for unholy and proflane, for murderers, for whoremongers, for them that defile themselves with mankind, and for menstealers, for liars, for perjured persons, &c.
But this is not all, he opens and carries the matter of government a
little further: Let every soul be subject to the higher powers, for
there is no power but of God. The powers that be are ordained of
God: whosoever therefore resisteth the power, resisteth the ordi-
nance of God. For rulers are not a terror to good works, but to
Evil: wilt thou then not be afraid of the power? Do that which is
good, and thou shalt have praise of the same.——He is the minister
of God to thee for good.——Wherefore ye must needs be subject,
not only for wrath, but for conscience sake.

This settles the divine right of government beyond exception,
and that for two ends: first, to terrify evil-doers; secondly, to cher-
ish those that do well; which gives government a life beyond
corruption, and makes it as durable in the world, as good men shall
be. So that government seems to me a part of religion itself, a thing
sacred in its institution and end. For if it does not directly remove
the cause, it crushes the effects of evil, and is as such (tho' a lower yet)
an emanation of the same Divine Power, that is both author and object
of pure religion; the difference lying here, that the one is more free
and mental, the other more corporal and compulsive in its opera-
tions: but that is only to evil-doers; government itself being other-
wise as capable of kindness, goodness and charity, as a more pri-
ivate society. They weekly err, that think there is no other use of go-
vernment than correction, which is the coarsest part of it: daily
experience tells us, that the care and regulation of many other
affairs more soft and daily necessary, make up much the greatest
part of government; and which must have followed the peopling of
the world, had Adam never felt, and will continue among men on
earth under the highest attainments they may arrive at, by the
coming of the blessed second Adam, the Lord from Heaven. Thus
much of government in general, as to its rise and end.

For particular frames and models, it will become me to say little;
and comparatively I will say nothing. My reasons are: first, that
the age is too nice and difficult for it; there being nothing the wits of
men are more busy and divided upon. 'Tis true, they seem to agree
in the end, to wit., happiness; but in the means they differ, as to
divine, so to this human felicity; and the cause is much the same,
not always want of light and knowledge, but want of using them
rightly. Men side with their passions against their reason, and
their sinister interests have so strong a bias upon their minds, that
they lean to them against the good of the things they know.

Secondly, I do not find a model in the world, that time, place,
and some singular emergences have not necessarily altered; nor is
it easy to frame a civil government, that shall serve all places alike.

Thirdly, I know what is said by the several admirers of monar-
chy, aristocracy and democracy, which are the rule of one, a few,
and many, and are the three common ideas of government, when
men discourse on that subject. But I choose to solve the controversy
with this small distinction, and it belongs to all three: any govern-
ment is free to the people under it (whatever be the frame) where
the laws rule, and the people are a party to those laws, and more
than this is tyranny, oligarchy, and confusion.

But lastly, when all is said, there is hardly one frame of govern-
ment in the world so ill designed by its first founders, that in good
hands would not do well enough; and story tells us, the best in ill
ones can do nothing that is great or good; witness the Jewish and
Roman states. Governments like clocks, go from the motion men
give them, and as governments are made and moved by men, so by
them they are ruined too. Wherefore governments rather depend
upon men, than men upon governments. Let men be good, and the
government cannot be bad; if it be ill, they will cure it. But if men
be bad, let the government be never so good, they will endeavour to
warp and spoil it to their turn.

I know some say, let us have good laws, and no matter for the men
that execute them: but let them consider, that though good laws do
well, good men do better: for good laws may want good men, and
be abolished or invaded by ill men; but good men will never want
good laws, nor suffer ill ones. 'Tis true, good laws have some awe
upon ill ministers, but that is where they have not power to escape or
abolish them, and the people are generally wise and good: but a
loose and depraved people (which is to the question) love laws and
an administration like themselves. That therefore, which makes a
good constitution, must keep it, viz: men of wisdom and virtue, quali-
thies, that because they descend not with worldly inheritances, must
be carefully propagated by a virtuous education of youth, for which
after ages will owe more to the care and prudence of founders, and
the successive magistracy, than to their parents for their private pa-
trimonies.

These considerations of the weight of government, and the nice
and various opinions about it, made it uneasy to me to think of pub-
lishing the ensuing frame and conditional laws, foreseeing both the
censures they will meet with from men of differing humours and en-
gagements, and the occasion they may give of discourse beyond my
design.

But next to the power of necessity (which is a solicitor that will
take no denial) this induced me to a compliance; that we have (with
reverence to God, and good conscience to men) to the best of our
skill, contrived and composed the FRAME and LAWS of this gov-
ernment, to the great end of all government, viz: to support pow-
er in reverence, with the people, and to secure the people from the
abuse of power; that they may be free by their just obedience, and
the magistrates honourable for their just administration: for liberty
without obedience is confusion, and obedience without liberty is sla-
very. To carry this evenness is partly owing to the constitution, and
partly to the magistracy: where either of these fail, government
will be subject to convulsions; but where both are wanting, it must
be totally subverted: then where both meet, the government is like

VOL. I.
XXIV

INTRODUCTORY

to endure. Which I humbly pray and hope God will please to make the lot of this of Pennsylvania. Amen. WILLIAM PENN.

THE FRAME.

TO ALL PEOPLE, to whom these presents shall come. WHEREAS king Charles the second, by his letters patents, under the great seal of England; for the consideration therein mentioned, hath been graciously pleased to give and grant unto me William Penn (by the name of William Penn, Esq. son and heir of Sir William Penn, deceased) and to my heirs and assigns forever, all that tract of land or province, called Pennsylvania, in America, with divers great powers, preeminences, royalties, jurisdictions, and authorities. necessary for the well-being and government thereof: NOW KNOW YE, that for the well-being and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned, in pursuance of the powers aforementioned, I the said William Penn have declared, granted, and confirmed, and by these presents, for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province, these liberties, franchises, and properties, to be held, enjoyed and kept by the freemen, planters and inhabitants of the said province of Pennsylvania for ever.

Imprimis. That the government of this province shall, according to the powers of the patent, consist of the Governor and freemen of the said province, in form of a Provincial Council and General Assembly, by whom all laws shall be made, officers chosen, and publick affairs transacted, as is hereafter respectively declared. That is to say,

Second. That the freemen of the said province shall, on the twentieth day of the twelfth month, which shall be in this present year, one thousand six hundred eighty and two, meet and assemble in some fit place, of which timely notice shall be before hand given, by the governor or his deputy, and then and there shall choose out of themselves seventy two persons of most note for their wisdom, virtue and ability, who shall meet on the tenth day of the first month next ensuing, and always be called and act as the Provincial Council of the said province.

Third. That at the first choice of such Provincial Council, one third part of the said Provincial Council shall be chosen to serve for three years next ensuing; one third part for two years then next ensuing, and one third part for one year then next following such election, and no longer; and that the said third part shall go out accordingly. And on the twentieth day of the twelfth month as
aforesaid, yearly for ever afterward, the freemen of the said province shall in like manner meet and assemble together, and then choose twenty four persons, being one third of the said number, to serve in Provincial Council for three years. It being intended, that one third part of the whole Provincial Council (always consisting and to consist of seventy two persons, as aforesaid) falling off yearly, it shall be yearly supplied by such new yearly elections, as aforesaid; and that no one person shall continue therein longer than three years: and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Fourth. That after the first seven years, every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following: that so all may be fitted for government, and have experience of the care and burden of it.

Fifth. That the Provincial Council in all cases of matters of moment, as their arguing upon bills to be past into laws, erecting courts of justice, giving judgment upon criminals impeached, and choice of officers, in such manner as is herein after mentioned; not less than two thirds of the whole Provincial Council shall make a quorum; and that the consent and approbation of two thirds of such quorum shall be had in all such cases and matters of moment. And moreover, that in all cases and matters of lesser moment, twenty-four members of the said Provincial Council shall make a quorum, the majority of which twenty four shall and may always determine in such cases and causes of lesser moment.

Sixth. That in this Provincial Council the governor or his deputy shall or may always preside, and have a treble voice; and the said Provincial Council shall always continue, and sit upon its own adjournments and committees.

Seventh. That the governor and Provincial Council shall prepare and propose to the General Assembly hereafter mentioned, all bills, which they shall at any time think fit to be passed into laws within the said province; which bills shall be published and affixed to the most noted places in the inhabited parts thereof thirty days before the meeting of the General Assembly, in order to the passing them into laws, or rejecting of them, as the General Assembly shall see meet.

Eighth. That the governor and Provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province, be duly and diligently executed.

Ninth. That the governor and Provincial Council shall at all times have the care of the peace and safety of the province, and that nothing be by any person attempted to the subversion of this frame of government.

Tenth. That the governor and Provincial Council shall at all times settle and order the situation of all cities, ports and market
towns in every county, modelling therein all public buildings, streets, and market places, and shall appoint all necessary roads and highways in the province.

Eleventh. That the governor and Provincial Council shall at all times have power to inspect the management of the publick treasury, and punish those who shall convert any part thereof to any other use, than what hath been agreed upon by the governor, Provincial Council and General Assembly.

Twelfth. That the governor and Provincial Council shall erect and order all publick schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province.

Thirteenth. That for the better management of the powers and trust aforesaid, the Provincial Council shall from time to time divide itself into four distinct and proper committees, for the more easy administration of the affairs of the province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of each of the three orders or yearly elections, each of which shall have a distinct portion of business, as followeth: first, a committee of plantations, to situate and settle cities, ports, market-towns and high-ways, and to hear and decide all suits and controversies relating to plantations. Secondly, a committee of justice and safety, to secure the peace of the province, and punish the male-administration of those who subvert justice to the prejudice of the publick or private interest. Thirdly, a committee of trade and treasury, who shall regulate all trade and commerce according to law, encourage manufacture and country growth, and defray the publick charge of the province. And fourthly, a committee of manners, education, and arts, that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts: the quorum of each of which committees being six, that is, two out of each of the three orders or yearly elections as aforesaid, making a constant and standing council of twenty-four, which will have the power of the Provincial Council, being the quorum of it, in all cases not excepted in the fifth article; and in the said committees and standing Council of the province, the governor or his deputy shall or may preside as aforesaid; and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees or Council, shall appoint a president for that time, and not otherwise; and what shall be resolved at such committees, shall be reported to the said Council of the province, and shall be by them resolved and confirmed before the same shall be put in execution; and that these respective committees shall not sit at one and the same time, except in cases of necessity.

Fourteenth. And to the end that all laws prepared by the governor and Provincial Council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted, and confirmed, that at the time and place or places for the choice of
a Provincial Council as aforesaid, the said freemen shall yearly choose members to serve in General Assembly as their representatives, not exceeding two hundred persons, who shall yearly meet on the twentieth day of the second month, which shall be in the year one thousand six hundred eighty and three following, in the capital, town, or city of the said province, where during eight days the several members may freely confer with one another; and, if any of them see meet, with a committee of the Provincial Council (consisting of Three out of each of the four committees aforesaid, being twelve in all) which shall be at that time purposely appointed to receive from any of them proposals for the alteration or amendment of any of the said proposed and promulgated bills: and on the ninth day from their so meeting, the said General Assembly, after reading over the proposed bills by the clerk of the Provincial Council, and the occasion and motives for them being opened by the governor or his deputy, shall give their affirmative or negative, which to them seemeth best, in such manner as hereinafter is expressed. But not less than two thirds shall make a quorum in the passing of laws, and choice of such officers as are by them to be chosen.

Fifteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the General Assembly, shall be enrolled as laws of the province, with this stile: By the Governor, with the assent and approbation of the freemen in Provincial Council and General Assembly.

Sixteenth. That for the better establishment of the Government and laws of this province, and to the end there may be an universal satisfaction in the laying of the fundamentals thereof; the General Assembly shall or may for the first year consist of all the freemen of and in the said province, and ever after it shall be yearly chosen, as aforesaid; which number of two hundred shall be enlarged as the country shall increase in people, so as it do not exceed five hundred at any time: the appointment and proportioning of which, as also the laying and methodizing of the choice of the Provincial Council and General Assembly in future times, most equally to the divisions of the hundreds and counties, which the country shall hereafter be divided into; shall be in the power of the Provincial Council to propose, and the General Assembly to resolve.

Seventeenth. That the governor and the Provincial Council shall erect, from time to time, standing courts of justice in such places and number as they shall judge convenient for the good government of the said province. And that the Provincial Council shall, on the thirteenth day of the first month yearly, elect and present to the governor or his deputy, a double number of persons to serve for judges, treasurers, master of rolls, within the said province for the year next ensuing; and the freemen of the said province in the county courts, when they shall be erected, and till then in the General Assembly shall, on the three and twentieth day of the second month yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the
peace, and coroners, for the year next ensuing; out of which re-
spective elections and presentments, the governor or his deputy shall
nominate and commissionate the proper number for each office the
third day after the said presentments; or else the first named in such
presentment for each office, shall stand and serve for that office
the year ensuing.

Eighteenth. But forasmuch as the present condition of the
province requires some immediate settlement, and admits not of so
quick a revolution of officers; and to the end the said province may
with all convenient speed be well ordered and settled, I William Penn
do therefore think fit, to nominate and appoint such persons for
judges, treasurers, masters of the rolls, sheriffs, justices of the
peace, and coroners, as are most fitly qualified for those employ-
ments; to whom I shall make and grant commissions for the said
offices respectively, to hold to them to whom the same shall be
granted, for so long time as every such person shall well behave
himself in the office or place to him respectively granted, and no
longer. And upon the decease or displacing of any of the said offi-
cers, the succeeding officer or officers shall be chosen as aforesaid.

Nineteenth. That the General Assembly shall continue so long
as may be needful to impeach criminals fit to be there impeached;
to pass bills into laws, that they shall think fit to pass into laws,
and till such time as the governor and Provincial Council shall de-
clare, that they have nothing further to propose unto them for their
assent and approbation; and that declaration shall be a dismiss to
the General Assembly for that time, which General Assembly shall
be notwithstanding capable of assembling together, upon the sum-
mons of the Provincial Council, at any time during that year, if the
said Provincial Council shall see occasion for their so assembling.

Twentieth. That all the elections of members or representa-
tives of the people, to serve in Provincial Council and General As-
sembly, and all questions to be determinated by both or either of
them, that relate to passing of bills into laws, to the choice of offi-
cers, to impeachments made by the General Assembly, and judgment
of criminals upon such impeachments by the Provincial Council, and
to all other cases by them respectively judged of importance, shall be
resolved and determined by the ballot; and, unless on sudden and
indispensable occasions, no business in Provincial Council, or its re-
spective committees, shall be finally determined the same day that it
is moved.

Twenty-first. That at all times, when and so often as it shall
happen, that the Governor shall or may be an infant, under the age
of one and twenty years, and no guardians or commissioners are
appointed in writing by the father of the said infant, or that such
guardians or commissioners shall be deceased; that during such
minority, the Provincial Council shall, from time to time, as they
shall see meet, constitute and appoint guardians or commissioners,
not exceeding three; one of which three shall preside as deputy and
chief guardian, during such minority, and shall have and execute, with the consent of the other two, all the power of a governor, in all the public affairs and concerns of the said province.

Twenty-second. That as often as any day of the month, mentioned in any article of this charter, shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day, shall be deferred till next day, unless in case of emergency.

Twenty-third. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done, by the governor of this province, his heirs or assigns, or by the freemen in the Provincial Council or the General Assembly, to alter; change or diminish the form or effect of this charter, or any part or clause thereof, without the consent of the governor, his heirs or assigns, and six parts of seven of the said freemen in Provincial Council, and General Assembly.

And lastly. That I the said William Penn, for myself, my heirs, and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things, whereby the liberties in this charter contained and expressed, shall be infringed or broken; and if any thing be procured by any person or persons contrary to these premises, it shall be held of no force or effect. In Witness whereof, I the said William Penn have unto this present charter of liberties, set my hand and broad seal, this five and twentieth day of the second month, vulgarly called April, in the year of our Lord, one thousand six hundred and eighty-two.

WILLIAM PENN.

LAWS AGREED UPON IN ENGLAND.

First. That the charter of liberties, declared, granted and confirmed, the five and twentieth day of the second month, called April, 1682, before divers witnesses by William Penn, governor and chief proprietary of Pennsylvania, to all the freemen and planters of the said province, is hereby declared and approved, and shall be for ever held for fundamental, in the government thereof, according to the limitations mentioned in the said charter.

Second. That every Inhabitant in the said province, that is or shall be a purchaser of one hundred acres of land or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person that hath been a servant or bondsman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artificer, or other resident in the said province, that
pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such person shall and may be capable of electing or being elected representatives of the people in Provincial Council or General Assembly in the said province.

Third. That all elections of members or representatives of the people and freemen of the province of Pennsylvania, to serve in Provincial Council or General Assembly, to be held within the said province, shall be free and voluntary: and that the elector that shall receive any reward or gift, in meat, drink, monies or otherwise, shall forfeit his right to elect; and such person as shall, directly or indirectly, give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid. And the Provincial Council and General Assembly shall be the sole judges of the regularity or irregularity of the elections of their own respective members.

Fourth. That no money or goods shall be raised upon, or paid by any of the people of this province, by way of a publick tax, custom or contribution, but by a law for that purpose made; and whosoever shall levy, collect or pay any money or goods contrary thereunto, shall be held a publick enemy to the province, and a betrayer of the liberties of the people thereof.

Fifth. That all courts shall be open, and justice shall neither be sold, denied or delayed.

Sixth. That in all courts, all persons of all persuasions may freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friends. And the first process shall be the exhibition of the complaint in court, fourteen days before the trial; and that the party complained against may be fitted for the same, he or she shall be summoned no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling house. But before the complaint of any person be received, he shall solemnly declare in court, that he believes in his conscience his cause is just.

Seventh. That all pleadings, processes and records in courts, shall be short, and in English, and in an ordinary and plain character, that they may be understood, and justice speedily administered.

Eighth. That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighborhood, and men without just exception. In cases of life, there shall be first twenty-four returned by the sheriff for a grand inquest, of whom twelve at least shall find the complaint to be true; and then the twelve men, or peers, to be likewise returned by the sheriff, shall have the final judgment. But reasonable challenges shall be always admitted against the said twelve men or any of them.

Ninth. That all fees in all cases shall be moderate, and settled by the Provincial Council and General Assembly, and be hung up in a table in every respective court; and whosoever shall be convicted
of taking more, shall pay twofold, and be dismissed his employment, one moiety of which shall go to the party wronged.

Tenth. That all prisons shall be workhouses for felons, vagrants, and loose and idle persons; whereof one shall be in every county.

Eleventh. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great.

Twelfth. That all persons wrongfully imprisoned or prosecuted at law, shall have double damages against the informer or prosecutor.

Thirteenth. That all prisons shall be free, as to fees, food, and lodging.

Fourteenth. That all lands and goods shall be liable to pay debts, except where there is legal issue, and then all the goods, and one third of the land only.

Fifteenth. That all wills and writing attested by two witnesses, shall be of the same force, as to lands as other conveyances, being legally proved within forty days, either within or without the said province.

Sixteenth. That seven years quiet possession shall give an unquestionable right, except in cases of infants, lunatics, married women, or persons beyond the seas.

Seventeenth. That all briberies and extortions whatsoever, shall be severely punished.

Eighteenth. That all fines shall be moderate, and saving mens contenements, merchandise or wainage.

Nineteenth. That all marriages (not forbidden by the law of God, as to nearness of blood and affinity by marriage) shall be encouraged; but the parents or guardians shall be first consulted, and the marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as husband and wife, before credible witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of that county, and shall be registered in his office.

Twentieth. And to prevent frauds and vexatious suits within the said province, that all charters, gifts, grants, and conveyances of land, (except leases for a year or under) and all bills, bonds, and specialties have five pounds, and not under three months, made in the said province, shall be enrolled or registered in the publick enrolment office of the said province within the space of two months next after the making thereof, else to be void in law. And all deeds, grants, and conveyances of land (except as aforesaid) within the said province, and made out of the said province, shall be enrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an enrolment office or registry within the said province, else to be void in law against all persons whatsoever.
Twenty-first. That all defacers or corruptors of charters, gifts, grants, bonds, bills, wills, contracts and conveyances, or that shall deface or falsify any enrolment, registry or record within this province, shall make double satisfaction for the same; half whereof shall go the party wronged, and they shall be dismissed of all places of trust, and be publicly disgraced as false men.

Twenty-second. That there shall be a register for births, marriages, burials, wills, and letters of administration, distinct from the other registry.

Twenty-third. That there shall be a register for all servants, where their names, time, wages, and days of payment, shall be registered.

Twenty-fourth. That all lands and goods of felons shall be liable to make satisfaction to the party wronged twice the value: and for want of lands or goods, the felons shall be bond-men to work in the common prison or work-house, or otherwise, till the party injured be satisfied.

Twenty-fifth. That the estates of capital offenders, as traitors and murderers, shall go one third to the next of kin to the sufferer, and the remainder to the next of kin to the criminal.

Twenty-sixth. That all witnesses, coming or called to testify their knowledge in or to any matter or thing in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by solemnly promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question. And in case any person so called to evidence, shall be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty, as the person or persons against whom he or she bore false witness, did or should undergo; and shall also make satisfaction to the party wronged, and be publicly exposed as a false witness, never to be credited in any court, or before any magistrate, in the said province.

Twenty-seventh. And to the end that all officers chosen to serve within this province, may with more care and diligence answer the trust reposed in them, it is agreed, that no such person shall enjoy more than one publick office at one time.

Twenty-eighth. That all children within this province of the age of twelve years, shall be taught some useful trade or skill, to the end none may be idle, but the poor may work to live, and the rich, if they become poor, may not want.

Twenty-ninth. That servants be not kept longer than their time, and such as are careful, be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom.

Thirty-first. That all scandalous and malicious reporters, backbiters, defamers and spreaders of false news, whether against magistrates or private persons, shall be accordingly severely punished, as enemies to the peace and concord of this province.
Thirty-first. That for the encouragement of the planters and traders in this province, who are incorporated into a society, the patent granted to them by William Penn, Governor of the said province, is hereby ratified and confirmed.

Thirty-second.

Thirty-third. That all factors or correspondents in the said province wronging their employers, shall make satisfaction, and one third over, to their said employers: and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estate, as belongs to his said respective employers.

Thirty-fourth. That all treasurers, judges, masters of the rolls, sheriffs, justices of the peace, and other officers and persons whatsoever, relating to courts or trials of causes, or any other service in the government; and all members elected to serve in provincial Council and General Assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ, and that are not convicted of ill fame, or unsober and dishonest conversation, and that are of one and twenty years of age at least; and that all such so qualified, shall be capable of the said several employments and privileges as aforesaid.

Thirty-fifth. That all persons living in this province, who confess and acknowledge the one almighty and eternal God, to be the creator, upholder and ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever.

Thirty-sixth. That according to the good example of the primitive christians, and for the ease of the creation, every first day of the week, called the Lord's day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings.

Thirty-seventh. That as careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country: therefore, that all such offences against God, as swearing, cursing, lying, profane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes, whoredom, fornication, and other uncleanness (not to be repeated.) All treasons, misprisions, murders, duels, felonies, seditions, mains, forcible entries, and other violences, to the persons and estates of the inhabitants within this province: all prizes, stage plays, cards, dice, may-games, masques, revels, bull-baitings, cock-fightings, bear-baitings and the like, which excite the people to rudeness, cruelty, looseness and irreligion, shall be
respectively discouraged, and severely punished, according to the appointment of the governor and freemen in Provincial Council and General Assembly, as also all proceedings contrary to these laws, that are not here made expressly penal.

Thirty-eighth. That a copy of these laws shall be hung up in the Provincial Council, and in publick courts of justice, and that they shall be read yearly, at the opening of every Provincial Council and General Assembly, and courts of justice, and their assent shall be testified by their standing up, after the reading thereof.

Thirty-ninth. That there shall be at no time any alteration of any of these laws, without the consent of the governor, his heirs or assigns, and six parts of seven of the freemen, met in Provincial Council and General Assembly.

Fortieth. That all other matters and things not herein provided for, which shall and may concern the publick justice, peace or safety of the said province; and the raising and imposing taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence and determination of the governor and freemen in Provincial Council and General Assembly, to be held from time to time in the said province.

Signed and sealed by the Governor and freemen aforesaid, the fifth day of the third month, called May, one thousand six hundred and eighty-two.

No. VIII.

THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and Territories thereunto annexed in America, 1683.

To all persons to whom these presents may come: Whereas, king Charles the Second, by his letters patents, under the great Seal of England, bearing date the fourth day of March, in the thirty and third year of the king, for divers considerations therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn Esquire, son and heir of Sir William Penn, deceased,) and to my heirs and assigns for ever, all that tract of land or province called Pennsylvania, in America, with divers great powers, preeminencies, royalties, jurisdictions and authorities, necessary for the well being and government thereof. And whereas, the kings dearest brother James, duke of York and Albany, &c., by his deeds of feoffment under his hand and seal, duly perfect-ed, bearing date the four and twentieth day of August, one thousand six hundred eighty and two, did grant unto me, my heirs and assigns, all that tract of land lying and being from twelve miles northward of Newcastle, upon Delaware river in America, to Cape Henlopen upon the said river and bay of Delaware southward, together with
all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging.

NOW KNOW YE, That for the well being and good government of the said Province and territories thereunto annexed, and for the encouragement of all the freemen and planters that may be therein concerned in pursuance of the rights and powers aforesaid, I the said William Penn, have declared, granted and confirmed, and by these presents for me, my heirs and assigns, do declare, grant and confirm unto all the freemen, planters and adventurers, of, in and to the said province and territories thereof, these liberties, franchises and properties, so far as in me lieth, to be held, enjoyed and kept by the freemen, planters and adventurers of, and in the said Province of Pennsylvania and territories thereunto annexed forever.

Imprimis. That the government of this province and territories thereof, shall from time to time, according to the powers of the patent and deeds of feoffment aforesaid, consist of the Proprietary and Governor and freemen of the said Province and territories thereof, in form of provincial Council and General Assembly, which provincial Council shall consist of eighteen persons, being three out of each county, and which Assembly shall consist of thirty six persons, being six out of each county, men of most note for their virtue, wisdom and ability, by whom all laws shall be made, officers chosen and public affairs transacted, as is hereafter limited and declared.

Second. There being three persons already chosen for every respective county of this province and territories thereof, to serve in the provincial Council, one of them for three years; one for two years, and one for one year; and one of them to go off yearly in every county; that on the tenth day of the first month yearly for ever after, the freemen of the said province and territories thereof, shall meet together in the most convenient place in every county of this province and territories thereof, then and there to choose one person qualified as aforesaid in every county, being one third of the number to serve in provincial Council for three years; it being intended that one third of the whole provincial Council, consisting and to consist of eighteen persons, falling off yearly, it shall be yearly supplied with such yearly elections as aforesaid; and that one person shall not continue in longer than three years; and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

Third. That after the first seven years every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following; that so all that are capable and qualified as aforesaid, may be fitted for government and have a share of the care and burden of it.

Fourth. That the provincial Council in all cases and matters of moment, as their arguing upon bills to be passed into laws, or proceedings
about erecting of courts of justice, sitting in judgment upon criminals impeached, and choice of officers in such manner as is herein after expressed, not less than two thirds of the whole shall make a quorum, and that the consent and approbation of two thirds of that quorum shall be had in all such cases or matters of moment: and that in all cases and matters of lesser moment, one third of the whole shall make a quorum the majority of which shall and may always determine in such cases and causes of lesser moment.

Fifth. That the Governor and provincial Council shall have the power of preparing and proposing to the Assembly hereafter mentioned, all bills which they shall see needful, and that shall at any time be past into laws, within the said province and territories thereof, which bills shall be published and affixed to the most noted place, in every county of this province and territories thereof, twenty days before the meeting of the Assembly in order to passing them into laws.

Sixth. That the Governor and provincial Council shall take care that all laws, statutes and ordinances, which shall at any time be made within the said province and territories be duly and diligently executed.

Seventh. That the Governor and provincial Council shall at all times have the care of the peace and safety of this province and territories thereof; and that nothing be by any person attempted to the subversion of this frame of government.

Eighth. That the Governor and provincial Council shall at all times settle and order the situation of all cities and market towns in every county, modelling therein all public buildings, streets and market places; and shall appoint all necessary roads and highways in this province and territories thereof.

Ninth. That the Governor and provincial Council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, provincial Council and Assembly.

Tenth. That the Governor and provincial Council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

Eleventh. That one third part of the provincial Council residing with the Governor from time to time, shall with the Governor have the care of the management of public affairs relating to the peace, justice, treasury and improvement of the province and territories and to the good education of youth, and sobriety of the manners of the inhabitants therein as aforesaid.

Twelfth. That the Governor or his Deputy shall always preside in the provincial Council, and that he shall at no time therein perform any public act of state, whatsoever, that shall or may relate unto the
justice, trade, treasury or safety of the province and territories aforesaid, but by and with the advice and consent of the provincial Council thereof.

Thirteenth. And to the end, that all bills prepared and agreed by the Governor and provincial Council as aforesaid, may yet have the more full concurrence of the freemen of the province and territories thereof, it is declared, granted and confirmed, that at the time and place in every county for the choice of one person, to serve in provincial Council as aforesaid, the respective Members thereof, at their said meeting, shall yearly choose out of themselves six persons of most note for virtue, wisdom and ability, to serve in Assembly as their representatives, who shall yearly meet on the tenth day of the third month, in the capital town or city of the said Province, unless the Governor and provincial Council shall think fit to appoint another place to meet in, where during eight days, the several members may confer freely with one another; and if any of them see meet, with a committee of the provincial Council, which shall be at that time purposely appointed, to receive from any of them proposals for the alterations or amendments of any of the said proposed and promulgated bills, and on the ninth day from their so meeting, the said Assembly after their reading over the proposed bills, by the Clerk of the provincial Council, and the occasions and motives for them being opened by the Governor or his Deputy, shall upon the question by him put, give their affirmative or negative, which to them seemeth best in such manner as is hereafter expressed: but not less than two thirds shall make a quorum in the passing of all bills into laws, and choice of such officers as are by them to be chosen.

Fourteenth. That the laws so prepared and proposed as aforesaid, that are assented to by the Assembly, shall be enrolled as laws of this province and territories thereof, with this stile: By the Governor with the assent and approbation of the freemen in provincial Council and Assembly met, and from henceforth the meetings, sessions, acts and proceedings of the Governor, provincial Council and Assembly, shall be stiled and called: The meetings, sessions and proceedings of the General Assembly of the Province of Pennsylvania and the territories thereunto belonging.

Fifteenth. And that the representatives of the people in provincial Council and Assembly, may in after ages bear some proportion with the increase and multiplying of the people, the number of such representatives of the people, may be from time increased and enlarged, so as at no time the number exceed seventy-two for the provincial Council, and two hundred for the Assembly; the appointment and proportion of which number, as also the laying and methodizing of the choice of such representatives in future time, most equally to the division of the country, or number of the inhabitants is left to the Governor and provincial Council to propose, and the Assembly to resolve, so that the order of proportion be strictly observed, both in the choice of the Council and the respective committees thereof, viz: one third to go off, and come in yearly.
Sixteenth. That from and after the death of this present Governor, the provincial Council shall, together with the succeeding Governor, erect from time standing courts of justice, in such places and number as they shall judge convenient, for the good government of the said province and territories thereof; and that the provincial Council shall, on the thirteenth day of the second month then next ensuing, elect and present to the Governor or his deputy, a double number of persons to serve for judges, treasurers, and master of the rolls, within the said province and territories, to continue so long as they shall well behave themselves in those capacities respectively; and the freemen of the said province in an Assembly met, on the thirteenth day of the third month, yearly shall elect and then present to the Governor or his deputy a double number of persons to serve for sheriffs, justices of the peace and coroners for the year next ensuing, out of which respective elections and presentments the Governor or his deputy shall nominate and commissionate the proper number for each office, the third day after the said respective presentments, or else the first named in such presentment, for each office as aforesaid shall stand and serve in that office the time before respectively limited, and in case of death or default, such vacancy shall be supplied by the Governor and provincial Council in manner aforesaid.

Seventeenth. That the Assembly shall continue so long as may be needful to impeach criminals, fit to be there impeached to pass such bills into laws as are proposed to them, which they shall think fit to pass into laws, and till such time as the Governor and provincial Council shall declare, that they have nothing further to propose unto them for their assent and approbation, and that declaration shall be a dismiss to the Assembly for that time, which Assembly shall be notwithstanding, capable of assembling together upon the summons of the Governor, and provincial Council, at any time during that year, if the Governor and provincial Council shall see occasion for their so assembling.

Eighteenth. That all the elections of members or representatives of the people, to serve in provincial Council and Assembly, and all questions to be determined by both or either of them, that relate to choice of officers and all, or any other personal matters, shall be resolved or determined by the ballot, and all things relating to the preparing and passing of bills into laws, shall be openly declared and resolved by the vote.

Nineteenth. That at all times when the proprietary and Governor shall happen to be an infant and under the age of one and twenty years, and no guardians or commissioners are appointed in writing, by the father of the said infant, or that such guardian shall be deceased, that during such minority, the provincial Council shall from time to time, as they shall see meet, constitute and appoint guardians and commissioners not exceeding three; one of which shall preside as deputy and chief guardian during such minority, and shall have and
execute with the consent of one of the other two, all the power of a Governor in all public affairs and concerns of the said province and territories thereof, according to charter; which said guardian so appointed, shall also have the care and oversight of the estate of the said minor and be yearly accountable and responsible for the same to the provincial Council, and the provincial Council to the minor when of age, or to the next heir, in case of the minors death, for the trust before expressed.

Twentyeth. That as often as any days of the month mentioned in any article of this charter shall fall upon the first day of the week, commonly called the Lord's day, the business appointed for that day shall be deferred until the next day, unless in cases of emergency.

Twenty-first. And for the satisfaction and encouragement of all aliens, I do give and grant, that if any alien who is or shall be a purchaser, or who doth or shall inhabit in this province or territories thereof, shall decease at any time before he can well be naturalized, his right and interest therein shall notwithstanding descend to his wife and children, or other his relations be he testate or intestate, according to the laws of this province and territories thereof in such cases provided, in as free and ample manner to all intents and purposes as if the said alien had been naturalized.

Twenty-second. And that the inhabitants of this province and territories thereof, may be accommodated with such food and sustenance as God in his providence hath freely afforded. I do also further grant to the inhabitants of this province and territories thereof, liberty to fowl and hunt upon the lands they hold, and all other lands therein not inclosed; and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish on shore on any means lands, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon inland rivulets that are not boatable, on which are or may be hereafter erected into manors.

Twenty-third. And that all the inhabitants of this province and territories thereof, whether purchasers or others may have the last wordly pledge of my good and kind intentions to them and theirs, I do give, grant and confirm to all and every one of them, full and quiet possession of their respective lands, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to me, my heirs or assigns.

Twenty-fourth. That no act, law or ordinance whatsoever, shall at any time hereafter be made or done by the proprietary and Governor of this province and territories thereunto belonging, his heirs or assigns, or by the freemen in provincial Council or Assembly, to alter, change or diminish the form or effect of this charter, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the proprietary and
Governor, his heirs or assigns, and six parts of seven of the said freemen in provincial Council and Assembly met.

And lastly. I, the said William Penn, proprietary and Governor of the province of Pennsylvania and territories thereunto belonging, for me, my heirs and assigns, have solemnly declared, granted and confirmed, and do hereby solemnly declare, grant and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things whereby the liberties in this Charter contained and expressed, shall be infringed or broken, and if any thing be procured by any person or persons, contrary to these premises, it shall be held of no force or effect. In witness whereof, I, the said William Penn, at Philadelphia, in Pennsylvania, have unto this present charter of liberties, set my hand and broad seal, this second day of the second month, in the year of our Lord one thousand six hundred eighty and three, being the five and thirtieth year of the king and the third year of my government.

WILLIAM PENN.

This within charter, which we have distinctly heard read, and thankfully received, shall be by us inviolably kept, at Philadelphia, the second day of the second month, one thousand six hundred eighty and three.

The members of the Provincial Council present:

William Markham,
John Moll,
William Haige,
Christopher Taylor,
John Simcock,
William Clayton,
Francis Whitwell,
Thomas Holme,
William Clark,
William Biles,
James Harrison,
John Richardson,
Philip Thomas Lenmar,
Sec. Gov.
Richard Ingelo, Cl. Coun.

The members of the Assembly present:

Casparus Harman,
John Darby,
Benjamin Williams,
William Guest,
Valentine Hollingsworth,
James Boyden,
Bennony Bishop,
John Beazor,
John Harding,
Andrews Brungston,
Simon Irons,
John Wood,
John Curtis,
Daniel Brown,
William Futerer,
Thomas Hassald,
John Hart,
Robert Hall,
Robert Bedwell,
William Simmsmore,
Samuel Darke,
Robert Lucas,
James Williams,
John Blunston,
John Songhurst,
John Hill,
Nicholas Walm,
Thomas Fitzwater,
John Clows,
Luke Watson,
THE FRAME OF THE GOVERNMENT

Of the Province of Pennsylvania and the territories thereunto belonging, passed by Governor Markham, November 7, 1696.

 Whereas, the late King Charles the Second, in the three and thirtieth year of his reign, by letters patent under the great seal of England, did for the considerations therein mentioned, grant unto William Penn, his heirs and assigns for ever, this colony, or tract of land, thereby erecting the same into a province called Pennsylvania, and constituting him the said William Penn, absolute proprietary thereof, vesting him, his deputies and lieutenants; with divers great powers, pre-eminencies, royalties, jurisdictions and authorities, necessary for the well-being and good government of the said province. And whereas, the late Duke of York and Albany, &c., for valuable considerations, did grant unto the said William Penn, his heirs and assigns, all that tract of land, which hath been cast or divided into three counties, now called Newcastle, Kent and Sussex, together with all royalties, franchises, duties, jurisdictions, liberties and privileges thereunto belonging; which last mentioned tract being intended as a beneficial and requisite addition to the territory of the said proprietary and Governor, at the request of the freemen of the said three counties, by their deputies in Assembly met, with the representatives of the freemen of the said province at Chester, alias Upland, on the sixth day of the tenth month, 1682, did (with the advice and consent of the members of the said Assembly) enact, that the said three counties should be annexed to the province of Pennsylvania, as the proper territories thereof; and whereas, king William and the late queen Mary, over England, &c., by their letters patent and commission under the great seal of England, dated the twenty-first day of October, in the fourth year of their reign, having (for the reasons therein mentioned) taken the government of this said province and territories into their hands, and under their care and protection, did
think fit to constitute Benjamin Fletcher, Governor of New York, to be their Captain General and Governor in Chief over this province and country. And whereas, also the said king and queen, afterwards by their letters patent, under the great seal of England, dated the twentieth day of August, in the sixth year of their reign, have thought fit upon the humble application of the said William Penn, to restore them to the administration of the government of the said province and territories, and that so much of their said commission, as did constitute the said Benjamin Fletcher, their Captain General and Governor in Chief of the said province of Pennsylvania, country of Newcastle, and the territories and tracts of land depending thereupon, in America, together with all the powers and authorities thereby granted, for the ruling and governing their said province and country, should from the publication of the said last recited letters patent cease, determine and become void, and accordingly the same are hereby declared void; whereupon, the said William Penn, did commissionate his kinsman William Markham, Governor under him, with directions to act according to the known laws and usages of this government.

Now, forasmuch as the former frame of government, modelled by act of settlement and charter of liberties, is not deemed in all respects suitably accommodated to our present circumstances; therefore it is unanimously desired, that it may be enacted, And be it enacted by the Governor aforesaid, with the advice and consent of the representatives of the freemen of the said province and territories in Assembly met, and by the authority of the same, that this government shall from time to time consist of the Governor or his deputy or deputies, and the freemen of the said province and territories thereof, in form of a Council and Assembly; which Council and Assembly shall be men of most note for virtue, wisdom and ability; and shall from and after the tenth day of the first month next, consist of two persons out of each of the counties of this government, to serve as the peoples representatives in Council; and of four persons out of each of the said counties, to serve as their representatives in Assembly; for the electing of which representatives, it shall and may be lawful to, and for all the freemen of this province and territories aforesaid, to meet together on the tenth day of the first month yearly hereafter, in the most convenient and usual place for election, within the respective counties, then and there to choose their said representatives as aforesaid, who shall meet on the tenth day of the third month, yearly, in the capital town of the said province, unless the Governor and Council shall think fit to appoint another place.

And to the end, it may be known who those are in this province and territories, who ought to have right of or to be deemed freemen, to choose or be chosen to serve in Council and Assembly as aforesaid; Be it enacted by the authority aforesaid, That no inhabitant of this province or territories, shall have right of electing or being elected as aforesaid, unless they be free denizens of this
government, and are of the age of twenty one years or upwards, and have fifty acres of land, ten acres whereof being seated and cleared, or be otherwise worth fifty pounds lawful money, of this government clear estate, and have been resident within this government for the space of two years next before such election.

And whereas, divers persons within this government, cannot for conscience sake, take an oath upon any account whatsoever; Be it therefore enacted, by the authority aforesaid, That all and every such person and persons, being at any time hereafter required upon any lawful occasion to give evidence, or take an oath, in any case whatsoever, shall, instead of swearing, be permitted to make his or their solemn affirmation, attest or declaration, which shall be adjudged, and is hereby enacted and declared to be of the same force and effect to all intents and purposes whatsoever, as if they had taken an oath, and in case any such person or persons shall be lawfully convicted of having wilfully and corruptly affirmed or declared, any matter or thing, upon such solemn affirmation or attest, shall incur the same penalties and forfeitures, as by the laws and statutes of England are provided against persons convicted of wilful and corrupt perjury.

And be it further enacted by the authority aforesaid, That all persons who shall be hereafter, either elected to serve in Council and Assembly, or commissioned or appointed to be Judges, Justices, Masters of the Rolls, Sheriffs, Coroners, and all other officers of state and trust, within this government, who shall conscientiously scruple to take an oath, but when lawfully required, will make and subscribe the declaration and profession of their Christian belief, according to the late act of parliament, made in the first year of King William, and the late queen Mary, entitled, An act for exempting their majesties Protestant subjects, dissenting from the Church of England, from the penalty of certain laws, shall be adjudged, and are hereby declared to be qualified to act in their said respective offices and places, and thereupon, the several officers herein mentioned, shall instead of an oath, make their solemn affirmation or declaration, in manner and form following, that is to say:

The form of Judges and Justices, attest shall be in these words, viz:

Thou shalt solemnly promise that as Judge, or Justice, according to the Governors commission to thee directed, thou shalt do equal right to the poor and rich, to the best of thy knowledge and power, according to law, and after the usages and constitutions of this government, thou shalt not be of council of any matter or cause depending before thee, but shall well and truly do thy office in every respect, according to the best of thy understanding.

The form of the attests to be taken by the Masters of the Rolls, Secretaries, Clerks and such like officers, shall be thus, viz:
INTRODUCTORY

Thou shalt well and faithfully execute the office of, &c., according to the best of the skill and knowledge; taking such fees only, as thou outhest to receive by the laws of this government.

The form of the Sheriffs and Coroners attest, shall be in these words, viz:

Thou shalt solemnly promise, that thou wilt well and truly serve the King and Governor, in the office of the Sheriff, (or Coroner) of the county of &c., and preserve the King and Governors rights, as far forth as thou canst, or mayest; thou shalt truly serve and return, all the writs and precepts to the directed; thou shalt take no bailiff nor deputy, but such as thou wilt answer for; thou shalt receive no writs, except from such Judges and Justices who by the Laws of this government, have authority to issue and direct writs unto thee; and thou shalt diligently and truly do and accomplish all things appertaining to thy office, after the best of thy wit and power, both for the King and Governor's profit, and good of the inhabitants within the said county, taking such fees only as thou outhest to take by the laws of this government and not otherwise.

The form of a Constable's attest shall be this, viz:

Thou shalt solemnly promise well and duly, according to the best of thy understanding, to execute the office of a Constable for the town (or county) of P., for this ensuing year, or until another be attested in thy room, or thou shalt be legally discharged thereof.

The form of the Grand Inquests attests shall be in these words, viz:

Thou shalt diligently enquire, and true presentment make of all such matters and things as shall be given thee in charge, or come to thy knowledge, touching this present service, the Kings counsel, thy fellows and thy own, thou shalt keep secret, and in all things thou shalt present the truth, and nothing but the truth, to the best of thy knowledge.

This being given to the Foremen, the rest of the Inquest shall be attested thus, by three at a time, viz:

The same attestation that your foreman hath taken on his part, you will well and truly keep on your parts.

The form of the attest to be given to the Traverse Jury, by four at a time, shall be thus, viz:

You solemnly promise that you will well and truly try the issue of traverse, between the Lord, the King, and A. B., whom you have in charge, according to your evidence.

In civil causes thus, viz:

You solemnly promise that you will well and truly try the issue between A. B. plaintiff, and C. D. defendant, according to your evidence.

Provided always, and it is hereby intended, that no person shall be by this act excused from swearing, who by the acts of parliament for trade and navigation, are or shall be required to take an oath.
And that elections may not be corruptly managed, on which the
goal of the government so much depends; Be it further enacted, by
the authority aforesaid, That all elections of the said representatives
shall be free and voluntary, and that the electors who shall receive
any reward or gift for giving his vote, shall forfeit his right to elect
for that year; and such person or persons, as shall give or promise
any such reward to be elected, or that shall offer to serve for nothing,
or for less wages than the law prescribes, shall be thereby rendered
incapable to serve in Council or Assembly for that year; and the
representatives so chosen, either for Council or Assembly, shall yield
their attendance accordingly, and be the sole judges of the regularity
or irregularity of the elections of their respective members; and if
any person or persons, chosen to serve in Council or Assembly,
shall be willfully absent from the service, he or they are so chosen to
attend, or be deceased, or rendered incapable then, and in all such
cases, it shall be lawful for the Governor within ten days after
knowledge of the same, to issue forth a writ to the Sheriff of the
county, for which the said person or persons, were chosen, imme-
diately to summons the freemen of the same to elect another member
in the room of such absent, deceased, or incapable person or persons;
and in case any Sheriff shall misbehave himself in the management
of any of the said elections, he shall be punished accordingly, at
the discretion of the Governour and Council, for the time being.

Be it further enacted, by the authority aforesaid, That every mem-
ber now chosen, or hereafter to be chosen, by the freemen as aforesaid,
to serve in Council, and the Speaker of the Assembly, shall be
allowed five shillings by the day during his and their attendance;
and every member of Assembly shall be allowed four shillings by the
day, during his attendance on the service of the Assembly; and that
every Member of Council and Assembly shall be allowed towards
their travelling charges, after the rate of two pence each mile, both
going to and coming from the place where the Council and Assembly
is, or shall be held; all which sums shall be paid yearly out of the
county levies, by the county receivers respectively.

And be it further enacted by the authority aforesaid, That the
Governor or his Deputy shall always preside in the Council, and
that he shall at no time perform any public act of state whatsoever,
that shall or may relate unto the justice, treasury or trade of the pro-
vince and territories, but by and with the advice and consent of the
Council thereof, or major part of them that shall be present.

And be it further enacted, by the authority aforesaid, That all the
Sheriffs and Clerks of the respective counties of the said province
and territories, who are, or shall be commissionated, shall give good
and sufficient security to the Governor, for answering the King and
his people, in matters relating to the said offices respectively.

And be it further enacted, by the authority aforesaid, That the
Council in all cases and matters of moment, as about erecting courts
of justice, sitting in judgement upon persons impeached, and upon
bills and other matters, that may be from time to time presented by the Assembly; not less than two thirds shall make a quorum, and that the consent and approbation of the majority of that quorum, shall be had in all such cases and matters of moment, and that in cases of less moment, not less than one third of the whole shall make a quorum; the majority of which shall and may always determine in all such matters of lesser moment, as are not above specified; and in case the Governors power shall hereafter happen to be in the Council, a President shall then be chosen out of themselves, by two thirds or the major part of them, which President shall therein preside.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall take care that all the laws, statutes and ordinances, which shall at any time be made within the said province and territories, be duly and diligently executed.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall at all times have the care of the peace of this province and territories thereof, and that nothing be by any persons attempted to the subversion of this frame of government.

And be it further enacted by the authority aforesaid, That the Governor and Council, for the time being shall at all times settle and order the situation of all cities and market towns, modelling therein all public buildings, streets and market places; and shall appoint all public landing places of the towns of this province and territories; and if any mans property shall be judged by the Governor and Council, to be commodious for such landing place in the said towns, and that the same be by them appointed as such, that the owner shall have such reasonable satisfaction given him for the same, as the Governor and Council shall see meet, to be paid by the said respective towns.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than what hath been agreed upon by the Governor, Council and Assembly.

Be it further enacted, by the authority aforesaid, That the Governor and Council shall erect, and order all public houses, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

And be it further enacted, by the authority aforesaid, That the Governor and Council shall from time to time have the care of the management of all public affairs, relating to the peace, safety, justice, treasury, trade and improvement of the province and territories, and to the good education of youth, and sobriety of the manners of the inhabitants therein, as aforesaid.

And be it further enacted by the authority aforesaid, That the representatives of the freemen, when met in Assembly, shall have power to prepare and propose to the Governor and Council, all such bills
as they or the major part of them shall at any time see needful to be passed into laws, within the said province and territories.

Provided always that nothing herein contained shall debar the Governor and Council from recommending to the Assembly, all such bills as they shall think fit to be passed into laws; and that the Council and Assembly may, upon occasion, confer together in committees when desired; all which proposed and prepared bills, or such of them as the Governor with the advice of the Council shall in open Assembly declare his assent unto, shall be the laws of this province and territories thereof, and published accordingly with this stile: By the Governor, with the assent and approbation of the freemen in General Assembly met; a true transcript or duplicate whereof shall be transmitted to the kings privy council for the time being, according to the said late kings letters patent.

And be it further enacted, by the authority aforesaid, That the Assembly shall sit upon their own adjournments, and committees, and continue in order to prepare and propose bills, redress grievances, and impeach criminals, or such persons as they shall think fit to be there impeached, until the Governor and Council for the time being shall dismiss them; which Assembly shall notwithstanding such dismiss, be capable of assembling together upon the summons of the Governor and Council, at any time during that year; two thirds of which Assembly, in all cases, shall make a quorum.

And be it enacted, by the authority aforesaid, That all elections of representatives, for Council and Assembly, and all questions to be determined by them, shall be by the major part of votes.

Be it further enacted, by the authority aforesaid, That as oft as any days of the month mentioned in any article of this act, shall fall upon the first day of the week, commonly called the Lords day, the business appointed for that day, shall be deferred till the next day, unless in cases of emergency.

Be it further enacted, by the authority aforesaid, That if any alien, who is or shall be a purchaser of lands, or who doth, or shall inhabit in this province, or territories thereof, shall decease at any time before he can well be denizened, his right and interest therein shall, notwithstanding, descend to his wife and children, or other his relations, be he testate or intestate, according to the laws of this province and territories thereof, in such cases provided, in as free and ample manner, to all intents and purposes, as if the said alien had been denizened.

And that the people may be accommodated with such food and sustenance, as God in his providence hath freely afforded; Be it enacted, by the authority aforesaid, That the inhabitants of this province and territories thereof, shall have liberty to fish and hunt upon the lands they hold, or all other lands therein, not enclosed, and to fish in all waters in the said lands, and in all rivers and rivulets, in and belonging to this province and territories thereof, with liberty to draw his or their fish upon any mans land, so as it be not to the detriment or annoyance of the owner thereof, except such lands as do lie upon in-
land rivulets, that are not boatable, or which hereafter may be erected into manors.

Be it further enacted, by the authority aforesaid, That all inhabitants of this province and territories, whether purchasers or others, and every one of them shall have full and quiet enjoyment of their respective lands and tenements, to which they have any lawful or equitable claim, saving only such rents and services for the same, as are or customarily ought to be reserved to the lord or lords of the see thereof respectively.

Be it further enacted, by the authority aforesaid, That no act, law, or ordinance whatsoever, shall at any time hereafter, be made or done by the Governor of this province and territories thereunto belonging, or by the freemen in Council or Assembly, to alter, change or diminish the form and effect of this act, or any part or clause thereof, contrary to the true intent and meaning thereof, without the consent of the Governor, for the time being; and six parts of seven of the said freemen in Council and Assembly met. This act to continue and be in force, until the said Proprietary shall signify his pleasure to the contrary, by some instrument under his hand and seal in that behalf.

Provided always, and it is hereby enacted, That neither this act, nor any other act or acts whatsoever, shall preclude or debar the inhabitants of this province and territories, from claiming, having and enjoying, any of the rights, privileges and immunities, which the said Proprietary for himself, his heirs and assigns, did formerly grant, or which of right belong unto them the said inhabitants by virtue of any law, charter or grants whatsoever, any thing herein contained to the contrary, notwithstanding.
The originals of the following named documents are not in the office of the Secretary of the Commonwealth, viz:

Certain conditions and concessions agreed upon by William Penn and the first adventurers and purchasers in Pennsylvania.


The Frame of Government granted in 1683.

The Frame of government passed by William Markham in 1696.
ATT a council held at Philadelphia the 10th of the first Month, 1682-3.

PRESENT:

Wm. PENN, Proprietary and Governor of Pensilvania, and territories annexed.

Capt. Wm. Markham, Wm. Haigee, 
Christo. Taylor, Jno. Moll, 
Thomas Holmes, Ralph Withers, 
Lasse Cock, Jno. Simcox, 
Wm. Clarke, ffrancis Whitwell, 
Jno. Hilliard, Jno. Richardson.

Then the Sherifs of each County were called in, viz:

for the county of Philadelphia, John Tost.
for the county of Chester, Thomas Usher.
for the county of Bucks, Richard Noble.
for the county of New Castle, Edm'd Canholl.
for the county of Kent, Peter Bawcomb.
for the county of Sussex, John Vines.

The Governor ordered that one speak at a time, standing up, with his face to the chair.

A debate being about the balloting box, the question was put whether the Ballot should be used in all cases? Past in ye negative.

The Question being put whether they would have the ballot in all personal matters? resolved in the affirmative.

*By the 41st Chapter of the acts of the first General Assembly of Pennsylvania, passed December 7th, 1682, it will appear that the first settlers of this state began the year on the first of March. The following is an accurate copy of the chapter referred to:

And bee it Enacted by the Authority aforesaid that ye days of ye week & ye months of ye year, Shall be called as in Scripture, & not by Heathen names, (as are vulgarly used,) as ye' first, Second & Third daies of ye week, and first Second & Third months of ye year, beginning with ye' day called Sunday, & ye' month called March.
The Question being putt whether all Bills should be past into the Laws by Vote, resolved in the affirmative.

The Returns of the Sherifs being read, wth the Peticions and Addresses of the freemen to the Governor, and finding therein that the People have amply vested their 12 Deligates out of each county wth power to act as the Provinciall Councelours & Generall Assembly, and it being proposed to the elected members aforesaid if they were chosen to serve in both those capacities, they answered they were: That is to say, three of each Twelve for the Provinciall Councill, and the remaining Nine of each Twelve to constitute the Generall Assembly, according to the returns.

After the reading of the Returnes & Peticions, the Charter of Liberties was read.

Wth requiring a greater number then was chose to serve in Provinciall Councill & Generall Assembly, yet left to be explained and confirmed by the Governor, his heirs and assigns, and the Freemen of this Province and Territories in Provincall Councill and Assembly mett, the Deputies of the freemen in Prov" Councell and Assembly do think the reason allaged in the Sherifs Returns & Peticions of the freemen for not Chusing more than 12 to serve in Prov" Council and General Assembly, are sufficient, and that the seventy two now chosen & returned have in them the Power of the whole Freemen of this Province and Territories thereunto belonging, and so capable of serving as a provinciall councill & Genral Assembly. A member moving that the Govern' may be desired that this alteration may not hinder y° people from the benefit of this Charter, because it seems thereby to be returned to him again by not being accepted as largely as Granted. The Govern" answered, they might amend, alter, or add for the Publick good, and that he was ready to Settle such Foundations as might be for their happiness and the good of their Posterities, according to y° powers vested in him. The Numbers to be increased by the Govern' & Councill, Freemen in Prov" Councill and Assembly mett.

Vpon the whole matter the Assembly went to chuse a Speaker.

Adjourned till y° 12th 1st Mo. n3.

Att a Councill held at Philadelphia the 12th of y° 1st Mo. 1683.

PRESENT:

Wm. PENN, Prop'y & Govern' of Pensilvania & Counties annexed.

Capt. Wm. Markham, Jno. Moll, Wm. Clarke,
Christo. Taylor, Edm° Cantwell, Fran. Whitwell,
Capt. Tho. Holmes, Wm. Clayton, Jno. Richardson,
Jno. Simcox, Wm. Biles, Jno. Hilliard,
Jas. Cock, Jam. Harrison, Ralph Withers.
Wm. Haijee.

It being reported to the Govern' & Councill by several members of it, that Nicholas Moore, President to y° society of free Traders in
PROVINCIAL COUNCIL.

this province, took occasion in company in a publick house, to utter those words ag' the Proceedings of the Govern', Prov'd Council & Assembly, as that they have this day broken the Charter, & therefore all that you do will come to Nothing, & that hundreds in England will curse you for what you have done, & their children after them, and that you may hereafter be impeacht for Treason for what you do: Whereupon, the Govern' and Council did order that Nicholas Moore should appeare before them. He accordingly did appeare, & being charg'd with such Discourse, said that he spoke rather by Query then assertion, and if he had said as it was represented, he had been too blame indeed, but he said that he spake not wth such an Intent; however, his Discourse being unreasonable and imprudent, he was exhorted to prevent the like for the future.

Adjourned till 13th 1st Mo., 83.

At a Council held att Philadelphia, y* 13th of y* 1st Mo. 1683.

PRESENT:

Wm. PENN, prop'y & Govern' of Pennsylvania & County* annexed.

Capt. Wm. Markham, James Harrison, John Simcox,
Capt. Thomas Holmes, Jno. Halliard, John Moll,
Wm. Clarke, Wm. Clayton, John Richardson,
Wm. Haige, Wm. Biles, Francis Whitwell,
Christo. Taylor, Edm' Cantwell, Lasse Cock,

Wm. Haige desiring leave to be absent this Day, it was granted him.

Thomas Wynn, Speaker, accompanied wth Thomas Bracey & Wm. Yardley, members of y* Assembly, came in y* name of the whole Assembly, to desire a conference with y* Govern', which the Governor and Councill yields to.

The Result was Viz':

That Twelve makes a Quorum in all businesses relating to the former part of the fifth and Sixth articles of the Charter relating to the latter part of the same Article. That during the present infancy of things, that the business of four comittees in the 13th Article, be performed by the Council for the time being, in such way and manner as their numbers will give leave. Whereas, it is said in the 7th Article of the Charter, that the Govern' and prov'd Councill shall prepare & propose to the Gen' Assembly all bills that they shall at any time think fitt to be past into Laws within y* said province & Territories; It be added, provided they are not inconsistent with the powers granted by the King's Letters Patent's.

Adjourned till 14th 1st Mo., 83.
MINUTES OF THE

Att a Councill held at Philadelphia y° 14th of y° 1st Mo., 1683.

PRESENT:
Wm. PENN, prop'y and Govern'r of Pensilvania & countys annexed-
Capt. Wm. Markham, Wm. Clayton, Fran. Whitwell,
Capt. Thom: Holmes, Jno. Simcox, Jno. Moll,
Christ: Taylor, Ralph Withers, Jno. Richardson,
Jam: Harrison, Wm. Haige, Jno. Hilliard,
Lasse Cock, Wm. Biles, Wm. Clarke.
Edm4 Cantwell,

The Prov⁴ Councill resolved into a Grand Comittee, whilst y° Gov' retired vpon urgent business. Capt. Wm. Markham, Chair-
man: they rec'd & read severall peticions, but referred their answer to
y° Council.
Adjourned till two of the Clock in the afternoon.

POST MERIDIEM.

A Petieon of Peter Isgoe and Abraham Mann read, was referred
to the County Court.
The Petieon of Geo: Oldfield & his wife read and referred to the
County Court, where the Land menoned in the Pat: lyes.
The Petieon of Abraham Mann, John Tost & Jno. Vines, Sherifs,
about Establishment for their fees, was read, & Ordered that a Table
of Fees should be forthwith established.
The Petieon of John Day read, and will be considered amongst other
things.
The Petieon of the Inhabitants of Duck Creek, about the Cutting
of the way through the Marsh for Vessels to pass, was referred to
the County Court in which the same doth lye.
Adjourned till 15th 1st Mo., 83.

Att a Councill held att Philadelphia, y° 15th of y° 1st Mo., 1683.

PRESENT:
Wm. PENN, Prop'y & Govern'r of Pensilvania & Countys annexed.
Capt. Wm. Markham, Jno. Simcox, Wm. Clark,
Capt. Tho. Holmes, Jam: Harison, Jno. Moll,
Capt. Edm4 Cantwell, Jno. Hilliard, Wm. Clayton,
Ralph Withers, Jno. Richardson, Francis Whitwell.
Christo. Taylor,

Ordered that John Richardson pay five shillings for being disor-
ed in Drink, and be reproved.
The Question being putt whether the Govern'r should have power to
Secure himself, his heirs and Assigns, It was resolved in the Affirma-
tive.
The Question being putt whether two of y° members of this Counci-
cill should go to y° house of Assembly to have a Conference about it,
resolved in the affirmative.
A Conference was held with the assembly & they withdrew to consider of it, and Returned this answer by the Speaker.

And John Cann that the Assembly have Nemine Contradicente agreed that all Laws Should be prepared & proposed by the Govern' & Councill.

Adjourned till three of the Clock in the afternoon.

**POST MERIDIEM.**

The Governour yet again offering that if they had any other Expedient yet to offer or propose, they might, though they had agreed to it in the morning, and after some consideration it was putt to ye Question whether an Other Expedient could be found out more sear to the Govern' & people; past in the negative. It was resolved (none dissenting) that the words Jointly assenting should be added to that part of the bill relating to the article of the charter.

Thomas Pearce’s Petieon concerning a Sloope he bought for the service of the Society was read, and his allegation not being proved, the matter fell.

Adjourned untill y° 16th of y° 1st Mo., 83.

---

At a Councill held at Philadelphia y° 16th of y° 1st Mo., 1683.

**PRESENT:**

Wm. PENN, Prop’y and Govern’ of Pensilvania & Countys Annexed.

- Capt. Wm. Markham
- Christo. Taylor
- Jam: Harrison
- Wm. Clarke
- John Simcox
- Jno. Moll
- Edm’ Cantwell
- Wm. Biles
- Wm. Clayton
- Ralph Withers
- ffran. Whitwell
- Jno. Hilliard
- Jno. Richardson
- Wm. Haige
- Lasse Cock.

A Letter rec’d from Nicholas Moore, President of the Society, to ye Gov’t, Desiring that the Law ag’ Fornication might be explained not to extend to Serv°, because the present penalty would be to the Master & Mrs., wherefore prayed some severe punishment may be Enacted more consistent with the Mr. & Mrs. Interest.

These Bills were prepared and drawn up to pass into Laws:

- A Bill for planting flax and hemp.
- A bill for building a house of Correction in each County, 24 foot by 16.
- A bill to hinder the Selling of Serv° into other provinces, and to prevent Runaways.
- A bill about Passes.
- A bill about burning woods and Marshes.
- A bill to have Cattell marked & to Erect Bounds.
- A bill about Fencing.

Three Comites appointed to prepare bills for the Councill.
MINUTES OF THE

Capt. Wm. Markham, Francis Whitwell,
Jno. Simcox, John Halliard,
Wm. Clarke.

The paper of Proposals from Kent County Committed to them to put into a Bill or bills.

James Harrison, John Moll,
Christo: Taylor, Ralph Withers,

Edmund Cantwell.

To whom it is referred to prepare bills about Prisons, Sowing of hemp and Flax, Runaways, Passes, Selling of Serv* into other provinces, for Destroying Wolves, To raise Money, & a bill for Hogg stealers.

Wm. Clayton, Wm. Biles, Thomas Holmes,
Wm. Haige, Jno. Richardson, Lasse Cock.

To whom is referred the burning of woods and Marshes, to have Chattell marked, To erect Bounds of fences.

Adjourned till 17th 1 Mo., 1683.

---

At a Councill held at Philadelphia y* 17th of y* 1st Mo., 1683.

PRESENT:

Wm. PENN, prop'y and Govern' of Pensilvania and Countys Annexed.

Capt. Wm. Markham, Capt. Lasse Cock, Jno. Moll,
Wm. Haige, Fran. Whitwell, Jam. Harison,
Wm. Biles, Christo: Taylor, Jno. Hilliard,
Wm. Clayton, Jno. Simcox, John Richardson.
Capt. Tho: Holmes,

The Committees presented several bills to the Councill, and adjourned till Three of y* Clock in the afternoon.

POST MERIDIEIM.

The Speaker and the whole House of Assembly attended the Gov'r and Councill w* a Bill of Settlement, acquainting them that he was comanded by the whole house to let them know they had past the bill w* one Consent.

Adjourned till 19th of 1st Mo., 83.

---

At a Councill held at Philadelphia y* 19th of 1st Mo., 1683.

PRESENT:

Wm. PENN, prop'y and Govern' of Pensilvania & Countys annexed.

Capt. Wm. Markham, Wm. Biles, Jno. Richardson,
Capt. Tho. Holmes, Wm. Clayton, Wm. Clarke,
Jno. Simcox, Fran. Whitwell, Lasse Cock,
Jam. Harison, Jno. Hilliard, Jno. Moll,
Edm'd Cantwell, Wm. Haige,
The Speaker with divers Members came, wth the bill of Settlement and divers amendments, wth were yielded to by the Govern't & Councell. Several Bills relating to Carried by order of Councell to the Assembly by Wm. Clarke and Francis Whitwell. Several bills relating to carried by order of Councell to ye Assembly by Thomas Holmes & James Harrison. The bill of Settle'm being amended, was returned to this Council by two of the Members of ye Assembly; namely, Robert Wade & Griffith Jones. The Petition of the Mariners belonging to the Friends' Adventure, Concerning their wages, was read, & Ordered ye they shall have a hearing to-morrow at three of ye Clock in the afternoon. Adjourned till four of ye clock afternoon.

POST MERIDIEM.

Ordered that Wm. Clarke and John Moll, Compare the Fees of New York and Delaware, and make a report to this Council. Ordered that Capt. Edm' Cantwell and John Moll turn over the Duke's Laws, & give a Report proper for them to Consider on. Adjourned till 20th 1st Mo., 83.

At a Councill held at Philadelphia ye 20th of 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop'ty & Gov't of Pensylvania & Countys annexed.

Tho. Holmes, Jno. Richardson, Fran. Whitwell,
Jno. Moll, Wm. Haige, Lasse Cock,
Wm. Clayton, Ja: Harrison, Jno. Simcox,
Jno. Hilliard, Edm' Cantwell, Wm. Biles,
Wm. Clarke,
Adjourned till three of ye Clock afternoon.

POST MERIDIEM.

The Speaker wth two of the members of the Assembly, attended the Gov't and Council wth several Bills that were sent up to them, after wth the Gov't & Councill desired a Conference with the whole House & Freemen, about the Charter, and then the Question being asked by the Gov't whether they would have the old Charter or a new one, they unanimously desired there might be a new one, wth the amendm't put into a Law, wth is past.

The Petione of Nathaniel Allen was read, shewing that he had sold a Serv't to Henry Bowman, for Six hundred weight of beefe, wth ye hide & Tallow, & Six pounds sterl., which ye said Bowman delayed to pay ye said Petitioner, shewing likewise that ye said Henry Bowman & Walter Humphrey, hired a boat of the st Petitioner only for one month, & kept ye same boat 18 weeks from ye petitioner, to his great prejudice; then it was ordered ye Wm. Clarke, John Simcox & James Harrison, should speak to Henry Bowman concerning this matter.
The Petition of Jno. James, Timothy Metcalf & Tho. Lincey, Mariners, belonging to the Friends Adventure, was read, shewing that the Mr. of said ship deny'd to pay them their wages, being demanded according to contract made with them in England.

Ordered that John Tost, high Sheriff of this County, bring the said Petitioners before the Gov'r and Council to-morrow at Eight of y'e Clock in the morning.

Adjourned till 21st 1st Mo., 83.

At a Councill held at Philadelphia y'21st of y'1st Mo., 1683.

PRESENT:

Wm. Penn, propriet' y & Gov' of Pensilvania & Counties annexed.
Jno. Simcox, Jno. Hilliard, Wm. Haige,
Jam: Harison, Chris. Taylor, Edm's Cantwell,
Capt. Tho. Holmes, Wm. Biles, Lasse Cock,
John Moll, Fran. Whitwell, Wm. Clarke,
Jno. Richardson,

The Seamen belonging to y'e Friends Adventure, viz': Jno. James, Timothy Metcalf and Thomas Lincey, were brought before the Gov'r & Council, & were ordered for a tryall before them.

The Petition of Jno. James for himself & in behalf of y' rest of y'said Ships Comp'y being read, requesting y'they might be putt in ca-pacity to address to y's Gov'r & Council, It was ordered they shall have a hearing, & vpon the hearing, it was Ordered by the Gov'r & Council, that the Seamen should bring vp the goods Left at Uppland to Philadelphia, & y'then the Gov'r and Council will take care to or-der that y'said Seamen be paid their wages.

Whereas, Edward Southerin is returned to serve in P. Councill for Sussex County, & that he hath not yet made his appearance to pforme that Service, It is ordered by the Gov'r & Council that he give his attendance forthw'm in Councill att Philadelphia.

Comities for proposing several Bills:
Jno. Simcox, Wm. Haige,
Wm. Clark, Edm's Cantwell,

To whom it is referred to propose Bills concerning Rules of County Courts.
Bills of Exchange protested.
Possessions.
Publique affairs.
Sailors Wracks.
Act of Oblivion.
Scoulads.

Capt. Tho. Holmes, Wm. Biles, Wm. Clayton, Jno. Richardson,

To whom it is referred to propose Bills Concerning:
To arrest Goods in case of Danger.
PROVINCIAL COUNCIL.

Limits of Courts in Criminal Causes.
Justices of the Peace to Marry People.
How far Extent & Adm are obliged to proceed, & how to pay.
Publique houses to credit no Varedsent for above 20° or else to loose it.
Not to remove his Neighbour’s Landmark.
Punishm for those y shall presume to alter their Neighbours Eare or Brand Mark.

James Harrison, Christo. Taylor, Jno. Moll.
Francis Whitwell, Jno. Hilliard,

To whom is referred to propose Bills for:
Hoggs to be Ringed.
Coroners to be established in each County.
Servants without Indentures to be judged w shall be allowed them att y Epiration of their times.
How to bind any over to the Peace.
Twice a year a Grand Jury.

Capt. Lasse Cock, desiring Leave of the Govr and Councill, to go about y Societies’ business, Leave was granted him.
Adjoined till four of y Clock in y afternoon.

POST MERIDIEM.

Griffith Jones and Thomas Fitchwater, came wth a written Message from the House of Assembly, Containing the thankful acknowledgm of y House to y Govr for his kind Speech to them yesterday, gratefully embracing his Offers, proposing what they desired might inserted in the Charter. The several Committees appointed to meet at Several Places.
Adjoined till 22d 1st Mo. 83.

Att a Councill held at Philadelphia y 22d of y 1st Mo. 1683.

PRESENT:

Wm. PENN, prop’ty & Govern’ of Pensylvania and Countys annexed.

Capt. Wm. Markham, Jno. Hilliard, Edm’t Cantwell,
Capt. Tho: Holmes, Wm. Clayton, Jno. Simcox,
Christo. Taylor, Wm. Clarke, Jno. Richardson,
Jam: Hanson, Wm. Haige, Fran. Whitwell.
Wm. Biles, Jno. Moll,

The Several Committees brought in their Bills to the Councill to be considered of. Wm. Haige & Capt. Edm’t Cantwell desired Leave for some time to go about their business, wth was granted them.
Several Bills relating to several Matters, carried by John Moll and James Harrison to the Assembly, by Order of the Govern’ & Councill.
Adjoined till 23d 1st Mo. 1683.
MINUTES OF THE

At a Councill held at Philadelphia ye 29th of ye 1st Mo., 1683.

PRESENT:

Wm. PENN, Propriety and Govern't of Pensilvania & Counties annexed.

Capt. Wm. Markham, James Harison, Wm. Clayton,
Capt. Tho: Holmes, Wm. Haige, Wm. Biles,
Christo: Taylor, Jno. Moll, Jno. Richardson,
Wm. Clarke, Jno. Hilliard, Jno. Simcox,
Fran: Whitwell,

Several Bills relating to carried by Tho: Holmes to the Assembly, by ord' of ye Gov' and Councill.

The Law of Weights referred.
The Question was asked in Councill whether Peace Makers should sitt once a month.

It was proposed what should be the punishm' of Manslaughter.

Ordered that the Seal of Philadelphia be the Anchor;
of the County of Bucks a Tree and Vine;
of the County of Chester a Plow;
of the County of New Castle a Castle;
of the County of Kent three ears of Indian Corn;
of the County of Sussex one Wheat Sheaf.

Adjourned till 4 Clock in ye 2nd Afternoon.

POST MERIDIEM.

Several Bills relating to sent by Order of the Govern' & Councill to ye Assembly by Thomas Holmes and Wm. Clark.

Bills relating to Weights and Measures sent by Order of the Govern' & Councill to ye Assembly by Wm. Clayton & Jno. Hilliard.

Adjourned till 24th 1st Mo., 1683.

At a Councill held at Philadelphia ye 24th of 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop'ry and Govern' of Pensilvania and Countys Annexed.

Capt. Tho: Holmes, Chr. Taylor, Capt. Wm. Markham,
Wm. Haige, Jam. Harrison, Wm. Clarke,
Jno. Simcox, Jno. Richardson, Fran: Whitwell,
Jno. Moll,

A Debate was held concerning Marriage, and Parents Disposing of Estates.

Wm. Haige desiring Leave to go about the Societies' business, it was granted him.

Several Bills relating to carried by Order of Gov' & Councill to the Assembly by James Harrison and Christopher Taylor.
A Petieon of Jno. Tost for y$ paym$ of 120£ ster$ due from Griffith Jones being read, Ordered y$ James Harrison & Wm. Clarke this afternoon take up & make an end of the business.

A Petieon of Charles Pickering read.
Ordered he shall be heard the 26 Instant in y$ afternoon.
Several Bills ordered by the Govern'$ & Councill to be carried to the Assembly by Wm. Biles and Jno. Richardsqn.
Adjourned till 26th 1 Mo., 83.

At a Councill held at Philadelphia y$ 26th. 1st 1683.

PRESENT:
Wm. PENN, Prop'y & Govern' of Pensilvania and Countys Annexed.
Capt. Wm. Markham, Wm. Clarke, Jno. Hilliard,
Wm. Haige, Capt. Tho. Holmes, Jno. Moll,
Wm. Biles, Jno. Simcox, Jno. Richardson,
Wm. Clayton, James Harison, Francis Whitwell.
Chr. Taylor,
Ordered in Councill that Jno. Moll, Wm. Haige, Wm. Clarke, be a Committee to bring their report to morrow morning of the Fees of Officers belonging to y$ Custom house.
Ordered in Councill that Wm. Biles, Francis Whitwell & James Harrison do consider of y$ Dutys and fees of Coroners, and make their Report To morrow morning.
The Speaker with Three Members, came to this house with Several Bills.
The Councill ordered a Conference to be had w'b y$ whole house of Assembly concerning some amendments this afternoon.
A Conference held in Councill concerning the Petieon from the Assembly relating to Fishing, Fowling, Mines, Quarries, and Minernally.
Christopher Taylor & Jno. Moll ordered by Govern'$ and Councill to carry y$ old Laws to y$ Assembly for them to look over.
Adjourned till 27 1 Mo., 83.

At a Councill held at Philadelphia y$ 27th 1st Mo., 1683.

PRESENT:
Wm. PENN, Prop'y and Govern' of Pensilvania & Countys Annexed.
Capt Tho. Holmes, Jno. Hilliard, Wm. Biles,
Jno. Moll, James Harrison, Jno. Richardson,
Wm. Clarke, Jno. Simcox, Capt. Wm. Markham,
Wm. Haige, Wm. Clayton, Christo. Taylor,
Fan. Whitwell,
MINUTES OF THE

John Moll and Thomas Holmes ordered by the Govern'r and Council to go to the Assembly to have a Conference about the Amendments.

Wm. Haige and James Whitwell ordered by the Govern'r and Council to carry several Bills to the Assembly relating to Mariners, and a bill to give every prov'd Council Man 3° p day, & each Assembly man 2° 6° p Day, &c.

Adjourned for two hower.

POST MERIDIEM.

The Governour and Council being sett, Capt. Wm. Markham desir'd leave to be absent a small time, w'd was granted him.

It being putt to the Question whether the 19th Article should be Inserted in the Charter, was past in the negative.

It being putt to y'Question whether those words in y' 17th Article of y' Charter: That after the Death of the present Govern'r the Gov' & Council should begin y' said Article, It was Resolved in y' affirmative.

It being proposed whether the Charter should be transcribed, It was resolved in the affirmative.

Ordered by the Govern' and Council that Thomas Holmes, Wm. Clark, John Moll, Jno. Simcox and Christopher Taylor, do consider the amendment of the Charter, and give a report concerning the same To-Morrow.

Adjourned till 28th 1st Mon., 83.

At a Councill held at Philadelphia y' 28th 1st Mo., 1683.

PRESENT:

Wm. PENN, Prop'r & Govern'r of Pensilvania & Countys annexed.
Capt. Wm. Markham, Jno. Hilliard, Wm. Biles,
Capt. Tho. Holmes, Wm. Haige, Christo. Taylor,
Wm. Clark, Jno. Simcox, Fran. Whitwell,
James Harrison, Jno. Moll, Jno. Richardson.

The business of Charles Pickering & Walls, Seamen, was this Day heard before y' Govern'r & Council, & it was their opinion that y' Seamen, excepting one of them, namely, John James, had done their duty.

Capt. Wm. Markham and Christopher Taylor ordered by Govern'r and Council to carry to y' Assembly several Bills relating to.

Timothy Metcalf ordered to pay 5° for being disordered in Drink.
The Speaker wth several other members, brought several bills to this board.

The Govern' & Council were pleased to inspect the fees.

& Adjourned till 29th 1 Mo., 83.
At a Council held at Philadelphia ye 29th 1st Mo., 1683.

**PRESENT:**

Wm. PENN, Prop'y and Govern'r of Pensilvania & Countys annexed
Capt. Wm. Markham, Jno. Hilliard,   Fran. Whitwell,
James Harison,    Jno. Simcox,     Wm. Biles,
Christo. Taylor,  Wm. Clayton,     Jno. Richardson,

James Harrison and Christo. Taylor ordered to go to the Assembly to have a Conference concerning the Bills of the ffees of this province, &c.

A Conference is had viz':
All Ships and Vessells vnder 10 Tunns & those that belong to this River, to pay no fees.
The Question was proposed by the Govern'r whether Offices should continue for Life which are named by the Govern'r; Carried in the Negative.
Also whether the Govern'r that now is, shall chuse his officers during his life; Carried in the Affirmative.
The Question was putt whether the justices of the Peace, Sheriffs, & Constables, should be appointed by the Govern'r during his life; Carried in the Affirmative.
The Question was putt whether the Govern'r should chuse officers during his Life, and afterwards according to Charter; Carried in the Affirmative.
The Question was whether there should be a Committee to draw up the Charter with amendments; past in the affirmative.

The Committee of the Council, out of each County one:
John Moll, New Castle County,
Fran. Whitwell, Kent County,
Wm. Clarke, Sussex County,
Jam: Harrison, Bucks County,
Wm. Clayton, Chester County,
Tho. Holmes, Philadelphia County.

The Committee of the Assembly:
James Walliams, New Castle.
Benony Bishop, Kent.
Thomas Fitchwater, Bucks.
Dennis Rochford, Chester.
Thomas Wynne, Speaker, Philadelphia.

Agreed to sitt upon the Charter this afternoon, att 6 of the Clock.
A meeting of the generall Suryr & Purchasers, appointed to be held to-morrow in the evening, about the Fees of Surveying, both to be held at the Council Chamber.
Adjourned till 30th 1st Mo., 83.
MINUTES OF THE

At a Council held at Philadelphia ye 30th 1st Mo., 1663.

PRESENT:

Wm. PENN, Prop'y and Govern' of Pensilvania and Countyes annexed.

John Moll, Capt. Wm. Markham, Jno. Richardson,
Christo. Taylor, Wm. Haige, Wm. Clayton,
Wm. Clarke, Jam: Harison, Jno. Simcox,
Jno. Hilliard, Francis Whitwell, Wm. Biles.
Thomas Holmes,

John Moll & James Harrison ordered by the Govern' & Council to carry Several Bills to the Assembly.

The Question putt by the Governour, whether or no the old Charter shall serve with amendments, or a new one drawn. Agreed it should be drawn again and the amendments putt in.

The Speaker w's some other members, brought Several Bills to the Council.

Adjourned till 3 in ye afternoon.

POST MERIDIEM.

A Committee ordered to prepare the Charter by 8 of ye Clock to morrow morning, being John Moll, James Harrison, Jno. Simcox, Thomas Holmes and Wm. Clarke.

Putt to the Vote, as many as are of opinion that a Publick Tax upon Land ought to be Raised, to defray the Publick Charge, say Yea. carried in the affirmative—none dissenting.

Jno. Moll, Wm. Clayton, John Hilliard, Jno. Richardson & Francis Whitwell, appointed for a Committee to bring in ye Charge of ye Province.

Adjourned till ye 31 1st Mo., 83.

At a Council held at Philadelphia ye 31st 1st Mo., 1663.

PRESENT:

Wm. PENN, proprietor and Gov' of Pensilvania and Countyes annexed.

James Harrison, Wm. Clayton, fran. Whitwell,
Jno. Moll, Jno. Hilliard, Jno. Simcox,
Wm. Haige, Wm. Biles, Chris. Taylor,
Wm. Markham, Thomas Holmes, Jno. Richardson.
Wm. Clark,

James Harrison & Jno. Symcock, ordered by ye Gov' and Council, to Carrie several Bills to ye Assembly relating to.

Wm. Haige desires Leave to be absent for some time. Leave is granted him.

The Speaker attends this house with several Bills.

Adjourned till 3 of ye Clock in ye Afternoone.
PROVINCIAL COUNCIL.

POST MERIDIEM.

The Speaker came downe this afternoone wth y° whole house to hear the Charter read, wth was soe done.

The Govr proposed whether they would have y° 500 Members Stand in this New Charter, or have it altered that only two hundred should be y° greatest number. The Last was past in y° Negative.

The Question was put whether they would y° Clark wth y° Char-
ter to iuoloe it, agreed Nemine Contradisente.

Capt. Wm. Markham, Jno, Richardson, James Harrison,
Chris. Taylor, ffrran. Whitwell, John Hilliard,
Jno. Symcock, Wm. Haige, Wm. Biles,
Wm. Clayton, Wm. Clark,

The Govr and these Memb° of Counciill, wth y° Whole Assembly being psent, The Bills were read and past into Laws, Nemine Contra-
disente.

Adjourned till y° 2d 2d Mo., 83.

At a Counciill held at Philadelphia y° 2d 2d Mo., 1683.

PRESENT:

WM. PENN, Pro° and Govr of Pennsilvania and Countyes Annexed.

Capt. Wm. Markham, John Moll, ffrran. Whitwell,
Tho. Holmes, Wm. Haige, Jno. Hilliard,
Christ: Taylor, Wm. Clarke, Jno. Richardson,
Ja: Harrison, Wm. Biles, Wm. Clayton.
Jno. Symcock,

The Speaker, with two of ye Members of y° Assembly, brought downe a Petition to y° Governor.

Tho. Holmes, John Moll, John Hilliard and Wm. Haige, were sent by y° Govr & Counciill with several Bills to y° Assembly.

Wm. Clark sent wth Several Bills to y° Assembly.

James Harrison & Christ: Taylor Sent by y° Govr & Counciill with several Bills to y° Assembly.

Jno.Symcock Brought several Bills from y° House.

The Speaker, with two other members of y° Assembly, Wayted on y° Counciill with several Bills.

Two of y° Members of y° Assembly wayted on y° Counciill with a Message Concerning y° Bill of Cleaning of Corne, wth being put to y° Vote, was Carried in y° Affirmative.

John Symcock, Jno. Richardson, ffrran. Whitwell, Wm. Haige & Wm. Biles, were sent by y° Govr & Counciill with several Bills to y° Assembly. John Symcock & Ja: Harrison, sent Likewise with several Bills.

Adjourned till 3 of y° Clock, Afternoone.
MINUTES OF THE:

POST MERIDIEM.

The Same Members Present.

The Speaker with ye whole house came to ye Councill to heare severall Bills read and Passed in to Laws, wth was accordingly done. Consideration arising whether ye Govr three Voyces should stand in Prov Council as by ye old Charter, the Question was put, all yee that are willing ye the last proposition should stand so as it is, say yee. The Question being put twice, was Carried in the Affirmative.

The Great Charter of this Province was this night* read, signed, Sealed & Delivered by ye Govr to ye Inhabitants, and received by ye hands of James Harrison and ye Speaker, who were Ordered to returne ye Old one wth ye hearty thanks of ye whole house; which accordingly they did. Edm'd Cantwell, Lasse Cock, Ralph Wethers, Jno. Rouds & Edward Southern, these members of ye Councill were absent.

The Question was put whether Skins should be prohibited; Carried in the Negative.

Also, if they would have an Imposition laid upon them; past in the Affirmative.

Adjourned till ye 3d 2d Mo. 83.

At a Councill held at Philadelphia the 3d of ye 2d month, 1683.

PRESENT:

Wm. PENN, Prop' & Govr of Pennsilvania and Countyes Annexed.

Wm. Markham, Jno. Richardson, Jno. Hilliard,

Tho: Holmes, John Symcock, Wm. Haige,

Chr. Taylor, James Harrison, John Moll,

Wm. Clark, Wm. Biles, Ralph Withers.

Wm. Clayton, fran: Whitwell,

It was proposed That no fellons be brought in to this Contrey.

An Other Concerning money or Pieces of Eight.

An Other Concerning Apprentices that runn away from their masters without Certificate, should not be Entertained, and Being put to ye Vote; was Carried in ye Affirmative, that they may be brought in.

The Question was put whether ye Law that is past shall stand without Altering; Carried in ye Negative.

The Question was put whether Pieces of Eight should goe by weight; Carried in ye Negative.

A Supplym' to ye Bill of Money, was put to ye Vote whether it should be added. Past in the Affermative.

The Question was put whether they would have a Seal to ye Laws of ye Province made Every Sessions. Carried in the Affermative.

The Question being put if the Clark of the Councill should Indorse

*April 2d, 1683.
the Consent of ye Councell on ye Laws Every Session. Carried in
the Affer: Neme Condradicente.

Also if ye Speaker should Indorse ye Consent of ye whole house of
Assembly. Carried in ye Affer: N. Con.

The Govr Adjourned ye Assembly till such time as he & ye Prov" Councill shall have occasion for them.

Adjourned till ye 4th 2d Mo. 83.

At a Councill held at Philadelphia ye 4th of ye 2d Mo., 1683.

PRESENT:

Wm. Penn, Prop' & Govr of ye Province of Pennsilvania and Coun-
tyes Annexed.

Wm. Haige, Wm. Clayton, Jno. Symcock,
Tho. Holmes, Jno. Richardson, Wm. Clarke.
Chr : Taylor, Ja : Harrison,

This day Charles Pickering's Business was tryed, and ye Seamen
are ordered to have 6 month pay and 5lb. given them over & above.

The Govr Orders that these members of ye Council attend him.

Tho : Holmes, 3 year men.
Chr : Taylor, 
Edm" Cantwell, 2 year men.
Edw" Southern, 
Wm. Clayton, Jno. Richardson, 1 year men.

Adjourned till ye 2d of ye 3d Mo., 83.

At a Councill held at Lewis, the 2d day of the 3d Mo., 1683.

PRESENT:

Wm. Penn, Prop' and Govr of ye Province of Pennsilvania and
Countyes annexed.

Capt. Wm. Markham, ffr: Whitwell, Jno. Hilliard,
Wm. Clark, John Symcock, Edw" Southern.

The Govr Informed the Councill that he hath made Choyce of
Nich: Moore to be Secretary of ye Prov" Councill, and Capt. Wm.
Markham & Jno. Symcock were Ordered to desire ye said Nich: Moore to appear before the said Prov" Councill; where he took
place as Secretary.

The Councill adjourned till ye 23d 3d Mo.
At a Council held at Philadelphia ye 23d 3d Mo., 1683.

Present:

Wm. PENN, Prop' and Gov' of ye Province of Pennsylmania and Countyes annexed,

Chri: Taylor, Ja: Harrison, Jno. Symcock,
Wm. Clark, Lasse Cock, Wm. Haigue.
Ralph Withers,

It was Proposed to have an attested Copy of ye Laws Printed. After some debate ye Gov' put ye Question, & it was carried in ye Negative, they should not be printed.

It was then moved ye an attested Copy under ye Secretary's hand, should be transmitted to ye Presid' & Clark of each respective County, for ye People to have ye course to for their information, & that ye people may have coppys of ye Copy from ye Presid' or Clark, so as it be attested by two Justices as authentick. After a short debate ye Gov' putt ye Question, all ye are of opinion that a Copy of ye Laws under ye Secretary's hand shall be Sent to ye Presid' or Clark of each County Court, & Coppys of them taken by ye People attested by two Justices of ye peace, say yee.

Past in the Affirmative.

Ordered ye Coppys be sent & allowed to be taken from ye Secretary's Copy, it being first approved by ye Court & attested before two Justices of ye Peace under ye County Seal.

The Gov' Orders this Council to attend him during the Lt Baltesmore's Stay in these parts, Considering ye past occasion.

Ralph Withers desires Leave to goe home. Leave is granted him prided he returne when ye Lord Baltemore comes.

The disorder in publick houses being Complayned of, it was proposed by the Gov' all that are of opinion that two persons should be assistants to two Justices of ye Peace, to see good Orders kept, say yee.

Past in ye Affirmative.

All that are of opinion that Benja. Chambers and Henry Lewis be the men, say yee.

Past in the Affirmative.

All that are of opinion ye there should be a Proclamation Issued out to this effect, that no person should deal with any Servant for goods or Money, Either for themselves or others, say yee.

Past in the Affirmative.

Adjourned till ye 24th of ye 3d Mo., 63.

At a Council held at Philadelphia ye 24th of the 3d Month, 1683.

Present:

Wm. PENN, Prop' and Gov' of ye Province of Pennsylmania and Countyes annexed.

Wm. Clark, Ja: Harrison, Chr: Taylor.
Jno. Symcock,

The Council met according to adjournm' and Adjourned till ye 6th of ye 4th Mo.
At a Councill held at Philadelphia ye 6th of ye 4th Mo., 1683.

PRESENT:

WM. PENN, Prop' and Gov' of ye Province of Pennsilvania and Counties annexed.

Ralph Withers, Wm. Clark, Tho: Holmes.
Chr: Taylor, Wm. Haigue, Lasse Cock.

A Debate was held Concerning Lett' Sent from East Jarsely to England, whereupon, Rob' Stacey was call'd in, and he saith that if this Councill would be pleased to make their Complaint, that ye people of East Jarsely will make them all ye Satisfaction that can possibly be given.

Whereupon, James Harrison, Chris. Taylor & Tho. Holmes, were Deputed by Gov' Penn, to goe to East Jarsely and Comunicated to ye Gov' & Councill, their Certaine passages written to England, by some of their Province, as Injurious to the Welfare and Prosperity of this.

Adjourned till ye 8th day 4th Mo., 83.

At a Councill held at Philadelphia ye 8th of ye 4th Mo., 1683.

PRESENT:

WM. PENN, Prop' and Gov'.
Tho: Holmes, Ralph Withers, Wm. Clarke.
Chr: Taylor,

Richard Noble's Petition was read: Ordered ye his Case be heard & Tryed before this board ye 20th day of this instant, and ye he give Abr. Man his Exceptions 10 days before the Tryall. Abr. Man being psent they both agreed to stand Tryall.

Adjourned till ye 9th of ye 4th Mo., 83.

At a Councill held at Philadelphia ye 9th of ye 4th Mo., 1683.

PRESENT:

WM. PENN, Prop' and Gov'.
Tho. Holmes, Ralph Withers, Lasse Cock.
Wm. Clark, Chr: Taylor,

The Case of Nicho: Bartlett being againe Considered, it was not thought fit that any Letter should be sent into Kent County.

Nich. Bartlett's Petition was read at this Board. Ordered that fran. Whitwell Should be sent unto, to come and answer to Nich. Bartlett's Petition & Declaration, and ye a Copy thereof be sent unto him, and ye he appear before ye Gov' & Prov' Councill ye 25 Instant.

Ordered that Summonses be Issued out for Bartlet's Witnesses.
The Gov'n put y' Question whether a Solemn Proclamation might not be Convenient to goe a long with y's Laws Concerning Ordinaries Keep-
ing unseasonable Hours and selling of Rum.

Also, a Proclamation that Constables in this Citty should goe to publick houses to see good Ord'n kept, and y' people should not stay longer at an ordinary then such an hour.

Wm. Clark moveing in Councill for a Day Certaine for y's hearing of an apeal between Jno. Bellamy and Luke Watsson, It was Or-
dered y' it should be heard y's 4th of y's 5th month.

Wm. Clark desiring Leave to goe home, Liberty was granted him till further Order, and then Adjourned till 3 of the Clock afternoone.

POST MERIDIEM.

The Gov'n and Councill being mett,

They Ordered that two Proclamacons should be issued out, one strictly to put y's Laws in Execution, & y's Other to suppress y's Dis-
orders in all Publick houses. Also, the Magistrates were sent for and Charged in Order to the same.

Adjourned till y's 11th of y's 4th Mo., 83.

At a Councill held at Philadelphia y's 11th of y's 4th month, 1683.

PRESENT:

Wm. PENN, Prop' and Gov.'


The members of y's Councill being not returned which went to West Jersye, the Gov'n was pleased to prolong y's adjournm't till y's 20th of y's 4th Mo., 83.

At a Councill held at Philadelphia y's 20th 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.

Chr: Taylor, Tho: Holmes, Ralph Withers,

Edm'. Cantwell, Jno. Symcock, Wm. Clayton.

Richard Noble, Pl: on an apeal, Abra. Man, Def'.

The Jugem' of y's County Court against Richard Noble was reade, w'h the reason of y's apeale, and seoe they proceeded to Tryall.

But for as much as y's apeal of Rich' Noble before this board, is upon a Jugem' given by y's County Court of Philadelphia, Concern-
ing a Title of Land in y's County of Bucks, and that y's Law saith That all Causes shall be first Tried where they arise. It is y's Opinion of this board that y's apeal Lyes not Legally nor regularly before us, and therefore doe refer y's Business to the proper County Court,
PROVINCIAL COUNCIL.

and doe fine ye County Court of Philadelphia forty pounds for giving ye said Judgment against Law.
Adjourned till ye 26th 4th month, 83.

At a Councill held at Philadelphia ye 26th of ye 4th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Tho. Holmes, Wm. Clayton, John Symcock,
Lasse Cock.

Nich. Bartlet, Plan't upon an apeal, sir Francis Whitwell, Def', proceeded to Tryall.
Tho: Grones being attested, declares that fran. Whitwell pretended to doe Bartlet a Kindness in ye' apraisim' of his goods, but afterwards would not, but much to his disadvantage.
Peter Gronendick being attested, declare That Whitwell promised not to take away any of ye' goods of Nich. Bartlet's.
Tho. Williams Being attested, declares ye' same.
Several more things being alledged on both sides.
The Gov' & Councill Considering the hole matter betwixt the Plan' & Def', doe think the appraisim' is under Valued, and therefore do give it to be their Opinion that ye' Plaintif' is wronged, And therefore doe Order ye' Defend' to pay to ye' Plaintif' within six Weeks time three Cows and Calves, between four and seaven years old. Also Ordered,
That they pay the Witnisses Charges between them.
Adjourned till ye' 4th 5th Mo., 83.

At a Councill held at Philadelphia ye' 4th of ye' 5th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Capt. Wm. Markham, Wm. Clark, Tho. Holmes,
James Harrison, Chr: Taylor, Jno. Roads.
John Symcock,

John Bellamy, Plan't upon an apeal; Luke Wattson, Defen'.
The Copy of ye' Order of Court for an appeal was read, also ye' Judgm' of Court in Sussex County.
The Defend' answers by his Letters and Survey, w' Other Letters & papers in pursuance of Capt. Cantwell's grannt.
The Plaintif' Questions Cantwell's Authority, & Saith the Gov' of York Tore the Defend's Pattent, for its being for so much as three thousand acres; The Proposeth whether the Title of the Defendants Prior in Date be sufficient; if soe ye' Plaintif is Void.
MINUTES OF THE

Offered by the Gov'r and Councill to the Def'r, that if they could Produce any Patent, or Certificate of a Patent, they should have time given them by this board; Which was refused by the Defend'r and his attourney, Abr: Man.

Upon the hearing and Debateing of ye Whole matter between Jno. Bellamy, Plan', & Luke Watson, Def'r, upon an appeal from Sussex Court, This Board Unanimously agree in Judgm' for the Plan' w' th forty Shillings DAMAGES and Costs of Suite, for that it doth not appear that Capt. Henry Smith, under whom the Def' CLAIMES, hath any Claim in Law or Equity for any Land upon prime hooke, and it is hereby Ordered that ye Plan' shall pay to the Defend'r for his Improvement he hath made what shall be adjudged the true value thereof by three Comiss' of Valuation appointed by this board, to Witt: Jno. Roads, Rob' Brassy and Alexandre Draper, of ye's County, or any two of them. One half to be payd by ye 20th day of ye next ninth month, and ye' other half by the 20th day of ye' ninth month, which shall be in ye' year 1684, and that the Defend'r have four months time from ye Date hereof to take away his Cropp and Stock, and other Movables Concernes.

Appointed that there be an Order sent downe to ye Comiss' about John Bellamy's & Luke Wattson's Business.

Adjourned till ye 1st 6th Mo., 83.

At a Councill held at Philadelphia ye 1st of ye 6th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Lasse Cock, Chris: Taylor,

That 'tis thought fit the Care of Magistrates, that due provision be made for the Sustenance of the People, and though our Provisions are but small, yet that there may be Care taken Every One may partake.

Adjourned to ye 16th 6th Mo., 83.

At a Councill held at Philadelphia ye 16th of the 6th month, 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Capt. Wm. Markham, Tho. Holmes, Chr: Taylor,

A Complaint was read against Griffith Jones, it was left to ye Court of Philadelphia to deside, he giving Security.

Griff. Jones & Chr: Taylor obligeth themselves in five hundred pounds penalty, to appear ye' next Sessions to be held in ye' st County.

Adjourned till ye 22nd 6th Mo., 1683.
PROVINCIAL COUNCIL.

At a Councill held at Philadelphia y° 22th of y° 6th month, 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Capt. Wm. Markham, Wm. Clark, Nich. Moore, Secre.
Chris. Taylor, Tho. Holmes,

Ordered that a Proclamation should be Issued out for y° Counciell and Assembly to Sitt y° 24 of the 8th Mo., 83.

Wm. Clark desired leave to goe home; Also to be Excused from coming to the next Genall Assembly, he having had 'a Long Journey into Maryland for the Publick Service. His request was accordingly granted him.

Adjourned till 29th 6th month, 83.

At a Council held at Philadelphia y° 29th of y° 6th month, 83.

PRESENT:

Wm. PENN, Prop' and Gov'.
John Symcock, Wm. Clayton,

The Gov' put y° Question whether a Proclamation were not Convenient to be put forth for to Impower Masters to Chastise their Servants, and to punish any y° shall Inveyle any Servant to goe from his Master. They Unanimously agreed and Ord' it accordingly.

Adjourned to y° 7th 7th Mo., 83.

At a Council held at Philadelphia y° 7th of y° 7th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Edmond Cantwell, Edw° Southern, John Roads,
Lasse Cock, Tho. Holmes, John Hilliard,
Sfran. Whitwell, John Symcock, Wm. Biles,

The Petition of Hugh March and Other Persons against James Kilner, M° of the Levee of Leverpoole, was read, and y° Counciell proceeded to Examine into y° Business.

Hugh March Comp° Saith y° M° James Kilner Trode upon him on board the Ship, whereupon, he said Dam it, cannot the man see! for which y° M° beat him and made his mouth bleed.

James Kilner Confesses he being in a Storme, trode on him by chance, and y° Other Daming of him and calling him boole, Caused him to Cuff him.

John Fox complaineth against James Kilner, and Saith he bid him
cleane the Deck, he answered it was cleane already, whereupon, y*e Master beat him.

James Kilner answered that one night he Spake to Jno. fox to cleane y*e Deck, who said he would not, and also gave him y*e Lie, whereupon, y*e M* Struck him.

Edward Jones saith he drew some Water, and afterwards The M* seeing y*e hhd of water open, fell upon y*e s* Jones, and beat him with a staff and made his nose bleed, and afterwards drew him by y*e hair of the head to the Mainmast, kickt him on the side, and run his fingers up his nose.

James Kilner answereth y* he asked y*e said Jones why he lett y*e water run at wast, who said he did not let it run at wast, and gave him y*e like and other ill words, whereupon y*e M* struck him.

Nich. Newtin declareth between both, that there was a Caske w*th wanted a pegg, That was almost out, and y*e Master spake to Edw* Jones to put a pegg into it, which he did, but still it run out, whereupon the M* struck him several Blows.

Adjourned till y*e 8* 7* Mo. 83.

At a Counciell held at Philadelphia y*e 8* of y*e 7* Mo. 1683.

Present:

Wm. PENN, Prop' and Gov'.
Chr: Taylor, Jno. Symcock, Jam. Harrison,
Tho: Holmes, Wm. Clayton, ffra. Whitwell,
Jno. Roads, Wm. Biles, Jno. Hilliard,
Lasse Cock, Edw* Southern, Edm* Cantwell.

The Gov* proposes a Law to be drawn, That Servants which run away should serve five days for Every days absence after y*e time of their Servitude, & pay the Costs and damages the Master shall Sustaine by their absence.

The Gov* Stating y*e Question, it was Carried in y*e Affirmative, N.C.
Capt. Edm* Cantwell, Wm. Biles, Jno. Symcock & Jno. Roads appointed a Committee to bring in a Bill concerning horses going out and coming into this Province.

Wm. Shute's Petition Concerning his Son, detained by Denis Rocheford, was read; he is referred to the County Court.

The Committee brought in these following Bills, Viz* : one Concerning Importation of horses; and one for Exportation of horses; both which were read.

Phillipp England made his Complaint against James Kilner, who de-nyeth all alledged against him, only y*e Kicking of the maid, and that was for Spilling a Chamber Pott upon y*e Deck; otherways he was Very Kind to them.

Georg eGreen Saith that Phillipp England went to Said Kilner to the overplus Water, also Beer, which was his own, and was denied it.

Tho. Brinket Saith that James Kilner said he must take care of
their Water, having but a Little Left, but never denied them water at any Time.
Also ye Ship rouled sometimes when ye Caske was almost out, and soe made it Like pudle. He further saith ye Seamen drunk more of ye Passengers beer then they themselves, and changed 5 Barrells of ye Passengers beere and then the had not performed halfe their Voige, and the Ship beer being spent, drank wholly of the Passing*; he also saith ye Seamen drunk some times one Cann, some times two a day, more then ye Passengers that owed the drinke. The Master saith the Passengers Left the Ordering of the Drink to him, but they deny it.
The Gov' gave the Master a Repremand and advised him to goe w^th the Passengers and make up the Buisness, w^th accordingly he did.

Adjourned till ye 10th 7th Mo., 83.

At a Council hold at Philadelphia ye 10th of the 7th Mo., 1683.

PRESENT:
WM. PENN, Prop' and Gov'.
Tho. Holmes, Jno. Symcock, Edwd Southrin,
Chr: Taylor, Wm. Biles, Wm. Clayton,
Edm' Cantwell, ffr: Whitwell, Lasse Cock,
James Harrison, Jno. Hilliard,

The Petition of Peter Groenendick, desiring a Speciall Court, was read. Francis Whitwell answerd that being there ought to be a Court Every two months. Only he would not answer to a Speciall Court, there being no Jury to Try it. It is the result of this board that noe more Speciall Court shall be granted.

A Bill was read Concerning Servants; past a first reading without Desent.
Tho. Holmes, Edm' Cantwell, James Harrison, Chris. Taylor, appointed a Comittee to draw Bills for Warrants, Bills, Bonds, repleanens, Sumonses and attachm' to be brought in ye afternoone.
A Bill Concerning Sumonsing of Jurys was read, & past a first reading without desent.
A Bill Concerning Justices Sitting in their own Cause upon an appeal, although a Prov' Councillor should Sitt in Prov' Councill upon that appeal, read; past the first reading without Desent.
A Bill Concerning bringing in of horses, past a second reading without Desent.
A Bill Concerning Carrieng of horses out of this Province, past a Second reading without Desent.
A Bill Concerning ye Privileges of Prov' Councill men, Assembly men, and Courts of Justice, past ye first reading without Desent.

POST MERIDIEM.
The Bills above said, w^th are six, were againe read a Second time & past without desent.
MINUTES OF THE

These Persons following, did Solemnly promise before this hon* board, faith and allegiance to y* King, & fidelity and Lawful Obe-
dience to Wm. Penn, Prop' & Governor.
Capt. Gabriell Rappe, Mr Andrew Learrin, Andrew Inbert, Petter
Meinardeau Uslee, Lees Cosard, Nich. Ribouleau, Jacob Raquier,
Louis Boumat.
Several Bills were brought by the Comittee Concerning Bonds,
bills, attachm* &c.
Which were read a first reading & past without Desent.
Adjourned till y* 11* 7* Mo., 83.

At a Councill held at Philadelphia y* 11* of y* 7* Mo., 1683.

PRESENT:

WM. PENN, Prop' and Gov'.
Edm* Cantwell, Jno. Halliard, James Harrison,
Edw* Southrin, Wm. Clayton, Tho. Holmes,
ffran. Whitwell, Wm. Biles, Jno. Symcock,

Several Bills Concerning Sumoneses, Bonds, Bills, attachm* &c.,
Others Concerning Sherrifs and makeing up of acc*, were read a
second time; past without Desent.
Whereas, there is a Petition preferred against francis Whitwell by
Peter Gronendick, fran: Whitwell, Complayning against s* Peter
Gronendick, They doe Joyntly agree to have y* Difference Tryed
before the Gov' and Councill the 26* 8* month next Ensuing.
A Bill ordered to be drawn for Clark's fees to be recovered; also
an Other for sitting up of Bouyes in the River & Bay.
Adjourned till the 12* 7* Mo., 83.

At a Councill held at Philadelphia the 12* of y* 7* Mo., 1683.

PRESENT:

WM. PENN, Prop' and Gov'.
Chris. Taylor, ffran. Whitwell, Wm. Biles,
Jam. Harrison, Jno. Hilliard, Edw* Southrin,
Tho. Holmes, Edm* Cantwell, John Road,

All the Before mentioned Laws were read a third time, & past w*
out Desent.
John Hill was attested to the Truth of these severall acc* and Bills,
w* are as followeth:

Due to Wm. fframpton, Viz*:
Phillip Morris, 561lb. Tobacco.
Dr. Contra Cr. L.
Diet & Storidg.

Digitized by Google
Wm. Emmitt, Dr. 686 lb. Tobacco.  Cr.  L.
  Indian Cor 26 Bus². 2½
Sam² Grey, Dr. 573 lb. pork, 393 lb. Tobac. & 2lb. 4s. 11 mony, Cr.
  557 lb. pork.
Wm. Keening, Dr. 30 lb. pork.  Cr.
Wm. Carter, Dr. 2 lb. 16, 8, 11 in mony, 112 lb. pork, Cr. Wheat
  1 lb. 10, 00.  Pork 130.
Luke Watson, Dr. 708½ lb. pork, 1367 lb.  \{ Cr. Tobacco 1113 lb
  Tobacco.
\{ mony 3 lb. 00, 00.
Balance due 379½ lb. 264 lb. 2.
Andrew Dewpree, Dr. to 17lb. 3½p. Indian Corn.  Cr.
Jno. Johnson, Dr. £ 0, 10, 6.  Cr. 0lb. 5She. 00.
Henry Skidmore, Dr. 1243 lb. pork, 350 lb. Tabaco.  Cr. 60 Tabac.
Jno. Oakey, Dr. 1, 1, 3½.  Cr.
Joseph Low, Dr. 452 lb. Tobacco.  Cr.
Roger Gom, Dr. 30 lb. Tabaco.  Cr.
Rich. Patty, 2 Bar²² Indian Corne,  Cr.
Wm. Bradford, Dr. 28 lb. porke,  Cr.  L.
Geo. Young 3 Bush. 2 pecks Wheat.  Cr.  L.
Jno. Brinklow, Dr. by ball. of acct 6 Janv 1682-3, 138 lb. pork,
  1200 lb. Tabaco.
Tho. Stretton, Dr. 140 lb. Tabaco.  Cr.  L.
Benony Bishop, Dr. 3682 lb. Tobacco.  Cr. 2700 lb. to Ball. 983 lb.
  Tob.
Edw³ Peck, 300 lb. pork, 1721 lb. Tob.  Cr. 1650 lb. Tob. to ball.
  300 lb. porke, 71 lb. Tobaco.
ffran. Whitwell, Dr. 32²³½ Tob.  Cr. 2180 lb. due to ball. 1043 lb.
  Tobac.
Jno. Roads, Dr. 781 lb. Tob.  Cr. 445 lb. Tob. due to ball. 334 lb. Tob.
Rob¹ Waker, Dr. 2408 lb. Tob.  Cr. 2240 lb. Tab. due to ball.
  168 lb. Tab.
Patrick Grady, Dr. 717 lb. Tab.  Cr. 450 lb. Tab. due to ball. 267
  Tabac.
Sam¹ Mott, 184 lb. Tob.  Cr.
Geo. Calling, 60 lb. Tob.  Cr.
Wm. Ellingsworth, 1219½ Tob.  Cr. 970 lb. Tob. due to ball. 249½
  Tob.
Wm. Shore, Dr. 494 lb. Tobac.  Cr. 345 lb. Tob. due to Ball. 149
  lb. Tob.
Dan² Soanes, Dr. 1058 lb. Tob.  Cr. 840 lb. Tobac.
James Smyth, Dr. 240 lb. Tob.  Cr.
Robert Bedwell, Dr. 240 lb. pork.  Cr. 180 lb. pork, due to Ball.
  60 lb. pork.
MINUTES OF THE

Tho. Williams, Dr. 1019 lb. pork, 4594 lb. Tob. Cr. 2344 lb. Tob. 500 lb. pork, Due to Ball. 519 lb. pork, 2250 lb. Tobac.
Lewis Johnson, Dr. 1756 lb. Toba. Cr. 1350 lb. Tabac, due to Ball. 406 lb.
Nath. Walker, Dr. 407 lb. Toba. Cr.
Wm. Trotter, Dr. 504 lb. Tobacco. Cr.
Henry Harman, Dr. 748 lb. Tobacco. Cr. for Corne rec'd, but know not how much to allow.
Tho. Kames, Dr. 2577 lb. Tob. Cr.
Tho. Hill, Dr. 650 lb. Tob. Cr. 400 lb. Tob. due to ball. 250 lb. Toba.
Jno. Curtis, Dr. 8500 lb. pork, 2819 lb. Tob. Cr. 2040 lb. pork, 265 lb. Tob., 1 anker Butter, to pork Peter Baucomb plumblet out of y^s boat, also 4 hhds. of Tob.; I forgot y^s weight.
Robert Braceys, Dr. 16 lb. Tobacco. Cr.
Edw* Warmer, Dr. 0 15s. 00d. Cr.
Wm. Darvall, Dr. 589 lb. pork, 5114 lb. Tob. Cr. 3840 lb. Tobac. due to ballance 589 lb. pork, 1274 lb. Tobaco.
Cha. Pickering, Dr. 500 lb. Tobaco. Cr.
County of Kent, Dr. to Salt porke, which y^s Sheriff, Peter Bawcoubm, took out of y^s boat, w^h he Suit* there was but 700 lb., but I cannot tell how much, for there was pork in y^s boat to y^s quantity of 2700 lb.
Tho. Hassald, Dr. 480 lb. Tob., Cr. 400 lb. due to ball 80 lb. Tob. James With, Dr. 2 lb., 5 s. 1 d., Cr.
Tho: Danis' bill for 530 foot plank.
Edw^s Southrins' Bill for 904 lb. porke.
Elitz: Roads' bill for 100 lb. porke.
Jna. Depreys' bill for 935 lb. porke.
Bap' Newcombs' bill for 212 lb. porke.
Wm. flutchers' bill for 5425 lb. porke, 1309 lb. Tobacco.
Jno. Streets' bill for 220 lb. pork.
Sarah Averys' bill for 3785 lb. pork.
Rob' Richards' bill for 70 lb. porke.
Rob' Jn'ssoms' bill for 300 lb. Tobaco.
Bryan Omelys' bill for 120 lb. Tobacco.
Geo: Martys' bill for 289 lb. Tobacco.
Wm. Dorringtons' Bill for 260 lbs. Tobacco.
Charles Morfey's bill for 300 lb. Tobacco.
Jno. Curneys' bill for 940 lb. Tobacco.
Wm. Windsmores' bill for 535 lb. Tobacco.
John Hilliards' bill for 1900 lb. Tobacco.
Simon Irons' bill for 893 lb. Tobacco.
Al: Drapers' bill for 233 lb. Tobacco.

*This word should be said.
PROVINCIAL COUNCIL.

Jno. Richardson's bill for 3233 lb. Tobacco.
Edw. Warmers' bill for 4000 lb. Tobacco.
Adjourned till y° 24th 8th Mo., 83.

At a Councill held at Philadelphia y° 24th of the 8th month, 1683.

PRESENT:

Wm. PENN, Prop' and Gov'
Tho. Holmes, Wm. Clayton,
Lasse Cock, Chr: Taylor,
Wm. Biles, John Symcock.

The Gov' Informed y° board, that it was Convenient Warrant should be sent from this board to apprehend some persons upon suspicion of putting away of bad money.

A Question put whether there be not some psns to vent such money here.

Robt Felton being attested, The Question was put to him whether or no he receiv'd any Silver of Charles Pickerin, to Quine for him; he answered yes, 24 pounds of Bar Silver; he also made the Seales, & Charles Pickering & Sam'l Buckley helped him to make the Bitts. Quest: what did they add to the allay of y° 15 lb. 2"; about 4" of Copper; and what to y° 9 lb. 3 or 4" of Copper, being the allay; he cannot be Exact how much the allay was, for they did sometimes put in more then he knew of.

A Warrant was Issued forth from this board, to bring Charles Pickering & Sam'l Buckley before them. Tho: Clifford appointed Messing' for this Sessions.

Robert Felton also saith he had noe Silver brought to him, but by the psns above named, and he Scrooping to do it, the Silver having been already allayed, and if they did not put more Copper into it they would Loose by it; they said they would Bare him out in what he did for them.

The Gov' telleth Ch: Pickering & Sam'l Buckley of their abuse to y° Governm', in Quining of Spanish Bitts and Boston money, to the Great Damage and abuse to y° Subjects thereof. The Gov' asked them whether or no they are Guilty of y° fact. They confess they have put of some of those new bitts, but they say that all their money was as good Silver as any Spanish money, and also deny that they had any hand in this matter. Charles Pickering saith he will Stand by it and be Tryed; he declareth that he heard Jno. Rush Swere that he Spent halfe his time in making of Bitts.

The Gov' asketh Sam'l Buckley whether he did not help to melt money, or to put in y° Copper allay into y° Silver more then Should be, and to have been at y° Stamping of new Bitts, and Strikeing on the Stamp.

He Confesseth he hath been guilty of somewhat of that; also, was
there not to ye knowledge any brass or Copper put into the Silver that was melted? he Sayeth yes.

Also, whether or no thou didst not help Charl. Pickering's man to melt, and also to stricke the hammer and See ye Seals, and disperse some of the Bitts, more or Less? he Sayeth yes.

Was there not more alay put into the Silver then Ordinary, and ye Person tould that Stamp it, that There was too much? he sayeth yes.

John Rush being sent for & Examined, Positively denyeth what Char. Pickering affirmeth.

The Gov' Demands of Charl. Pickering and Sam'l Buckley to give Security, wch accordingly was done.

Tho. Phillips & Sam'l Buckley, Enter into a Recognizance of five hundred pounds for Sam'l Buckley's appearance before this board when demanded, and not to goe out of towne without Leave.

Rich't Wall and Char. Pickering binde themselves and Enter into a Recognizance of five hundred pounds for Char. Pickering's appearance before this board, and not to goe out of towne without Leave.

Ordered ye ye Sherriff take Rob't Selton into Custody, & him safe to keep untill further order.

**POST MERIDIEUM.**

The Gov' moved that at ye beginning and Ending of the Sitting of the Assembly, the People of ye City and Countrey may if they please, come in and hear what shall be spoken unto them.

The Assembly being admitted, the Gov' opened the house, and Caused to be delivered to the Speaker fifenee Laws Concerning severall things for them to debate of.

A Petition of ye County of Kent was Cognizable before this board, and it is referred to a Comittee of some of this board and some of the house of Assembly to that part of ye Petition relating to Pattents.

The Gov' telleth them that the fault of not having Pattents is not ye Gov' but their owne, for they ought always to attend the Gov' for them, and that their Default is so far from giving them pretense not to pay Quittents, that with an Other Gov' it might Weaken their Titles or Pinch their pockets, and that ye Ord' of S' Edmond Andros for three Years to Seat in Expired in '78, and that divers Orders were sent to them to take out their Pattents, and further more there was an Other Order that those that had not or should not settle in 6 months should forfeit their Lands; also thousands of acres in the Lower Countys which ye Gov' might have taken from them, being forfeited; thersfore they ought to be Content.

A Warr was Issued Out from this Board to Benjam. Chambers, High Sherriffs, to Sumons a Grand & Petty Jury for the Tryall of Char. Pickering & Sam'l Buckley.

Adjourned till the 25th 8th Mo. 83.
At a Councill held at Philadelphia the 25th 8th Mo., 1683.

**PRESENT:**

Wm. PENN, Prop' & Gov'.
Tho. Holmes, Wm. Biles, Jno. Symcock,
Lasse Cock, Wm. Clayton, Ja: Harrison,
Chr. Taylor.

Ordered, That an Indictm' be Drawne against Char. Pickering & Sam' Buckley, Grounded upon Evidence taken before this board.

Two of the Assembly, Jno. Blumstone & Luke Watson, came to this board to be Informed Concerning the Sherriffs, calling them to ye Service of a Grand Jury, and they were told it was about Corrupt money, and that it was not by Compulsion, but with their Consent.

John Symcock Sent by ye Gov' & Prov' Councill to ye Assembly, that Griffith Jones may have Liberty to come before this board to be Examined in a Businesse of Moment.

Complaint being made to this board about New Bits and New England Shillings, It was resolved that there should be a Proclamation Issued out forthwith to cry them downe.

Griffith Jones Attested, saith that Charles Pickering sent him Eight pounds in New Bits to pay New England men, but they would not take it; therefore he went to Mary Bartholomew and changed fourty Shillings to make up a sume which Otherways he could not have done, and he promised to change it againe, and further Saith not.

John White made Attorney Generall to plead the Cause between Our Prop' & Gov', and Ch'ri: Pickering & Sam' Buckley.

**POST MERIDIEM.**

Thom. Holmes and James Harrison Sent to ye house of Assembly, to Lett them Understand, that if they were ready Wee are ready, and stay for them.

Whereupon the Speaker with ye Whole house, came to attend this Board with a returne of ye Bills with were delivered to them by this board; Which Bills were read the Last reading and past, Nemine Contradicente.

A Grand Inquest were Impanneld and Attested, whose names are as followed:

Tho: Lloyd, foreman. Jno. James, Jno. Parsons,
Enoch flower, Jno. Vanborson, Jno. Blumstone,
Rich. Wood, Robt. Hall, Tho: ffitchwater,
Jno. Hardin, Valt. Hollingsworth, Wm. Guest,
Jno. Hill, Alexr Draper, Jno. Curtis,
Edw'r Louff, Jno. Louff, Robt. Lucas,
Ja: Boyden, Jno. Wale, Hen. Jones,
Nich. Walne, Sam'l Darke, Caleb Pusy.

And then adjourned till ye 26th Ins', 8th Mo. 83.
At a Council held at Philadelphia ye 26th 6th Mo. 1688.

PRESENT:

Wm. PENN, Prop' & Gov'.
Chr: Taylor, Jno. Richardson, Tho: Holmes,
Sfra: Whitwell, Lasse Cock, Jo: Symcock,
Wm. Clayton, Wm. Biles, Ja: Harrison.
John Moll,

The Grand Jury being called Over, went forth to find the Bill against Charles Pickering, and returned and found ye Bill as being a Heynous and Grevious Crime.

The Petty Jury were Impanneld and Attested, whose names are as followed:

John Claypoole, foreman. Jno. Barnes, Walt' King,
Rob' Turner, Jos. Fisher, Benj: Whitehead,
Rob' Euer, Dennis Rochford, Tho: Rouse,
Andrew Brinkson, Wm. Howell, David Brinell.

The Indictm' was read against ye Prisoner at ye Barr, to wh' he answered not Guilty, and would be tryed by his Country. The Attorney Gen'all then opened ye Cause and called for his Witnesses as followed:

Caleb Pusey attested, Saith that Charles Pickering paid him 15lb. in New Bits, wh' were produced in Court.

Griffith Jones Attested, Saith that he borrowed of the Prisoner Eight pounds in New Bits, as they are now called.

Mary Bartholomew attested, saith that Griffith Jones came to her and desired her to change him fourty Shillings; shee said she would, provided he would change them againe, and he sayd he would; wherupon he had it, wherof some of ye pieces were produced in Court.

The foreman of the Jury desired that ye Prisoner would tell him who he had the money of that he payd to severall people, but he sought to Evade it, saying the money that any psn rec'd of him he would change it, and that noe man should Loose any thing by him.

The Gov' gave ye Charge to ye Jury, and they went forth and returning againe, brought him in Guilty of ye Bill of Indictm'.

A Bill sent to ye Grand Jury against Sam' Buckley and Robt. Fenton, which was found, and their Indictm' read against them; they both Confessed ye fact, and the Petty Jury went forth and brought them in Guilty of their Indictm'. Sam' Buckley & Robt. Fenton, both Declare that Pickering and they two made the Money to gather, and Robt. Fenton saith that he Cut the Seals for Charles Pickering, and that he was at worke there with them about a Week or more, and further saith, one pair was made before he absented himselfe, and one paire afterwards, and ye the mint was not in this Province, which was declared by both of ye aforesaid Prisoners.

After Which, ye Gov' Proceeded to give Sentance against ye Prisoners, wh' is as followd.

Charles Pickering, The Court hath Sentenced thee for this high misdemeanor whereof thou hast been found Guilty by the Country,
that thou make full Satisfaction in good and Currant pay to Every Person that shall within y* Space of one month, bring in any of this false, Base and Counterfitt Coyne, (w* will to morrow by Proclamation be called in,) according to their respective proportions; and that the money brought in, shall be melted into gross before returned to thee, and that thou shalt pay a fine of forty pounds into this Court, towards y* Building of a Court house in this Towne, and Stand comitted till payd, and afterwards fined Security for they good abearance.

Samh Buckley, the Court Considering thee to have been more En- genious then he that went before thee, hath thought fitt to fine thee, and doe fine thee ten pounds towards a Public Court house here, and to finde good Security for thy good abearance.

Robert sffenton, the Court haveing also Considered thy Ingenuity in Confessing the Truth of Matters, and that thou art a Servant, hath only Sentenced thee to Sitt an hour in the Stocks to morrow morning.

Adjourned till the 27* 8* month, 83.

At a Counciell held at Philadelphia y* 27th of y* 8* Mo., 1683.

PRESENT:

Wm. PENN, Prop* and Gov*.
Tho: Holmes, Wm. Clayton, Jam: Harrison,
ffr: Whitwell, Chr: Taylor,

A Proclamation was this day Issued out to put downe Bitts a Coyne so Called, w* were Counterfitted by Char: Pickering, and also he to make satisfaction to all manner of Persons wronged by y* same.

A forme of a Proclamation begins thus:

By the Proprietary and Gov* of y* Province of Pennsilvania, & the Territories thereunto belonging, by and w* the advice and Consent of y* Prov*ll Councill of y* same.

Ordered that there being a returne made to this board, by y* Comiss* of appraisem* appoynted between Luke Watson and John Bellamy, of Certaine Improvm* made by Luke Watson, on a Plantation adjudged to John Bellamy at Prime hook, in y* County of Sussex, in the Territories of this Province, in as much as y* s* Jno. Bellamy hath not payd him nor Secured him the Value of y* appraisem* and that he is at present out of y* Country, they, he may Enjoy y* s* Plantation till payd, or sufficiently Secured.

It is Ordered by this board, that y* said Luke Watson, doe Peaceably Enjoy the sayd Plantation till y* said John Bellamy hath payd or given sufficient Security to pay the same, or hath shown to this board a good cause to the Contrary.

Adjourned till y* 29* of y* 8* Mo., 83.
MINUTES OF THE

At a Councill held at Philadelphia y° 29th of y° 8th month, 1683.

Present:

Wm. PENN, Prop* and Gov*.
Tho: Holmes, Jno. Symcock, Sfrai. Whitwell,
Chr: Taylor, Jno. Richardson, James Harrison,
Wm. Biles.

Charles Pickering Sent for by the Messinger.
A Petition of Sfrai. Whitwell read.
A Warrant Issued out to make Search in y° Shop and Lodging of
Isack y° Smith, Humphrey Best and Jno. Rush, doe worke for mettles
Coyned or uncleyned, Stampt or unstampt, Iron or Steel only ex-
cepted.
A Petition of Rob' Marsh read, and Ordered that Sf Francis Whitwell
release him or sue the Bond.
Adjourned till y° 30th 8th Mo., 1683.

At a Councill held at Philadelphia y° 30th 8th Mo., 1683.

Present:

Wm. PENN, Prop* and Gov*.
James Harrison, Jno. Richardson, Wm. Haigue.
Tho. Holmes, Wm. Biles,

John Richardson desired a Writ of Inqu'rey Concerning the Estate
Adjourned till y° 7th of y° 9th Mo., 83.

At a Councill held at Philadelphia the 7th of the 9th month, 1683.

Present:

Wm. PENN, Prop* and Gov*.
Chris. Taylor, Sfiran. Whitwell, Tho. Holmes,
Jno. Richardson.

A Petition of Peter Gronendicks read, and upon reading this board
grant him a rehearing of a Case of Difference between Cornelius
Varhoof, Pl* and Peter Gronendick, Deff*, before y° Gov* and Prov*
Councll y° 28th Ins* 1683.

A Petition of Abra. Westron read: Ordered, that he be remetted his
fine, but that his Wife pay hers, it being 5 pounds.

A Petition of Rich* Wells read: Ordered, that he be referred to y°
Peace makers, and in Case of Refusall to y° County Court, according
to Law.

Adjourned till y° 21th of 9th Mo. 83.
At a Council held at Philadelphia The 21st of the 9th Mo., 1663.

PRESENT:

Wm. PENN, Prop' and Gov'.
Tho. Holmes, Wm. Haigue, Chris. Taylor,
Wm. Clayton.

The Petition of ffr. Whitwell read, and upon Consideration of his allegations of Mistakes in Peter Gronendicks acco. Ordered that unless they refer it to two Persons Indifferently Chosen, this board doth grant a rehearing, ffr. Whitwell paying the Charge thereof.

Jno. Stephens, Plt. by an appeal from Kent Country Court.
Evan Davis, Def. The Plan' Declaration was read and they proceeded to Tryall. That Plantif declared that if The def would Swear to his acco, that he would allow of them.

That upon ye hearing of a Case of Differance depending between John Stephens, Plan', & Evan Davis, Def', from a Judgm' given upon an appeal from Kent County Court against ye Plant.

This Board doth finde that the said Evan Davis, Stands Indebted to ye Just Sume of One Thousand & seventy pounds of good and Marchantable Tobacco, over and above ye Assignm' of Stiles, his Bill of Eighteen hundred & Odd pounds of Tobacco to ye Said Stephens, and the Obligation he is under to finish the Tobacco house of ye Stephens.

A Ship called the Mary of Southampton, Anto Pryers M', was by this Board called in question for being an Unfree Ship, and upon Consideration had by this Board, and Jno. Test, Prosecutor, desirring Judgm'. It is ye Judgm' of this board that there being no Certificate that shee is a free Ship, threfore this board Condemns her as being an unfree ship and forfeited.

The Condemnation is as followed:

Information haveing been made to ye Gov' & Prov' Council, that a Certaine Ship called the Mary of Southampton, lately arrived w'n Passingers from Southampton in England, and now Rideing before the Towne of Philadelphia, in the Province of Pennsylvania, is a Scottish Bottom and noe ways made ffree to trade to any of his Majesty's Plantations in America, and so under ye forfeiture Expressed in the Laws of Navigation; upon a full hearing of the Business in Council, and by the Ingenious acknowledgem' of the Master and some of ye Owners, and Especially by the Goulden Breif that was produced by one of them, is found to be the Alexander of Inverness, of ye Kingdome of Scotland, And threfore the Gov' and Prov' Council have and doe adjudg and Condemne the said Ship as forfeited, according to Law in such Cases provided for.

Adjourned till ye 26th 10th Mo., 83.
At a Councill held at Philadelphia, ye 26th of ye 10th month, 1683.

PRESENT:

Wm. Penn, Prop' & Gov'.
Wm. Clayton,

The Gov' and Prov' Council having taken into their Serious Consideration the great Necessity there is of a Scool Master for ye Instruction & Sober Education of Youth in the towne of Philadelphia, Sent for Enock flower, an Inhabitant of the said Towne, who for twenty Year past hath been Exercised in that care and Imploym' in England, to whom haveing Comunicated their Minds, he Embraced it upon these following Terms: to Learne to read English 4th by the Quarter, to learne to read and write 6th by ye Quarter, to Learne to read, Write and Cast acco' 8th by ye Quarter; for Boarding a Scholler, that is to say, dyet, Washing, Lodging, & Scooling, Tenn pounds for one whole year.

Antho: Pryer's Petition read; referred to ye Law.
Adjourned till ye 27th 10th Mo., 83.

At a Councill held at Philadelphia The 27th of the 10th month, 1683.

PRESENT:

Wm. Penn, Prop' and Gov'.
Wm. Clayton,

This day Thomas Lloyd was sent for before this board, and ye Gov' was pleased to put him in Master of ye Rolls, who doth Solemnly promise to officiate therein w' care and Diligence.

It being taken into the Serious Consideration of this board, the Great grevance of Tradesmen's Exaction, they have thought fitt to Issue out an Ordinance whereby to regulate the same.

The Sherriff having brought in the Grevance of ye People Concerning the New betts put out by Charles Pickerin, which he is to Satisfie for According to ye Judgm' given against him in that matter; he being asked about it, saith that he will give in Money and plate to Satisfie them.

The Petition of John Helliar read. Ordred that The Law shall have its Course.

Ordered That ye Sherriff goe to Char: Pickering and receive as much good money, or Value thereof, as he hath receed of the People in bad money, and pay ye' same respectively to ye People as he receed the other from them.

And Adjourned till ye 16th 11th Mo., 83.
PROVINCIAL COUNCIL.

At a Council held at Philadelphia y° 16th of y° 11th month, 1683.

PRESENT:

Wm. PENN, Prop° and Gov°.
Chris. Taylor, Lasse Cock, James Harrison,
Wm. Biles, Tho. Holmes, Wm. Clayton,
Jno. Symcock.

The Proposals of Anto. Weston with y° rest of y° Persons names thereunto Subscribed were read; And the Gov° proposes way to punish him, and they thought the best way was to have him Whypt.


Antho. Weston being Examined, saith that they mett at Tho. Hootons, and there chose him to draw up Proposals to the Gov° & Prov° Councill, with Proposals were mended by Tho. Winn, who was re-proved for doing of the same.

The Gov° proposeth what to doe with Anto. Weston: as many as would have him whypt, say yee. Past in the Affirmative.

John Stone and Tho. Dare his Servant, En't into a recognizance of fifty pounds a peice for their good behaviour duering the Terme of his Serv° Servitude.

Henry Comely & Geo. Sheave his Servant, Entered into a recognizance of fifty pounds a peice for their good behavior duering y° term of his Serv° Servitude.

Wm. Clayton and Tho. Stephens his Serv°, Enter into a Recognizance of fifty pounds a peice for their good behavior duering the Govern° duering y° said Serv° Servitude.

The Gov° and Prov° Councill have thought fit that for the great presumption and Contempt of this Govern° and authority, that Anto. Weston be Whypt at y° Market place on Market daye three times, Each time to have Tenn Lashes, at 12 of the Clock at noone, this being y° first day.

A single recognizance of fifty pounds the freemen that Subscribed to Antho. Weston’s proposals, are to give for their good behavior to y° Govern° till such time as y° Genall Assembly shall next sett.

Ordered That Wm. Clayton build a Cage against the next Council day, 7 foot high, 7 foot Long, & 5 foot broad.

Adjourned till y° 17th 11th Mo., 1683.

At a Council held at Philadelphia y° 17th of y° 11th month, 1683.

PRESENT:

Wm. PENN Prop° and Gov°.
James Harrison, Lasse Cock, Wm. Clayton,
John Symcock, Wm. Biles,
Chris Taylor,
John Songhurst, and all his Serv*\(^{\text{r}}\), Enter into a recognizance of fifty pounds apiece, for their good behaviour to y* Governm\(^{\text{r}}\) during y* terme of his Serv*\(^{\text{r}}\) Servitude.

Andrew Griscome and Mathias Jewell, Enter into a recognizance of fifty pounds apiece, for their good behavior duering y* terme of his Serv*\(^{\text{r}}\) Servitude.

The Petition of Peter Cock read.

The Question was put, whether the Law of Custome doth Last but for a year, as well as Taxes, or not.

Proposed by the Gov* whether or no y* People in England should not pay towards Public Charges or not, as well as those in the Pro- vince; past in the Affirmative.

All that are of Opinion That a Levie should be Laid on y* Lott in the City of those psent and those absent, Say Yea; Past in y* Affirmative.

A Law proposed to Encourage makeing of Linnen Cloth.
A Law proposed for two Sorts of Cloaths only, for Winter and Summer Wear.
A Law proposed for Young Men's Marrieing at such an age.
A Law proposed for Makeing of Severall sorts of Books, for the use of Persons in this Province.
Proposed that care be Taken about the Learning and Instruction of Youth, to Witt: a Scool of Arts and Siences.

Adjourned till y* 7\(^{\text{th}}\) 12\(^{\text{th}}\) month, 1683.

---

Att a Councill held at Philadelphia y* 7\(^{\text{th}}\) 12\(^{\text{th}}\) Mo., 1683.

PRESENT:

Wm. PENN, Prop*\(^{\text{r}}\) & Gov*.
Wm. Clayton,

Margaret Mattson and Yeshro Hendrickson, Examined and about to be proved Witches; whereupon, this board Ordered that Neels Matson should Enter into a Recognizance of fifty pounds for his Wiff's aparence before this board the 27\(^{\text{th}}\) Instant, Hendrick Jacob- son doth the same for his Wife.

Adjourned till the 20\(^{\text{th}}\) 12\(^{\text{th}}\) Mo., 83.

---

At a Councill held at Philadelphia y* 20\(^{\text{th}}\) 12\(^{\text{th}}\) month, 1685.

PRESENT:

Wm. PENN, Prop*\(^{\text{r}}\) and Gov*.
Wm. Haigue,
PROVINCIAL COUNCIL.

Wm. ffirampton being Sent for before this board, his Petition was read, and it was Ordered that James Claypoole, Rob' Turner, Jno. Greene, Jno. Jones and Wm. ffarampton, or any two of them, to have the Keys and to take into Possession the Estate in the hands of Jno. Vanburson, and to Inspect his acco in psuance of the same, and to make a returne distinctly of the said goods and acc to this board.

The Gov' & Prov Council have thought fitt, from the Exteriordary in the Case, to place Patrick Robinson as administrator to Benj. Acrods Estate, and to have a recourse to this board from time to time.

Wheras, the Verdict of the Coroners Jury was, that Benj. Acrod killed himselfe w' drinke, w' might give the Province a pretence to his Estate therin. The Prop' & Gov' Relinquished all his Claiame thereunto in Councill, and desired y' Councell to take Care that some person be appointned to take Care of y' Estate of y' s Acrod, for y' paym' of his debts, and the remainder to be disposed of according to Law, &c.

Adjourned till the 21th 12th Mo., 83.

At a Councill held at Philadelphia y' 21th of y' 12th Mo., 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Haigue, Chr: Taylor,

James Claypoole, Jno. Jones and Wm. ffarampton, made their returne to this board Concerning the Estate of John Vand Borsons; Wherupon, James Claypoole & Wm. ffarampton were appointed to Inspect and make up the acco of Jno. Vanborson, and to give an acco of it to this board when they have made up the Cr. & Dr.

Wm. ffarampton makes a report of the referance of the Councell Concerning the Estate of Jno. Vanborson, Lately deseased.

The Prov Council Ordered Wm. ffarampton & Sam Carpenter of this Towne, March, to administer on y' behalfe of y' Creditors and Heirs of Jno. Vanborson, and to make report of what they doe therein to this board.

Adjourned till y' 27th 12th Mo., 83.

At a Councill held at Philadelphia y' 27 of the 12th month, 1683.

PRESENT:

Wm. PENN, Prop' and Gov'.
James Harrison, Wm. Haigue, Wm. Clayton,
Lasse Cock,
MINUTES OF THE

The Grand Jury being attested, The Gov' gave them their Charge, and the Attorney Genall attended them w° the presentm'; their names are as followed:

Rob'Euer, foreman. Rich. Orne, Tho: Mosse,
Sam'Carpenter, Jno. Day, Tho: Ducket,
Andrew Griscom, Jno. Fisher, Denis Lince,
Benj. Whitehead, Jno. Barnes, Tho: Phillypes,
Jno. Barnes, Gunner Rambo, Tho: Millard,
Sam' Allen, Enock flower, Jno. Yattman,
Jno. Parsons, Henr: Drystreet, Barnaby Wilcox.

POST MERIDIEM.

The Grand Jury made their returne, and found the Bill.
Ordered that those that were absent of the Petty Jury should be fined 40° each man.
Margaret Matson's Indictm' was read, and she pleads not Guilty, and will be tried by the Countrey.
Lasse Cock attested Interpretor between the Prop° and the Prisoner at the Barr.

The Petty Jury Impannel'd; their names are as followed:

Jno. Hasting, foreman. Albertus Hendrickson, Rob' Piles,
Rob' Wade, Nath. Evans, Edw'd Carter,
Wm. Hewes, Jer. Collet, Jno. Kinsman,

Henry Drystreet attested, saith he was tould 20 years agoe, that the prisoner at the Barr was a Witch, & that several Cows were bewitcht by her; also, that James Saunderling's mother tould him that she bewitcht her cow, but afterwards said it was a mistake, and that her Cow should doe well againe, for it was not her Cow but an Other Person's that should dye.

Charles Ashcom attested, saith that Anthony's Wife being asked why she sold her Cattle; was because her mother had Bewitcht them, having taken the Witchcraft of of Hendrick's Cattle, and put it on their Oxon; She myght Keep but noe Other Cattle, and also that one night the Daughter of y° Prisoner called him up hastely, and when he came she sayd there was a great Light but Just before, and an Old woman with a Knife in her hand at y° Bedd's feet, and therefore shee cryed out and desired Jno. Symcock to take away his Calves, or Else she would send them to Hell.

James Claypoole attested Interpretor betwixt the Prop° and the Prisoner.
The affidavit of Jno. Vanculin read, Charles Ashcom being a Witness to it.

Annakey Coolin attested, saith her husband tooke the Heart of a Calfe that Dyed, as they thought, by Witchcraft, and Boyled it, whereupon the Prisoner at y° Barr came in and asked them what they were doing; they said boyling of flesh; she said they had better they had Boyled the Bones, with several other unseemly Expressions.

Margaret Mattson saith that she Values not Drystreet's Evidence; but if Sanderlin's mother had come, she would have answered her;
also denyeth Charles Ashcom's Attestation at her Soul, and Saith where is my Daughter; let her come and say so.

Annakey Cooling's attestation concerning the Gees, she denyeth, saying she was never out of her Conoo, and also that she never said any such things Concerning the Calve's heart.

Jno. Cock attested, sayth he Knows nothing of the matter.

Tho: Balding's attestation was read, and Tho: Bracy attested, saith it is a True Copy.

The Prisoner denyeth all things, and saith that ye Witneses speake only by hear say.

After wch ye Gov' gave the Jury their Charge concerning ye Prisoner at ye Barr.

The Jury went forth, and upon their Returne Brought her in Guilty of haveing the Common fame of a Witch, but not Guilty in manner and forme as Shee Stands Indicted:

Tho. Neelson Enters into a Recognizance of fifty pounds apeace, for the good behavior of Margaret Matson for six months.

Jacob Hendrickson Enters into the Recognizance of fifty pounds for the good behavior of Getro Hendrickson for six months.

Adjourned till ye 20th day of ye first Mo., 1684.

At a Councill held at Philadelphia The 20th day of the 1st month, 1684.

PRESENT:

Wm. PENN, Prop" and Gov'.

Jam. Harrison, John Cann, Wm. Welch,
Thomas Janney, Tho. Holmes, Tho. Lloyd,
Chris. Taylor, Jno. Symcock, Wm. Clayton,
Wm. Wood.


Complaint being made to this board of a Notorious Robbery commited on the goods of hannah Saulte, this board was pleased to Issue out a Proclamation for apprehending & Secureing of Such Persons if found in this Province or Territories, or Elsewhere.

Ordered that ye first thing to be done to-morrow be the Running over the Old Laws.

Adjourned till ye 21st 1st Mo. 84.
At a Council held at Philadelphia the 21th of ye 1st Mo, 1684.

**Present:**

Wm. Pen, Prop and Gov.

Wm. Welch, Tho. Holmes, James Harrison,
Tho. Lloyd, Jno. Symcock, Chr. Taylor,
Tho. Janney, John Cann, Wm. Clayton,
Wm. Wood.

A Debate was held Concerning ye Genall Assembly Sitting at the Towne of New Castle: at Last the Result was that they should Sitt there.

Ordered that two Letters be sent to Kent & Sussex Countyes, Concerning the meeting of ye Genall Assembly, to be held at New-Castle on the 10th 3rd Mo., 84.

Wm. Clayton desiring Leave to goe to upland & returne on second day, it was granted him.

Adjourned till ye 24th 1st Mo. 84.

---

At a Council held at Philadelphia ye 24th of ye 1st Mo. 1684.

**Present:**

Wm. Penn, Prop and Gov.

Wm. Clark, Wm. Clayton, Luke Watson,
Tho. Janney, John Cann, Jno. Symcock,
Tho. Lloyd, Wm. Welch, Chr. Taylor,

They proceeded to have ye Old Laws read Over, and to make remarks on them.

A Committee was appointed to Inspect the Marginal notes upon the Old Laws, Viz: Tho: Holmes, Wm. Welch, Tho: Lloyd; which Committee will make their report to morrow morning.

The Laws Ordered to be drawn Out wth the reasons & Preamble, And then they proceed to make an Inspection into ye bills made at Upland.

The Committee brought in a Bill for Constituting an Other Council for State's Matters.

Upon wth there was a great debate, & at Last it fell.

The Same Committee Appointed to draw up all the Laws as amended and agreed; also to draw up these news Laws.

Adjourned till ye 26th 1st Mo., 84.
At a Councill held at Philadelphia The 26th day of ye 1st month, 1684.

**PRESENT:**

Wm. PENN, Prop't & Gov'.
Wm. Clarke.  Tho: Janney,  Chr. Taylor.
Wm. Welch,  Wm. Clayton,  Jno. Cann,
Jno. Symcoock,  Ja: Harrison,  Wm. Wood.

A Bill read Concerning the Laws made at Upland, alias Chester, to be Continued w'th ye Preamble to ye s'd Laws.
A Bill read Concerning repealing or Varring any of ye Laws made at Upland & Philadelphia.
A Debate was held when the Laws should be in force.
Resolved, till 20 days after the rising of ye genall Assembly, by Publishing them the first Court day after ye Rising of ye s'd Assembly, Except those that have not times Set them.
A Bill read Concerning fines & measures, Printing, Promulgateing of the Laws, w'th are repealed.
A Bill read where in Cases requires Strypes, and they r x not mentioned, that they shall not Exceed One and twenty Strypes.
A Bill was read, that it should be Left to ye Gov't and Prov'n Councill to discourse w'th ye Indians concerning an agreem't w'th them about letting them have Rum.
The Gov't put ye Quest: All That are of Opinion that ye foregoing Bills should pass, say Yee; Past in ye Affirmative.
A Bill was read Concerning Strong & Small Beer, mixt or unmixt, Bottled or not Bottled.
The Quest. being put, past in ye Affirmative.
A Bill read Concerning registaring of Freemen and Serv'n, being put to ye Quest; past in ye Affirmative.
A Bill read against Bargains made when People are in Drinke: ye Question being put, past in ye Affirmative.
A Bill read Concerning Marriage, w'th amendm't & additions: put to ye Quest, was past in ye Affirmative.
A Bill read Concerning Arests, Speciall Courts, and arresting any persons in any County where he shall be found: Quest: being put, past in ye Affirmative.
A Bill was read Concerning causes to be Tried by ye County Sessions: Quest: being put, was past in Affirmative.
A Bill was read for Three appraisers, to be chose by the County Court upon Several occasions, and ye Goods not to be sold un under seaven dayes after apprais'm'; and that they shall be publicly sould: Quest: being put, past in ye Affirmative.
A Bill read to Suppres Ordinary Keepers: Quest: put; past in Affirma.
A Bill read Impowering the Justices of Each County Court to set ye Wages of Workmen & Serv'n, w'th a Penalty: Quest: put; past in Affirma.
A Bill read for hemp & flax, Linnen & Wool, on Cloth. Linnen & Woollen Cloth to have a price set upon it by ye County Court, ye hemp at 6d the pound, and ye flax at 8d p pound: Quest: put; past in ye Affirma.

A Bill read for Every man That is three years Seated to Sow a Bushell of Barley: Quest: put, Past in the Affirmative.

A Bill for a Prov[ince] Court, Consisting of five Judges, to goe two Circuits Yearly. Quest: put; past in the Affirmative.

A Bill read for ye Conclusion of ye Laws. Quest put; past in Affirma.

A Bill read that noe Person depart this Province if arrested, till Bail be given. Quest: put; past in ye Affirmative.

The Gov't desired to have ye Councill always w^ more him, w^ is nine. The Gov't also desired that a Bill may be drawn up that this Towne of Philadelphia might Chose One more Councillor, Bucks One, & Chester One; Otherwise that ye Councill must be Constant, Or make a Bill to allow the Gov't to Chuse him a Councill upon all occasions, it being also a great Kindness to ye Countrey.

A Bill also to be drawn to Enlarge ye Councill; that is, to double the number in the Town & County of Philadelphia, made soe as according to Letters Pattents.

Put to ye Quest; past in ye Affirmative.

Tho: Lloyd appoynted to Draw the Bill.

Adjourned to ye 27th 1st Mo., 84.

At a Councill held at Philadelphia ye 27th 1st Mo., 1684.

**PRESENT:**

WM. PENN, Prop' and Gov'.

Tho: Holmes, Chr: Taylour, Jno. Cann,

Wm. Clark, Luke Watson, Tho: Janney,

Jno. Symcock, Jam. Harrison, Wm. Wood,

Wm. Welch, Wm. Clayton, Tho: Lloyd.

WM. Welch proposed a Bill to be drawn to defray the Gov'n Table.

Put to ye Question: All that are of Opinion that ye Charges of ye Governm' shall be defrayed by ye People of ye Governm' say yee. Past in the Affirmative.

ADJOURNED INTO A COMMITTEE.

THO. LLOYD, Chairman.

Proposed whether the Law w^ was made for ye raising of a Tax should be Continued, or the Method of it for Import or Export.

Put to the Vote, & past in the Affirmative.

And whether ye Customs shall be a part of ye Money raised towards the Supporting ye Governm'.

Past in ye Affirmative.

Ordered That a Pole Proportionably Layd, be debated ye first thing to morrow, for defraying the rest of ye Charges of ye Governm'.

Adjourned till ye 28th 1st Mo., 84.
PROVINCIAL COUNCIL.

At a Council held at Philadelphia y° 28th 1st Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch, Tho: Holmes. James Harrison,
Luke Watson, Wm. Clark, John Symcoek,
Wm. Clayton, Chr: Taylor, Wm. Wood,

Wm. Welch Ordered to bring a Bill for the raising of a Tax for the Support of y° Governm', and returne it to this board.

Tho: Lloyd makes a report to y° Gov' Counciell, that y° Comittee wth he was of had finished that wth they were about, and intend to bring in a Bill to morrow Morning; also, they have agreed that Tho. Lloyd should draw up the remainder of y° Bills and make a returne thereof.

A Bill was read Concerning Three Members to be Chose for y° Counciell, & Six for the Assembly, for y° Citty of Philadelphia. Question put; past in y° Affirmative.

Sam'l Carpenter's Judgm' towards rayseing of a Tax upon Liquors, Viz: upon Brandy 12° y° Gall; Beer, Ale, Mum, Spanish Wine, 5th p. Gall; Medera, Each Pipe 50s; french Wine 4L p. Tunn, & Give him this way 1000L. by way of Customs upon goods, is his best advise.

The Gov' put y° Quest: all that are of Opinion that Customs shall be put upon Liquors, and that all Rum, Brandy, Wines, & all sorts of strong Liquors & Spirits under y° same head, Imported, shall pay 12d. p Gall, say Yee. Past in Affirmative.

All that are of Opinion that all Strong beer & Cyder shall pay 2d p. Gall, Imported, say yee. Past in Affirmative.

All that are of Opinion that for not due Entry, that y° Law for Abrogating of y° Law shall make all the Goods a forfeiture, say yee. Past in the Affirmative.

Adjourned till y° 29th 1st Mo., 84.

At a Council held at Philadelphia y° 29th of y° 1st Mo., 1684.

PRESENT:

Wm. PENN, Prop° and Gov'.
Jno. Cann, Jno. Symcoek, Tho. Lloyd,
Tho. Janney, Chr. Taylor, Ja. Harrison,
Tho: Holmes, Wm. Wood, Wm. Clayton,

A Bill was read Concerning Members to be Chosen for y° Citty of Philadelphia; read a Second reading.

A Bill read that Counsellors neglecting their duty, that Others may be Chose to serve in their roome. Read a first reading.
Ordered that ye Bill of Customs be read on ye second day next; referred to Wm. Welch to draw up.

Adjourned till 31st 1st Mo., 84.

---

At a Council held at Philadelphia The 31st day of ye 1st month, 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch,  Jno. Cann,  Jam: Harrison,
Wm. Clark,  Chr: Taylor,  Tho. Holmes,
Tho. Lloyd.

Wm. Welch Brought in ye Bill of Custom; which was read a first reading.
Ordered a Second reading this night.
A Bill read Concerning Bargains made in Drinke.
Read a Second reading.
A Bill Concerning Steeling Cattle, good, or Rayment, Ordered to be drawn by Tho. Lloyd.
A Bill read Concerning Exportation of deer Skinns; read a Second reading.
Ordered that ye Last reading of the Bill of Customs be read to-morrow morning.
The Petition of Sam' Hersent was read, Concerning ye finishing of ye Prison.
He is referred to ye Justices of ye County Court.
A Bill Concerning Steeling of Cattle read a first reading; past in the Affirmative.

A Bill was drawn Concerning Our Governm' Joyning wth West Jarsey, for all Warrants to apprehend all Persons by Law punishable. Ordered to be read to-morrow morning.
Tho. Lloyd & Wm. Welch Ordered to draw two Bills into One, Concerning the Preservation of ye Prop' & Gov', & his household.
Adjourned till 1st 2d Mo., 84.

---

At a Council held at Philadelphia ye 1st of ye 2d Mo., 84.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch,  Tho. Lloyd,  Wm. Clayton,
Tho: Holmes,  Chr: Taylor,  Wm. Wood,
Jno. Cann,  Jam: Harrison,  Wm. Clarke,

Charles Pickerin being Sent for before this Board, Declares he heard most of ye People of ye County of Kent's Passages, and read the
Answers which they gave to Baltimore People: Also, he Suspect most of them are resolved to revolt, because Gov' Penn hath broken his Promise, by not Entring and Clearing y' Vessells at New Castle: Also, if they doe it, Baltimore will Stand by them.

Jno. Richardson, Tho. Heather & Tho. Wilson, made a Complain against this Governm', & made their address to y' Lt Baltimore, that they were Taxt to much; he Thinks francis Whitwell and Jno. Hilliard are psueded to the rest.

Jno. Richardson's Land was sued for in Maryland.

The Bill Concerning the Union between us and West Jarsey, to have Liberty to psecute Offenders in y' s West Jarsey, was read and Left to a Treaty with Them.

A Bill to Prosecute Persons That put Water into Rum, &c., was read, & past y° first reading in y° Affirmative.

A Bill read Concerning Persons Chose to serve in Prov'n Councill, y' if they doe not serve in their Stations, or Persons of Ill fame, to be fined forty Shillings a day.

Read a Last reading; past Nenime Contradicente.

The Preamble read, wth The additionall Laws.

Three Bills read a Last reading and past Unanimously.

A Bill read Concerning y° Price of all Beer; past the Last reading Unanimously.

A Bill of Registrey read a Last reading and Past Unanimously.

A Bill about Drunken Bargains being made Voyd, past y° Last reading Unanimously.

A Bill about Steeling Liveing or dead goods past a Last reading Unanimously.

A Bill about Marriage past a Last reading Unanimously.

A Bill about arreasts, by proving his debt and taking him in any County, and Concerning Members of Prov'n Councill and Assembly not to be arrested before such time allowed them; Past a Last reading Unanimously.

A Bill that all fines & Taxes to be Assessed by distress of goods; also, the Court to Set Workmen's Wages; Past a Last reading Unanimously.

A Bill that flax, hempt, Linnen & Woolen Cloth, of y° Produce of this Countrey, to goe as Currant pay; Past a Last reading Unanimously.

A Bill for sowing Barley past a Last Reading Unanimously.

A Bill that Every Court of Justice shall be a Court of Equity as well as Law; also, a Prov'n Court for Quarter Sessions; past a Last reading Unanimously.

Put to y° Question: All that are of Opinion that there shall be a Prov'n Court, Consisting of five Judges, to Try all Criminals & Titles of Land, and to be a Court of Equity, to deside all Differences upon appeals from the County Courts, say yee. Past in y° Affirm: Nenime Contradicente.

A Bill to Establish Apraisers in Each County, Past a Last reading Unanimously.

A Bill about Ordinary Keepers &c., past a Last reading Unanimously.
A Bill about Deer Skins not to be Exported till first put to Sale; Past a Last Reading Unanimously.

A Bill for ye Continuance of ye Laws; past a last reading Unanimously.

A Bill of Customs read a Last reading; past Unanimously.

A Bill for the Preservation of ye Govt Person; past a last reading Unanimously.

Ordered that the seeing to the Bills fairly to be transcribed and Examined by the Originalls, be referred to Tho: Lloyd, Wm. Welch, Tho: Holmes, and Wm. Clark. The same Comittee to draw up Orders for this board for preparing, proposing & Resolving, against their next Meeting.

Put to ye Question: all that are of Opinion that ye Genall Assembly shall meet at New Castle for this time, say yee; past in the Affirmative.

Adjourned till ye 2d 2d Mo., 1684.

At a Councill held at Philadelphia The 2d of ye 2d month, 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch, Jno. Symcock, Tho. Janney,
Tho: Holmes, Wm. Wood, Wm. Clayton,
Jno. Harrison, Jno. Cann, Tho: Lloyd,

A Bill Concerning Lands, Corne, beeef, Pork, Tabacco, Hides, &c. to goe for Currant pay; past Nemine Contradicente.

Ordered that there be an exact Acc' Kept of the members of Prov' Councill, that yearly goe of and Yearly are Chosen to serve there in.

Ques' put: all that are of opinion that halfe of an Intestate's Estate shall goe to ye Wife, say yee.

Past in ye Affirmative, that she shall have no more.

All that are for having Intestate's Estates devided Equally, provided the Eldest Sonn shall have halfe of ye reall and Personall Estate, and ye rest to be devided Equally amongst the rest of the Children, say yee: past in Affirmative.

A Bill to Limitt the Disposall of Estates read a Last reading: Past in the Affirmative.

Ordered that James Harrison, Wm. Welch, Jno. Symcock and Jno. Cann, goe to Kent County with a boat and good attendance, to know what the reasons is that francis Whitwell, Jno. Hilliard & Jno. Richardson, doe not Come up to Councill to give their attendance.

A Commission Ordered to be drawn from this Board, under the Govt hand and Seale, he having heard of some Misdemeanors in Kent County, to Impower Wm. Welch, &c.

You of this Board that are of Opinion that ye Govt shall draw up
PROVINCIAL COUNCIL.

a Comission in behalfe of himself and this board, and also draw up Instructions in Order to the same, say yee: past Nemine Contradicente.

Adjourned till y° 3d 2d Mo., 84.

At a Councill held at Philadelphia The 3d day of y° 2d Mo., 1684.

PRESENT:

Wm. PENN, Prop° and Gov°.
Tho: Holmes, John Cann, Wm. Wood,
Jam: Harrison, Wm. Welch, John Symcock,
Wm: Clayton, Chris: Taylor,

The Comission wth Instructions for Wm. Welch, &c. was read by the Gov° for them to Act after.


All that are of Oppinion that y° Gov° shall appoint some distinction for the Councillors, say yea: past Nemine Contradicente.

It is Left to y° Gov° in a Small Councill, to send Agents to York Concerning y° Publick affairs of this Province; and also to acquaint the Gov° of York of the abuse of the Lt Baltimore's Agents.

Adjourned till y° 7th 2d Mo., 84.

At a Councill held at Philadelphia y° 7th of y° 2d Mo., 1684.

PRESENT:

Wm. PENN, Prop° and Gov°.
Chr: Taylor, Jno. Hilliard, fran: Whitwell,
Jam: Harrison, Wm. Clark, Tho. Holmes,
Jno. Symcock, Wm. Clayton, Tho. Lloyd,

The Gov° desired to know what is best to doe, they haveing heard Wm. Welch & Abra. Mans' Letters.

Francis Whitwell Informes y° Councill that y° Lord Baltimore's Comiss' Murfey, was at Wm. Darvall's, Jno. Richardson's, Jno. Brigg's, Tho. Heather's houses; also, Jno. Hilliard Saith he heard the same.

Ordered that the Clarke take it under franc. Whitwell's & Jno. Hilliard's hand, that the Gov° of New York Ordered them to Stand to the Duke's Intrest.

The Question was put whether any One should be sent to the Lord Baltimore, to acquaint him of the Coll. Talbot's Unmill. Actions; also, of Marley's, in the Lower Countyes: past in y° affirm.
Resolved, that orders be sent to Wm. Welch for the Removall of the forceable Entrey of the Lt of Baltemore, and to Prosecute the Persons Legally; also, to have some things Copied Out of ye Duke's Laws, and sent him.

Ordered that some Persons goe to ye Lower Countye to Settle ye minds of ye people.

Question was put: all that are of Opinion that they who goe downe to Assist Wm. Welch, shall take a Coppie with them of Govr. Penn's Answer to ye Lord Baltemore's Demand, and that One or two more goe along with them that Live there. Past Nemine Contrad.

Jno. Hilliard also declared he heard Wm. Darvall forbid the People to pay Taxes to Govr. Penn.

Ordered, that noe One goe to the Lord Baltemore till such time as ye members of this County, with the memb'rs of ye Lower Countyes, have been to Inspect the Transactions of the Lord Baltemore There.

Adjourned till ye 8th 2d Mo., 84.

At a Councill held at Philadelphia ye 8th of ye 2d Mo., 1684.

PRESENT:

Wm. PENN, Prop'r and Gov'r.
Tho. Lloyd, Jam. Harrison, fran. Whitwell,
Wm. Clayton, Jno. Symcock, Jno. Hilliard,

Question was put by ye Gov'r whether Talbot should, as a Quiet Traviller, pass the Contrey, or be Taken hold of for his Actions at New Castle.

Ordered, that a Proclamation be Issued out to apprehend those who made Violation into this Contrey, as ye Gov'r shall see occasion.

Adjourned till ye 10th 3d Mo. 84.

At a Generall Assembly held at New Castle, for the Province of Pennsylvania & Territories thereunto Belonging, The 10th day of the Third month, 1684.

PRESENT:

Wm. PENN, Prop'r and Gov'r.
Tho. Lloyd, Tho. Holmes, Tho. Janney,
Jno. Symcock, Wm. Welch, Wm. Clayton,
Chris. Taylor, Ja: Harrison, Jno. Cann,
Wm. Souttersby, Jno. Hilliard, Wm. Wood.

Adjourned to ye Assembly for hälfe an hour, and then returned againe.
These Returnes were brought by ye respective Sherriffs this day, Viz: Philadelphia, Chester, New Castle, Kent and Sussex.

The Govr Informes the Councill that he had Called the Indians together, and proposed to them to Let them have rum if they would be Contented to be punished as ye English were; which they did agree to, provided that ye Law of not Selling them Rum be abolished.

The Assembly attended this board & presented a Speaker, which was Nicholas Moore, & Adjourned till the Afternoone.

**POST MERIDIEM.**

The Govr Ordered the two Comissrs that went to York to give an acco of ye affair they went theither about, wth accordingly they did. The Clark of ye Council was sent with a Copy of ye Bills and a Copy of ye Charter, to the Assembly. Adjourned till ye 12th 3d Mo., 84.

At a Councill held at New-Castle ye 12th of ye 3d Mo., 1684.

**PRESENT:**

Wm. Penn, Prop* and Govr.

Wm. Welch, Edw. Southrin, Wm. Wood,

ffran: Whitwell, Tho: Lloyd, Jno. Symcock,

Luke Watson, Jno. Hilliard, Tho: Janney,

Wm. Southersby, Wm. Clayton, Tho. Holmes,

Christ. Taylor, Edm. Cantwell, Jno. Cann,

Wm. Haigue, Jam: Harrison, Wm. Clark.

Wm. Welch desired that a Committee may be appointed to meet any of ye Assembly men to Informe Concerning the Laws and to receive proposals from ye Assembly, in relation to the Bills already prepared. A Committee was appointed, Viz: Tho. Lloyd. Wm. Welch, Jam: Harrison, Jno. Cann, Tho: Holmes.

Ordered that a Bill be drawn to amend the Law Concerning Regitred.

Also, that a Proclamation be Issued Out to give a Longer time to Record their Pattents.

Ordered that ye Clark acquaint the Assembly that a Committee is appointed by the Govr & Councill, to receive any amendm* or Alterations in the Publishd Bills, according to Charter.

Adjourned till ye 1st Affternoone.

**POST MERIDIEM.**

The Petition of Evert Hendricks read. Ordered, that he be referred to ye County Court of New Castle.

The Petition of Mathias Mathison read; he is referred to ye County Court of New Castle.

Also Williams' Petition read. She is advised to make the Business up between themselves; Other ways to have it Tried by the County Court.

Adjourned till ye 13th 3d Mo., 84.
At a Councill held at New Castle The 13th day of The Third Mo., 1684.

PRESENT:

Wm. PENN, Prop* and Gov'.
Chr. Taylor,        Wm. Southersby,        John Symcock,
Tho. Lloyd,         Wm. Clayton,          Luke Watson,
Jno. Cann,          Tho: Holmes,          Wm. Wood,
Jam: Harrison,      Tho: Janney,          Fran. Whitwell,
Edm* Cantwell,      Wm. Welch,

Andrew Johnson, Pl.  
Hance Peterson, Def.  

There being a Difference depending between them, the Gov' & Councill advised them to shake hands, and to forgive One another; and Ordered that they should Enter in Bonds for fifty pounds apiece, for their good abearance; w* accordingly they did. It was also Ordered that the Records of Court Concerning that Business should be burnt.

Peter Bawcum makeing Complaint for his fees, Ordered That Phil: Lemane Write a Letter to ye Justices of the Peace of Kent County, to see that Peter Bawcum have his Just fees due to him.


Ordered That Wm. Welch, Tho: Holmes, James Harrison, Wm. Wood, Wm. Clark & Wm. Southersby, attend the Gov' the Second month after the Raising of ye* Genall Assembly.


Peter Bawcum declareth that Wm. Darvall denied him a Warr to seize Murfey, the Lord Baltemore's Agent.

Adjourned till ye* 14th 3d Mo., 84.

----------

At a Councill held at New Castle The 14th of ye* 3d month, 1684.

PRESENT:

Wm. PENN, Prop* and Gov'.
Chris: Taylor,     Jno. Cann,        Tho: Lloyd,
Fran. Whitwell,    Tho: Janney,      Wm. Wood,
Jno. Symcock,      Wm. Welch,        Wm. Southersby,
Edm* Cantwell,     Wm. Clayton,      Jam: Harrison,
Tho: Holmes,       Luke Watson,

The Sense of ye* Gov' is, that ye* Assembly ought to have their full time of Eight day to peruse the Bills to be past into Laws Observed.

Quest: Whether the Sessions of ye* Genall Assembly may be determined within nine days, without Violation of Charter; also, whether
the Govr and Councill can dismiss the Gnaull Assembly before the Terme of Eight days, they haveing dispatcht the Buisness proposed to them by y^e Govr & Councill provided they desire it; past in the Affirmative.

Adjourned till Afternoone.

POST MERIDIEM.

Wm. Clark Sent a Letter to y^e Govr and Councill, which was attested by severall of y^e Councill & Assembly, of his Illness; whereupon he was Excused.

Question was put, whether y^e Memb^r absent should be fined five Shilling a Day for not appearing now in Councill, and also at y^e Preparing of y^e Bills, Say yee: Past in y^e Affirmative.

All that are of Opinion that they shall pay it without remission, Except they can give a good reason to y^e Contrary, Say yee; past in the Affirmative.

Quest: put, whether the Sherriff Shall not be writ to for to Levie the Goods & Chaties of y^e members Absent for y^e paying y^e five Shillings a day for their Neglect, Say yee; past in the Affirmative.

Adjourned till y^e 15th 3d Mo., 84.

At a Counciell held at New Castle the 15th of the 3d month, 1684.

PRESENT:

Wm. PENN, Prop^r and Govr.

Wm. Welch, Wm. Southersby, Luke Watson,
Tho. Holmes, Tho: Janney, Chris: Taylor,
Tho: Lloyd, Jno. Cann, Jam: Harrison,
Edm^t Cantwell, Wm. Wood, Wm. Clayton

Jno. Symcock,

Two Members of y^e Assembly were sent to the Councill to know if the Comittee of the Councill were ready to receive their proposals: they were answerd they had been ready Ever since Eight in y^e Morning.

Adjourned for two hours into a Comittee before appointed.

Agreed by the Assembly That a Copy of their amendm' be left w^th y^e Clark of y^e Councill; also, they desire the Laws to Runn the Govr & Prov^r Councill.

The Comittee Informes the Assembly that the Govr hath Power in the Charter to Chuse Judges Dureing his Life.

Quest: by the Assembly, whether all Laws Constituted to hold from a Certaine Time can be without y^e Consent of the Assembly.

Quest: whether in y^e Bill for y^e Preservation of y^e Govr Person, Compass or Endeavour be not Sufficient, andImagine, Intend or De- vise; and likewise to Continue these Words, Writeing, Printeing, or
MINUTES OF THE

Acting, Only Speaking to be omitted; and that two or more Witnesses should be to the Conviction of a Person to one and the same Act; The Word Otherwise to be left Out.

The Assembly agree to the Word Maintaining of the Gover'n Instead of Imposition; also, to ad to y's same bill, not being of the Naturall growth of the Province, nor any part thereof, nor is nor are Exported from other Parts.

The Words Imported into any Parts to be raced Out, and that noe One shall goe on board to Rumage the Shipps before the goods are delivered on Shore.

The fifth Paragraph to runn after their amendm*, y* Word Proprie* to be put out of y* Bill of Excise, and Wm. Penn put in.

Breaking open doors to be raced Out, and by due course of Law to be put in.

In the Seaventh Paragraph & 7th Line thereof, to be them as in their Amendm*; the 10 Line also to be Altered; the 9th Paragraph; the 8 Line to be raced Out.

Adjourned till Afternoone.

POST MERIDIEM.

Jos. Growdon and Jno. White came from the Assembly w* some Proposals for amendm*, Viz:*

Quest. Put, whether the Bill to have five Prov" Judges Chose by y* Govern* & Prov* Council to Stand as formerly it did, say yee; past in y* Affirmative.

Abram May and francis fincher Came from y* Assembly, desireing other Amendm*.

Quest. put, all that are for having the Word Excise instead of Imposition, say yee; past in Affirmative.

All that are for having the Tax upon Rum and other Liquors to goe by the name of Publick Aid, Say, yee: past in Affirmative.

Ordered that four of y* Members of this board acquaint the Assembly of their Breach of Priviledge, and that they send their amendm* in short, and reprove henry Stretcher for being dis Ordered in Drink.

Adjourned till y* 16th 3d Mo., 1684.

At a Councill held at New Castle y* 16th of y* 3d Mo., 1684.

PRESENT:

Wm. PENN, Prop* and Gov*.

Wm. Welch, Jno. Cann, Tho. Janney,
Ja. Harrison, Wm. Wood, Tho: Holmes,
Wm. Clayton, Ch: Taylor, Luke Watson,
Edm's Cantwell, Wm. Southersby, Jno. Symcock.
Tho: Lloyd,
The Govr Entred into a Conferance with ye Assembly, and they accepted of Objections of the Govr and Councill upon Amending their proposals.

Adjourned till Afternoon.

POST MERIDIEM.

francis Whitwell was sent for by the Messinger of the Councill, to appear and give reasons why he was absent two days: he sends word he is not able to Come; Whereupon he is Excused.

Quest. put: all that are of Opinion that the Bill of Excise shall be drawn, Say yee: Past in Affirmative.

All that are of Opinion that a Bill shall be drawn, wth ye Proposals of Amendm' put in, Say yee: Past in the Affirmative.

And that the Act to be Called publick Aid, by way of Defraying the Publick Charge of ye Governm', to be payd to the Collect' by a Warrant from the Govr and Councill, say yee: Past in the Affirmative.

All that are of Opinion, that Wm. Welch should draw the Bill, say yee, to be brought in to morrow morning: Past in the Affirmative.

The Speaker of the Assembly, wth Jos: Growdon and Jno. White, Members thereof, attended this board wth ye proposal of Amendm' more at Large, their Clarke having made a mistake before.

The Govr informed the Councill, that harman & Moll had Each of them two or three Pattents from Baltemore.

The Proposes to make an address from the Body of ye Governm' to the King & Duke, Concerning Allarms & Building forts, to the Amazem' of the People.

And also his giving away the Souldiers' Lands, who Took the Place.

francis fincher & Jos. Gowdon were Sent to be Informed Concerning repealing the Old Laws.

Adjourned till ye 17th 3d Mo., 84.

At a Councill held at New Castle ye 17th 3d Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.

Tho. Lloyd, Chr: Taylor, Wm. Wood,
Tho. Holmes, Jno. Cann, Jno. Symcoek,
Edm' Cantwell, Wm. Clayton, Luke Watson,

John Songhurst and Jno. Hart declare they heard the Speaker say that the Proposed Laws were Cursed Laws. Jos. Growdon & ffrancis fincher, also were present at Jno. White's when the Laws were read Over, and he said hang it, Damn them all.

Ordered that Wm. Welch & Tho. Lloyd goe to the Assembly to
let them know that they have been soe long un-Dispacht of the Buiscnness proposed, that the Gov' Takes it very ill.

Edm* Bennet Sent from y* Assembly to desire a Conferance with the Comittee of y* Councill.

Wm. Welch Brought in the Bill of Publick Aid w* Amendm*.

Adjourned till Afternoone.

POST MERIDIEM.

The Gov' & Councill Adjourned to the Assembly.
The Assembly desire to know whether they have not Liberty to disallow of the old Laws if they think fit, Viz':

15. Law prohibiting Rum to the Indians.
44. Registring Bills & Bonds, &c.
85. fidelity to Wm. Penn; Else to forfeit their Lands.
115. In not promising Obedience to the Laws.
Also, the Law for not Killing Cow Calves & Ewe Lambs.
The Councill Adjourned to Wm. Welch his house.
The Speaker, Jno. Songhurst and Jno. White, Came from the Assembly, desireing One Amendm' in y* Bill of Public Aid, to Witt: to have all Rum made of Mollosses put in it: being put to the Quest, was past in the Affirmative.

All that are of Opinion that y* Gov' should make this answer, that he intends to forgive the Offence of Killing Ewe Lambs, say yee: past in Affirmative.

Registring of Bills & Bonds, &c., being a fundamentall, cannot be lett drop.
The Law of Selling rum fall of it selfe.
The Law of forfeiting Estates upon Disobedience to y* Laws being but y* Taile of a Law, it cannot be amended: not Lett fall.

Which Answers was given to the Speaker, francis fincher, Jno. Hart, John Blumston & Jno. Otter, to Informe the Assembly.

Put to y* Quest. whether Wm. Welch should not draw up the Provisor in the Bill of Public Aid, say yee: Past in Affirmative.

All that are of opinion that registiring of families shall goe at three pence Each head, say yee: Past in Affirmative: this I was sent with to y* Assembly.

Jno. Bellaing's Petition read Concerning y* appraisem' of y* Comiss* upon the Estate that was Luke Watson.

Adjourned till y* 19th 3rd Mo., 84.

At a Councill held at New Castle The 19th of y* 3rd Mo., 1684.

PRESENT:

Wm. PENN, Prop* and Gov*.

Tho. Lloyd, Ja. Harrison, Jno. Cann,
Wm. Welch, Tho. Janney, Edm* Cantwell,
Tho. Holmes, Wm. Clayton, Wm. Wood,
Chr. Taylor, Wm. Southersby, John Symcock,
The Govr & Prov Councill have added Wm. Welch to the number of y* Comittee to Settle the regulation of y* Revenue.
This day y* Prov Councill & Assembly met, and the Bills were read Over and the Motives and reasons Layd open by y* Govr, and se. Past in to Laws.
Adjourned till y* 22th 3d Mo., 84.

At a Councill held at New Castle The 22th of y* 3d Mo., 1684.

PRESENT:
Wm. PENN, Propv & Govr.
Wm. Welch, Ja. Harrison, Tho. Janney,

Moved that a Comittee be appointed to Inspect the Journall of the Last Sessions of y* Prov Councill & Genall Assembly. Wm. Welch, Tho. Lloyd & Tho. Holmes, were the Men appointed: also, to Inspect both former & Latter Laws.

Ordered that y* Coppys Transmitted to Each County be Exact.
It being moved in Councill where the Charter of Liberty were to be Kept and if to be Exemplified to y* respective Countyes, being put to y* Question.

It was agreed that the Originall should Lie in the hands of the Master of the Roles, for y* time being, and that a Coppy thereof be Exemplified to Each respective County, under the Great Seale, One being first finish for the Govr Proper Acc.

In Persuance of an Order of a full Prov Councill & Assembly. Memorendum, Viz: The Words hath granted unto me the said Wm. Penn, my heirs and Assigns, interlined between y* fifth & sixth Line of y* first Skin of this Charter, and the words twentieth in the fourteenth Line of y* Second Skin, Changed to the word tenth, as now it is, was thus amended by y* Consent of y* Govr & Prov Councill & Assembly at NewCastle, Mett y* 10 day of y* 3d mo., 1684, as being only defects of Clarkship in the Transcribing, as appears by y* Act of union & Settlement. This was done in the Presents of the Members above Mentioned.
It was moved that Samv Carpenter Should be sent for, to be dis coursed withall about farming the Excise, but he declined it. Adjourned till the Afternoone.

POST MERIDIEM.
The Receiver of y* Publick Aid or Deputy Treasurer, to have 50lb. yearly duering the Treasurer Absence.
One Inferior receiver in Every County, who shall receive directions from y* Deputy Treasurer, who shall receive Instructions from y* Govr and Councill; who Shall not be allowed above 20lb. p. year. Ordered that Benja. Chambers or Samv Hersent, be for Philadel-
At a Councill held at Philadelphia The 29th of ye 3d Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch,        Tho. Lloyd,       Tho. Holmes,

The Gov' put ye Question: All that are for the receiver of the Publick Aid, Called Comissioner, duering ye absence of the Treasurer, say yee: past.

Question: Whether Wm. Welch should be the person: Past in Affirmative. His Comission was read and approved off.

Ordered that ye Comiss' give Commissions to under Officers.

The Comissions and Attestations were read and Liked of: also, the forme of the Bond the under Officers are to give and their Instructions, were read & Liked off.

Ordered that the Comiss' give other Instructions to the Inferior officer for the Improving the said Act according to Law.

Ordered that Wm. Welch have a Gen'l Comission of ye Peace for the Province & Territories, and also the under Officers to have Commissions to Clear all Ships.

The Gov' Proposeth to send a Proclamation along with the Law of Publick Aid; which was w'h One Consent agreed upon.

The Gov' and Councill Ordered that these Persons following attend the Councill ye 30th Ins' by 7 in the Morning: Jno. Day, Jno. Songhurst, Tho: Winn, Tho: Hooton, Sam'l Carpenter, Jno. Jones, James Claypoole, Jno. Test, Patrick Robinson.

Adjourned till ye 30th 3d Mo., 84.

At a Councill held at Philadelphia ye 30th 3d Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch,        Tho: Lloyd,       Wm. Clayton.
Tho: Holmes,      Luke Watson,

The Persons Ordered to Attend the Councill Came Accordingly, and were discoursed Concerning the Bill of Publick Aid, and Considering the whole matter. Pat. Robinson, Jame Claypoole, John Song-
hurst, Sam'l Carpenter, Tho: Winn, and Jno. Jones, were nominated to be persons to get in the moneys arising by the same: Who, if they accept of it, they shall not only be made savers if they give in a Just account, but Gaynours. They are to give in an acc' hereof at 6 a Clock to night. Adjourned till 6 in the Evening.

POST MERIDIEM.
The Persons returne with this Answer: Sam'l Carpenter Offers, and all of them are willing that a Survey may be made upon their goods, and think they shall raise three hundred Pounds or more amongst friends that may answer the thing Intended; also, that they will give an acc' thereof, and get the Inscriptions to be in Lew of the Other Ingagem'. Adjourned till y' 31st 3d Mo., 84.

At a Councill held at Philadelphia y' 31st of the 3d month, 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Welch, Luke Watson,

The Persons before Mentioned Concerning the bill of Publick Aid, now being come w' their proposalls Concerning the same, The Gov' & Councill Ordered the reading of them, and give this Answer:

[No answer given.—Ed.]
Adjourned till y' 3d of y' 4th Mo., 84.

At a Councill held at Philadelphia The 3d 4th Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Tho: Holmes,

Samuel Lands' Letter was read, Concerning Coll. Geo: Talbot's going w' three Musqueters to y' houses of Widdow Ogle, Jonas Erskin & Andreis Tille, and tould them that if they would not forthwith yield Obedience to y' Lord Baltmore, & Own him to be their Prop', and pay rent to him, he would Turne them out of their houses and take their Land from them.

Tho: Holmes, Wm. Welch, Tho: Lloyd, apointed to be a Comittee to Looke into the Actions of y' Lord Baltmore, and to draw up a Declaration to hinder his Illegall proceedings.
The Petition of Wm. Darvall, Concerning a Bastard Child was read, and referred to ye same Comittee.

Another Petition of Wm. Darvall’s, Concerning his Disloyalty to ye Gov’t, in Denying to pay his rent, and advising Others the same; Also, Concerning the Gov’t Letter, and denying to grant a Warr to apprehend men coming out of Maryland, all wa is referred to ye same Comittee.

Adjourned till ye 4th 4th Mo., 84.

At a Councill held at Philadelphia, ye 4th of ye 4th month, 1684.

PRESENT:

Wm. PENN, Prop* and Gov.
Wm. Welch,      Tho: Holmes,      Wm. Clayton.
Tho: Lloyd,      Luke Watson,

Wm. Darvall withdrew his Petitions, & therefore the Comittee made there retourne, Thus: That he having soe done, they would Let the Buiness fall.

The Gov’t was pleased to bring in a Declaration to quell the People of Maryland.


At a Councill held at Philadelphia ye 11th of ye 4th month, 1684.

PRESENT:

Wm. PENN, Prop* & Gov.
Wm. Welch,      Wm. Clayton,      Tho: Holmes,
Emd* Cantwell,

The Gov’t informes the Councill that he sent a Letter to Coll. Talbot, to know what ye Lord Baltemore would doe in answer to Gov’ Doutgan’s Letter, which was to this Effect: to Lett things remaine as they were, till such times as there is a Decision made by ye King & Councill; he also will stay his Declaration till he heares what Talbot Sayes.

Ashcom’s Letter was read Concerning Talbot.

Sam* Lands’ Letter was read, informing the Gov’t and Councill that Jonas Askins heard Coll. Talbot say, that if Gov’t Penn should come into Maryland, he would Seize him & his retairce* in their Journey to Susquehannah fort.

Ordered that Wm. Welch doe take ye Attestation of Jonas Askins, Concerning what Talbot said unto him, or any of those adherent to him.

*Should be retinue.
PROVINCIAL COUNCIL.

THE TITLE OF A DECLARATION.

By Wm. PENN, Prop' & Gov' of ye Province of Pennsilvania & Territories Thereunto belonging: By and with ye advice & Consent of ye Prov' Councill of ye same.

Wm. Welch is granted Leave to goe home.

Adjourned till ye 12th 4th Mo., 84.

At a Councill held at Philadelphia ye 12th 4th Mo., 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Wm. Clark, Luke Watson, Tho: Holmes,
Wm. Clayton, Edm' Cantwell. Wm. Haigue.
Tho: Lloyd,

Wm. Clark Complains of Wrong done him by false reports of things done amiss in Open Court. The Persons names is Jno. Edminson and Wm. Darvall.

The President's being Memb' of Councill, are appointed a Comittee to Inspect the Virginia Laws, and to prepare such things out of them as may be Usefull for this Province, against the Next Genall Assembly.

Ordered that Jno. Edminson & Griffith Jones, be Sent for.

Griffith Jones being attested, Saith that about ye 5th Inst., John Edminson said before him & others at Capt. Briggs house, that Wm. Clark, in shoeing ye Difference between the Lord Baltmore's Government and this, & how much Easier it was to Live under this Government, then his tould see many Iyes and Untruths against the Lord Baltmore's Govermn't, that he could hardly bear with him; and further adds, that he, ye said Edminson, said that he was going to Gov' Penn for Pattents for his Land in ye County of Kent, and when he had got them, he would goe to ye Lord Baltimore and gatt his Pattents for ye said Land. Jno. Edminson Stands to ye same, and Saith that Wm. Clark tould ye people that the Lord Baltmore Denyed that Ever he had Given Out a Proclamation to Encourage ye People to Settle at ye whore Kills, as one of his Untruths.

Ordered That there be a report made to this board of the returne of the Comiss' wth went to Kent County Concerning Wm. Darvall, and that he may have a Writing drawne to Clear him.

Joseph Bowle, aged 31 years, living neer Iron hill, about 8 miles distance from New Castle, being attested, Saith that about tenn days since Coll. Talbot ridd up to his house and was ready to ride over him, and said Dam you, you Dogg, whom doe you Seat under here, you dogg! you Seat under noe body; you have noe Warr' from Penn no my Lord; therefore, gett you gon, or Else Ile send you to
St. Mury's; and I being frightened, Says he, you Brozen faced, Impudent, Confident Dogg, Ile Sharten Penn's Territories by & by; and the Neighbours said they saw Bowles his Land Surveyed away.

Adjourned till ye 18th 4th, 84.

At a Councell held at Philadelphia The 18th of ye 4th Mo., 1684.

Present:

Wm. PENN, Prop' & Gov'.
Jno. Symcock, Tho. Holmes, Chr: Taylor,
Wm. Clark, Wm. Haigue, Edm'd Cantwell,
Tho. Lloyd, Wm. Wood,

The Gov' desired to be Informed what Persons are fittest to administer to ffrar. Whitwell's Estate: it was thought Wm. Southerby and Wm. Berry who were appointed, so to be.

The Gov' again read the Declaration Concerning ye Difference between ye Lord Baltimore & himself, desiring ye Councills approbation; who approved of it, but desired that some things for ye present might be left out.

Adjourned till ye 19th of ye 4th Mo., 84.

At a Councell held at Philadelphia ye 19th of ye 4th month, 1684.

Present:

Wm. PENN, Prop' and Gov'.
Chr: Taylor, Tho. Lloyd, Luke Watson,
Wm. Haigue, Wm. Clark, Jno. Symcock,
Edm'd Cantwell, Wm. Clayton,

The Gov' Informes ye Councill that Wm. Darvall was much dissatisfied at ye proceedings of ye Comiss', and desires ye Opinion of ye Councill in giving him a Clearing under ye Clarke of ye Councell his hand.

Upon Inquiry made in relation to Wm. Darvall, Concerning ye Entertainment of one Murley in Disafection to this Governm',

The Comiss' appointed to Enquire after & to bring to condigne Punishment such Disaffected Persons to this Governm', as they should have Proof of, in the County of Kent;

Returned this much Concerning Wm. Darvall: that the thing suggested were not proved against him.

Taken out of the Journall by leave of Gov' & Councill.

The Gov' Informes Wm. Clark and Edm'd Cantwell that they should draw up two Petitions; One to ye King & One to ye Duke.

Adjourned till ye 20th 4th Mo., 84.
At a Councill held at Philadelphia y° 20th of y° 4th Mo., 1684.

PRESENT:

Wm. PENN, Prop° and Gov°.
Chr: Taylor, L. Watson, Wm. Clayton,
Wm. Haigue, Jno. Symcock, Wm. Clark.

The Petition of Geo : Thorp read; desiring a hearing before the Gov° & Councill.

The Gov° desires to know if it be not Convenient to Costitute Prov° Judges to Try Geo : Thorp’s Buisness. Ordered that it be Tried to morrow morning, Unless Griffith Jones shoes sufficient rea-
son to the Contrary.

Ordered that Griffith Jones be informed that the Gov° & Councill Sit at two of y° Clock in y° Afternoone, in order to his Buisness.

POST MERIDIEM.

The Petition of Geo : Thorp being againe read, The Quest. was put whether they would be pleased to Sitt as a Court of Equity and Law, or a Court of Equity alone.

The Gov° Proposes whether the two party’s are Willing to have it Tried by the Prov° Judges.

Griff. Jones desire times to send for his Evidences, and also desires to know if it shall be Tried by Law or Equity.

Adjourned till y° 25th 5th Mo., 84.

At a Councill held at Philadelphia y° 25th of y° 5th month, 1684.

PRESENT:

Wm. PENN, Prop° and Gov°.
Wm. Welch, Tho: Holmes, Wm. Haigue,
Wm. Clark, Tho. Lloyd, Wm. Clayton,
Wm. Darvall, Chr: Taylor, Jno. Cann.
Jno. Symcock, Tho: Janney,

Richard Mitchell, Sherriff, made his returne from Kent County, of the Election of Wm. Darvall in y° Place of ffan. Whitwell, De-
ceased.

Wm. Darvall Attested to Keep Secrecy.

The Gov° Desires That the Memb° of Councill would be sure above any thing to Suppress Lewdness and all manner of Wickedness.

The Gov° first proposes to the Councill, the Law Concerning Sell-
ing Rum to the Indians.

That is to say: advises to Issue forth an Act of State to Suppress selling rum to the Indians in such Quantities.

The Gov° desires also, that Ordinary Keepers’ disorders may be suppressed.

Ordered that Rob’ Terrill be sent for to appear before y° Gov° & Councillo, and all others that Sell Rum to y° Indians.
Jno. Jones Acquaints the Councell that one Russell harbours his Negroes, and therefore begs some redress.

MEMORANDUM: Servants Traviling with out Passes, Idleing on first days, Unlisenced houses selling Liquors without Licence; also, seven pence half a penny a Meal, and one penny a q' for beer.

Adjourned till ye 26th 5: Mo., 1684.

At a Councill held at Philadelphia ye 26th 5th Mo., 1684.

PRESENT:

Wm. Penn, Propr and Gov'.
Wm. Welch, Jno. Cann, Chr: Taylor,
Jno. Symcoock, Tho: Lloyd, Tho: Janney,
Wm. Darvall, Tho: Holmes, Wm. Clark.
Wm. Haigote Wm. Clayton,

Robert Terrill being brought before the Gov'r & Councill for Selling rum to the Indians and Other people, and Entertaining Other Person's Serv's, rece'd a repremand from the Gov'.

A Proclamation Ordered to be Issued Out in Order to Suppress the same.

Ordered that Magistrates give Instructions to the Grand Jury for Suppressing of Ordinaries, according to Law.

Ordered that a Letter be writt giving Magistrates directions Concerning the Proclamation, & also of Chusing Magistrates & Peace Makers.

Left to ye Govr's Discretion to have ye Laws & Charter printed at London.

Magistrates to Look after the Peace of ye Province, & to Demeane themselves without a just Cause of Offence to the Indians, and then Discretly.

Tho: Lloyd, Tho: Holmes, Wm. Haigote, appointed to draw up a Charter for Philadelphia to be made a Burrough, Consisting of a Maj'r and six Aldermen, & to Call to their Assistance any of ye Councill.

Adjourned till ye 28th of ye 5th Mo., 84.

At a Councill held at Philadelphia ye 28th of ye 5th Mo., 1684.

PRESENT:

Wm. Penn, Propr & Gov'.
Wm. Welch, Wm. Darvall, Jno. Cann,
Wm. Clark, Chr: Taylor, Tho: Holmes,
Jno. Symcoock, Tho: Janney, Tho: Lloyd,
Wm. Haigote Wm. Clayton,
The Gov't put ye Question, whether ye Gov'n Charges & Expenses for the Preservation and Continuation of the Lower Countyes as annexed by act of Assembly to this Province, shall be reputed a Public Charge.

Resolved upon ye Question, ye ye Gov'n Expenses preserving and Continuing the Lower Countyes annexed by act of Assembly to this Province, be held & Reputed a Public Charge.

The Gov't put ye Quest: whether two-thirds or three-fourths of ye freewill Offering Money given to ye Gov', should be put to ye Quest.

Past in the Affirmative.

As many as are of Opinion that two thirds should be allowed the Gov't towards the preserving &Continuing the Lower Countyes, annexed by Act of Assembly to this Province.

Past in the Negative.

As many as are of opinion that three fourths should be allowed, Say yee: Past in ye Affirmative.

All that are of Opinion that ye Charges of ye Watchmen at New Castle should be payed out of ye Publick Treasury, till further Order from Prov'n Council, Say yee: Resolved in ye Affirmative.

Ordered that Tho: Holmes, Wm. Haigue, Wm. Clayton, Tho: Lloyd, Wm. Darvall, Wm. Clark, or any two of them, Inspect ye Bills of Benj. Acrod, Deceased, before such time as they are payd.

Adjourned till ye 14th 6th Mo., 84.

At a Councill held at Sussex The 14th 6th Mo. 1684.

PRESENT:

Wm. PENN, Prop' and Gov'.
Tho: Lloyd, Tho: Holmes, Wm. Darvall,

The Difference between Luke Watson and Jno. Bellamy, touching the apprais'm formerly Ordered by ye Gov' & Councill, &c.
The sayd Luke Watson & Jno. Bellamy agreed before ye Gov' & Councill, as followed:

That the said Luke Watson shall Continue upon ye three hundred Acres at Prime hook, wherof are his Improvem', together with the two hundred Acres adjoyning thereto; and in Consideration thereof, the said Jno. Bellamy shall have the four hundred fifty-seaven Acres as p. Pattent, being formerly the Lands of One Wm. Canes, and Seated by Prentice, and to assigne and make Over their Intrists to Each Other in ye said Lands, by Legall Conveyances, &c. And ye said Luke Watson shall further pay unto the said Jno. Bellamy, one Bullock, or Value thereof; and thus they agreed & shaked hands.

Adjourned till The 18th of ye 6th Mo., 1684.
At a Councill held at New Castle The 18th of ye 6th month, 1684.

PRESENT:

THOMAS LLOYD, President.
WM. Welch, Jno. Symcock, Edm't Cantwell.
Jam: Harrison, Tho. Holmes,

A Comission from ye Gov'r was read, Impowring the Prov'n Councill to act in the Governm't in his Steed, Tho. Lloyd being Presid't of ye same.

Also, a Comission for Tho. Lloyd to keep the great Seale, was read.


Adjourned till 19th 6th Mo., 84.

At a Councill held at New Castle The 19th of ye 6th month, 1684.

PRESENT:

THOMAS LLOYD, Presid't.
Chris: Taylor, Jam. Harrison, WM. Clayton.
Tho. Holmes,

The Commission for the great Seale was againe read, and the Seale delivered to Tho. Lloyd.

A Comission was read Impowring Tho. Lloyd, James Claypoole & Rob' Turner, to Signe Pattents and grant Warrats.

WM. Clayton, Rob' Turner & Dan'l Pastoruses, Comission for Justices of ye Peace for Philadelphia County was read.

WM. Clark's Gen'l Comission for ye Peace was read, and filled up in Councill.

Adjourned till 24th 6th Mo., 84.

At a Councill held at New Castle The 24th of the 6th month, 1684.

PRESENT:

THOMAS LLOYD, Presid't.
James Harrison, WM. Haigue, Chris. Taylor.
Jno. Symcock, WM. Clayton,

Ordered that the next Justice in Comission to the Presid't of the Court of New Castle, doe officiate in the same till further Order.

Adjourned till ye 10th 7th Mo., 84.
At a Councill held at Philadelphia the 10th of ye 7th Mo. 1684.

PRESENT:

THOMAS LLOYD, Presid'.

Tho. Holmes, John Symcock, Wm. Clark,
Chr: Taylour, Wm. Clayton, Edm'd Cantwell,
Wm. Wood, Jam. Harrison, Jno. Cann.

Wm. Welch being deceased, the Memb' of Councill for N. Castle County, Informed the Councill of ye' Want of one in his place: Whereupon, the Presid' put ye' Quest., whether or not there should be a Writt sent downe to Chuse a Memb. to serve in his steed: past in ye' Affirmative.

Quest. Whether the Managem' of the Genall Survey' Place of New Castle County, Should be put into the hands of Tho. Holmes, Surv' Gen' of ye' Province, till further orther; and that Tho. Person be his Deputy for ye' Time being, he receiving Instructions from ye' Gen' Surveyor. Past in Affirmative.

Information being given to this board, that the Widdow Ogles' hay was thrown into ye' Creek, and Andrew Stelle's Clouths Terne by Coll. Talbots' People, who did it by his Order, Edm'd Cantwell and Jno. Cann were Ordered to Inspect the thruth of it, and to make a Speedy report of ye' same to this board.

Adjourned till ye' 11th 7th Mo., 84.

At a Councill held at Philadelphia The 11th of ye' 7th month, 1684.

PRESENT:

THOMAS LLOYD, Presid'.

John Symcock, Jam. Harrison, Tho. Holmes,
Wm. Clayton, Wm. Clark, Chris. Taylor.
Edm'd Cantwell, Jno. Cann.

It being proposed by a Memb' in Councill, that a New Comission of the Peace be granted for the Countys of Philadelphia & New Castle, by reason of ye' removeall and Decease of ye' sayd Presid', it was Unanimously agreed that New Comissions should be Issued Out.

Ordered that Notice be given to the Prov'n Judges, to request them to appear in Councill to Morrow, at the 9th hour.

Adjourned till ye' 12th 7th Mo., 84.

At a Councill held at Philadelphia The 12th of ye' 7th Mo, 1684.

PRESENT:

THO: LLOYD, President.

Jno. Symcock, Edm'd Cantwell, Jno. Cann,
Chr: Taylor,
MINUTES OF THE

Ordered that upon the Decease or Absence of ye Present President from this Province or Territories, that it shall and may be Lawfull for the Prov" Councill, upon any urgent Emergency, to meet together, & Chuse a Presid' or Vice presid', as Occasion shall Offer, from time to time.


Ordered that the King's Proclamation forbidding his subjects to Enter into the Servis of foraigne Princes, be read to Morrow by the Sherriff, in the most publike places of Philadelphia, at Tenn of the Clock to Morrow; and to be affixed in a Publick place for the Publick View.

Ordered that a Comission be speedily Issued forth for One to Supply the place of a Prov" Judge, Lately deceased.

Ordered that it be referred to ye Presid' and psent Membr", to Co-missionate Treasurer if Occasion be.

The Comission of ye five Prov" Judges was this day delivered unto Nicholas Moore & Robt. Turner, who were accordingly Attested.

The Copy of Wherof is as followed, Viz:

Wm. Penn, Prop'y & Gov't of ye Province of Pennsilvania & Territories thereunto belonging,

To my Trusty & Loving friends, Nicholas Moore, Wm. Welch, Wm. Wood, Robt Turner & John Eckley. Greeting:

Reposing Speciall Confidence in ye Justice, Wisdom and Integri-
ty, I doe, by Virtue of ye King's Authority, derived unto me, Consti-
tute you Provinciell Judges for the Province and Territories, & any Legall Number of you a Prov" Court of Judicature, both fixed and Circular, as is by Law directed, giving you and Every of you full power to act therin according to ye same; Strictly Charging you and Every of you, to do Justice to all and of all degrees, without delay, fear, favour or Reward: And I doe hereby require all Persons within the Province and Territories aforesaid, to give you ye due Obedience and respect belonging to your Station, in the Discharge of your Dutys.

This Comission to be of force duering two years Ensuing ye Date hereof, You and Every of You behaving yourselves well therein, and Acting according to ye same.

Given at Philadelphia, ye fourth of ye sixth Month, One thousand six hundred Eighty & four, being ye thirty Sixth year of ye King's Raign, & ye fourth of my Govern'm:

{THE SEAL.}

WM. PENN.

Postcrip: For ye three Upper Countyes and Towne of Philadelp-

hia.

WM. PENN.

Ordered that the Registrey's Office for the County of New Castle, be managed by Jno. Cann, till further Order.

Ordered that ye Presid' and Present Members may have power out of Councill to grant Licenses.

An Information being given to this board from Sam'l Land, Hig-

h Sheriff of the County of New Castle, That there was a Ship Lately arrived which was an unfree Bottom; Whereupon he seized her.
Ordered that Wm. Clark, Jno. Cann, Edm't Cantwell, Peter Aldrichs, and Jno. Williams, or any three of them, Strictly Inquire into the Nature and Truth of y' Information, and Transfear an acco' there-of to y' Presid', or in his absence to Tho: Holmes.

Ordered in Council, that y' Presid' & Members present may Empower such as they think fitt, to be a Court of admiralty, for the hearing and determining the State and Case of the Shipp Seized; and that upon all other, and the Like urgent Occasion, that the Presid' & Pres't Members may, in absence of y' Council, proceed to act therein with Prudence, Law and Discretion, according to y' Necessity of y' Matter, and that an account of y' same be reported to y' next Council.

Adjourned till y' 14th 8th Mo., 84.

At a Councill held at Philadelphia The 14th 8th Mo., 1684.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Haigues,    

The Ship Called the harp, of London, Robt. Hutchins Master, being by this board Called in Question for his Ship's being an unfree Ship, and upon Consideration had by this board and Sam'h Hor сент, Prosecutor, in behalfe of Sam'h Land, Prosecuting & desireing Judgment against the said Ship.

Monsieur Dethees, Master, Alias Pilot, appearing in person in Council, produced a Past under the hands of the Comiss'n of London, and Seal of the Custom house, dated y' 9th May, 1684; but positively declared that he had noe Clearing to produce, neither (as he said) could be produce any from the Admiralty Office of Darby house, and that Mounsieur Duthees that had been Employed to dispose of the Charity given to some French Protestants of good Quality, bound for Pennsylvania, did Solicite at y' 8th Admiralty for a Clearing, but could not obtaine it; Hezekias Helmet, Ed'm Hunter & Jeffrey Johnson, Seamen & Sylors on said Ship, being also called, and Personally appearing in Council, & being Interrogated severally and Joyntly, declared that they knew nothing of the Clearing of the said Ship, and that they know nothing of her being an unfree Ship till they came to burnegat, where they then heard of one above that Knew more than they, that Shee was an Unfree Ship.

The board upon hearing of the whole matter, and all that could be alleged in behalfe of said Ship, It is y' Judgm't of the board that Shee is an Unfree Ship, & so forfeited.

Condemnation and Sale of the Ship harp of London, By the President & Members of Prov'n Council of the Province of Pennsylvania, and Territories thereunto belonging:

Information being made to this board by Sam'n Land, that a Certaine Ship called the harp, of London, Lately arrived with Passengers
from London, in England, and now riding before the town of Philadelphia, in the Province of Pennsylvania, is a french Bottom, and noe ways made free to Trade or Import any goods into any of his Majes-
ty's Plantations in America, and soe under the forfeiture Exprest in
the Laws of Navigation, upon a full hearing of the Buisness in Coun-
cill, the fourteenth of y* Eighth Mo., 1684, And by the Ingenious
Confession of the Master, who Termes himselfe Pilot of y* said Ship,
who produced a Pass under the hand of y* Comiss* & Seale of the
Custom house at London, Dated the Ninth of the Second* Month,
1684, but positively declared that he had noe clearing to produce,
Neither (as he said) could he produce any from the admiralty office
of Darby house, and that Mounsieur Duthees that had been Employ-
ed to dispose of the Charity given to some french Protestants of good
Quality, bound for Pennsilvania, did solicite at said Admiralty for
Clearing, but could not obtaine it, the seamen & Saylors, Viz': Heze-
kias Helmont, Edw* Hunter, and Jeffery Johnson, of y* s* Ship being
called, and personally appearing in Councill, did declare Joynly &
Severally, that they knew nothing of her being an unfree Ship untill
they came to Barnegatt's, where they then heard that shee was an
Unfree Ship; and Sam* Land being prosecutor, Desireing Judgm', the
President and Prov* Council upon hearing of y* whole matter & all
that could be alleged in behalfe of y* said Ship.

Have and doe adjudg and Condemn y* Said Ship as aforesaid, for-
feited according to Law, the 14* of the 8* moonth, 1684; and Comiss* being respectively appointed for y* View, appraisem* & sale of y* said
Ship, w* Tackle, apparrell & Ammunition, &c. did accordingly, between
y* hours of three & five of the day in y* afternoone, being the 14 of
the 8* month, 1684, Sel the said Ship by the Inch of Candle, to Barn-
aba Wilcox, for fifty-nine pounds ten Shillings six pence; whom
we doe Declare to be the Sole, Right, and Lawfull Owner of y* said
Ship.

THOM. LLOYD.

Adjourned till 22* 8* Mo., 84.

At a Councill held at Philadelphia ye 22* of y* 8* Mo., 1684.

THOMAS LLOYD, Presid*.

Wm. Clark,    Tho: Holmes,       Luke Watson,

Ordered that John Songhurst, Wm. East, Thom: Taylor, apprase
y* french Ship w* is forfeited, and make returne fourthwith to this
board.

Ordered that James Claypoole, Sam* Carpenter, & Wm. fram-
ton, be Comiss* to Dispose of y* french Ship fourthwith.

*Should be third.
Ordered that Wm. Darvall, Grunadus Wessel, Jno. Brigs & Dan° Jones, have Commissions for Justices of the peace for Kent County.

Ordered that Peter Alrichs, Rob' Owen, Edm° Cantwell, & Abram. Man, have Commissions for Justices of the peace for New Castle County.

The Returne of the Sheriff of New Castle was this day read, for the Choyce of Peter Alrichs to be a Councillor for that place, Who was this day attested in Councill.

The Petition of Edm° Cantwell was read, and the Councill Exprest their unwillingness to take Cognizance thereof, by reason had regularly his Legall remedy from the Prov° Court, to which he appealed, and should have prosecuted his Complaint & Greavance; how Ever, they thought it advisable to have a Letter Sent to the Clerk of the County of New Castle by the Clerk of the Council, to send up to this board w° all Expedition, a Copy of the appeal, Judgm° Bond and Execution, w° the Declarion Plea and Verdict Entred & Issued out against the Complainant.

Adjourned till 24th 8° Mo., 1684.

At a Councill held at Philadelphia y° 24th of y° 8° Mo., 1684.

PRESENT:

Wm. CLAYTON, Presid°.
Chr: Taylor, Ja: Harrison, Wm. Wood,

Ralph ffratwell Complaines to the Councill that he cannot have his Land Laid Out by reason of the Contention of the Survey'.

Tho: Holmes being sent to by the Clarke of the Councill, to know his reason of not Issuing out his Warrant to Survey y° Said Ralph ffratwell's Land, his answer was, he would not Issue out his Warrant to Charles Ashcom, But he would Issue out his Warrant according to his Comission.

Wherupon the Councill made this Warr° following:

For as much as Ralph ffratwell hath made his Complaint to us that he cannot have his Land Surveyed and Layd out according to the Gov° Warrant, Wee having Sent to Tho: Holmes to put y° said Warr° in Execution, Viz': to direct Charles Ashcome, Survey° of the County of Chester, to lay out the Same, and he refusing seoe to doe;

These are therefore, to will and require Thee fourthwh° to Survey, or caused to be Surveyed, unto Ralph ffratwell, the said Tract of Land, beginning halfe a mile above Concord, and soe through New Towne, Saving Every man's right their already Surveyed to them in y° said Towns Ship, and Soe up N. N. W. till you come to y° full Extent on that side, and soe onwards untill the said Warrant be Accomplished, by a Square of ten or twelve miles, or any Quantity that may be Contained in the same, according to y° Treu Intent and meaning of y° Gov° Warrant.
James Harrison and Jno. Symcock were Ordered to Discourse Tho. Holmes Concerning Ralph firetwell.
Adjournd till 25th 8 Mo., 84.

At a Councill held at Philadelphia y° 25th 8 Mo., 1684.

PRESENT:

THO: LLOYD, Presid't.
Wm. Clark, Wm. Clayton,

Barnabas Wilcox had two hours granted him to give his answer to the Presid't, whether he will have the french Ship as he bought her or not.

A Prov'n Court being by Law and under the great Seale by y° Propror & Govr Established, it was Judged advisable and Expedient that for the future the Prov'n Council may draw up and Endeavour to ascertain the Legall Bounds and Jurisdictions of the Respective Courts of Judicature in this Province & Territories, lest through the Inadvertency, Indiscretion or unskillfulness of any Persons Judicially Comissionated, in the Discharge of their Duty, they, or any of them, may act Eregularly, to the Disatisfaction of y° Governm't, Disreputation of themselves, to y° Vacuating and Insecurity of such acts & Judgment of y° said Courts, & Consequently by the Intrenching of one Court upon y° Matters Cognisable by an other Judicature, Annimositys, Disrespect and Confusion may be introduced.

For the Prevention Wherof, and y° preserving of a Respectfull Notice and Corispondance, and for y° Continueing a Suitable regard to the due Determination of y° Comiss'n of Each Court, It was agreed in Councill that such Instructions, Soe drawn up, may be recomended to the notice of y° Respective Comiss'n.

Adjournd till y° 50th of y° 1st month, 85.

At a Councill held at Philadelphia The 30th of y° first month, 1685.

PRESENT:

THOMAS HOLMES, Presid't.
Chris. Taylor, Tho: Janney, Nich. Newlin,
Wm. Wood,

The Returne of Philadelphia Read.
The Returne of Bucks read.
The Returne of Chester Read.
John Barnes, Nich. Newlin & Phinihas Pemberton, were this day attested to Keep Secret the Debates of Councill.

Adjournd till y° 31st 1st Mo., 85.
PROVINCIAL COUNCIL.

At a Councill held at Philadelphia the 31 1st Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.
Chris: Taylor, Wm. Wood, Jno. Barnes,
Jno. Symcock, Jno. Cann, Nich. Newlin,

The Returme of the Sherriff of New Castle was read.
Put to ye Question, Whether ye Members not coming to Councill yesterday be willfull absence.
Past in the Negative.
Put to the Question, Whether those two Sherriffs which have not made their returns should be fined or not for Negleect of Duty, and whether ten pounds fine should not be Layd upon Each.
Past in ye Affirmative.
Ordered that ye Sheriff of New Castle pay 20s. fine for not making returne in time.
Adjourned till ye 1st 2d Mo., 85.

At a Councill held at Philadelphia ye 1st 2d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.
Wm. Wood, Peter Alrichs, Jno. Symcock,
Jno. Cann, Phe: Pemberton, Chris. Taylor,

The Petition of Christopher Penock & Co. Concerning the ferry at Skoolkill, was read.
Ordered ye an Order of ye Councill be Sent to Phillip England, to Expedite a sufficient ferry boat for horses and Cattle to pass to and fro over the Skoolkill, as also to make ye way on both sides Easy and passable both for horses and man, to Loe Water Marke; Otherwise ye Councill will take care to Dispose of it to such as will pforme ye same.
It being Moved in Councill to have the Line of Separation known & distinguish between ye Countyes of Philadelphia and Bucks, at ye River Delaware, the County of Bucks to begin at Poaesson Creek, and soe to take in the Easterly side thereof, together with ye Townships of Southampton & Warminster, and thence backwards.
And severall Members of Councill acquainted this board that they heard the Govr Positively grant & say, that the aforementioned Line should be the Devison between the two said Countyes, and being put to ye Question, whether that should Stand as ye division of ye Countyes aforesaid, it was carried in the Affirmative, Nemine Contradicente.
Ordered that an Order of Councill be Sent to ye Sheriff of Each County above said, to the End that they may know the Limitts & bounds of each respective County.

The Question was put, whether Sam'l Land should Continue Sheriff for the County of New Castle for ye Next year.

Past in the Affirmative.

Whereas; the Gov't in pence of John Symcock and Wm. Wood, was pleased to Say & grant That ye bounds of the Countys of Chester & Philadelphia should be as followed, Viz':

That the bounds should begin at the Mill Creek and Slopeing to ye Welch Township, and thence to Scoolekill, &c., in obedience thereto and Confirmation thereof.

The Councill having Seriously Weyed & Considered the same, have & doe hereby Agree and Order that ye bounds betwixt the said Countys shall be thus; That is to Say:

The County of Chester to begin at ye Mouth or Entrance of Bough Creek, upon Delaware River, being the upper End of Tenecum Island, and soe up that Creek, deviding the said Island from ye Land of Andros Boone & Comp'y; from thence along the Severall Courses there-of to a Large Creek called Mill Creek; from thence up the Severall Courses of the said Creek to a W: S: W: Line, which Line devided the Liberty Lands of Philadelphia from Severall Tracts of Land belonging to the Welch & Other Inhabitance; and from thence E: N: E: by a Line of Marked Trees, 120 perches more or Less; from thence N: N: W: by the harford Township, 1000 perches more or less; from thence E: N: E: by ye Land belonging to Jno. Humphries, 110 perches more or less; from thence N: N: W: by ye Land of Jno. Ekley, 880 perches more or Less; from Thence Continuing ye said Course to the Scoolkill River, w: s: s: Scoolkill River afterwards to be the Naturall bounds.

The Question was put, whether the afore mentioned Creeks, Courses and Lines, shall be the bounds betwixt the Countys of Philadelphia & Chester, according to ye Gov't grant as aforesaid; Unanimous Carried in ye' Affirmative.

Motion being made for a Rainger for the County of New Castle, the Councill Unanimously Chose Peter Alrichs to be Rainger of ye said County for One year.

Ordered that he have a Commission drawn for that purpose.

Ordered that Rich. Parker have Licence to Keep an Ordinary at Darby Creek.

Adjourned till ye 3d 2d month, 1685.

At a Council held at Philadelphia ye 3d 2d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid't.
John Symcock, Jno. Cann, Phe. Pemberton,
Tho. Janney, Jno. Barnes, Wm. fframpton,
Wm. Clark, P't Alrichs, Chris. Taylor,
Wm. Wood. Nicho. Newlin,
Wm. Clark being attested, deponeth that he saw ye returne of the Sherriff of ye County of Kent for a member of Councill, and he did read in the returne that Wm. ffraampt was ye man Chose for the memb of Councill.

And it being put to the Question whether that was sufficient for him to Sit, past in the Affirmative.

The Lycence of John Hill Ordered to be renewed.

The Returne of ye Sherriff of Lewis County was read, Jno. Roads Returned Councillor.


Wm. ffraampt was this day attested in Councill to keep Secresy.

Ordered that a Bill be drawn for Severall sorts of fines Expresst in the Laws of this Province, to be raised, Leaved and payd.

Ordered that a Bill be drawn to ye End the time of Enrolm' be Enlarged to Six months of Charters, deeds & Conveyances, & that ye Clawse of Bill Bonds & Specialties be left Out, and ye Word Patents be added and Incerted after the Word Charter.

Ordered that a Bill be drawn for Indemnifyeing all forfeited Deeds not Enroled in Time, and that ye said deeds shall stand Valid to all intents and purposes, as if they had been Enroled.

Ordered that a bill be drawn up That ye Word Equity be left out in ye Law off County Courts.

Put to ye Question; whether the 87 Law should be repealed, and one year be put in the roome of six months, and be new drawne: past in the Affirmative.

Put to ye Question; whether the penalty should be taken out of the Law of Education; Past in the Affirmative.

Ordered that Wm. ffraampt, Phin: Pemberton and Jno. Cann, doe draw up a Bill that all pay may be made in Kind according to Contract; also, that they bring in the Distance of takeing up of Servants.

Adjourned till 4 2 Mo., 85.

At a Councill held at Philadelphia ye 4th of 2d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Wm. Wood, Jno. Symcock, Wm. Clark.
P' Alrichs, Jno. Cann, Luke Watson,
Phin: Pemberton, Tho. Janney,

Put to ye Question; whether the 134 Law should be repealed, and one or more drawns with amendments, in respect of Serv^.

Past in the Affirmative.
Wm. Clark is desired to bring in a forme of Indictments and attachment, against the next Sitting.

Ordered that a Bill be drawn for Watch and Ward, and be left to ye Justices of Every County, or any four of them, to settle time and place, with 5d. penalty for Every One that shall neglect.

Put to ye Question: Whether ye 41 Chapter of Laws should be repealed, and an Other made in the room of this amendment: Person instead of Man: past in ye Affirmative.

Nath. Allens, Comission for gage & Sealer of Weights & Measures, was read and left to be Considered.

Put to ye Question; Whether ye 103 Law should be repealed concerning gageing: Past in the Affirmative.

Ordered that Wm. fframpton draw a new bill for the Size of Cask exported, and also to be used within this Province, &c.

Put to ye Question; Whether there shall be a Gallon, peck & Bushell be Sealed in Every County of this Province, to be maintained at their own Charge; past in Affirmative.

Put to ye Question; Whether a Law should be made for a Penalty to be Laid upon such as Cutt or fall Marked or bounded trees; Past in the Affirmative.

Ordered ye Jno. Symcock, Jno. Cann, Wm. fframpton & Phinias Pemberton, be a Comittee to draw up the former bills.

Adjourned till 6th 2d Mo., 85.

At a Council held at Philadelphia ye 6th 2d month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Wm. Clark, Luke Watson, Jno. Barnes,
Wm. fframpton, Jno. Cann, Chr: Taylor,
Tho: Janney, Phin: Pemberton, Jno. Symcock,

Put to ye Question; whether ye Persons Concerned in ye Subscription of money in Lue of ye Publick ayd, should be sent for in Order to pforme what they undertooke: Past in ye Affirmative.

Put to ye Question; whether this following Writing should be the foreable to the Order of Council for ye Division of Countyes: Past in ye Affirmative.

Wheras, there is a Necessity to Ascertaine the bounds of the several Countryes of the Province of Pennsylvania, in Order to the raising and Collecting of Taxes, Public Monies, and Other ways to adjust ye Limits of their respective Sherriffs, for ye Performance of their powers and Dutys; and also, that ye People might know unto what County they belong and appertaine, To answer their Dutys and places: Ordered that a Comission be drawn for James Harrison, Tho: Janney, Wm. Yardley, Wm. Biles, Wm. Beaks, John Ottor, Edm: Bennet & Jno. Swift, to be Justices of the Peace for ye County of Bucks, the year Ensueing.
Ordered that a Commission be drawn for Jno. Symcock, Wm. Wood, Nich. Newlin, Rob. Wade, Geo. Maries, Tho: Usher, Robert Riles & John Blumstone, to be Justices of ye Peace for Chester Country, the year ensuing; But Left to the President and members of the said County to Leave Out four of them.

Put to the Question; Whether there should not be a Bill or Bills drawn to fine Justices & Sheriffs for their Neglect of their Duty; Past in the Affirmative.

The Petition of Widow Acrod was Delivered into this board by Nicho. Moor, her Attorney; was read, & proof being made by her said Attorney of her being Married to Benj. Acrod, Deceased, by a Certificate from the Late Lord May of ye City of London, Sr Henry Talse, and a Letter of Attorney also produced, Constituting the said Nich. Moore her Attorney.

Ordered therefore, that Patrick Robinson be sent to attend this Board, to give an account of ye Estate of Benj. Acrod, Deceased.

Adjourned till 7th 2d Mo., 85.

At a Councill held at Philadelphia ye 7th of ye 2d month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Tho: Holmes, Tho. Janney, Lukq Watson,
Wm. Clark, Jno. Cann, Phin: Pemberton,
Jno. Symcock, Peter Alrichs, Nich. Newlin,
Wm. Wood, Wm. ffraamton, Jno. Barnes.

The Gov'n Commission to the Council was this day read.
A Bill Concerning runaway Servants was read a first reading Past Nemine Contradicente.
A Bill Concerning Indemnifieing of Patents, Gift, Grants, &c., not Enroled, read a first reading: past N. C.

Adjourned till ye 8th 2d month 1685.

At a Councill held at Philadelphia The 8th of the 2d month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Jno. Symcock, Jno. Cann, Wm. ffraamton,
Wm. Wood, Chr: Taylor, Phin: Pemberton,
Peter Alrichs, Wm. Clark, Jno. Barnes.
Luke Watson,

A Bill for Persons going in Season for their pay in Pork, Tobacco & Corne, was read a first reading: past N. C.
MINUTES OF THE

By the Presid" & Prov" Council of the Province of Pennsilvania & Territories thereunto belonging:

Whereas, there is a Necessity to ascertaine the Bounds of ye several Countyes of Pennsilvania, in Order to ye raising and Collecting of Taxes, publick Moneys, and Otherways to adjust the Limitts of the respective Sheriffs for ye performing of their Power and Duty; and also, that ye People might know unto what County they belong & appertaine to answer their dutys and places: and whereas, the Gov, in presence of Tho: Janney & Phin: Pemberton, was pleased to say and Grant that ye Bounds of ye County of Bucks and Philadelpia should begin as followeth, Viz:

To begin at ye Mouth of Poetsquinsink Creek, on Delaware, and soe by ye s Creek, and to take in the Townships of Southampton and Warminster; in Obedience thereto and Confirmation thereof, The President and Councill having Seriously Weighed and Considered ye same, have & doe hereby agree and Order that the bounds between the said Countys shall be thus: to begin at ye Mouth of Poetsquinsink Creek on Delaware River, and to goe up thence a long ye said Creek by ye severall Courses thereof, to a S. W. & N. E. Line, which said Line devides the Land belonging to Jos. Growdon & Compa., from ye Southampton Township; from thence by a Lyne of Marked Trees along the said Line 120 Perches more or less, from thence N. W. by a Line of markd Trees, which said Line impart devided the Land belonging to Nich. Moor from Southampton & Warminster Townships, Contermeing the said Line as far as ye said County shall Extend.

The Petition of Jno. Day was read; he is referred to two or three Justices of ye Peace to hear ye Buisness.

A Bill for Leather to be well Tand was read a first reading: Past N. C.

A Bill for fences to be Viewed read a first reading: past N. C.

Adjourned till 9th 2d month, 85.

At a Councill held at Philadelphia The 9th of the 2d month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Tho: Holmes,        John Cann,        Phin. Pemberton,
Jno. Symcock,       Nich. Newlin,       Chr: Taylor,
Wm. Clarke,         Tho. Janney,       

This day the Law past by this board to be permulged, were read a second and third time and past, N. C.

Ordered that when Saml Carpenter hath his Comission to appoint a Collector in New Castle County, that there shall be Care taken to Satisfie those that Watcht in ye fort by ye Gov" Order.

Ordered Unanimously in Councill, that Each County in this Province & Territories in their publick Assessm', advance w's all Expe-
dition the sum of ten pounds, wth they all agree to be Raised for Richard Ingelo, Towards his Attendance and service in Councill.
Adjourned till 25th 2d month, 85.

At a Councill held at Philadelphia The 25th of ye 2d month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

The Petition of Jno. Butterworth being read, as also the annexed Letter from Tho: Olive, Deputy Gov'r of West Jarsey, whereby the said Butterworth Complained unto the Justices of the County of Philadelphia, for his Wages due unto him from Henry Patrick, Comender of the Ship Dispatch of London, for four months Wages, Ending ye 5th of ye first month Last, at ye rate of twenty-eight Shillings sterling money of England p. month, amounting to Seaven pounds Currant money of this Province, and ye same after severall Demands refused to be payd by ye said Henry Patrick; and Wheras, ye said Justices of ye Peace have recomended the State of ye Case of the said Petition to this board, that so he might not perish, or be a Charge to this Province for want of his Just Wages.

This Board upon Consideration had of the premises, have thought fit and doe hereby Order the Justices of the peace for the townes of New Castle, or any four of them, by Sumons or Warrant, to send for the said Henry Patrick, whether on shore within their said Presinekt, or on board of his Ship, Over against the said presinekt in the River Delaware, and to Cause him to make payment of ye aforesaid sum to the said Butterworth or his assignees, or Otherways to give Security for ye paym' thereof in such reasonable time as you shall see meet in you discretion, Unless he, the said Henry Patrick, can Legally make it appear before you that he hath paid ye said Butterworth any more towards his wages then he alledged due to him, or that he can give you satisfaction why he ought not to pay ye's wages.

Adjourned till ye 28th 2d Mo., 85.

At a Councill held at Philadelphia ye 28th 2d Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.
Wm. Sframpton,

Wm. Dareing's Petition was this day read.
Wheras, a Petition was this day by Wm. Dareing, Master of ye Ship Wrenn, Exhibited to this board, thereby alledged and setting
forth that Jno. Harrison, seamen, Geo. Ambler, and Tho. Pringle, Servants belonging to ye said Ship, were at ye Last Prov'n Court held at New Castle, Ordered and Sensured to pay tenn pounds seaven Shillings for a hogg, Valued at One pounds three Shillings, besides two of them to be Whipt, and ye said master Complaining of ye said Sentance of Court to be Severe, and Contrary to Law, hath Petitioned this board to have the Execution of ye said Sentance suspended.

Upon Consideration had of ye Allegations in ye sd Petition, It is Ordered ye y' Execution of ye sd Sentance be suspended, and ye y' Justices & Sherriff of ye Town of New Castle are hereby Impowerd to suspend the same accordingly, until ye Prov'n Judges doe returne to this Towne, and ye Councill have Confered with them, and thereby receive a full and Clear account & understanding of this matter, for wth this shall be to you and Every one of you your Sufficient Warr'

Adjournd till ye 11th 3d Mo., 85.

At a Councill held at Philadelphia The 11th of The 3d month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Thom. Holmes, Jno. Cann, Wm. Southersby,
Chri. Taylor, Wm. Darvall, Wm. fframpton,
Luke Watson,

The Presid' having acquainted ye Councill from York of the Death of our Late Soveraign, King CHARLES the Second, and of ye Proclaiming of James, Duke of York & Albany, JAMES the second of England, Scotland, france & Ireland, King; and having read a Copy to this board of ye printed account of King Charles ye Second's Death, with the Declaration of the Lord's Spirituall and Temporall of the realme of England, wth those of the Privy Councill, the Lord May', Aldermen and Cityzens of London, with ye present King's Speach, Thought it their Duty, and unanimously agreed that ye said papers be Solemnly read in ye psents of ye Representatives of ye freemen of this Province & Territories, before the Gov'n Gate, in ye Towne of Philadelphia, and that the paper drawne in Councill for ye Publication of King JAMES the Second, wth ye approbation of ye Assemblymen, be read accordingly, by Such a Person as ye Councill shall appoint.

The Councill thought fit not to proceed upon any affair in a Legislative Capassity, untill such as the Publication of King James ye Second be Over.

John Roads was this day attested to Keep Secret ye Debates of Councill.

Adjournd till ye 12 3d Mo., 85.
PROVINCIAL COUNCIL.

At a Councill held at Philadelphia The 12th of y* 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid.¹
Tho: Holmes, Phin: Pemberton, Wm. ffrahampton,
Wm. Wood, Jno. Barnes, Wm. Southersby.
Jno. Symcock, Peter Alrichs, Wm. Darvall,
Chri: Taylor, Jno. Cann, Luke Watson,

Ordered that Richard Ingelo, Clark of the Councill, read the following Publication of KING JAMES the Second of England, &c. this day at the 9th hour.

 PENNSILVANIA:

Wee, the President and Prov't Councill, accompanied w'th the representatives of y* Freemen in Assembly, & Divers Magistrats, Officers, and other Persons of note, doe in Duty, and in Concurrance with our neighbouring Provinces, Solemnly Publish and Declare that James, Duke of York and Albany, by the Decease of our Late Sovereign Charles the Second, is now become our Lawfull Leige Lord and King, James the Second of England, Scotland, France, & Ireland; and (amongst others of his Dominions in America) of this Province of Pennsilvania and its Territories KING; To whom Wee acknowledge faithfull & Constant Obediance, heartily Wishing him a happy Raign, in health, peace & prosperity.

AND SO GOD SAVE THE KING,

These Names following were Subscribed:

THO: LLOYD, Presid.¹
Tho: Holmes, Peter Alrichs, Jno. Symcock.
Chris: Taylor, Wm. Darvall, Jno. Cann.
Wm. Frampton, Jno. Roads, Tho. Janney,
Wm. Southersby, Edw4 Green, Jno. Barnes.

Richard Ingelo, C¹ Conc² Appointed for a Committee Jno. Symcock, Wm. Wood, Jno. Cann, Phi: Pemberton, Wm. fframpton and Tho. Holmes, to receive proposals from the Assembly.

Peter Alrichs desired Leave of this board to goe to Burlington, w* was granted him.

Ordered that a Bill Concerning the Continueing the Old Laws be given to y* Assembly.

Adjourned into a Committee till y* 13th 3d Mo., 85.

The Committee Mett With others of the Members The 13th 3d Mo., 1685.

THO: HOLMES, Chairman.

The Speaker of the Assembly attended with Abram Man.
Jno. Hill & Henry Baker were Sent from the Assembly to propose to this board that they desire that ye Stile of ye Promulgated Bills may be according to Charter.

The Committee have Considered the matter, and make this Report to ye President & Councill: that it is both Convenient & safe to have the Law to be passed to be according to Charter.

The President and Councill grant that the Stile to ye preamble of ye Promulgated Bills shall be according to Charter.

The Petition of Jno. Mackeney was read; the Councill are not Inclined to grant a Lycence but where there are Conveniences for Entertainmt.

Wm. Berry & Francis Standfield Sent from ye Assembly to desire a Conference, which was Complied with.

The Petition of Wm. Dareing being read; Cornelius Emson & James Rades being attested, gave in their Evidence in Writing Concerning it, wth remains on the file.

Ordered that ye Clark of ye Councill deliver to ye Speaker 3 bills, No. 3, 4 & 5, wth was done.

Adjourned till ye 14 3d Mo., 55.

The Committee being Mett ye 14th 3d Mo., 1685.

Two of the Membr. of Assembly attended this Board wth amends on the Bill of Shilling Justices from five pounds to five shillings.

The Committee doe desire the Assembly to Weigh & Consider the reasons given for passing this Bill as it is, as you may Informe them fully.

Phi. Pemberton Informd the Committee of the Indians killing their hoggs at the Falls: agreed that Care shall be Taken in it.

The Petition of Jacob Lassere & Jacob Pellison was read, but not being according the act of Naturalisation in its Stile, the advice of the board is that it should be accordingly amended, and it shall have it respectfull Notice; which was accordingly done.

Three of ye Members of Assembly attended this board, and desired that ye Bill No. 3 might be reduced from five pounds to thirty Shillings, and ye Bill No. 5, from twenty Shillings to tenn. This Board receed the Bills with amends.

Two of ye Membr of Assembly attended this board, desiring more bills.

Ordered that ye Clark deliver to them the Bills No. 6, 7, 8.

Adjourned till 5 o'Clock afternoon.

POST MERIDIEM.

The Committee being Mett:

Tho. Usher and Jno. Blumston, Members of Assembly, attended this Board with the 6th Bill, desireing this amends, Viz: to Insert these words, to ye wrong of his Neighbour or any other Person, after ye word Land Marke.
PROVINCIAL COUNCIL.

Agreed y' it should past with that amendm'; also, they were ordered to desire more Bills.

Ordered y' the Clark deliver to them the Bills—No. 12, 13, 14, 15.

The Petition of Charles Pickerin was read, and it is y' sence of this board that the Petion' in reference to privileges and f'reedom, Stands in an Equal Capacity with other Persons of his Station in this Province, &c.

Adjourned till 15th 3d Mo., 1685.

At a Councill held at Philadelphia The 15th 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.

Tho. Holmes, Jno. Barnes, Wm. Darvall,

Jno. Symcock, Chris. Taylor, Edw'd Green,

Wm. Wrampton, Jno. Cann, Phin. Pemberton,


The Speaker, w'h three more of the Assembly, attended this board with three Bills, Viz': y' 12, 13, 14, for Amendm'; Agreed they should pass w'h Amendm'.

Adjourned till 4 of y' Clock Afternoone.

POST MERIDIEM.

The Presid' & Councill being Met:

Two of the Members of Assembly attended this board to desire a Conferance, which was agreed to.

The Declaration of the freemen in Assembly against Nich. Moore, one of their Members, that he should be removed from all his Offices of Trust and Power in this Province & Territories, w'h Declaration was read and Ordered by this board to be recorded, w'h is as folliowed:

The Assembly's Declaration against Nich. Moore, presented May 15th, 1685, to y' President and Prov'h Council in y' Councill Chamber, by the Speaker & Members of the Assembly:

For the Speedy redress of divers Evils & Mischiefs w'h this Province and Territories now Labour under, & for y' preventing the further growth and Increase of y' same, & to the honour and Safety of the Gov' and Governm' of this Province & Territories, and by good & Welfare of y' People thereof, the freemen in Assembly now mett, doe by this their bill, shew & Declare against Nich. Moore, Pryor Judg and member of Assembly of y' Province of Pennsilvania, &c. The Misdemeanors, Offences & Crimes, and Other Matters Compriz'd in the Articles following; and him, y' said Nich. Moore, doe accuse of the said Misdemeanors, Offences & Crimes.
1st. The said Nich. Moore Assumeing to himselfe an unlimited & Arbitrary Power beyond the Prescription or Laws of this Governmথ, hath presumed of his owne Authority, to Send Unlawfull Writts to the Sherriffs, and to ascertain and appoint the Time of y^r Prov^r Circuits without the Direction & Concurrence of y^r Prov^r Councill, whereby the time of their Sessions hath been Antisipated, the Severall Countys being Surprized by the Shortness of their Warning, and thereby being Impossible to give due Sumons according to Law, Either of Jurys, Witnesses, or Persons Concerned, whereby some Persons have been forced to Irregular Tryalls, and Others absolutely denied Justice.

2dly. The said Nich. Moore, Judge, having that high Trust Lodged in him for the Equall Distribution of Justice, without respect of Persons, the said Judge Sitting in Judgem� at New Castle, hath presumed to cast out a person from being of a Jury, after y^r said Person was Lawfully attested to y^r True Tryall of y^r Cause, thereby rendering an Innocent & Lawful Person Infamous in the face of the County, by rejecting his attestation after Lawfully Taken, and Depriving the plantif of his Just Right.

3dly. The said Nich. Moore, Sitting in Judgem�, did in y^r towne of New Castle, refuse a Verdict brought in by a Lawfull Jury, and by Divers Threats & Menaces, and Threatening y^r Jury with y^r same* of Perjury and crim of their Estates, forced y^r said Jury to goe out so often, until they had brought a Direct Contrary Verdict to the first, Thereby preventing Justice, and Wounding the Liberty of y^r free people of this Province and Territories in the Tenderest point of their Privilege, and Violently usurping over y^r Consciences of the Jury.

4thly. The said Nich. Moore, although there was noe Lawfull Sumons according to Law for Partys Concerned to make preparation, did Arbitrarily reject and Cast out the Complaint of Jno. Wooters, in New Castle Court, hereby not only Delaying but denying Justice to him, coming in a Lawfull way to Demand it.

5thly. The said Nich. Moore assuming to himselfe an Unlimitted and unlawfull Power, did, Sitting in Judgem� at y^r aforesaid Towne of New Castle, wherein two persons stood Charged in a Civil action, it being in its own Nature only Trover & Conversion, and y^r pretended Indictm� raised it no higher, notwithstanding the said Moore did give the Judgem� of felony, Comending the Defendant to be Publickly Whipt, & Each to be fined to pay three fould, thereby Tyranaizing over the persons, Estates and reputations of the people of this Province and Territories, Contrary to Law and Reason.

6thly. The said Nich. Moore Comanding a Witness to be'Examined, did by overawing & greatly Perverting y^r Sense of y^r Witnesses, Charge and Condamne the said Witness to be guilty of Perjury, and to suffer the paines in that Case provided, & by proclamation to be for Ever rendred uncapable of being rectus in Curia in this Governm�, and also fined him, Contrary to Law.

*Fame or name.
7thly. And Wheras, the Wisdom of the Generall Assembly did Conceive the Circular Courts would be their best Expedit for Ending all kind of Differences whatsoever, the said Nich. Moore, at y* Said Towne of New Castle, Comanding the records of y* former Circular Courts to be produced, w* y* said Moore reading, he did in the Open Court, Censure the Judgm' of y* preceeding Judges, by Saying their Judgm' was not right, thereby Distracting y* People betwixt divers and Contrary Judgm*, and perpetuating Endless & Vexatious Suits.

8thly. The said Nich. Moore, Sitting in Judgm' at Chester, did in a most Ambitious, Insulting & Arbitrary way, reverse and Impeach the Judgm' of y* Justices of y* said County Court, and Publicly affronting the members thereof, although the matter came not regularly before the said Circular Court, thereby drawing the Magistrates into the Contempt of y* people, and Weakening their hands in the administration of Justice.

9thly. The said Nich. Moore being Chosen as abovesaid, to be Judg of y* Circular Court according to law, w* obliges y* said Judges both spring and fall, to goe their Circuits; and y* said Nich. Moore assuming to himselfe the power of appointing the Times, as he is the pretended Chief Judg in The Province and the Territories thereof, hath notwithstanding, Declined the two Lower Circuits, to y* great delay of Justice and Breach of his Trust, & Mischief and Inconvenience of y* free people of y* said Lower Countys.

10thly. The said Judg Moore resolving to put no Bounds to his Violence, Ambition and Oppression, hath, to y* Dishonour of the Gov', and Contempt of y* Governm', Declared that neither he nor his Actions are accountable to y* Presid' and Prov* Council, by Despising and Containing their Orders & precepts, and Questioning and Denying their Authority, thereby Shrowding & Protecting himselfe in all the aforesaid Violences, to the rendring the Miserys of the Opressed Intollerable & perpetuall, to the Subversion of the most Excellent frame of this Governm', and the raising himself above the reach of Justice.

11thly. For all w*, and divers other High Crimes and Misdemeanors, the fiveemen in Assembly Mett, saving to themselves by protestation, the Liberty of Exhibiting now and any time hereafter any further Charge and Accusation against the said Nich. Moore, doe now Impeach the said Nich. Moore of all the foregoing Crimes and misdemean'', and humbly request the Presid' & Prov* Councill that he, the said Nich. Moore, may be removed from his great Offices & Trust, and answer to the said Objected Crimes and misdemeanors.

JOHN WHITE, Speaker, in the Behalfe and by the Order of the Assembly, now mett in Philadelphia.

Tho. Holmes, Jno. Symcoock, Wm. Darvall, Phin. Pemberton, are desired to acquaint Judg Moore how that y* Declaration aforesmentioned was presented by the Speaker & Members of Assembly this Even-
ing, and that the Council doe request him to appear at ye Counciill to
morrow Morning, by the Seaventh hour.
Adjourned till ye 16th 3d Mo., 85.

At a Counciill held at Philadelphia The 16th 3d month, 1685.

PRESENT:

THOMAS LLOYD, Presid.'
Tho. Holmes, Jno. Roads, Luke Watson,
Jno. Symcock, Wm. fframptone, Edw'd Green,
Tho. Janney, Phin. Pemberton, Jno. Cann,
Wm. Southersby,

Jno. Blunstone & Tho. Usher Sent to this Board to desire a Con-
ference: Ordered that they shall have notice from this board when
they are ready to Conferr wth them, they having some other Buisness
now upon them.
Adjourned till three of ye Clock Afternoone.

POST MERIDIEM.

Mr. Man Complayning that a Prisoner was sheltered in the Gov'n
house,
The Presid' asked him whether he was taken into Custody by the
Order of this board or by the Assembly.

Abram Man, in behalfe of ye rest, said they did it as their own
act; the Sherriff also being asked the Question, acknowledges the
same.

Whereupon, the Presid' did disavow that this board did allow him
in any Kind. Quest' put to Patrick Robinson what Immediate
Power was used; he said the Warrant would show it, wth was read.
The Speaker & Assembly againe desired that the Declaration
against Nich. Moore, Pryar Judge, might againe be read, wth was
accordingly done; wth Was without Direction to the Counciill, nor
Subscribed by the Speaker or any of the Assembly, nor noe place
mentioned therein.

Adjourned till 18th 3d Mo., 85.

At a Counciill held at Philadelphia ye 18th of ye 3d month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
John Cann, Wm. Southersby, Phin. Pemberton,
Lu. Watson, Nich. Newlin, Wm. Wood,
Wm. fframptone, John Barnes, Peter Aldrichs,
Jno. Symcock,
The Speaker, with ye Assembly, attended this board, & Declared that they were abused by Pat. Robinson, who said you have drawn up an Impeach'm against Pres't Moore at hab nab, for which the desire satisfaction.

The Presid't and Prov'n Councill Takeing into Consideration the words Spoken by Pat. Robinson, this board Concerning the Assembly, that the Impeachm' against Judg Moore was drawn hab. nab. w'ch Expressions of his wee doe unanimously declare to be undecent, unallowa-


Adjourned till 4 a Clock in ye Afternoone.

POST MERIDIEM.

The Presid't & Prov'n Councill being mett:

Wm. Darvall desired leave to goe home, he having Extraordinary Buisness, w'ch was granted.

The Speaker with the Assembly, Attended this board to mage good their Allegations against Nich. Moore.

In proof of ye first Article, Especially The first Branch thereof, Viz: That is persciving to Send unlawfull Writts to the Sherriffs, &c.

The Speaker, by Consent and in behalfe of ye Assembly, assertes that Judg Moore's his Writt for holding a Prov'n Court at New Castle, came to the Sherriff's hand but six days before the perfict day for holding the Court, and by his Writt he Comands the Sheriff to Sumons all Lords of Mannors & Justices to attend the Prov'n Judges, and forty Eight freemen for a grand Jury, & twenty-four for a Petty Jury; Jno. Cann declares the same; Tho. Usher declares that the Sherriff of Chester County had no time but five days before the Court was held.

for proof of the Second Article:

They Desire the Benefit of James Reads' Testimony, formerly given in.

Jno. Cann, a Memb. of Councill, declares to ye best of his knowledge, that upon ye Objections of ye Defend't, ye Court Yielded that before the said James Read's was attested, he should be layd by, but notwithstanding, through some Omission, after he was attested he was laid by.

for proof of ye third Article:

John Cann further declares that he was in Court upon this Tryall when ye Jury came in, who being asked by Judge Moore whether they were all agreed, he thinks they sayd they were all agreed, he is not certaine; and ye Jury being asked what was their Verdict, they said Eight pounds: the Judg asked them what they meant by it: they said they found Eight pounds for the Plaintiff: Judg Moore urges thereupon, what is Eight pounds in Comparison of five hundred pounds alledged in the Declaration, and further said to ye Jury, this is noe Verdict, you must goe out and finde according to Evidence, or Else you are all perjured Persons:

Whereupon they went out, and brought in their Verdict the next morning for the Defendant, w'ch Costs of Suit.
Jno. White Speaker; Declares fully wth Ino. Cann, but further Saith that the Jury being asked by Judg Moore whether they were all and Every One agreed, & being thrice asked, they did declare they were Every One agreed, and notwithstanding, he said they must bring in an Other Verdict.

Edw4 Green, a Memb. of Councill, declares that he was in Court also when y6 Verdict upon y6 Tryall of Abram. Man, Plantif, and Edm6 Cantwell, defendant, and upon the Jury’s giving in their Verdict of Eight pounds; Wherupon Judg Moore said it was no Verdict, but they must finde y6 Verdict according to Law & Evidence, soe he Sent them out, and they came into Court next morning, and after the Judg had admonished them, he asked if they were all agreed, and they said not; and he sent them back againe, requiring them to bring in their Verdict according to Law & Evidence: They went out againe and brought in for the Def1, wth Costs of Suit: Whereas, it is Omitted in y6 first part of this Evidence upon y6 Jury’s first Coming in, y6 Judge asked if they were all agreed, and they said they were all agreed, and they finding Eight pounds for the plan1, the Judge asking them who they found Eight pounds for, they said for y6 Plantif.

Adjourned till y6 19th 3d month, 85.

At a Councill held at Philadelphia The 19th 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid6.
John Symcock, Jno. Cann, Jno. Roads,
Wm. Wood, Tho: Janney, Jno. Barnes,
Wm. frampton, Phin: Pemberton, Pet1 Aldrichs.
Wm. Southersby,

The Speaker and y6 Assembly attended this board.

The Presid6 & Councill having receed from y6 Managers nominated by the Assembly, what proof they though well to offer to y6 three first Articles, which Managers are y6 Speaker, Abram. Man, Tho: Usher, Jno. Blumstone, Wm. Berry & Sam1 Gray, these Persons were Continued Managers for the proof of y6 whole Exhibited Articles by their Own Order.

As to y6 fourth Article being not so Intelligably Worded to the apprehension of y6 Councill, y6 Assembly requested by their managers that a further Explanter Sence might be admitted.

As to y6 fifth Article, they urge a Record from under the Clarke of the Circular Courts hand, and in the whole say, that y6 proof of the Intended Indictm1 was false.

As to y6 sixth Article, Jno. Cann Declared that Judg Moore Seeming by a Threatning word, Called Jno. Harrison to be an Evidence against Tho: Pringler & Geo: Ambler, he demanded of Harrison to declare what he knew Concerning the hogg in Question: The said
Harrison Declared he knew nothing of the taking of y* hogg for he was at Philadelphia at y* same time: upon several Other Questions asked him whether he had seen or Eat any of it, he Declared he had both Seen and Eat: upon that y* Jury had this in Charge, the Judge telling them it was perjury, they accordingly found the Person Guilty of Perjury.

As to the Seaventh Article, Wherin Judg Moore is accused of Judging of y* proceeding of y* foregoing Court Circular.

As to the Eight Article, Jno. Bluastone, Tho: Usher and Geo. Marries, Justices of y* Peace for the County of Chester, declared That Sitting in Judicature in Chester County Court, upon an Action, Dennis Rochford being Plant. & Jno. Hickman Def'd, that after Judgm4 regularly obtained in that Court by y* aforesaid Plaintiff, against y* Defend4, an Execution was granted & y* Def 4 Taken thereby: Yet notwithstanding y* said Nich. Moore, upon a Bare Petition of y* said Defend4, he Vacated y* Judgm4 and discharged y* Prisoner; also the said Judg Moore did arbitrarily take upon him meerry by a Petition, to Reverse a Judgm4 Duly Obtained in y* County Court of Chester, by Tho: Withers, plaintiff, Wm. Taylor, Defend4; this was done by y* said Judg Moore y* 18 2d Mo., 1685, Last.

As to y* ninth Article, Sam5 Grey and Jno. Hill allege it is apparent that Nich. Moore was bound in Duty to goe to y* Lower Countys, to Keep the Spring Prov4 Court, yet notwithstanding, Declined his Duty, to the Manifest Rewin & Disappointm4 of Several fireemen.

As to the tenth Article, Wherby they Suggest several Contemptuous & Derogatory Expressions Spoken by Judg Moore of the Prov4 Councill and of the present State of Governm by Calling the Memb. thereoffooles & Logerheads, and said it were well if all the Laws had Drapt, and that it would never be good Times as Long as y* Quakers had the Administration.

Wm. Carter, & Robert Clifton & Sam5 Grey, declare that Nich. Moore advised them to proteste against y* Last Promulgated Bills.

Upon y* Reading Over y* Declaraon before y* Prov4 Council by the Assembly, against Nich. Moore, and their Allegations for proof of their Articles being received by y* Clarke of y* Council, the Assembly Moved that y* said Nich. Moore might be removed from all places of Trust and Power.

The Speaker being asked if they Came as an Assembly or a Committee, they said they Came as an Assembly.

Upon the Peruseing of y* allegations and Testimonys given in by the Memb. of Assembly, with some of y* Council, in Order to prove and to make apparent y* Charge Exhibited in the Articles against Nich. Moore, one of the Prov4 Judges,

The Councill Unanimously agreed and Ordered that Express notice shall be given, with all dispatch be sent to him to signifie the sence of this board, and that he make his appearance before y* Presid4 and Prov4 Council in the Councill Chamber, at three of y* Clock this afternoon; being the 19 Instant.

The Assembly Presented a Petition to displace Patrick Robinson from any Office of Trust & Profit, Which Petition was read, & shall be weightily Considered and answered.
The fifteene Laws were this day read, and twelve of them were past in ye* Affirmative and three in the Negative.
Adjourned till ye* 28th 3d Mo., 1685.

At a Council held at Philadelphia The 28th of the 3d Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid*.
Tho: Holmes, John Barnes, Wm. Frampton.

A Letter from Proprietor Penn was read, Authorizing the President & Prov* Council to Constitute Capt. Wm. Markham, Secretary of ye* Province & Territories, and also the Prop* secret*, and to make Voyd all other Comissions, if any be.

Jacob Pellison & Jacob Sessarys, in Persuance of their Petion and former Order of Council, it was referred to ye* Presid* to signe ye* same, they Subscribeing their Names to a Declaration Dischargeing themselves according to Law.

In Complyance wth the Gov* instructions, Ordered that a Comission be drawn to Comissionate Capt. Wm. Markham, Secretary of ye* Province & Territories, & also Secretary to ye* Prop* and Governor.

Instructions Sent to Capt. Wm. Markham, that he in Conjunction with the rest of ye* Magistrates of ye* townes & County of New Castle, to proclame James the Second King of England, Scotland, france and Ireland, &c.

Adjourned till 2d 4th Mo., 85.

At a Council held at Philadelphia The 2d 4th month, 1685.

PRESENT:

THOMAS LLOYD, Presid*.
Jno. Symcock, Wm. frampton, Wm. Markham.
Wm. Clarke,

Wm. Haigue requesting a Speciall Court at New Castle: granted and Ordered that a Comission be drawn.

Ordered that Speedy notice be Sent to Judg Moore by the Clark of ye* Council, that he Desist & Cease from further Acting in any place of Authority or Judicature, till the Articles of Impeachment Exhibited against him by the Assembly be Tried, or Satisfaction be made to this board.

The Petition of the Assembly against Patrick Robinson being debated of in Council, upon the Consideration and perusal of ye* same, Wee doe Conclude that he cannot be Regularly removed from his Clarcke's places or Office till he is Legally Convicted of ill fame, and those Crimes & *Misdemeanor* alleged against him, which was presented to
this board by John White, Speaker, in behalf of the Assembly; and after such Conviction, it is resolved that he shall be readily Dismist from any Publick Office of Trust in this Government.

At a Councill in the Councill Roome at Philadelphia y° 11th of y° 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

John Barnes, Wm. Markham, Secre.

The Presid' ord' that a Warrant be made for y° Sumonsing of Joseph Massie, Master of y° Grayhound fly boat, to appeare before the Presid' and Councill, to answer the Complaints made by passangers that Came in his Ship from England and Ireland, as well for detayning or *Imbellingishing Severall goods Shipt on board his said fly boat for this Province.

Adjourned till further Order.

At a Councill in the Councill Roome at Philadelphia The 13th 4th month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

John Barnes, Wm. Markham, Secre.

The Petition of Zachariah Whitepaine being read, Ordered that a Warrant be made for the bringing the families therin mentioned to y° Plantation of their Imployer, Viz: Zach. Whitepaine.

Adjourned till further Order.

At a Councill held in y° Councill Roome at Philadelphia, The 18th 4th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Wm. Frampton, Wm. Markham, Secre.

The Petition of Franc. Richardson was read, desiring a Special Court in y° County of Bucks, was Granted to be held y° 23th Inst.

Adjourned till Tomorrow.

*Evidently Embezzling.

PRESENT:

THOMAS HOLMES, Presid'.

Wm. Frampton, Wm. Markham, Secre.

Rich'd Pittman's Petition against Joseph Master, M'r of the Ship Grayhound, being read, was Referrd to ye next County Court, or to ye award of Arbitrators Indifferently Chosen.

The Petition of Jacobus Fabrissius was read, requesting the Keeping an ordinary: Answered they dont think fitt to grant ye Petitioner's Request.

The Petition of Humph. Davenport in behalf of Gabriel Minveale, March', of New York, ye wee would grant him a Speciall Court to deside Differences between ye s'd Minvielle and Jno. Royer and Eliz. Ogle, ye Relict of Jno. Ogle, both of New Castle County, was granted to be held on ye 25th Inst., at New Castle.

Adjourned till further Order.

At a Council in the Council Room at Philadelphia, ye 3d 5th month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Chris. Taylor, Wm. Markham, Secre.

The Petition of Joseph Massey being read, Craveing a Speciall Court, was differrd till to-morrow.

The Council adjourned till to-morrow, 8 in ye Morning.

At a Council in the Council Room at Philadelphia, The 4th of ye 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Chr: Taylor, Phin: Pemberton, Wm. Markham, Secre.

Wm. Frampton,

The Petition of Joseph Massey being againe read, desiring a Speciall Court at Philadelphia, was granted to be held on ye next third day, being the 7th Inst.

The Petition of Humphrey Davenport on behalf of Gabriell Minvielle, Merch', of New York, requesting a Speciall Court in ye County of Philadelphia, granted to be held ye next Third day, being ye 7th Inst.
Information being given to this board of ye unlawfull Marriage of R's Noble, of ye County of New Castle, Ordered that ye Justices of that County have notice given by ye Secret'm, to Inspect the same, and give Report thereof to this board.

The Petition of John day and R's Orme, desiring a Justice of ye peace might be made at ye oper end of the Towne, was read.

The board reply'd they would take it into Consideration.

Motion being made to this board of a Necessity of a Comission for a Sherriff for Bucks County,

Ordered that Nich. Walne have Commission for ye same.

Ordered that George Martin have a Commission for Sherriff of Kent County.

The Petition of Rich'd Ingelo Concerning his money due to him from ye Governm't, was Read.

Ordered ye Secretary make application to ye Comiss'm Impow'ed to dispose of Land, to Grant ye said Rich'd Ingelo Eight hundred Acres, for w'h Each County will Pay the Gov't fifteen pounds, all w'h will be ninety pounds, the w'h ninety pounds, and sixty formerly pay'd, will be in full satisfaction of all accounts with him.

The Petition of Wm. Daring being read for ye Release of his Serv'n out of New Castle Prison,

Ordered ye Secretary Issue forth a Warr' to ye Sherriff of New Castle County, to deliver the said Serv'n to their Master, Capt. Wm. Daring, he giving under his hand for their appearance before ye Counciell the 7th Inst., and that ye Sherriff give notice to Hanse Peterson to be here also.

Ordered ye Secretary send to ye Sherriff of New Castle County, to Summonse ye Counciellors that one of them be at Counciell ye 10th Inst. by nine in ye morning.

The Counciell finding occasion to have a watch kept in this town, Ordered that it be recomended to ye Justices of this Towne to take care of ye same.

Adjourned till ye 10th Ist. by nine in ye forenoon.

At a Counciell held at Philadelphia ye 10th of ye 5th Mo., 1695.

PRESENT:

THOMAS HOLMES, Presid'.
Chris: Taylor, Wm. Frampton, Wm. Markham, Secre.

Adjourned till Three in ye Afternoon.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presid'.
Chris: Taylor, Wm. Wood, Wm. Southersby,
John Cann, Wm. Frampton, Wm. Markham, Secre.
The petition of Robt. Hutchinson Concerning the attachment of a horse being read, is refered to ye Benefit of ye Law.

The Petition of John Boul being Read, against Countrey butchers bringing their meet to towne on other days than Marquett days: The answer Referred till to-morrow.

The Complaint of Wm. Dearing, Mr of ye Ship Wrenn of London, against the Illgall proceedings of the Judges Nich. Moore & Rob' Turner, against his servants at ye Circular Court at New Castle, ye 1st April, 1685, being read, and Hanse Peterson not appearing according to ye minutes of 4th Ins'. reply was made that John White appeared for him; upon w'h John White was Called and asked if he knew any thing Why Hanse Peterson did not appear before ye Councill upon warning given him by ye Sherriff; at w'h he produced a letter of Attornay from ye s' Hanse Peterson for his appearance for him, and after much dispute about Wm. Dearing's Complaint, it was proposed that Patrick Robinson should be sent for to produce ye Records Concerning Capt. Dearing's men, wherupon Wm. Dearing produced a Copy of ye same, as he had formerly gott from Patrick Robinson, attested under his hand, w'h was read; In w'h there was mention made of one John Hollingsworth that had taken several Testomonies or Evidences therein, to w'h both John Cann & John White declared that there was no such person in the Countrey.

John White made several objections against that Record of ye Circular Court, as ye manner of ye Indictm' and ye Judgm' upon them, but they asked wether Hanse Peterson would be satisfied if he were paid for ye Single Hogg, he answered in ye Affirmative.

Then he was desired to withdraw: then the Council began to Consider w'to doe; some doubting his last answer, would have John White Called againe, and being asked whether Hanse Peterson would be Contented to have only ye real value of one hogg paid him for all his demands, Viz: twenty and three Shillings, he answered he would; then absented.

The Question being put whether the Sentence of ye Judges against Jno. Harrison, Tho. Pringle & Geor. Amble, Imprisoned for Hogg stealing, should be remitted, it was past by ye Major Vote.

Adjourned till 7th The next morning.

At a Council held at Philadelphia ye 11th of ye 5th month, 1685.

PRESENT:

THOMAS HOLMES, Presid'.

Chris: Taylor, Wm. frampton, Jno. Cann,
Wm. Southersby, Wm. Wood, Wm. Markham, Secre.

The Gov'n Comission to Impower ye Councill to Chuse President out of themselves, in ye absence of Thom. Lloyd, was Read: Ordered to be Recorded.
The Question was put by the Presid', whether ye Cause formerly depending between Hanse Peterson in behalf of ye King, Gov't and himselfe, (so worded in ye Records of ye Prov' Circular Court,) & John Harrison, Tho. Pringle & George Ambler, wth had a hearing at ye last Circular Court held at New Castle, shall have a full hearing at this board or not;

It was agreed by all it should.

Ordered that ye Secretary send a Warrant directed to ye Sherriffs of ye four upper Countys, personally to summons all the members of Councill for their respective Countys, to be at Councill on the 28th Inst.

Capt. Wm. Dearing Comand' of ye Ship Wrean of London, Inters into recognizance of Twenty pounds for ye bringing his two Serv'n John Harrison & Tho. Pringle, before this board ye 28th Ins', and from thence not to depart till by order of ye board.

Ordered ye Secretary send a Summons to Hanse Peterson to appeare in Person before this board ye 28th Ins', upon ye penalty of ye forfeiture of one hundred pounds upon failure:

And that ye Secret' send an Order to ye Sherriff of New Castle County, to deliver unto Wm. Dearing his Serv'n, Geo. Ambler, to be brought before ye Councill ye 28th Inst., ye which Serv'n was mentioned to be delivered to his said Master by war'r from this board, dated ye 4th 5th month, 1685, as being one of ye Servants mentioned therein, but was not delivered accordingly.

The Petition of Sam'l Carpenter was read, Concerning an Execution he had against Socety and James Claypoole, being mentioned therein, it being obtained at a prov'd Circular Court Signed by John Eckley, one of ye Judges. James Claypoole was sent for and ye Petition was read to him, to wth he made answer that he had appealed to England, but Sam'l Carpenter denied it to be an appeale, since there was no Security given. Jam. Claypoole made answer that he was ready to give security. The Execution was ordered to be read, the wth being denied by James Claypoole to be an Execution, Patrick Robinson, ye Clarck of ye Prov'll Circular Court, was sent for, who produced the Records of the said Court, wherein ye Judges allowed an appeale to England upon Security given; but no security being given, a Judgm' was Issued out against ye Society. Jam. Claypoole desired ye Councill would take his Security. The Councill refused, Denying it should be given out of that Court ye action was tried in.

Sam'l Carpenter Complayning that ye Execution was signed but by one of ye Judges, Viz': Jno. Eckley, and ye Wm. Clark was ye other Judge, and ye he had refused to sett his hand to it, notwithstanding he had given his Judgm' for it in Court.

Ordered ye the Secre. send a Summons to Wm. Clark to appeare before this board ye 28th Inst., to give his reason why he refused to signe ye Execution against the Society, he being one of ye Judges of that Court, and past his Judgm' in Court for it, or to send his reasons up under his hand, by ye aforesaid day.

The Petition of Wm. Southersby, who wish Wm. Berry were by
appointm' of y' Gov', administrat'n on y' Estate of francis Whitwell, deceased, was read, Requesting the Councill would give them reasonable satisfaction for their paines and troubles; and y' seeing y' debts are more then the Estate can bare, desires how the widow shall be disposed off, and whether any of the Estate may be reserved for her.

Answer: When y' accounts are brought in y' Councill will Consider of it.

Adjourned till y' 28th Ins'.

The 21st of y' 5th month, 1685.

Several Indians made Complaint to y' Secre of abuses they received from y' servants of Jesper ffarmer, at y' said Jesper ffarmer's Plantation, Viz': their makeing y' Indians drunk, then Lying with their Wives, and of their beating both men and their wives. The Secretary told them by the Interpreters, Lacy Cock, that y' Councill would sitt on y' 28th Inst., and desired they would be there then, and y' Serv'n should be sent for; but they telling him they could not Stay so long from hunting, but desired it might be on y' 24th Ins', and then they would taulk about y' Land not yett bought. The Secretary Sent a Summons to y' Serv'n by y' Sherriff, to appeare y' afore-said 24th day, dated y' 21st Ins', and likewise sent a Lett' to Capt. Holmes, Presid'n of y' Councill, to acquaint him of it, date y' 22d Ins', sent by y' Sherriff to Capt. Holmes' plantation.

The 23rd of y' 5th Mo., 1685.

Capt. Wm. Dearing, M' of y' Wrenn of London, desired of y' Secret' two Summonses, one for Robert White, y' other for Rob'Roberts, to appeare before y' Councill y' 28th Ins', as witnesses on his behalf, in y' difference between his serv'n and Hans Peterson; was done & Entered.

The 24th of y' 5th Mo., 1685.

Wm. Haigue Request y' Secret' that a hue and Cry from East Jersie, after a servant of Mr. John White's, March' at New York, might have some force and authority to pass this Province & Territories; the Secretary Indorsed it and Sealed it with y' Seal of y' Province.
PROVINCIAL COUNCIL. 97

The 27th 5th Mo., 1685.

The Indians y\(^1\) made Complaint against Serv\(^*\) of Jasper farmer, on y\(^*\) 21st Ins\(^1\), and appoynted y\(^*\) 24th for a hearing before y\(^*\) Councill, the Indians mistooke y\(^*\) Day, & came not till y\(^*\) 25th Ins\(^1\), and y\(^*\) Sherriff Messenger, with y\(^*\) Summons to Jasper farmer's Servants, Loosing his way in y\(^*\) woods, returned without Summonsing them to appeare, upon both w\(^th\) Disappoyntments, the Indians Concluded to appear y\(^*\) 28 Ins\(^1\), and accordingly y\(^*\) Secretary sent a Summons to John Skull, overseer to Jasper farmer's Serv\(^*\), for him and y\(^*\) Serv\(^*\) to appeare, Especially John Below.

At a Councill in the Councell Roome at Philadelphia y\(^*\) 28th 5th Mo., 1685.

PRESENT:

THOMAS HOLMES, Presidt.
Wm. Sframpton, Jno. Cann, Nich. Newlin,
Jno. Symcock, Tho: Janney, Wm. Markham, Secre.

Maj. Dyer Came to y\(^*\) Councill, and told y\(^*\) he presented himselfe before them according to his Instructions to take an oath, as that had directed him to doe before he Entred into his Office of y\(^*\) King's Collect of his Customes in Pennsilvania, and turned to y\(^*\) Clause in his Instructions & y\(^*\) Secret\(^*\) read it to y\(^*\) Councill, with his Comission from y\(^*\) Comiss\(^*\) of y\(^*\) Customes, and y\(^*\) Copy of y\(^*\) Lords to them to grant it, Copyys of w\(^th\) both were left.

The Councell toaid him it was against their methods to take an Oath, but if he pleased to be attested, according to y\(^*\) Laws of the Province, they would attest him: he made answer, he understood that before, and Expected no otherways, for it was what he had done in East Jarsey. Then he was attested thus:

Thou dost Solemnly declare in y\(^*\) Presents of God, and before this board, that thou will truly and Justly performe y\(^*\) office of y\(^*\) King's Collect of his Customes in y\(^*\) Province of Pennsilvania, according to y\(^*\) Instructions he Received from y\(^*\) Comiss\(^*\) of his Majesty's Customes.

Maj. Dyer produced a Copy of y\(^*\) King's Proclamation Concerning the Plantion trade, w\(^th\) was read and left with y\(^*\) Councill.

His Comission for Survey\(^*\) Gen\(^\text{ll}\) of his Maj\(^*\) Collony's and Plantations in America was read, and y\(^*\) Copyy Left.

Then was Read Maj. Dyer's Instructions both for Survey\(^*\) Genall of all his Maj\(^*\) Collony's & Plantations in America, & for Collect\(^*\) of Carolina, Pennsilvania and New Jarsey. In one Paragraph of his Instructions for Collector, he was directed to leave the Copy of them w\(^th\) y\(^*\) Gov\(^'\), for w\(^*\) he desired at present to be excuse, he being in great haste going to New Yorke, and they would take up much time Copyying, but Intended shortly here againe, then would present them with one.
Maj'. Dyer brought with him before ye Councill one Christopher Snowden, telling them that he intended to make him his Deputy Sercher and Wayer of his Maj'ty Customs in Pennsylvania, and desired he might be attested accordingly, to performe his office as usuall, wch was don.

A Letter from Wm. Clark, no date, in answer to a Summons sent to him baring date ye 11th. 5 month, 1665, was read.

Sam" Carpenter being present, who desired ye Opinion of ye Councill whether James Claypoole ought now to give in Security and appeal for England or not: if he ought, he desired it might be done forthwith, for there he said he hoped to have some redress; or if of ye Contrary opinion, begg'd that he might have Speedy redress here. Then Sam" Carpenter was asked whether any body had Refused to Execute that Execution: answered no, for he had not tried any with it yett.

Then ye Councill gave their Opinion that Wm. Clark's letter Confirmed ye Execution, he only objecting against ye Wording it, the wch in his Sense, seemed to be as well against James Claypoole as against ye Goods of ye Society, wch to them appeared otherwise, Viz': that James Claypoole was only mentioned therin as ye Person ye managed ye Cause for ye Society.

Sam" Hersent, ye Sherriff, being at ye Doore, the Councill Called him in & asked him if he refused to serve ye Execution of Sam" Carpenter against ye Society; who made answer he never saw it.

John Skull appeared with ye Servants of Jasper ffarmer, according to a Summons bearing date ye 27th Inst., but ye Indians being drunk in ye woods, & the Servants declaring they were afraid to goe home before ye Buisness was Ended, ye Councill ordered they should Stay in Towne till ye next day, when ye Indians were to be in Towne to Receive pay for ye Land bought of them.

Adjournd till Three in ye afternoone.

POST MERIDIEM.

PRESENT:

THOMAS HOLMES, Presid't.
Wm. fframpton, Edw'd Green, Nich. Newlin,
Jno. Symcoek, Jno. Barnes, Wm. Markham, Secre.
John Cann, Tho. Janney,

Wm. Dearing being called, desired leave of the board that Charles Pickerin might speake for ye Servants, wch was granted. The Councill requested ye ye Secretary give a Comission to Sam" Carpenter, By ye Virtue of his Comission to be Deputy Threasurer.

A Letter was Read by ye Presid', Directed to him from John Richardson, desiring Capt. Holme to Recomend him to ye Councell to be High Sherriff of Kent, in the Roome of Rich. Micheall, lately deceased, but was refused by all.

A Letter was Read directed to ye Councill from John Brinklow, Wm. Clark, Wm. Berry and Wm. Wimsmore, Recomending Geo. Marton for ye place of High Sherriff of Kent County, in ye roome of
Rich'd Micheall: Consented to, & Ordered that a Comission be drawne accordingly, to be in force a Yeare, or till further Order.

Ordered that Rich'd Ingelo bring the Bookes, w^th all y^e papers relating to y^e Minute or Journall of this Councill, or that any wayes Concerneth us.

The Buisness of Wm. Dearing's Servants and Hans Peterson being called,

Appeared Wm. Dearing, Hanse Peterson, and y^e three Serv^ts. Charles Pickerin allowed by y^e request of Wm. Dearing to speake for the Serv^ts; and John White, by request, was allowed to speake for Hans Peterson.

John White being asked what he had to say against the Serv^ts of Wm. Dearing, Said that they were noe Defend^ts, for y^e they were well satisfied w^th y^e Judgm' the Court had given against them, and therefor, they expected a Charge from them; and that if Hanse Peterson should give a Charge against y^e Serv^ts, he was not prepared with his Evidences, not knowing that it would be tryed over againe. And Hans Peterson himself said, that notwithstanding he endeavoured to bring his Witnesses but they refused to Come, and he knew not how to force them, being Ignorant of y^e Way, since a Justices Summons was not a Sufficient Warr^ for appearance before y^e Councill.

Then Charles Pickering did allready y^e Serv^ts were Trappand by Hans Peterson, who some dayes before y^e Court, bidd them not appear there, promising them not to appear to prosecute them, by w^th deceit they were unprovided for a defeence.

John White made answer that that could not be, for y^e Hans Peter-son was bound in bonds not to prosecute them.

To prove Charles Pickerin's allegations:

Rob't White was called for and attested to declare what he knew of y^e matter; who said y^e in his hearing Hanse Peterson tould Wm. Dearing, that he would Cleer them and bring them off, and y^e he need not to appeare. Hanse Peterson desiring he should be asked what time it was he heard him so, made answer he had forgot, but as well as he can remember, it was about six dayes before y^e Court.

Then falling into a Contraversie about y^e Legallity of y^e Indictment, w^th was grounded on y^e 96 and 164 Chap^r in y^e Laws, it was ordered to be Read, and approved of.

Charles Pickerin desired Wm. Dearing should be attested to declare that Hans Peterson had said to him about his servants.

The Councill ordered them to withdraw, and then debated whether y^e M^r being Concerned, should be attested as an Evidence.

They gave their opinions he should be attested, w^th was accordingly don; and then declared y^e Hans Peterson seeing him look angrily, bid him not be angry, for that he would bring his Serv^ts off, and y^e he was sorry for what he had done, & y^e it was don in his Passion.

Edw^d Green was attested to Declare what he knew of y^e Matter, declared:

That some Time last Winter y^e M^r Invited him on board, and going both together there, they found Hans Peterson's Wife with some other women: a Short time after Came Hans Peterson on board, w^th a
Complaint that some persons belonging to y* Shipp had Killed his Hoggs: That Hans's Wife did then declare y* y* person that killed the hogg had before acquainted her with his purpose of doing it, and after y* hogg was Killed, did give her notice therof, that his Master might be Charged with it, the Master having before agreed with Hans for pork for his men, and y* she tould him he might Carry it on board; and further saith y* y* s* Hans did at y* same time owne y* y* s* M' had spak to him to lett him have some fresh pork for his people, and y* he had promised they should: and further, that y* y* Hans said that provided he was payd for his Hogg he Would be contented, & y* y* Master agreed to doe it.

Cornelius Empson Was attested to declare what he knew of y* busines, who said that when he had blamed Hans Peterson for Indicting y* Servants of Wm. Dearing, when they had tould him before they would kill one of his Hoggs, he made answer that he was too hasty in it, but should bring them off well enough.

Then they were ordered to withdraw, whilst y* Counciell should debate y* matter, but Immediatly Stepd in Abraham Man & John Blunstone. Abraham Man began thus: Wee are come in y* name of y* free people, to know whether you have not forgott yourselves in not bringing Judg Moore to a Tryall.

The Secretary asked him for his Petition.

Abraham Man made answer, that they did not lookupon themselves obliged to come by way of Petition, considering whom they Represent: after some Sharpe repremands, from y* Counciell, they withdrew, and then y* Counciell

Adjourned till 7 y* next Morning.

At a Counciell in y* Counciell Roome at Philadelphia, The 29th of y* 5th month, 1685.

PRESENT:

THOMAS HOLMES, Presid*.
Wm. fframpton, Tho. Janney, Edw* Green,
John Barnes,

The Petition of Joseph Massey, M* of y* Ship Grayhound of Lon- don, was Read, setting forth his Carpenter's absenting himselfe from his service, requesting a warr* to serch for him in any suspected place of Concealing him: granted him, and that if apprehended, he be brought before y* Counciell, to be dealt withall according to Law.

The Petition of James Sanderlin's and Neals Lawson was Read, Complaining that they Could not have their Lands Resurveyd in the towne Ship of Chester, alias Upland, according to an order from y* Go- vernor.

Appointed to be heard y* next Sitting of y* Counciell, and a Sumons
to be sent to Charles Ashcome, Deputy Surveyor of ye County of Chester, to give his reasons why he hath not obeyed ye said Warr: and notice to be given to James Sanderling and Neels Lawson, ye servants they may then appear.

Charles Pickerin, John White, Wm. Dearing, Hans Peterson, and ye three servants of Wm. Dearing being Called, all of them were asked whether they would leave the whole Business & Difference between them to what ye Councill should order, or that they would have tryed by law.

They all agreed to leave it to this board to doe what they pleased therein.

They were Ordered to withdraw, and then ye Councill Debated about it, but it being urged that ye parties Concerned had not bound themselves in any penalty to Stand to their Order, they were Called in againe, and Hans Peterson Enters into Recognizance to ye Governer of ten pounds to Stand and abide by ye Ord of ye Councill.

Wm. Dearing Enters into a Recognizance of ten pounds to ye Governer in behalfe of his Servants that they shall stand & abide by ye Order of ye Councill.

They were Ordered to withdraw, and after debate ye Councill Concluded thus: That ye Master Wm. Dearing, pay in behalfe of his three Servants, unto Hans Peterson, one pound three shillings, for ye Hogg they killed of ye said Hans Peterson; And that Hans Peterson pay five pounds and ten shillings, one pound ten shillings whereoff, is to be payd to ye Secretary, and four pounds to ye High Sheriff of New Castle County, towards Charges, and that they release one another under hand & Seale, and ye three Servants goe quietly about their business.

John Blunston & George Maris, Came to renew their former desire in behalfe of ye Assembly, ye Patrick Robinson might be removed out of his Publique Offices, and that ye Tryall of Nich. Moore might not be delayed.

The Councill answered, that as soone as Presid' Lloyd, was come from New York, (who is Expected the next week,) they would give them an answer, but at present Could not.

In regard, Patrick Robinson was his Deputy in ye Office of M' of ye Rolls.

Ordered that Wm. Stockdale and Cornelius Empson, have a Commission forthwith to be Justices of ye Peace for New Castle County, their Comission to stand in force for one year, or till further Order.

Adjourned till three in ye Afternoone.

POST MERIDIEM.

The Same Members of Councill mett this afternoone, & Adjourned till further order.
At a Councill in the Councill Roome at Philadelphia ye 19th 6th Mo., 1685.

PRESENT:
THOMAS HOLMES, Presid'.
Chris. Taylor Wm. frampton, Wm. Markham, Secre.

The Petition of Rich't Blackleach of New England, March', was read, setting forth that Benjamin Chambers of Philadelphia is Indebt-ed unto him ye sume of fourteen and one pounds, and of his necessity of being suddenly at home, ye he could not without prejudice stay till ye Court in its proper time should sitt, thence Craves a Speciall Court.

Ordered ye a Comission be made for ye same to be held on ye 24th Ins'. Directed to ye Justices of Philadelphia County, or any four of them.

Adjourned till further Ord'.

The 24th 6th Mo., 1685.

Information being given to ye Secretary by Sam'l Land, that by ye Death of one Lewis Davis formerly of New Castle County, his Estate for want of Heirs, and Dying intestates, fell to ye Gov', and that if not timely prevented, others would Administer upon it, to ye great Damage of ye Gov'. The Secretary did give a Warr'd to ye Sherriff of ye County to take into his possession all ye Estate, both Reall and personall, & to send ye account thereoff to ye Presid' & Councill, to be disposed off as they shall think fitt.

At a Councill Especially appointed for ye Nominating of Judges at ye Councill Roome at Philadelphia, The 14th 7th month, 1685.

PRESENT:
THOMAS LLOYD, Presid'.
Tho: Holmes, Phin: Pemberton, Jno. Barnes,
Jno. Symcock, Chr: Taylor, Wm. Markham, Secre.
Wm. frampton,

Agreed that a Comission be drawne for Three Judges, Viz': James Harrison, James Claypoole and Arth. Cook.
Ordered The Comission be drawn forthwith.

Adjourned till ye 16th Ins'.
At a Meeting of ye Councill in ye Councill Roome in Philadelphia
The 16th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Tho. Holmes, Wm. Frampton, Phin. Pemberton,
Chris. Taylor, Wm. Southersby, John Barnes,
Jno. Symcock, Wm. Wood, Wm. Markham, Secre.

The Minutes of ye Councill from ye 28th of ye 5th Mo. was Read: and
whereas, on ye 29th of ye 6th Mo., John Blunston & George Maris told
ye Councill that they came to renew their former desires in ye behalfe
of ye Assembly, &c.

The Councill at ye time gave them answer, that as Soon as Presid'
Lloyd Came from New York, who was Expected ye next week, they
would give them an answer.

The Councill did now order this answer to be Recorded: That Nich.
Moore being at this Time under a Week and Languishing Con-
dition, and not under promising hopes of a Speedy Recovery, so
that at present they Cannot give any Certaine or definitive an-
swer.

The Petition of Rich' Ingelo was Read, Requesting ye Councill ye
tenn pounds allowed him out of Each County for his service don
ye Contrey, they would be pleased to order might be forthwith
payd.

Order ye Each County pay him ye next month, without further
delay, and ye he address himselfe to ye members for Each County
for ye Performance of ye same, provided that he bring in ye minutes
of ye Councill, fairlie Drawn out.

The Petition of James Sanderling & Neels Lawson, wth was Read
ye 29th 5th month last, was now Read againe, Complaining that they
Could not have their Lands Resurveyed in ye Township of Chester,
according to an Order from ye Gov'.

The Petitioners and Charles Ashcome, being Deliberately heard
before ye Councill, the board Generally Concluded ye y's Omission of ye
Deputy Surveyor was not justifiable.

And ye Petitioners further Complaining of wrong & Injustice don
to them, as being two of ye six Claymers of their allotment in Che-
ter, Alias Upland Township, by Charles Ashcome, ye Deputy Survey',
Surveying of Land Contrary to Warr', the first for Charles Pick-
erin, in Right of Eustas Anderson, near ye supposed bound of Upland,
& a second Warrant for Charles Pickerin, for part of his purchase,
wth being from ye Survey' Genall, only to be Executed upon land as
near as Could be to Upland, & not in ye township of Upland, and
therefore the Councill unanimously Conclude that Charles Ashcom's
serving of these Warrants was Irregular, and whatsoever was done
hereupon, Wee Cannot Conceive Valid.

The Petition of Mary Mason, Widdow, was Read; Requesting ye
Councill to Confirme ye Sale of Lotts and Lands sold by ye said Wid-
dow, by ye Gov' Verball order, to pay her Descended husband's Debts,
and for subsistence of herselfe and Children.
James Harrison being present & attesting ye truth of ye Order, and 
the declaring ye Land sould was ye City Lotts, and ye Liberty 
Land, and but two hundred Acres out of one thousand, and not ye 
Land ye was improved; ye Councill ordered a Confirmation.

The Councill adjourned till six to morrow morning.

At a Meeting of the Councill in ye Councill Room In Philadelphia 
y 17th of ye 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Tho: Holmes, Wm. frampton, Phin: Pemberton, 
Jno. Symcock, Wm. Wood, Wm. Markham, Secre.
Chr. Taylor,

Ordered ye a Proclamation be Drawn and Published forthwith, to 
reinforce ye Law made at Upland prohibiting ye sale of Rum, brandy, 
& other strong Liquors to ye Indians, under ye penalty therein Ex-
pressed, and ye all Magistrates take notice thereof, and put the same 
in Execution.

Upon ye Reading ye Petition of Philip Thleman against Tho: Mas-
ter, for his not performing his Contract in building a house for ye s' 
Phi. Thleman,

Ordered ye both parties be heard before ye Councill.

Complaint being made by Henry Lewis, John Bevan and others, in 
ye behalf of ye Welch friends, that their Lines runn out Regu-
larly, according to ye Gov'n Warr, were notwithstanding, by 
Charles Ashcome, Deputy Surveyor of Chester County, his undue 
Execution, of several Later Warrants, prevented from ye quiet 
Enjoyment of ye tract that was legally laid out for them.

The Board, upon ye hearing of ye same, ordered ye Charles Ashcome 
be required to prepare and bring in to ye Councill a Draught by a scale 
of a 160 perches in an Inch, for all ye Lands Surveyed and Laid out 
by him Westwardly of ye N. N. W. line, runn By Ralph Sirewell and 
himselfe, and to attend the Councill & Comiss with it ye next Third 
day, by ye 9th hour in ye forenoon, for ye Speedy Composing ye Dif-
fences & ascertaining ye lines between ye Chester friends and 
others, and ye Welch friends, & in the meantime to Survey no more 
Land until further Ord'.

The Councill adjourned till further Order.
At a Meeting of the Council in The Councill Roome in Philadelphia y° 22nd 7th Mo. 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Tho: Holmes, Wm.-frampton, Wm. Wood,
Chr: Taylor, John Barnes, Wm. Markham, Secre.

In Complyance with an Order of Councill, Dated y° 17th Ins', Charles Ashcome appeared and brought a Draught of y° Settlement upon y° West side of y° line Runn out by Ralph ffretwell & himselfe: y° Councill upon perusal and observation of y° same, and Comparing the lines thereof with a Draught made up by y° same Scale by David Powell, of y° Tract surveyed by him in behalf of y° Welsh friends, have recommended y° adjusting of y° Disputed bounds, and accomodating the Differences thence arising & further likely to Ensue, unto y° Councill and Comiss° Joyntly, at their next sitting.

Thomas Holmes acquainting y° Councill y° not withstanding the Gov° Express Orders to Charles Ashcome upon his going for England, under his hand, and by his Letter since, of his Complying with y° Gover° Determination of y° Differences between them, & that Charles Ashcome was to Continue in his place, under Tho. Holmes, for so he was and so he must be, (were y° Gover° words,) in Case he will behave himselfe, and did make Exact Returns, & pay to y° Survey° Genall share of fées. The Councill proposing these terms to Charles Ashcome, and he not Complying to y° satisfaction of y° Councill, they have agreed to Continue their Order to forbid Charles Ashcome to Survey any more land in y° County of Chester, till he submit to y° Gov° Instructions, or be Impowred by the Councill and Comiss° to proceed further.

Phil. Thileman's Petition against Tho. Masters was Read.

Ordered y° Tho. Masters be sent to to attend y° Councill in y° afternoon.

WHERAS, James Harrison, James Claypoole & Arthur Cook, were nominated by y° Councill y° 14th Ins', to be Prov° Judges, & orders given to prepare a Comission to Authorize them to act thereby on y° 24th Ins', and y° 24th of y° next second month, but James Harrison, & Arth. Cook being informed thereof, Desired Ernestly to be Excused therein, and Declared their utter Indisposedness thereunto; and James Claypoole being prevented by great Illness from serving therein, y° Councill, upon further Consideration have, in Order to answer y° due Expectation of such persons who are Concerned in appeals, Unanimously agreed to Shew their Readiness & Willingness in Receiving such appeals w° are to be brought in to y° Secretary's Office, & to give their further attendance in Councill to Deside Differences w° are to be Determined y° 24th Ins', being y° Day the Prov° Court was appointed to Sitt.

The Councill adjourned till 3 in y° afternoon.
MINUTES OF THE
POST MERIDIEM.
The same Persons Present.

John Rambo, ye son of Peter Rambo, being accused of fornication before the Councill, was bound over to ye next County Court at Philadelphia, his father, Peter Rambo, and his Brother, Gunner Rambo, he produced for Security, wch was accepted.

Peter Rambo ye Elder, and Gunner Rambo, Joystly and Severally Enters into recognizance of five hundred pounds, Currant Money of this Province, to ye Proprietor and Gov, that Jno. Rambo shall personaly appear at ye next County Court to be held at Philadelphia, to answer an Indictm against him for fornication and other misdemeanors, and he not to Depart from ye Court without being acquitted, or leave from ye bench, otherwise to forfeitt his baile.

Information being Given to ye Councill by Capt. Cock, of ye Indians' willingness to sell all their right & Claimes to the Land between Upland & Apoquinamy, as farr backward as they have any Claim thereunto, and that they proposed a meeting at Widdow Scallop's on ye 29th Ins, in order to treat about ye same: The Councill thought fit to order Capt. Tho. Holmes, John Symcock, & ye Secretary, or any two of them, to be at ye place aforesd, wth full power to treat and Compleat ye purchase wth them, and to Call to their assistance what members of ye Councell can Conveniently be there

The Councill adjourned till 7 to-morrow morning.

At a Meeting of the Councill in ye Councell Roome at Philadelphia ye 23rd 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid.
Capt. Tho. Holmes, Wm. frampton, Wm. Markham, Secre.
Chr. Taylor, Jno. Barnes,

Ordered that a Comission be drawn forthwith for James Bradshaw, to be Chief Survey & Chief Register of ye County of New Castle, to be in force till ye Gov's pleasure be further knowne.

The Petition of Henry Reynolds against Tho. Usher, Justice of ye Peace for ye County of Chester, Complaining that ye s'd Tho. Usher had Imprisoned him by his Warr to ye Sherriff only upon ye bare word of his accuser.

Ordered ye a Copy of ye Petition be sent to Tho. Vsher, and that he make Speedy answer to it.

Ordered ye Notice be given by writing, sett up at ye Gate, That the Councill will sitt to-morrow in ye forenoon by ye 9th hour, to Receive Complaints and Grievances.

The Councill adjourned till to-morrow, Eight in ye forenoone.
At a Meeting of the Councill in ye Councill Roome at Philadelphia ye 24th 7th Mo, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Capt. Tho. Holmes, Wm. Frampton, Wm. Markham, Secre.
Chr: Taylor, Edwd Green,

The Petition of Edwd Evaret was Read, Requesting his money due for wayting on ye Prov' Judges with his Boat, in the Goeing their Circuite.

Ordered that he bring in his Contract and Certificate relating to it, & then ye Councill will give their Answer.

The Petition of Peter Gronendike was Read, setting forth that wheras severall people, and particularly Wm. Clark, have obtained Judgm' by Petitioning ye County Court of Sussex, against the Estate of Cornelius Verhoof, Deceased, without Summonsing ye Petitioner, who is Executor to ye said Verhoof, and have served Execution thereupon, notwithstanding ye Petitioner did Publish some time before, ye if any person had any accounts against ye Estate of Cornelius Verhoof, Deceased, they should bring it in to ye Petitioner, and that he would Endeavor to make satisfaction. The Petitioner beggs ye Councill for Redress against such Illegall proceedings.

The Councill Considering ye Complaint, doe Judg ye Proceedings a grievance, and not Justifiable by our Laws, though it hath been ye practice of ye Lower Counties to grant Judgm' against ye Estates of Deceased persons without precedent Summons, only the partys Petitioning the Court and proving their Debt was sufficient.

Information being given to this board ye Tobiah Leach told an Indian Woman that ye English would sell them no more powder nor shot, but did intend to Cutt them all off; The Board Ordered that ye Secretary send a summons to ye s'Tobias Leech to appeare forthwith before them, to answer to the Information.

Phil. Thlenman put in his appeale (from ye County Court to ye Prov' Court) to ye Councill.

Ordered that a Summons be sent from ye Secre. To Tho. Masters, to attend the Councill in ye Afternoon, to answer to ye appeale.

The Councill adjourned till 3 in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
Capt. Tho. Holmes, Wm. Frampton, Wm. Clark,
Chr: Taylor, Edwd Green, Wm. Markham, Secre.

A letter was read from Wm. Darvall, Directed to ye Presid' and Councill. Ordered to be read againe to-morrow, and then to be Considered off.

The Councill adjourned till To-morrow morning.
MINUTES OF THE

At a Councill in ye Councill Roome in Philadelphia ye 25th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Chris. Taylor, Wm. Wood, Wm. Markham, Secre.
Wm. Clark, Edw' Green.

Ordered that Patrick Robinson be writ to by ye Secretary, to bring in, or transferr to ye Secretary's Office forthwith, what appeales or other writings he hath, wch was to be Determined before ye Prov'd Judges at a Court to begin ye 24 Ins' at Philadelphia.

Patrick Robinson appeared, and gave an acco' of what appeales he had Delivered to ye parties Concerned.

Tobias Leech Appeared, in Obedience to a Summons sent him from this board ye 24th Ins', and giving a Credible relation of his Clearness of what was alledged against him, was Dismissed untill further Order.

The Councill adjoumd till 3 in ye Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
Chris. Taylor, Wm. frampton, Edw' Green,
Wm. Clark, Wm. Wood, Wm. Markham, Secre.

The Letter from Wm. Darvall ye was read Yesterday, wch had no date, was againe read, advising ye Councill that one Jno. Curtis, a Justice of ye Peace for Kent County, was accused by John Brinkloe of High Treason, and ye ye Peace Witnesses were Examined before five Justices of ye Peace, & ye Curtis upon ye Examination, was Committed.

Wm. Berry, one of ye Justices of Kent County, & George Martin, High Sheriff of ye said County, being in towne, were sent for to ye Councill: the Councill asked them if they knew any thing of Jno. Curtis being accused of Treason, tould ye board they were at ye Examination: The Councill desired they would give under their hand what they Could remember of ye Examination; The wch they did.

Ordered that a Warrt be sent to ye Justices of Kent County, for ye Security of Curtis, and sending ye Examinations with all speed to ye Councill.

Henry Reynolds being bound at ye last Prov'd Circular Court held at Chester, in four hundred pounds penalty, to make his personall appearance before ye next Prov'd Circular Court held at Chester, if any be, or at next Prov'd Court at Philadelphia, to answer to an Indictm' to be Exhibited against him By Wm. Rawson, for Wounding, beating and Killing of Mary King, his late serv't maid, as appeared before ye Councill by a Copy of ye Records from ye aforesaid Court, The aforesaid Henry Reynolds made his personall appearance
before ye Presid' & Councill, in order to discharge his aforesaid obligation, where no person prosecuted, Petitioned, or brought any Complaint against him.

The Councill adjourned till To-morrow Morning.

At a Meeting of ye Councill in the Councill Room In Philadelphia ye 26th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Chr. Taylor, Wm. frampton, Edw'd Green,
Wm. Clark, Wm. Wood, Wm. Markham, Secre.

Vpon Information giving the Councill that a Woman in Philadelphia this morning, Came by an untimely Death, & that Griffith Owen, ye Coroner, was Incapable by sickness to Officinate in his place, the Councill ordered a Comission for Henry Lewis to be Coroner untill further Order.

The Councill Adjourned till 3 in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
Chris: Taylor, Wm. Clark. Edw'd Green,
Capt. Tho: Holmes, Wm. frampton, Wm. Markham, Secre.

The Petition of Wm. Berry and George Martin, in ye behalfe of themselves & those Justices of Kent County that Subscribed a request to ye Councill, was read, and also ye Request Requesting that ye Councill would be pleased to Continue Wm. Clark a Justice amongst them, his Comission from ye Gov't to be Justice in Generall being Expired.

The Council answered they would Consider of it.

The Councill adjourned till ye 28th Ins', seaven in ye Morning.

At a Councill in ye Councill Roome in Philadelphia The 28th 7th Mo., 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Capt. Tho. Holmes, Edw'd Green, Wm. frampton,
Chr. Taylor, Wm. Clark, Wm. Markham, Secre.

The Councill Considering ye Request of ye Justices of Kent County that was read the 26th Ins'.

10
Ordered that Wm. Clark's Commission from ye Prop't & Gov't, bearing date ye 5th 6th Mo., 1684, for Justice of ye Peace for this Province and Territories, be subscribed to Continue for one whole year longer, or till further order, and to Sett ye Scale of ye Province to it.

James Maxfield Requested ye' Councill that they would grant him a Licensce to Keep an ordinary in Kent County.

Ordered him One.

John Brinkloe of ye' same County, requested ye' like, and was granted.

Phillip Russell had granted ye' same to be kept at Lewis.

Wm. Phillips having obtained a Judgm' against Edw'd Green in ye' County Court of New Castle, held ye' 21 & 22d Days of ye' Last first month, for twenty-seaven pounds three shillings and Eight pence, being ye' supposed Remainder of ye' purchase money, is owing to Wm. Phillips for a Plantation sold by him to ye' s'd Edw'd Green, the Defend' appealing to ye' Court at Philadelphia. Both parties appearing before ye' Presid't and Councill and Submitting ye' final Determination of ye' Difference between them to this board, the Councill upon through hearing of both and of what they could allege in their Respective behalves, Ordered that Edw'd Green shall at or before ye' 24th of ye' next tenth month, make Certaine pay of ye' Sum of twenty-two pounds, tenn Shillings, Current money of this Province, unto Wm. Phillips, and that upon such paym' as before, The s'd Phillips shall make a sufficient Conveyance of ye' Premises to Edw'd Green, according to Law, and that the County Court Charges, & ye' Charges of this Board, shall be boare Equally by ye' said parties, and upon non-Complianc wit this order, Execution to be Issued forth accordingly.

The matter In Difference between Peter Gronediscle, Plan', & Allex. Humpheries, Defen', upon an appeale from ye' Court of ye' County of Kent, held ye' 11th 12th & 13th days of ye' first month, 1683-4, to ye' Gov't & Councill Being heard before this board, and thoroughly Debated, both parties Present, Concluded that ye' Plantive in ye' appeale, has paid ye' 6000 lb. of Tobacco in Difference unto francis Whitwell, by order of ye' Defend't. This board doth therefor order that ye' Plantif according to his Express Covenants in his bond upon his appeale, pay all ye' Charges at this board, and all other Charges to be payd by ye' Def't.

Wheras, there was a difference between Griff Jones & Edw'd Green, wh' was submitted by them to be heard & Determined at this board, and through ye' Indisposition of Griffith Jones he could not appear, it is Referred to ye' next sitting of Councill unless Sooner accomodated.

The Councill Adjourned till further Order.

At a Councill in ye' Counciill Roome in Philadelphia ye' 5th 9th Mo., 1685.

PRESENT:

Capt. THOMAS HOLMES, Presid'.

Chr: Taylor, Wm. frampton, Wm. Markham, Secre.

Jno. Symcock, Jno. Barnes,
The Examination of Jno. Curtis, and Information of ye Witnesses taken before ye Justices of Kent County, was sent to the Councill according to an Order bearing date ye 25th 7th Mo., 1685, was Read with a Letter from John Brinkloe, Clark of ye County aforesaid.

Ordered ye a Comission be forthwith made for Wm. Clark and Jno. Cann, to be Speciall Commiss to Try John Curtis of Kent County, who stands accused of speaking of Dangerous & Treasureable words against ye King.

The Govn Letter to ye Presid' & Councill, Bearing Date ye 19th 6th Mo., 1685, was Read.

The Petition of ye Justices of ye County of Philadelphia to this board was Read, Intreating they would be pleased to take ye Govn Letter into their Consideration, wch was directed to ye Justices of Philadelphia.

Ordered that all Lycences for Ordinary Keeping be forthwith Called in.

Ordered ye Publicq Notice be given to all ye families that lives in Caves of Philadelphia to appear before ye Councill ye next sitting.

A Petition from ye County Court of Philadelphia was read, setting forth that several servants brought from England in ye Last Ship that came hether, that are to serve in this province, and ye ye Master Intends to Carry them to Virginia, wch is Contrary to ye Laws of the Province, Requesting ye Councills Consideration of the same,

Ordered ye ye Messenger give notice to ye M' of ye Ship to appear before ye Councill to-morrow morning.

James Bradshaw's Comission for Chief Surveyr and Register of ye County of New Castle, wch was ordered ye 23rd 7th Mo. last, and bearing ye same date, was this day signed by the Presid', Capt. Tho. Holmes, with ye Consent of ye Councill. (Tho. Lloyd wch was Presid' at ye time of ye date of ye Comission being at New York.)

The Petition of Joshua Hastings was Read, against Charles Ashcome. Referred to ye next sitting of Council, and a Sumons to be sent him by ye Secretary to make his appearance.

A Letter from Tho. Usher bearing date ye 4th 5th Mo., 1688*, was read.

Ordered that Tho. Usher and Henry Reynolds have a hearing before ye Councill ye next sitting.

Ordered That Sam'l Carpenter be desired to be at ye Councill to-morrow morning.

The Councill adjourned till Eight to-morrow morning.

*Evidently 1685.
At a meeting of the Councill in the Councill Room In Philadelphya ye 6th 9th month, 1685.

PRESENT:
Capt. THOMAS HOLMES, Presid'.
Chris. Taylor, Wm. frampton, Wm. Markham, Secre.
Jno. Symcock, Jno. Barnes,

Ordered that James Claypoole, Rob' Turner, Sam' Carpenter, John Jones, Wm. frampton, Patrick Robinson, John Test, Jno. Songhurst, be writt to, Desiring them to come forthwith to the Councill, they having urgent buisness with them about the Subscriptions.

The Persons above mentioned all Came to ye Councill where they Discoursed about ye Subscriptions. Concluded amongst themselves to meet together in ye afternoon, to Consult about methods how to proceed in order to Discharge their Obligation, and give an acco' thereoff at ye next sitting of ye Councill.

James Skinner, M' of ye Pink Rebeca that was yesterday sent to to come before ye Councill this morning, Came with the Indentures of ye Servants mentioned in ye County Courts.

Petition Read yesterday, they Rann to serve James Skinner from ye Day of ye Date until their first arrivall in Virginia, or any other part of America, and after, for and during the Term of four years.

Ordered that ye Secretary give notice to Wm. Clark and John Cann, that they are appointed Comiss' for ye Tryall of John Curtis, that they may prepare themselves accordingly.

Ordered that ye Secretary give notice to ye Sherriff of Kent County to prepare ye County for ye Tryall of John Curtis on ye 24th Ins', by Comiss' appointed for that purpose.

Ordered a Generall Comission of the peace be Drawn for ye County of Philadelphia, and to put in these persons following, Viz': James Claypoole, Wm. frampton, Humph. Murrey, Wm. Salway, John Revan, Lacy Cock, Wm. Wardner, Sen't., Rob' Turner, Jno. Moon.

The Councill Adjourned till ye 16th Inst.

---

At a Councill held at ye Councill Room in Philadelphia ye 16th 9th Mo., 1685.

PRESENT:
THOMAS LLOYD, Presid'.
Capt. Tho. Holmes, John Symcock, John Cann,
Chr. Taylor, Jno. Barnes, Wm. Markham, Secre.
Wm. frampton,

Ordered that a Comission be forthwith made, Impowring Rob' Hall to be Coroner for ye County of Bucks.

The Complaint of ye friends, Inhabitants of Concord and Hertford,
against the Indians, for ye Rapine and Destructions of their hoggs
was Read.

Ordered that ye Respective Indian Kings be sent for to ye Councill
with all speed, to answer their Complaint.

The Inhabitants of the Welsh Tract Complaine of the same, by
an Endorsement on ye aforementioned Complaint.

The Councill adjourned till 4 in ye afternoone.

POST MERIDIEM.

The Councill mett and adjourned till Seaven to-morrow morning.

At a Meeting of the Councill in ye Councill Room In Philadelphia ye 17th 8th month, 1686.

PRESENT:

THOMAS LLOYD, Presidt.

Capt. Tho. Holmes, John Symcock, John Cann,
Chr. Taylor, Wm. Frampton, Wm. Markham, Secre.
Jno. Barnes,

The Petition of Joshua Hastings against Charles Asborne, that
had been Read ye 5th Inst, was Ordered to be Read againe, to wth
Charles Asborne appeared, according to a summons dated ye 6th
Inst; it was Concluded no proper place to End their Differences it
being matter of Law.

The Petition of Tho. Bud was Read, Requesting a Speciall Court
to End a Difference between Phill. Thlenman & himself.

The Councill sent for Phill. Thlenman, and advised them both to
go together and try if they Could friendly End it between them-


The undertakers of ye Subscription Came to ye Councill according
to their promise ye 6th Inst, and Presented their Report, with a
list of ye Subscribers and what subscribed, ye whole amounting to 201,
19, 2, to wth Chris. Taylor at ye board subscribed 6, 00, 30. The
Councill Comended their Deligence, and promised them their further-
ance and Assistance therein.

The Petition of Samo Carpenter was Read, Requesting a Speciall
Court to try his Servant that Stands accused of Fellony.

The Councill adjourned till 5 in ye afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.

Capt. Tho. Holmes, Jno. Cann, Jno. Barnes,
Wm. Frampton, Pet Alrichs, Wm. Markham, Secre.
Chr. Taylor,

10s
The Case sett forth in Sam" Carpenter's Petition being Considered off, is Referred to y" Due Course of Law, according to his Commitment.

The Gov" Letter to y" Magistrates of Philadelphia being Read, bearing date y" 26th 5th Mo., 1685, by Request of their Petition, Read y" 5th Inst, with y" Letter afores, and publiq notice being then given to all y" families living in Caves to appearre before the Councill at their next sitting, but none obeying y" said order; It is now further Ordered that notice be againe Published that the Councill will put y" Gov" Order relating to y" Caves in Execution in one month's Time.

Ordered y" a Comission be forthwith drawne to authorize John White to be Attorney Gnall for y" Prosecuting of Jn' Curtis of Kent County, who Stands accused of Speaking of Dangerous and Treasonable words against y" King.

John Cann advising with y" Councill that were as he was Impowered by this board to Officiate as Register of y" County of New Castle, in y" Vacancy of a Comission, Desire to know whether he may Deliver up the originall papers belonging to y" Office to y" person Comissionated, with all other things relating to it.

Their advice was that upon his Delivery of what Relates to y" Register's Office to James Bradshaw, y" now Register, he take his Receipt, wth shall be allowed as a sufficient discharge to him.

The Councill adjourned till further Order.

At a Meeting of the Councill in y" Councill Room In Philadelphia y" 1st 10th month, 1685.

PRESENT:

THOMAS LLOYD, Presid'.
Capt. Tho. Holmes, John Barnes, Wm. Markham, Secre.
Chris: Taylor,

A Letter from John Otter to y" Presid', bearing date y" 26th 9th Mo. last, was Read, Requesting that a Speciall Comission be granted for y" Tryall of David Davis the next Court, who is a Prisoner in y" County of Bucks, on suspicion of killing his servant.

The Councill having Considered the same, and to y" End that Justice might be speedily dispatched, and y" Matter being approved of, they unanimously agreed that a Comission be Expeditiously prepared for y" authorising & Impowering of James Harrison, Arthur Cook, Tho. Janney, Wm. Yardley, Wm. Biles, to be special Comiss" to hear and Determine all heinous and Enormous Crimes that shall be brought before them in y" County of Bucks, in a Court there to begin on y" 10th Inst', by them to be held.

The Secretary Reporting to y" Councill how y" y" Grand Jury for y" County of Kent Returned by vertue of a Comission directed Specially to Wm. Clark and Jno. Cann, for the Enquiring, hearing and
Determining of an accusation of Treasonable words uttered by Jno. Curtis of ye said County, against ye King, brought an Ignoramus upon the bill of Indictment Preferred against him; and further, being informed that the said John Curtis was Discharged without good Security given by him for ye Peace towards ye King, and good behaviour towards all ye King’s Liege people.

Ordered that Instructions be speedyly sent hence, Directed to Wm. Dervall, Jno. Briggs & Tho. Willson, or any Two of them, whereoff Wm. Dervall to be One, to send for ye s’t John Curtis before them, and to Receive of him a Recognizance to ye King in ye sum of Two hundred pounds, with two sufficient Suretys, Each in one hundred pounds, Joynly and severally, for his good abearing towards the King and all his Leige people for ye Space of twelve months, and upon his Refusall, to Comit him to Prison.

Ordered that a New Comission be sent downe to ye County of Kent, & ye Jno. Curtis be left out of it.

The Councill adjourned till further Order.

At a Meeting of the Councill in the Councill Roome In Philadelphia ye 9th 11th Mo., 1689.

PRESENT:

Capt. THOMAS HOLMES, Presid’t.
Chris: Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton,

The Secretary Reporting to ye Councill that in ye Chronologie of ye almanack sett forth by Sam’l Atkins of Philadelphia, & Printed by Wm. Bradford, of ye same place, there was these words, (the begining of Governm’t here by ye Lord Penn,) the Councell Sent for Sam’l Atkins, & ordered him to blott out ye words Lord Penn; & likewise for Wm. Bradford, ye Printer, and gave him Charge not to print any thing but what shall have Lycence from ye Councill.

Information being given the Councill by Wm. Southersby and Wm. frampton, that several persons appoynted Justices in ye Comission for Kent County, Dated ye 10th 10th Mo., Last, will not Officcate, and others therin mentioned will but seldom be there, to ye hazard of having not a Sufficent number to Keep Court;


Ordered ye Secre. give notice to all persons selling strong liquor by Retaile in Philadelphia, bring their Lycences to ye Councill ye 15th Inst’, after ye time they are to be no longer in force, in order to have them Renewed, if thought fitt, & all persons ye are desirous to have Lycence to Keep Ordinarys, may make their application to ye Councill ye same time.

*1685.
The minutes of ye Council of ye 1st 10th Mo., was Read, with ye Instruction made thereupon, where was presented by ye 7th Secretary to ye Council for signing. But the Council Refused, in regard it was passed when Presid Lloyd Satt Presid, and ye they knew not what Reasons he had to refuse signing it.

Ordered that Notice be given to as many of ye Council as Possible, that they meet ye next Sixth day, it being ye 15th Inst.

Ordered ye a Warr be made for John Hill to be high Sheriff of ye County of Sussex for one whole year, or till further Order.

Ordered that Symon Irons have a Warr to be Ranger for ye County of Kent, to be in force for one whole year, or till further Order.

Ordered ye a Warr be made for Jno. Barnes to be Ranger for ye County of Philadelphia, to be in force for one whole year, or till further Order.

Ordered ye if Jno. Rhodes have not a Warr to be Ranger for ye County of Sussex, that there be One made for Henry Bowman.

The Council adjourned till ye 15th Inst.

At a meeting of ye Council in ye Council Room in Philadelphia ye 15th day of ye 11th Mo., 1685.

PRESENT:

Capt. THO. HOLMES, Presidt.
Chri: Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton,

The Comissions that was ordered to be Drawn at ye last sitting of Council, was this day Signed by ye Presidt, Viz:

A Comission for the Justices of Kent County.
A Comission for Jno. Hill to be High Sheriff of ye County of Sussex.
A Comission for Symon Irons to be Cheiff Ranger of ye County of Kent.

John Barnes refusing ye Warr for Renger of ye County of Philadelphia, ye Council Ordered Wm. Markham in his Roome.

John Roads not being found upon Record to have had a Warrant for Ranger for Sussex County, The Comission was signed for Henry Bowman.

John Persons, Tho. Persons, and Tho. Dikenson, that were Witnesses to a letter of Attorney bearing date ye 26th 7th Mo. Last, Impowering Andrew Robinson of West Jersie, and Wm. frampton of Philadelphia, Joyntly and Severally, from James Wallis, Charles Jones, jr., Rich. Crossly, Dan'l Guillim, Tho. Taylor, (all of Bristol,) were attested to ye truth of ye same; ye Letter of Attorney was Endorsed and sealed with ye Province Scale, vid Book Ent.

According to ye Order set forth ye last sitting of Council, that Ordinary Keepers within Philadelphia should bring in their Lycences
on this day, there brought in Tho. Hotton, Tho. Holina, Ge. Bartholmew, Benja. Chambers, Mary Lichfield, their Lycences and had them Renewed, only Mary Lichfield they granted but for four month, & that was to give her time to gett in her Debts, & provid herselfe some other way of Living.

The Councill adjourned till Eight to-morrow morning.

---

At a Meeting of ye Councill in the Councill Roome The 16th 11th Mo., 1685.

**PRESENT:**

Capt. THOMAS HOLMES, Presid'.
Chris : Taylor, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton, Jno. Barnes,

Ordered that ye Summs here Sett Downe be taken as security for Each person against who it stands, for his Keeping good Orders in his Ordinary, with one to be joyned with him, Viz:

Wm. frampton, whose house was Lycenced in ye Stead of Holiman's Lycence.

\[
\begin{align*}
\text{Tho. Hooton,} & \quad 50 \\
\text{Benj. Chambers,} & \quad 50 \\
\text{Alce Guest,} & \quad 20 \\
\text{Geor. Bartholmew,} & \quad 20 \\
\text{Mary Lichfield,} & \quad 20 \\
\end{align*}
\]

Ordered ye Joseph Knight have 3 months time given him to sell of the Drink & Provision he has in his house, & afterwards to provide some other way for a Lively hood, & not to Keep Ordinary longer in ye Towne.

Ordered ye a Comission be Drawne to Impowre Sam'l Hersent to prosecute all offenders against ye penall Laws of this Province, & to search for those ye are on Record Convicted, & prosecute them if ye have not satisfied ye Law.

The Councill adjourned till ye 1st 12th Mo. Next.

---

At a Meeting of the Councill in the Councill Room at Philadelphia ye 1st of ye 12th Mo., 1685-6.

**PRESENT:**

Capt. THOMAS HOLMES, Presid'.
Chis: Taylor, Wm. Southersby, Jno. Barnes,
Wm. frampton, Edw'd Green, Wm. Markham, Secre.
MINUTES OF THE

The Persons appointed by Comission to be Justices for y^e County of Philadelphia, bearing date y^e 6^th 9^th Mo., 1685, being Summoned by y^e Sherriff to appeare before y^e Councill to be attested, they not having yeat satt by Virtue of this mentioned Comission, There appeared and were attested:

Wm. Brampton,    Hump. Morry,    Lacy Cock,
Jam. Claypoole,    Wm. Salway,    John Baven.

Rob' Turner appeared but Refused to be attested, desiring to be Excused; he would give his Reasons some other time.

Sam' Hersent, Attorney for y^e County of Philadelphia, was attested in to y^e Office.

The Petition of y^e Secretarys was Read, Requesting a Comission to seise Ships & Vessells, Either by myselfe or by my Warr, directed to whom I shall think fitt, It was granted and a Comission signed.

The Petition of Charles Pickerin was Read, about his Land being Survey'd away at Chester. It was Refered to y^e Councill.

Wm. Brampton's Petition was Read, Requesting y^e Removall of y^e Caves before his Door, he being about building a Wharfe.

It was Granted, and a fortnight's time given for y^e Removall of y^e Goods out of y^e Caves.

Adjourned till y^e 9^th Inst' by Eight in y^e Morning.

At a Meeting of y^e Councill y^e 3^d of y^e 12^th Mo., 1685-6.

PRESENT:
Capt. THOMAS HOLMES, Presid'.
Wm. Brampton,    Wm. Southesby,    Wm. Markham, Secre.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome in Philadelphia The 30^th of y^e first month, 1686.

PRESENT:
THOMAS LLOYD, Presid'.
Wm. Frampton,    Peter Alrichs,    Wm. Markham, Secret'.
Edw'd Green,    John Roades.

The Returne of y^e Member of Councill and Members of Assembly for y^e Next Ensuing yeare for y^e County of Philadelphia was Read, and were:

FFOR PHILADELPHIA.

ROBERT TURNER, to serve in Councill for y^e next three years.
PROVINCIAL COUNCIL.

ASSEMBLY:

John Songhurst, Griffith Owen, John Goodson,
James Claypoole, Andrew Binkson, Tho. Duckett.

The Returne of Sussex County was Read: the Persons Returned
were:

WM. CLARK, to serve in Councill for ye Next Three Years.

ASSEMBLY:

Sam" Gray, Hen. Bowman, Albert Jacobs,

The Returne of Kent County was Read. The Persons returned
were:

WM. DERVALL, to serve in Councill for ye Next Three Ensuing
Years.

ASSEMBLY:

Wm. Berry, Rich^ Willson, John Walker,
Jno. Brinkloe, Rob^ Bedwell, John Bradshaw.

Wm. Clark and Wm. Dervall were attested and subscribed there-
unto, & then took their places in ye Councill.

Joshua Barksted's Letter was Read, bearing date 17th 1o Mo.,
85-6, Requesting a Discharge from his Office of Coroner of Sussex
County. The Councill Reply'd a Speedy Course should be taken
for his Discharge.

Adjourned till Eight to-morrow morning.

At a Meeting of ye Councill in the Councill Room the 31 of ye 1o
Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Darvall, Ph: Pemberton, Pef^ Alrichs,
Wm. frampton, John Roades, Wm. Clark,
Edw^ Green, Wm. Southersby, Wm. Markham, Secretary.
Tho. Janney, Nich. Newlin,

The Returne of Chester was Read; the persons Returned were:

JOHN SYMCOCK, to serve in Councill ye 3 Years next Ensuing.
FRANCIS HARRISON, to serve in Councill in Room of Wm.
Wood Deceased.

They were both attested and Subscribed thereunto, then took their
places in Councill.

ASSEMBLY:

John Blunston, George Maris, Caleb Pewsey,
Rob^ Wade, Barth. Coppock, Sam" Lewis.
MINUTES OF THE

The Returne from Bucks County was Read; ye persons Returned were:

ARThUR COOK, to serve for a member of Councill for ye three next Ensuing Years.

ASSEMBLY:

Joseph Growden, Wm. Yardley, Joshua Hoopes,
Will'm Biles, Jno. Otter, Jno. Rowland.

Robert Turner Came in to ye Councill, was attested and Subscribed thereunto, and took his place at ye board.

Arthur Cook Came in, was attested and subscribed, and took his place at ye board.

The Counciull appointed a Comittee to Inspect ye Laws & Receive Complaints, and Report ye same to ye Counciull, Viz': being one of Each County:

COMITTEE:

Rob' Turner, Phi. Pemberton, John Symcock,
John Cann, Wm. frampton, Wm. Clark.

The Board understanding by the Respective members of Several Counties, that severall appeals were granted from their County Court to ye next Prov'' Court at Philadelphia, Upon Which ye Counciull did, according to Law, nominate three persons, Viz: Arth. Cook, Wm. Clark & John Cann, to be Comissionated Prov'' Judges, and Ordered the Comission to be forthwith Drawn.

Adjourned till three in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark, Pet' Alrichs, Tho. Janney,
Jno. Symcock, Edw'd Green, Nich. Newlin,
Wm. frampton, Wm. Southersby, Arth. Cook,
Wm. Darvall, fran. Harrison, Phi. Pemberton,
John Cann, John Roades, Wm. Markham, Secre.
Rob' Turner,

The Comission from ye Gov'r to ye Prov'' Counciull, Impowering them to act in his Stead, with ye Memorendum on the back side therof, was Read.

Sam'l Hersen, High Sheriff of Philadelphia, was sent for by the Counciull to Come forthwith before them, and to bring with him his Comission. He Came, but Excused himselfe for not bringing his Comission, telling the Presid' and Counciull ye' ye Counciull Chest wherein ye Com'' was, was Lock'd up in a Roome, and ye man ye' had ye' Key was out of Towne.

The Counciull Ordered him to bring it to-morrow morning.

A Letter from John Brinkloe was Read, Requesting to be Dismissed from his Office as Clark of Kent County.
Ordered y' Wm. Berry be Comissionated in his Roome, and y' his Comission be forthwith Drawne.

Adjourned till Eight to-morrow Morning.

At a Meeting of the Councill in y' Councill Room at Philadelphia y' 1st day of y' 2d Mo., 1686.

PRESENT:

THOMAS LLOYD, President.

Wm. Clark, John Roades, Nich. Newlin,
Wm. frampton, Tho. Janney, Arth. Cook,
John Cann, Rob' Turner, fran. Harrison,
Pet' Alrichs, Wm. Darvall, Edw'd Green,
Jno. Symcock, Wm. Southersby, Wm. Markham, Secre.
Phi. Pemberton,

According to an Order yesterday, Sam'l Hersent Came before y' Councill, and brought with him his Comission for high Sherriff of y' County of Philadelphia, w'h was dated y' 23d of y' 8th month, 1684, and was made to Stand in force for One whole year, or till further Order; he was Ordered to withdraw, and then y' Presid' put it to y' Vote whether Sam'l Hersent should be authorized to Execute the Office of High Sherriff untill further Order. It was Carried in y' Affirmative; the Order Subscribed on y' Old Comission and y' Seal put to it, y' w'h is Recorded.

The Comission formerly granted to Sam'l Hersent, bearing date y' 15th 11th Mo., 1685-6, Impowring him to be Attourney for y' County of Philadelphia, to proseceute all offenders that break y' penall Statutes of this Province, was Read. It was put to y' Vote whether a Sheriff should be an attourney in the same Court he is Sherriff: was Carried in y' Negative, Nemine Contradicente, with an Order thereunto to be made.

Ordered by the Councill, y' no Clark of any Court within this Province and Territories should be allowed to plead as an attourney any Cause in y' Court he is Clark off.

Itt was put to y' Vote whether there should be an Order of Councill That there should be tenn days Respite between Judgment and Grant of Execution in all Civill Causes between man & man, In all Courts within this Province and Territories, it was Carried in y' Affirmative. The Makeing the Order was Referred to y' next sitting of Councill.

Adjourned till Seaven to morrow Morning.
At a Meeting of the Councill in The Councill Room the 2d day of y° 2d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock, John Cann, fran. Harrison,
Wm. Frampton, Tho: Janney, Wm. Clark,
Wm. Dervall, Pet' Alrichs, Jno. Roades,
Edw' Greene, Wm. Southersby, Wm. Markham, Secre.
Rob' Turner, Nich. Newlin,

The last minute of yesterday's Councill was Read, about Resping Execution after Judgm', and there upon was ordered y' there should be tenn days Respite between Judgm' given in y° County Courts with-
in this Province and Territories in all Civill Causes, and signing the
Execution thereoff, and that in the Prov' Court no Execution shall be
served untill Eight days after Judgm' given.

John Roades being Sick, Requested leave of this board to withdraw,
wh was granted.

Several Bills to be past into Law were Read three times this day
and passed, And Ordered they should be promulgated, wh were as
followeth, Verbatim:

The President and freemen in Prov' Councill Mett, at Philadelphia,
the thirtyeth day of y° first Month, One Thousand six hundred Eighty
Six, have prepared to be published according to Charter, these follow-
ing Bills, for the notice and Concurrence of the freemen in Assembly
to meet the Tenth day of y° next Third month, in y° Towne of Phila-
delphia, in the forme and Style of Laws, then and there to be Confi-
med, amended or rejected, as the Genall Assembly shall in their Wis-
dome See meet:

1. Be it Enacted by the Authority aforesaid, that these following
Chapters and paragraphs be additional Laws of y° said Province &
Territories thereunto annexed, that is to say; all those Laws made at
Chester by y° Assembly, in y° 10th Month, 1682, and at Philadelphia
in y° first Month, 1683, and at y° same place in the 8th month, 1683,
and at New Castle in y° 3d month, 1684, and at Philadelphia y° 3d
Month, 1685, shall, and are hereby Continued to Stand and be in full
force and Vertue untill y° End of the first Session of y° next General
Assembly, and afterwards untill the Publication of Other Laws to be
past in the next General Assembly, be had, made and done, Except
such Laws, or part of Laws, as are by any of y° following Laws Ex-
plained, Varied or added unto, and that these Bills Ratisfied by the
Genall Assembly, shall Continue in force untill y° publication of
Laws in the next General Assembly following.

2. Bee it Enacted by y° Authority aforesaid, that Every Offender
Legally Convicted and fined for the breach of any penall Law, shall
forthwith pay his or their fine or penalty, or give Security Speedily to
do it; but in Case it be not paid, or secured to be payd, as above
sayd, that then y° Court or Justice who Imposed the fine, shall forth-
with, by Warrant directed to y° Sherriff or Constable of y° respective
place, cause the same, with Costs that shall arise thereupon, to be
Levyed on ye Goods or Chattells of ye party offending, by distress and Sale, rendering the overplus to the party; but if noe goods Can be found to satisy fe such fines, that then the Sheriff or Constable shall take and Secure the body of such person til satisfaction be made, and ye ye Sherriff or Constable doe Collecting the said fines, shall make returne to the next County Court, or such Officer as the Govr and Prov Council shall appoint, to ye End such fines may be distributed according to Law.

3. Whereas ye Law for Deffraying the respective Charge of Each County, Authorise ye County Court to Assess in Open Court ye necessary Charge of ye same, It is Enacted by ye Authority aforesaid, ye the said Courts are hereby further Impowered to Grant their Warr upon non payment for ye Levyng of ye said Assessments by distress and Sale of Goods, rendering ye overplus to the Owners.

4. Whereas al Charters, Gifts, Grants and Conveyances of Land, and all Bills, Bonds, & other writings, wch by ye 44 Chapter of Laws made at Upland, were required to be Registered or Inrolled in ye Public Inrollem Office, according to ye Mannor, & within ye time there prescribed, under ye penalty of being Vogue in Law, yet notwithstanding, were not brought to ye Inrollem Office to be accordingly recorded: Now for ye satisfaction of several purchasers of Lands and Inhabitants within this Province and Territories, who, some of them being under a mistake concerning ye Intent of ye said Law, Others under Considerable Innumbrances and a sort of Inconsideratness upon their begann Settlement, have neglected and lapse ye time, to ye manifest hazard & making Vogue such respective Instruments or writings.

It is hereby Enacted and Declared, by the president and Prov Council, with ye freemen, in Assembly Mett, that all such Charters, Gifts, Grants, & Conveyances of Land, and all such Bills, Bonds, Spetality's tho' they were not Legally Recorded, that they are hereby reputed, and shall be deemed and Stand authentique in Law, and are Indemnified hereby; provided that all such Charters, Gifts, Grants & Conveyances of Land, wch are or shall be, or Come into this Province & Territories, shall be brought to be registred in the Respective Inrollem Office for this Province & Territories, within six months after ye five and twentieth day of ye next Third Month, otherwise such Charters, Gifts, Grants & Conveyances of Land to be Vogue in Law, anything in ye said 44 Chapter of Laws for the making null such writings & Instruments to ye Contrary notwithstanding.

5. For the a Vogue of to frequent Clamors and manifest Inconveniences wch usually attend mercenary pleadings in Civill Causes, It is Enacted by ye authority aforesaid, that noe persons shall plead in any Civill Causes of another, in any Court whatsoever within this Province and Territories, before he be Solemlye attested in open Court, that he neither directly nor Indirectly hath in any wise taken or receiv'd, or will take or receive to his use or benefit, any reward whatsoever for his soe pleading, under ye penaltye of 5lb. if the Contrary be made appear.

The President adjourned ye Council till further Ord'.
At a Meeting of ye Councill at ye Councill Roome in Philadelphia ye 3d of ye 2d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid.'
Jno. Symcock, Wm. frampton, Wm. Darvall,
John Cann, Jno. Roades, Wm. Markham, Secre.
fran: Harrison,

Ordered that Comissions be drawne for such Counties whose Commissions of ye Peace are expired or upon Expiring.

Edwd. Green, one of ye Councill, Complayneth against Wm. Phillips for not performing his part according to Order of Council, ye 28th. 7th Mo., 1685, The Council did this day order that ye Difference Depending between Edwd. Green and Wm. Phillips should be heard before Peter Alrichs and John Cann, and that they should Report the same to the Council.

Report being made by ye Members of Bucks County, That Richd Ridgway is a fitt person for ye Keeping an Ordinary in ye County, a Lycence was Ordered accordingly.

Ordered ye John Barnes be sent for to appear the next sitting of Council, and give Reasons for his absence, or suffer fine.

The Presid'. adjourned ye Councill till 9th Inst'.

At a Meeting of the Council in ye Councill Roome The 9th of ye 2d Mo., 1686.

PRESENT:

WM. CLARK, President, Chosen by ye Councill.
Arth. Cook, Edwd' Green, John Cann,
Wm. frampton, John Barnes, Wm. Markham, Secre.
Wm. Southersby,

After ye Members of Council were Sett, the Comission from ye Govr Impowing them to Choose one from amongst themselves in ye absence of Tho. Lloyd, to be their Presid', was Read, and they unanimously Chose Wm. Clark.

The Petition of Widdow Hilliard and John Hilliard, Jun', against Griffith Jones, was Read, setting forth ye the s't Griff. Jones having obtained an Execution ag' ye Estate of John Hilliard, Deceased, would not Execute ye same on no other part of ye's John Hilliard Estates then the Plantation on w' shee, ye Widdow of ye's Hilliard, and her Children lives on, tho' there be enough in other places to satisfie ye Execution of ye Effect of Deceased's Estates.

The Council Considering the same, was pleased to send for ye Sherriff of Kent County, who was then in Philadelphia, and told him their opinions of ye Matter, w' was, That if there be other Effects to
PROVINCIAL COUNCIL.

satisifie Griffith Jones’s Execution to be found, that it ought not to be served on ye Plantation the Widdow and Children now lives on.

The Petition of Cornelius Bom, Requesting a Lyncence for his Keeping an Ordinary; it was Refused.

The Petition of Jacob Vandervere was Read, setting forth ye illegall and un-Christian serving an Execution on his goods, and turning him, his wife and Children out of ye Doors, and not Leaeving them any thing to susteine nature. Ordered ye a Copyy thereoff be sent to ye Sherriff, another to ye Clerk of New Castle County, Requiring them to appeare before ye Councill to answere the same ye Tenth day of ye next Third month.

The Petition of John Walker was Read, Requesting a Lyncence to keep an Ordinary at New Castle.

Ordered he first make satisfaction to ye Secretary for the abuse he gave at his house at New Castle.

Ordered that ye Comissions following be forth Drawne and signed by ye Now President, Viz:

- Sam" Land, High Sherriff of New Castle County.
- Rob' Robertson, Coroner of New Castle County.
- for Joshua Barkstead, Attorney Genall for ye County Sussex.
- John Vines, Coroner of ye County of Sussex.
- Jno. Bradshall, Attorney Gen'l for Kent County.

The Petition of John Briggs was Read, Requesting that he might be Dismist from be any longer a Justice.

Ordered that he be left out of ye next Comission.

Adjourned till further Order.

---

At a Meeting of the Councill in ye Councill Room In Philadelphia ye 14th of ye 2d Mo. 1686.

PRESENT:

WM. CLARK, Presid', Chosen by ye Councill.

Jno. Symcock, Edw' Green, Wm. Markham, Secre.

Arth. Cook, John Cann,

There was signed at ye board these Comissions following, Viz':

- Jno. Vines, Coroner of Sussex County.
- Sam' Land, Sherriff of New Castle County.
- Rob' Robertson, Coroner New Castle County.
- Jno. Bradshaw, attorney for Kent County.
- Joshua Barkstead, Attorney for Sussex County.

Ordered that the Commissions following be forthwith made and signed by ye now Presid':

11°
Tho. Usher, High Sheriff, Chester Countys.
John Vines, Sussex.
John Martin, Kent.
Sam" Land, New Castle.

The Comissions were signed by Wm. Clark.
Adjourned till further Order.

The 28th of y* 2d Mo., 1686.

The Secretary having Rec'd a Letter from y* Gov*, Directed to y* Presid' and Councill, gave Order to y* Messenger, Thom. Clifford, to give notice to as many Members of the Councill as possible, that they meet at y* Councill Room in Philadelphia y* 30th Inst¹, by tenn in y* forenoon.

The 30th of y* 2d Mo., 1686.

THERE METT.

Robert Turner,    Edwd. Green,    Wm. Markham, Secre.
Wm. Frampton,    John Barnes,    

The Gov* Letter was Read to them, w⁰th bore Date y* 21, 8 Mo., 1685.

The Secretary Related to them the sad Complaint y* passenger had made that Came in Conoway from England, bound to this place, but forced by y* said Conoway to Bermudas, and from thence Came passengers to Philadelphia in a Sloop named y* Endeavour, Belonging to Bermudas, Dan¹ Styles Master, and further desired that they would advise whether the Shipp now Lying in Appogimany Creek, Symson Master, be not Loyable to make good y* Dammages Don to y* Inhabitants of this Province by Conoway, they haveing both one owner, y* Secretary supposing an Owner is to make Restitution for all Dammages that shall accrue by y* unlaw actions of y* Master.

But there not being a sufficient number of Members to make a quorum, they Choose no Presid', but agreed to meet againe y* 3d day of y* 3d month next, and in y* meantime they would Consider of it.

This Evening Came in to Philadelphia Two Members of Councill for y* County of Bucks, Viz*: Arth. Cook & Tho: Janney; they Desired I would send y* messenger to y* members of Councill nigh at hand, to Request they would sit to morrow in Regard their Business would not permit their Stay in towne so long as y* third Inst¹, the time before appoynted, the w⁰th was accordingly don.
PROVINCIAL COUNCIL.

At a Meeting of the Councill in ye Councill Room in Philadelphia ye 1st day of ye 3rd Mo., 1686.

PRESENT:

ARThUR COOK, Presid'., Chosen by ye Rest.
Rob't Turner, Tho. Janney, Wm. Markham, Secre.
Wm. frampton, Wm. Southersby.

The Gov' Letter, Dated 21, 8 Mo., 1685, Directed to ye Presid' & Cancellor, was Read.
Ordered ye it be Read againe ye Tenth Ins'.
The Secre. Reporting the same to ye Council he yesterday did to ye Members present, Relating to ye Passengers that in Rich's Conoway Shippe Received Extrem bad Usage; whereupon it was Ordered that ye Secretary should summon all such to appeare before the Cancellor that should Come to his knowledge, ye can give any Light in ye Matter on ye Tenth Inst'.
Robt. Turner & Wm. frampton were attested as Justices of ye Peace for the Towne and County of Philadelphia, they having had a Comission Lately made.
Ordered ye what members of Councill could be gott in or near the Towne of Philadelphia on ye 3rd Inst', should attest those Justices that have not been attested since their Last Comission, the Sheriff having had Orders to give ye Justices notice thereof.
Adjourned till further Ord'.

At a Meeting of the Present Member in or about ye Towne, according to an Order of Councill ye 1st Ins', This 3rd of ye 3rd Mo., 1686.

PRESENT:

Wm. frampton,

They Chose no President, but they were attested before them according to ye Order afore said, James Claypoole, Wm. Wardner, Wm. Sallaway & John Goodson, & then they break up.

At a Meeting of the Councill the Tenth of ye Third Month, 1686, in ye Councill Room at Philadelphia.

PRESENT:

THOMAS LLOYD, Presid'.

John Barnes, Nich. Newlin, Luke Watson,
Robt. Turner, John Symcock, Jno. Roades,
Tho. Janney, Wm. Southersby, Wm. Clark,
Arth. Cook, Wm. frampton, Wm. Markham, Secre.
fran Harrison,
Credible Information being given to this board that Luke Watson, one of ye Members thereoff, Lay under suspension of being Carnally Concerned with a Woman Servt to his Brother in Law, and Likewise ye he stood at this Present, Bound to the Peace for his misdemeanors, they board Ordered him to withdraw, that they might Consult about ye Information; after a Deliberate Consultation, The board ordered Luke Watson to be Called, and told him ye he was accused of having Carnall Knowledge of his Brother in Law's woman Servant; and further, ye he then stood bound to ye peace for Misdemeanors, and therefore, untill he appeared in Law Innocent of those great Offence he was accused off, they Could not admitt him to Sitt amongst them, upon which he went forth.

Henry Lewis Request the Councill that they would be pleased to appoynt one in his Roome in ye Office of Coroner for ye County of Philadelphia.

Ordered an other person be speedyly Comissionated in his stead.

Adjourned Till 4 in ye Afternoon.

POST MERIDIAM.

THOMAS LLOYD, Presid'.

Rob't Turner, Tho. Janney, John Roades,
Wm. Clark, Arth. Cook, Wm. Southersby,
Wm. frampton, Nich. Newlin, John Symcock,
Wm. Darvall, Pet'r Alrichs, fra. Harrison,
John Barnes, Phi: Pemberton, Wm. Markham, Secre.

John Otter and Norton Claypoole, Members of ye Assembly, Came with a Message from them to acquaint ye Councill that if they were at Leisure the Assembly would Come and wayt on them.

The Council answered that it is now late, it being past Six, but by seaven to-morrow morning a Comittee would sitt to Receive from the Assembly, or any of them, their proposalls for ye amendment of ye promulgated bills according to Charter.

A Comittee was Chosen, Viz:

Wm. Clark, Arth. Cook, Tho. Janney,
Wm. Darvall, Wm. frampton, John Symcock.

Adjourned till 9 to-morrow forenoon.

The 11th of the 3d month, 1686.

The Comittee Satt Early this Morning.

PRESENT:

Wm. Clark, Wm. Darvall, Tho: Janney,
Wm. frampton, Jno. Symcock, Wm. Markham, Secre.
Arth. Cook,

Wm. Clark was Chosen into ye Chear by ye Rest.
PROVINCIAL COUNCIL.

[Vid 9th 2d Mo., 86, John White.]

Wm Yardley and Wm. Biles Came to y' Comittee from y' Assembly, told them their Message was the Counciell had sent a Warr to one of their member, and they questioned the Counciell's power therin, to w'h y' Comittee made no Reply, nor they insisted further on it, but told y' Comittee that their Chief business was that whereas the Assembly Yesterday had sent to y' Counciell to Informe them y' it were there Desire to speak with them, y' Counciell sent answer that they would appoint a Comittee to Receive from them their proposals, but the Assembly did not think a Comittee was sufficient to Receive them, and y' they wanted y' promulgated bills. The Comittee made answer they would Informe y' Counciell of their message, and then break up.

At a Meeting of the Counciell the 11th of y' 3d month, 1696, In the Counciell Roome.

PRESENT:

THOMAS LLOYD, Presid'.

Rob' Turner, John Symcock, Wm. Clark,
Tho: Janney, Wm. frampton, Wm. Southerby,
Ph: Pemberton, Wm. Darvall, John Cann,
Arth. Cook, Jno. Barnes, Pet Alrichs,
fran. Harrison, Jno. Roades, Wm. Markham, Secre.

Wm. Clark Reported to y' Counciell y' Message from the Assembly to y' Comittee.

The Counciell Ordered John Symcock and Wm. frampton to goe with y' promulgated bills to y' Assembly.

Wm. frampton having urgent business, had Leave for this day's absence.

A Member of Counciell moving that Luke Watson desired to know whether he was Dismissed from giving any further attendance for this Session, y' Counciell Debated y' matter againe, and Concluded that this following written should be read unto him; he being Called in, and advised by y' Presid' of y' Counciell's Result in their Debate about his misdemeanors.

The Secretary Read what was Concluded on, as followeth, Viz:

Wheras, Information being given this board that henry Smith of y' County of Sussex, hath attested that he did goe in fear of his life of Luke Watson, one of y' members thereof, and it not appearing to this board that he is Legally Discharged from y' same, The Counciell Doth therefore think fitt that y' said Luke Watson doe forbear to give his attendance at this board untill further Order.

James Claypoole & John Blunston Came from the Assembly; their Message was that it being y' first time they have desired a Conference with y' Counciell, therefor they desired y' Counciell would appoint a time for it.
The Councill Answered that if the Assembly would adjourne a little they would adjourne to the place they Satt in, (meeting house,) this being not Large enough to Receive so great a number.

John Songhurst & John Goodson was sent from ye Assembly; their Message was to Lett ye Councill know ye Assembly Received the Councill's answer to their last Message kindly, and Desired their meeting together might be an hour hence, that they might have that time to Refresh themselves, most of them having been there Ever since six in ye Morning.

The Councill Answered it were better to be don Immediately, for if they Sepperated it would be a Longer time before they gott 'together againe.

The Councill adjourned from this Place to ye Meeting house, in Order to Receive the proposals of ye Assembly, and for the service of this board.

In the Meeting house, the same Day as before.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark, Wm. Southerby, Pet* Alrichs,
Wm. Darvall, Phi. Pemberton, Jno. Roades,
Tho. Janncy, Jno. Symcock, Wm. frampton,
Jno. Barnes, John Cann, Nich. Newlin,
Arth. Cook,

The Assembly were Desired to Come in; there was a Long Debate between ye Councill and them about privileges, but nothing Concluded off; ye Presid ordered ye Secretary to Read 13 parragraph of ye Govr Charter to ye People.

Adjourned till to Morrow morning, or further Order.

POST MERIDIAM.

At the Committee.

PRESENT:

Wm. Clark, Arth. Cook, Wm. Darvall,

James Claypoole, Norton Claypoole, Wm. Byles, John Blunston Abra. Mann and John Brinkloe, being one Member of Assembly of Each County, were sent from ye Assembly to Request ye alteration of ye Style of ye Bills. (from ye Presid &c.) The Committee answerd that they did believe ye Councill would Condissent to their Request. The Comittee Rose.
PROVINCIAL COUNCIL.

At a Meeting of the Councill in y° Councill Roome in Philadelphia y° 12th day of y° 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid.'

Wm. Clark, John Cann, Robt. Turner,
Jno. Barnes, Arth. Cook, Wm. Darvall,
Wm. Southersby, John Symcock, Wm. frampton,
fran. Harrison, Tho. Janney,

Wm. Clark Reported to y° Councill y° Message from y° Assembly to y° Comittee, Requesting y° Alteration of y° Stile of y° bills, to w° y° Council agreed.

The Petition of y° french men sent over by Ballasses was Read, Complanyng ag Bellasses agents for not performing y° Contract between Bellasses & y° frenchmen; it was Ordered y° Arth. Cook, John Symcock, Robt. Turner, Wm. frampton, should Examine and Redress the same with all Expedition.

Adjourned till y° 5th hour in y° afternoon, By y° Presid° Order.

POST MERIDIAM.
The Committee.

PRESENT:

Wm. Clark, Arth. Cook, Tho. Janney,
Wm. frampton, John Symcock, Wm. Markham, Secre.
Wm. Darvall,

A Message from y° Assembly came by two persons out of Each County, John White One, Requesting y° alteration of y° first bill, to w° they gave a note not signed by any, w° followeth Verbatim, Viz':

The Assembly desires these three amendments in y° bill No. 1° Viz: after y° word Except these words be added: (Such Laws as have been by former Law Repealed, and y° such Laws shall be continued with y° Variation, as by succeeding Laws have been Varied. 2dly. that the late Laws relating to y° Killing Cow Calves, &c., and y° Law Relating to pipe Staves, be no longer Continued. 3dly. The Laws to Continue till Twenty Days after y° rising of y° next Gen° Assembly, & no Longer.)

To w° y° Comittee answer'd they would Report y° same to y° Council, and y° they might Expect their answer.

The Comittee Roase and y° Councill Sat.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark, Wm. Southersby, Jno. Symcock,
Wm. frampton, Robt Turner, Jno. Cann,
Ph. Pemberton, Arth. Cook,
MINUTES OF THE

Wm. Clark Reports to y^ Council y^ Message of y^ Assembly, Relating to y^ alteration of y^ first bill; y^ Paper they gave was Read, vid: this day's minutes of y^ Comittee.

[Vid 9^ th 2^ Mo., 86.]

John White Presented himselfe to y^ Council, told them he was now Ready to answer the Summons they were pleased to send him.

The Council answer'd they took it Kindly of him, but they would heare it some Convenienter time, and not hinder y^ buisness they were now about.

Luke Watson Desired of y^ board they would lett him know his accuser, to w^ they making no answer, he Requested y^ Henry Bowman might be Called to Declare before y^ board what he knew of his not being bound to peace, who was Called and Declared as followeth, Viz': That Luke Watson's Brother-in-Law (one Smith) told him y^ the Difference between him & Luke Watson was Ended, & that they were now friends, & that there would be nothing more don in that buisness.

Adjourned till Eight To-morrow morning by y^ Presid^ Order.

At a Meeting of the Council in y^ Council Room in Philadelpia y^ 13 of y^ 3^d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid^.

Wm. Clark, Rob'l Turner, John Symcock,
Wm. frampton, Tho. Janney, John Cann,
Wm. Darvall, Jno. Roades, Pet' Alrichs,
Phin. Pemberton, Jno. Barnes, fran. Harrison,
Wm. Southersby, Arth. Cook, Wm. Markham, Secre.

The Request of Jno. Smith and Henry Painter, Inhabitants of Southampton Township, was Read, Requesting this board to heare their Complaint ag' y^ Indians who had Killed severall of their Swine.

The Council Called them in, and Ordered them to give their Complaint in Writing to y^ Secretary, & mention y^ names of y^ Indians y^ they knew, or did Imagine did y^ fact, and then y^ Council would take all possible Care to Redress them by Law; and further, Ordered y^ y^ Respective Kings might be sent to by some proper Messenger to make satisfaction.

The Request of y^ freemen of y^ County of New Castle was Read, Requesting a Fare to be kept in y^ Towne twice a year.

The Assembly came to y^ Council and presented in writing some alteration to be made in y^ bill No. 1, w^ were y^ same as offered y^ Comittee y^ 12^th Ins.

Adjourned till six to-morrow morning, or Sooner, if occasion, by y^ Presid^ Order.
PROVINCIAL COUNCIL.

The Committee in ye Evening.

**PRESENT:**

Arth. Cook, Rob' Turner, Wm. Markham, Secre.
Jno. Symcock, Wm. Frampton,

four Persons, Viz: Wm. Byles, Jn' Goodson, Geo: Maris, &
Tho: ———*, were sent from ye Assembly with a Message in Writing about the Removall of Patrick Robinson from his places, w* followeth, Verb.

The Assembly dos Request ye Presid' and Prov" Councill would be pleased to give their Reasons why ye Request of ye Late Assembly Concerning ye Removall of Patrick Robinson from all publick Offices of Trust, was not according to promise, answered.

The Committee Rose, telling them they would present it to ye Councill.

At a Meeting of the Councill in ye Councill Room at Philadelphia ye 14th 3d Mo. 1686.

**PRESENT:**

THOMAS LLOYD, Presid'.

Arth. Cook, Wm. Frampton, Jno. Roades,
Wm. Clark, fran. Harrison, Pet' Alrichs,
Wm. Darvall, Jno. Cann, Phin. Pemberton,
Jno. Barnes, Tho. Janney, Wm. Southersby,
Robt. Turner,

The Committee ye Satt yesterday in ye Evening, Reported to ye Councill the Message from ye Assembly, w* was in writing and Read, about Patrick Robinson. The Councill Declared it was not Proper nor Seasonable to be answered, nor was it signed by any of ye Assembly.

John Cann, a member of Councill, had Leave to goe about his urgent occasions untill ye Eighteenth Inst', 10 in ye forenoon.

Ordered a Lycence be made for Tho: Hallyman to keep Ordinary in Philadelphia.

Ordered a Lycence be made for Wm. Hambleton to keep Ordinary in New Castle.

Ordered a Lycence be made for John Roades to keep ordinary in Sussex County.

Ordered ye'a Paper be drawn and published for ye better Regulating ye' affair and Keeping ye' peace.

*By reference to the Votes of Assembly Vol. 1st page 38, it appears that the name omitted is that of Tho: Ducket.
The Request of some of the Justices of Chester County against ye Clark of ye Court was Read.

The Councill was pleased to answer that in Regard they had not given any Particular Charge against him; they could not answer their Request.

Adjourned till ye 17th Ins', 10 in ye forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia ye 17th of ye 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.

John Symcock, Wm. Southersby, Arth. Cook,
fran. Harrison, John Roades, Wm. frampton,
Jno. Barnes, Phi: Pemberton, Wm. Markham, Sec'y.
Robt. Turner,

Ordered ye a Particular Comission be drawn forthwith, to Consti-
tute Chr: Taylor Justice of ye Peace for ye Towne & County of
Philadelphia.

James Atkinson's Complaint against Henry Stretcher and Charles
Haines was Read, setting forth there abuse to him in his Doeing his
office, Viz: gathering ye Proprietors' quitt rents.

Henry Stretcher being a member of Assembly, and now Sitting, ye
Councill ordered ye Complaint should be sent to them to peruse.

Adjourned till Six to morrow Morning.

The Comittee Satt before ye Councill in ye Councill Room the 18th
3d Mo., 1686.

PRESENT:

Wm. Clark, Wm. Darvall, Nich. Newlin,
Arth. Cook, Jno. Barnes, fran. Harrison,
Tho. Janney, Robt. Turner, Wm. Markham, Sec'y.

Wm. Byles and Cornelius Empson Came wth a Message from ye
Assembly, wth was to Request a Conferrance between ye Councill &
Assembly about ye amendm't of ye first bill; ye Comittee answered ye
they would informe ye Councill thereoff, but supposed they would
not admit of any Dispute, in Regarde it was ye last day in wth they
were Either to accept or Reject them.
PROVINCIAL COUNCIL.

At a Meeting of y* Councill in y* Councill Room In Philadelphia y* 18th of y* 3d Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock, Wm. Darvall, Tho: Janney,
Wm. Clark, Robl Turner, John Barnes,
Arth. Cook, fran. Harison, Nich. Newlin,
Jno. Roades, Phi: Pemberton, Wm. Southersby,
Pet' Alrichs, Wm. frampton, Wm. Markham, Secre.

The Comittee Reports to y* Councill y* Message they Received this morning from y* Assembly.

Wherupon y* Councill debated upon y* method of Reading y* bills in order to secure and prevent y* overthrow of y* Laws of this Province, w* in Case more then one bill had been Read and y* of Continuance had been Rejected, would Inevitably have followed.

The Councill seriously weighing & Considering y* great trust wherewith they are in Vested, & unto w* they are Solemy obliged by y* Express provisoes of y* Great Charter of this Province & Territories, by y* Act of Settlement, and by y* Gov'n and Prop'n Comission, granted unto them under y* Great Seale whereby they are Impowered, more Especially as to y* Executive Capacity in Relation to y* Justice, Peace and Security of our present Constitution, and y* nothing be Continuanced nor allowed of that may Interferr, Hazard, or seem to Introduce a Subversion of this frame of Govenmn'; and upon y* Debate in Councill Concerning y* Reading y* proposed bills to y* Assembly, it was by y* President putt to y* Membr'n of y* board, particularly whether if y* first bill being a bill of Continuation of y* former Laws, & an Expressive of y* Duration of such bills which are to pass into Laws this Genar' Assembly, whether if y* said bill should not pass in y* Assembly, any more bills should be Read by y* Clerk of y* Councill unto them, & so y* Assembly, by Refusing y* first & passing two or more other bills, The Inhabitants of this Province should be Stript & Left Destitute of such Laws of whose service they have had good Experience, By y* uncertain compensation of such few ones wose use wee are upon Tryall off, & w* Cannot be supposed of y* Extent to Supply y* Loss of such w* will Inevitably be Discontinued therby.

The Councill Unanimously & Successively gave their Thoughts and Expresed themselves that upon refusall of y* Assembly's passing of y* bill for y* Continuance of former Laws, that it would not be only advisable but Requisite for this juncture & Present time, That y* Prov'n Clerk forbear Reading of y* Promulgated bills in ord to propose them to their assent or Dissent. The Preservation of ye Goven'm in ye forme wherein it is at present, being more Expressly our Respective Duties, then Exposing y* same by Doubious and Insecure methods to unavoydable mischief.

Wm. Byles & Cornelius Empson Came to acquaint y* Councill y* y* Assembly were Ready to wayte on them in ord' to finish y* Legilis:ation, it being y* Last day.
The Councill answer'd they were ready, and ye Assembly might come when they please.

The Assembly Came to ye Councill with their Speaker, who in ye behalf of himselfe and Assembly, Desired ye amendments of ye first bill as they had before given in in writing, to w't the Council not consenting, there arose a Long Debate about ye Privileges of ye Assembly, w'd not being granted by ye Councill, and ye no president should be Left upon Record whereby to prejudice ye Privileges of ye Assembly, The Genall Assembly did Unanimously agree that all things Relating to ye premises should Remaine in ye same State and Condition as they are at this present time, untill ye Gov't shall arrive and ye Contraversie determined before him. Whereupon ye Assembly Took Leave of ye Council and Departed.

The Council Considering ye Debate they had with ye Assembly, did unanimously agree and Ordered that this following Concurrence should be Entred, (Viz.):

Upon a Conference had at this board with ye Assembly, more especially upon some amendments and alteration of them offer'd to ye first bill for Continuance of former Laws, ye Councill Expressly understanding from some of their Cheifest members that they would not pass ye said bill Unless w't such Exceptions and amendments, w'd if granted, would in our judgments be Insecure & Inconsistent with ye allowed methods in such a Case, and ye present frame of Government, and lead to ye Introducing an unsafe and hetherto unpractised way in procedure upon Repeales, as first proposing ye same in this time of ye Genal Assembly, and so Lapsing or neglecting the previous Notice of ye Legislative Council.

Upon ye Serious Consideration of ye Premises, it was Demed Expedient by ye Geneall Assembly that ye Reading of the promulgated bills should be Waved for this present Session, Least a misunderstanding, or a greater Inconvenience might thereupon Ensue.

Adjourned till ye Afternoone.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid't.
Arth. Cook, John Roades, Robt. Turner,
Wm. frampton, Wm. Southersby; Phin. Pemberton,
Wm. Clark, John Symcock, fran. Harrison,
Pet' Alsrichs, Wm. Darvall, Wm. Markham, Secre.
Jno. Barnes, Nich. Newlin,

Upon ye Petition of James Sanderling for a Lycence to Keep an Ordinary, it was granted him.

A Petition Relating to highways was Read, upon w't the Councill agreed ye there should be a Sett time appoynted for ye Councill to Inspect all ye Business relating to ye Highways, and to Order ye roads to be Laid out in ye most proper and Convenient Places within this Province.

A Petition being presented against ye abuses of ye Skoolkill ferry,
it was Referred to y* Council at their sitting for y* Laying out of Roades.

Rochford's Servt. The Petition of Denis Rochford against John Hichman's selling his servant.

The Councill understanding that John Hickman is in Custody & under process in order to his Coming to a Tryall at Law, it is Referred to y* County Court, before whom it is to be Tryed.

The Assembly being discharge, Henry Stretcher, y* was a member thereof, was sent for before this board, to answer the Complaint of James Atkinson: the Offence being proved against him to be very gross and notoriously ill, it was ordered y* it be Referred to y* Justices of Sussex County, where y* Liveth, that in Casse he give not an acknowledgment of his great abuse before he goes downe to this board, y* Justices aforesaid are to take sureties of him for his good behaviour.

Ordered that John Barnes, for this afternoon's absence and his former absence, pay to y* Doore Keeper Six Shillings.

Adjourned till further Ord*.

At a Meeting of the Councill in the Councill Roome y* 5* of the 5* Mo. 1686.

PRESENT:

ARThUR COOKE, Presid*, Chosen by y* Rest of y* Members.

John Symcock, Tho: Janney, Phin. Pemberton,
Wm. frampton, Wm. Southersby, Wm. Markham, Secre.
Robt. Turner,

The Petition of Israell Taylor was Read, Requesting he might be admitted to administer on his father's Estate.

The Councill answered they would admit of no administration Contrary to y* Intent of y* will, w* they Judged valid.

Ordered that Robt. Turner, Wm. frampton & Wm. Southersby, take y* Charge of y* Office of Register Gen*, in as full and ample a manner as Christop. Taylor had in his life time, and y* Laws of this Governm', and y* they be accountable unto this board from time to time, as they shall be Called thereunto, for y* profits that shall or may arise, and y* a Comission be drawn accordingly, Impowring any one of them as Sufficient to Execute y* said office.

The Petition of James Claypoole was Read, Requesting the place of Register Gen* might be Conferred on him.

The Councill answered They thought it not fitt to settle it on any one person, but Leave it to y* Gov* Disposall.

The Petition of Joshua Carpenter was Read, Requesting a Lycence to Keep an Ordinary in his Brother Sam* Carpenter's house, on y* Wharfe. Ordered a Lycence for three months.

Ordered that Nath* Sykes have a Lycence to Keep an Ordinary In Philadelphia.

12*
John Symcock Requested a Lycence for Walter forcett to Keep an ordinary in y' County of Chester, w'h was granted.
Adjourned till Six to-morrow in y's morning.

At a Meeting of the Councill in the Councill Room at Philadelphia y's 6th of y's 5th Mo., 1686.

PRESENT:
ARThUR COOK, Presid', Chosen, &c.
John Symcock, Tho. Janney, Wm. Southersby,
Ph. Pemberton, Wm. frampton,
The Comission Impowring Rob' Turner, Wm. frampton & Wm. Southersby to manage y's Register Gen'h Office of this Province and Territories, new Castle only Excepted, was this day Signed.
Joseph Vaughan & Jno. Saxby, Serv't to Chris. Taylor, Deceased, were sent for to Come before y's Councill; they produced their Indentures.
Joseph Vaughan was bound to Edm'd Paine, march' of London, y's 9th of April, 1684, to serve 4 years after his arrivall in Maryland. There was Endorsed on y's Indenture; wee Cast anchor at New Castle in Pensilvania, Aug' y's 6th, 1684.
John Saxby putt himselfe an apprentice to Chris. Taylor, y's 26th of y's Eleventh month, 1685, to serve six years.
The Counciell taking into Consideration Methods for y's Secureing y's Estate of Chris. Taylor, Deceased, according to y's true Intent & meaning of his Will, of w'h y's Gover'n and Ralph frettwell were Execut's, Thought fitt in their absence to appoynt John Goodson, Tho. Hooton and Tho. fitchwater, or any two of them, to administer upon y's Estate of y's aforesaid Chris. Taylor, Deccased, and to Act and Doe all things therein as an administrator by Law hath power to doe, and to be accountable unto us, or y's Executors, for the same.
Ordered y'a a Comission of y's Peace be forthwith Drawn for Kent County.
Ordered a Comission be forthwith Drawn to Impowr Abrah. Whorly, high Sheriff of Bucks County.
Ord'y'a a new Comission be Drawn for George Martin to be High Sheriff of Kent County, to Continue untill further Order, his old Comission being out of Date.
Adjourned till 5 in y's afternoone.

POST MERIDIAM.

PRESENT:
ARThUR COOK, Presid', Chosen.
Rob' Turner, Nich. Newlin, Wm. Southersby,
Wm. frampton, Ph. Pemberton, Wm. Markham, Secre.
The Commissions for ye County Court of Kent, for ye High Sheriffs of ye same, & for high Sheriff of Bucks County, were signed.

Report being made to this board by Rob' Turner, a member thereof, that franc. Carnewell, one of ye Magistrates for ye County of Sussex, to be a person of Ill fame, The Council thereupon Ordered that a Warrant be made and sent to ye County Court of Sussex, to suspend ye said francis Carnwell untill he appear at ye Councill table & Cleare himselfe of what is Laid to his Charge, wch shall be at ye Council board Delivered him.

Ordered a Comission be forthwith drawn for Tho. Streton to be Coroner for Kent County.

Adjourned till further Ord'.

At a Meeting of the Councill in ye Councill Room The 7th of ye 5th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid', Chosen.
Rob' Turner, Phin. Pemberton, Wm. Markham, Secre.
Wm. frampton, Wm. Southersby,

John Goodson and Tho. Hooton Refusing to take upon them the Charge of ye administration on ye Estate of Chr: Taylor, according to ye minute of Council Yesterday, The Council thought fitt to Order that ye Comiss of ye Registry take Care of ye Estate aforesaid, and of the Children of Chr: Taylor, in the behalfe of ye Executors, & to be accountable to them.

Adjourned till further Ord'.

At a Meeting of the Councill in ye Councill Room in Philadelphia ye 24th of ye 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.
Jno. Symcock, Wm. Southersby, Wm. Markham, Secre.
Wm. frampton,

The Presid' proposing the Expedientcy of Recommending some Capable persons to Sitt Judges in ye next Prov' Court, wch are to sitt ye 24th of ye 7th month, at Philadelphia, ye Presid' and Present members of Council thought fitt to Recomand Tho. Holmes, James Harrison and James Claypoole, to ye approbation of ye next Compleat Council, for ye Comissioning of them or others that they shall think fitt.
Whereas, a Complaint has been made to this board of violence Don by some Indians on Nich. Skull and his family, and forcibly Entring his house & Carrying away his goods; and further Information Given y' y* s' Nich*. Skull hath, Contrary to his Duty and Peace of this Province, sould and trucked to and w'h y* Indians severall quantitieys of Liquors, w'ch by Law was Prohibited the selling to them, whereby they were much Disordered, to y* notorious Disturbance of the neighboring Settlements.

The Presid' and Present Members of Councill thought fit to Order that Capt. Tho. Holmes, with y* assistance of Capt. Lace Cock, Zach. Whitpaine, and such others as Capt. Thomas Holmes shall approue off, forthwith to make Diligent Enquirie into y* truth hereoff, and if it Credibly appears that such Indians were Guilty as Reported, They be Required to make Speedy satisfaction. Wee Referring y* manner and methods of treating y* Indians Concerned w'h y* people they belong to, to y* Conduct and Discersion of y* s' Capt. Holme, w'h y* Concurrence and approbation of the nominated persons, and in Refferance to y* s' Nich*. Skull, if upon y* Examination of his behaviour and Deportment towards those Indians, it shall appear y' he hath acted Contrary to Law in selling them prohibited Liquors, that Speedy Course be taken to proceed against him accordingly, that he might be an Exemplary Terrouer to Such who shall offend in y* like nature.

Adjourned till further Order.

At a meeting of the Councill in the Councill Roome at Philadelphia the 5th of y* 6th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock,     Wm. Clark,     Wm. Southersby,
Wm. frampton,     John Barnes,     Wm. Markham, Secre.

Wm. Clark, a member of this board, informing the Councill y' y* Justice's Commission for y* County of Sussex Expired y* 15th Ins'.

Ordered that one be fortwith Drawne to Comissionate Wm. Clark, Jno. Roads, Tho. Langhome, Tho. Price, Robt Clifton, Saml Gray & George Young, & y* Commission to Stand in force untill further Order.

David Lloyd Presented his Comission given him by y* Gov', bearing date y* 24 of y* 2d Mo. Ap', 1686, Constituting him attourney Genl for this Province and Tertorrys, To w'h he was attested, Declaring his allegiance to y* King, fidelity to the Gov' & Governm', and faithfull performance of his Office.

Adjourned till further Order.
PROVINCIAL COUNCIL.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock,    Edw'd Green,    Wm. Markham, Secre.
Wm Clark,        Wm. Southersby,  

A Letter from ye Govr to the Councill, dated ye 24th of ye 2d Mo., 1686, was Read.

John White Informes this board that ye Marylanders have Lately Reinforced their fort at Christina, and ye they would not suffer him to Cutt hay, but thrittend those he Employed to doe it wth their gunns presented against them, and ye what hay they had Cutt ye Marylanders would not suffer them to Carry it away, and if they did Cutt any more ye Marylanders sayd they would throw it in to ye River.

And further Informes ye Maj English a few Days past came in to ye County of New Castle with about forty armed horse men; Left them at John Darby's whilst Maj' Inglis and a Marry Land Cap' Came to New Castle, where John White meeting him, made Complaint to him of the abuses don him by ye Marylanders at ye fort. Maj' English, told him that if Thou wilt say thou Drunken Dogg, ned Inglis lett me Cutt hay, I will give you Leave: Wherupon ye s's John White Requested ye Councill's advice how he should behave himselfe in this affaire. The Councill advised him to use no Violence, but bear with patience, not Doubting but ye King will soon put an End to all their hostile actions against his Collony.

The Petition of John Moon was this day Read, setting forth his Illegall tryall and Execution served on him for a fine for getting his maide with Child, Requesting the board would Order ye his goods Seised on by virtue of the foresaid Execution might be Restored him againe, to wth ye Councill gave no answer.

The Present Members of Councill added Three more to ye former Three Recomended on ye minute of ye 2d Inst, the wth three Last are John Cann, Wm. Clark and Arth. Cook, to the approbation of a Compleat Councill to Elect Three for Judges.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome ye 7th of ye 6th month, 1686.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. frampton,    Edw'd Green,    Wm. Markham, Secre.
Wm. Clark,        Jno. Barnes,  

The Petition of Benj. Chambers was Read, setting forth ye at last County Court held at Philadelphia, Judgm' was obtained by Doct' Moore against ye free Society of Traders of this Province, & ye an appeale was granted unto ye Society to ye next Prov'n Court, wth
appeale Could not be then taken out for want of Sufficient Security according to Law.

Therefore y° s° Benj. Chambers Requested the Presid° & Prov° Counciell y° they would accept of such Lawfull and able Security as Shall be present for y° same.

The Presid° and Counciell admitted y° same, and accepted of Benj. Chambers and Griff. Jones, both of Philadelphia, Joyntly and Severally binding themselves in the penall summe of four hundred and six pounds for prosecuting the said appeal, and to answer Costs and Damages according to Law.

Adjourned till y° Second of y° next Month, unless urgent Occasion.

At a Meeting of the Counciell in the Counciell Roome at Philadelphia the Third of y° Seventh month, 1686.

PRESENT:
JOHN SYMCOCK, Presid°, Chosen by The Rest.
Arth. Cook, Wm. Southersby, Fran. Harrison,
Wm. frampton, Phin. Pemberton, Wm. Markham, Secre.

The Petition of Henry Jones was Read, setting forth y° badness of the way from Moyamensin to Philadelphia. It was Referred to y° County Court, who it's presumed has power to appoynt Roads to Landing places, to Court, & to Market.

The Petition of James Claypoole, Jno. Goodson & Humph. Murry was Read, Complayning against y° Clark of y° County Court of Philadelphia, Requesting he might be Dismissed of his Imploym° and, y° David Lloyd might be placed therin. The answer was it shall be further Considered off.

The Counciell adjourned to Robert Turner's house, he being Sick.

AT ROB'T. TURNER'S HOUSE.

PRESENT:
FRANCIS HARRISON, Presid°, Chosen by y° Rest.
Arth. Cook, Wm. frampton, Phin. Pemberton,
Jno. Symcock, Wm. Southersby, Wm. Markham, Secre.
Robt. Turner,

The Counciell unanimously agreed and appoynted that Arth. Cook, Jno. Symcock & James Harrison, should be Judges for y° Next Prov° Court y° by Law is appointed to be held at Philadelphia, and Ordered y° a Comission be forthwith drawn, and y° Broad Seale affixed thereunto, To authorise and Impowre them Judges both of Law & Equity accordingly.

The Petition of Dr. Nich. Moore was Read, &c.

Adjourned till further Order.
PROVINCIAL COUNCIL.

At a Meeting of the Councill in ye Councill Roome in Philadelphia ye 20th 7th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'

John Symcock, Nich. Newlin, Robt. Turner,
fran. Harrison, John Barnes, Pet' Alrichs,
Arth Cook, Edwd. Green, Jno. Cann,
Tho: Janney, Phin. Pemberton, Wm. Markham, Secre.
Wm. Southersby,

The Gov' Letter that came by ye way of New York, and Receiv'd by ye Secretary ye 14th Ins', was this day read in Councill. Benjamin Chambers Presid' of ye Society, was Called before the Board, and ye part of ye Gov' Letter ye related to ye Society was read to him.

The Request of francis Dan'l Pastores was read.

Adjourned for an hour.

POST MERIDIEM.

The same Persons present.

The Comission that was Ord'n to be Drawne ye 3d Ins', for Constituteing of Judges, was this day read, approved off, and signed by ye Presid'.

A Comission was signed for Wm. Southersby & Barnaby Willcocks to be Justices of The Peace for ye County of Philadel.

A Blanck Comission was signed for Sherriff of Philadelphia County. Wm. Carter proposed if he will accept Thereoff, if not, some other the Councill should appoint, this Comission to Comence Seven days after ye next County Court of Philadelphia.

Adjourned till 7 To morrow morning.

At a Councill in the Councill Roome in Philadelphia September ye 21, 1686.

PRESENT:

THOMAS LLOYD, Presid'

John Symcock, Jno. Barnes, Phin. Pemberton,
Robt. Turner, Wm. Southersby, Edwd. Green,
Tho. Janney,

Ordered That Thomas Hooton take into his Custody and Care all ye personall Estate of Christ. Taylor, Deceased, untilt administration be granted, or till further Order, and ye persons that have ye Care at present of ye Goods or Estate, Deliver them up to ye Care of the said Tho. Hooton accordingly.

Information being given to this board of a Scandalouse paper given by ye Sherriff of ye County of Philadelphia to ye Grand Jury ye Last
quarter Sessions, without any name subscribed thereunto, To the Re- 
proachfull Chargeing or accusing of one of y* Magistrates of y* same 
Court, and understanding that y* same paper was lodged in y* hands 
of Tho. Hooton, and Considering y* Consequence of such Condemna-
ble proceedings, The Councill Required y* said Thomas Hooton to 
Deliver y* same to this board, w* was accordingly don.

The Petition of Peter Gronendicke, Executor to Cornelius Verhoof, 
requesting a rehearing of y* Causes of Symon Paulin and Richard 
Bundike, &c. and Order was granted thereupon 

The humble Lamentation of Jann Van Cullen was Read, setting 
forth y* abuses of Charles Ashcome. Order y* his Cattle be Return-
ed, and that y* Difference between him and Charles Ashcome be 
Valued by 4 men, and if they Cannot agree y* it be left to be Desided 
by y* Gov'.

Patrick Robinson was admitted, upon his Submission to Remaine 
Three Months Longer in his Office of Clark, at w* time he promises 
to Resigne y* same, with y* Records thereunto belonging, and with 
his Owne hand Endorsed y* same on his Comission, promising further, 
in y* meantime to behave himselfe Civily & Respectfully to y* Magis-
trates, and peaceably to all persons, or for y* first offence Comitted 
in y* nature, to have his Comission forthwith Cancelled.

Adjourned till y* 25th of y* next month, onless further occasion.

———

At a Meeting of y* Councill in y* Councill Roome in Philadelphia 
y* 24th 7 bre., 1686.

PRESENT:

THOMAS LLOYD, Presid'.
Arth. Cook, 
Jno. Symcock, 
Edw* Green, 
Phin. Pemberton, 
Rob' Turner, 
Wm. Markham, Secre.

The Judges that were apoynted for this Prov* Court y* is by Law 
to sitt this day in Philadelphia, were attested, and signed to a paper. 
Ord* that y* Secretary signe y* Ord* of Councill for Peter Gronen-
dike.

Adjourned till y* 15th next month, unless further Occasion.

———

At a Councill in y* Councill Roome In Philadelphia y* 1o of y* 8th 
month, 1686.

PRESENT:

ARTHUR COOK, Presid', Chosen by y* Rest.
John Symcock, 
Rob' Turner, 
Wm. Clark, 
Wm. Southersby, 
Edw* Green, 
Phin. Pemberton, 
Wm. Markham, Secre.
of ye good, quiett and peaceable Constitution of ye Governm't, and Great Disturbance and hindrance of Justice in ye highest Court of this Province.

Upon ye Judge's Complaint to this Board of ye Ill behaviour of Patrick Robinson in ye Prov'sl Court, it is ordered ye he be dismissed of his Office as Clerk of ye County Court of Philadelphia, and ye y' Records of ye said Court, and all other papers relating thereunto, be brought to ye Councill, or Delivered to David Lloyd, who is Ordered to succeed him in his Office, and Comission Ord'd to be forthwith drowne accordingly.

Ordered a new Comission be forthwith Drawne to Constitute or Continue Wm. Clark a Gen'll Justice of the peace both for ye Province & Territories.

Adjourned till 7 To to morrow morning.

At a Council in ye Council Room in Philadelphia ye 2d of ye 8th Mo., 1686.

PRESENT:

ARTHUR COOK, Presid', Chosen by ye Rest.
Rob' Turner,       Edw'd Green,     Wm. Southersby,
John Symcock,      Phi. Pemberton,  Wm. Markham, Secre.
Wm. Clarke,

The Comission ye was Yesterday ord'd for Wm. Clark to be Justice of ye peace for ye Province and Territories, was this day signed by ye Present President.

The Comission that was Yesterday Ord'd to be drawne for David Lloyd to be Clerk of ye County Court of Philadelphia, was this day signed by the present Presid'.

Edw'd Green and Wm. Southersby, both members of Councill, were appointed to goe to Patrick Robinson, and in ye name of ye Councill, Demand ye Record and all other writings ye belong to ye County Court of Philadelphia.

Ord'd a Lett' be writt to ye Gov' in answer of two Letters Receiv'd by this board from ye Gov'.

Edw'd Green and Wm. Southersby Reports ye according to ye Ord' of this board, they went to Patrick Robinson, & that he was very willing to Deliver up all ye fyles, both for his time and ye time John Southren was Clark, with all possessses and Continuances of actions, and after six hours peaceable Continuance in his owne house, he will deliver up all ye acco for ye Levies, and ye he will much abreviate ye time he had for ye' Records, wh he has in a great measure gone into, but yet wants to draw out his owne accounts, in order to gether in his Debts, wh, if he should part with all, was wholly incapable of Doing; and likewise, ye he desired he might be admitted to Come before ye Councill to Discourse about it.

13
MINUTES OF THE

The two members of Coundill were againe appointed to goe to Patrick Robinson and tell him that he might Come to y° Coundill with his Keeper.

The Twomebers of Coundill Returned. Patrick Robinson Came with them: y° members Reported they delivered their Message to Patrick Robinson, that he made answer that if his Keepers would not look after him he had no reason to seak them, but would Come along with us.

Patrick Robinson did before this board Ingage freelly to Deliver all things that Relate to y° County Court of Philadelphia that was in his possession, Either to night or on next second day morning, to y° Secretary, if the Coundill will appoint him to give y° Receipt for the same, and y° he might have free access to them for y° making up his accounts, w° was granted and Ordered accordingly.

Adjourned till y° 15th Inst', or further Order.

At a Meeting of the Coundill in The Coundill Room The 16th 9th month, 1686.

PRESENT:

JOHN SYMCOCK, Presid°, Chosen by y° Rest.
Arth. Cook, Wm. Southersby, Wm. Markham, Secre.
Rob° Turner, Tho. Janney,

The Petition of Capt. Tho. Holmes, was Read, Complayning against Charles Ashcome, one of his Deputy Survey°, for want of a mapp of his work don in Chester County.

The Petition of Griff. Jones was Read, about Rent due for his house from Chris. Taylor.

Referd to y° Executors and administrators of Chris. Taylor's Will, whome they Doubt not but will doe him Justice therin.

Adjourned till Eight to-morrow morning.

At a Meeting of the Coundill in y° Coundill Roome in Philadel-

phia y° 17th 9th Mo., 1686.

PRESENT:

JOHN SYMCOCK, Presid°, Chosen by y° Rest.
Arth. Cook, P° Alrichs, Tho. Janney,
Rob° Turner, Wm. Southersby, Wm. Markham, Secre.

The Petition of Abraham Opdengrafe was read, for y° Gov° pro-
mise to him should made the first and finest pecce of linnen Cloath.

Adjourned till two in y° afternoon.
PROVINCIAL COUNCIL.

POST MERIDIEUM.

PRESENT:

THOMAS LLOYD, Presid'.

Rob' Turner, Arth. Cook, Wm. Markham, Secre.
Pet'r Alrichs, Tho. Janney,

The Petition of Capt. Tho. Holmes, that was Read yesterday, was againe Read.

The Petition of Abraham Opdengrafte ye was read this forenoon was again Read.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in The Councill Roome ye 18th 9th Mo., 1686.

PRESENT:

THOMAS LLOYD, Presid'.

Rob' Turner, Tho. Janney, Jno. Barnes,
Arth. Cook, Pet'r Alrichs, Wm. Markham, Secre.

Sam'l Land's Letter to ye Secretary was Read, bearing Date ye 14th 9th month, 1686, Desiring to procure for him as ye King's Sercher, a writ of Assistance.

James Walliams, who was Constituted ye King's Collector for ye Bay and River of Delaware, by Comission from Patrick Mein, Esq', ye King's Survey' Gen'l of his Maj'y Customs in America, Came to ye Councill board and produced his said Comission, with bare Date ye 23 day of October, 1686, and was Endorsed by John Cann and Peter Alrichs, Certifying thereby ye James Walliams, ye Collector, was attested ye same day before them, Justices of ye Peace for ye County of New'Castle, for his faithful Discharge of his trust in that Office.

The Comission was subscribed thus, (Viz:.) I Doe approve of ye Person Deputed by ye aforesaid Comission. Signed;

JOHN CANN.

James Walliams Backed Sam'l Land's Request in his Letter to ye Secretary, and Desires ye Councill would grant ye said Sam'l Land a Writt of Assistance; to which ye board made answer that ye King's Officers should have all ye Assistance possible from them in the Executing their Office, when Ever they shall have Occasion to make use of it.

It was Debated in Councill whether James Walliams had ye day presented himselfe to them as ye King's Collector, in forme and manner as obliged to by his Instructions. Was Carried in ye Negative.

Jacob Hall's Petition was Read, Requesting ye Remittance of the fines that was Layd upon ye Servants of his Employer.

Answer: The Councill will Recommend their Thoughts to ye next County Court for Bucks, whether ye Petitioner is Referred, and it
MINUTES OF THE

was don accordingly, by y° Members of Councill for y° County then present.

Israel Taylor having formerly putt in Cavett against y° Probate of his father’s will, he Declares is now willing to have all Refered to the Governor.

Adjourned till four in y° Afternoon.

POST MERIDIEM.

PRESENT:

The same persons as in the forenoon.

Upon y° Application of Israel Taylor to this board for a suite of Cloaths of his father’s, and for a bedd and furniture, the Council Consented y° by a Member or two of this board, Tho. Hooton be desired to give him a suite of Cloaths, and as to y° bedd & furniture they are not willing to grant till they understand y° Gov° minde in Relation to y° Estate.

The Comission upon y° Death of Wm. frampton, one of y° persons Commissioned for y° managem° of y° Registry Office, and upon the Application of Wm. Southersby to be Excused for being Concerned therein as joynt Commissioner, and Rob° Turner also not Desiring to Continue therein, it was unanimously that y° Gen° Registry be proposed to the acceptation of James Claypoole, Sen°, having lately Requested y° same; upon his Consent thereunto, a Comission to be Drawne to Impowre him to act therein During y° Gov° Pleasure.

Adjourned till Eight To-morrow morning.

At a Meeting of the Councill in the Councill Roome The 19th 9th month, 1686.

PRESENT:

THOMAS LLOYD, Presid°.
Rob° Turner, Pet° Alrichs, Tho. Janney,
Arth° Cook, John Barnes, Wm. Markham, Secre.

The Comission for Register Gen° was this day given to James Claypoole, Sen°, and he attested accordingly.

Wm. Carter had his Comission given him this day to be Sherriff of y° County of Philadelphia.

The Councill takeing into Consideration y° Unevenesse of y° Road from Philadelphia to y° falls of Delaware,

Agreed that Rob° Turner & John Barnes for y° County of Phila
delphia, Arth° Cook and Tho. Janney for y° County of Bucks, with y° Respective Survey° of y° s° Counties, meet and Lay out a more Comodioue Road from y° broad Street in Philadelphia to y° falls aforesaid: y° time when is Refered to y° memb° Nominated.

Adjourned till further Order.
PROVINCIAL COUNCIL.

At a Meeting of the Councill in the Councill Roome In Philadelphia y^e 30th of y^e 1st Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook, John Barnes, Wm. Markham, Secre.
Nich. Newlin,

Few members being Come to Towne, those present adjourned till two in y^e afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook, Nich. Newlin, Jno. Barnes,
Rob' Turner, Wm. Clark, Wm. Markham, Secre.

The Returne of y^e members to serve in y^e Prov^e Council for y^e County of Philadelphia was Read, and by y^e Council accepted off. James Claypoole Returned therein to serve for Three Years, he having subscribed y^e Oligation took his place.

The Returne of Kent County was Read and accepted of, only John Curtis, who was returned to serve in Prov^e Council for three years, was Excepted, he having lained under Suspition of Speaking threasonable words; and altho' y^e Grand Jury had Returned y^e bill against him Ignoramus, yet y^e Councill thought it not fitt to admitt him as Councillor amongst them. Griffith Jones, who was returned at y^e same time, for y^e same County, to serve in Prov^e Council the Remaining part of the Time Wm. Frampton, Deceased, was to havese rved, signed y^e Oligation & took his place in y^e Council.

Adjourned till to Morrow morning y^e 9th hour.

In the Councill Roome at Philadelphia y^e 31st 1st Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook, Nich. Newlin, John Symcock,
Wm. Clark, James Claypoole, Rob' Turner,
John Barnes,

The Returne of y^e members to Serve in Prov^e Council for y^e County of Chester was Read, and tho' it was lame, yet upon y^e assurance of y^e members of Council for y^e County, that y^e persons therein mentioned were fairly Elected, it was accepted off: John Bristow Returned to serve for three years in Prov^e Council, signed the Oligation & took place.

The Returne of Bucks County was Read & accepted off: Joseph Growdon was Returned to serve for three years in Prov^e Council, signed the Oligation & took place.

13*
MINUTES OF THE

The Gov" Letter to y" Prov" Council was read, bearing Date y" 15th 7th month, 1686.

Adjourned till 4 in y" Afternoon.

POST MERIDIEM:

PRESENT:

THOMAS LLOYD, Presid'.
Arth. Cook, Jam. Claypoole, Nich. Newlin,
John Symcock, Rob' Turner, Jno. Cann,
Wm. Clark, Griff. Jones, Jno. Bristow,
Phi: Pemberton, Jos. Growden, Wm. Markham, Secre.
John Barnes,

The Returne for y" County of New Castle was Read, signed Edw' Gibbs, pro Sherriff: the Council would not accept of y" Returne so signed, but upon John Cann's assuring y" Council that it was a faire Election, it was accepted, wherein Peter Alrichs was Returned to serve in Prov" Council for three years; he signed y" Obligation and took his place.

The Gov" Comission to y" Council was Read.

The Returne of y" County of Sussex was read, wherein Maj' Wm. Dyer was Returned to serve in Prov" Council for Three years: the Returne was Accepted, y" Maj' Expece against only.

Maj' Wm. Dyer presenting himselfe as a Prov" Member in Coun-cill; the Council Expressed their Gen" Dissatisfacon and unwilling-ness to permit him, and Desired to Desist, Declareing y' they Could not in Duty and Respect to y' King, nor with Security to y' Province, take such into y" Council who had not Discharged the Office of y' King's Coll' of his Customs within this Governm' with faithfulness & a good Report.

Maj' Wm. Dyer pressing further for more particular Reason for his non admittance into y" Council as a member thereoff, y" Council Referred to Wm. Clark, Jno. Cann, Pet' Alrichs & Griffith Jones, to be a Comittee to Inquire into that matter, and to Reduce into writing the Reasons given, and to present them to this board the next Seventh day morning.

Adjourned till Eight to morrow morning.

In the Council Room at Philadelphia The first day of y' 2d month, 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Arth. Cook, Wm. Clark, John Symcock,
Jam. Claypoole, Pet' Alrichs, Griff. Jones,
Nich. Newlin, John Barnes, Rob' Turner,
Jos. Growden, Phi. Pemberton, Wm. Markham, Secre.
John Cann, John Bristow,

The Petition of John Curtis was read, setting forth his great Dis-satisfaction y' where he was Chosen a member of Council for y" Coun-ty of Kent, he was not admitted to take place.
Answer. The Council Continues their Service ye he Ought to be dismissed.

The Petition of Several persons ag\' transporting of Dear Skins was Read.

A Petition from many of ye Inhabitants of Chester County, Requesting the same as ye former, was Read, in w^a Petition were severall other Requests about Laws.

Ord\'d ye notice be given to all the Justices \& Others Concerned, ye they Strictly putt in Execution ye\' Law ag\' transporting Raw Deer Skins, \& ye\'\' Law ag\' Selling of Rum, ye\' Laws against Curseing and swearing, \& ye\' Law ag\' Drunkeness, be strictly putt in Execution.

The Presid\' \& Council Debating about ye\' Petition of John Curtis this day read at ye\' board, they did unanimously agree, ye\' whereas it did appear to this board ye\' ye\' said John Curtis had been accused of treason, \& tho ye\' Grand Jury found not ye\' bill, ye\' yet were\* think it our Duty to Dismiss him, and therefore he is accordingly Dismissed from ye\' said service.

Adjourned till to morrow morning.

In the Council Roome at Philadelphia The second day of ye second month 1687.

PRESENT:

THOMAS LLOYD, Presid\'.
Wm. Clark, John Bristow, John Barnes,
Pet\' Alrichs, Nich. Newlin, John Cann,
Griff Jones, Phin. Pemberton, Jam: Claypoole,
Jos. Growdon, Jno. Symcock, Wm. Markham, Secre.
Arth. Cook, Robt. Turner,

The Comitee appointed to prepare particular reason why Maj\' Dyer was not admitted a member of Prov\' Council, brought in their Report to ye\' Councill in writing, with ye\' Reasons taken by them from other persons, under the relator's hands, all w^h was Read at this board, and unanimously allowed of by the Council as a sufficient Reasons for his non admission.

After Reading ye\' Gov\' Letter of ye\' last seventh month, with various Considerate Debates in this Legislative Prov\' meeting Concerning ye\' Present body of Laws, \& of ye\' Security & benefitt w^h might accrue to the Province and Inhabitants by their Repeal Intirely as they Stand, and of their Speedy revivall next Gen\' Assembly, w^h such allowed alterations and abrogations of those whose service are Either Determined or not so materiall as when first Enacted, \& with all perusing the minutes and finding the Concurrent Sense of ye\' last

*We.
Assembly: The Presid' & Prov'n Councill have at this time unanimously & with Generall Express satisfaccon, Concluded & ordered y'it should be so Entred in the Councill book that y's Law so Compacted & Continued as they now are, may Remayne and be in force without annulling Variations, or supply of additionall bill or bills at this time, till wee hear further from y's Gov', his arrivall, or to y's sitting of y' next Prov'n Councill, in Ord' to prepare bills to be promulgated for the Assembly to pass into Laws. In the Interime howsoever, it is Expressly agreed upon y'the bench of Justices in Each County writ unto by a publick Instrument to Incourage, quicken and require the Due Execution of all such Laws more Especially, which being to frequently, publiccly & notoriously transgressed, God's Messed truth Comes thereby Grieved, his name prophaned, the Province Gov'-rn' & Professors of his holy way, and scandalised thereby.

Memorandums of what is to be Completed by y's Councill by y's approbation of the present members:

1st That a publick writing be sent to y's Respective Counties to Informe them of the respectfull Remembrance of our Gov't towards them, y's Reasons of his unpleasant Stay, the Sudden hopes of his arrivall, wth an acco' of our present proceedure, to be Dispatched with all Expedition.

2nd An Enquiry of y's undertakers about y's Gov'n Supply, wth what furtherance may be of the same.

3rd That y's Gov'n Instructions about y's Caves be persued.

4th That a new Comission be Drawn for y's Continuimg y's former Judges for y's next Prov'n Court.

5th That Comissions may be prepared for Officers for y's Countyes were wanting.

Desired y're Presid'signe y's Severall Comissions.

The Members of New Castle County having presented Edw'd Gibbs for Sherriff of y't County, Ord'd that a Comission be Drawn for him.

Sam'l Hersent's Petition was Read, begging Relief from y's Judg-ment of y's County Court of Philadelphia. Henry Reynolds plant. Referred to the Prov'n Judges.

A Table of fees Relating to the Attuerny Gen'n Office having been perused, is allowed off by this board untill further Ord'.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
James Claypoole, Phin. Pemberton, John Cann,
Wm. Clark, John Barnes, Griffith Jones,
Joseph Growdon, Pet'r Alrichs, Wm. Markham, Secre.

The Petition of Thomas fairman against Cap't Tho. Holmes, Sur-vey'n Gen'n, was Read.

Answer. That Cap't Holmes Intends to be at y's Comiss'n meeting the next second day, whether he is Referred.

The Petition of Cornelius Empson, Concerning a Bridg Road and a Water mill on Brandiwine Creek, was Read.

The Petition of Rob' Jeffs was Read, requesting Reliefs ag' Tho.
fairman's forcable Entry in to his house, as he Expresses it in his Petition.

Answer. That the Courts of Law are and shall be open, but ye Sense of the Councill is, that their mutuall agreements should be accordingly performed.

Adjourned till ye fourth Ins.

At a Meeting of the Councill in ye Councill Room at Philadelphia The 4th of ye 2d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Clark, Rob'T Turner, Joseph Growdon,
Arth. Cook, Phin. Pemberton, Wm. Markham, Secre.

The Petition of John Van Cullin was Read, Requesting Releef from ye Oppression of Thomas Usher, Sherriff of Chester County, who by Vertue of an Execution obtained By a Vexatious suite of Charles Ashcome, hath taken from him his two milk Cows, which was all he, his wife and seaven small Children had to live upon, himselfe being sixty & six years of Age, and past his Labour to work for more.

Order'd That an Ord'r be sent to ye Sheriff of Chester County to appear before ye Councill ye next second day, to answer the Complaint of the Petitioner, and if any Distress or Execution hath been served on his goods or Chattles, that they be no ways Disposed of untill ye Complaint be answered before this board, and if ye Cattle be taken away, that they be forthwith Restored, or Carefully looked to in ye meantime; and that he make Returne of a former Order he had from this board in the business between Charles Ashcome and Jn' Van Culing.

Adjourned till 3 in ye Afternoon.

At a Councill in the Councill Roome In Philadelphia ye 5th of ye 2d month 1687.

PRESENT:

THOMAS LLOYD Presid.
Wm. Clark, Rob'T Turner, James Claypoole,
Phi. Pemberton,

The Petition of James fox in behalfe of himselfe and ye Rest of the Inhabitants of ye Plymouth Township, was Read, requesting a Cart Road might be laid out to their Towne Ship.

Order'd that there be no Disturbance or Molestation to the Inhabitants of the Plymouth Townshipp, In their finding and Laying out a Convenient Cart Road from Philadelphia to their Township.

Adjourned till ye 11th Ins'. 9 in the forenoon.
At a Meeting of the Councill in the Councill Roome In Philadelphia ye 11th 2d Mo., 1687.

PRESENT:
THOMAS LLOYD, Presid'.
John Symcock, Jam. Claypoole, Rob't Turner,
Arthur Cook, Griff. Jones, Wm. Markham, Secre.
Wm. Clark,

Thomas Usher made his Appearance before this board according to Summons, to answer ye Complaint of John Vanculing, and for answer subscribed ye Summons, with these words following, and Returned ye same so subscribed to ye Councill, Viz' As to this Ord' my Returne is, I doe abide by my Lawfull Serving ye Execution upon ye Milch Cattle of Jn' Vanculin in ye Case of Charles Ashcome.

THO. USHER this 11th 2d Mo., 1687.

The Petition of Arnoldus Delagrange was Read, Requesting the Speedy payment of Money due to him from Christo. Taylor, Deceased. Answered. That if the Gov' comes not, nor ye Councill hear from him in six Weeks or two months time, speedy Course shall be taken by this board to pay ye Petitioner.

Adjourned till further Order.

At a Councill In the Councill Roome in Philadelphia ye 13th 2d month, 1687.

PRESENT:
THOMAS LLOYD, Presid'.
Wm. Clark, Arth. Cook, John Barnes,
Griff Jones, James Claypoole, Wm. Markham, Secre.
Jno. Symcock,

Ord' that ye Secretary signe Six Instrum', to be sent one to Each County, to minde ye Mgagestrates of their Duty in suppressing of all Desbauchery.

The matter of the Supply being reassumed, Ord' that ye undertakers bring in their Reasons why the sum for the supply, according to their obligations, is not paid; ye day appointed is the 10th of ye next month.

By Express Ord' from ye Gov' to The Prov' Council, that notice be given to all persons Concerned in ye Caves or houses built upon ye bank of this Towne, on Deleware side, unless those Leased by the Gov' & not yet Expired, do by ye 20th of ye next month, provide for themselves other habitations, in order to have the said Caves or houses Distryed, or otherwise Disposed off, as the Gov' shall see meet.

The Petition of Rob' Jeffs was Read, requesting Relief against the forceable Entry and Deteiner of Thomas fairman.
The address of Capt. Tho. Holmes ag' Charles Ashcome was Read. 
Adjourned till Six to morrow morning.

At a Meeting of the Councill in y° Councill Roome In Philadelphia y° 14th 2d month, 1687. 

PRESENT:

THOMAS LLOYD, Presid'.
James Claypoole, Wm. Clark, Wm. Markham, Secre.
Arthur Cook, John Symcock,

The Petition of Thomas fairman was Read, respecting the Difference between him and Rob' Jeffs as to a forceable Entry; as also, touching upon Capt Thomas Holmes.

Robert Jeffs & Tho. fairman being both before y° Councill, and y° affair in Difference being Considerately Debated, it was unanimously Ordered, with y° Joynt accord of both parties, y° Rob' Jeffs should have peaceable admission and possession into the Messauge and Premises Demised to him at frankford, by Tho. fairman, at or upon the next seventh day, in the forenoon, wth will be y° 16th Ins', and y° y° Intended uncertain Improvements mentioned in y° margent of the Contract in writing, are to be four hundred apple trees, to be sett and planted within y° first fourteen years, at a Convenient Distance, with a pale, or a sufficient Close fence, and y° same to be accordingly Kept, and so surrendred at y° Expiration of the Tearme.

Ord3d that Tho. Barker, Sam Jobson, Sabian Cole, Jno. More and Humph South, have their Returns made into y° Secretary's Office, (by the Survey' Gen3d,) of the Land that was Surveyed for them by Charles Ashcome in the Welch tract, it being in all four thousand acres.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Roome at Philadelphia y° 19th 2d Mo., 1686°.

PRESENT:

WM. CLARK, Presid'; p Choyce.
James Claypoole, Griffith Jones, Wm. Markham, Secre.
Robert Turner,
The Gov' and Councill's Letter of New York, bearing date y° 15

*1687.
April, 1687, Directed to ye Presid' & Councill of Pennsylvania, was Read.

Ordered That a Copy thereof be sent to Presid' Lloyd, at New York.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Room in Philadelphia ye 10th 3d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Jno. Symcock, John Roads, Jos. Growdon,
Arth. Cook, Wm. Darvall, Wm. Markham, Secre.
Wm. Clark,

The Govr and Councill's lett of New York of ye 15th Aprill, 1687, Directed to ye Presid' and Councill of Pennsylvania, was Read a second time.

Ord'd that answer be sent by ye first Opportunity, Relating that Wee Know of no such man as D' plessie within this Province, nor shall be Countinanced by us. 2dly. as to ye Susquahanna and Skoolkill Indians, Wee hope such Care and diligence shall be used as will give no just occasion of Offence.

The Petition of Wm. Nicholls was Read, requesting Relief ag' an Execution obtained in ye County Court of Philadelphia by John Cropt, against ye said Wm. Nicholls.

Ord'd That Cropt have notice to appear To-morrow before this board.

The Petition of John Readwood was Read, requesting Relief against an Execution obtained ag' him in ye County Court of Philadelphia, at ye suit of Rich's Hogbean.

Ord'd That Rich's Hogbean have notice to attend ye Councill to-morrow morning by 10.

Adjourned till tenn To-morrow forenoon.

At a Meeting of the Councill In the Councill Room In Philadelphia ye 11th 3d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock, John Barnes, John Roades,
Arthur Cook, Wm. Darvall, Wm. Clark,
Griffith Jones, John Bristow, Wm. Markham, Sec.
Joseph Growdon, Nich. Newlin,
Richd Hogbean appeared according to appoyntment yesterday.
Jno. Readwood's Petition y' was Read at y' board yesterday, was againe read.
- Ordeed that they goe together and Endeavor to accomodate y' Difference between themselves; if they Cannot, then to Come againe.
Wm. Salway & Thomas Langhorne Came wth a message from y' Assembly to know when they should wayt on y' Councill.
Answered in halfe an hour, or sooner if they pleased.
The King's Letter bearing Date y' 19th November, Directed to Presidt Lloyd or Secretary Markham, Commending the sending of John Grey, al Tatham, by y' first Convenency of Shipping for England, to answer to severall Misdemeanors alliged there ag' him, was Read.

The Assembly, with their Speaker, Came to The Councill: they made several proposals to y' Council, then left them in writing, signed by their Speaker, wth are as followeth, Verbatim:

Sundry Proposalls Agreed on by The Assembly to be presented to y' Presidt & Council, as followeth:

1. That y' Presidt and Council be moved y' the Counties may not Suffer a Vacanty by the Suspention of members, but that y' persons may Either be re-admitted, or Else writs Issue out the respective places for a new Choyce.

2dly. That y' Council be moved to revoke their Orders to the County Courts prohibiting Executions to be Issued out untill ten days after Judgment, by reasons divers Inconvenencies have accrued thereby.

3dly. That y' Presidt & Council be Desired that for y' Continuing of a good understanding between y' upper & Lower Counties, that there may be at least One of the Prov' Judges Chose from y' Lower Counties.

4thly. That y' Council be moved prohibitt Iregular Summons to be Issued out from one County to an other, to be Vexation of the free people of this Province, & Contrary to y' Intent of y' Law.

5thly. That the Council be moved according to y' power of y' Charter, to take a Speedy acco of y' moneys paid for y' Erecting of Bouys, & y' wth all Convenient Speed y' sayd Bouys be Erected, for y' safety and preservation of Vessels coming in and going out of this Province & Territories, & to prevent the Claymours of Masters of Vessells who are obliged to pay the Money and Reape no bene-fitt thereby.

Signed p order.

JOHN WHITE, Speaker.

PHILADELPHIA, y' 11th 3d month 1687.

Adjourned for an hour.
THOMAS LLOYD, Presid'.
Arth. Cook, Griff. Jones, Wm. Clark,
Jno. Symcock, Jno. Bristow, Wm. Dervall,
Jno. Barnes, John Roades,

Rob' Jeffs made his address to y' Councill personally, without writing, Complayning that the Order of this Board of y' 14th 2d Mo. last, was not observed, and Requested they would be pleased to Order y' Justices forthwith to Execute it.

Ordered y' y' Magestrates before whome Enquirie was made, have notice of the address of Rob' Jeffs, and y' it is the unanimous opinion of this board, that according to y' mutuall agreement of both parties (Viz: Tho: fairman and Rob' Jeffs,) made before this board on y' 14th of y' 2d Mo. Last past, the said Rob' Jeffs ought to have Re-possession of his house and Tenement at franckford.

Wm. Nicholls and John Cropt being by appoyntment on y' 10th Ins' to appear before this board yesterday, made their appearance to day. After a long hearing of y' Difference between them, it was ordered that Wm. Nicholls Bring in his account to morrow morning.

The Councill's Answer To y' Proposals made by the Assembly in y' forenoon.
1. If a suspended member be not admitted, nor Cleare himselfe within two months, then a new writt shall be Issued to Choose an other according to Law.
2. Wee Refer the same to y' former practice, and y' Discretion of y' Judges and Justices of the Respective Courts.
3. In Choyce of Judges, there shall be tender Regard and due Respect had to y' Lower Counties.
4. That all Irregular Summons from one County to another shall be wholly Discountinanced.
5. It's Ordered that an acco' be brought to y' Prov'n Councill of what money hath been Collected on acco' of Bouys, w' th all Convenient Expedition, that it may be applied to its proper use.

Adjourned till 9 To morrow morning.

At a Meeting of the Council in the Council Room In Philadelphia y' 12th 3d Mo., 1687.

THOMAS LLOYD, Presid'.
Arthur Cook, John Bristow, Joseph Growden,
Ja. Claypoole, Nich. Newlin, John Barnes,
Wm. Dervall, Griffith Jones, Wm. Markham, Secre.
John Roades, John Symcock,
Luke Watson and Vallentine Hollensworth Came with a Message from ye Assembly, to Know when ye Council would be at Leisure to hear some proposals from ye Assembly.

Answered. As soon as they pleased.

The Assembly Came with their Speaker to the Council, and having Debated on ye proposals following, left them in writing, signed by their Speaker, which followes, Verbatim:

Ordered ye a Conference be proposed to the Presid & Prov Council, wherein some Laws we are Lyable to Divers Interpretations or Expositions, may at this Gen Assembly be Explained, & ye true meaning thereof Declared, to prevent Diversity of Opinions and Errors that may otherwise arise, Viz:

1. That the Law relating to goods taken upon Execution & appraised, whether ye Creditor shall be obliged to take them at ye Rate appraised if they will not advance higher at ye publick Sayle, and whether ye appraisers are by Law Intended to be appraisers in other matters.

2. The Law Concerning Quarter Sessions; how far ye County Quarter Sessions may be Judges of Equity as well as Law, and if after a Judgment in Law, whether the same Court hath power to Resolve itselfe into a Court of Equity, and Either Mitigate, alter, or Revers ye said Judgment.

3. That the Presid & Prov Council be Requested to take such Effectual Care about setting the aient port of the whorkills at Lewis, whereby ye Inhabitants may not be deprived of benefit of Receiving goods from on board any Vessell, untill ye said goods be first Cleared at New Castle, whereby ye Difficulty of returning, and some times the danger that doth otherwise attend Vessels, have Deprived ye Inhabitants of Such goods as have been Consigned to them.

4. That the Presid & Council be requested to Command that such necessary Publick Roads be Every where sett forth and Duly maintained, & more Especially in ye County of Philadelphia, ye travelling for man and Beast may be more Easie, safe & Certaine.

5. That the Assembly Confer with the Prov Council about the regulation of the Current pay of this Governmt.

Signed p Order.

JOHN WHITE, Speaker.

PHILADELPHIA, the 12th 3 Mo., 1687.

Adjourned for one hour Pressisely.

POST MERIDIEM. 12 3 Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Jos. Growdon, Jam. Claypoole, Wm. Darvall,
Jno. Bristow, Wm. Clark, Griffith Jones,
Arthur Cook, John Roads.

A Letter bearing date ye 9th Inst. from James Walliams, Collector
at New Castle, Directed to ye Secretary, was Read, Desiring ye if the Warr of assistance was Ord'ed by ye Councill, to send it him downe.

Ord'ed that ye Secretary Informe him of a Comission newly received from ye Gov', and Expected Every day to be opened, to wth the Granting of the Warrant is Referred.

A Comission Directed to Wm. Markham, Thomas Ellis & John Goodson, was Read at this board, Wm. Markham & John Goodson being present; it was Date ye 21th 11th Mo., 1686.

Adjourned till ye 16th Inst', 9 in ye forenoon.

At a Meeting of the Councill in the Councill Room in Philadelphia The 16th of the 3rd Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Arth. Cook,                      Joseph Growdon,          John Barnes,
Wm. Clerk,                       John Bristow,            Wm. Markham, Secre.
Griff. Jones,

Ord'ed that a writ be forthwith sent to Kent County, for ye Choosing of a member of Councill in ye Roome of John Curtis, Dissmissed.

Ord'ed that new Sheriff be Comissionated for ye County of Sussex, with all Expedition.

Orded That a Comission be made for John Roads to be Renger of Sussex County.

Adjourned till further Order.

At a Meeting of the Councill in the Councill Room at Philadelphia ye 17th 3rd Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Arth. Cook,                      Wm. Clark,               Griff. Jones,
Jos. Growdon,                    John Symcock,            Wm. Markham, Secre.

The Petition of Elizabeth Shorter, Widdow, was read, Complaining that John Rush, her son in Law, in stead of a Letter of Attorney that shee was to signe, prepared a Deed of gifff of all her Estate, with power of Attorney, to one Sam' Atkins, to acknowledge the same in Court.

The Witnesse to ye Deed were severally Examined; they all Confess the writing was not read to her, nor Could shee Ever write or Read herselfe, so ye it appeared to this board to be an absolute Cheat.

Adjourned till further Order.
PROVINCIAL COUNCIL:

At a Meeting of the Councill in the Councill Room at Philadelp­hia y® 18th 3d Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid®.
Arth. Cook, James Claypoole, Joseph Growdon,
Wm. Clark,

The Writt for Choosing a member of Councell for y® County of Kent, in y® Roome of Curtis, Dismissed, was this day signed by y® President.

The Petition of John Redwood for Releef against an Execution Surrupitiously obtained against him at y® Sute of Rich® Hogbeane, at y® County Court of Philadelphia, (formerly Read at this board,) and now Read againe.

Answered. It is y® Sense of y® Councell that the offers John Redwood made before y® Members of this board for y® Satisfacon of the Debt he Oweth to Rich® Hogbeane, are Sufficient, Viz: to give Security to pay y® Debt in Sussex County, where the Creditor lives. Secondly, he Offered a Warrant of Attourney to Confess Judgment for y® same in y® next Court to be held in y® County of Sussex, if not paid before. And Lastly, y® Creditors refusing to take Wm. Clark security for y® payment of y® Debt within six weeks time, notwithstanding the Cred® first proposed it, & Wm. Clark willing thereto. Therefore, this board’s Opinion is, that y® Creditor, Rich® Hoggbeane’s, behaviour in this is Litigious and Vexatious.

The Petition of James Browne was Read, desiring the paym® of money due to him from Chr. Taylor, Deceased.

Answered, that at the time appoynted, Arnoldus De La Grange, it shall have its answer.

The Petition of Thomas Woolaston was Read, Complayning that y® County Court of New Castle had Denyed him an appeal to have his Cause heard in Equity, notwithstanding he gave his reasons for Requesting his appeal, and his Security then ready in Court; he produced to this board y® Copy of y® proceeding in y® County Court, w® was signed by y® Clark thereoff, upon y® Reading off which y® Councill approved of y® reasons therein given to be sufficient for y® granting him an appeal ; & thereupon ord® y® y® Secretary take Security of y® 3® Tho. Woolaston, for the Prossecuting y® said appeal at y® next Prov® Court, and then sent a Copy of this minute, with orders from this board, under y® secretary’s hand, to y® Magestrates of New Castle County, or a Quorum thereof, willing & requiring them to stopp all further proceeding relating to this Cause in y® County, and y® the appeal be granted him to y® next Prov® Court.

Adjourned till further Order.
At a Meeting of the Councill in the Council Room in Philadelphia The 17th of ye 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Clark, Jos. Growdon, John Bristow,
Griff Jones,

Ordered that a writt be sent to ye Sherriff of Philadelphia County, for ye Choosing of a member to serve in Prov' Councill in the Roome of James Claypoole, Deceased, & that ye Election be on ye 26th Inst'.

Adjourned till 3 in ye afternoon.

POST MERIDIEM.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Clark, Griffith Jones, Rob' Turner,
Jos. Growdon, John Bristow,

Ordered ye a Gen' Comission of ye Peace be made for ye County of Philadelphia, and to put in John Eckley, Tho: Ellis, John Goodson, Wm. Southerby, Barnabas Willcox, Joshua Cart, John Shelton.

The Petition of about three score people, Inhabitants of Chester County, was Read, setting forth the great want of a Mill in their parts, and Requesting a Permission for Thomas Coebourne to goe forwaerd with ye building, and setting up of his mill on Chester Creek.

The Councill is willing to give Incouragem' to ye Procedure of Thom. Coebourne in the finishing of his mill that he is now about, for ye urgent necessity of ye Contrey, Reserving to ye Gov' his Proprietary Shipp.

Adjourned till 7 to morrow morning.

At a meeting of the Councill in the Council Room at Philadelphia ye 18th 6th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Clark, Griffith Jones, John Bristow,
Rob' Turner,

Ordered That those persons who were Constituted Deputies by James Claypoole, late Register Gen' of ye Province and Territories, doe Continue in ye Said Office untill further Ord'.

Ord' that John Eckley be Constituted Register Gen' in the Roome of James Claypoole, Deceased, till ye Gov' pleasure be further knowne, in order to his Disposall of ye said Office.
ORDIN That Thomas Hooton be requested to prove the will of Christopher Taylor, Deceased, & to administer upon ye same.

The Petition of Arnoldus Delagrange was Read, Requesting ye Petition of what was Owing to him by Chris. Taylor, Deceased, according to a promise made by this board 11th 2nd month last past. Referred to Tho. Hooton, who is desired to administer upon ye Estate.

The Petition of Maj' Wm. Dyer was Read, setting forth his severance by an Illegall proceeding agst him at New Castle, in attachment of his Goods, & desiring Reliefs from this board.

Ordered ye the Clerk of New Castle Court be writ to to transferr to ye Secret' Office ye Coppie of what proceedings Remains on ye Courts Records against Maj' Dyer, upon ye attachment aforesaid.

Upon ye Reading ye Petition of ye Inhabitants of Rodnor, Complain'g ye part of ye road ye leads thence to the ferry of Philadelphia is fenced in, & more likely to be, it was Ordyn ye John Bevan, Henry Lewis, David Merideth, John Evans, Barnabas Wilcox & Tho. Duckett, meet within fourteen days, to view or agree upon, as Conveniently as may be, a Road from ye Place aforesaid to ye ferry, and ye Like Convenient Road from Darby to ye ferry aforesaid, by ye said Barnabas Wilcox, Tho. Duckett, with John Blunston & Joshua fearme, by ye Time aforesaid, and to Return ye same to this board ye next sitting of Council for their approbation.

John Bristow is desired to give ye Persons above mentioned notice thereof in his Returne.

Whereas there was a late Order for ye Viewing and Discovering a maine Road from ye Center of Philadelphia ye Shortest way to ye falls, it is Requested ye Robt Turner and Wm. Markham, with ye Assistance of ye Survey' Genl and his Deputy, to make use of ye most speedy and Successfull Methods for ye running ye same.

The Petition of John Ithell was Read, setting forth that Robt Turner had Nine Small bags of pices of Eight of Wm. Steets of Cork, in ye Kingdome of Ireland, part of wch ye said Robert Turner hath delivered, and desires to be acquitted of ye Residue, therefore prays it might Lodg in ye hand of Humphrey Morrey or John Bristow, or who ye Council shall appoynt.

The Council would not meddle with it.

Adjournd till ye 8th 7th Mo. next.

At a Meeting of the Council in the Counciill Roome at Philadelphia ye 8th 7th month, 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Wm. Clark, Jno. Bristow, Robt. Turner,
Jno. Cann, Griffith Jones, Wm. Markham, Secret'.
P' Alrichs, Nich. Newlin,
The Petition of Maj' Wm. Dyer that was Read y* last sitting of the Councill was againe Read.

The Clark of New Castle County being present, and Informing y* Councill of y* favourable procedurre of y* County Court upon y* At
tachment of y* Goods of Maj' Wm. Dyer, at y* sute of Mathias Vanderhayden, in not granting Judgment, notwithstanding y* Petitioner's promise of appearance y* second Court after y* proces served, and they being now better satisfied of his Estate and Residence in this Governm't, Wee doubt not but upon his application to them he will finde Speedy and Easie Redress.

Upon the Application of Thomas Hooton, who was desired y* last sitting of Councill to prove y* Will & administer upon y* Estate of Chris. Taylor, he accepted y* same, upon this Request, that he might not be Continued Longer by the Councill then he would well discharge y* same, the w** y* Councill Granted.

Sam'd Carpenter was Returned to this board to serve as a member of Prov'd Councill y* Remaining part of y* time James Claypoole was to serve.

Part of a Scurrilous Invective Libel against Rob't Turner, a worthy member of this board, & formerly one of y* Judges for this Province and Territorys, w** very abusively reflected upon him in y* Execution of that Office, in such matter as to our Certaine Knowledge is most abominably false and untrue, was Read ;

Wherupon it was unanimously agreed by all y* members present, that all Convenient Speedy Course shall be taken for y* Discovering of y* forgers, or first Contrivers, as well as y* Publishers of y* same, that they may be brought to Condigne punishment.

Adjourned till tenn To morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y* 9th of y* 7th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presid'.
Robt. Turner, Jno. Bristow, Sam'd Carpenter,
Jno. Symcock, Nich. Newlin, Wm. Clark,
John Cann, Griff. Jones, Wm. Markham, Secre.
Pet' Alrichs,

Sam'd Carpenter, y* was Returned yesterday by y* Sheriff of Philadelphia County, to serve in Prov'd Councill in y* Roome of James Claypoole, for y* Remayning time he was to serve, This day signed y* attest and took his place at y* Board.

John Cann proposed in y* behalfe of y* County of New Castle, y* the King and Gov* Concerne, may not suffer for want of an Attourney Gen'. The Councill take it in to Consideration, y* y* Province and Territories shall be supplied as occasion shall Require. *

Ord'd that Writts Issue forth for y* Choosing of two members of Prov'd Councill, one for y* County of Kent, in y* Roome of John
Richardson, who for his non appearance according to Law and Charter, and his seeming unwillingness to serve, is Removed.

The other for ye County of Sussex, in ye Roome of Majr Wm. Dyer, who for not Clearing himselfe of ye Charge against him within ye time allowed him, is Dismissed.

Ord that if John Eckley refuses to accept of the Office of Register Genl, ye Presidt offer it to John Goodson.

Adjourned till ye tenth of ye next Mo.

At a Meeting of the Councill in the Councill Roome at Philadelphya ye 28th 7 bre., 1687.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook, Saml Carpenter, John Barnes,
John Symcock, Nich. Newlin, Robt. Turner,
Griff Jones, Edw Green, Wm. Markham, Secre.

Ordered that Thomas Ellis be put in the Comission for Register Genl, in ye Roome of John Eckly, formerly appointed for ye same, and in Case Thomas Ellis Refuse it, ye President and Secretary are Impowered to nominate and appoint one.

Adjourned till ye 25th next month.

At a meeting of the Councill in the Councill Room at Philadelphia ye 18th 9th Mo., 1687.

PRESENT:

THOMAS LLOYD, Presidt.
Arth. Cook, John Barnes, Jos. Growdon,
John Symcock, John Bristow, Griffith Jones.

Wm. Carter's Year of Sherrifality being Expired, ye Councill doe hereby nominate and authorise John Claypoole to act and be Sherriff for the City and County of Philadelphia, and ye Secretary upon his Returne, doe forthwith prepare a Comission accordingly, to Continue till further Order, and ye Presidt is desired to signe ye same.

Adjourned till To morrow.

At a Meeting of the Councill in the Councill Roome In Philadelphia the 19th of ye 9th month, 1687.

PRESENT:

THOMAS LLOYD, Presidt.
John Symcock, Griff Jones,
MINUTES OF THE

WHERAS we are Informed by Wm. Clark, a member of Councill for y' County of Sussex, yt y' Comission of the Peace for y' said said County is Expired, it is therefore yt Request of this present Councill that yt Presid', wth yt assent of yt present members, doe send to yt said County a New Comission by yt first Opportunity.

The Presid' as aforesaid, is Desired to Supply Kent County also with a Comission, if occasion be.

Adjourned till further Order.

At a Meeting of the Councill in the Council Room at Philadelphia yt 8th 12th Mo., 1687-8.

PRESENT:

THOMAS LLOYD, Presid'.

Rob' Turner, John Cann, Jos. Growdon,
Arth. Cook, Jno. Bristow, Sam' Carpenter,
Jno. Symcock, Phi: Pemberton, Wm. Markham, Secre.
Pett' Alrichs, Griff Jones,

Adjourned till 3 in the afternoon, or till further Order.

At a Meeting of the Councill in the Council Roome in Philadelphia yt 9th 12th Mo., 1687-8.

PRESENT:

THOMAS LLOYD, Presid'.

Robt. Turner, Griff Jones, Joseph Growdon,
Arth. Cook, Phi. Pemberton, John Cann,
Jno. Symcock, Sam' Carpenter, Wm. Markham, Secre.
Pett' Alrichs, John Bristow,

The Gov'n Comission under yt broad Seal, unto Thomas Lloyd, Rob' Turner, Arth. Cook, John Symcock, & John Eckley, Impowering them, or any three of them, to be his Deputy or Lieutenent, was Read.

At a Meeting of the Councill in the Council Room at Philadelphia yt 9th 12th Mo., 1687-8.

PRESENT:

Councillors. { 1. Thomas Lloyd,
              2. Rob' Turner,
              3. Arth. Cook,
              4. John Symcock,
              5. John Eckley. } Dep' Gov'.

Digitized by Google
The Returne of Kent County was Read, wherein was Returned Wm. Markham, to serve in Prov'n Councill in the Roome of John Richardson; ye Returne was allowed by ye Deputie Govr & Prov'n Councill, & Wm. Markham accepted as a member of ye Councill, attested, and took his place.

The Petition of Thomas Clifford was Read, Requesting Reliefe; being poor, and Long served ye Councill as their Messenger, It was unanimously agreed by ye Deputie Govr & Councill, that Each County shall pay him twenty Shillings, forthwith, for his present Relief.

Adjourned till further Order.

At a Meeting of the Deputy Govr & Councill in ye Councill Room at Philadelphia ye 30th of ye 1st Mo., 1688.

PRESENT:

Councillors.  
1. Rob't Turner,  
2. John Symcock,  
3. Arth. Cook,  

Dep'y Govr.

Councillors.  
Griffith Jones,  
Sam'l Carpenter,  
Sam'l Richardson,  
Wm. Markham, Secre.

Wm. Yardley,  
Barth. Coppock.

Four of ye above mentioned Councillors were Returned by ye Sheriffs of their respective Counties, to serve as members of Councill for three years next Ensuing, Viz': Sam'l Richardson for Philadelphia, Wm. Yardley for Bucks, Barth. Coppock for Chester Counties, Griffith Jones for Kent; the which Returnes were accepted; ye members Returned admitted, signed ye Attest, and took their place.

Adjourned till 9 to morrow in ye forenoon.

At a Meeting of the Dep'y Govr & Councill in the Councill Roome at Philadelphia ye 31st of ye 1st Mo., 1688.

PRESENT:

Councillors.  
1. Rob't Turner,  
2. Jno. Symcock,  
3. Arth. Cook,  

Dep'y Govr.
MINUTES OF THE

Councillors. Griffith Jones, Barth. Coppock,
Sam" Carpenter, John Bristow,
Sam" Richardson, Wm. Markham, Secre.
Wm. Yardley,

Wm. Clark's Letter to y^e Dep^y Gov^r and Councill, without Date, was Read.

Luke Watson appeared and Presented himselfe as a member of Councill, Chosen y^e last Election, for y^e County of Sussex, but no Returne being made Could not be admitted.

The Complaint of y^e Maj^r part of y^e free-holders of Sussex County against y^e Sheriff, for not returning a Member they had Chosen to serve in Prov^r Councill, was Read.

John Hill presenting y^e Complaint was Called in, and answer given him that it should have a Due Consideration, and Justice Don to y^e County.

Ord^r That franc. Cornwell, Sherriff of Sussex County, be Ord^r to appear before y^e Deputy Gov^r and Councill y^e same day y^e next Gen^r Assembly is to meet, to answer y^e Complaint above.

Adjourned till y^e 2^d of y^e next Mo., tenn in y^e forenoon.

At a Meeting of the Dep^y Gov^r & Councill in the Councill Roome at Philadelphia y^e 2^d of y^e 2^d Mo., 1688.

PRESENT:

Councillors. 1. Robt. Turner,
2. John Symcock,
3. Arth. Cook,
4. John Eckley,
5. John Bristow,
John Cann,
Griff Jones,
Sam" Richardson,
Sam" Carpenter,

Dep^y Gov^r.
Wm. Yardley,
Barth Coppock,
Jos. Growden,
Wm. Markham, Secre.

Councill^e.

The Returne of New Castle County was Read & allowed off.
Johannes D. Haes was Returned to serve in Prov^r Councill, but made not his appearance at y^e board.
Adjourned till 3 in y^e afternoon.

POST MERIDIAM.

PRESENT:

Councill. 1. Thomas Lloyd,
2. Robt. Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley,

Dep^y Gov^r.
PROVINCIAL COUNCIL.

Councillors.

\[ \begin{align*}
\text{John Bristow,} & \quad \text{Griff. Jones,} \\
\text{Sam\textsuperscript{a} Carpenter,} & \quad \text{John Cann,} \\
\text{Joseph Growdon,} & \quad \text{Sam\textsuperscript{a} Richardson,} \\
\text{Wm. Yardley,} & \quad \text{Wm. Markham, Secre.} \\
\text{Barth. Coppock,} & \\
\end{align*} \]

Adjour ned till 9 to morrow in forenoon.

At a Meeting of the Councill in the Councill Roome the 3\textsuperscript{d} of y\textsuperscript{e} 2\textsuperscript{d} Mo., 1688.

PRESENT:

Councillors.

\[ \begin{align*}
\text{1. Thomas Lloyd,} & \\
\text{2.} & \\
\text{3. John Symcock,} & \quad \text{Dep\textsuperscript{e} Gov'.} \\
\text{4. Arth. Cook,} & \\
\text{5. John Eckley.} & \\
\end{align*} \]

Councill\textsuperscript{a}.

\[ \begin{align*}
\text{Griffith Jones,} & \quad \text{John Cann,} \\
\text{Pet\textsuperscript{e} Alrichs,} & \quad \text{Barth. Coppock,} \\
\text{John Bristow,} & \quad \text{Sam\textsuperscript{a} Richardson,} \\
\text{Wm. Yardley,} & \quad \text{Joseph Growdon,} \\
\text{Sam\textsuperscript{a} Carpenter,} & \quad \text{Wm. Markham, Secre.} \\
\end{align*} \]

Several Petition were Read from y\textsuperscript{e} Inhabitants of their Respective Counties, Requesting y\textsuperscript{e} Prohibiting y\textsuperscript{e} Exportation of Dear skins. They were Referred to the Consideration of a Committee.

Several Orders of y\textsuperscript{e} Last Legislative Councill were Read.

The Committee appointed are Sam\textsuperscript{a} Carpenter, John Bristow, Joseph Growdon, John Cann & Griffith Jones.

Adjour ned till 10 to morrow forenoon.

At a Meeting of the Councill in the Council Room in Philadelphia y\textsuperscript{e} 4\textsuperscript{th} of y\textsuperscript{e} 2\textsuperscript{d} Mo., 1688.

PRESENT:

Councillors.

\[ \begin{align*}
\text{1. Thomas Lloyd,} & \\
\text{2.} & \\
\text{3. John Symcock,} & \quad \text{Dep\textsuperscript{e} Gov'.} \\
\text{4. Arthur Cook,} & \\
\text{5. John Eckley.} & \\
\end{align*} \]

Councill\textsuperscript{a}.

\[ \begin{align*}
\text{John Cann,} & \quad \text{Wm. Yardley,} \\
\text{Pet\textsuperscript{e} Alrichs,} & \quad \text{Barth. Coppock,} \\
\text{Sam\textsuperscript{a} Richardson,} & \quad \text{Sam\textsuperscript{a} Carpenter,} \\
\text{John Bristow,} & \quad \text{Griff. Jones,} \\
\text{Joseph Growdon,} & \quad \text{Wm. Markham, Secre.} \\
\text{15} & \\
\end{align*} \]
The Committee appointed yesterday, brought to this board their transactions, which were Read & filed.

The board debated upon several of ye Propositions ye Committee presented.

Adjourned till 3 in the afternoon.

POST MERIDIEM.

PRESENT:

{1. Thomas Lloyd,
2.  
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Councillors.

John Bristow, John Cann,
Joseph Growdon, Pet Alrichs,
Sam Richardson, Barth Coppock,
Sam Carpenter, Griffith Jones,
Wm. Yardley, Wm. Markham, Secre.

Councillors.

The Debate which began in ye forenoon Continued. The Committee was appointed to draw up some bills in order to promulgation.

Adjourned till 9 to morrow in ye forenoon.

At a Meeting of the Councill in the Councill Room at Philadelphia ye 5th of ye 2d Mo., 1688.

PRESENT:

{1. Thomas Lloyd,
2. Rob Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Councillors.

Sam Richardson, Barth Coppock,
Peter Alrichs, Griffith Jones,
Wm. Yardley, John Bristow,
John Cann, Joseph Growdon,
Sam Carpenter, Wm. Markham, Secre.

Councillors.

The Committee brought in several Bills Drawn up, ye which were Debated, and that they may be in a more Exact forme, they were Recommended to ye Care of John Cann, Sam Carpenter & Jos. Growdon, as a Committee, with ye Attorney Gen to assist them.

Adjourned till 7 To morrow morning.
At a Meeting of the Councill in the Councill Room In Philadelphia y* 6th of y* 2d Mo., 1688.

PRESENT:

Councill*.

1. Rob Turner,
2. John Symcock,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Councill*.

Sen* Carpenter.
Griffith Jones.
Jno. Bristow,
Sam* Richardson,
Barth. Coppock.

Dep* Gov*.
Jno. Cann,
Pet* Alrichs,
Wm. Yardley,
Joseph Growdon,
Wm. Markham, Secre.

The Proposalls made to this board were severally Debated, as followeth:

1st. About fferrys. It is Referred to y* Law in y* Case made.
2nd. About Provision for y* Poor.

Resolved, y* County Courts not having sufficient Power, notwithstanding y* 126 Law, to Raise money for a Stock to Defray necessary Charges of their Respective Counties, it is therefore orded by y* Gov* and Councill, that a bill be prepared to Enable them to Raise y* same according to their discretions, by w* means y* 32d Law will be supplied.

3rd. About Selling of Rum to y* Indians. Ord* y* y* Magestrates be Reminded to put y* 15th Law in Execution, both in y* Province & Territorys.

4th. After a Considerable Time taken up in Debate about This proposition, it was put by.

Adjourned till 2 in y* Afternoon.

POST MERIDIEM.

PRESENT:

Councill*.

1. Thomas Lloyd,
2. Rob Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Councill*.

Sen* Carpenter,
Sen* Richardson,
Peter Alrichs,
John Cann,
Wm. Yardley.

Dep* Gov*.
Griffith Jones,
John Bristow,
Barth. Coppock,
Jos. Growdon,
Wm. Markham, Secre.

5thly. About Killing of Wolves.

Resolved, y* y* Gov* and Councill, when desired by y* Respective Magestrates of any Court, will grant their Order for y* Incouraging y* Indians to y* Destroying of Wolves beyond y* provision made by Law.
6thly. About y° Strengthening the 169 Law about y° Transportation of Dear Skins. Ord° a Bill be prepared for y° same.
Adjourned till 7 To morrow morning.

At a Meeting of the Councill in the Councill Roome in Philadelphia y° 7th of y° 2d Mo., 1688.

PRESENT:

1. Thomas Lloyd,
2. Councill.
3. John Symcock, Dep° Gov°.
4. Arthur Cook,
5. John Eckley.

Wm. Yardley, Joseph Growden,
John Bristow, Sam° Richardson,
Sam° Carpenter, Griffith Jones,
John Cann, Peter Alrichs,
Barth. Coppock, Wm. Markham, Secre.

The Gov° of New York’s Letter Directed to y° President & Councill, bearing date y° 30th of March, 1688, with y° Coppy of y° King’s Ord’ directed to y° Said Gov°, were both Read at this Board: it was Recomended to y° Members of Councill to give their Oppinion thereon.

A bill for Enabling Widdows and Administrators of Intestates, with approbations of y° Councill, &c. to dispose of part of y° Intestate’s Lands towards y° Defraying of Just Debts, Towards y° Education of Children and support of y° Widdows, &c. was y° first time Read.

A bill for y° prohibiting y° Exportation of Dear Skins undressed, wthout Certificate, as in y° 169 Law, and drest in no wise, was y° first time Read.

Adjourned for an Hour.

POST MERIDIEHM, the 7th of y° 2d Mo., 1688.

PRESENT:

1. Thomas Lloyd,
2. Rob’. Turner,
4. John Symcock,
5. Arthur Cook,

Wm. Yardley, Griffith Jones,
P° Alrichs, Sam° Richardson,
John Cann, Sam° Carpenter,
Barth. Coppock, Wm. Markham, Secre.

The Petition of Thomas Woollaston was Read, Requesting relief ag’ Gramton for not obeying y° Decree of y° Prov° Judges, and
forceably Entred into his house, & Driven his Cattle off of his Land.

The Deposition of James Read, taken before Cornelius Empson, justice of y* Peace, (wth* witnesseth y* Thomas Woolastone tendered pay to John Gramton, according to y* Judge’s Decrettall Order,) was Read.

A Certificate was Read, signed by John Richardson, Hen. Hollingsworth & David Richardson, Certifying y* y* said Woolaston had at fernhook two Cows, one Bull, one horse, Bridle and Saddle, valued by them at Eighteen pounds, wth was tendered for y* satisfieing of John Gramton, according to y* Prov* Judge’s Decree. The Judge’s Decree aforesaid was Read.

The whole Matter in Difference between Thom. Woollaston and Jno. Granton, as a fore said, is by Ord’ of this board Referred to y* Determination of the Judges at y* next Prov* Court, and notice to be sent to John Granton to appear there.

The Petition of Wm. Guest ag’ y* Sheriff of New Castle County was Read. John Cann accomodated y* Difference.

Mordica Howell’s Petition was Read, Craving an Ord’ for a Special Court: he was Referred to y* County Court.

The Petition of James Fox in y* behalfe of y* Plymouth friends was Read, Requesting y* Confirmation of y* Road to y* Plymouth Townshipp, wth was Laid out by an Ord’ from this board. Orded that it shall Continue till altered by the Gov’ & Council.

The Petition of y* Inhabitants of at y* Center of Philadelphia, Requesting y* fayr to be Kept there. Answered the next fayr will be granted to be kept at y* Center.

Adjourned till y* 9th Ins’, 9 in y* forenoon.

At a Meeting of the Councill in y* Councill Room at Philadelphia y* 9th of y* 2d Mo., 1688.

PRESENT:

{1. 
2. Rob’ Turner, 
3. John Symcock, 
4. Arth. Cook, 
5. John Eckley.

Sam* Richardson, 
John Cann, 
Griffith Jones, 
Wm. Yardley, 

Dep* Gov*. 
Peter Alrichs, 
Sam* Carpenter, 
Barth. Coppock, 
Wm. Markham, Secre.

The Petition of Henry Stretcher was Read, Requesting Relief ag’ y*
Sevear sentence of y* County Court of Sussex ag’ him in an action of

*Evidently wth*.

15*
Slander, wherein Wm. Clark was Plantive ag' him; the proceedings of ye County Court was likewise Read.

Ordered that an Ord' be sent to ye Sheriff of Sussex County to suspend ye whipping of Henry Stretcher, w'd was part of the Sentence, untill ye first day of ye 4th Mo., next.

Adjourned for an hour and halfe.

POST MERIDIEM.

PRESENT:

Councillors.

Dep't Gov'.

Sam' Richardson, Sam' Carpenter, John Bristow,
Peter Aldrichs, Joseph Growdon, Barth. Coppock,
John Cann, Griffith Jones, Wm. Markham, Secre.
Wm. Yardley,

The bill for Enabling Widdows of Intestates to Dispose of Lands was Read, with approbation, the second time.

The Bill prohibiting ye Exportation of Deer Skins, &c. was Read ye Second time.

The Bill for Continuing of ye former Laws was Read ye first time.

The Bill for Sale of Lands upon Execution to pay debts, being Explanatory and additionall to a former Law made at Upland, wherein Land were made Lyable to pay debts, Read ye first time.

The Presid' was desired as being M' of ye Rolls, that a bill might be prepared for ye Indemnifieing of Gifts, Grants, & Conveyances of Land, and other writings w'd were un recorded, or not Recorded according to Law, and that all bills and bonds may be free for ye future that is under ye penalty of that Law.

Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Council Room at Philadelphia ye 10th of ye 2d month, 1688.

PRESENT:

Councillors.

Depty Gov'.

Sam' Carpenter, Wm. Yardley, Jno. Bristow,
Sam' Richardson, Barth. Coppock, Peter Aldrichs,
John Cann, Griffith Jones, Wm. Markham, Secre.
Joseph Growdon,
The President brought in a bill to this board for ye Indemnifying ye non and undue Recording of Gifts, grants and Conveyances, &c., with ye Exception Desired. Read ye first time.

The bill of Supply was ye first time Read.

The Return of ye members for Sussex County was Read and allowed, but it being Sent by water mist its being here in Due time.

Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

Councillors.

1. Thomas Lloyd,
2. Robert Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Joseph Growdon, Barth. Coppock, Samn Richardson,
Wm. Yardley, Samn Carpenter, Peter Alrichs,
John Bristow, John Cann, Wm. Markham, Secre.
Griffith Jones,

The bill for Continuing ye former Laws a second time Read.
The bill for Enabling Widdows of Intestates to sell land, &c. Read a Second time.
The Bill for making Lands Lyable to pay debts was Read a second time.
The bill for Intrest read ye first time.
Adjourned till two in ye Afternoon to Morrow.

At a Meeting of ye Council in the Council Room at Philadelphia ye 11th of ye 2d month, 1688.

PRESENT:

Councillors.

1. Thomas Lloyd,
2. Rob't Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Wm. Yardley, Joseph Growdon, John Bristow,
Samn Richardson, John Cann, Griffith Jones,
Barth. Coppock, Pet' Alrichs, Wm. Markham, Secre.
Samn Carpenter,

The Petition of Abrah. Man was Read, requesting ye Gov't and Councill to Order him a Rehearing in ye County of New Castle, of ye Actions in wob Judgment passed against him in his absence, he being out of ye Government and knew not of their Comencement. The Justices of ye Said County at his Returne had granted him an
appeal to ye Prov. Court, but ye Judges therof not thinking it came
Regularly before them, Refused the hearing of it.
The bill for Supply was Read a Second time.
The bill about Intrest was Read a Second time.
The bill about ye Records was Read a Second time.
The Bill for Prohibiting ye Exportation of Deer Skins was Read a
Second time.
Adjourned till to morrow morning.

At a Meeting of the Council in the Council Room in Philadel-
phia ye 12th of ye Second Mo., 1698.

PRESENT:

Councillors. { 1. Thomas Lloyd,
                   2. Rob' Turner,
                   3. John Symcock,
                   4. Arthur Cook,
                   5. John Eckley. }
Dep' Gov'.

Sam' Richardson, Griffith Jones, Pet' Alrichs,
John Bristow, Sam' Carpenter, Wm. Markham, Secre.
Barth. Coppock, Wm. Yardley,

Abraham Man further Complaining of ye Sevar and Irregular
proceedings of ye' County Court of New Castle, by a Judgm' unduly
obtained against him in his absence, upon ye' Plaint of Alderman
Ridges, by Sam' Jennings, his attourney, and without defence made in
his behalfe.

The Gov' and Councill upon full hearing of this matter, have or-
dained ye' ye' same Cause of action be heard over, and Determined ac-
cording to Law, at ye' next Prov' Court in Philadelphia, to be held ye'
24th of ye' next 7th month.

It is Ordered likewise, that ye' Cause of Action or Difference between
Abrah. Man and Wm. Guest, and for we' ye' said Wm. Guest obtained
Judgm' lately in ye' County Court of New Castle, and Execution there-
upon against ye' Said Abrah. Man, he being neither present, nor Deffence
made in his behalfe, that ye' same be heard and Tryed in ye' said
County Court ; The Second Court next Ensuing ye' date heroff.

1. The Bill for Continuance of former Laws.
2. The Bill for Enabling of Widdows of Intestates to sell Land.
3. The Bill prohibiting ye' Exportation of Deer Skins before being
   Exposed to Sale.
4. The Bill to make Lands layable to pay Debts.
5. The Bill for Legall Intrest.
6. The Bill about Records.
7. The Bill for Supply.

The afore named seven Bills were the third time Read and unani-

mously passed, in Order for promulgation.

Adjourned till further Order.
At a Meeting of the Councill in the Councill Room in Philadelphia y° 10th 3d month, 1688.

PRESENT:


Wm. Clark, Barth. Coppock, Sam^n Richardson, Jos. Growdon, John Bristow, Luke Watson, Sam^n Carpenter, Wm. Darvall, Wm. Markham, Secre. Johannes D'Haes, John Cann,

Johannes D'Haes, who was chosen a Member of Councill y° last Election, for y° County of New Castle, presented himselfe to this board, was attested, & took his Place.

Luke Watson, who was y° Last Election Chosen and Returned a Member of this board, but lying under a great Scandal & Infamous Reputation, was not admitted to sit at this board until he had Cleared himselfe thereoff, This day brought Certificate thereoff, whch was by y° board sufficient, and thereupon was attested, and took his place.

A Committee was appoynted to Receive proposals for amendments upon y° bills. The persons Were: Sam^n Carpenter, Sam^n Richardson, Wm. Clark, Wm. Darvall, John Bristow, Wm. Markham.

Adjourned till y° 12th Inst^t, 7 in y° morning.

At a Meeting of the Councill in the Councill Room In Philadelphia the 12th of y° 3d Mo., 1688.

PRESENT:


The Petition of Moses Aboab was Read, Complayning against John Day for Selling a Servant who now works at y° hoaw in y° Lower Countyes, and with whome y° said John Day had of his father in London, tenn Guinies to teach him y° trade of a Carpenter, and besides, y° father paid for y° said Servant's passage to Pennsilvania.

Ord' that John Day appear at this board to answer y° Complaint
above going, y* next second day, w* will be y* 14th Inst., or at y* next Sitting of the Councill.

Adjourned till two in y* Afternoon.

POST MERIDIEM.

**PRESENT:**

Councillors.

1. Thomas Lloyd,  
2. Rob' Turner,  
3. John Symcock,  
4. Arthur Cook,  
5. John Eckley.  

Dep'y Gov'.

Wm. Clark,  
Johannes D'Haes,  
Wm. Darvall,  

Sam* Richardson,  
Luke Watson,  
John Bristow,  

Joseph Growdon,  
John Cann,  
Wm. Markham, Secre.  

Barth. Coppock,  
Sam* Carpenter,  

The Comittee presented to this board three bills w* was brought to them from y* Assembly, with their Amendments thereon, (Viz':) The Bill for Continuance of y* Laws; y* Bill Enabling Widdows to Sell Land, &c. The bill for 8 per cent. for a year's forbearance of money or goods.

Adjourned till y* 14th Ins', forenoon.

At a Meeting of the Councill in the Councill Roome in Philadelphia y* 14th of y* 3d Mo., 1688.

**PRESENT:**

Councillors.

1. Thomas Lloyd,  
2. Rob' Turner,  
3. John Symcock,  
4. Arthur Cook,  
5. John Eckley.  

Dep'y Gov'.

Wm. Clark,  
Joha. D'Haes,  
Jos. Growdon,  

Wm. Darvall,  
Sam* Carpenter,  
Barth. Coppock,  

Luke Watson,  
Sam* Richardson,  
Wm. Markham, Secre.

Two bills, with their Amendments, were brought from y* Assembly by Two of their members; one was to make land Lyable to pay debts, y* other about Recording deeds in y* Rolls Office.

Adjourned till 3 in y* Afternoon.

POST MERIDIEM.

**PRESENT:**

Councill*.  

1. Thomas Lloyd,  
2. Rob' Turner,  
3. John Symcock,  
4. Arthur Cook,  
5. John Eckley.  

Dep'y Gov'.
PROVINCIAL COUNCIL.

Wm. Clark, John Bristow, Wm. Darvall,  
Sam'l Richardson, Sam'l Carpenter, Joh. D'Haes,  

Two members from y' Assembly Came to y' Councill with this Message. That y' Assembly Requested y' a Certaine number of them in behalfe of y' whole, might have y' previlege to Confer with y' Councill about some affairs.

Answered: That they might Come if they pleased, but first they should acquaint y' Gov't and Councill of their business before they Can be admitted to a Conferance.

The Assembly Came with their Speaker, and was admitted: the Conference was Chiefly about their privileges.

Adjourned till 7 to Morrow morning.

At a Meeting of the Councill in the Councill Room In Philadelphia y' 15th of y' 3d month, 1688.

PRESENT:


Wm. Clark,  Sam'l Richardson,  Sam'l Carpenter,  
Wm. Darvall,  Joh. D'Haes,  John Bristow,  

The Petition of Luke Watson was Read, against Henry Bowman, Ranger of y' County of Kent, for his Kiling y' said Watson's Hoggs, pretending they were Strays.

Adjourned to the Meeting house.

At a Meeting of the Councill in The Meeting house in Philadelphia.

After Debating with and Convincing y' Assembly with Came to the Councill of their Irregular proceedings in several matters, as their Charge against the Judges upon a Decree in y' Case of Gramton & Woolaston, as also their Complaint against Joh'n Bristow, &c. The Councill adjourned to meet againe in an houre, in y' Coun-
cill Room.

The Councill Met accordingly.

A Summons was sent Directed to Thomas Clyfford, Messenger, for the Summonsing y' Subscribers of a Contemptuous Printing paper.
MINUTES OF THE

touching ye Keeping of ye fair at ye Center, where it was Ordered by ye Gov' and Councill to be Kept.

The Petition of Peter Gronendike was Read, setting forth his trouble in the management of the Estate of Cornelius Verhoofe, Deceased, as his Executor, begging Relief therein.

Adjourned till Six to morrow morning.

At a Meeting of the Councill in the Councill Room in Philadelphia ye 16th of ye 3rd month, 1688.

PRESENT:

Councillors:

1. Thomas Lloyd,
2. Rob'r Turner,
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep'y Gov'.

Wm. Clark, Barth. Coppock, John Bristow,
Sam'n Richardson, Luke Watson, Sam'n Carpenter,
Johan D'Haes, Wm. Darvall, Wm. Markham, Secre.

The Returne of ye Warr granted yesterday for ye Summoning the subscribers of ye Contemptuous printed advertisem't against Keeping ye fayre at ye Center, was made by the Messenger, and he attested that they were all and Each of them Summoned, Severall of ye Subscribers Excusing themselves.

The Dep'y Gov' & Councill, after Reproveing them, did pardon all those who subscribed to what was Endorsed on ye back of one of ye printer papers.

Adjourned till to morrow, 7 in ye forenoon.

At a Meeting of the Councill in the Councill Room at Philadelphia ye 17th 3d Mo., 1688.

PRESENT:

Councillors:

1. Tho. Lloyd,
2.
3. John Symcock,
4. Arth. Cook,
5. John Eckley.

Dep'y Gov'.

Wm. Darvall, Johan D'Haes, Wm. Yardley,
Sam'n Richardson, Luke Watson, Wm. Markham, Secre.
Joseph Growdon, Sam'n Carpenter,
Several Petitions were Read this forenoon, and answers given to them.
Adjourned till two in the afternoon.

POST MERIDIEM.

PRESENT:

1. Thomas Lloyd, 
2. 
3. John Symcock, 
4. Arth. Cook, 
5. John Eckley. 

Wm. Darvall, 
Sam" Richardson, 
Joseph Growdon, 

Johan. D'Haes, 
Luke Watson, 
Sam" Carpenter, 

Wm. Yardley, 
Peter Alrichs, 
Wm. Markham, Secre.

Dep' Gov'.

The Assembly having two bills yet not Returned to this board, and the board Resolving to give no answer to any of their amendments untill they saw what would become of ye other two,
Adjourned till 7 to morrow morning.

At a Meeting of the Councill in the Councill Room in Philadelphia the 18th of ye 3d Mo., 1688.

PRESENT:

1. Tho. Lloyd, 
2. Rob' Turner, 
3. John Symcock, 
4. Arth. Cook, 
5. John Eckley. 

Wm. Clark, 
Sam" Richardson, 
Griffith Jones, 
Wm. Darvall, 
Luke Watson, 

Sam" Carpenter, 
Barth. Coppock, 
Joseph Growdon, 
Johannes D'Haes, 

Wm. Yardley, 
John Bristow, 
Peter Alrichs, 
Wm. Markham, Sec'.

Dep' Gov'.

The Gov' and Councill finding ye fayr at Philadelphia happens to be, as now held, on ye Latter days of ye Sitting of ye Gen'l Assembly, which much Impedes the publick buisness of the Government, It is therefore Ordered by ye Dep' Gov' and Councill, that hereafter it shall be Kept on ye 20th day of ye 3d month.
And it is further Ordered ye an Additionall fayr be Kept at Philadelphia at ye Center, to be held ye 30th day of ye next Sixth month.
Adjourned till 6th to morrow morning.
MINUTES OF THE

At a Meeting of the Councill in The Councill Room at Philadelphia y° 19th of y° 3d Mo., 1688.

PRESENT:

1. Thomas Lloyd,
2. Robt Turner,
3. John Symcock,
4. Arthur Cook,
5. John Eckley.

Wm. Clark, Wm. Yardley, Barth. Coppock,
Wm. Darvall, John Bristow, Sam" Carpenter,
Pet. Aldriches, Sam" Richardson, Wm. Markham, Secre.
Jos. Growdon, Luke Watson,

John White & Thomas Wynn Came to this board from y° Assembly, and proposed in their names, and as y° Sense of y° whole Assembly, That Six parts of Seaven of y° Gen" Assembly agreeing upon a Supply, That such Sanction and Establishment may be as Effectuall and binding as any Law in that Case, notwithstanding no previous bill prepared or promul gated for y° same.

As to y° Request of y° Assembly for Releif of Grievances, The Answer of this board is, y° the Govr and Councill will take all possible Care to prevent such for y° future.

Adjourned to y° Meeting house.

IN THE MEETING HOUSE, whether y° Councill did adjourn.

After y° Reading of y° Bill, with their Amendments, Viz': the bill for Continuance of y° Laws; The Bill Enabling Widdows to sell Land; The Bill for Eight per centum for years forbearance of money or goods; a Bill for Land to pay debts; a Bill about Recording of Deeds in y° Rolls Office. These five were passed into Laws. The Other two, Viz': y° Supply, & that about Transporting of Deer Skins, were Rejected, After wch the Assembly Dismissed, and Then

The Councill adjourned back to the Councill Roome, Where

The Petition of Luke Watson was a second time Read, Complayning against Henry Bowman, the Proprietary’s Ranger, for Killing y° said Luke Watson’s Hoggs, under pretence of Strays.

The Proceedings of y° County Court of Sussex was Read, wherein Luke Watson had Indicted y° said Henry Bowman for Killing y° aforesaid Hoggs.


The Renger being demanded to Reply to their accusation, made answer that he had had his Tryall, and had been Cleared by y° County of what was Alliged against him here, & therefore thought himselfe not obliged to answer any more to it; Yett if y° Govr and Councill thought fitt to ask him any questions Relating to it, he would, if he Could, Resolve Them.

Vpon The Reading of y° Petition of John Richardson, in y° Behalf of his Sister Judith Roe, who had Sentence of Death passed upon her
PROVINCIAL COUNCIL

y° beginning of this Mo. in a Prov° Court held in Kent County, Humbly beseeching that y° Gov° would be pleased to grant y° said Judith Roe a Reprieve.

It was Ordered that a Warrant should be sent to y° Sherriff to Suspend her Execution till further Order.

Adjourned till further Order.

At a Meeting of y° Deputy Gov' & Councill In the Councill Room at Philadelphia y° 24th of the 7th month, 1688.

PRESENT:

Councill°.  { Rob° Turner,  }

John Symcock,  

John Eckley.  }

Dep° Gov'.

John Bristow,  

Sam° Richardson,  

Wm. Markham, Secre.

Barth. Coppock,  

Sam° Carpenter,  

The Election of Prov° Judges wch by Law were this day to Keep Court at Philadelphia, was Debated, & having Considered y° the Broad Seal was by Custome to be affixed to the Comission, and y° y° time would be Relapeted before the Comission Could be Sealed, and y° Court opened, they Thought it more safe not to Comissionate any rather than to doe it after y° time appoynted by Law for y° Courts Sitting was past.

Adjourned tenn to-morrow morning.

At a Meeting of the Deputy Gov° and Councill in the Councill Room at Philadelphia The 25th of y° 7th month, 1688.

PRESENT:

Councillors.  { Rob° Turner,  }

John Symcock,  

John Eckley.  }

Dep° Gov'.

John Bristow,  

Sam° Carpenter,  

Wm. Markham, Secre.

Barth. Coppock,  

Sam° Richardson,  

Margaret ffisher, Widdow, of y° County of Sussex, Complayning that shee having appealed from y° Judgment of y° County Court of Sussex, where shee had Indicted one John Barker of y° said County, for robing her and her son Thomas ffisher of three head of Cattle, and that shee was Come up according to her Security Given, to have it reheard in y° Prov° Court, but y° Court not sitting, nor y° said Barker appearing in Philadelphia, She very much feared y° Said Barker would, before y° next Prov° Court, make away with y° said Cattle.
Ordered that ye Secretary send to ye Justices of Sussex County, in behalfe of Widdow fisher, y' they doe her what right ye Law will allow to Secure the Cattle or the value, till it be reheard next Prov" Court, in regard there were no Court at this time.

After that John Symcock, one of ye Com" of State, was gon, the Petition of Henry Bowman was Read, setting forth ye' hard usage of ye' County Court of Sussex against him, wherein he was Indicted for taking one hundred & fifty pieces of Eight from one Stephen Page, under pretence of his authority as being a Justice of the Peace, and after ye' Court had given Judgm', they said Bowman, whereupon ye' Said Bowman Requested ye' Court to grant him an appeal to the Prov" Court, but the Court Refused to grant it; Therefore, humbly Requests this board to grant him an Order for an Appeal, or for a Rehearing of ye' Cause in the same Court it was before tried in.

The present Members takeing it into Consideration, and in regard they had not a sufficient number to make a Quorum, whereby to Draw a positive Order thereon, Did therefore agree that their advice in this matter may be writ to ye' Justices of Sussex County, according to their Opinions, wth was ye' they ought to have granted him an Appeal, and that they suspend the Execution of their Sentence till they hear further from this board.

Ordt That a Copy of the Laws past the Last Gen" Assembly be forthwith sent to ye' Clarks of ye' Respective Counties, in Order to their publication.

Ordt That two Comissions be drawne for Coroners, one for George White, for ye' County of Bucks, an other for Thomas fitzwater, for the County of Philadelphia.

The Petition of Sam" Burbury was Read, Requesting ye' Office of Sherriff of Kent County, but ye' board thought him not Capable.

Ordered That ye' Secretary take sufficient Security of ye' Last Sherriff, Comissionated for ye' true performance of his Office.

Adjourned till further Order.

At a Meeting of the Deputy Govern' and Provinciall Councill in the Councill Room at Philadelphia the 18th of the Tenth Mo., 1688.

PRESENT:

Councill'.

\{ Tho. Lloyd, \\
Rob' Turner, \\
Arthur Cook, \\
John Eckley. \}

Dep'y Gov'.

John Bristow, Sam" Carpenter, Sam" Richardson, 
Joseph Growdon, Griffith Jones, Wm. Markham, Secr.

The Dep'y Gov' and Councill having Yesterday Notice of the Arrivall here of Capt. John Blackwell, with a Comission for his being Governour of this Province and Counties annexed, from the Proprietor and Gov', They mett this morning to give him ye' opportunity of
Communicating ye Same to them, the which being don, and ye Commission Read, it was unanimously acquiesced with.

MINUTES OF COUNCILL,

COMENCING DECEMBER ye 18th 1688.

At a Councell Then in ye Councell room at Philadelphia.

PRESENT:

Capt. JOHN BLACKWELL, Gover'.

Members of

Council.

<table>
<thead>
<tr>
<th>Rob' Turner,</th>
<th>Sam' Carpenter,</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Bristow,</td>
<td>Grif. Jones,</td>
</tr>
<tr>
<td>Jos. Growdon,</td>
<td>Sam' Richardson,</td>
</tr>
<tr>
<td>Arth. Cook,</td>
<td>Wm. Markham, Sec'y</td>
</tr>
</tbody>
</table>

An Order from ye Councell Chamber at Whitehall was Read, bearing date ye 10th day of June, 1688, directed to ye Proprietor & Gover', willing & Requiring that Proclamation be made throughout his Government to appoint days for Solemn thanksgiving to Almighty God, and other Publick Rejoycing, for his Inestimable blessing to his Maj' Kingdoms and Dominions, by ye birth of a Prince.

It was Ordered that Proclamation be forthwith Issued out to Each County within this Government for ye same, and that The day of Solemnisation for The County of Philadelphia be on ye 26th Ins', and in ye Countys of Bucks, Chester, New Castle, Kent & Sussex, vpon ye next first day of ye Week after ye Publication, provided ye said Publication be Three days before the Solemnisation.

Order'd that ye King's Proclamation For The more Effectual Reducing & Suppressing of Pirates and Privateers in America, bearing Date at Whitehall, ye 20th day of January, 1687-8, be forthwith published.

Adjourned Till further Order.

The Gover' having given order for y* Councill to meet this day, There mett as ffoloweth:

JOHN BLACKWELL, Esq'. Gover'.
Wm. Darvall, Sam'' Richardson, Wm. Markham, Sec'y.
Grif. Jones, Sam'' Carpenter,

'The w* number not being Sufficient to proceed vpon business, The Governour Appoynted the 14th Ins'. at 9 in y* floorenoon, for their Meeting, and in y* meantime, that notice be given to as many of The Members as possible, that there may be then a Sufficient number for a Quorum.

At a Meeting of The Councill in the Councill-room at Philadelphia, y* 14th of y* 11th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq'. Gover'.
Rob' Turner, Sam'' Richardson, Wm. Darvall,
Sam'' Carpenter, Grif. Jones, Wm. Markham, Sec'y.

The Gover' Inquires for y* blank Parchments, signed by y* Chieff Proprietor & Gover', and sent to y* Presid' and members of y* Provincil Councill, in a Letter bearing date y* 16th day of y* Sixth Mo., 1684, for drawing vp an Instrument by w* to Confirme & make as valid all Patents and Commissions that ought to be vnder y* Great Seal, as Lands, &c.; Impowring of Thomas Lloyd Keeper of y* Broad Seal, to putt y* said seal to it in their presence, &c., and what has been don thereupon.

It was vp on Debate of y* Question, resolved and Ordered That Sam'' Carpenter & Wm. Markham wayte on y* said Thomas Lloyd, to Inquire after y* aforesaid Blank Parchment, wth was said to have been Delivered to him, and if the same were in his Possession, to Desire he will by Them send, or if he please, bring it to this board at their next sitting, appoynted on y* next 5th day of This week, at Tenn of y* Clock in y* floorenoon; and if he hath it not, to Desire he will Informe them where and in whose hands y* same is, and who last had it frrom him.

Vpon y* Gover'' Reading a Copy of a Lett' frrom y* Chief Proprietor & Gover', bearing date y* 6th of y* 4th Mo., 1687, Directed to y* 5 Commiss'' of State, wherein the Chieff Proprietor & Gover' acquainted them that he had little more to say to them then he had Communicated of his mind already in a former Lett' by Ew'' Blackfan, wth Implied the same Contained matter of Publick Instruction to y'' said Commiss''.

The Gover' moved This board to give Their advice whether it was not necessary y'' said Lett' sent by Blackfan, should be produced to him, he being Referred by his Commission to y'' Instructions and
sent both to your President & Council, and to your 5 Commissioners of State. It was upon your Question, Resolved and ordered that your foregoing minute touching the same, be given Likewise in Charge to Samuel Carpenter & Wm. Markham, to acquaint you said Thomas Lloyd therewith, and to Desire if he hath that Letter he will be pleased to Impart it to your Governor, or if he have it not, that he will Informe in whose hands it is.

The Governor moves your Council for their advice and Direction whether all original Letters & Instructions Relating to your Governor, Sent by your Chief Proprietor and Governor, Either to your Commissioners of State, or to your President and Provincial Council, in whose hands soever they Ly, ought not to be delivered into your Custody of your Secretary: and also, that such parts of other Letters to any of Them as Concerne matter of Instruction as aforesaid, be transcribed and Attested by your first Commissioner of State therein named, or by your President, to your Provost Council respectively, and Delivered to your Secretary, to Remaine in his Office for Publick Direction, your Secretary giving Receipt for your same: your question being put, it was Resolved in your affirmative, and Ordered that The Keeper of your seal be acquainted with the same, as aforesaid, and that his Complyance therewith is desired by your Governor.

Ordered that your Sherriffs of your respective Counties within this Province & County annexed, be sent to to acquaintance their members of Council that one of Them Successively Monthly give their attendance upon your Governor, according to Law and Charter.

Adjourned till your 17th Ins, 9 in your forenoon.


PRESENT:

JOHN BLACKWELL, Esq., Governor.
Rob't Turner, Grif. Jones, Sam' Richardson,
Sam'l Carpenter, Wm. Darwall, Wm. Markham, Secy.

The Keeper of your broad Seal, according to your minutes at last sitting, brought your blank parchment and Layd it downe before your Governor & Council, to be Dispose of as this board Should see meet.

As to your Letter sent from your Chief Proprietor & Governor by Edwd Blackfan, directed to your 5 Commissioners of State,

The Keeper permitted the Govrno' to Read some parts thereof, and promised that a transcript of your part, or so much of it as is Convenient for your Government, should be this day delivered to him.

As to your Delivery of your Original Letters or Instructions, or part of Letters that Concern publick Instruction for your Government, your Keeper Desired some time to have Conference first with your Rest of your Commissioners of State, and other members of the Provincial Council to whom they were respectively Directed, to have their Sense about it, and would Returne their answer as Soon as he Could.
The Petition of Martha Moon was Read, w^th y^r Copy of her Deceased husband's Will, w^th was Referred to y^r Common Law.

The blank parchment a fore mentioned, left with this board by y^r Keeper, being of no present use and Conceived unsafe to Remaine in any hands as a blank, was by an Unanimous Consent of y^r Gover & Provinciall Council, thought fitt to be Cancelled. Resolved and Ordered y^r Same to be Cancelled, and it was accordingly Cancelled in their presence, by y^r hands of y^r Keeper.

Ordered that Two days in a Week, viz: Every Second and fifth day, Shall be y^r days for y^r Sitting of y^r Counciell, betweene nine & tenn in y^r forenoon, and that Speedy notice thereof be given by y^r Secretary to y^r several members of y^r Provinciall Council, and that they be desired to give their respective Attendance on y^r Gover, according to y^r Constitution and Laws in that behalfe.

The Gover having sent a draft of Commission to y^r Keeper for authoriseing Justices of y^r peace & holding County Courts for Philadelphia, with his Warrant for passing y^r Same vnder y^r Great Seale, w^th was Returned vnto Him by y^r Keeper and produced and Read in y^r Counciell, together with the Keeper's answer made thereupon, w^th Imported his Refusall to pass y^r Same. The Gover Declared he should Issue Commissions in that forme vnder y^r Lesser Seal, and Signifie y^r Same to y^r Proprietor, as not being Satisfied w^th y^r Grounds of his refusall, and proposed y^r names of y^r persons therein named for Justices to y^r Council, to Know if they had any ground of Exceptions against any of Them.

Adjorno till y^r second Day of y^r next week, being y^r 21 Ins, at 9 of y^r Clock in y^r forenoon.

At a Counciell in y^r Counciell Room at Philadelphia The 21st of y^r 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq., Gover.
Rob' Turner, Wm. Darvall, Griff. Jones,
Sam'l Carpenter, Sam'l Richardson, Wm. Markham, Sec'y.

The Gover Inquirs whether y^r Secretary, according to an Order y^r Last Sitting of Council, hath given notice to y^r several members of y^r Provinciall Councill that they were desired to give their Respective attendance on y^r Gover, according to y^r Constitution and Laws in that behalfe.

The Secretary answered that y^r Orders were all Ready written, but for want of Opportunity and a Common Stock to defray y^r Charge of a messenger, they were not yet got out: whereupon Wm. Darvall & Griff. Jones, members of The Provinciall Councill, being to take a journey to y^r Southward, undertook The Care of That matter in y^r four Counties, Viz' New Castle, Kent, Sussex and Chester.

The Gover Enquireing by what Law or warrant goods Came to be transported out of This Province, &c., to any other Countrys or parts,
PROVINCIAL COUNCIL.

Except to England, wth seemed to him to be prohibited by y* King’s Grant, Sam" Carpenter moved y* patent might be Read, wth was accordingly don, and y* same being not Cleare to y* board for giving resolution in y* Case proposed, it was suggested that y* Laws of England allowed it, and it was y* Common practice of all y* Plantations.

Some Clauses were read out of y* book Conteyning acts about Customs, &c., wth not Clearing it, the Gover’ took The book wth him for his perswall, and that debate was referred, & adjourned to y* next Sitting of Councill.

adjoining Till y* next fifth day, being y* 24th Ins1, 9 in y* forenoon.

At a Councill in y* Councill Room in Philadelphia the 24th of y* 11th month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq’., Gover’.
Rob’ Turner, Sam” Richardson, Grif. Jones,
Sam” Carpenter, Wm. Darvall, Wm. Markham, Secy.

The Minute of Councill y’ was Debated y* Last Sitting, touching transportation, &c., was Reassumed, and after a full debate, it not appearing very Clear that y* King in his Charter had given Liberty to this Province to transport y* Merchandize that shall arise by y* fruits and Commodities thereof, to any Place unless to England, it was Resolved & Requested that y* Gover’ represent to y* Chief Proprietor & Gover’ y* said Debate, in order to his Consideration.

Vpon y* Reading of y* Petition of Wm. Markham, Setting forth that one in Holland Drew a bill upon John Moll of New Castle County, within this Government, payable to y* Chief Proprietor & Gover’, and y* said Moll was about alienating or making over his Estate, and Leaveing the Province without payment of y* said bill, or Security given for y* payment Thereof:

It was therefore Ordered, that y* Attorney Gener’d Draw vp an Instrument to Stopp further proceedings in that Court, and to transmitt y* Cause, with all their proceedings therein, to y* Governour and Provinciall Councill, there to be heard and Determined.

Adjoining till y* next Second day, being y* 28th Ins’, 9 in y* forenoon.

In y* Council Room at Philadelphia The 28th of y* 11th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq’, Gover’.
Rob’ Turner, Sam” Carpenter, Wm. Markham, Secy.
Sam” Richardson,
The Returne of ye order of Councill, bearing date ye 14th Ins, made by ye Sherriff of Chester County, was this day read, giving an acco' that he had Executed ye same ye 27 Ins.

for want of a Sufficient Number of ye members of Councill they Could not proceed vpon business of moment, wth occasioned their breaking vp to meet ye next Councill day, being ye 31st Ins., after Expecting ye members above two howers.


PRESENT:
JOHN BLACKWELL, Esq., Gover'.
Rob' Turner, Sam' Carpenter, Wm. Markham, Sec'.
Sam' Richardson, John Symcock,

There not being a Sufficient number of ye members of Councill to proceed vpon business of moment, after about Two hours Staying they break up. Sam' Richardson, before they break up, motion'd that The order of This board that was granted at their Last Sitting vpon ye Petition of Wm. Markham, was Contrary to Law; but vpon Examination of Several papers produced by ye said Wm. Markham, that opinion was Removed, and ye Order allowed to proceed.


PRESENT:
JOHN BLACKWELL, Esq', Gover'.
Rob' Turner, Sam' Carpenter, Barth. Coppock,
Sam' Richardson, John Symcock, Wm. Markham, Sec'.

The Governo' Inquired if the Letters & Instructions mentioned in ye Order of This board Dated ye 14th of 11 month, 1688-9, were brought to ye Secretary's Office, according to ye said Order; wth being not done, It was Resolved and Ordered that ye Secretary wayte on ye Keeper of ye Great Seale to putt him in minde thereof, and to desire that he would take Care ye same be done before his going to New York.

The Keeper haveing acquainted ye Gover' with his Intentions to goe to New York some time ye next Week, the Gover' Desired ye advice of this board whether it be not fitt, before he goes out of this Province, that he bring ye broad Seale to this board, there to be left to be made use off (if there shall be occasion) During his absence. It being putt to ye Vote, it was Resolved in ye affirmative. Butt John Symcock, a member of this board, Declareing his opinion ye ye Keeper ought not
to absent himself from being in a Readyness to Discharge his great Office & trust of y* Great Seale, & moving and desiring for his and others' Satisfaction, that a question might be putt whether y* Keeper Should be permitted to depart out of This Province during the Time he is Keeper of y* broad seale; It was Resolved in y* affirmative, that he might be permitted, he leaveing y* Seale with this board, and that y* Secretary acquaint him with these Resolves.

John Bristow, a member of This board for y* County of Chester, being newly Come to Towne, Came into Councill.

The Gover',[proposed to John Symcock, Jo* Bristow & Barth. Coppock, (members of y* Provinciall Councill for y* County of Chester, being all present,) that they would agree amongst themselves y* order and Course of their future attendance in Councill, and Signifie the Same to y* Secretary, to y* End it might be Knowne whome to Expect on all occasions. John Symcock positively declared he would not at- tend that service any fthur, and left it vpon y* other two.

A Petition was Exhibited by Thomas Woollaston Complayning y* he was Kept out of Possession of Some Estate of his: the Consideration thereof was adjourned to y* next meeting in Councill, Viz: on y* Sec- ond day of the next Week, being y* 4th Inst. Mo.

In y* Councill Room at Philadelphia The 4th of y* 12 month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq.*, Gover'.
Sam* Carpenter, Barth. Coppock, Wm. Markham, Sec7.
Sam* Richardson, John Bristow,

Not a Quorum at halfe an hour past Eleven, wherevpon they De- parted.

At a Councill in y* Councill Roome at Philadelphia y* 7th of y* 12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq*, Gover'.
Robt. Turner, Arth. Cook, Sam* Carpenter,
Sam* Richardson, Barth. Coppock, Wm. Markham, Sec7.

The Secretary reported to this board y' according to their Order of y* firrst Ins', he had wayted on y* Keeper of y* broad Seale, & ac- quainted him with y* Two Resolves then past upon y* Gover'[ being informed by y* Keeper of his Intentions touching his going to New York, and gave him a transcript of the Same Resolves, and that thereupon y* Keeper Replyed that he would Returne his answer y* next Time y* Councill satt, Desiring the Secretary to give him notice when that Should be, that he might attend them. Wherevpon the
board Ordered that notice Should be given him forthwith, of Their being met in a full Council.

The Keeper being Come, was desired to sitt downe by y* Gover*, who acquainted him that y* Secretary having Informed the board that it was his Desire to Know of their meeting, in Order to his giving his answer to y* Resolves touching y* Great Seal's Disposeall in his absence, & Desireing to Know what his Intentions were in that matter, he said he had prepared a Paper to have left behinde him in Case y* Council had not Satt before his going, &c., which paper he offered to their Consideration, haveing that opportunity for it; and y* Gover* desiring y* Secretary might Read it. The Keeper Insinuating that there might be some mistakes in y* writing of it, w* he had not had time to Correct, it was proposed by y* Gover* that he might have flurther time, if he pleased, to satisfy himselfe therein before it was Read; to which he answered he would Read it himselfe to y*board, and accordingly read the same;* Whereupon y* Gover* directed, if that were his answer, that he would signe it & deliver it to y* Secretary, to be Considered in his absence, withall giving his opinion that it was in his apprehension a high Reflecting vpon and arraigning y* board, or Some of them, & in a Libellous manner Chargeing them with unwarrantable practices in their proceedings in that matter, Yett makeing a Distinction, as if it had been the act of a prevailing party, w* being debated and Considered amongst themselves, it was at last agreed that he should be acquainted that if he had any thing else to give in as his answer, he had liberty, and might take his owne time to give it in. He desired that might be Entred by y* Secretary in y* Same book where those Resolves were w* had been sent to him, w* was Directed by y* board to be don accordingly, and that y* Secretary Should deliver him a Coppie of it, as he also desired, w* the Gover* told him he would transmitt, together w* what Else had passed, in writing, between y* Keeper and himselfe, Submitting y* whole to y* Proprietor's Consideration.

Vpon y* Petion of Thomas Woolaston to y* Gover* & Council, praying relief against a forceable Entry & Deteiner in y* County of New Castle, It was Resolved that a warrant be drawne, directed to such Justice or Justices of y* peace for that County Dwelling nearest to y* place where y* force is alleaged, as he should apply to and Request in that behalfe forthwith to Repaire to the house and Lands in his Petition mentioned, to View The said force, and finding any, to Remove the same; and if they found none vpon their View, to Require the Sherriff of y* Said County to Returne a jury to Enquire thereoff whether any was, and by whom made or Continued, & to fine and Imprison the offenders, & Thereupon to restore y* quiet possession to y* Petitioner, and to make a Returne of The same to y* Clark of The County Court, to be Entred in the Records of The said County.

The Petition of Rob'Turner, John Tissick, Thom. Budd, Rob'Ewer, Sam'Carpenter, & John Ffouler, was read, setting forth their designe

* The paper alluded to will be found on page 198, marked 0<7>.
in setting up a bank for money, &c., Requesting Encouragement from the Gover' & Council for their proceeding therein. The said Rob' Turner & Sam'l Carpenter, two of The said Pet's, being present & constituting ye present Council, and besides whom there were but four more present, The Gover' acquainted them that some things of that nature had been proposed & Dedicated to ye proprietor, by himself, some months since, out of New England, to which he believed he should receive his answer by ye first Shipping hether out of England: Yett withall acquainted them that he did Know no reason why they might not give their personall bills to such as would take them as money to pass, as merchants usually did bills of Exchange, but that it might be suspected that such as usually Clipp'd or Coyn'd money, would be apt to Counterfitt their bills, vnless more than ordinary Care were taken to prevent it, which might be their Ruine, as well as ye people's that Should Deale with them.

"To the Present Governo' and Members of the Provinclall Council."

THOMAS LLOYD, Keeper of the broad Seal, with due Regard presenteth these following lines:

Vpon the persall of two Resolves passed by you in Council ye 1st Ins', & Delivered me by ord' this morning, (being the fflowerth day Since,) I am much Concerned that such an Entry, so destructive of Right, and inconsistent with property, should be found vpon your book. You have, as much as in you Lay, introduced an ill precedent of disposing Arbitrarily the most Eminent Estate for life as yett declared in this Governm', and this was done the Cause vnheard: Whereas, no freeman here ought to be Condemned or Concluded to his wrong without his answer, provided he doth not willfully absent himself; and further, it is apparent by ye Conclusion of your Order, that it was not Intended by ye wording of the same, that I should be admitted to my Defence, but to be made only acquainted wth your Determination therein, and so to abide by it as an Irrevocable Sanction, I might with a great Deal of reason, vnder the generous Constitution of this Province, Sooner Expected a Confirmation of ye Liberties of Estates from you then Such a procedure, in no wise to be Countenanced.

Your Seat is a high jurisdiction, and the higher it is the more just and honourable ought its proceedings to be, and so give Examples of Justice to Inferiour Courts. Violent Courses, and hasty, precipitate Councells, will Slowly and meanly Command ye policy of their Authors: I wish for the fluture, that no Sinister designe, passion, or male conduct may so Influence or hurry any of the Sincere minded of you as to act unbecoming ye wisdom and dignity of the place. You have dealt vnkindly by me; and not only so, but you have digged Deepe, tho' vnwares, I am perswaded, to Severall of you, to lay a foundation whereby to ground a misdemeanour against me vpon a Conjectured non compliancy with your Resolves, and this being a personall matter, and of great moment, you have done by ye Lesser number, and that by Vote, being vnwarrantable by Law & Charter.
The duty of my place is to advise, and with you to Endeavour that nothing be attempted by any person or persons here, to ye Subversion of ye Frame of Governm' ; had you well understood & Considered the matter before you, the Tenure of ye Custody and ye Station of The Officer, I should not have been thus treated by you. My Request is before I make my particular answer to two or three positions w' th might Lead into this act. That you Order Either the aforesaid Resolves to be Raz'd out or Cross'd, in ye Councill book, as being such which are not to be drawne into Imitation, you disposing ye Custody of ye Seal without discoursing or giving Notice to ye Keeper to appear, who hath affixed Estate therein; Otherwise, that this writing may be Entred with you as a soft, Tho' sound memoriall, against such an undue proceeding. I may say as vpon a former harsh and hardly warrantable attainder of a person vnsought and vnsent for, Auferat Oblivio Si potest si non ut cuncte Silentiam togat. Lett such methods be covered with Silence or buried in Oblivion. My love to ye' Gover', people, and their Sincerity, hath made me Serve them Cheerfullly Sometime. I have Endeavoured their good, tho' I might fayle in effecting of it. I may have witness in Some breasts, that I have more injured myselfe and familiar then any persons just Intrest vnder my notice. I have been a great Drudge In my Sphere, but not so abused an one afore. Be pleased to be tender of Right, and lett not ye' Royall Law be forgotten, of doing vnto others as you would have (Such) others doe vnto you.


In The Councill Room at Philadelphia The 11th of ye 12 mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq', Gover'.
Arth. Cook, John Symcock, Wm. Markham, Secre.
Sam' Richardson,

The Gover' Stayed till halfe an hour past Eleven, and then no more coming, lett ye' place & Directed ye' notice be given of a Councill ye' next day, at 9 in the afternoon.


PRESENT:

JOHN BLACKWELL, Esq', Gover'.
John Symcock, Sam' Carpenter, Barth. Coppock,
Arth. Cook, Sam' Richardson, Wm. Markham, Sec'.
The Gover' acquainted y* Councill that he had Severall things to propose wch he judged worthy Consideration, & that he had used means to have a due representative of y* people attending there, according to y* Charter, &c., but finding a ffaylor, desired y* advice of y* board Concerning that matter, for Remedy for y* futtire, & proposed in order thereunto, that the question might be putt whether it was not incumbent vpon y* members of y* Prov\r Councill Serveing for y* Respective Countys, that one out of Each County doe Constantly attend y* Governor in y* affayrs of y* Governm'.

This question was debated, in y* debate whereof most members present Expresst themselves Satisfied that there ought to be attendance given wherein necessity required, but some desiring time to Consider & advise about it, and others that y* further Consideration thereof might be deferred till y* Coming of y* members vpon y* next Election, wth would be about 6 weeks hence, the season being Cold, the Gover' adjorn'd to y* next 5th day, being y* 14th Ins'.

At a Councill in y* Councill Roome at Philadelphia y* 14th of y* 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq'., Gover'.
Jo* Symcock,  Petr Alrichs,  John Cann,
Sam* Richardson, Jos. Growdon,  Sam* Carpenter,
Arth' Cook,  Barth. Coppock,  Wm. Markham, Sec*.

The minutes of y* Last Councill were Read over.

A paper from y* Keeper, Directed to y* secretary, bearing date y* 12th Ins', was Read at this board, it being an answer to y* Resolves and Order of Councill Dated y* 1st Inst.

Ordered that y* said paper be Entred, wth is as followeth, viz; Secretary Markham.

The original Letters sent from our Gover' relating to this Governm', have been Diligently perused and Considered by y* Commiss', and wee Know of none which may be off Service for present Instruction, that are to be further Communicated. Such of Them which Containe matter of Information or Direction, have been Delivered to View and are transcribed already; most of Them remaine in my Custody by the assent and approbation of Those to whome they were primarily Directed.

THO. LLOYD.


The Govern' acquainted y* Councill that in as much as they were not pleased to give him their advice vpon his motion at the Last Councill's meeting, he would not trouble them futher therein, but proposed the Councill would give him their advice whether they did not judg it fitt for him to Expect y* attendance of y* Respective members of Each County, as y* Law and Charter Requires: after much debate
Vpon that proposal, Divers of ye members haveing Expret their dis-
satisfaction to give their advice to the Gover therein, Arth. Cook
moved for that the poverty of ye people was so great as they were
not able to bear ye Charge of Constant attendance, as the Law and
Charter Required, Yett that the Gover be desired ye Execution of
it might be suspended for ye present, and ye question being putt, viz: weth
whether the Gover Should be desired to Suspend the Execution for
ye present? It passed in ye affirmative, ye Secretary only Dessenting.

Att a Councill in ye Councill Room In Philadelphia ye 18th of ye
12th Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq', Gover'.
John Symcock, Sam' Richardson, Barth. Coppock,
Arth' Cook, John Cann, Rob' Turner,
Wm. Clark, Peter Alrichs, Wm. Markham, Sec'y.

The Gover' Directed the Minutes of ye Last Councill Should be
Read, w'h were Read.

The Gover' then directed that ye Keeper's Originall papers to ye
Secretary Should be Read, vpon w'h ye Gover' asked John Symcock
& Arth' Cook, two of ye Commiss'n of State, whether they did owne
that paper as their answer; they replied doubtfully, referreing to ye
paper it selfe, w'h named none. Robert Turner, an Other of the said
Com'n, coming in, declared he Knew nothing of ye paper, and dis-
owned it: whereupon ye Gover' Ordered his Commission to be Read
for the Satisfaction of ye board, that he was Referred to ye Instruct-
sions Sent by ye Proprietor & Chief Gover', as well to ye Presid' &
Councill as to ye five Com'n of State, which were to be his guide, and
Declared he thought it was necessary that he Should have either the
Originals or true Coppys thereoff attested for his Guidance in ye Go-
vern'mt. And Directed also, that ye orders of ye board formerly made
in that behalfe might be Read. And vpon ye Debate, finding some
persons at ye board who where Concerned in those Instructions did
not think fitt that ye Originals Should be Deposited with the Secret-
tary, as was directed, The Gover' Condescended ye in Stead of
Delivering in ye Originals, there might be true Coppys transcribed
& Signed, viz': Such as were directed to ye Presid' & Councill to be
signed by ye Presid'", and such as were directed to ye Com'n of state
to be signed by any Three of them that were Concerned with him in
Those Commissions, and ye same to be done for so much of other
Letters (wherein Private matters are Intermixed) as Containe any
publick matter of Instruction, and that ye said Coppys so attested, be
delivered in to ye Gover' and Councill as Soone as may be: vpon de-
bate it was putt to ye question and Resolved in ye affirmative, N. C. D.

The Gover' then acquainted ye Councill that he found there was a
duty required of him by y* acts for encouragem' of trade & navigation, touching y* transporting of y* Commodities of y* Country to England, or his Maj* other plantations, which he had at his first Entrance, vpon y* Governm' Solemnly declared & promised to see duly Executed according to y* tenor of y* said acts, and desired y* minutes of that day's proceedings might be Read; w* being read, it appeared that no notice was taken therein of his having so ingaged, but several of y* members present remembering y* Gov' had see Solemnly In-gaged, it was agreed y* same should be added to y* minutes of that day's proceedings, w* was y* 18th day of y* 10 Mo., 1688.

The Gover* also then offered that if The Councill thought fitt, he would Solemnly Swear to doe his utmost for y* punctuall observing y* said Acts, w* was not thought necessary.

The Time drawing near for y* Annual Election of members for y* Prov* Council & Gen'l Assembly, the Gover* desired to be informed by y* Council whether it were vsuall or needfull that any writts or warrants should be Issued for Summoning the freemen for y* purpose, or whether they Should meet of Course: it was Resolved there was no need of writt or warrants, but their day would be observed of Course.

Wm. Clarke, a member of the Prov* Council for y* County of Sussex, acquainting the Councill that inasmuch as there were two Elections to be made for that County, viz: one for y* person that was to goe off, and another for one that was Elected formerly, but now in England, he Conceived it necessary that an order should be Issued for y* Choosing one in his Room who was absent. It was agreed an Order Should be Issued to y* Sheriff accordingly. The Gover* demanding who was to Issue that Order, it was answered in y* words of y* Law in that behalfe, The Proprietor and Gover* was to Issue it.

Two Petitions were proposed to be Read, but it being late, y* Gover* adjorned till to morrow, 9 of y* Clock in y* forenoon.

At a Councill in y* Councill Roome in Philadelphia y* 19th of y* 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq*., Gover*.
Wm. Clark, Rob' Turner, Arth' Cook,
Jo* Cann, Sam'l Richardson, Wm. Markham, Sec*.
Pet. Alrichs, John Symecock,

The Gover* desired y* Entry's vpon y* Last Counciell's minutes should be Read; they were Read accordingly.

The Gover* Directed y* Reading y* Petitions presented at y* rising of the last Counciell, whereupon the Petition of Adam Johnson was Read; the Petitioner was Called, who Informing y* Council of y*

*Should be the 21st of the 11th Mo.
danger he was in of his life from ye threatenings of Peter Ludgar, and that ye same danger was Continued through ye said parties being at Liberty, Contrary to ye Judgment of ye Court, The Sheriff of ye County of Sussex, where ye Robery was Committed, viz: frances Cornewell being informed to be in Towne was sent for, and demanded by ye Gover by what authority he permitted ye said Pet Ludgar to be at Liberty. He said he was directed only to have the person ready at ye Court to answer, and that being don, he requested ye Justices to Declare what Should be don with him; some of them Expressed themselves desirous to be rid of him, but gave him no Order to Keep him under Commitment, so he thought himself under no obligation to detain him. The Gover ordered him to withdraw.

Upon debate of ye said, and ye Sheriff's Suffering him to be at Liberty, it was unanimously agreed that ye Sheriff deserved a Sharp reproof for his neglect, but it being ye first Complaint of this nature against him, out of Their Indulgence they Thought fit not to fine him for it, Butt ordered that the sheriff doe forthwith apprehend The Prisoner at his Own Charge, and that he Keep him in ye Common Goale or Work house of ye County where the Judgment passed, there to be held to Hard Labour, or otherwise, till ye party aggrieved be satisfied, and that he Cause him to be Corrected with so many stripes as by ye Judgment of ye said Court was ordered, and that he see they be well laid on. Wherewith the Sheriff was acquainted by ye Gover, vpon Calling him in for ye purpose.

The Petition of frances and Wm. Smith was Read, wth being unintelligibly Expressed, but in ye General Complained of wrong don by ye County Court, & Desireing Liberty to appeale, it was ordn that ye Goaler of ye County of Philadelphia doe bring ye Petitioner in Custody before this board at their next sitting, and that Charles Pickering, ye Prosecutor, to ordn to attend at that time, to Informe ye board of ye Case of the Pet', (who seems not able to sett forth ye same,) to ye End the board may give Relief, if the Case will admitt.

The Gover acquainted ye Council that he thought it necessary something should be speedily done about settling a Provinciell Court, and that he found some things difficult therein by reason of ye several Laws passed Concerning ye same, and therefore moved them for their advice vpon ye said Laws, and that they should be Read, viz: ye 157 Law, and ye 181 Law, ye first whereof was made during ye Gover abode in this Province, the other since his departure for England. The first referring it to ye Proprietor and Gover to Commission five persons under ye broad seal. The Latter directed that Court should be impowered by ye Gover and Provinciell Council; which Latter seemed to be an incroachment upon ye power of ye Gover reserved by ye Charter of Privileges, and being by a Law made in ye Proprietor's absence; (Contrary to his Intrest;) and for as much as the Proprietor had by his Commission to ye Presid' & Council, Limited their power as to ye passing of Laws of ye nature, and by his Instructions since, bearing date ye first of ye Twelveth month, 1686, directed that at the next Assembly Gen the Commissioners of state Should declare his abrogation of all that had been done since his absence, and
So of all y* Laws but y* fundamentalis, which was said to have been declared. It being also Considered that y* first Law required y* passing such Commission vnder y* Great Scale, and in Case y* Keeper should not think fit to affix the same by y* Gover* Warrant, (on the allegations expressed in his refusall to sett the said seal to y* Commissions for Justices of y* peace,) The Provinciall Judges might possibly refuse to act vpon y* Lesser Seal, and soo y* Country would be desti- tute of y* Court for y* administration of Justice in highest Causes, and divers other Difficultyes arrising vpon y* debate thereof, The Governer desired y* members of y* Counciill would seriously Consider y* matter, so as to be Ready to resolve him therein at y* next pro- posall of y* same to their Consideration; w* being approved, The Governo' adjourned y* Counciill till y* next fiftth day, at the usuall Hour of meeting, being y* 21 Ins*.


PRESENT:

JOHN BLACKWELL, Esq', Gover'.
Arth. Cook, Barth. Coppock, Robt. Turner,
John Symcock, Samd Richardson, Wm. Markham, Sec7. Wm. Clark,

The proceedings of y* board at last Counciill was read by y* Gover' Direction.

The Gover* Inquired whether y* Sheriff of y* County of Sussex had seized the person who had been so long at Liberty.

Arth' Cook said y* person had offered himselfe and promised he would Yield himselfe rather then y* Sheriff Should suffer, but was not in Custody.

Vpon w* the Gover* moved the Sheriffe might be sent for and fly- ned for his neglect of doing his duty, being acquainted how danger- ous the person was, and that Adam Johnson, the person Complaining, had declared he was in fear of his life. The Gover* also vpon what was said y* last day of y* Counciill's Sitting, Declared he neither looked vpon himselfe nor any member of the Counciill to be safe from mischief whilst so great a Villianse as he was sett thorto to be had his Liberty.

It was alleged that some new Information had been Received touching y* former tryall had against y* prisoner, which tending to the raveling into y* Resolutions of y* Last day's proceedings, when there was a fuller Counciill, y* Gover* declared he was not satisfied that it was seasonable or proper to their present Consideration, or Rea- sonable that he should admitt thereof till he understood that he was in Custody, and that he look'd vpon the things that were offered as y* result of Counciill's taken abroad, to w* he should give no Coun- tenance. The Secretary acquainted the Gover* that y* said Prisoner had delivered him a Petition, and desired to Know whether he should Read it. The Gover* said he would Receive none till he were in
Custody, and then he would receive any, and againe declared the Sheriff ought to be fyned for letting him have his Liberty.

The Gover' thereupon Called ffoir y* other business apoynted ffor y* day, but that not being ready, nor y* persons present, he Caused y* act of settlement to be read, in order to the minding the board of y* Great Grace & favour of the Proprietor, &c. in y* Grant of the Charter of Privileges, and how gratefully they had received the same, and how solemnly they had Ingaged to observe what was on their parts to be done, inviolably, &c., and withall observed to the board, that since then some laws had been passed in his prejudice, & Contrary to the trust he had reposed in y* Presid' and Council, &c., which he should take an other ffitting occasion to offer to their Consideration.

ffrancis and Wm. Smith being brought in Custody by the Sheriff, & Charles Pickering present, the Gover' ordered the Prisoners Petition to be read; and all y* y* prisoners had to say against y* Judgment ffor his Commitment being that he had paid Intrest for y* mo- nry for longer time than was yett Expired, it was made apeare that what he had paid was by y* Court deducted out of y* principall money adjudged against him; and Charles Pickering offering on y* behalf of his Clyent to sett him at Liberty vpon giving him Secu- rity for paying the debt, or makeing over y* Land ffor w^25 he was in- debted to that purpose; he refusinge to doe Either, the board remand- ed him back to y* Goale: he Complayned he had no bed to lye on. The Sheriff acquainted the board he might bring in his bedds to y* prison if he pleased, and Should have them out with him vpon his discharge. The board adjudged they saw no just Cause of Com- plaint.

Adjourned till y* 2^ day of y* next week, 9 in y* fforenoon, being y* 25^th Ins'.

At a Councill in the Councill Room at Philadelphia y* 25 of y* 12 Mo., 1688-9.

PRESENT:

JOHN BLACKWELL, Esq', Gover'.
Arth' Cook, Griff. Jones, Wm. Markham,
Wm. Clark, Sam' Richardson, Rob' Turner.
Wm. Darvall, Barth. Coppock,

The Gover' Directed y* Reading y* Entrys of y* last Councill’s pro- ceedings: they were accordingly read.

The Petition of Peter Ludgar presented to y* board, was Proposed to be read.

The Governo' Declared he was not satisfied to receive any till he understood Ludgar was in the Sheriff’s Custody, according to fformer order, Especially for that his business had been Determined at a fformer
Councill. Some debate was touching ye fflormer proceedings of ye County Court, and some reflecting Expressions upon ye Resolve of ye Councill in that behalf, which (though passed nemine contradicente) were of so high a nature, by Sam Richardson, a member of the Councill, as ye Gover took exception against as vnbecoming any member against ye Whole, the Governo'telling him he ought not to Suffer it, and Reproveing him as haveing taken too great liberty to Carry it vnbeesemingly & very provoqueingly, Particularly Instancing in ye said Sam Richardson's fflormer declareing at several times, ye he did not owne ye Gover to be Gover, &c.; to which he peremptorily replied he did not nor would, saying to him he was not Gover, and he would Stand by it & make it good; that Wm. Penn could not make a Gover. Arthur Cook, in milder Expressions, Saying that Wm. Penn can make a Gover is a Scruple to me. All others declaring against that opinion. Sam Richardson still persisted in denying ye Gover; whereupon ye Gover moved, since he was so peremptory in repeating it, with such heat, that he might be ordered to withdraw till ye Counciill should debate it. He replied, I will not withdraw, I was not brought hether by Thee, & I will not goe out by thy order; I was sent by ye people, and thou hast no power to put me out. The Gover said he Could not sitt there to Suffer ye Chief Gover power to be so arraigned and questioned, & himselfe so Contemned, & Desired the members would severally declare themselves whether they Judged it their duty to owne him by the stile of Gover or not. All the rest of ye members declared themselves offended with his words and Carriage, only Arthur Cook againe said he did believe that Gover Penn Cannot make a Gover, but a Deputy Gover, but desired he might Explaine himselfe, & said He so judged in his Conscience & would be understood to think & speak modestly, disapproving & Censuring Sam Richardson's Carriage. Whereupon ye members at ye board declared severally that they judged it meet the said Sam Richardson Should withdraw till they further debated ye matter, Whereupon he went forth, declaring he Cared not whether ever he sat there more againe, &c.

The Gover moved they would give their Opinion whether ye words Spoken & Carriage of ye said Sa. Richardson were not vnworthy & vnbecoming a member of Councill to ye Gover; wch was Carried in ye affirmative, and that he ought to acknowledg his offence, and promise more respect and heed for ye futur, before he be allowed to Sitt againe in Counciill. He then moved ye Counciill would give their opinion whether he Should be Called in & acquainted therewith, which was agreed, but he was gon away.

The Sheriff of ye County of Sussex being come, was Called in and demanded whether Peter Ludgar were in his Custody, according to ye fflormer Order; he answered he was. He was then Charged with ye Custody of him, to be answerable for him.

The said Ludgar's Petion was then read.

It was moved ye there might be a hearing of ye Case, & particularly whether ye judgment passed against him by ye County Court were Reversed, and vpon what grounds, by ye Provinciall Court. Two
Coppys of yr Record of yr Prov Court were produced for prooff of its being reversed, but they differed much from Each other, and in one of them 'twas alleged to have been Reversed vpon Information of one person (only); that yr jury that past vpon yr tryall did not all agree, which was not Judged a Sufficient ground for reversall against matter of Record, as yr verdict was: it was alleged that it was also Referred back to yr County Court for a Rehearing; that yr County Court adhered to their former judgment, haveing so flarr honoured yr Prov Court's order as to Examine all those who had been of yr jury, who all owned they had agreed their verdict. But the Copy of the Record of the Prov Court's Proceedings differing, it was moved by Arthur Cook yr yr originall Record & Entry should be forthwith brought before yr Gover and Councill, for yr Clearing that doubt.

One of The members of The Council was desired to goe to David Lloyd, yr Clark of yr Prov Court, who was also a Deputy or Clark to yr Mast of yr Rolls, and Clark of yr County Court of Philadelphia, to Require him forthwith to attend yr Counciill, and to bring with him yr Original Records of yr Proceedings of yr Prov Court.

He Came to yr Councill, and being acquainted by yr Gover that there was occasion to see yr said Original Records, he asked in what Case: yr Gover told him all that hapned since his haveing that Employment of Clark of yr Prov Court: he answered, they were not recorded otherwise then in a quire of paper. He was Required to bring them as they were. He Refused it, saying you may Command the Judges, and yr Judges might Order him, & other Slight and Scornfull Expressions he vsed. He was thereupon ordered to withdraw.

This was adjudged a high Contempt in yr said Da. Lloyd, and for that and other vnseemly and Slighting Expressions of his to yr Gover and Councill, It was Resolved that yr said David Lloyd is vnfit to be allowed for a Clerk or public Officer off Record in any Court vnder this Governm', and that he stand Discharged therefrom till vpon acknowledgment of his offence, and givinge the Councill satisfaction, The Gover shall think fitt to Commission him againe: this was declared to him by yr Gover.

The Sheriff of Sussex County was Called in & acquainted that yr board saw no Cause to give any relief vpon Ludgar's Petition, and was Required to Keepe yr said Ludgar safe prisoner, and to performe yr order of yr former Court vpon yr judgment given against him by yr County Court.

The Gover adjourned till to morrow morning.


PRESENT:

JOHN BLACKWELL, Esq', Gover'.
Rob Turner Griff. Jones, Samn Carpenter,
Arth. Cook, Wm. Clark, Wm. Markham, Secre.
Wm. Darvall, Samn Richardson,
The Gov' having notice of several Rumours spread abroad in this town, &c., touching an Invasion made in England by y' Prince of Orange, and Battelle fought there, wth were occasioned by y' Report of Zach. Whitpain, who came lately from England, and arrived here in this town about midle night last, Directed that all y' members of the Councill present in towne should be forthwith assembled, in order to y' Examination of y' said Zach. Whitpaine; who having given a Genall narrative thereof, 'The Gover' Caused the same to be Committed to writing, & him, the said Zach. to be deposed to the truth thereof, wth is as followeth, viz':

That he Came out of London the 10th or 12th of x bre last, in a Shipp Called y' Mary, John Harris Master, but before he Came thence y' Prince of Orange appeared with a fleet of Shippes on y' Northern parts of England, and Coasted there about 3 or 4 days, during wth time y' King Issued out his Order for his Army to draw that way.

That on y' 5 of 9ber y' Prince of Orange Landed with an army of about thirty Thousand foot and about six thousand horse, in Turbay, Transported by a fleet of 75 shippes of War, tenn fyre Shippes, 500 flyboates, 60 pinks; That the army remained about Exeter about three Weeks, in wth time y' King remanded his army from y' north towards Salsbury, and the King went to them there and stayed about a week, then y' King returned to London and Ordered his army to march thither, That they had an Ingagement with the Prince of Orange's forces. Divers of y' King's party deserted him and went over to the Prince of Orange. The fight was about Redding, where the King Lost about 2500 men, and the Prince about 1500, about y' 13th of x ber; about y' 17th the King Endeavouring to goe for france with Sir Edw Hayles, was taken at fiversham in a fishing Shallope, who had put there to take in Ballast, y' King disguised as S' Edw Hales's man. After y' King was taken he was Carried to my Lord Huntinton's house, and y' next day to Canterbury, whither y' Examinant went from deal to have seen him, but y' King was gon thence y' morning Early, before y' Examinant gott thither, the King being Conducted in his owne Coaches, and with his owne and y' Prince of Orange's Guard to London (they being sent on purpose for y'service,) but whether y' King was at London or no the Examinant Could not say, but that when y' Exam' sayled out of the Downes, wth was y' 23 of x ber. the King was at Rochester, under Guard. That the King before his going away from London, went to y' Tower, and sent for his Secretary and the Lord May', and there delivered up the Tower into the hands of y' City: the City upon that appointed the Lord Dumbarton to be Leif thereof till further order, and y' Hamlets to Guard it. That y' Public affayres at the Exam'. Coming from England, were manniged by seven Spirituall & seven Temporall Lords, and they had set forth a Proclamation for the Disbanding of the King's forces, and Disar meeing them, paying them for their armes. The Examinant further says, that he heard that y' Castle & City of Dublin, in Ireland, was Delivered to the Protestant Party, under the Command of the Lord Enchiqueen, who seised the King's Leif', while he satt in Councill: And further, that he saw in a Letter from Ireland that there
had been a massacre made by the Papists upon the Protestants, and that two Thousand, or two hundred, were murdered; the figures being blotted, he could not justly tell which number it were.

ZECHARIAH WHITPAINE.


PRESENT:

JOHN BLACKWELL, Esq., Gover'n.

Wm. Clark, Griff. Jones, Rob' Turner,
Arth. Cook, Barth. Coppock, Wm. Markham, Sec'y.

Wm. Derval.

The Gover'n ordered ye Entries of ye last day's proceedings might be read.

Being read, Arthur Cook excepted against ye Entry of what he had spoke about ye Gover'n not having power to make a Gover'n, and affirmed he added the words [he believed so] with words were allowed to be added.

Griff. Jones Declared he thought David Lloyd's miscarriage was not fully expressed, for that it was omitted to Enter ye he was twice sent for; when was allowed to be so, and that it should be amended, and that ye said David Lloyd declared he questioned whether this board had power to Command ye Records to be brought before them. Rob' Turner also declared he remembered that he did question their authority. The Secretary also, that he remembered the same. Upon what, it was allowed those Expressions Should be added in ye Entries, as ye farther Evidence of his Contemning their Authority.

Mr. Clark moved, on ye behalf of the Sheriff of Sussex County, ye he might have assistance for ye Carrying his prisoner. The Gover'n said it was proper for himself to Petition it if he wanted it. The order being that he should Carry him at his own charge.

The Gover'n moved that ye Debate touching ye settling a Prov'd Court, when he had proposed the 19 Ins't, might be Reassumed, and told them that there seemed to him to be some difficulty therein, when he hoped they having had so long Time of Consideration, were ready to resolve; and thereupon Directed ye Entries of ye said day's proceedings & Debates might be read, and proposed ye every one would speak his mind about it, (ye members Declaring they judged there was an absolute necessity of it, it being informed by Wm. Clark that there were several appeals from other Courts.) It was Resolved vpon ye Question, ye a Commission should be Issued for ye Authorising & Appointing a Provincial Court according to Law. It passed in ye Affirmative, Neminem Contradictente. It was then debated vpon what Law it should be grounded, Some inclining to have it vpon ye 157 Law, Some vpon 181.
PROVINCIAL COUNCIL.

Upon diligent perusing both y* said Laws, M*. Clark observed that he Conceived it Could not be upon y* Latter Law, (though he had been before of that opinion,) for that by y* Said Law it's said y* Judges Should hold Courts at Philadelphia, y* 24th of y* next Seventh month, and y* tenth of y* Second month following, and not Yearly, but as if they were only intended for those two days in that year, whereas y* 157 Law Directed y* said Court Should Sitt twice every year, and Every sll and Spring yearly.

And for that y* Latter Law was in Detriment of The Proprietor's Right by his Patteint from y* King, to appoynt and Commissionate all officers, and Could not have his Consent given by those whom he Intrested with his power, by reason of y* Limitation of y* Power of y* Commission; And also, that it would be an Invading his prerogative granted by y* King & Reserved by his Charter of Privileges to y* freemen (at least) during his life, and bring y* Charter itselfe in question.

As also for y* by y* former law, w* was passed whilst y* Proprie- tor was present in the Country, It was Enacted that there Should be five Prov* Judges appoynted by the Gover*, under y* Great Seale, &c., y* w* act is verbatim as followeth:

That there shall be five Prov* Judges appoynted by the Gover*, vnder y* great seale of this Province, w* Judges, or any three of them, Shall be a Prov* Court, and Sitt twice every year, in y* Towne of Philadelphia, and any two of them at least, shall Every sll and Spring Yearly, go their Circutes into Every respective County of this Province & Territory, and there hold a Prov* Court, which Court, whether fixed or Circular, Shall have the hearing and determining of all appeals from Inferiour Courts; also, all tryalls of tytles of Lands, and all Causes, as well Criminal as Civill, both in Law and Equity, not Determinable by y* Respective County Courts, any thing in this or any other act or Law of This Province or Territorys to y* Contrary, in any wise notwithstanding.

It was proposed y* members would give their Opinions whether this question Should be putt, viz: Whether they were of opinion that there should be five persons named in y* Commission to be a Prov* Court, according to y* 157 Law? After some debate thereoff, Arth. Cook proposed that y* Late president might be sent for to give his advice: that was not judged needfull, The Law being so plaine. Arth. Cook then Departed out of Council, desiring his motion might be Entred as his dissent.

This question was then putt, viz*: as many as are of opinion that there be five persons named in y* Commission for Prov* Judges, according to y* 157 law, declare your assent by standing up: it was Carried in y* Affirmative, Nemine Contradiciente.

The Gover* then tendred for their advice a forme of Com- mission w* he had prepared for that purpose, w* was Read once throughout, and afterwards in parts; Some alterations were proposed & agreed to, and y* Question putt, viz: As many as are of opinion
that the forme of Commission now read, with ye amendm & alterations made vpon ye debate, Shall be ye forme to be Issued for ye Authoriseing of ye Judges for ye Prov Court, lett them declare themselves by Standing up: it was agreed in ye Affirmative, Nemine Contradictens; and therepon, Resolved that ye same be sent to ye Keeper of ye broad seal, with warres of ye Gover to putt the great seal thereto.

The Gover not satisfied with ye behaviour of ye high Sheriffe of ye County of Sussex, proposed some other might be named by some of ye members present, for as much as himselfe was wholly a stranger there.

Whereupon Wm. Rodeney was nominated by Wm. Clark, and Recommended by Griff. Jones & Wm. Darvall, as the fittest person they Could think off for ye present.

The Gover desired the members would not sly to Keep their next day of meeting of ye Council, viz: the 28th Ins, at nine in ye mornoon, acquainting them that he thought then to allow some time of Recess for ye members repaying into their severall Countys, in order to ye taking Care of Elections, &c.


PRESENT:

JOHN BLACKWELL, Esq'. Gover'.
Wm. Clark, Griff. Jones, Arth. Cook,
Rob' Turner, Barth. Coppock, Wm. Markham, Sec't.
Wm. Darvall,

The Gover ordered ye Reading over ye Entries of ye last Councill's Proceedings.

Vpon reading whereof he observed there was a blank leaf of ye book of Entries, and enquired ye reason thereof. The Secretary answered it was left for ye Entry of ye proceedings of ye Councill vpon ye first day of that week, being ye day wherein ye Tydings of affrayes in England was brought by Zachary Whiptaine. The Gover direct-ed They should be Entred.

The Secretary acquainted ye boad that he had Carried ye Draught of Commission past by ye advice of the Councill for appoynting Pro vincial Judges to ye Keeper of the broad Seal that night, and had acquainted ye Keeper ye was desired to have it ready at ye Counciil at their next Sitting: he was ord'n'd to goe to ye Keeper to fletch it to ye Gover'.

Vpon his Returne he acquainted the board that he had Spoken with ye Keeper, who told him he was going forth to a Sick person, but that his answer was Conteyned in a Lett' to him, (ye said secretary,) which he Intended to have sent. The Gover Directed ye Superscription might be read, w'th was as followeth: (for my respected friend Secretary Markham, in Councell, These:) afterwards ye Letter
it selfe, w^th was as followeth, viz: Secretary, The warr^t w^th I received from thee y^t 26th Ins. in order to y^t passing lett^t Patents vnd^r y^t broad seal, for Constituting of 5 Provin^t Judges, haveing duly Considered the same, I doe apprehend y^t Instrument d df^t vnto me, to be in no wise proper for y^t said seal; and as to y^t Draught of y^t Commission it selfe, it seems to be more moulded by fancy, then form'd by law: The Style insecure, y^t powers vnwarrantable, and y^t Duration not Consonant to y^t Continuance of y^t Laws vpon w^th it Should be Grounded; for w^th Reasons, and other manifestations, I Cannot without Violation of y^t trust reposed in me, lett the same pass vnder y^t seal in my Custody.

THO. LLOYD, Keeper.

Philadelphia, fridie Calend. 1m 1688-m^t, 9.

The Gover^t Excepted ag^t y^t same, as very vnbecoming any person without doors to use such Expressions Concerning the Gover^t as that of fancy, &c., it haveing also past in Councill; also, so far to question their authority as to deny to doe his duty in a Case of that Emergency. The Gover^t Desired Every member of y^t board would deliver his minde, and give him advice therein. Divers Spake to it, as judging it a Contempt of that Court's authority, and of the Prop^t Authority from y^t King's Charter to y^t Gover^t; others that it was not an answer, to w^th y^t secretary affirmed he gave it as his answer.

After long debate about it, and Every one haveing Spoken his minde, y^t Gover^t desiring an Issue might be putt thereto, proposed this question, viz: whether the board did Judg that Letter, or any thing therein Contayned to be a Sufficient ground for y^t Keeper's refusall to sett The broad Seale to y^t said Commission? w^th being Spoken to, It was Resolved in y^t negative, by five of y^t seven members present, viz: all but Arth. Cook & Barth. Coppock.

Resolved that this board doth Judg y^t Keeper's letter to y^t Secretary, or any thing therein Contayned, was not a sufficient ground for y^t Keeper's refusall to sett y^t broad seal to y^t Commission sent to him for y^t purpose by y^t Gover^t.

The Gover^t then proposed for advice by way of Expedient, and to y^t end y^t publick service and Justice might not be neglected, whether it may be flitt to Require y^t Keeper to bring y^t said Commission and broad seal to the board, & for y^t Gover^t to sett the same to y^t Commission, in his and their presence, and then to returne the same to him, there appearing no other way whereby y^t appeales to that Court Could be heard, and y^t whole Country would then be disappoynted and putt to great Charges.

The opinion of y^t members agreeing that it was not advisable for y^t Gover^t to doe what appertayned to y^t Keeper, and Arth. Cook's reason being that that were as if a man should borrow a sword of an other to Kill a man. The Gover^t told him that was uncomely to Compare the board's orders to a murthers action: in Conclusion, it was Judged and Resolved flitt rather to lett the thing alone for him to answer his refusall, and that if the Keeper refuse to doe his duty,

* delivered.
it was fitt he should be Called to acco'ffor it, to which only two per-
sons Dissented, viz : Arth. Cook, & Barth. Coppock, which was y's
Issue of that debate for that time.

The Gover' acquainted y's board that David Lloyd, then County
Clark of Philadelphia, happeing not made any submission or acknow-
ledgment of his offence, as was ordered, there was a necessity some
other person should be Commissioned, the County Court being to sitt
in a few dayes, and that it was not fitt to Suffer such Contempts of
authority as began too ffrequentt, through y's Continuance of a Coun-
cill without doors, &c., And that therefore he Should grant a Com-
mission to Some other fitt person, and desired that y's members at y's
board would advise him who was y's fittest person to Succeed him therein.
James Claypoole was named by y's Secretary, seconded by Griff.
Jones, Rob' Turner & Wm. Darvall, and it was said he had been
some time a Clark to y's Assembly: the Gover' moved for their advice
about y's County Seal and Records, that they would be necessary to
be in a Readyness at y's Sitting of y's Court, and that Therefore, what
had been done formerly for The disposing y's said seal and Records
when y's said David Lloyd was made Clark, might be Read: vpon y's
question, It was Resolved that y's like order as had formerly past for
y's Disposeing y's said seale & Records, when y's said David Lloyd was
made Clark, (mutatis mutandis,) Should be in this Case sent for the
Delivering the same vp to y's secretary, or y's said James Claypoole;
Arth. Cook and Barth. Coppock only dissenting.

Vpon Rob' Turner's motion about y's setting out the way from the
falls to Philadelphia, and Declareing y's Dammage the Country received
by persons Carrying their Corne to Birlinton, &c., by reason of y's
badness of y's way to Come to Philadelphia markett, occasioned by
many persons Turning the usuall Road out through their Inclosures,
Contrary to a former order of y's board, and that it ought to be don
by the Survey' Gene', or his Deputy, with y's assistance of some of
y's justices of y's County of Philadelphia and Bucks; It was agreed
that the Survey' Gene', or his deputy, attend this board, to shew
Cause why y's same was not done, and to give his opinion Concern-
ing it, what he Conceives is fitt to be don therin.

Woollaston attending to Complain the order of this board Con-
cerning y's forceable Detaynare was not Executed; but y's board being
also Informed that y's justices, or some of Them, were Expected here,
that matter was deferred for next Councill, on y's 2 day of y's next
week.

The Gover' Declared that from henceforward vntill the time of
y's meeting of y's whole number of Provin' Councill, he should dis-
pence with Each other weekly day of Keeping Councill, and that y's
ordinary day of meeting Should be on the 2d day of Each week,
y's mean while, vunless he judged there were an Extraordinary occa-
sion requiring other days of meeting besides that.

The County Court of New Castle being by adjournment appoynted
to be on y's next day after y's Election of members for Prov'l Councill
and Assembly, and severall Causes being to be heard there, wherein
persons of other Countyes were Concerned, whose Duty it was to attend their owne County Elections, wch might Continue two or Three days, it was therefore thought meet ye said County Court of New Castle be Directed to Adjoine the Causes of Such persons for a Convenient time, not vn.der two days; wch Being put to ye Question, it was Resolved in the affirmative, Nemine Contradicente.

At a Meeting in ye Councill Roome in Philadelphia the first of The first month, 1688-9.

PRESENT:
JOHN BLACKWELL, Esq., Gover'.
Wm. Clark, Griff. Jones, Wm. Markham, Sec'y.
Wm. Darvall, Sam' Carpenter,

The Gover' haying Receiv'd Instructions from The Chief Proprietor and Gover', Caused notice to be given to all ye members in Towne to Convene in ye Councill room at ye tenth hour, in order to Communicate such parts of ye said Instructions as were requisite.

The Gover' Came, Stayed about Two hours, yet had not a Sufficient number for a Councill, notwithstanding The Secretary personally gave notice thereof to Arth. Cook and John Symcoek, who told him they did not Intend to be there.

At a Meeting of The Councill in The Councill room at Philadelphia ye 4th of ye first month, 1688-9.

PRESENT:
JO' BLACKWELL, Esq'. Gov'.
Rob' Turner, Wm. Clark, Arthur Cook,
Griff. Jones, Sam' Carpenter, Wm. Markham, Sec'y.
Wm. Darvall,

The Gover' ord'd the Entries of The last day's proceedings in Council Should be read: they were read accordingly.

The Gover' acquainted ye Councill that since their last meeting he had Received Instructions from ye Chief Gover', dated ye 24th of 7ber, 1688, wherein, amongst other things, he was pleased to direct that ye murthoser woman's sentence should proceed, ye Case being notorious & barbarous.

In ord' to ye Councill's proceeding therein, ye Gover' Directed ye Secretary to turne to ye place in his book wherein the minutes touching ye reprieve granted was Entred, to ye End they might know whence it arose.

It appeared to be granted uppon the Petition of John Richardson, brother to ye murtherer, wch Petition was Read. It appeared also that a sentence of Death had passed uppon her in a Provinc' Court held in
y° County of Kent, where y° fact was Committed, and that the s° Prov° Court was Duly Authorised by y° Then Presid° and Councill, by Commission vn° the Lesser scale, dated y° 2° of y° 2° month, 1687.

Vppon Consideration of The Petition, &c., It was ordered by the Presid° & Councill y° 19° of y° 3° Mo., 1688, that y° Sheriff Should suspend y° Execution till further order vpon the whole matter: it was ordered by y° Gover° and Councill, The secretary only Dessenting, that y° said order of Suspention be of no further fiorese, and y° y° Sheriff of y° said County of Kent doe Cause Execution to be done ac-
cording to y° tenor of y° Judgment past by y° Provinciall Court, and that y° day for doing thereof be on y° fifteenth day of This present fiirst month, commonly Called March, and that M°. Clark be desired to take Care that y° ord° for Execution be delivered to y° Sheriff for y° purpose.

The Secretary read a letter from John White, Clerk of y° County Court of New Castle, wth y° Coppy of a paper sent by him from Edwd Blake, Jo° fflorait, and Charles Rumsey, Justices of y° peace of y° said County, Certifieing some proceedings by them had vpon a fflorner order of y° Gover° & Councill, about Viewing and removing y° fflorceable Entry and Deterneir made on the house and land of Tho. Woollaston, in y° said County, y° possession whereof had been formerly given to y° said Woollaston, persuant to a Decretall order of y° Provinci° Judges, by y° Sheriff of y° said County, and since againe taken fffrom him, as by his Petition to the Gover° and Councill and their said order, reference being therevnto had may appear.

The said paper being read, it appeared that in Stead of Executing y° said order, the Jury was by y° Justices affirmed to have given in for their verdict that Wee Jurers of Enquirie doe finde that there was a fflorceable Entry Committed by Edwd Gibbs, high Sheriff of New Castle, and Richard Reynolds, his Deputy, vpon the house of John Gramton, about y° Latter End of y° Last Eight month, Called Octo-
ber, 1688.

HUGH MARSHLAND, fflorman.

This was judged by y° board to be a great affront and Contempt of their authority; but what remedy might be given did not occurre to y° board, it being properly remidable by y° Prov° Court, wth the Keep°r had refused to authorise vn°nder y° great scale, as he had been or-
dered to doe.

Many things were Spoken by way of Grievance that y° Gove°r and Councill should be so obstructed in their remedying such Complaynts and y° further debate of y° matter taken vp.

Some declaering y° Keep°r’s refusall was a misbehavior in his office, and tending very much to y° hurt & Dammage of y° people of y° Province; y° it was dishonourable to y° Government, and gives occasion to others to slight Governm° and authority. That they thought it was to no purpose for them to give their attendance in Councill if they Should be by such means hindered of doing Justice to y° people, and that they were weary of such attendances vpon such obstruc-
tions, &c.
Wm. Clark moved ye Keeper might be spoken with, to see if he would give any other answer, wch was Seconded & Thirded.

The Gover'n named Wm. Clark, The Secretary, & Sam'l Carpenter, to attend ye Keeper to see if any Expedient can be found for preventing further heats arising on such occasions, who were to report their proceedings to ye Gover'n and Council to morrow morning, by seven of the Clock, all ye members of Council now present promising to meet at that Time to Receive the same.

adjourned accordingly.

At a Council in the Council Room at Philadelphia, ye 5th day of the 1st month, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq', Gover'n.
Wm. Clark,  Sam'l Carpenter,  Rob'T Turner,
Wm. Darvall,  Griff' Jones,  Wm. Markham, Secre.

The Gover'n ordered ye Secret'y to read ye Entry of last Council's proceedings. They were read.

The Gover'n took Exceptions at ye Entering ye Secretary's dissent in ye body of ye order touching ye Execution of the Murtherer, wch was struck out with a pen, & the Secret'y allowed to enter his dissent thereto in the Entry of this day's proceeding, if he thought it need-fall.

The Gover'n also took Exceptions to the brief Entry of Mr. White's Letter, & ye Justices returne from New Castle, & by directions of ye board they were ordered to be entred verbatim, at large, which were as followeth:

To the Honble the Gover'n and Provincial Council of ye Province of Pensilvania & Territories, Gent.

I Received a certain Paper from Edward Blake, John ffurat & Charles Rumsey, Justices for the County of New Castle, wch I was commanded to Record, and to send a Copy thereof to the Gover'n & Council. In obedience to their commands, I have here inclosed a true Copy of the original, wch is all I have in charge at this time.

from, Gent., your humble servant,

JOHN WHITE.

NEW-Castle, vltimo, February 1688-9.

The Gover'n Directed that the Comittee Ordered yesterday to attend the Presid', to see if there were anything could be done by way of Expedient for preventing further strifes & heats, would Report the issue of their proceeding therein with him.

Wm. Clark Reported, That pursuant to the said Order, they went to ye Keeper & let him to understand that it was the Order of the Gover'n & Council that they should go to him to ask if he would give-
any further answer to ye Refusall of putting the broad Seale to the Commission for Provincial Judges; to which the Keeper answered, That he thought that wth he had given in answer in writing was sufficient; and if ye Gover & Councill did not look upon it to be so, if they did not approve of it, if they pleased to signify their mindes in writing wherein it was insufficient, he would give his answer to them againe in writing. This was agreed by the Comittee sent to be the substance of the Keepers answer in words, as near as they could remember.

The Gover declared he did not think it was their work to dialogize wth any man without dores, and desired the several members of Councill would give their opinions upon it, whether The Keepers dealing with the board herin in that matter did not argue contempt of their authority.

Griffith Jones was troubled that the Gover and whole Province should be so wholly obstructed from doing Justice: That ye Keeper by these dealings is the Ruler, & not the Gover & Councill: That he would have been glad the Keeper had complyed with that which tended to the doing Justice in the Countrey, But that by this he perceives if the Keeper lay his hand & say Thus far you shall go & no further, to the obstructing all Justice, we must sitt still, &c. This is the way to Create animosities & making partyes; this ought not to be suffered; It is not well, &c.: That he judged the Keeper is answerable to the Gover & Countrey for this misdemeanour, and offered to be one of them that should charge him to make answer for it; and said, if the Keeper be thus suffered, 'tis to no purpose for us to spend our time in sitting & giving Councill here, &c.

Wm. Clark. Some things were difficult to us in the former debate concerning the Comission, Viz': I was doubtfull upon which Law the Commission should be grounded: much was to be said on both sides. He could be willing there might be a right understanding that we might not be put to ye Extremity & severity.

The Gover minded him of the issue the former debates had brought that matter to already: That it was fully agreed That the later law was fulfilled; that it did infringe the Gover Authority; (wth he had reserved out of their power by his Commission to them;) That therefore it fell of it selfe. That the former Law was cleare, viz: directing the Court to be settled yearly. That the Gover had in his Charter Reserved the sole power of nominating & Comissioning officers to himselfe during his life, and appeald to Mr. Clark, &c., whether all those things had not been largely debated & resolved.

Wm. Clark Owned that the latter Law did infringe upon the Gover Prerogatives; He acknowledged what the Gover said, & sayd I see there is a necessity to make use of the authority of this board.

Griff Jones. It is the Kings authority that is opposed, & looke to me as if it were a raisings a force to Rebell.

Robert Turner said he never saw such shuffling in matters of moment in his dayes: as to hearing the Keeper farther, if he had any thing that scrupled him in matter of Law, he should have answer'd those things upon the application of the Committee to him, And he
should have given his advice to them. But it appears we have two Gover's & two Councills: One within and another Without. Our words & doings are carried abroad, & come to be debated by some (among ourselves) with another Gover', & thereby the minds of some persons are altered from what they have declared & moved here, (before they were influenced by those Councells,) so that we cannot proceed, which is neither for the quiet of the people nor honour of the Governor.

Several members moved the Question might be put upon the whole, which was thus proposed by the Gover'n, Viz:

Whether upon the debate of the Keeper's answer & other passages of Contempt offering themselves upon this debate, they did not judge the Keeper to have highly misdemeaned himselfe in his office of Keeper of the broad Seale, in refusing to perfect the Commission sent him for Provinciall Judges, under the broad seale, (It was Resolved in the affirmative, Sam'l Carpenter only dissenting,) Viz: that they did Judge he had highly misdemeaned himselfe in his said office thereby, &c.

After passing this vote Arth. Cook came into the Councill.

A paper was delivered in to the Gover'n & Councill by Ja. Claypoole, appoyned Clerk of the County of Philadelphia, informing the Board, That David Lloyd refused to deliver up the books, &c. of ye said County Court, with ye Gover'n & Councill had ordered, Expressing that Tho. Lloyd had ordered him not to deliver the same. The tenor of which is as followeth, Viz:

To the Honb's John Blackwell, Esq'r, Gover'n, &c., & Councill.

Whereas, by a precept from the Gover'n & Councill, I was commanded to Receive of David Lloyd the Records, papers & Seal relating to the Clark's office, and belonging to the Court of the County of Philadelphia, in obedience whereunto, upon ye Reception thereof, I informed the said David Lloyd, & delivered it to him, who promised from time to time to deliver up the same into my hands, and this morning denied to perform his promise, but gave me in answer that Thomas Lloyd had ordered the contrary, without whose leave he would deliver up nothing.

JA: CLAYPOOLE.

PHILADELPHIA, 5th 1st Mo., 1688-9.

The said Da. Lloyd was sent for to come to ye Gover'n & Councill, then sitting. Being come, The Gover'n demanded of him if he had read the Order of that board for delivering up the papers, Records, Seale, &c. belonging to the County Court, in his Custody, to James Claypoole, appoyned to succede him in that employment.

He answered, yes, he had received a Copy of such an order.

The Gov'r asked him by whom ye's order was signed.

He answerd he did not remember.

The Gover'n asked if it had not a seale set to it.

He answerd yes.

The Gover'n asked if his (viz: the Gover'n) hand was not set to it.

He answered yes.
The Gover' asked whether he had delivered the same accordingly. He answered no.

And then produced a paper Commission, under the hand & private seal of Thomas Lloyd, dated the 1st of y' 1st Mo., 1689, of the tenor following, which the Gover' ordered to be read:

PHILADELPHIA,

By authority of Letters Patent, under the Broad seal of this Province, Granted unto me by The Proprietary & Gover', I doe hereby Constitute & appoint thee my Deputy in the office of the Rolls & Publique Records for the County of Philadelphia, & for the Entring of all Judgments of Courts, publique Proceedings of Justice, Legal Cases & of all other Instruments w'th are by Law to be inrolled & recorded, to take such Fees therefore as are Provided: And for y' Better Enabling thee to Discharge the said Place, I doe Jure Officy as Keeper & M' of the Rolls, nominate thee Clarke of the Peace, & also Clerke to the Justices For y' said County, & to act therein according to Law & uncontrolled usage. Given at Philadelphia, the first day of the 1st mo., A. D. 1689.

THO: LLOYD, Keeper, & Mr. of the Rolls.

To my Trusty Friend, David Lloyd:

The Gover' demanded whether he would observe the order of the Board.

He answered He would deliver up what was in his Custody either to the Secretary or to the said Ja: Claypoole that day.

The Gover' ordered him to withdraw; and desired the board would give their opinion touching his answer.

The Board Resolved that they were satisfied in his answer, That he would deliver them up according to their former order.

The Gover' then againe Ordered y' said Commission under the hand & seal of the Keeper should be read, Which was read accordingly.

The Gover' desired their advice & opinion whether that act of his were not a high presumption & usurpation upon the Gover' authority, Declaring he did not doubt but that he might make a Deputy as Master of the Roles, for doing what appertayned to that office; but to make a Clerk of the peace to y' Justices, & Clerk to y' County Court, he Excepted against as having no President, The Disposing of all offices being by the Chiefe Gover' reserved to himselfe for his life.

This was some time debated, with great trouble that the Keeper should so misdemean himselfe, divers attesting they had not knowne such a thing done before; After which this Question was put:

As many as are of opinion that this Commission produced by D. Lloyd, signed by Tho. Lloyd, & sealed with his owne private seal, (as farr as appeared to them,) dated y' 1st of y' 1st mo., 1689, naming & Commissioning David Lloyd to be Clerk to the Justices & County Court, as therin is Expret, is a high usurpation upon the Gover' authority, declare yourselves in the affirmative by rising up from your seates. All the members present (Except Arth. Cook & Sam' Carpenter) arose upon the affirmative. M' Carpenter declaring he did not understand it, yet sayd he did not justify Tho. Lloyd.
PROVINCIAL COUNCIL.

The Gover' proposed to the board to give him their advice concerning the disposall of the said Commission, or returning to D. Lloyd.

The Question being put, viz :

As many as are of opinion That this Commission remayne with the Secretary, to be used as the Gover' & Councill shall think fitt, Declare yourselves in the affirmative by rising up from your seats. All the members present arose. (Except the said Arth. Cook & Sam'n Carpenter.)

Adjourned till 4 of the Clock in the afternoone.

AFTERNOONE OF THE SAME DAY.

The same persons present.

The Reason of the adjournment being to be informed whether David Lloyd should that day deliver up the Records, papers, & Seale of the County Court, according as he had promised, It was Reported that he made no scruple to do it, & had done it in part; Whereupon the Gover'n adjourned till the next second day of y's weeke, Viz: to y's 11th of y's 1st month, according to former order.

At a Councill held at New Castle (one of y's Countyes annexed to y's Province of Pensilvania) the 13 and 14th days of y's first month, commonly called March, 1688-9.

PRESENT:

JOHN BLACKWELL, Esq'., Gover'.
Peter Alrichs, John Symcock, Rob't Turner,
John Cann, John Bristow, Griff. Jones,
John Dehayes, Barth. Coppock, Wm. Markham, Secre.

The Gover' acquainted the Council that he was come thither on purpose to indeavor a setlcing of those differences that had been occasioned in y's County by the proceedings had in the case betweene John Grantham & Thomas Wollaston; which had already caused a great deale of trouble to that board sitting at Philadelphia, And as previous and in order to their better proceeding therin, The Gover' Enquired whether the order past in the Provinciall Councill for restoring Wollaston to his possession had been observed by the Justices, M'. Cann answered it had, & was Recorded.

The Gover' Ordered it should be read. It was read accordingly.

Wollaston was called in and demanded whether he had possession delivered to him according to y's Councill's order. He owned he had the possession delivered to him, And sayd he did not question but he had the possession still, and moved That Consideration might be had of the Charges he had been at, &c.

The Question was putt whether the Returne made by the Justices
was sufficient, which was carried in the affirmative, Nemine contradict.

The Gover' being informed That Grantham's Wife was attending with a Petition, she was called in & delivered her petition, wch was as followeth, Viz':

To the Honble John Blackwell, Esq', Gover', & Council of the Province of Pensilvania and Countys annexed, in America.

The humble Petition of John Grantum sheweth:

Whereas, your Petitioner for near three years past hath been exclud'd and kept out of his Just right and priveledges, by the force of certain decrees and Orders surreptitiousaly obtained by Thomas Wollaston, and forcibly executed on your said Petitioner, his land and Plantation, contrary to the fundamentall laws of this Government, all which your Petitioner is grviously oppressed in, almost to the impoverishment of himselfe & family, therefore earnestly intreats your honours will be pleased to have a rehearing of the matter, that Justice may flow in its due channell, whereby the oppression your Petitioner lyeth under will not only be removed, but your Petitioner restored to his former absolute right and estate; and your Petitioner as in duty bound, shall ever pray, &c.

In behalfe of my husband,

ELLENAR GRINNTEN.

Which being read in the hearing of Wollaston, the Gover' asked him whether he had any thing to say against what was desired by the Petitioner.

Wollaston tendered a Copy of the proceedings by the Provinciall Judges, signed Da: Lloyd, & Cur. pr. dict.

Granthum also produced the Copy of the proceedings by the County Court, in which the Judgment was first given, signed John Whitte, Clark.

Both wch containyng the whole matter of fact, with an account of the proceedings had therupon.

The Secretary produced the following addresse and desire of the freemen of the Province & Terrtorys in Assembly mett, That the Gover' & Prov' Council would be pleased to Command That the Decree and actions in that case, with all y' Causes & matters thereupon depending, might be heard before them, as the suprme Judges of this Governm' which is as followeth:

The freemen of the Province and Territores in Assembly mett, being duly informed of a certain decree past by Arth. Cook and John Symcooek, Provinciall Judges, at their Sessions held at Philadelphia on y' tenth day of the second month, 1688, betwene Thomas Wollaston and John Grantum, wch appear to this Assembly to be not only very sevecer, but the cause alsoe seems usherd in the said Provinciall Court, contrary to any known law, or without consent of one of the Partys, and the sayd John Grantum complaininge of great wrong & Injustice Sustained, the freemen in Assembly mett, in behalfe of themselves and all the freemen of this Province and Territores, doe humbly desire that the Gover' and Provinciall Council would be pleased to comand the said Decree and action, with all the causes
and matters thereupon depending, may be heard before them as the supreme Judges of this Governm' whereby right may be done, to the honour of God, the peace and prosperity of this Province & Territory.

JOHN WHITE, Speaker.

Which being read and particularly considered by the board, Each of y' partyes concerned being admitted to cleare matters as they could, & declaring themselves on both parts willing y' the Gover' & Councill should put an end to the differences between them; The Justices also of that County, & John Symcock, one of the Provinciall Judges, (then present,) desiring the same.

It appeared to the Board that the said Tho. Wollaston acknowledged a judgement in the County Court for the sum of 26lb. 15sh. good & lawfull money, justly due & owing by him upon a bond to y' sayd John Grantum, w'th Cost of suit, to be payd in current money, or wheat at money price current.

That the County Court Ordered Judgement to be entertherupon, and granted Execution accordingly; That the Sheriffe, pursuant therto, seized the uppermost halfe of the said Wollaston's lands, & had them appraysd & delivered upon sale by an Out crye, to y' sayd Grinatham, for 30lb. & 10sh. & gave him possession thereof; That neither y' sayd money, nor wheat in lieu thereof, was payd.

That what the Provinciall Judges did decree & order in this matter was not done virtute officly, but as reserves upon bonds enterd into by both partyes.

And that the non payment of the debt, with Costs, was y' occasion of all that great expence that y' sayd Granton had been put unto, w'th arose through the said Wollaston default, and many other things being controverted between them, wherein they could not agree, they were caused to withdraw; and upon the Question put, It was Resolved & agreed, (nemine contradicente,) Viz':

1st. That the debt due to Grinatham was not satisfied by the sayd Wollaston before the Sheriffs's sale of the Land to Granton.

2. That there was no just ground of Exceptions to be taken against y' proceedings of the County Court in their judgement.

3. That the Order made by the Provinciall Judges for giving or restoring possession of y' Land to Wollaston, was not intended to be Executed till the debt & damages were satisfied; which y' sayd John Symcock declared upon this hearing.

Wherupon, both partyes being called in, & endeavours used with both of them to agree the matter between themselves, & some proposals made for that purpose, Wollaston declared he had better be without the land than pay 30lb. 10sh. for it, and that he could not pay, or give security to Granton to pay the money to his satisfaction.

On y' other hand, Granton refusing to take the negro for his money, (w'th was the cause of the debt,) & refusing to Grant longer time & complayning of their being undon by the vast Expences Wollaston had put them to, (which occurred to the Gover' & Councill to be the sayd Wollaston's faylor,) and that the said Wollaston had Recd several years use & benefit of the Negro; wheras, Gramton was out of his money all that while.
It was upon the whole matter, Resolved, Ordered & adjudged,
That Gramton be confirmed in ye sale of ye Lands made to him by
the Sheriffe, as aforesaid, at ye rate of 30lb. 10sh., and that he be also
allowed the sum of 10lb., at which a certaine parcel of corne grow-
ing on the sayd Land, & taken off by Grantham Whilest he had pos-
session, had been valued, and that this should be in full of all de-
mands of him, the sayd Grantham, from him, the sayd Wollaston, both
debt, damages & Charges:
And that the Sheriffe of the sayd County of New Castle, (at the
request of the sayd Grantham,) should be required to restore & give
unto him, the said Gramton, the quiet & peaceable possession of the
sayd Lands, to hold to him, ye sayd Gramton, his heyrs & assignes for
ever; Any thing in any former order of this board conteyned to ye
Contrary notwithstanding:
That this be the finall conclusion & judgement of this board in that
case; And that this Order shall be to the sayd Sheriffe a sufficient
warrant in that behalfe.

John White, Clerk of the sayd County of New Castle, being com-
plained of by some of the Justices of the sayd County as one who had
greatly misbehaved himselfe in his carriage towards the Justices, and
so provoked them as that divers of them were discouraged in their
serving the Governm in that Station, & for that cause had resolved
against acting therin; and having likewise recorded a returme made
by three of them to ye Gover & Councill, which he acknowledged
he knew to be fundamentally erroneus for want of a date, and
boasted that he knew it to be so before he entered it, & ye he did not ac-
quaint the Justices thereof, & yet did it with intent that he might be
even with them for finding fault with a defecte transcript he had
made, intimating (as appeared by attestation of James Claypoole)
that all advantages against an enemy were fayre, which in effect he
acknowledged, saying he would not Lye, he had not acted as a
Christian therin, but rather blamed others for taking offence therat
than himselfe for giving it.

The Question being put, it was resolved:
That that carriage of his in recording the sayd Returme with that
intent declared by him, was a misdemeanour in his office, & argued
him unfitt to be trusted with the Custody of Records any longer.
He being called in, was acquainted therewith & his Commission
dclared voyd.

Consideration being had of the Erraneousnesse of the sayd Returme
so entred, It was Resolved:
That ye sayd Record, so entred by him, should be cancelled in the
County book, & was accordingly cancelled at the board, in presence
of ye Justices.
Resolved that the Entry of the same erroneus returme made in the
book of the Provincill Councill's orders & proceedings, should also be
cancelled, & was accordingly cancelled at ye board, by the Secre.

The Gover produced a Letter delivered to his servant by Tho. Lloyd, the 8th of March, 1688-9, directed for Governor Black-
well, signed Tho. Lloyd, Arthur Cook, for Jo Simcocks, dated
PROVINCIAL COUNCIL.

Phila. 7th 1st Mo., 1689, which he shewed to y* said John Simcock in the presence of the Counciill, & asked whether he owned that to be his hand.

He answerd, No: & Being askd whether he were on y* sayd 7th of y* sayd month in y* sayd towne of Philadelphia;

He answered he was not in Philadelphia since y* 2nd day of the sayd month.

He sayd also, he knew nothing of it, nor had he given Tho. Lloyd any allowance to sett his hand to any thing in his absence.

The Gover Enquired of John Simcock, John Bristow, & Barth. Coppock, whether they had not read a Commission for Justices, & holding a County Court for the County of Chester. John Symcock answerd they had. He then told them that he understood upon the Road as he came through Chester, that they, with other persons named for Justices in the sayd Commission of the peace, had not published their Comission, nor subscribed & ingaged fidelity as by Law was required before they Executed their sayd office. Also, neither had the Sheriffe of the County either publishd or owned his Comission or authority, whereby they had brought in Question all their actings & proceedings in their County Court, and that the Sheriffe had renderd himselfe incapable of making returns of the Elections of Provinciall Councillors and Assembly members, and proposed it to their Consideration that some thing might be done to prevent the inconveniences that might arise by such irregular actings, which had brought them into a premunire.

Upon debate thereof, it was thought advisible and agreed that a Generall Sessions should be called; that the Commissions should be published, & and the actions done since the vacating their former Commission, be confirmed by renewed orders made in the County Court, where & when the freeholders shall be for that purpose summoned & assembled, and that the same be grounded on an unwilling faylor & error in their proceedings.

Which they promised should be done accordingly. The Gover declaring that should be satisfactory to him, he being willing to believe that what was done was not in contempt of authority, as he had feared.

Philadelphia y* 25th of y* first month, 1689, in y* Counciill Roome.

PRESENT:

JOHN BLACKWELL, Esq', Gover'.

John Symcock, Barth. Coppock, John Bristow,
Rob' Turner, Sam' Carpenter, Wm. Markham, Sec'.
Grif. Jones,

The Gover' Directed y* Sec' to read y* Entry of The proceedings of y' Counciill at New Castle.
The said proceedings being read, Barth. Coppock remembered it had been affirmed that yr Justices of Chester had subscribed yr engagement of fidelity to yr Proprietor, required by Law, wth was also remembered by John Bristow, Rob Turner & Griff. Jones; and yr said subscription being produced, dated yr 5th day of yr first month, (wth was yr first day of yr County Court's Sitting,) yr same was ordered to be amended accordingly, &c.

Thomas Lloyd Came into yr Councell Roome, and yr Gover' asking him if he had any thing to say to the board, He answered that he was Come to present himself as yr Law required, wthin twenty days after Election.

The Gover' told him he knew nothing of it: There was no returm made thenceby by yr Sheriff.

Tho. Lloyd replied there was no need of his returm, as yr Gover' would finde if he look'd into yr Charter, &c.

The Gover' tould him he Could take no notice of any Election till due returm be made, and therefore if he had nothing Else to offer to yr board, desired him not to Interrupt their proceedings; they were Entred vpon a matter of another Consideration. Thomas Lloyd said, He understood some thing had been moved about yr adding yr Welsh towns or tracts to the County of Chester, and if any Such thing were proposed desired they might be heard.

The Gover' told him no such thing was yet brought before Them; But that if any such thing were wherein it should be found requisite to hear them, they Should have notice thenceforth.

adjorned till 3 in yr afternoon.

POST MERIDIAN.

Present as in yr forenoon.

The Secretary produced a Petition from severall Justices and Inhabitants of yr County of Chester, directed to yr Gover' and Councill. The Gover' asked by whom Subscribed: 'twas answered by none. He replied He should not receive it without a Subscription: it was delivered to yr persons who attended about it. They Subscribed it.

The Gover' then directed it to be read: it was read; yr Copy thereof followeth. (viz:)

To JOHN BLACKWELL, Esq', Gover', and the Provincia Council of Pennsylvania, &c.

The Humble Petition of yr Justices of Chester County, in the behalf of themselves and Inhabitants of yr said County, Sheweth:

That whereas, yr said County is but of a Small tract of Land, not above 9 miles Square, & but Thinline seated, whereby yr said County is not able to Support the Charge thereof; Vpon our humble Request to The Proprietor & Gover', and his Serious Consideration of our weak Condition, was pleased out of Compassion to vs, to grant an Enlargement of yr same, in manner following, viz: to runn vp from Delaware River, along darby mill Creek, yr several Courses thereof, vntill they took in Radnor and Herford Townshipps; Then downe to yr Skoolkill; Then vpwards along the several Courses thereoff, without Limmitt.
Therefore, wee humbly pray you will be pleased to Confirme y* said bounds, whereby the County of Chester may be in some measure able to defray their necessary Charge, and wee Shall, as in duty bound, &c.

It was signed by Jo* Blunston, Tho. Brassie, Rand* Vernon, Caleb Peusey, Tho. Vsher.

The Gover* Demanded of y* Petitioners how they would make out their alligations.

They began to relate some passages w* had passed ffrom y* Proprietor about settling the bounds of y* County of Chester.

The Gover* Directed them to withdraw, and putt what they had to say and Could depose into writeing: they went forth and brought in their severall attestations ffollowing, w* were read, viz:

I, John Blunstone, as in relation to y* Devison of Chester County ffrom Philadelphia, doe thus testifie, that a few days before Gover* Penn left this Province, that vpon y* bank, by John Simcock’s house, I moved him to Deside this matter that had been so long Discoursed, who then, before me and Others, did Declare that y* bounds Should thus runn ffrom the mouth of Bow Creek to Mill Creek, w* should be y* bounds vntill it come to y* Land of Herford, and then to take in the Townds of Herford & Rudnor; from thence to the Skoolkill, and take in his mannour of Springtowne, by w* our Patents Holds; then I asked him if he would be pleased to give it vnder his hand, to avoyde further Trouble, who answerd he would, if any of vs would Come the next day to Philadelphia in order therevnto: one was sent, but what then obstructed I am not certaine, but y* Gover* Departed about two days after: was signed ---JOHN BLUNSTON---

Randall Vernon sayeth, that some time since Wm. Howell of Harford, Signified vnto me, and gave it vnder his owne hand, y* some time after they there Settled that he asked y* Gover* to what County they Should be joined or belong vnto, & The Gover* was pleased to answer him that they must belong to Chester County: was signed R., the mark of Rand* Vernon.

Our Proprietor and Gover* being pleased to grant to me a Commission to be Sheriff of The County of Chester, was pleased some time after to Express himselfe to me to this purpose: Thomas, I perceive that the Skoolkill Creek Comes or runs so vpon the back of Philadelphia, that it makes y* City almost an Island, so that a Robbery or the like may be there Committed and y* offender gitt over y* Creek and so Escape for want of due persute, &c., therefore, I intend that y* bounds of Philadelphia County Shall Come about 3 or four miles on this side of the Skoolkill, and I would not have thee to take notice or to oppose that Sheriff in y* Execution of his office, about Kingses, or the like, but I intend to Enlarge this County downewards to Brandywine: asseertained by me,

---THOMAS VSHER---

Some of the members of the Prov* Councill asserted the Substance thereof, and that y* same was agreeable with the mapp of the Province.

The Survey* Gene* Deputy was sent for, who showed the bounds of the County ffrom the mapp, and being asked by y* Gover* by what
order it was sett out, answered it was so ordered by y* Goverr & Provinciall Council, as would appear by y* Copy of y* minutes of their proceedings, w* he produced.

The Goverr Directed that the minutes themselves might be serched, & Compareing the same Copy with the Entry, founnd them agree in Substance.

'Twas observed by y* Goverr and Councill that y* mapp of The Province was the work of Thomas Holme, Surveyr Gene; that it was dedicated to y* Proprietor by y* Publisher; that many Coppys had been published in England and here in this Province, by w*th y* same was made notorious to all men's observations & Knowldg, w*out Controll or Question, and that 'twas likely many Conveyances of Lands might have been passed, Expressing the Situations to lye in the Respective Counties; as they were therein Expressed, and that to Disallow thereof, for y* Boundary's might be of ill Consequence on that acco'. 'Twas asserted that the Welsh Inhabitants had Denyed themselves to be any part of The County of Philadelphia, by refusing to bear any share of Charges, or serve in office or Jury, and the like, as to y* County of Chester.

That the pretence thereof was they were a distinct Barrony, w*tho' they might be, yet that severall Barronys might be in one and y* same County.

'The Goverr and most of The present members of Councill Decla-ring themselves satisfied Concerning their being a part of Chester County vpon y* grounds alliged and proved as aforesaid, Yet,

for as much as Thomas Lloyd had desired they might be heard before it were determined, Sam'l Carpenter was desired to acquaint him that if he, the said Thomas Lloyd, should think fitt so far to Concerne himselfe therein as to appear in their behalfe, or any other, to shew cause why they should not be Declared to be of the County of Chester, (as the Proprietor had promised,) they might have liberty so to do before the Goverr and Councill to morrow, between 9 & 10, in the forenoon, otherwise the Evidence seemed so ffull as that they should proceed to Declare their judgment therein.

James Claypoole, Clark of The County Court of Philadelphia, by an address to y* Goverr & Councill, Complained that David Lloyd refused to Deliver yp the Records and proceedings of the County Court in the time of his being County Clark, and some of the justices also informed the board thereof, and that many prejudices had hap-pned by y* Clark's not haveing them. David Lloyd being sent for, said he had not had time to doe it, haveing been ingaged in a remo-vall of his goods, &c., but said he would doe it as soon as he Could; the Goverr Declared to him there being a County Court to sitt this week, where they would he needed, that if it were not don in two days he Should take a Course with him to Compell him, w*he he ad-viscd him to prevent, and Caused him to withdraw.

Wm. Cloud his Petition was read, setting forth his being taxed for y* Levies of one and y* same tract of Land in both y* County of New Castle and y* County of Chester, the w*th tract of Land was Laid out
as in the County of Chester, and was part of five hundred acres he bought in England of the Proprietor.

Ordered that the Secretary write a Letter in the name of the Gover'r and Councill, to ye justices of The County of New Castle, to Inquire into that matter, and to Certifie to ye Gover'r and Councill the grounds of their haveing interrupted him, as is therein Expressed, if it so proved, w'h what Convenient Speed they Could, and in the meantime to Suspend the Levying y'payment Complayned of till further Order.

At a Councill in the Councill Room at Philadelphia ye 26th of ye first Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq', Gover'r.
John Bristow, Wm. Yardley, Griff. Jones,
Sam' Carpenter, Rob' Turner, Wm. Markham, Secret'.

The Gover'r directed the Entryes of yesterday proceedings in Coun-
cill should be read.

They were read. As also ye minute of ye Councill touching the ascertainment the dividing lyne betweene the Countyes of Philadelphia & Chester, dated ye 1st of 2. Mo., 1685.

The same were reviewed & observed by Mr. Yardly. In so much as he express himselfe he Could not see what was to be sayd against it.

Sam' Carpenter declared he thought the Welsh people & inhabi-
tants of Philadelphia County should have longer time. Also Mr. Yardly was of the same minde. The Gover'r thought there was no need of them, the matter being so playne, But directed, if any were attending they should be called in.

The Secretary went out to see if any persons appeared on their be-
halfe, according to the Liberty Granted & directed to be intimated to Tho. Lloyd, at his motion yesterday.

Tho. Lloyd & John Eckley appeared, and the Gover'r asked them if they had any thing to object (on the behalfe of ye Welsh people) against the Running of ye lyne as appeared by the map, which added them to ye County of Chester.

Tho. Lloyd sayd the Proprietor had given them grounds to Expect they should be made a County Pallatine. The Gover'r ask'd if any such thing had beene past: nothing appeard.

Tho. Lloyd askd the Gover'r by what authority these dividing Lynes were drawne.

It was answerd by the forementioned Order of the Councill, (as farre as concerned this matter,) which agreed with the several depo-
sitions of what had been promised by the Proprietor, and also with the map-lynes, &c. Some other discourses past, but nothing mate-
riall offer'd against the thing; Only Tho. Lloyd declared his opinion, That some more time should have been allowed for their appearing to make their Exceptions. He also demanded of the Gover'r whether the
Proprietor had power of himselfe to divide the Countyes, or whether the Proprietor & Councill. The Gover’ answerd that by y’ said Depositions, minutes & map, it appeard to be done by both in this case.

John Eckley declared he had nothing to say, but that he thought further time might be allowed in the matter. The Gover’ told him he did not think that the Gover’ & Councill could doe nothing about limits, but with the popular allowances.

They both being with-drawne, The Question was put, viz’: as many as are of opinion that the bounds of the County of Chester Expres’d by the dividing line marked in the large map of the Province, dedicated to y’ Proprietor, and being according to the Order of the Provincall Councill dated y’ 1st of y’ 2d month, 1685, are, and shall be hereafter, held and esteemed the bounds & dividing lyne betweene y’ Countyes of Philadelphia & Chester, declare yourselves by rising up from your seats.

It was carried in the affirmative, by Rob’ Turner, Griff. Jones, John Bristow & Wm. Markham (agreeing with the Govern’ sense.)

Sam’ Carpenter declaring the ground of his being in the negative was not that he was against the thing, & thought it would be & was best so; only because that he thought the Welsh people & People of Philadelphia should have had longer time for making their defence. Mr. Yardley of the same minde.

Mr. Bristow brought in the Sheriff’s Returne of Ellections for members to serve in the Prov’n Councill and Assembly for the County of Chester. The Secretary offer’d the like Returne, made for the County of New Castle: both were read & referred to further Consideration.

A Petition was presented to the Gover & Councill by Humphrey Morrey, Phill. Richards, phillip James, Will. Lee, for leave to build a wharfe on the side of Delaware River, against y’ End of y’ Chesnutt street, which was read and some things spoken to it; But the further Consideration thereof Referred to the next Sixth day of this week.

Adjourned to y’ 6th day, being y’ 29th instant, at 9 of the Clock in the forenoone.

At a meeting of The Councill in the Councill Roome in Philadelphie the first of The second month, 1689.

PRESENT:

JO* BLACKWELL, Esq’, Gover’.
Griff. Jones, Luke Watson, Joseph Growdon,
Wm. Yardley, Sam’ Carpenter, Wm. Markham, Sec’.
Barth. Coppock,

The Gover’ ord’d the Entries of y’ Last daye’s proceedings in Coun-
cill should be read: they were Read accordingly.

The Gover’ Directed y’ Returne made by y’ sheriff of y’ Countv
PROVINCIAL COUNCIL.

of Sussex of members to serve in Provincall Councill & assembly should be Read.

Wm. Clark & Jo Hill, members Returned to serve in Provincall Councill, were directed to withdraw.

Consideration was first had of Wm. Clark's Election, who had served Six years before, whereupon Sam Carpenter moved to have that part of ye Charter read which directs that after ye first seaven years the persons going off should be incapable of being Chosen againe for one year following, &c.

The same was Read:

And upon the debate it was resolved, Nemine Contradicente, that ye Returne of Wm. Clark was good, and that there was no Exceptions to be taken against him, but that he subscribing ye obligation of a Pro Councillor, Should be admitted to take his place: which he subscribed, and was admitted accordingly to sitt in Councill.

Consideration was also had of Jo Hill. Jos. Growdon desired ye writt Issued for his Election might be read: the same was read, and upon debate it was resolved that ye Returne of Jo Hill was good, and that there was no Exception to be taken against him. Jos. Growdon, Barth. Coppock, & Wm. Yardley desenting. He was Called in, & subscribing, took his place in Councill.

Wm. Stockdale being returned to serve for ye County of New Castle, upon the debate it was resolved, nemine Contradicente, that ye Returne was good, & that there was no Exception to be taken against him: he was Called in, and upon his subscription was admitted to take his place in ye Councill.

John Symcock being returned to serve as a member of Councill for ye County of Chester, upon ye Debate it was resolved, nemine Contradicente, that ye Returne was good and that there was no Exception to be taken against him. He was Called in, & upon his subscription was admitted to take his place in the Councill.

John Curtis being returned to serve as a member of Councill for ye County of Kent, and ye Returne also read, Griff. Jones acquainted ye board ye said Curtis had been formerly accused by some desolate persons of treasonable words. Wm. Clark, one of ye Judges appoynted on ye occasion, said ye words were not treasonable, and ye Grand Jury did returne ye bill Ignoramus, &c., and so said Griff. Jones. Js. Growden said that Curtis was well reputed in his County, &c.: upon debate it was resolved (nemine Contradicente) that there was no ground of Exception against him. He was Called in, and upon his subscription admitted to take his place in ye Councill.

Jo Eckley was Returned by ye Sheriff to serve as a member of Prov Councill for ye County of Philadelphia, but with submission to ye board for that fifty or sixty welsh men who were not of that County had joyned themselves in ye Vote, ye Govern desired ye Councill's serious Consideration touching that Returne, and for their fuller information, directed ye ye Entrys of ye Councill's proceedings in their debate touching ye bounds and lines between ye County of Philadelphia & Chester, viz: on ye 25th & 26th days of ye Last month, should be read. They were Read; And upon debate it was Resolved
y Election of Jo Eckley to be a member of Prov Councill for Philadelphia County, for y Reasons advertised in y Returns thereof, given by y sheriff, was not a good election, according to y Charter and Rules therein in that behalfe, Sam Carpenter, Jos. Growdon, Wm. Yardley & Wm. Stockdale only dissenting.

The Gover thereupon declared he would Speedily Issue out a new writ for Chusing not only for Jo Eckley, but for Sam Richardson, to Supply his place for y Remainder of his time, he having misdeemeaned himselfe in Councill. Jos. Growdon moved that y Returne of Thomas Loyd for to serve as a member of Prov Councill for y County of Bucks might be Considered: y Gover said it was late and y he had some thing to say ag' it, wch he would declare to them at next sitting, wch was appoynted y next day, viz: y 2d of y 2d month, at 9 of y Clock, and adjorno accordingly.

At a Councill in y Councill Roome at Philadelphia y second day of y second month, 1689.

PRESENT:

JO BLACKWELL, Esq., Gover
Griff. Jones, Jo Symcock, Wm. Yardly,
Jos. Growdon, Barth. Coppock, Jo Curtis,
Luke Watson, Wm. Clark, Jo Bristow,
Jo Hill, Samh Carpenter, Wm. Markham, Secy.
Wm. Stockdale,

The Gover directed that y Entrys of yesterday's proceedings of y Councill should be Read: they were Read: y Gover acquainted y board he should begin with y matter wch was Last mentioned; wch was to acquaint them wch what he had to say against y admitting y Returne of Thomas Lloyd to set as a member of Prov Councill for y County of Bucks, and made a Large discourse of y powers granted him by y Proprietary Commission formerly granted to y Prov Councill and Comm of State, to wch there was Reference made by his said Commission.

And particularly setting forth how the said Thomas Lloyd had by his miscarriage in sundry respects, obstructed his, y said Gover, proceedings in y Discharge of his Trust. And having delivered in a paper Conteyning the heads of Several articles of high misdemeanors, Crimes and offences, Where with he Charged y said Thomas Lloyd, in y name of y Proprietor & Cheiff Gover, (wch he directed Should be Read, and was read accordingly,) He proposed a Committee might be appoynted for Considering y same, &c., for preparing and makeing ready in Due forme, articles to be prossecuted and proved against y said Thomas Lloyd, and that thereupon he might be brought to a tryall, to be managed in y Proprietor's name. Joseph Growdon moved that Sam Richardson might be admitted to Sitt and act as a member of Councill for y County of Philadelphia.
PROVINCIAL COUNCIL.

The Gover'n told him his misbehaviour had been such as had Ex-
cluded him, & that he had given Direction for a writt for a new
Election of one in his Stead: he, y'said Joseph Growdon, moved also
y' ye vote that had past yesterday touching y'returne of y'Election
made by ye Sheriff of y'County of Philadelphia, might be past by y'
Ballott. The Gover'n told him it Could not be admitted; it was yes-
terday past by ye vote as had been ususall, & 'twas affirmed ye ballot-
ting box had never been made vse off on any such occasion, and that
he saw no reason to make vse of it in that Case.

Adjorned till To morrow morning, 9 of ye Clock.

At a meeting of the Councill in the Councill roome in Philadelphia,
the 3d day of the 2d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq', Gover'n.
Jn' Symcock,        Jn' Hill,        Sam'h  Carpenter,
Jos. Growdon,       John Curtis,     Griff. Jones,
Jn' Bristow,        Wm. Stockdale,   Luke Watson,
Wm. Yardly,         Barth. Coppock,   Wm. Markham, Sec'y.
Wm. Clark,

The Gover'n directed the last Entry should be Read; they were
Read accordingly.

The Gover'n was entering upon a discourse touching the heads of
the articles of charge exhibited against Tho. Lloyd, But whilst he
was speaking Sam'h Richardson, a late member of Councill, came into
y'Councill roome and sate downe at ye table.

The Gover'n asked him if he had any thing to say to y'Council.

He sayd He came to discharge his duty as a member of that board.

The Gover'n told him he had beene dismiss for his misdemeanors in
Councill, and that a writt was ordered to be issued for Electing another
in his Roome. He demanded for what. He knew nothing he had
done, but that he had sayd thou wert a Deputy Gover'n, and that he was
ready to make good; and added, He was never heard; He was never
heard; and had asked for a Copy of the minute & could not have it.

The Secretary sayd: He spake to him thereof in the Street, but
never came to him for it.

The Gover'n told him It was Enterd, and that his behaviour was
with so great contempt of the authority of the Proprietor & that board,
as could not be borne; And therefore, Required him to withdraw,
which he Refused: thereupon The Gover'n declared that if the Coun-
cill did think fitt to suffer such interruptions to his & their proceed-
ings, and so high affronts to be given him sitting there, & there was
no way to prevent the Coming of persons, He would adjourne the
Councill to another time, and provide for his being kept out by some
officer he would appoint to kepe the doore.
The sayd Richardson continuing there, and there being a Silence, The Gover' adjourned till two of the Clock in the afternoone.

POST MERIDIAM.

The same persons present.

The Gover' acquainted the board That he thought fitt That the heads of the charge he had exhibited against Tho. Lloyd should be prepared: and that as he had when he delivered in the same, profounded A Committee might be appoynted for that purpose.

Joseph Growdon sayd: He thought it was fit That the businesse of Sam' Richardson should be considered, that the board might be filled with their members, and that he questioned whether the Councill had power to Exclude a member chosen by the people, for then they might all be Excluded at pleasure, &c.

The Gover' tould him He doubted not to Exclude him or any mem- ber whatsoever, that should misbehave himselfe as he had done; and sayd, It is the undoubted privilege of all Courts & Corporations to judge the misbehaviours of their owne members sitting amongst them, and that his misbehaviour had been insufferably great in their opinions, and was commited in their view, & consequently, That none could be so proper judges therof, and they had so adjudged it. He also Added, that many facts done in the view of one justice of the peace, Was sufficient for conviction, & Recording it.

It was moved, The proceedings might be read: they were Read. It was objected that y' Exclusion was but conditionall, and moved That he might be allowed to acknowledge his offence, or Fined, &c.

The Gover' sayd He knew not that they could fine him. That it was to late to admitt his acknowledgement if he should tender it now, for that a writ was ordered to be issued for a new Election, which had beene notified by the Sherifffe. Besides, that there seemed to be little probability of his Submission, for It might be observed how that when he appeared in the morning, as he offered no such thing, so he stood upon his owne innocency & vindication, saying He Knew nothing he had done; and when he had been ordered by the Gover' to with- draw, he had refused so to do, and had inforced him to adjourne the Councill whilst he was present.

In fine, That the affront was insufferable. That it had been already adjudged; and that he should not sitt there to suffer such abuses & affronts, nor would he bear them from any member sitting at that board; and that he would advertise the Propriotor accordingly, and abide his Censure.

Many intemperate Speeches & passages happend, fitt to be had in oblivion.

The Gover' desired therefore, They would forbear all provoking heats & animosities in their further proceedings, and proposed againe, That a Comittee might be appoynted to prepare & forme the charge against Tho. Lloyd, for that before they enterd upon preparing Bills, It was fit they should be in a Capacity to make them & Execute them when made Laws, which could not be till those things were considered, and due remeyses applied, and that depended thereon, The sayd
PROVINCIAL COUNCIL.

Tho. Lloyd assuming to himself to render all their attempts insignificant whilst he refused to set the Great Seale in cases Requisit.

Here again arose some warme debates, divers of the members expressing their in-ordinate affections for the sayd Tho. Lloyd; and saying they could not (& one of them he would not) believe him to be such a person, & so guilty as was mentioned in the Charge.

The Gover' toold them the things would be proved.

Some moved that he might be sent for and heard what he had to say for himselfe, before there were any further proceedings, saying it may be he could give the board satisfaction.

The Gover' Replyed The articles were not finished, and It was against all the Rules of judicall proceedings to Require a man to answer till his charge was ready. He added, That he had in the name of his master charged him with crymes, offences & misdemeanors, which were well known to himselfe, the Gover', and to divers other members of that board present to have been committed by him. That when the charge was ready He should be sent for. It should then be Read to him and his answer required, and a Coppie thereof & time given him for making his defence. But that divers of the things were so well known to be true, and were of so high a nature, and so mischievous & obstructive to his and their proceedings in the Governm', as by the Charter and Laws was required, that without application of due remedies it was in vayne for him & them to sitt there, (w'h was likewise declared to be the opinion of divers of the members present; but was of little esteeme with others, on the account of their tenderness towards him;) and the sayd motions rejected in such warme Expressions as are not fitt to be Recorded.

It was objected by some that such proceedings against such a person would be of ill consequence to the Contrey at this time, in that it would discourage persons from coming over amongst them, &c.

It was answered That on the contrary, if partiallity were used, that would more discourage persons; Especially where justice required their detestation of such things committed by friends, if they should not Testify against it, &c.

The Governor tould them It was needfull to lay aside affection, & to doe justice on the behalfe of the Proprietor & people, and tould them, if they should not think fitt to direct a further proceedings, he would himself appoint some persons to do what he had moved, in order to the perfecting the charge, and preparing, methodizing & mannageing the evidence.

It was answered by some, He might if he would; they were not satisfied in it.

Wherupon the Gover' thought fitt to give them a dayes respit to consider what they would do.

It was moved They might sitt in a grand Comittee amongst themselves.

The Gover' (being aware of what was indeavord abroad,) &c., Replyed, He saw how hard a matter it was for them to keep within y' bounds of due respect to each other: That he did not therefore
think fitt to allow therof unlesse himselfe were present, as he conceiv-
ed it was his duty to be at all their meetings & transactions in pub-
lique affayres.

It was answered that would not do, &c.

Thereupon the Governor adjourned the Councill untill the 5th day
of the month, at nine of the clock in the forenoon.

At a Councill mett in the Councill Roome in Philadelphia, the 5th
of ye 2d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq., Gov'.
Wm. Clark, Griff. Jones, Wm. Yardly,
Ps. Alrichs, Jn'. Symcock, Barth. Coppock,
Luke Watson, Jn'. Bristow, Sam'l Carpenter,
Jn'. D'Haes, Wm. Stockdale, Jn'. Curtis,
Jn'. Hill, Jos. Growdon, Wm. Markham, Secre.

The Governor & Councill being assembled & Sate, were entring upon
businesse, But were interrupted by Tho. Lloyd's comming in, in man-
nner following, viz:

The Gover' asked him if he had any thing to say to the Councill.

He answered that he came to take his place & do his duty as a
member of that board.

The Gover' tould him, There was nothing Expected of him untill
he should have given satisfaction to ye board touching severall high
crimes, offences & misdemeanors, wherewith he stood charged. And
therefore desired him to withdraw & not to hinder their proceedings.
He Replyed, (amongst other things,) He had as good Right to sitt
there & give his advice as the Gover' had to be Gover'. That he had
a double Right, &c. The Gover' tould him It was not so judged, &c.,
and in as much as he would not withdraw the Gover' adjourned to his
owne Lodgeing in Philadelphia, and arose; Requireing the members of
of the Board to attend him there forthwith.

Most of the members stayed some time, during Which there were
so sharpe & unsavoury Expressions used by him, the sayd Tho. Lloyd,
to the provoking divers of ye sayd members, some of which were
heard by the Governor himselfe, whilst he stayed without the doore,
& others of wth was acquainted by the Secretary, who came out to
him & tould them they were in such heats & quarrellings as he believed
would not Easily End If the Gover' did not returne & comand their
departure. The Governor Returned and Required of him, ye sayd
Tho. Lloyd, that he should depart; and likewise the members of ye
Councill, that they forthwith attend him to ye place to wth he had ad-
journed them. Some of them, to the number of 6 or 7, went away
with the Governor, and the Rest came all of them in a short space
afterwards.
Being sate, The Governor directed the Entryes of y* last daye's proceedings might be Read: they were read.

Some Exceptions were taken against some parts of it by Samll Carpenter: the Gover* thereupon directed they should be read over, in parts, That notice might be taken of the particulars.

Joseph Growdon declared himself against the whole, but in reading that part wherein it was exprest That he questioned wether the Council had power to exclude a member chosen by the people, for then they might be excluded at pleasure: he sayd he did not remember that he used the words at pleasure. Also, y* words [they were Read thereupon] Excepted ag* agreed to be put out.

Sam" Carpenter sayd, He did not know That any intemperate speeches had been used, and moved That part might be omitted in the Entryes.

The Gover* Replyed he judged them to be so. John Symcock Exprest his desire that y* word [in-ordinate] where it is sayd divers of the members expressing their in ordinate affections for y* sayd Tho. Lloyd. The Gover* Replyed that was his sence of it, for that he could not prevayle with them to put the charge into a way of procedur, &c.

This being over, The Governor desired they would severally declare their opinions, whether That interruption & disturbance to their peaceable sitting in the Councell Roome, made & given by Tho. Lloyd, were not a misbehaviour in him: divers of them particularly & expressly declared they so adjudged it, and that it could not be judged otherwise: Others were of a contrary opinion; and some would not speak as to y* behavior or misbehavior, but declared obliquely, viz: One that it was not his opinion That Tho. Lloyd came there with intention or designe to misbehave himself; some That his coming to demand his right was not a misbehaviour; others y* they were not present at y* begining & did not see any misbehaviour; others that there was not any likelyhood of their going together by the ears, as had beeene affirmed.

Wm. Clark sayd no member of Councill ought to challenge a place till his qualification be judged by the Councell; he doubted not but Tho. Lloyd was duly Elected; but there was a high charge against him, and in such cases It had beeene the usuall method of the proceedings of that board not to admitt members returned till they had cleared themselves, for that till then he is to be look'd upon as a person that may be guilty, at least by some persons, and that till he be cleared he ought not to attempt to take the seate of a member at the board.

John Hill sayd that was his case: he was not admitted after long attendance, and that though he had not spoken or acted as Tho. Lloyd had done, yet Tho. Lloyd said he ought to be bound to the good behaviour, &c. Joseph Growdon moved for y* Ballot. The Gover* answered He had not heard that ever it was used in Councill before he came. But now that he had heard their severall opinions, He would take it upon himselfe to Exercise his authority, as he was directed by the Honbl* Prop* & Chief Governor, for suppressing all factions, Seditions & animosities, and so past off from that debate.
The Gover' moved to know their mindes whether they would enter upon the consideration of preparing bills to be past into Laws, & tould them he would put the businesse of the charge against Tho. Lloyd, into a way of preparation for their proceedings theron: after many thinghs sayd in debate, The Governor proposed this question, Viz':

As many as are of opinion That this Councill shall proceed upon the businesse of preparing bills to be past into Laws, and that there is a sufficient number to proceed theron, declare yourselves by standing up from y* seates. It was carriyed in the affirmative by Eleaven of 15 voyes of y* members present. The 4 dissenters were Sam'n Carpenter, Jos. Growdon, Wm. Yardly and Jn° Bristow.

And in order to their better proceedings therein, It was Resolved and ordered,

1. That the Rolls of all the Laws and ingrost lawes of this Province & Countyes annexed, appoynted by the King's Letters pattents, to be published under the seale, shall be brought before this board by the Keeper & master of the Rolls, or his Deputy, in order to the consideration of them, whether they have that Sanction which the Patent & Charter requires.

2. That the time for bringing them in shall be at y* next sitting of the Councill.

3. That Wm. Clark, John Symcock, & Jn° Bristow, do attend the Keeper with these Resolves.

Adjordned till nine of y* Clock to morrow morning.

At a Councill in the Councill Roome at Philadelphia, y* 6th of y* 2nd month, 1689.

PRESENT:

JOHN BLACKWELL, Esq', Gover'.

John D'Haes, Jn° Symcock,
Pet' Alrichs, Barth. Coppock,
Wm. Clark, Griff. Jones,
Luke Watson, Jn° Curtis,
Jn° Bristow, Jn° Hill,

Wm. Stockdale, Jos. Growdon,
Wm. Yardle, Wm. Markham, Secre.

The Gover' directed y* Entry of the proceedings of the last Councill should be Read. They were Read.

Wm. Clark (in presence of John Symcock & Jn° Bristow) Reported to y* Councill That In obedience to y* Resolves & order of y* board past at the last sitting, they did go to the Keeper & Master of the Rolls to acquaint him with those Resolves, & did acquaint him therwith; upon which he ask'd whether or no that they were to deliver as a message was by word of mouth or in writing. That they answered, That they had not any distinct command about that, but that he had a Copy of the sayd Resolves, which he delivered to him; and that after he had perused it, the Keeper returned this answer: That he would prepare his answer for it. That he asked the Keeper
when it might be expected, & told him it was desired the board might have it this morning. The Keeper answer'd He should take care of it.

The Keeper presented himselfe in the Councill roome.

The Gover' acquainted him with the substance of the Resolves, and that the Comittee appoynted had Reported. That he sayd he would give in his answer.

The Keeper tender'd his answer in writting, w'd was read by y' Secre. and is as followeth, Viz:\n
To the present Govr & members of Prov: Council.

I received y' Resolves this Evening late, of my bringing to your next Councel the Rolls of all the Laws & Ingrossed Laws of this Prov. & Territories, appointed by the King's Letter's Patents to be published under the Seal; Truely I know n' any such Laws, either in Rolls or ingrossed', so appointed to be published, neither can I understand by your Order what Seal is meant, whether the Greater or Lesser: neither have I declin'd my Duty in inrolling or legally recording any Laws w'd the Govr & Council, or General Assembly, have Recomended or directed to my Office: The Truest ingrossed Copy of the Laws w'd I know of is that which belongeth to & was used at the Board by the Proprietarie & Gover', & as I suppose, may Conteyn all the Laws made Since, & which Copy was generally perused upon Legislation. A fuller answer I cannot well give in so short a Time, but shall endeavoure personally to returne you further satisfaction to what Questions you may propose herein.

THO. LLOYD, M. of the Rolls.

PHILADELPH. the 5' sec M. 1689.

The Gover' asked the Keeper whether any Laws of this Contrey had been past or published under y' Great Scale: He answered The Originall Charter (which now remayns in his custody,) was past under the Great Scale, but no other Lawes that he knowes of, Except y' act of union, were, which in y' close therof is sayd to be past under the Great Scale, but he knows not where that is, or whether it were past under the Great Scale or not.

The Governor asked the Master of the Rolls whether the Laws were enrolled in parchm' Rolls, as by the Charter & his Comission of Master of the Rolls is required. He answer'd, None but y' first 60 Laws past at Chester had been inrolled; That their inrollm' was before his time; and he could not say that those Rolls were authentique Copyyes: and that he did not know any better Copy of the Laws than that w'd the Councill hath.

Some Question arose whether the Laws were to be published under the Great or the Lesser Scale. The Gover' declared That by y' Letters patents from the King, they were to be published under y' Scale of Wm. Penn or his heirs, and that by the Proprietor's Comission to the Keeper of y' Great Scale, He was appoynted to passe them under the Great Seale.

Griff. Jones proposed that the Inrolled Copyyes of the first 60 Lawes might be compared with the Copyy used at the Councill, and that the Councills book of Laws might be sett right for so farre. Approved
thorof: & in order thereunto, The Gover' proposed, That those Rolls should be brought to y° Councill & compared, for that purpose. The Keeper promised The Rolls should be delivered to y° Secretary, or whom the board should direct, & left with them for the space of a week, or such time as they should think fit, in order therunto.

The Gover' Proposed That the Comittee sent yesterday to the Keeper might be desired to attend the Keeper for the Receiving the sayd Rolls.

The Comittee went, and after a short space returned with three parchm' Rolls, conteyning the Enrollment of 69 Lawes, according to the numbring of them with figures.

The Board Refered them to the Secretary, to be Examined by comparing them with the Councill's book of Laws, and directed That if he found any variations in the numbring or Coppying of them, such variations should be Reported to y° board at next sitting.

Adjourned to the 2° day next week, at 10 of y° clock in the forenoone.

At a Council in the Councill Roome at Philadelphia y° 8th of y° 2d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq'. Gover'.
Wm. Clark, Wm. Yardly, Wm. Stockdale,
Jn° Symcock, Griff. Jones, Jn° D'Haes,
Jn° Curtis, Luke Watson, Pet' Alrichs,
Joseph Growdon, John Bristow, Sam'l Carpenter,
Jn° Hill, Barth. Copcock, Wm. Markham, Secre.

The Gover' directed y° Secretary to Read the entryes of y° last Councill's proceedings. They were read.

The Gover' caused two Letters to be read, directed to him from y° Justices & Sheriff of y° County of Sussex, touching a Rumar of an invasion made on Maryland by 9000 Sennekers & f'rench, &c. But y° board having received advertisem' That it was groundlesse, It was thought fitt That y° Gover' should returne thanks to y° Gent. for their care, but withal to caution them that they do not herafter presume to rayse the Contrey without more manifest cause; and directions for that purpose.

The Secretary Reported his having Examined & compared the Rolls of y° first 60 Lawes with y° Councill's book of Laws. He found little agreeem', and that y° sayd Rolls, as y° Keeper sayd last sitting of y° Councill, were not authentique; So that there was no depending on them.

The Gover' proposed their procedure upon the consideration of y° fundamentall Lawes, & agreed w° the fundamentall, Viz: the act of Naturalization or union, y° first, 36°, 37°, 38°, 43°, 51°, 56°, 57°, 58°, 62°, 64°, 67°, and 132°.
PROVINCIAL COUNCIL.

The Gover' proposed they would be Serious in y' Consideration whether y' sayd fundamentall laws were sufficiently confirmed or Established, having not been published under y' Seale, as by y' King's patents was directed, and that they would come prepared to Resolve it to morrow'morning, 9 of y' Clock.

Ordered y' y' parchm' Rolls rec' saturday of y' Keeper, should be Returned by y' Com't that brought them.

Adjourned till to morrow morning, 9 of y' clock.

At a Meeting of the Provincall Councill in the Councell Roome at Philadelphia the 9th day of y' 2d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq'. Gov'.
Wm. Clark, Peter Alrichs, Barth. Coppock,  
Luke Watson, John D'Haes, Jos. Growden,  
Jn' Hill, Wm. Stockdale, Wm. Yardly,  
Griff. Jones, Jn' Symcock, Wm. Markham, Se.  
Jn' Curtis, Jn' Bristow,  

The Gover' directed y' Secre to read the Entryes of the last day's proceedings. They were read.

The Governor acquainted the board that he hoped they were come prepared for the Consideration & further debate about preparing Bills adjourned to this time; But withall, that he thought meet to acquaint them That he had this morning received a printed paper, (called the fframe of the Governm'. of this Province, &c.) brought unto him by the Secretary, who sayd he had it from Wm. Clark, a member of this board, and that he had it from Jos. Growdon; who being present, the Gover' desired to know of him how he came by it.

Jos. Growdon answer'd, Wm. Clark had a little book of me.

The Gover' asked him againe how he came by it, & told him, It was a high presumption in any man, especially a member of that board, to promote the publishing of any paper of such concern without direction, Especially for that it was false in so fundamentall a poynt as that was, and that unless he could cleare himselfe he was liable to Censure.

Growdon answer'd, If there were any error it was in the printing of it.

The Gover' askd Wm. Clark whether he had Received it from Jos. Growdon. He answer'd he had, & that he askd him 6'd for it, & told him it cost him 2nd printing, & that he offer'd him 6 more for 18d.

The Gover' asked Growdon who printed it. He answer'd he did not know. The Governor askd him whether he had ordered the printing of it.

He answer'd. He was not bound to accuse himselfe.

Being askd when he gave it out to be printed. He answer'd He supposed that what was printed Was printed before yesterday, and he
did not think he was bound to answer any further about it. He did not intend any hurt in what he had done in giving out some of the papers.

The Gover' having askd him if he had any thing more to say, He was silent. He then directed him to withdraw, whilst y' Counciill should consider what to do in it.

He sayd, He did not think fitt to withdraw.

The Gover' proposed it to y' Counciill to declare their opinions whether he ought not to withdraw whilst it was debated. They being silent,

The Gover' adjourned the Counciill till 2 of y' Clock in the afternoone.

POST MERIDIEM.

The same members present, & Sam' Carpenter.

The Gover' sayd He should take up the businesse of Jos. Growdon publishing the printed paper produced in the morning, For that he looked upon it as being of a dangerous nature (in the present Condition of our affayrs, and distractions the Countrie were in) to have such a paper published; not only for that it was false, But for that the Proprietor had declared himselfe against the using of the printing presse; and Especially for that there seemed to him to be severall things therein conteyned which though they might be fit for the peo-ple of this Province to know, (and that they might do by having Resort to the Keeper's, where it was lodged,) but would be of ill consequence to be Known to others, and possibly might bring the Proprie-tor's title in question, &c., and therefore declared He Expected That Jos. Growdon should withdraw, whilst they gave their sense about it.

Jn' Symcock declared he was not satisfied that it was any prejudice to y' Contrey, for that the Gover' had sayd He would have the Children taught it.

The Governor Replyed: are you not satisfied That Growdon should withdraw till it be debated.

Growdon himselfe sayd. He did not think fitt to withdraw to be judged behind his back.

John Eckley came in the Counciill Roome, and sayd he was come to offer himselfe to y' board to do his duty. The Gover' toold him they were at present on another consideration, & desired him to with-draw till that was over.

Jos. Growdon demanded That all the members of the Counciill might be admitted before they proceeded any further.

The Gover' toold them they were all present Except Tho. Lloyd, who stood charged with so high Crimes, offences & misdemeanors, as he could not think fitt to admit him till he had answerd to them, wch he found them unwilling to bring him to a tryall upon, and Sam' Richardson, who was Excluded for great contempt of the Proprietor's & Gover' authority: Only John Eckley, whose Elections they had voted illegall.

Wherupon Wm. Yardley declared, Except we may have our members wch were duly & according to charter Elected, & intrusted by the people for the service of y' Contrey, admitted to sitt with us
for the service that is Expected by them that chose them, desired we may be dismiss rather than to sitt here.

The Gover'n sayd he knew of none kept out That are duly Elected, unless (as he had sayd before) such as are under a charge & Sentence of this board of misdemeanor.

Jno' Hill sayd: That he observed since he had been at Councill, there had been many obstructions in our debates for making Laws; that we could not proceed. I desire we may be dismiss, & think it best the Gover'n chose his owne Councill: we cannot agree.

Jno' D'Haes sayd: For my part I was chosen by the Contrey, and I see no businesse can be done but by quarrelling at every thing, So that we are all hindred from doing any thing: I desire we may be dismiss & not required to stay longer: we can do no good.

Sam'l Carpenter sayd: As to that man that appeared last, (viz: Jno' Eckley,) I hope thou hast nothing against him nor his Election. If thou hast, I desire to know what thou hast. I desire he may be admitted to take his place.

Joseph Growdon sayd the Ballot was to decide doubtfull questions.

Griff. Jones sayd there were such disorders at the Election as he never saw before. We desired the Poll and Ballot, and appealed whether there were not many persons present that were inhabitannts of Chester Countey, and that came out of Jarsey, which by the Poll or Ballot we should have known whether they had right or not to elect, & could not otherwise be determined.

I did as much as in me lay to have it done by the Ballot, as the Charter directed, &c. But I am sure we spend our owne time & money, & the Contrey's, in hopes of having laws, but we cannot hitt it; we are hindred from doing any thing; Therefore, I think it is best for every one of us to go about our businesse. We do but Exasperate & provoke one another, and beget heats & animosities, to the hurt of the Governrn'.

Jno' Symcock sayd: as to the writ that went out for the Election of John Eckley, If I mistake not there were some things in it as that They should either make a new Election or stand to their first choyse; and if so, thou mayest be satisfied.

The Gover'n Replied he did not remember any such thing; But should be as glad as any man to finde there were a doore open to admit him, for he looked upon him as a very worthy person. But he thought it was otherwise.

The Gover'n desired the Entry of the writt might be read.

Whilst that was sent for, in order to the Reading of it, Wm. Stockdale sayd he wonderd that the Ballotting box should in some Cases be so much cryed up & at other times denied, wherein our priviledges & libertyes are much concerned.

The Gover'n sayd: I will answer for my denyall therof in such cases wherein I have not thought it necessary to use it. But (added) I see there is such a flication made amongst you of this board, That I cannot answer it to trust the affayrs of the Governrn' comitted to me, unto such a Clandestine decision; For I see how you are influenced, many of you, &c. But besides, I am assured It has not beene used in like cases before my coming at this board.
The Secretary produced the Entry of the writt of Election of Jn' Eckley, &c., wch was Read; which is as followeth, viz':

JOHN BLACKWELL, Esq', Govern' of the Province of Pensilvania & Countyes annexed, Under the Honb' William Penn, Lord Proprietor and Cheif Governor of the same, & his Heirs.

To John Claypoole, High Sheriff of the County of Philadelphia, sendeth Greeting:—

Wheras, it hath appeared to y' Provinciall Councill, by your return of Elections made the Eleventh day of the first month, commonly called March, bearing date the 29th day of the first month, 1689, That a great number of Persons having mett in Philadelphia for the Election of one person for a member of Provinciall Councill, and six for assembly, amongst which were about 50 or 60 persons of the Township of Haverford & Radnor, &c., who were supposed not to belong to the County of Philadelphia; Yett they then gave their Vote by Ballott, with y' Freemen of the sayd County; Wherupon the sayd Election was by the sayd Councill resolved not to be a good Election, according to the Charter and rules in that behalf, although they could not but approve of the sayd Jn' Eckley as a worthy and fit person: And whereas, Sam' Richardson, a late member of the sayd Prov' Councill, through his great misdemeanor, as well towards the Honb' Proprietor, in contemning & denying his authority, as towards the present Gover' under him and his Heirs, Insolently denying him to be Gover', and that the Proprietor could not make a Gover' and other wrathfull and outrageous words, deportem' & carriage of his, in view of the Councill sitting for managem' of the affair's of the Govermm', wch occasioned the Vote and resolve following to be past against him on the 25th day of the last 12th month, viz': that the words & Carriage of the sayd Sam' Richardson were unworthy and unbecoming a member of y' Councill to the Gover', and that he ought to acknowledge his offence and promise more respect and heed for the future, before he be allowed to sitt againe in Councill: and wheras, he, the sayd Sam' Richardson, persisting in his obstinacy, hath not to this day either acknowledged his sayd offences, or promised more respect or heed for the future, but declared himselfe, he cared not whether ever he satt there more again: And wheras, there is a present need of the full number of members to serve for provin' Councill, as by Charter is required for preparing bills to be past into Laws, and other Weighty matters:

These are therefore, by his Maj'y authority, and in the name of the Honb' Lord Proprietor and Cheif Governor, to will and require you to give as Speedy and timely notice as may beto the Freemen Inhabitants within your County capable of Electing, That they meet at the usual place of meeting for such purposes, on the eighth day of this instant month, comonly Called Aprill, between the Hours of nine & Eleven, then and there to Elect and Choose from amongst themselves Two persons, of whom they have had experience for their approved fidelity, Virtue, Wisdome, Ability and Peaceable demeanor, to serve in the sayd Prov' Councill, Viz': either by confirming the sayd Jn' Eckley, or choosing some other whom they shall think fit in his stead, for the
term of three years; and whom else they shall think fittest to serve in the stead of y'sayd Sam'l Richardson, for the remaining space of two years of the three for which he was choos'd; and that you make due returne therof to the Gover'r & Prov'n Councill, for which this shall be your Warrant. Given at Philadelphia, the 23d day of the Second month, in the 5th year of the Reign of King James the Second of England, &c., and ninth of the Proprietor's Governm't in and over this Province, &c., anno Dom. 1689.

The Gover'r Declared He was sorry It did not answer Jn's Symcock's Expectation, for he did not finde, That they were directed to conforme Jn's Eckley otherwise than in the usual way directed by the Charter for Election by the Ballot, which had been demanded, but the disorder of the people would not permit it.

Wm. Clark sayd: He did not see that necessity of the Ballot for Jn's Eckley, but to have a free vote for his confirming, and thought he might be admitted for any thing that he did understand.

John Bristow desired to know whether the Sheriffs had made any Returne of it or no, & desired the Returne might be read if it were made.

The Sheriffs's Returne was read by the Secretary, w'th is as followeth, viz.':

To the Honbl's JOHN BLACKWELL, Esq'., Govern'r of the Province of Pennsylvanie and Countyes annexed, and Provinciall Councill, &c.

According to a Warrant from y'sayd Honbl's Gover'n, to me directed, the Freemen of this County mett at y's time and place therein Specified, and a method being proposed, they did declare that at that time they were not willing to vote by Ballott, and then nominating Jn's Eckley, they did by Maj' Vote confirm him to be their representative in Councill for the term of three years; and afterwards putting up Sam'l Richardson, they did by Maj' Vote Elect him for the remaining time he was to have served, and likewise declared their willingness to Confirm the former Choice of members for Assembly. In Witness wherof, I have hereunto sett my hand and Seal, the Eighth day of the Second month, in the fifth year of the King's Reign, & ninth of the Lord Proprietor's Governm't, Anno Dom. 1689.

JOHN CLAYPOOLE, Sheriff.

John Bristow observed upon it, That the writt was satisfied by that returne; For it was a confirming John Eckley, as was directed by the writt.

Wm. Yardly sayd: My opinion is, That the Return of the Sheriffs is that the people have confirmed that Election that was before, and so has answered the writt, and that he has right to come & take his place.

Bath. Coppock declared: He was of the same opinion with the member that spake last.

Wm. Stockdale sayd: I do also agree with what the last member sayd. Sam'l Carpenter sayd: The use of the Ballot is where there is
doubt. Here it was apparent, & therefore I think it is as well every whitt in this case.

The Gover' sayd: The former Election has been already determined not to be a good Election, and therefore that cannot be insisted upon.

John Curtis sayd: I think it was a very fayre Election. In other places we are Generally chosen by the Vote: and I think where they are unanimous, there needs no controversy.

The Balloting box is not used in any other place but this County. Wee are Elected by Vote.

Griff. Jones answered That was a mistake, for it is used at upland & in all the Lower Countyes, by black & white beans put into a hatt, w* is a balloting in his sense, & cannot be denied by the Charter, where it is demanded.

The Gover' sayd I take it to be so agreed by the Charter that the Election shall be by y* ballot, and am sorry it was not so done in this County upon this occasion, where they had alwayes heretofore insisted upon it as their Right. But I do not yet see how it can be allowed that Jr* Eckley should sitt.

Sam* Carpenter sayd: I look upon it that we are judges of Our members, otherwise we may be Refused or turned out at pleasure. We are abused.

The Gover' desired him to Explayne himselfe by whom they were abused. His answer was as dark as his former Expression; and so was past over.

Wm. Clark sayd: a great deale of time hath been spent & little or nothing done. We mett as a legislative Counciell in order to preparing lawes, But we are not yet gotten to the begining of that; and I do not see we are like to make any progresse in it. One thing or other does happen amongst ourselves to put a Stop to our procedure, and now the time is so farr spent that I think we shall not have time to go on with it if there were no objections in the way. We have sate already longer than we used to do on this occasion, and for as much as we are not like to do any thing, I desire we may be dismiss to our private Concernes.

Griff. Jones sayd: I have once already, & I doe againe desire, if we cannot go on to make Laws for the Province & Countyes annexed, & people thereof, & that without interruption, That we may have liberty to go about our businesse.

Peter Alrich sayd: I desire we may be dismiss & go about our businesse; things standing as they do, that we cannot be suffered to proceed.

Wm. Stockdale sayd: I desire we may have our members for carrying on of what lykes before us, as we ought to do, &c.

Wm. Markham sayd: He thought it was necessary the Counciell should be dismiss; he saw no service they like to do, & that it was too late now to begin to prepare lawes seasonably.

Jn* Symcock sayd: A dismisse might be acceptable enough to most or all of us, but we are obliged to do some service for w* we came, and to that end we have mostly all along desired to have our members.
desire that what of our time remayns we may indeavor to spend it to
the purpose intended.

The Gover's sayd: I am sorry we have beeen renderd thus indisposed
thereto by Councills from abroad. I have frequently given you the
grounds of my not agreeing with you, as to the bringing in the three
members you would have. I have a Conscience to be Exercised, &
a duty incumbint in discharge of my trust, as well as any of you,
and I conceive it lyes with more weight upon me if I suffer a misca-
riage in these Councills. But I have sayd what was on my thought
to say as there has been occasion; and since it appeares to me, That
we are hindered on that pretence from proceeding any further, I think
fitt (according to the advices of many of you) to adjournde this meeting
of Councill on the Legislative account, till further occasion; Expecting
you do agree amongst yourselves who shall attend the ordinary meet-
ings of this board, on each 2d & 5th days of Every week, as was
formerly agreed; and that you fayle not of your attendance ac-
cordingly.

The Gover's Adjourned till the 2d day of the next week.

Entry of the names of the members of Prov'n Councill who were
attending in the towne of Philadelphia, on the severall days ap-
pointed for holding Councills by the Governor, Viz':

On ye 15th of ye 2d Mo., 1689.
JOHN BLACKWELL, Esq'., Gov'.
Wm. Stockdale, Wm. Yardley,

On ye 16th of ye 2d Mo., 1689.
JOHN BLACKWELL, Esq'., Gover'.
Luke Watson, Wm. Stockdale, Sam' Carpenter.
Griff. Jones,

On ye 22th of ye 2d Mo.
JOHN BLACKWELL, Esq'., Gov'.
Luke Watson, Sam' Carpenter, Wm. Markham, Secre.
Griff. Jones,

On ye 25th of ye 2d Mo.
JOHN BLACKWELL, Esq'., Gov'.
Luke Watson, Wm. Stockdale, Wm. Markham, Secre.
Griff. Jones,

On ye 29th of ye 2d Mo.
JOHN BLACKWELL, Esq'., Gov'.

21
MINUTES OF THE

On y° 2d of y° 3d Mo.

JOHN BLACKWELL, Esq., Gov.

On y° 6th of y° 3d Mo.

JOHN BLACKWELL, Esq., Gov.
Luke Watson, Barth. Coppock, Wm. Markham, Se.

On y° 9th of y° 3d Mo.

JOHN BLACKWELL, Esq., Gover.
Barth. Coppock, Wm. Markham, Secre.

At a Councill in y° Council Roome in Philadelphia y° tenth day of y° third Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq., Gov.
John Symcoek, Jn° Hill, Wm. Yardley,
Luke Watson, Wm. Stockdale, Sam° Carpenter,
John Curtis, Jos. Growdon, Wm. Markham, Secre.
Barth. Coppock,

There wanting two members to make up a full Legislative Coun-
cill, The Councill fell into a free discourse amongst themselves about y° Expediency of Letting the Laws drop or fall, and some things
toaching the administration of y° Governm' until other Laws should
be made, or directions should come from y° Proprietor, &c., out of
England. But nothing was concluded, Only To adjourne till 5 of y°
Clock in y° evening.

At a Councill at the Governor's Lodgeing In Philadelphia, y° 11th
of y° 3d Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq., Gov.
John Symcoek, Wm. Stockdale, Jn° Hill,
Wm. Clark, Jos. Growdon, Wm. Yardly,
Sam° Carpenter, Luke Watson, Wm. Markham, Secre.
Barth. Coppock, Jn° Curtis,

The Gov' acquainted the Counsell That yesterday, towards even-
ing, two of y° members of y° Assembly had signifyd to him That
y° assembly was mett, and that they had sent them to acquaint y°
Gov' and Counsell therewith, and that they had something to say to
them. The Gov' proposed that y° Council would Consider whether
they could appoint a Committee, or do any thing as a Generall assembly until the Councell were at least 12.

The Opinion was they could not; and it was therupon ordered.

That John Bristow should be written to by ye Secretary to appeare to give his attendance in Councell by 9 of ye Clock ye 13th instant.

Likewise ordered, That ye members of New Castle be written to, to give their attendance in Councell at ye same time.

The Govr proposed to ye Councell, That if he thought The fire-holders of ye County of Philadelphia were yet disposed unto a more peaceable frame than at their last meeting, he should be glad to issue a writ for Election of two persons, as had formerly been done; but none gave any advice therein.

Nich. Walne & Edm Bennet came from ye assembly, & sayd They were sent to acquaint ye Govr & Councill That they were mett, & desired to know whether ye Govr & Councill were mett, & were ready to heare what they had to say.

The Govr desired them to withdraw till they could Consider what answer to give.

It having being considered, They were called in, and Desired to let the Assembly know That they wanted one of ye number of ye Councill to make a Generall Assembly; But had sent & would use what endeavors they could to have a full Councell against ye second day of ye next week, at nine of ye Clock in ye forenoon, wch was agreed, nime Contradicente, upon ye Question put.

The Petition of James Walliams was read, & all ye papers by him presented touching ye proceedings had at ye County Court of New Castle, upon ye Seizure made by ye Sayd Walliams of several goods Imported into this Province by Peter Godefroy & Aliens, contrary to ye Law of England, for the better encourageme't of Navigation, &c. And upon ye reading & Consideration thereof by the Govr & Councill, It was Ordered That a Specifie Commission should be issued by the Govr to 3 pesons, or any two of them, For the hearing & determining that matter, both as to the Seizure, forfeiture & qualification of ye Persons importing the Goods in question.

That the Comr do sit in Philadelphia ye 21st of this month: And That ye Secretary give notice to ye Plaintiff, Deff, & all persons concerned who shall be named by either of them, that they be in readiness to attend ye sayd hearing & for giving evidence therein as the Case shall require; all where was agreed, Nemine Contradicente. The Govr nominated Wm. Markham, John Symcock & Wm. Clark, or any two of them: some of them desiring to be excused, the Govr sayd he would settle that as he should think fit, when ye Commision was ready.

Adjourned till ye next Second day of ye Week, at ten of the Clock to this place.
At a meeting of the Councill at ye Govr's Lodging At Philadelphia ye 14th of 3d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq'r., Govr.
Jn Symcock, Barth. Coppock, Jn Curtis,
Wm. Clark, Wm. Stockdale, Jn Hill,
Jos. Crowdon, Wm. Yardly, Luke Watson,
Jn Bristow, Samn Carpenter, Wm. Markham, Secre.

The Govr. caused ye Entries of ye two last dayes proceedings in Counciell to be reade.

The Govr. acquainted ye Councill, That ye Assembly having sent, desiring they might have notice of ye Councill's meeting, they having some things to impart to them; and That he, ye Govr., had some thing also to say to ye Assembly touching the Lapse or falling of the Laws, desired they might be sent unto.

John Symcock & Joseph Growdon were sent for that purpose. They returned & brought word they had been with ye Assembly, and that they sayd they would be with ye Govr. & Counciell within half an hower.

In ye meantime, Peter Gronendik's petition was read: And It was agreed a new Comission for the peace & County Court of Kent should be issued. The Govr. also took ye names of divers pesons recommend to him by ye members of Counciell to be Coroners for ye Respective Countyes, & directed Comissions should be prepared.

The Assembly came; and after some pawse ye Govr. spake to them according to ye tenor of ye words following, viz:—

PHILADELPHIA, 14th of ye 3d month, 1689.

Worthy Friends & Gent:—

This being ye first opportunity of your appearing together in this Assembly since my arrivall, I hold it necessary in a few words to informe you of my errand amongst you.

Having received a Comission from the Honbl. William Penn (The true & absolute Proprietary & Chief Govr.) for ye Governm't of this Province & Countyes annexed, under him & his heirs, I undertook ye journey from Boston in New England, hither, about the later end of ye last ninth month, and upon my arrivall presented myselfe to those whom I found in authority, Giving them a view of my Comission; (who voted their acquiescing therewith,) and being thereby Referred (for my instructions & Guidance) to their Comissions, & such instructions as ye Proprieter had formerly given them, and ye Laws of this Province which he had past, I requested a view of them; and thence-forth made it my study to become instructed in my duty by them, and have accordingly acted to ye best of my understanding. But, It has been my great unhappinesse to meet wth unexpected opposition therin.

Gent., I shall not appologize for myself further than by telling you:

1. That I Sought not to Rule over you: It was from ye meere good will & pleasure of ye Honbl. Proprieter, (my worthy friend,) and I hoped it would have ended before this time.
2. That Being Resolved of undertaking it for a time, I also design-
ed to do it with all imaginable respect to him & yourselves.

3. That I have endeavord so to demean myself therin as I doubt
not (when my master shall receive the acco' of what has past since-
my arrivall) it will be sufficiently evidenced, That I have acted ac-
cording to my Comission & instructions from him.

4. That in Expectation of his arrivall, (w^a God grant suddainly,
if it be his will,) I shall wayt for my vindication against y^ malevo-
lenency of my opposers.

I suppose you have been formerly acquainted with y^ reasons &
necessity of y^ Proprietor's absentering himself so long from you, as
till the late Revolutions in England. He hath frequently evidenced
his strong desire above all things to be restored to you.

What hath hindered of late we have from divers Reports of things
transacted in England, w^ require we should wayt for their being
renderd more certain; and in the mean time strive in our prayers,
That the Lord whoGov^ this universe will do it in wisdome and Good
will towards all his suffering people, and ourselves in ptickular.

I suppose, Gent., You expected some bills should have been sent
downe to you from y^ Prov^ Council, for y^ Consideration before your
coming up & passing them into Laws at this meeting.

Divers reasons may be given why none were. I shall acquaint you
with some of them, Viz':

1. The Honb^ Proprietor (for reasons known to himself) hath
given positive directions for letting all the Laws drop or fall, Except
the fundamentals. And afterwards, for calling together the Legisla-
tive authority to passe such of them, or others, as they should think
fitt, for the future: (w^ is my full intention to do.)

2. The Honb^ Proprietor being by his patent from the King, au-
thorized by himself & his heirs, &c., (with consent of y^ freemen,
to make, and (under his seale) to publish necessary Laws for y^
good of the people; (w^ had never been done, with all requisit cir-
cumstances, whilst himself was here, and without w^ I much doubt
whether what were past, or should hereafter be past, have that due
sanction or establishment w^ Laws require;) and finding the Great
Seale, under which they should passe, was not to be had, (the Keeper
thereof refusing to allow the use of it in any cases, by my direction,) I
therefore lookd upon it as labour in vayne now to attempt it.

3. The present posture & alteration of affayres in Engl^ The un-
certainty touching y^ Condition of y^ Proprietor himself and his power;
and y^ fears of what danger might ensue, as well to him as to our
selves, in passing & confirming laws of such a nature as would have
been approved of in this conjuncture of affayres, forbaid it.

4. The animosityes and dis-sentions w^ were here amongst you
before I came, and have been lately Revived amongst the members of
y^ Prov^ Council, by y^ indeavor of some; as to their proceedings in
y^ service hindred their agreem in Council as to doing any thing,
In so much as I was constrainned for Love & peace sake, upon that
and y^ other foregoing considerations, to dismissem them from further
attendance on y^ account.
5. An Expedient occur'd to me of Lesse danger to us all, Viz: That I being by my Comission as afores', Refer'd for my Rule & instruction to y' Laws then in being, & w'h had been (as well by the Proprietor as y' people,) approved & owned as such whilst he was amongst you here, and observing y' he had Reserved y' Confirmation & disannulling of what Laws should be made in his absence to himself, so that if any were or should be proposed, they could not take effect among us as laws till his pleasure should be therein declared, I came to a Resolution within myself, of observing them in y' Course of my Governm' as so many Rules & instructions given me by my Master, (as farr as I should finde or judge them not contrary to y' Laws of Engld,) and of supplying y' defect or want in y' Laws by y' Laws of England, w'h I believe will be most gratefull to Our Superiors in England, Especially at this time; and will be as usefull amongst ourselves; there being no other way (occurring to my understanding) whereby you may receive y' benefit of them. And in this purpose I remayne Steady, (Unless you shall otherwise advise,) untill by better information out of Engld we shall be led out of these State-meanders.

Gent., I assure you that I will (as farr as I judge I may w'h a good conscience) manage myself in Governing you agreeably to y' Charter from y' Proprietor, & the Rules & instructions of your Laws; 'if I may be sufferd to do;) and where they are defective, according to y' King's Letters Pattents, having a due regard to your Principles, (as I am instructed by my Master,) till God shall be pleased otherwise to direct & cleare our way to us all; whose duty it is (as becomes Christians) in all things to attend & readily comply with his will. I say I will (as farr as I judge I may with a good conscience) so manage myselfe in Governing you, &c.

Then Gent. Let reason & not passion or prejudice, (through any mis informations,) influence you. I pray God direct us all therin; That we may in this our day, know the things that make for our peace; Least they be hidden from our eyes and wee (too late) Repent & say, we were advised but understood it not.

I assure you nothing shall be wanting on my part, wherein I may justify a compliance with any thing you shall reasonably desire. But I expect y' same Liberty & exercise of my judgem' & conscience as you do. I am sure you will Expect no more from me, for I take it for granted, this is a fundamental Rule with every one of you, To do to others as you would they should do to you. When I saye to walk according to this Rule, My Master will not let me be any longer y' Governor.

Gent. I will only addde this, That as soon as we have certayne intelligence from Engld I will advertize you; and (if the Council shall so advise) will call you together, in order to your being as early in bespeaking the Countenance of y' Authority over us, to indulge us in our differences from others, as may be expedient, and will cordially jyn with you therin, if you shall desire it, That you may have as large privileges & exemptions as shall be judged reasonable to desire.

Now if these things I have sayd will not please you, I can say no
more; but Go on and prosper in your owne Sentiments, and if you suffer by so doing, I shall be sorry your breach fell out in the time of my Government over you. But The will of God be done, with which I end at this time.

Arthur Cook, in ye name of ye Assembly, desired a coppy of ye Govn Speech. He granted it them.

Arthur Cooke made a Speech, and afterwards offer'd a paper, directed to ye Govn & Prov Council, sitting at Philadelphia ye 14th of the 3d month, 1689, wch was Read, but nothing Resolved on about it; it containing some of the heads of things discoursed between ye Govn & him before.

The Govn desired a Coppy of ye sayd Arth. Cook's Speech might be given in to him in writing; which was promissed by ye sayd Arth. Cook.

Arth Cook moved a Comittee of ye Council might be appoynted to conferre with. The Govn answer'd he found no cause for it from the Charter, there being no laws to be conferr'd about. But sayd himselfe would be always ready with the Council, (if he could get the Council to attend,) wch he declared would be as well

The Govn proposed an adjournment of ye Council till to morrow morning, 9 of ye Clock. Several of ye members desired it might be held at ye place called ye Council Roome. The Govn answer'd it was to strayte & close for him this hott weather, That it was not large enough to receive ye Assembly. That therefore, he should continue his resolution of adjourning to ye same place. Some intemperate Speeches past from some about it, intimating as if they had a joynt power in appoynting the place. One asked him by what authority he took it upon himselfe. He replied by virtue of his Comission from ye Proprietor & the Charter & lawes, wch required the members of ye Council should attend him & not he them. Another affirming the Govn dealt not fayrly with them, &c. wch he reproved, saying he was sorry he understood no better; and adjourned accordingly to ye same place to morrow morning, the 15th of this 3d month, 1689.

At a meeting of the Council at the Govn Lodging at Philadelphia, the 17th of the 3d month, 1689.

PRESENT:

JOHN BLACKWELL, Esq', Govn.
Luke Watson, John Hill, Wm. Stockdale,
Sam'l Carpenter, Jos. Growdon, Jn' Curtis,
John Symcock, Wm. Clark, John Bristow,
Barth. Coppock, Wm. Yardley, Wm. Markham, Secre.

The Entry of the Last Council's proceedings were Read.
The Gover'n acquainted the Council That ye end proposed for meeting at this time was, That if that wch he had formerly mentioned to them touching the issuing of some Declaration for ye Continuing ye
Laws formerly past by the Prop't to be of y* same force as now they are, & for acting accordingly in all administrations & Courts of Justice, until we should hear from England, might be allowed for an Expedient as touching y* dropping or falling of y* Laws, he should be willing, upon their advice, to concurre therin.

M' Markham declared his readiness to give his hand to it.

John Symcock sayd, while y* Laws are in power there is no neede for that.

Wm. Clark. It is a Question with some, & also with my selfe, that it may not be safe for y* Justices to act by these Lawes after the Assembly is broke up & y* 20 dayes expired; So that if this method should be taken, there may not be magistrates found to keep the peace of y* Governm'. It would seeme to be a scruple to me to act after y* 20 dayes are expired, after y* Assembly is broken up, for if after there came an alteration of y* Governm', those pssons y' finde themselves aggrieved may bring us into Question for our actions when we had noe Lawes for it, or but pretended Lawes.

John Symcock. The Question may be whether y* way of a Declaraon propounded by y* Gov' can make it safe to act upon y* Laws.

Governor. Such actings, though not in all poynets justifiable, yet being necessary until Lawes can be duly past: (wth cannot be without the Prop't confirmation:) an act of indemnity & confirmation of all judicall proceedings in Courts need not to be doubted; Governm' being necessary.

Joseph Growdon. It is supposed That y* Laws formerly made were good before y* Gov' had confirmed them: and we suppose the Lawes are in force as they are, if we will consent to y* adjournm' of y* Assembly; threfo're, 'tis my opinion, That y* Gov' & Councill consent to y* Assemblyes adjournm'. If we go in any other way we had as good do nothing; possibly we may never be indemnified. Concerning y* Dropping of them we should be ready to acquiesce in any thing y* Gov' Comends; But if he do put any thing y' we cannot concurr in, we hope we shall be Excused.

John Hill: If a bill or declaration were prepared for allowing all y* Laws past by M'. Penn till further order, it may be as sufficient.

Wm. Clark: nothing we can do till Gov' Penn shall approve them can give life to them.

Wm. Markham. I can not conceive why we are so fond of these lawes. If they be not confirmed we must be governed by y* Laws of England, wth are agreeable to y* Common law, & are but Explanations of that; & what are our Lawes more than declarative of that.

Wm. Stockdale. The Assembly may adjourn themselves. It is my Judgm' y* Laws may thereby be preserved as they are, & that so we may act safelyer by them than if they were Lett drop & confirm'd by a declaration.

Sam'l Carpenter was of y* same minde.

The Gov' sayd, That y* adjourning of y Assembly by their owne act does not seem to him to be any way countenanced, either by y*
Charter or by his Comission or instructions, or ye Laws of this Province. But for as much as by his Comission & instructions ye Laws were appoynted to be his Rule of his Governm', he was satisfied to Joyne in a declaraon for the administring justice according to them, & their being of like force as now they are till they should heare further from England, as he had declared in his Speech to ye Assembly; and doubted not but ye Proprietor would approve therof, & that if it were an Error, he would passe an act of Indempnity, as was usual in such imgergies; and that therefore, if they could not consent thereto, or finde some other way, he must end that debate: he judged ye continued sitting or adjourning of ye Assembly to be of dangerous president & consequence.

John Bristow. My opinion is, that for as much as ye Laws have been all along uncertaine of ye assurance & strength requisit, yet all along have been practiced & the people governd by them; in as much as it falls out that after 20 dayes they are voyd, I think it necessary & convenient ye Gov' & Council & assembly Joyne together to issue a declaration to ye Magistrates, that those Laws that have been made & confirmed from ye beginning, & practiced, shall still continue & be in force till there be further order from ye Proprietor.

The Gover'n said: He has spoken my minde, & I am ready to do it, or any thing else that I can be advised, wherein I can pursue my instructions.

Luke Watson. These Laws, after 20 dayes, are no laws, & we can give them no force, but they must of necessity fall, & we must be governd by ye Laws of England at present.

John Curtis. The Continuance of ye Assembly gives life & keeps life to them, whereas after ye rising of ye Assembly they must of necessity drop, & all ye Laws & ordinances that can be made will signify nothing, but we must flye to ye Laws of England, & it will come upon us to be sure.

Barth. Coppock. I cannot understand That we can act safely under any things but under ye Law; not under any ordinance or declaration, if they drop or fall, because they have not that publication which the Laws by ye Charter ought to have.

Jn' Hill. I do not think ye Assembly can be adjourned, but ye we may have recourse to ye Laws of England in matters to preserve ye Peace.

Jn' Bristow. This time 2 years, upon a neare like occasion, Orders were sent to ye Justices, &c., & I conceive we may do ye same now.

Wm. Clark. By way of accomodation, proposed That we might agree upon some Instrum' or declaraon to impover ye Magistrates to act by ye Laws that are now in being, & that it be left to ye discretion of ye ministers of Justice where they see cause to act by ye Laws of England, & not to be tied up wholly to the one or ye other.

The Gover'n & several of the Members declared, that would leave things at great uncertainy, so that neither the people nor ye Magistrates would know what to do.

The Petition of ye Inhabitants on Brandwine River or Creek, against ye damn made upon ye Creek, w'hinder ye fish passing up, to
At a Council at the Govenor's Lodgeing at Philadelphia y° 20° 3° Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq., Gov'.
John Bristow, Jos. Growdon, Sam° Carpenter,
John Symcock, Griff. Jones, John D'Haes,
Wm. Yardley, John Hill, Peter Alrichs,
Wm. Stockdale,

The Secretary not being present, y° Entry of y° Last Councill's proceedings were not read.

Joseph Growdon acquainted y° Govr That there were some members of y° Assembly attending from them.

They being called in, acquainted y° Govr & Councill That they were sent from y° Assembly wth y° paper wth they had formerly presented unsigned, wth was now signed by y° Speaker.

The Govr asked them when they were sent with it.

One of them answer'd: It was signed presently after it was returned to them, and that they had attended to have deliver'd it, but y° Councill was not sitting.

The Govr told him That was not an answer to his Question, for he sayd he heard there was no Assembly sitting these two or three dayes past, and if So, he knew no use could be made of it, at this board. Whereupon they presented another paper, touching John White's being imprisoned, being a member of the Assembly, & took upon them to desire their grievances might be Redressed, one of them saying, They were abused in that the members of Prov° Councill were not sufferd to sitt.

The Governor told him, That none were hindred who had been duly Returned as duly Elected, save one who was charged with very high Crimes & misdeemans, wth renderd him uncapable, and told him That Expression was unfit to be used before him. Also, that they were not judges of y° Councill's proceedings or members, nor could they receive any informaons. Hihselfe & the Councill together were the Sole judges.

He Replyed, Then they must affie to their old Charter, &c., for this was not according to what was promised them by y° Governor in England; and they would maintain their libertyes as English men, &c.
PROVINCIAL COUNCIL.

Upon wth y* Gover* bade them take their papers back to them who sent them, for it was not fit for him to Countenance such proceedings as would probably subvert y* Governm* & turne all things into Confusion. He was appointed to Gove bene by y* Charter, & Laws made therupon, & was resolved to Execute his office accordingly.

Joseph Growdon, a member of y* Councill, bade them not to take y* papers back. Upon which,

The Gover* took them & put them into his pocket, till he could be more certainly advertised whether the Assembly were in being or not, and dismiss them. They being gone, Joseph Growdon, (whispering of Wm. Yardley, and taking that Liberty in Councill to go from one to another, out of his place, for that purpose,) Wm. Yardley stood up in his place, & sayd: It appears to me there was an Assembly; and for as much as we are a people that are of meane education, sometimes our Speech appeares to be very Rude, & memory weake, & threfore, We desire to present some things before thee; and tenderd a paper folded up.

The Gov* (apprehending there might be some thing in it of like tendency to what Expressions had past in Councill since y* coming back of Tho. Lloyd, who he heard had, with some of y* members of y* board, beene that forenoone very busy in consultation wth y* remainyng members of y* Assembly, & had renewed the former dissentions and animosityes amongst y* members of y* Councill,) was not hasty to receive, nor did think fitt to open that paper at present, and whilst they were debating whether to read it or not, the whole designe was made manifest By y* Coming in of Tho. Lloyd, John Eckley & Sam* Richardson, (without giving notice of their businesse.)

The Gov* therupon stood up and desired to know what their pleasure was.

Tho. Lloyd answerd they came to pay y* Gov* their respects & to sitt in Councill, and inlargeing on y* Subject,

The Gov* told them, He had formerly at severall times declared himself touching y* matter: that they could not be admitted to sitt there till himselfe & y* Councill were satisfied and had agreed it; and threfore desired they would withdraw & not interrupt y* present business & debates by their Staying in y* Roome, for he could not admit a proceeding therin whilst they were present.

Tho. Lloyd persisting in his demand of sittting there, saying he had the Gover* Letters making him a Councillor, wth was as good as y* Gov* Comission.

The Gov* told him he had never seen any such Letter, nor did he ever think fitt to give him any attested Copy of it. (if there were any such.) He replyed he would let him have if: and pursuing his demands of sittting, & some of y* members of y* Councill severally and tumultuously crying out I am for it: & I am for it, &c.,

The Gov* declared y* Councill to be adjourned till y* next councill day, viz: to y* fifth day of y* same week, at nine of y* Clock, at y* same place; and Rose up out of his place to depart accordingly: upon wth several of y* members of y* Councill departed. But divers
remayned, and a great deale of confused noyse & clamor was Expressed at & without the doore of y* Gov* roome, where y* Councill had sate, w* occasioned persons (passing by in the Streets) to Stand still to heare, which y* Gov* observing, desired y* sayd Tho. Lloyd would forbear such Lowd talking, telling him he must not suffer such doings, but would take a course to Suppresse it, & shut y* Doore. So he went away, attended w* several of y* members of y* Councill, others staying behinde w* y* Governor.

At a Meeting of the Councill at the Gov* Lodgeings in Philadelphia y* 23* of 3* Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq.*, Gov*.
Wm. Clark, Pet. Alrichs, Barth. Coppock,
Jo. D'Haes, Griffith Jones, Wm. Yardley,
John Hill, Sam* Carpenter, Wm. Markham, Secre.
Luke Watson,

The Gov* directed That the Entries of the proceedings in Councill y* two Last dayes of their meeting should be read by the Secretary. They were read.

The Gov* proposed, That for as much as the Assembly had discontinued their sitting, & were gone, they would take into Consideration the preparing & issuing of some Declaration in the name of the Gov* & Councill, as he had several times moved during their Sitting, for continuing the Laws past by the Prop* before his going for England, to be of the same force as now they are, until we should heare further from thence.

Wm. Clark sayd: What y* Gov* has proposed is very necessary, for it will be of very ill consequence to Lett the Laws wholly fall, & have no Laws of our owne to be governed by. Most are Strangers to other Laws; These we are acquainted with. It would therfore be of great service, since we can not have y* Assemblye's concurrence, that they be passed as the Gov* proposes, by a Declaration issued in the name of y* Gov* & Councill.

Wm. Markham. Had we not mett With such interuption as we did, We might have had a body of Laws fitted for us when we first came together as a Legislative Councill for preparing them: But now we have been put into such distractions, as our Laws must continue in the same distracted forme or not at all. But since it is the desire of y* People y* the Laws should so continue, though the Prop* have directed the Letting of them fall for the psent, & afterwards preparing new Laws, I have requested the Gov* y* they may be continued with as strong force as may be; and you See the Gov* is ready, & only wants y* Consent.

Gov*. I have often proposed it, and will proceed in my Governm according to y* Rules of y* Charter, and all the Laws made before
the Prop* going for England, whether you shall think fitt to passe a Declaration or not, being by my master directed so to do; Save only wheras one of those Laws requires that Comissions for constituting of Prov* Courts & Judges should be past under y* Great Seale, {wa y* Keeper will not allow,) I shall reserve a Liberty to passe such Comissions under y* Prop* Lesser Seale.

John Hill. I agree to what y* Gov* proposes, for acting by the Charter & Laws made, and think it is fit, since the Keeper will not permit y* use of y* great Seale, that they should be past under y* Lesser Seale, for it's necessary y* Prov* Judges be appoynted for appeals, &c.

Wm. Yardley. I desire time for further consideration. Though it has beene before us, We have not had y* due consideration, & we have not a full Councill.

Governor. I can not helpe it that y* members will not give their attendance; they all know of this dayes meeting & y* the Councill was adjourned to this time & place. I know by too sad Experience, what's meant by desiring further time for consideration: 'Tis nothing but time to consult without doores with those y* have allways obstructed our proceedings, as to doing any thing that's good for y* people. It has been already debated, & every man been suffered to speak his minde at large, & we might have brought it to an issue at last meeting had we not been interrupted as then we were, by y* coming in of others, &c.

Wm. Clark. We had been heard; and I desire we may not be detainned any longer. I desire y* thing may be put in to y* speediest way to give satisfaction to y* people y* sent us hither.

Sam* Carpenter Proposed to Receive a paper.

The Gov* Refused it, saying, he would not admit of any interruption to this debate, till it were over; telling him he had heard it was unduly hatch'd by y* late President & some of y* members, with y* remayning part of y* Assembly, wa was a course not to be countenanced; It behoved the members of y* board have been present & declared their mindes, & given their assistance in this weighty matter under consideration; and that he had adjourned for that occasion to this time on purpose.

Wm. Markham. I am against making protests one against another. Let us have a friendly debate at y* board of what's before us for our Consideration.

Wm. Yardley. I am very much for y* preservation of y* Laws: and rather than this opportunity shall passe, I am for it.

Sam* Carpenter. I think y* Assembly might be had.

Gov*. They have dissolved themselves, wa though it were not Legally done in all usuall circumstances, yet they are thereby become felonese de se, as to their power of present sitting, and y* Gover* declared he did not see any reason to contrive their Sitting on this occasion; they were so divided amongst themselves as that a very great part of them had protested against their proceedings, & withdrawne as being ashamed of their doings.

22
Clark, Yardley & Coppock. Leave the thing as it is.
Wm. Markham. I did Scruple y° thing of confirming y° Laws by a declaration when first proposed, But some reasons that have since come to my minde, & specially considering we are not making new Laws by it, and for as much as we were disturbed when we were about that, & could not proceed, I am now of another minde. The Assembly could not but have sayd I or no, &c.

The Question about it being called for, was thus Stated & agreed, Viz: As many as are of opinion That a declaration be prepared agreeable to y° debates at this board, to be issued in the name of y° Gov' & Prov° Council, for continuing y° Laws formerly past by the Proprietor, in y° same force as now they are, until we shall receive orders out of England about y° matter; & that in y° meantime, All Officers, (Viz: Justices, Sheriffes,) &c., be required to act in their Several Stations & Capacities in all their proceedings & doings, according to y° Charter & those Laws, with this Proviso, That y° Gov' may issue Comissions for Prov° Judges under y° Prop° Lesser Seale, declare y° consent by standing up in y° several places, Wherupon all y° members present stood up, Except Sam° Carpenter.

The Question being put in y° negative, The s° Sam° Carpenter stood up alone.

The Gov' proposed a Comittee might be named for drawing up such declaraon, Which was agreed; & That Wm. Markham, Wm. Clark & Wm. Yardley, or any two of them, should be the Comittee, & should withdraw: the Council were Sitting till their returne.

After about an hour's space, the Comittee brought in & Report-ed their draft of a Declaration, signed by all three of them.

The sayd Declaration was three times read, debated & spoken to: some alterations were in the debate proposed & agreed on. And upon y° Question put, Viz: As many as are of opinion That this forme of Declaraon brought in by y° Comittee, as now it stands altered, shall be issued, according to the intent of y° foregoing Resolve, and sent into each County, to be there published as y° Act of the Gov' & Council, at there respective County Courts or meetings, Declare your assent by standing up in your places. Wherupon they all stood up Except Sam° Carpenter.

The Question being put in the negative, Tho s° Sam° Carpenter stood up alone.

Afterwards, The Governor & all y° members of y° Council present (Except Sam° Carpenter) signed y° Sayd Declaration, being about two of y° Clock afternoone, which is as followeth, Viz:

A DECLARATION:

By the Governor and Provinciall Council of the Province of Pennsilvania and Counties thereunto annexed.

Wheras, We have just cause to suspect that some persons have indeavored to suggest and insence y° minds of the good people of this Government, That the Governor and some of the members of
Provinciall Councill have had a designe or intent to subvert and over-
turn this frame of Government, and to make voyd the Charter of
Liberties and Privileges which the Chief Governor and Propriector
hath been pleased to Grant unto Us and our Successors; and that they
have also designed and intended to make voyd ye Laws of this Go-
vernment, which have been (at so great trouble, charges and expences
of the Propriector and People) made for the preserving of the King's
peace, and ye maintaing of our Properties and privileges, and so to
Rule by an Arbitrary Power; We do therefore think fit to declare,
and we do hereby Declare, That We never had any such thought or
intent, But were allways fully Resolved to Keep and preserve the
same, as much as in Us Lyes; and should have been very ready to
have joyned with the Assembly in the confirming of a Law for that
purpose.

And for as much as that hath been obstructed or omitted, We have
thought fit to Declare, and We do hereby Declare, That all the Laws
past and agreed on by the Propriector and Chief Governor, and Free-
men in Provinciall Councill and Assembly, made before the Proprie-
tor's going for England, shall be, continue and Remayn in the same
force as now they are, untill We shall Receive Orders out of England
about or concerning that matter; With this Proviso: That the Gov-
ernor may issue out Commissions for Provincial Judges, under the
Propriector's Lesser Seal; and That in the meantime, We do hereby
Require and Command all Officers of this Province and Counties an-
nexed, that they, in their several Stations and places, do Act in all
their proceedings and doings according to the Charter and Laws made
by the Propriector and People, as aforesaid, untill further Order.
Given at Philadelphia, the three-and-twentieth of the third month,
Anno Dom. 1689.

JOHN BLACKWELL, Gov.

Peter Alrichs,
Griffith Jones,
Luke Wattson,
Barth. Coppock,
John Hill,
John D'Haes,
Wm. Markham,
Will. Clark,
Will. Yardley.

[Committee]

Wherupon ye Governor acquainted the Councill he had nothing
further to propose to them at present; and that, (although he might
not dispence with their Charter-attendance, not knowing what might
fall out on a suddaine,) Yet he saw no encourag'm to call them to-
gether oftener than necessity required, they being grown into such
sations as he could Expect little assistance from them: That he
would therfore Governe them in all points according to the Charter
& Laws, as they had declared, so farre as he might act as Governor
without them, untill he should heare further from England; and if any
urgent occasion required it, he would give them notice thereof. In the
meantime adjourned them till further Order.
MINUTES OF THE

The Gov' having on y* 16th day of y* 6th Mo., 1689, Rec'd a Letter from Joshua Barkestead, dated Talbut County in Maryland, the 8th of August, 1689, Directed y* Secret* forthwith to issue Orders to the respective Sheriffs to Sumon all the members of y* Prov* Councilt to appear in Council in Philadelphia y* 28th day of y* s* 6th month, 1689, which was done accordingly.

At a Councill at the Gov'' Lodgeing in Philadelphia, y* 28th 6th month, 1689.

PRESENT:

JOHN BLACKWELL, Esq'., Gov'.

John Symcoock, Barth. Coppock, John Hill,
Sam* Carpenter, John Curtis, Wm. Markham, Secre.
Griffith Jones,

The Petition of Robert Turner, Benja. Chambers, &c. in behalfe of themselves and others, was Read, Requesting an ord* for y* Laying out a Road from Philadelphia to Bucks County, &c.

Wherupon it was Ord* y' Rob' Runrer, Benj. Chambers, Jos. ffisher Sylas Crispin, Tho. ffayman, Rob' Addams, with a Survey', w* what Convenient Speed may be, do sett out a Cart road according to Statute.

The Petition of Tho. Clifford, for satisfying 5 years Service as Doore Keeper & messenger of y* Councilt was read, and Referred to a fuller Councilt.

Adjorned till 9 to morrow morning.

At a Councill held at y* Gov'' Lodgeing in Philadelphia y* 29th 6th Mo., 1689.

PRESENT:

JOHN BLACKWELL, Esq'. Gov'.

Sam* Carpenter, John Hill, John Bristow,
Griffith Jones, Peter Alrichs, Barth. Coppock,
John Curtis, John Symcoock, Wm. Markham, Secre.
Wm. Clark,

The Petition of Tho. Clifford was againe Read.

The befores named members of Chester, viz': John Symcoock, John Bristow & Barth. Coppock, promised to pay 20* in part of 6lb. Wm. Clark & John Hill y* like 20* for y* County of Sussex. And upon debate, Ordered y' a Letter be written to y* Gent: of y* County of Bucks as from y* Gov' & Councill, desiring them to do as all y* other Countyes have done, in advanceing each County 20* on this occasion.
ORD That besides ye sayd six pounds formerly directed and advanced as afore sayd, there be 40s more, viz: 3lb in all, layd on each County at their next Levyes, to be payd to ye's Thomas Clifford, in full satisfaction of all his claymes & demands whatsoever, to be returned by ye respective Sheriffs, & that it be recommended to ye respective Justices to order and forward the same accordingly.

Agreed nemine Contradicente.

Adjourned till 3 of ye Clock in ye afternoone, p' cize.

POST MERIDIEM.

Present the same pesons as in ye forenoon.

The Gov' acquainted ye Councill, That ye reason of his calling them together at this time was to minde them that there had been formerly severall Rumors of danger from ye French & Indians, in conjunction with ye Papists, for ye Ruine of the Protestants in these parts, and of ye alarme formerly given, as 9 thousand French & Indians were then neare approaching for ye purpose, upon w'ye Justices & Sheriffs of ye two Lower Countyes, with ye people thereof, had betaken themselves to armes for their defence; whereof he then gave ye Councill an account, from ye Letters he rec'd out of ye's Countyes: as also, of a Letter he had rec'd from one Cap' Le Tort, (a French man, living up in the Country,) agreeing therewith; which they did not see any reason to give heed unto: And further, to acquaint them ye he had lately rec'd a letter from Mr. Joshua Burkstead, out of Maryland, advertising there was sufficient proof that ye Papists in Maryland had been tampering with ye French & Northern Indians, to assist them to cutt off ye Protestants, or at least to reduce them to ye See of Rome, &c., which Letter was read in Councill: adding an account thereto of ye Cruelties & barbarous usage of ye French Indians upon ye people of New England; murdering about 100 persons, burning houses, & plundering ye people of their goods & Cattell, &c., and (using ye Proverb) that there was no smoak without some fyre. That these things might be Expected to come suddaily upon us, as well as our neighbours. That his office was to be their watchman, & he durst not conceale the Knowledge of these things, Without acquainting them & receiving their opinions & advices what was fitt to be done therein for their security, and setting the minds of ye People, who in some places, (particularly in New Castle,) upon the apprehension of fear from these things, had been very much disquieted & taken themselves to armes, but were quieted by the Justices of that County residing amongst them. He also acquainted them, That divers of the inhabitants of New Castle had declared themselves unsatisfied That King Wm. had not been proclaimed as in other Countyes, & that ye same had been signified to him by Mr. John Cann, By whom ye Gov' sayd he had sent them word; he had not rec'd any orders for ye doing it, nor did he know in what manner or termes it was to be done, having never seen any proclamation for that purpose; and that he feared he might either Exceed or fall short of the titles ought to be given him, which would (he thought) be treason in either case; That he Expected ye first ship out of England would bring orders about it, and ye
uppon receipt thereof, he would do as he should be directed. That hav- 
ing called y° Council to advise him in these cases, he had nothing 
else to trouble them about at this time; but if any damage should 
happen to them for want of what informacion he had rece'd he knew he 
was responsible to y° King & state of England, (to y° hazard of his 
life,) if ye Province should be invaded & lost out of his Majy° De- 
monions: & Therefore, prayed they would be very Serious & Solemne 
in giving him their opinions & advices what they thought of these in- 
formations, and what they would have him do therein, for that he knew 
he could do nothing without their assistance, but suffer with them, 
which he feared was neare at hand, &c.

Whereupon Peter Alrichs gave an historickal acco' of y° proceedings 
of y° Mohawks in the yeare 1665, Concluding he did not think they 
were any great number, or that there was cause to be afrrayd of 
them, &c.

Wm. Clark sayd: he beleived some thing might have beene here- 
toefore intende'd of such a nature as was suggested, but that being frus-
trated, he believed that designe is wholly dead; nevertheless, that he 
thought they were oblig'd to y° Gov' for signifying these things to 
them.

John Symcock sayd: he did not see but that we are as Safe, Kee-
eping peaceable, as those that had made all this strive.

Griffith Jones sayd: he saw no cause of danger if we can but 
Kepee quiet among ourselves.

John Bristow sayd: he saw no need of raying forces, for he saw 
no danger; But that he looked upon it as the privilege of the people 
to have their members psent if there be. (so also sayd John Sym-
cock.) To w° y° Gov' replyd he had given order to have all such 
as were allowed members of y° Councill to be Summoned; but if they 
refused to come he could not help it. He must & would be satisfied with 
y° opinion & advice of such as were psent.

John Hill sayd: He had spoken with very eminent knowing men, 
& saw no likelyhood of danger.

Sam° Carpenter sayd: he had spoken with two psons that came 
from Maryland, who did not believe what was talked; that he did not 
feare any thing from any news we had thence, and y° he was of 
opinion w° John Bristow, for having all their members present.

Barth. Cockeck sayd: the news was new to him, & it did not 
appear to him that we are in any danger [at psent] by the Indians, 
or papists either: and was of the same opinion about having all their 
members psent.

John Curtis sayd: he had heard a great while of these things, But 
they signify nothing but a Rumor: as for y° Indians, they are quiet, 
& for his own particular he had no fear upon him, & that he was 
of the same opinion about having all their members psent.

Wm. Markham sayd: he apprehended That to speak of dan-
ger from y° Indians would but skare y° women & children; and that 
our Constitution will not admit us to defend ourselves. The only 
way is to forbear all thoughts or seeming fears of the knowledge of 
it; for that will represent us as people frightened, &c., unless we were
under such a Constitution of Governm' as to take to armes, to be ready upon occasion if any thing should come. And as touching the businesse of proclaiming the King, it was unanimously agreed that it was not at psent advisable, unless we had orders for doing it.

Wherupon y' Gover' gave them thanks for so particularly & freely advising him, & told them he had nothing further to occasion their stay at psent, unless they, or any of them, had any thing to impart from the respective Countyes fitt for psent Consideration. It being Replyed by divers that they had not, he adjourned the Counciill to meet at New Castle y' tenth day of y' next month, about some particulars relating to that County & the adjacent neighborhood.

**MEMORANDA.** The Governor upon a necessary occasion afterwards, appoynted the meeting of the Counciill at New Castle to be on the 17th of September, and accordingly went thither: And by the way, took a view of the Mill & Mill race Erected by Cornelius Empson. (Wherof complaynt had been made by Petition from severall of the inhabitants of Chester County.) But there appearing but five of the members of the Counciill, viz:

John Simcock, Peter Alrich, Wm. Markham, Secretary, John Bristow, John Dehaes, nothing was done therin.

On the first of October following, Samuell Gillham, master of the Ketch Crane, of Dartmouth, in the Kingdom of England, delivered to y' Gov' a pacquet, wth this superscription following, viz:

For his Ma' special Service. To William Penn, Esq., Proprietor of their Ma' Province of Pensilvania in America: And in his absence, To the Gov' or Comander in chief of that Province, for the time being, In Pensilvania.

4. Wherin was conteyned a Letter bearing date, Whitehall, 13th Aprill, 1689, signed Shrewsbury. Upon the Receipt & reading whereof, 'The Gov' askd the sayd Gillham If that were all he had, and observed particularly to him, that there was no Proclamation or Instructions about proclaiming their Majestyes; and ordered the same to be publiquely read by the Secretary for the satisfaction of the people, who had heard there was such Orders come.

The same day the Gov' directed that sumons should be issued for all the members of the Provinciall Council to appeare at Philadelphia on the first day of Novemb' following, in ord' to the imparting the same to them.

The next day the Gov' gave the sayd Gillham a Certificate, under his hand, & the Provincial Seale annexed, signifying That he had receiv'd the sayd Letter, & should observe the contents thereof, and of his proceedings therein give acco' to their Ma' Principal Secretary of State by the first opportunity of Conveyance.
At a Council held at the Gov’t Lodgeings in Philadelphia the first day of the ninth month, 1689.

Prest:

JOHN BLACKWELL, Esq’r. Governor.

Samuell Carpenter, Peter Alrichs, John Bristow,
Griffith Jones, Luke Watson, Barth. Coppock,
John D’Haes, John Simcock, Wm. Markham, Secr’r.
John Hill,

The Governor caused the Entryes of the Proceedings of the last Council to be Read,

And acquainted the Councell That the most of what he judged needful for him to say to them at this time was to the purpose of what he spake then. To which he Referred, the same having been Read; only Added, That he had Read from the Principal Secretary of State, by his Ma’ti’ Comands, a letter, which he caused to be read over, wch is of y’ tenor following, viz’:

WHITEHALL, 13. Aprill, 1689.

DUPLICATE.

S’r:—I am by his Ma’ti’ Comands, to acquaint you That his Maty, being sensible of the great & frequent injurys his subjects dayly receive from the ffrench, in apparent violation of the treatys between the two Crowns, and particularly by the assistance that King has lately given, & continues to give his Enemys in Ireland; and by the invading his Ma’ti’ Territorys in Americ’a, and disturbing the trade of his subjects in those parts for severall years last past: His Ma’ti’ has threfore, directed all necessary Preparations to be made for a speedy warr with the ffrench king, which has occasioned the giving you this notice of it, That you may with all possible diligence take effectual care for the opposing & resisting any attempt of the ffrench upon his Ma’ti’ Province of Pensilvania; And that all ships coming from thence, do not sayle hereafter otherwise than in ffeets: And you are also to Assure his Mati’ Subjects in that Province of his Mati’ Protection, by sending forthwith a considerable squadron of ships into the West Indyes, and other Succours that shall be requisite, not only securing his Mati’ Plantations in America, but obliging the ffrench to make Reparation for the many unjust & violent proceedings & attempts against his Mati’ Subjects in those parts. I am,

S’r., yo’ very humble servant,

SHREWSBURY.

Upon the Reading herof in Councill, The Gov’t desired their advice, both as to what they thought fit to be done therupon, and what answer returned to the Secretary of State about it. And that they would be very serious in it, for that the danger was not only now as formerly, suggested by private uncertaine hands, but from the Secretary of state, by his Mati’ Comands, &c. M’r. Alrichs declared He thought it necessary some thing should be done.

M’r. D’Haes, Desired The Gov’t would not take it ill that he sayd He would not Act either as a Magistrate in New Castle or here, unti
he knows who is King: which he Repeated several times, adding, It is not safe to act without proclayming the King.

The Gov't told him, He believed that King William & Queen Mary, The Prince & Princess of Orange, were King & Queen of England, &c. But he had not seen the Proclamation, & so knew not how to Proclayme them, &c.

Mr. D'Haes his opinion (that it was not safe to act without proclayming the King) occasioned several others to declare their minds about it, and that the people were earnestly sett upon the doing it themselves in some of the Countyes, &c.

The Gov't Declared He was as ready & desirous to do it as any body, if he had y' Proclamation & orders for doing it; but having not, Proposed for their satisfaction who were impatient about it, That a middle way might be considered of, Which he thought might be done by a Declaration of the Gov't & Council, owning their authority, and declaring their readiness Solemnly to Proclayme them as soon as we should receive orders, or an authentique copy of the Proclamation, which he Expected by the next vessell that should come out of England.

Mr. Simcock sayd: If a forme of Declaration had been sent to us to have Proclaymed them I think we must have observed it: But in as much as there is no Comand sent us by the King of England, (who so ever he be,) nor from the Secretary, to Proclayme any King here, I think we have no reason to do it. But I would submit my self to better understandings. The case is doubtfull. We are not to believe but to be certain in such matters, &c.

The Gov't told them, They had Proclaymed King James without Order.

John Simcock Replyed: King James was by an Act of Parliam' voted the heir to his brother & so he came in: Now who ever comes in to put him out, Pray let us consider How he comes in: We have an act of Parliam' for the one, but not for the other. It may be dangerous for us to do it without an Order.

Mr. Markham sayd: How the King came in We are not to dispute: There is nobody here to question How King William came to the Crowne. No man doubts but that he hath it: The Gov't himself does not question it. If so, why may it not be safe for us to yield all due obedience to him. We believe King William & Queen Mary are the King & Queen of England, and so of these Dominions; and since we believe it, where is the prejudice in obligeing of those who would have them declared to be so, as the Gov't hath propounded. We suppose this Letter is come from the Secretary of State to King William.

John Simcock Replyed: How do we know that.

William Markham. The Letter says their Majesties, and it can be meant of no other. I believe it's meant of them.

John Simcock sayd: We are not to Act by fayth in this matter, but with certaynty.

Mr. Markham sayd: Since we believe it, where is the prejudice. The Gov't proposed a methodicall way for Our declaring Our obedience to King William and Queen Mary, and that we are wayting for
the forme & manner of proclayming them. To do this will give Sa-
tisfaction to all.

Griffith Jones. I know not why we should be more forward than
our neighbors. There are two Provinces that have not. It is suffi-
cient for us to proclayme him when we have orders for the doing it.
But if we should do it before, certainly we may run ourselves into
danger; and for my part I think, That if any thing be done about de-
claring it, It is no less to me than Proclayming him. It is our part,
& enough, for us to obey the King's authority when we have it.

John Simcock. It is a trivial thing for us to declare the King till
we are Comanded.

The Gov' sayd: I think for peace sake with our neighbors &
amongst our selves, we should do it, and moved A Comittee might be
apoynte for drawing a Declaration in the name of the Gov' &
Council, & as their joynjt agreem', That all Proces,warrants, & orders
that usually past in the King's name, be hereafter issued in the name
of their Matrs, King William and Queen Mary: And all Comissions
of officers to continue till further Orders; And named William Mark-
ham, John Simcock & Jo. D'Haes a Comittee for drawing such a
Declaration, and presenting it to the Councill to morrow morning, al-
lowing any other members of the Council to be present at the drawing
it, that should think fit; And therupon adjourned till to morrow morn-
ing at Seaven of the Clock.

At a Council held at the Governor's Lodgeings in Philadelphia the
second day of the ninth month, 1689.

PRESENT:

JOHN BLACKWELL, Esq', Governor.
Peter Alrichs, John Hill, John Bristow,
Griffith Jones, Barth. Coppock, Sam. Carpenter,
Luke Watson, John Simcock, Wm. Markham, Secr'.
John D'Haes,

The Com't named last night, brought in the draught of a Declara-
tion, which was Read; but several things therin objected against were
proposed to be allowed, wch were agreed unto, and the same being
fairly transcribed, was read over several times; and upon the Question
put, viz': Whether this Declaration be agreed on as now amended? It
was Resolved in the affirmative, by all the members declaring them-
selves by standing up in their places, nemine contradicente, and
accordingly signed by the Gov' & Council, Which is as followeth, viz':

By the Governor & Councill of the Province of Pennsylvanian and
Countyes annexed.

Upon sundry and Credible informations from England & many
other places, more especially upon perusal of a Printed paper signed
PROVINCIAL COUNCIL.

John Brown, Clark of the Parliament, instituted, The Declaration of the Lords spirituall & temporall, & Comons, assembled at Westminster, bearing date the 12th of february, 1688–9, Wherin is this clause following, viz: The sayd Lords spirituall & temporall, & Comons, assembled at Westminster, Do Resolve:

That William & Mary, Prince & Princess of Orange, be and be declared King and Queen of England, France & Ireland, and the Dominions therunto belonging, To hold the Crowne and Royall Dignity of the sayd Kingdoms & Dominions To them, the sayd Prince & Princess, during their lives, and the life of the Survivors of them:

And that the sole & full Exercise of the Royall power be only in and Executed by the sayd Prince of Orange, in the names of the sayd Prince & Princess, during their joynt lives; and after their decease, The sayd Crown & Royall dignity of the sayd Kingdoms & Dominions to be To y* heirs of the body of the sayd Princess, and for default of such issue, To the Princess Ann, of Denmark, and the heirs of her body; And for default of such issue, to the heirs of the body of the sayd Prince of Orange.

And the sayd Lords spirituall & temporall, and Comons, do pray the sayd Prince and Princess of Orange to accept the same accordingly:

And wheras, We have understood That the sayd Prince & Princess of Orange have been since proclaymed, Crowned, and do now Reign accordingly: But having not hitherto Received the Proclamation to be how published, We have therfore thought fit by this publique instrument, to make manifest to the world Our Loyalty & true affections To the sayd Prince & Princess of Orange, by acknowledgeing them to be Our King & Queen accordingly; And do therfore, strictly charge & Comand all the people & inhabitants within this Government, to yield all due & lawfull obedience unto William & Mary, King & Queen of England, &c, as their Lawfull King and Queen.

And it is hereby further comanded, That all Justices of the peace, Sherriffs, Clerks, Coroners, and all other officers whatsoever, now in Commission under this Government, or by the authority therof, do from henceforward act & do all things relating to their offices, in their names; And that all process be issued out in their names. And it is hereby further declared, That all officers Comissionated or impowered by this Governm', do stand, abide & remayne in the same stations, offices and employments, as they were before the date herof, & so remayne & continue until further Order. (Roman Catholiques only Excepted:)

And That all proces issued out before publication herof, do remayn & continue in full force and virtue. Dated at Philadelphia, the second day of the ninth month, 1689.

JOHN BLACKWELL, Govt.

William Markham, John Bristow,
John Simcock, Peter Alrichs,
Sam. Carpenter, J. d'Haes,
John Hill, Griffith Jones,
Ordered, That copyes of the sayd declaration be transcribed & sent to the severall sherriffs of the respective Counties, with orders to cause the same to be forthwith published, & at the furthest by the next respective Court. This being over, The Governor then desired they would have consideration of the Letter before Recited, and desired they would give him their advice upon it.

Griffith Jones sayd: He thought we might suspend the Execution of it for the present, being in Expectation of hearing from England: Perhaps there will be no need of putting the Contrey to so great a charge. We are not able to bear it unless there were a necessity that required it. Let us wait a little longer.

Jo. d'Haes. What if any hurt come in the mean time if we delay before we are prepared. I think notice should be given to all the people to get powder & shott, and their armes, in a readiness against there be occasion. That will do no hurt.

John Simcock. I see no danger but from the Bears & wolves. We are well, & in peace & quiet: Let us Keep ourselves so. I know not but a peaceable spirit, & that will do well. For my part I am against it clearly: and, Governor, If we refuse to do it, Thou wilt be Excused.

John Hill. He thought if we should put ourselves into Armes, The Indians would rise against us, suspecting we intended harm to them. I desire, therfore, we may forbear till we heare out of England.

Luke Watson. You having (Governor) received such orders from the King, If the thing be not done, & any hurt come to the Contrey, for my part I think he may require our lives and Estates at our hands. Twenty men, as things now are, may come & do what they will. I look upon it That you should settle a Militia to defend his Mati* Subjects, according to his directions from Whitehall.

Griffith Jones, Besides repeating what he sayd before, sayd: He desired the Countrey might not be put to those charges. It will be look-ed upon as very grievous & burthensome.

Here the Governor read the clauses of Power given to the Proprie-tor by the King's Grant to him, &c.

John Simcock sayd: He was against it; Expressing that what was granted by the King to the Proprietor was but a lease to him that he might do it; and sayd, I will have no hand in it.

Luke Watson. The people in the contrey look upon themselves to be in danger, and desire they may be put into a condition to defend themselves, &c.

John Hill answered: I will ingage they will not appere one in five upon traynings.

Wm. Markham. My opinion is That we ought to have our armes as well fixed & prepared in time of peace as warr, for we know not how soon warr may come upon us, especially in this countrie, where we have such sort of people amongst us. And whether it be come or not, &c. I allways keep my owne armes prepared.

Griffith Jones. Every one that will may provide his armes. My opinion is that it be left to the discretion of the Governor to do what he shall judge necessary.
Sam. Carpenter. I am not against those that will put themselves into defence, but it being contrary to the judgm of a great part of the people, & my owne to, I cannot advise to the thing, nor Express my liking it. The King of England Knows the judgem of quakers in this case before Governor Penn had his patent. But if we must be forced to it, I suppose we shall rather choose to suffer than to do it, as we have done formerly.

Barth. Coppock. I am of the same opinion wth Sam. Carpenter in what he spake last.

Gr. Jones Proposed againe, That they would referr it to the Gov discretion to do what was fit & necessary in the case; to which some others seemed to agree. Wherupon, the Governor spake to the Secretary to draw a Question to be put for that purpose.

John Simcock & Sam'l Carpenter declared against that, conceiving it might be prejudicial to them to be otherwise than passive in the matter; so no Question could be agreed upon.

The Governor therefore adjourned the debate to the 2d day of next week.

At a Councill held at the Govn Lodgings in Philadelphia the fourth day of the nine month, 1689.

PRESENT:

JOHN BLACKWELL, Esq', Governor.

Sam. Carpenter, John Simcock, Griffith Jones,
Peter Alrichs, John Bristow, Luke Watson,
John D'Haes, Barth. Coppock John Hill.

The Gov' acquainted them, That having adjourned the debate of the last meeting upon the Letter till this morning, He hoped they would now come to a resolution upon it. And in order to their better apprehending the true sense of the 7th Article or paragraph of the Charter of Libertyes, formerly read to them upon this Debate, (wherin it is sayd, That the Governor and Provinciall Councill shall at all times have the care of the peace and safety of the Province,) He Read unto them the Preamble of the two Acts of Parlaim past in Engld, touching the King's sole & supreme Right & power in & about the ordering of the Militia within all his Mat'l Realms & Dominions, the one past in the 13th year of the late King Charles the 2d, cap. 6. intitled, The Militia Declared to be in the King. The other in the 14th year of the same King, cap. 3d, Intitled, For Ordering the Forces in the several Countyes of this Kingdom. Wherin, amongst other things, It is Expresd That both, or either of the houses of Parlaim, can not nor ought to pretend to the same, &c. And observed and Argued therupon, That if both the houses of Parlaim of England could not, much lesse could the Provinciall Councill of this Province clayme any Interest in ordering the militia, when the King, by his Letters
patents under the great seale, had deligated his power to the Proprie-
tor and his heirs, to Exercise the same in this Province.

The Gov' also observed to them, That the Charter of privileges
granted by the Proprietor to the people, was limited & qualifified by
this Expression in the preamble therof, viz': (so farr asin him lyeth,)
and [according to the powers of the Patent.] And That By a law past in
this Province, Intitled An act of Settlement, This clause is conteyn-
ed, viz': Be it Inacted by the authority aforesd, That the Gov' & Pro-
vinciall Councill shall have power of preparing & proposing to the
Genll. Assembly, All such bills which they shall joynly assent to
& think fit to have past into Laws, in the sayd Province & territories
thereof, that are not inconsistent with, but according to the powers
granted by the King's Letters Patents to the Proprietary & Governor,
So that he conceived It was not in the Proprietors power to subject
or Expose the King's Province to the hazard of being delivered up or
lost to any invaders what so ever: And that therefore, the sayd 7th Ar-
ticle of the Charter of Privileges ought not to be so construed as that
the Governor without the Councill, could not use Armes for its De-
ference. And That the King being sensible of danger approaching by
the french, had Ordered in his Letter aforesayd, That the Proprie-
tor, and in his absence The Gov' or Comander in chief of this Pro-
vince, should have notice of his intended warr with France, That they
might with all possible diligence take effectuall care for the opposing
and resisting any attempt of the French upon this, his Ma'ti Province
of Pensilvania, &c.

That this could not be done by the Proprietor's or Gov'n owne hands,
but needed the advice & assistance of the Council, & people inhabiting
here. That the Constituting of the Proprietor & his heirs by his
Ma'ti Captain Gen'n, with powers, by themselves or their Captains, or
other their officers, To Levy, muster & trayne all sorts of men, of what
condition or where so ever borne, in the sayd Province, for the time
being, and to make war & pursue his enimyes, &c., And to do all
& every other thing w'h unto the charge & office of a Capt. Gen'n of
an Army belongeth, or hath accustomed to belong, as fully & freely
as any Capt. Geall. of an Army hath ever had the same, (w'h are the
Expresee words of the King's Grant, and were read unto them,) im-
plyeth a great confidence his Ma't Reposed in the Proprietor; and also,
a Condition of y' Grant of the Province; and a faylor herein might
prove a forfeiture. Especially, for that the King hath been pleased
to give notice of the danger to the Proprietor, Which though per-
haps we could not see, we were to believe, and give his Ma't thanks
that he is pleased to be so mindful of our security, and to notify to us
our danger, in order to our providing against it.

The Gov' also recited to them a further clause in his late Ma't sayd
Letters, to this purpose, viz': And for as much as in the Go-
vernment of so great a Contrey, suddain accidents do often happen,
whereunto it will be necessary to apply remedy before the freeholders
of the sayd Province, or their deligates or deputyes, can be assembled
to the making of Laws: Neither will it be convenient That instantly
upon every such imgerent occasion, so great a multitude should be
called together: Therefore, for the better Governm' of the sayd Con-
trey, We will and Ordain, And by these presents, for us, our heirs &
Successors, do Grant unto the sayd William Penn and his heirs, by
themselves or by their magistrates & officers in that behalf, duly to
be ordayned as aforesayd; To make and Constitute fit & wholesome
ordinances from time to time, within y' sayd Contrey, to be kept and
observed, as well for the preservation of the peace as for the better
Governm' of the people there inhabiting, and publiquely to notify the
same to all persons whom the same doth or may any ways concern,
which Ordinances Our will & pleasure is, shall be observed inviola-
ably within the sayd Province, under payns therin to be Expressed, So
as the sayd Ordinances be consonant to reason, and not repugnant nor
contrary, but so far as conveniently may be, agreeable with the Laws
of Our Kingdom of England: And so as the sayd Ordinances be not
extended in any sort to binde, change, or take away the Right or in-
terest of any person or persons, for or in their life members, firehold,
goods or chattells.

The Governor also Proposed to them the consideration of the care
taken in all other his Ma's Territorys & dominions about the setting &
ordering their Militias, and particularly the Laws past for that purpose
in this Province & whilst it was united to New York and the Jarseys,
under the Governm' of his late Royall Highnesse the Duke of York,
before his Ma's Grant of this Province to the Proprieter, and that he
could not tell how to answer the neglect of making due & necessary
preparations for defence of the Province & people committed to his Go-
vern': And upon the whole, prayed them They would be very
serious & solemne in the debate & consideration of these matters: for
that he must returne an answer of the letter & signify his proceedings
by the firstopportunity of Conveyance. And for as much as at the last
meeting of the Councell, It had been by some of them moved, (That
since divers of them could not by their principles consent to or be
active in the directing or ordering any thing of this nature,) That they
would cast it off from themselves and leave it to the Gov't discretion
to give such answer to the sayd Letter, and to act therupon as was
requisit, He Proposed this Question to be debated, viz':

Whether It should be left to the Gov't discretion to pursue & put in
Execution the King's directions signified in the sayd Letter, according
to the clauses of powers given to the Proprieter in the Letters Patents
from his late Maty. King Charles the second, of the Grant of this Pro-
vince to the Proprieter, in order to the defence of this Province against
the french or any other invader of this Province & Countyes annex-
exed, in all things as neare as may be according to the Laws of
England and of this Province whilst under the Governm' of his late
Royall Highnesse the Duke of York, &c.

John Simcock sayd, We can neither offensively nor defensively take
Armes. We would not be understood to tye others' hands; they may
do every One what they please. We do not take upon us to hinder
any. I do not think The Gov't need to call us together in this matter.
We can not at all Question the power of the Governor. It is a thing
too hard for us to meddle with; and so we leave it.
Griffith Jones sayd, The case is hard. I desire to be passive & not to concern my self in it, either to give a negative or affirmative. God has preserved his people in times past, and as I would not hinder, but pay all respects to the King & Governor, So I desire to be excused from the question, One way or other. I do it not to refrayre charges, but cannot give advice what to do in it. I believe, were there other Quakers here, they would all say They had no advice to give: And therefore, As we leave the Gov' to his own discretion, & others to do as they see cause w' safety to themselves, So we desire the Gov' will let this Question fall.

John Hill sayd: my desire is, That no compulsion be upon those that are of tender consciences: but that it be left to the Gov' to do as he pleases, and to take the care of it himself.

John Bristow sayd: I believe the power is in the King & by him derived to the Governor; but there must be reason & cause for it. I do not see but we are in peace, and so are like to be.

John D'Haes sayd: I think it needfull that every man do get his Armes ready, and furnish himself with powder & bullet, to be used if there be occasion.

Peter Alrichs sayd: I am for it, That the Gov' do what he pleases. Some Regard must be had to the King's Letter.

Luke Watson sayd: I suppose the whole power is in the King & you as Governor, and I desire That you will Act & do according to the Law of England and other places, for I do not think ourselves safe.

The Gov' proposed The Question might be put as is before Expresst, reading the same to them: But that being spoken against by several, He proposed then That the Question should be put, Whether that Question should be put or no.

John Simcock desired That him self & some others might be permitted to withdraw for a while to consult by themselves; Which (though un-usual) for their satisfaction, The Gov' admitted it.

Wherupon He, the sayd John Simcock, John Bristow, Barth. Coppock, Griffith Jones, and Sam' Carpenter withdrew, and after a while came in againe, And The sayd John Simcock, in behalfe of himself and the Rest, sayd as followeth, viz:

We would not tye others' hands, But We cannot Act. We would not take upon us to hinder any, And do not think the Gov' need to call us together in this matter.

Sam. Carpenter sayd: We can not vote One way or other to either of the Questions, We say nothing against it, in regard it is a matter of conscience to us. I had rather be ruined than violate my conscience in this case. We do not take upon us to hinder any. I do not think the Gov' need to call us together in this matter; And therefore we desire we may be no farther prest in this matter.

Griffith Jones added: I hope the Gov' will not impose that which he would not have imposed upon himself if his Conscience were against the thing. We leave it to the Gov" discretion, who knows better than we how to answer the King's Comands by his Letter; and doubt not but
he will make a fayre Representation of us to the King as to this matter.

The Gov'r Replyed: He lookd upon it as a civill thing belonging to the Civill magistrate's power; and declared, That if he should take up any opinion in civill matters against the Laws, peace & safety of the Contrrey, If he could not act, he should hould himself bound to be passive: and in case a Comon charge were required, he should not scruple to pay his share therof for the safety of the Contrrey where he should dwell, and preserving it against all invaders; But,

In as much as they declyned any advice or assistance, and had declared so generall a voyce to leave the matter to his discretion, He would consider what was his duty in the case, and Act after the best manner he could accordingly, for the preservation of the whole, without further pressing them on this occasion. And That By the first opportunity, he would give account of his Actions to the Secretary of state, and the Honbl Proprietor of this Province, his Master.

A Petition was presented to this board from Tho. Harris, praying an Appeale might be granted from the County Court of New Castle, after Judgm & Execution, both in law and equity: But for as much as the sayd Court saw no cause to allow any, nor was any sufficient cause alleged, Upon the Question put, Whether it should be admitted, & the matter Reheard at this board, It was carried in the negative.

A Petition was likewise exhibited to this board from Wolto Rawson, setting forth That he was distreynd upon by Cornelius Empson, for Contrrey Rates, in the County of New Castle, Wheras his Lands lay in the County of Chester, where he had allwayes till then been Rated & payd, &c.

It was Ordered, That he continue to pay in the County of Chester untill the Two Countyes shall have the Moors of the sayd Countyes otherwise determined, And that the Justices of New Castle do order the Restoring of the distresse taken by Empson.

A like petition was Exhibited from Wm. Clowd, upon like cause of distresse, And it was Ordered in his behalf as in Wolto Rawson's.

The Gov'r proposed That either the members of the Councill would give their constant attendance, according to the Provision made by the Law, viz: one out of each County; or at least that they would agree & order, (and it was accordingly agreed and ordered, nemine Contradicente,) That in case the Gov'r should see cause at any time or times herafter, to Sumon a Councill, the charges of conveying all Sumon's should be borne & payd to the Secretary by an equall appor- tioning the sayd whole charge upon each County; And That the members of the Councill that should appear, should disburse the same to the Secretary, at their meeting therupon, and should afterwards Levy the same by a County Rate, for their Re-imbursement.

Wherupon, The Gov'r dismiss the Councill from their further attend- ance for the present, and untill new Sumons.
December 13, 1689.

Vpon a pacquts arrivall this Day from ye Proprietary, Directed to ye Gover’ he ordered a Councill should be Summoned to meet in Philadelphia ye 31 Ins’t.

At a Councill held in ye Councill Roome at Philadelphia ye 31 of ye 11th Mo., 1689.

Present:

JO’ BLACKWELL, Esq’t., Gover’.
Jn’. Symcock, John Bristow, Jo’ Hill,
Griff. Jones, Wm. Stockdale, Wm. Markham, Sec’t.
Sam’n Carpenter.

The Gover’ Supposing more members of Councill would be in towne to morrow, the weather being bad might hinder their traveling, Adjorned till then, two in ye afternoon.

At a Councill held in ye Councill Roome at Philadelphia ye first of ye Eleventh month, 1689–90.

Present:

JO’ BLACKWELL, Esq’t., Gover’.
Tho. Lloyd, Bart. Coppock, Griff. Jones,
Jn’. Eckly, Jo’ Symcock, Sam’n Carpenter,
Sam’n Richardson, Wm. Clark, Jn’. Hill,
Wm. Stockdale, Jo’ Bristow, Wm. Markham.

After ye Gover’d had Apologized for having his Speach in writing, and had read ye same, with followes verbatim, viz:

Gent. I had not Called you together at this unseasonable time of ye year, had not the Extraordinary occasion which I shall acquaint you with all, Required it, w’t is indeed Such wherein as well my owne interest, peace and Comfort, as your Contentment, are Concerned. I shall not Spend more time in Digressing or withholding the mutuall Satisfaction this meeting will afford vs, Then I Judg necessary, (as introdutive to ye Communicating of what I have vpon me to Say vnto you.)

My manner of Entrance and being received amongst you in this place is Knowne to Divers of you, and by what authority and Commission I was Constituted Gover’n of this Province, &c., under ye Absolute Propriety & his heirs. I Tould you formerly, (at what time I began to be Sensible of some of your ill resentments of me,) that I sought not to be your Gover’n: But it arose frome ye mere good will and Pleasure of ye Proprietor to propose and require that Service of me, by his Comission sent me to new England, (with Instructions bearing date ye 12th day of ye 5th Mo., Called July, 1688,) which I have heard some of you have sayd ’twas but probationary.

*This should be the tenth mouth.
As I never looked upon it as an Inheritance, so I am Sure I Came on no other terms of my making or accepting then to doe you service at his Request, with I have Diligently and faithfully (according to your understanding,) endeavored to manifest, my Conscience not vpbraying me, with I shall willingly doe in any Capacity rather then this Highest.

I Came (indeed) with full purpose of Returning before your advance of your Last Summer's Season, but such has been your state of Publick affayres as Ingenuity would not permit me to leave your trust Committed to me whilst my master was under any Evill Circumstances, (by your late revolutions,) without his free Consent and Directions about your future Settlement, with I have now Received.

How vnecessary my Continuance has been to some of you has been Represented to me by their writing; How burthensome to my selfe, my Spirit has frequently dictated; my tongue has (perhaps) over Concernedly Expressed to others of your selves, and my Severall Letters of Complaint of your Insupportableness of it, and my repeated Requesting of your Hob PROPRIETOR to be Released therefrom are Witnesses; So I have testimonies not only within myselfe, but in some of your breasts, also in your Proprietors hands, and some of my near relations implored therein, to whom I particularized your promoting grounds and Reasons thereof, with will sufficiently evince your Sincerity of my Heart in desiring to be acquited therefrom, and which I hope I shall Confirm to you ere I have done.

The Proprietor has been pleased very kindly to Resent with I have written of your nature, (as his Letters to me of severall dates, but Coming altogether in one paquit by this Last Conveyance, doe Satisfie me,) for I shall returne him my Suitable thanks. But withall, he has given me a touch of Some representations that have Come to him hence concerning me, and what a Spirit has been raysed in his mind to his Disquietm, there vpon your acco understanding his present affective Circumstances, with I am very Sorry for, but shall not Trouble you with your Particulars, or my Sense of your Procuring Cause thereof at present. Tis enough for me to hint those things to you, who must needs know of them, at least Some of you, so I shall not in your Least Disturb your Serenity of my owne minde, or Discompose you (from a joyfull reception of your message I have to Deliver you) by any remarks thereupon, or give you further occasion of Representing me a grievance to him in any sort.

'Tis a good day. I have given & I doe unfeignedly give God thanks for it, (with are not vayne words,) for to Say no worse I was very unequally Yoked: and it being your Day of my Redemption from that Groaning, (I say,) I shall not grieve any of you, Neither Shall I Deteyne you longer in this porch.

Gent., I have Severall things to Communicate to you, by Command of your Proprietor, whereof these at present, viz:

first, the Declaration of his selves to you and your people in Generall, with his fervent resolutions to be with you by God's hand and help, by your very first Door your Providence opens, and his Sincere prayers
to God for all your prosperity, wishing peace and happiness to abound among you every way.

Nextly, that ye Consideration of my repeated desires to leave a Station ye is So vneasy to Keep and Execute, has at Last brought him to resolve, tho' with reluctance, (as he is pleased to his Express himself,) to answer my Request, and Ease me of that burthen. But upon ye terms of takeing me to himselfe, &c., wherein he has made very kinde proposalls to me, and Sent me over Sevevall Commissions & Instructions, w^b, when I Judge Seasonable to Ingage in, I shall Communicate vnto you. And lastly, to lett you know that I quit ye place of Gover as a man that sought to be discharged from it.

In pruvrsance whereof, this being ye place where, (after some debate amongst your selves,) you Declared your acquiesceing w^b my Govern^, I doe here with all heartiness, declare my Rejoycing in ye Opportunity and leave I have of Resigning and Surrendering it vnto. And I doe accordingly very freely and fully resigne and Surrender all ye powers and authoritie in my Commission and Instructions from ye Honb^ Proprietor, given me as Gover, into your hands and acceptance, viz: to ye Provinciall Counciill.

And for ye you are fallen into times of difficulties and Danger, (perhaps greater than some of you are aware of,) I Doe and Shall pray ye Lord ye God of all wisdome, that he would gratiously Enlighten your minds, and over rule your debates and Counsels, in and vnto Such ways of truth, wisdome, quietness and agreement with his will, and one with another, as may Conduce with his glory, the Hon of Their Maj our Most Gracious King & Queen, the Security of Their Province and territories, the Interest and Rejoyceing of the Proprietor's heart and worthy family, and ye Generall good, happiness and prosperity of ye people of all perswasions now Committed to your Charge; and that he will alsoe Indow you w^b Courage and resolution proportionable to ye Trust and Station you are Sett in; that Impartiall Justice may run with a mighty Strame from your administrations amongst them, to ye terroir of Evil doers, and prayse of all others.

Gent., I begg your pardon of my Ignorances & weaknesses; (I call my doings so, for ye I bless God I am not vnder any Conviction of haveing wickedly Departed from ye Rule of my Duty therein;) I mean your Charter and Laws, so farr as they have founddation in ye King's Patent, and are not contrary to ye Laws of England. I begg also ye acceptance of my vnfeigned thanks for what Respects you have shewed me in ye advices and assistances you have Suppliedd vnto me, as I doe also forgive ye Disrespects & neglects of any persons in this Government; and Lastly, I assure you that though I have not been acceptable to you as yo Gover, from ye very first day you saw me, (wherof I was Early made Sensible,) I will indevoure to improve these feylors to the approoving myselfe a Pattern and instance of personate humble deference, Submission and Obedience to those who Succeed me in ye Governm whilst I Remaine amongst you, which ye vnfitness of ye Season & Danger of my age and Constitution, to travell so long a jorney
as to ye place whence I Came, will probably Constrayn me vnto Some months.

Gent: I now both voluntarily and freely quit this Seat, to be fild vp as by these two Commissions: (which I here deliver to you ffrom ye Proprietor:) In order to your Consideration whereof I think it my Duty to give you his owne words Concerning them, which are these, viz:

[I have Sent two Commissions about Settling ye Governm' there in a condition that may please ye Generallity. Let them be ye Choosers, Either of Them shall satisfie me.] By which you See how much his heart is Sett vpon your agreeing one with an other, not offering vio- lence by Imposeing vpon ye Lesser number. He proposes that ye Generallity be ye Choosers, not ye bare majorritty, and give me leave to tell you ffrom my owne Experience, 'twere yet better if you Could gain ye universality ffor what you shall pitch upon as things now stand, for 'tis Harmony must be your strength and Continuance, and a Small Complaint added to this Change of ye Hands, will argue you to have Little regard to ye Proprietor's present ill circumstances, and shake your whole ffoundation.

Here is also a Letter directed to you, wth I Received in my Paquet ffrom ye Proprietor, and when I understand you have so made your Election, and Settled ye Deputation according to these Commissions, I shall further address to you in what I shall conceive proper ffor your respective Cognizance relating to ye Proprietor's Service, agreea- ble to what further Instructions I have ffrom him. And if I may be any way Serviceable to him or you whilst I remaine in these parts, be pleased to honor me wth your Commands. In ye meantime I take my leave of you, and pray ye Lord be wth you.

The Gover' Then with drew, and then was Read by ye Secretary two Commissions ffrom William Penn, absolute Proprietary of ye Province of Pennsylvannia & Countys annexed, to ye Provinciall Coun- cill, wth are as followeth verbatim, viz:

WILLIAM PENN, Absolute Proprietary of The Pro- vince of Pennsylvannia & Countys annexed, To his Trusty beloved ffriends, The Provinciall Councill ffor ye Province of Pennsylvannia, &c., Greeting:

Since the Providence of God hath disappoynted my reall Inten- tions and Ernest Inclinations of Coming to you for some time longer, and to ye End ye Inhabitants thereof may be assured I have and Seek noe other Interest then what is agreeable with theirs, I doe Consent that you please yourselves, & therefore doe hereby Impower you to Chuse Three persons within ye said Province or Countys an- nexed, to present to me by ye very first opportunity, out of wth I Shall Chuse one for my Deputy or Lieutenant Gover'; and till my mind therein is Knowne, I Doe hereby order that he that has ye most votes, or is first Chosen by you, shall ffrom ye time of yo' Choice Act as my Deputy or Lieutenant Governor, over ye said Province & Ter- ritories, according to ye Power and Limitation of former Commissions, you takeing Care to Support him in ye Capacity, Revoking all former
COMMISSIONS TO ANY ELSE GRANTED, AND REQUIRING ALL PERSONS CONCERNED TO GIVE HIM THAT RESPECT DUE TO HIS HIGH STATION. GIVEN AT LONDON, Y* 25th DAY OF Y* 7th MO., 1689.

WM. PENN.

WILLIAM PENN, ABSOLUTE PROPRIETARY OF THE PROVINCE OF PENNSYLVANIA AND COUNTIES ANNEXED, TO HIS TRUSTY AND BELIEVED FRINDS, THE PROVINCIAL COUNCILL FOR Y* PROVINCE OF PENNSYLVANIA, &C., GREETING.

SINCE Y* PROVIDENCE OF GOD HATH DISAPPOINTED MY REAL INTENTIONS AND EARNEST INCLINATIONS OF COMING TO YOU FOR SOME TIME LONGER, AND TO THE END Y* INHABITANTS THEREOF MAY BE ASSURED I HAVE AND SEEK NO OTHER INTEREST THEN WHAT IS AGREEABLE TO THEIRS, I HAVE THOUGHT FITTED TO APPOINT YOU MY DEPUTY AND LIEUTENANT IN GOVERNMENT, AND DO ACCORDINGLY HEREBY CONSTITUTE YOU MY DEPUTY, TO ACT AND DO IN ALL THINGS, IN MY NAME AND STEAD, ACCORDING TO Y* POWER AND LIMITATION OF FORMER COMMISSIONS. I DOE ALSO IMPower YOU TO ELECT Y* PRESIDENT FROM TIME TO TIME, AS YOU SEE CAUSE, SO AS HE AND YOU EXACTLY ANSWER Y* CHARTER AND LAWS OF Y* COUNTRY, REQUIRING ALL PERSONS CONCERNED TO GIVE YOU Y* RESPECT DUE TO YOUR HIGH STATION, W* COMMISSION SHALL CONTINUE SO LONG AS I SHALL SEE CONVENIENT. GIVEN AT LONDON, THIS 25th OF Y* 7th MONTH, 1689.

WM. PENN.

THEN WAS READ A LETT' FROM Y* PROPRIETARY, BEARING DATE Y* 12th OF Y* 6th MO., 1689, W* FOLLOWS VERBATIM:

FRINDS, I HEARTILY WISH YOU ALL WELL, AND BESOЕCH GOD TO GUIDE YOU IN Y* WAYS OF RIGHTEOUSNESS AND PEACE. I HAVE THOUGHT FITT UPON MY FURTHER STOPP IN THESE PARTS, TO THROW ALL INTO YOUR HANDS, THAT YOU MAY ALL SEE THE CONFIDENCE I HAVE IN YOU, AND THE DESIRE I HAVE TO GIVE YOU ALL POSSIBLE CONTENTMENT. I DOE EARNESTLY PRESS YOUR CONSTANT ATTENDANCE UPON Y* GOVERNMENT, AND Y* DILIGENT PURSUIT OF PEACE & VERTUE, AND GOD ALMIGHTY STRENGTHEN YOUR HANDS IN SO GOOD A WORK.

I ALSO RECOMMEND TO YOU THE PARTICULAR DISCIPLINE OF THAT TOWNE YOU MEET IN, THAT SOBRIETY & GRAVITIE BE MAINTAINED, AND AUTHORITY KEPT IN RESPECT. AS IT COMS IN YOUR WAY, COUNTENANCE MY OFFICERS IN COLLECTING MY SMALL REVENUE.

LETT Y* LAWS YOU PASS HOLD SO LONG ONLY AS I SHALL NOT DECLARE MY DISSERT, THAT SO MY SHARE MAY NOT BE EXCLUDED, OR I FINALLY CONCLUDED, WITHOUT MY NOTICE: IN FINE, LET THEM BE CONFIRMABLE BY ME, AS YOU WILL SEE BY Y* COMMISSION I LEFT WHEN I LEFT THE PROVINCE.

AND IF YOU DESIRE A DEP' GOVERN'R RATHER, NAME THREE, OR FIVE, AND I SHALL NAME ONE OF THEM, SO AS YOU CONSIDER OF A COMFORTABLE SUBSTANCE, THAT Y* GOVERNMENT MAY NOT GO A BEGGING. I DO NOT THIS TO BE A BINDING PRESIDENT; BUT TO GIVE YOU AND Y* PEOPLE YOU REPRESENT THE FULLEST PLEDGES I AN ABLE AT THIS DISTANCE, OF MY REGARD TO THEM. WHAT EVER YOU DO, I DESIRE, BESOЕCH & CHARGE YOU ALL TO AVOID FRACTIONS AND PARTIES, WHISPERINGS & REPORTINGS, AND ALL ANIMOSITIES, THAT PUTTING YO' COMMON SHOULDER TO Y* PUBLICK WORK, YOU MAY HAVE THE-
PROVINCIAL COUNCIL.

Reward of Good men & Patriots, and so I bid you heartily fairewell. Given at London, This 12th of y v 6th Mo., 1689.

W. PENN.

W. P. P. G.

To my Trusty and well beloved firiends, y* Provinciall Counciill at Philadelphia, in Pennsilvania.

By Ed. BLACKFAN.

The members of Counciill present being unwilling to Enter Immediaitely vpon debate w* of The two foregoing Commissions is most requisite should be put in Execution, did vnamously agree at this time to Depart, and to meet againe to morrow, at nine in y* fforoon.

At a Meeting of y* Members of Counciill in y* Counciill Roome, y* 24 11 Mo., 1689-90.

PRESENT:

Tho. Lloyd, Barth. Coppock, Wm. Stockdale,
Jo* Symcock, Jo* Bristow, Sam. Carpenter,
Jo* Eckly, Grif. Jones, Jo* Hill,
Sam. Richards, Wm. Clark, Wm. Markham, Se.

It was Debated w* of y* Two Commissions that was Read yester- day should be put in Execution, and Resolved vnamously, that y* Commission w* Impowred y* Counciill to be Deputy Gover C or Leive- tenant, to be accepted: accordingly, y* Counciill Elected Thomas Lloyd President. It was put to y* vote whether the other Commission should be Canciled or not: Carried in y* affirmative, N. C. D., and was ac- cordinally Canciled at y* board.

Then was Read this following Clause in a Letter from the Proprie- tary to his Commissioners of The same, viz:

Whereas, there is 600lb. due to me, w* has been neglected or re- fused to be paid, if y* Province will build me an house in the City ffor my reception, vpon my Lott, Leaveing me to make additions hereafter, if there be occasion, I hope to be there as soon as that is finished. I have sent Capt. Wm. Markham my model Or stock, y* Three Plantations of my Three Children, w* Each two Hundred pounds, w* Comes to y* sum, I shall take it well, and this may be sooner and safer done y* returning me y* sum, tho’ here it would have done me most good.

The Petion of Thomas ffairman was Read, setting forth his grieveance from y* County Court of Philadelphia, in y* Case between him & Mary Jeffs, whereupon it was ordered y* y* County Record be brought to y* Counciill, to Examine y* proceedings in that Case.

Adjourd to Nathl Ibel’s house, y* season being very Cold.

The Secretary was Ord* to acquaint Jo* Blackwell, Esq’, y* Late Gover, in writing, of the Board’s Readiness to Receive any thing
from him Communicative to them, and to wayt vpon him with it himselfe, w^ch was accordingly done, and it is as followeth, viz:

Sir: The Councill has this morning vnamimously accepted of y^e Commission Impowring y^e Provinciell Councill to be Dep^y Gover^r or Leiu^l, and have accordingly made Choyce of Thomas Lloyd to be president, and vnder that fnorme, y^e Provinciell Councill is Ready to Receive what you have to Communicate to them.

I am, S^r, your Humble serv^l,

WM. MARKHAM.

Whereupon y^e Said Blackwell, late Gover^r, attended w^th y^e Secretary, Came to y^e Councill, and after Congratulation, presented them with Instructions from y^e Proprietary, and an abstract of Several Instructions from y^e Proprietary to himselfe in private Letters; both w^th are here at large sett downe, verbatim:

Instructions for L^r Governo^r Blackwell, or whome else it may Concern.

First: that things be transacted in my Name, viz: Absolute Proprietary of Pennsylvania, (provided it agrees with our Charter and Laws, as I think it dos,) &c.

2. That all Commissions Signed by me and sealed here with y^e Lesser Seal, be taken for sufficient warr^s & Directions for passing them vnnder y^e broad seal, without any other Instrument of Authority.

3. Thirdly: to Collect y^e Laws that are in Being, and send them over to me in a stitcht book, by y^e very firstt opportunity, which I have so oft, and so much in vaine, desired.

4. To be Carefull that Speedy, as well as through and Impartiall Justice, be done; Virtue in all Cherished, & vice in all punish.

5. That fines be in proportion both of y^e fault and ability of y^e party, y^e so they may be paid.

6. That fiewds between persuasions or Nations, or Counties, be Suppressed & Extinguished, if any be, & if none, that by a good Conduct they may be prevented.

7. That y^e Widdows, Orphans, and Absent, may be particularly Regarded in their Right, for their Cry will be Loudest in all Eares; but by Absent I mean Such as are so by Necessity.

8. To Countenance y^e Comm^r of Propriety, where land is vnesated, or people are vnuuly in their settlements, or Comply not w^th reasonable Obligations about bounds, banks Timber, &c. for tho^r wee Came to a wilderness, it was not that wee should Continue it so.

9. That y^e Sheriffs of y^e Respective Counties be Charged w^th The Receipt of my rents, ffines, &c., as they doe in England, & give Security to y^e Receiver Generall for y^e same.

10. To have a Speciall Care that Sheriffs & Clerks of y^e peace Impose not vpon y^e people, and that y^e magistrates live peaceably & soberly, for I would not Endure one loose or litigious person in Authority; Lett them be men haveing some ffeard of God, and hating covetousness, whatever be their persuasions: to Employ others is to prophan an Ordinance of God.

11. That Care be taken of y^e Roads and Highways in y^e Country,
that they may be straignt & Commodious ffor Travellers; ffor I understand they are turned about by ye* planters, wh* is a mischief ye* must not be endured.

12. Rule ye* meek meekly, and those that will not so be Ruled rulew* Authority; And God Almighty prosper all honest and prudent Endeavours.

Lastly: Consider by what means or methods ye* Good and prosperity of ye* Plantation may be promoted, and what Laws in being are unnecessary or Defective, and what are wanting, and in Each particular hereoff, Lett me have advice as Distinctly and as speedily as may be.

Given at London, ye* 25th day of ye* 7th Mo., 1689, was signed
WM. PENN.

An Abstract of Severall Instructions Recomended to me by ye* Proprietor, Directed with Relation to ye* Governm' whilst I was Gover'n, Lt. Gover'n & Deputy Gover'n of this Province of Pennsilvania.

[In his Lett' 11 2 m., 1689.]
There is a Cause of ye* widdow Jeff's, in which I have been prest: I Doe desire ye* shee may have justice Shown' her, and as much mercy & Kindness as can be with justice to those Concerned with her. Also that ye* Concerns of Henry Patrick may not be lost, Rich't Noble was Intrusted.

[In his Lett. 11 6 mo. 1689.]
Countenance ye* Interest of Widdow Whitpaine and her husband's Creditors, all that is possible in justice; the Hono' of ye* Province is Concerned in it.

[In his Lett. 25 7 mo., 1689.]
I must Recommend to ye* Governm' ye* Care of ye* widdo Jeff's & Whitpaine, in which, believe me, ye* Honour of ye* Province is Deeply Concerned, Especially ye* Latter, because of her husband's Creditors, whose Expectations are much ffor you there.

Sam'b Hersent left a Child there that was at my Charge, but I think ought to be mantayned by ye* Community. It is ye* Grandmother's desire he should be sent over by the first Opportunity ye' is safe, as if There Come a fleet with a Convoy ffrom Virginia or New York.

I would be as Little Rigorous as possible; And doe desire thee, by all ye* Obligation I and my present Circumstances can have vpon thee, to Desist ye* prosecution of T. L. I intirely Know ye* person both in his Weakness and Accomplishment, and would thee End ye* Dispute between you two, vpon my Single Request & Command, and that former inconveniences be Rather mended then punished.

P. S. Salute me to ye* people in Gene': pray send for J. Simcock, A. Cock, Jn' Eckle & Sam'b Carpenter, and Lett them Dispose T. L. & Sa. Richardson to that Complying temper that may tend to that loeving & serious accord ye* becomes such a Governm'; vale.

Ex't p. me,

JOHN BLACKWELL.

2* 11, 1689.
Ordered ye Secretary Deliver to ye Keeper vpon his Demand, ye Commission this day accepted off by ye Council, Impowering them to be Deputy Governe or Leiu, in order to ye Keeper's passing it vnder ye broad seal.

The Secretary Read a paragraph of a Letter from ye Proprietary to him, bearing date ye 13 2d Mo., 1689, viz:

Pray represent to ye Deputy Governe & Provinciall Council, the Invasion and oppression of those that Except against any man being Chosen a member of Council or Assembly that is in my service, though it appear ye they are otherwise good and Honest men: is there not ye same Reason to refuse them their votes that Choose their Landlords, Customers, masters or Relations, for ye Reason is rather Stronger: is my Interest already rendered so opposite to ye Country's, and I and those Employed by me, become such ill men ye it is Impossible they Can serve ye Country and me together? I Could say much against ye Impolicy & Imitity of Such Suggestions; only make a stand & protest against all Such things.

The Records of ye County Court of Philadelphia being brought to this board, and ye Case between Mary Jeffs and Thomas Ashman being thorowly Examinedn by ye Provll Council, Did Resolve and Order:

That ye Appeal obtained (vpon a judgm' by Thomas Ashman, at a County Court or Quarter Sessions held the first day of ye first month, 1688–9,) Doe Continue till it be Determined by ye next Provlin Court; and that what goods so ever have been taken in Execution vpon the aforesaid Judgment, or any subsequent Order of ye said Court since in ye behalfe, ye ye sheriff, or such officers who have been Employed vnder him, be required thorthwith to make Restitution of ye same, as They shall Answer ye Contrary at their perrill.

Adjorned for an Hour.

POST MERIDIEM.

Present as before.

The Petition of Kathe. Thomas was Read, Requesting Lycen. to Keep an Ordinary; w'as was granted, provided shee procure Sufficient Certificte of her good behaviour.

Ordered that a Blank Commission be Drawne for Provll Judges.

Ordered that Commissions of ye Peace be made for all ye Counties, and these persons following to be Inserted, (viz):

PHILAD. CO.

Tho. Lloyd, Wm. Salway, Law. Cock,
Jo. Eckly, Bar. Wilcox, Jo. Holme,
R. Turner, ffr. Rawls,

BUCKS CO.

Arth. Cook, Tho. Janney, Jo. Brock,
Jos. Growdon, Wm. Byles, Hen. Baker,
Wm. Yardly, Nich. Newlin,
PROVINCIAL COUNCIL.

CHESTER CO.
Jo§ Bristow, Nich. Newlin, Jam. Sanderling,
Jo§ Beaven, ffrran. Harrison, Wm. Howell,
Jo§ Blunston, Sam§ Levis, Jos. ffearna.

NEW CASTLE CO.
Pet. Alrichs, Cor. Empson, Ch. Rumsey,
Jo§ Cann, Joha. D'Haes, R¹ Ashton,
Ed. Blake,

KENT CO.
Wm. Clark, Dan. Jones, Wm. ffreeland,
Jo§ Brinkloe, Jo§ Walker, Jam. Brookes,
Geo. Martin, Mark. Manloe, Wm. Manlow,
Jo§ Curtis, Wm. Lawrence,

SUSSEX CO.
Wm. Clark, Jo§ Hill, R¹ Clifton,
Luke Watson, Sam. Preston,

Adjourned till Tett. To-morrow morning.

At a meeting of y² Councill in Philadelphia the 3¹ 11 Mo., 1689–90.

PRESENT:

THOMAS LLOYD, Presid'.
Jo§ Eckly, Barth. Coppock, Jo§ Hill,
Sam. Carpenter, Wm. Clark, Wm. Markham,
Sam. Richardson, Griff. Jones, Jo§ Bristow,
Wm. Stockdale, Jo§ Symcock,

The Petition of Wm. Hill, who with his wife were prisoners in y² County of Kent, with several other papers Relateing to their Cause, were Read, Complayning against the seaveare wsage of that Court; and with all a Copy of y² proceedings of y² Court against them, was Read. All w² being thorowly Exammined and Debated, it was Resolved & Ordered,

That a warr² be made and sent Downe fore their Speedy Release.

Adjourned till 9 to morrow forenoon.

At a Meeting of y² Councill in Philadelphia The 4¹ 11th Mo., 1689–90.

PRESENT:

THO. LLOYD, P'.
Jo§ Symcock, Jo§ Hill, Wm. Clark,
Sam. Richardson, Griff. Jones, Wm. Markham, Sec'y.
Jo§ Bristow,
Up upon Debate whether ye Keeper of ye Broad Seale might sitt Ex-officio in any County Court within this Governm' as a member there-off, They were vnamously in ye Opinion he might.

Ordered that a Publick Instrument be drawne according to ye Proprietarv's Instructions, to Suppress all sort of vice.

Ordered that Commissions be Drawne for ye Sheriffs to Continue their Offices untill ye Rising of ye next provincial Legislative Council, or till fflurther order. Joa Claypoole Except'd.

Adjourned till ye 6th Ins'. 2 in ye afternoon.

At a meeting of ye Councill in ye Councill Roome at Philadelphia ye 7th of ye 11 Mo., 1689-90.

PRESENT:

THOMAS LLOYD, P'.
Joa Symcock, Wm. Clark, Joa Hill.
Joa Eckly, Joa Bristow, Wm. Markham, Sec'y.
Sam Richardson, Sam. Carpenter,

After ye Commissions and orders that were ordered to be were sign'd by ye President, and a Lycence granted for Jere Scott to keep an ordinary in Sussex County, The Councill adjorned till fflurther Or-der, to be Called againe by ye presid', or in his absence by any fflour members of this Place.

At a meeting of ye Legislative Councill The Thirty-first day of ye first month, in the Councill Roome at Philadelphia, 1690.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock, Joa Curtis, Grif. Jone,
Wm. Clark, Luke Watson, Bar. Coppock,
Sam Richardson, Wm. Yardly, Wm. Markham, Sec'y.

Wm. Stockdale,

The Returne of ye County of Bucks was Read, wherein was Returned Arth. Cook to serve in Provinciall Council for three years; Jos. Growdon, Henry Poynter, Rich'd Hough, Henry Baker, Edm'd Bennet, Joa Cook, to Serve in Assembly for ye Ensuing year.

Arther Cook Signed ye usuall obligation and took his place at ye Board.

The Returne of ye County of Philadelphia was Read, wherein was Returned Griff. Owen to serve for Three years in Provinciall Council; & Thomas Duckett to serve in Provinciall Council for ye Remaining
time that John Eckly Deceased, was to have served: and for Assembly, Wm. Salway, Humph. Murry, Thomas fitzwater, Charles Pick-erin, Paul Sanders, Abraham Opdegrave.

Griff. Owen & Tho. Duckett Signed y\* vsual obligation & took their places at y\* board.

The Returne of Kent County was Read, wherein was Returned Jo\* Brinkloe to serve in Prov\" Council for three Years; and John Barnes, Jo. Betts, Dan\" Browne, Ezech. Needham, Rich\* Curtis, & Wm. freeland, to serve in Assembly for y\* Ensuing Year. Jo\* Brinkloe signed y\* vsual Obligation and took his place at y\* board.

The following Declaration was ordered to be Incerted, in order to the Provinciall Councill's Members signing it the same.

Wee Doe hereby frreely acknowledg Allegiance to y\* King & Queen, and Declare & Promise fideility and Lawfull Obedience to Wm. Penn, Sonn and Heir of S\* Wm. Penn Deceased, and his heirs and Assigns, as Rightfull Proprietary and Governour of y\* Same; according to the King's Letter Patents and Deeds of Grant and ffeofment from James, Duke of York and Albany, &c., and that Wee will never Act or Doe by word or Deed, Directly nor Indirectly, any thing, nor Consent to nor Conceale any person or thing whatsoever, to the Breach of This Solemn Engagement: In Witnesse of which, Wee have herevnto sett Our hands, Dated In Councell At Philadelphia, the Thirty-first day of y\* first Mo. 1690.\n
THO. LLOYD, p'siden'.

John Symcock, J. d'haes,
Samuell Richardson, John Blumston,
John Curtis, Wm. Clark,
Griffith Jones, Artur Cooke,
Griffith Owen, Thomas Duckett,
John Brinkloe, Bartholomew Coppock,
Will. Yardley, Tho. Clifton,
Wm. Stockdale, Ji\* Cann,
Luke Wattson, Wm. Markham, Sec\".

The Proprietary's Commission to y\* Prov\" Council; Constituting them Dep\" Gover\", was Read at the board.

Thomas Lloyd was unanimously Continued Presid', and to hold the same during this Legislative Councell, and vntill they shall see occasion to alter.

The orders to be observed by y\* Councillors in Councell was Read:

Adjourned till 4 in y\* afternoon.

---

IN Y\* AFTERNOON.

PRESENT:

THO. LLOYD, P'.

John Symcock, Wm. Stockdale, Barth. Coppock,
Wm. Clark, Jo\* Curtis, Johannes D'Haes,
Sam\" Richardson, Luke Watson, Wm. Markham, Sec\".
Wm. Yardly, Griff. Jones, 24\*
The return of ye County of Sussex was read, wherein was returned Thomas Clifton to serve in Provinciall Council for Three years; and John Hill, Rob Clifton, Sam Gray, Henry Smith, Batist New-Come, and Thom. Branscome, to serve in Assembly for ye ensuing year.

Presid. Lloyd informing ye board that he had received a letter from a very Credible person, a justice of ye peace in Sussex County, who gave an acco of the Deboachery of sd Clifton, and in particular, ye ye Clifton in his Discourse, should use this Expression: that he was not for Yea and Nay, but for God Damm You; ye with words ye said Clifton Denying, ye board Debated ye matter, but having only paper Evidence, Resolved that He be admitted at present, but upon further proof made of ye fact, Immediately dismissed; and he was admitted accordingly.

The Returne of New Castle County was Read, wherein was returned John Cann to Serve three years in Pro Council; and Edward Blake, Henry Williams, Richd Hollwell, John Darby, Wm. Graunt, Jo Donalson, to serve in Assembly.

John Cann signed ye usual obligation and took his place at ye board. Adjourn'd till To-morrow, Eight in ye forenoon.

Att a meeting of ye Council in Philadelphia ye first of ye Second Mo., 1690.

PRESENT:

THO. LLOYD, P.

Arth' Cook, Griff. Owen, Johanes D'Haes,
Sam' Richardson, Barth. Coppock, Luke Watson,
Tho. Duckett, Wm. Clark, Thomas Clifton,
Wm. Yardly, Griff. Jones, Jo' Curtis,
Jo' Syncock, Jo' Brinkloe, Wm. Markham, Sec'ry.
Wm. Stockdale, Jo' Cann,

Upon Debate of ye various methods hethero have been used in Choosing or Electing Representatives, it was Resolved and ordered, that Each County shall henceforward Elect or give their Suffrages according to Charter, viz: by ye ballat.

Adjourn'd till 3 in ye afternoon.

IN YE AFTERNOON.

Present as in ye forenoon.

The members of ye 3 Lower Counties move this board, that ye next General Assembly, to be held ye next Third month, may be at ye Towne of New Castle, or at Some other place of ye Lower Counties.

The board went upon preparing Several bills for promulgation, Then

adjourned till 8 to morrow morning.
At a meeting of ye Councill in Philadelphia The second day of ye second month, 1690.

PRESENT:

THOMAS LLOYD, P.

Wm. Clark, Griff. Jones, Barth. Coppock,
Joë Cann, Joë Symcock, Tho. Duckett,
Luke Watson, Sam'l Richardson, Tho. Clifton,
Johanes D'Haes, Griff. Owen, Arth. Cook,
Wm. Stockdale, Wm. Yardly, Wm. Markham, Sec'y.
Joë Brinkloe,

The Returne of Chester County was Read, wherein was Returned John Blunston to Serve Three Years in Provinciall Councill; And John Bristow Wm. Jenkins, Rob' Pyle, Joshua Searne, George Maris, Caleb Pusey, to Serve in ye Assembly for ye ensuing Year.

Arthur Cook, Wm. Clark & Jos. Growdon, were unanimously Chosen to be Provinciall Judges for the next Provinciall Court, and Ordered that a Commission be Drawn Accordingly.

The motion made Yesterday by ye members of ye Lower Counties was Renewed, whereupon ye Representatives of ye Province gave way that ye next General Assembly should be held at New Castle, and that it might be put to ye vote that ye order of ye board might be had for ye same: Which was accordingly don, and Carried in ye affirmative; and ordered that the secretary give notice thereof to ye Respective Counties.

The Petition of Thomas Harris was Read, Complayning against ye County Court of New Castle in a Cause between Olliver Perry of New England, and himselfe. Refer'd to ye next sitting of ye Councill.

Adjourned till Eight To-morrow morning.

At a meeting of The Councill in Philadelphia ye 3d of ye 2d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.

Wm. Clark, Joë Cann, Barth. Coppock,
Joë Symcock, Tho. Duckett,
Luke Watson, Sam'l Richardson, Tho. Clifton,
Wm. Stockdale, Griff. Owen, Arth. Cook,
Joë Brinkloe, Wm. Yardly, Wm. Markham, Sec'y.
Griff. Jones,

The whole board Resolved into a Committee for preparing of bills to promulgate.

Adjourned till Eight to-morrow morning.
MINUTES OF THE

At a meeting of The Councill at Philadelphia ye 4th of ye 2d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.
Jo's Symcoock, Griff: Jones, Barth. Coppock,
Sam. Richardson, Wm. Stockdale, Tho. Ducket,
Griff. Owen, Jo's Cann, Arth. Cook,
Wm. Clark, Wm. Yardly, Jo's Curtis,
Luke Watson, Jo's Brinkloe, Tho. Clifton,

The whole board Resolved into a Committee for preparing of bills to promulgate.
Adjorned till 3. afternoon.

AFTERNOON:

PRESENT:

THOMAS LLOYD, П'.
Wm. Clark, Griff. Jones, Arth. Cook,
Jo's Cann, Wm. Yardly, Tho. Ducket,
Jo's Curtis, Sam's Richardson, Jo's Symcoock,
Luke Watson, Barth. Coppock, Tho. Clifton,
Griff. Owen, Wm. Stockdale, Wm. Markham, Sec'y.
Jo's Brinkloe,

In was Ordered by ye board That ye Stile of The Authority should be as was those Laws past at Philadelphia. The Thirty-first day of ye first month, 1685, viz: The Gouernour and freemen in Provincial Councill mett, &c.

1 bill. The bill for Continuance of former Laws was Read, and past N. C. D.

2. The bill for ye Repealing Severall Laws was Read, and past N. C. D.

3. The bill of Repeale of Parts of Severall Laws, Read & past N. C. D.

4. The bill for punishing persons Summons'd to give their Evidence and doth not appear, past N. C. D.

5. The bill for ye Rates of Sherrys Read: past in ye affirmative.

6. The bill for an Addition to ye 15 Law, prohibiting Rum to be sold to ye Indians, was Read: past in ye affirmative.

7. The bill about Wages for ye members of Councill and Assembly was Read & past N. C. D.

8. The bill to Constitute Provinciall Judges Read & Past N. C. D. adjored till To morrow, 9 in ye afternoon.
PROVINCIAL COUNCIL.

At ye meeting of Councill the 5 day of ye second month, 1690.

PRESENT:

THOMAS LLOYD, Presid:'
Wm. Clark, Arth. Cook, Tho. Clifton,
Sam" Richardson, Wm. Stockdale, Grif. Jones,
Jo" Cann, Jo" Symcock, Tho. Duckett,
John Brinkloe, Grif. Owen,

9 bill. The bill about the Dyke at New Castle was Read and past N. C. D.
10. The bill about Rangers was Read & past N. C. D.
The bills that were Read yesterday and to day were againe Read, and past as before.
Adjourn till 3 in ye afternoon.

IN YE AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid:
Wm. Clark, Barth. Coppock, Jo" Cann,
Sam" Richardson, Tho. Clifton, Tho. Duckett,
John Symcock, Wm. Yardly, Arth. Cook,
Jo" Brinkloe, Wm. Stockdale, Wm. Markham, Sec'y.
Jo" Curtis,

11 bill. The bill for Custome vpon Rum, &c., was Read, and past in ye affirmative.
12. The bill for Customs vpon Deer Skins was Read, & past in ye affirmative.
13. The bill about mercinary pleadings in Courts was Read: past in ye affirmative.
The Petition of John White was Read, as here verbatim is sett downe, (viz:)
To the Presid' and Provinciall Councill of the Province of Pennsilvania and Terrorys:
The Petition of John White Humbly sheweth, That your Pet' being Contrary to Law hindred of ye' profitt and Exercise of ye' office of Clark of ye' sessions for ye' towne and County of New Castle, to which your petitioner hath Lawfull Claim, He humbly beggs ye' benefitt of being heard & Relieved, according to Law; & yo' Pet' as in Duty bound, shall pray, &c.

JOHN WHITE.
The Petition of John White being debated several times, at Last, in a Legislative Councill, ye' Issue was Resolved by their answer to the following Question:
Whether Commission granted by Wm. Penn to John White, for ye' office of ye' Clark of ye' peace for ye' County of New Castle, being
to him as long as well behave himselfe, doth not continue in force vntill he shall be convicted by due course of law, which is by his peers: It was carried in ye affirmative.

Griff. Jones Alliging that he had had his tryall before Gover Blackwell and Council at New Castle, and was turned out for a Misdemeanor in his office, and therefore desired his dissent might be entred.

The Petition of Sam'l Carpenter was read, requesting a bill might be prepared for preventing hoggis to goe at large in townes.

Ord, That a bill be drawn for y' same, to mention only y' Townes of Philadelphia & New Castle.

adjor'd ten in y' forenoon, y' 7th Ins.

At ye meeting of the Council in the Council Room in Philadelphia y' 7th of y' second month, 1690.

PRESENT:

THO. LLOYD, Presid'.
Joyn Symcock, Joyn Cann, Tho. Duckett,
Griff. Owen, Tho. Clifton, Wm. Stockdale,
Joyn Curtis, Wm. Clark, Griff. Jones,
Wm. Yardly, Arth. Cook, Wm. Markham, Sec'y
Luke Watson, Sam'l Richardson,

The whole board resolved into a Committee to prepare some bills for promulgation.

Adjor'd till y' afternoon.

In y' afternoon: present as in y' forenoon.

The Secretary's memorial was read, which follows, verbatim:

PHILADELPHIA, y' 7th of the second Mo., 1690.

To the Provinciall Council now sitting:

The memorial of Wm. Markham, Sec'y, Humbly offered to yo' Considerations:

1st. That the Proprietary hath often times sett forth vnto you y' great and almost incredible Expences he hath been at in support of y' Governm', whereby he hath much Impaired his Estate, and thereby wronged his family, by maintaining y' publick with what belongs vnto them.

2nd. Whereas, there hath been severall acts made and Impositions layd vpon goods Exported and Imported under a pretence to raise money for y' Proprietary, towards the support of his Governm', whereby many who are very willing to support y' necessary Charge thereof are possessed that the Proprietary hath great sums of money given him for y' Defraying y' Same; which mistake hath, and I fear will be more prejudicial, not only to y' Proprietary, but to his whole
Governor, for I humbly conceive this board is sensible that it hath not only not brought in one farthing, but encouraged him still further to launch out his estate in expectation of it, to y* use of the publick; and not only that, but in y* opinion of your humble remembrancer, like to drive the trade from this province into our neighboring colony, w* if once don will be difficult to recover.

3*. The proprietar hath often recommended to this board that some course by taken for y* payment of the subscriptions, w* was in lieu of an act or imposition on rum, &c.; but nothing hath been effected therein.

4*. I humbly offer to yo* considerations the proprietar's words in his lett* to his commissioners, bearing date y* 14th of y* 2* mo., 1689, (viz:) Whereas there is 600lb. due to me, which has been neglected or refused to be paid, if the province will build me a house in the city for my reception, vpon my lett* leaving me to make additions hereafter, if there be occasion, I hope to be there as soon as that is finished. I have sent capt markham my model: or stock the three plantations of my three children, each 200l. comes to the summ, I shall take it well, and this may be sooner and safer don than returning me that sum, tho' here it would have done me more good.

5. I further humbly offer to yo* considerations what y* proprietar was pleased to write to me, in his letter bearing date y* 13 2* mo., 1689, (viz:) I send to seat my children's plantation that I gave them near Pennsberry, by edw* blackfan. Either lett* them settle me 3 plantations for my three children, 200lb. Each, which make vp y* 600l.; or lay it out in a city house for me, y* I may be encouraged to live among them, tho' it would now doe me more good here.

Lastly. The sum expected aforesaid as a debt due to y* proprietar, and ought immediately to be paid, is a certain sum, viz: 600l. which cannot be raised but a tax, or some other course, as may be certain in some short time to amount vnto y* full sum, clear of all charges, and not by importations or on navigation, w* are uncertain.

WM. MARKHAM, Sec*.

14. bill, about two credible evidences, was read, and past in y* affirmative.

15. The bill about registry in any religious society was read, & past N. C. D.

16. The bill about hoggs going at large in y* towns of philadelphia and new castle was read, & past N. C. D.

Adjourn till 9 to-morrow forenoon.
At a Councill in the Councill Room at Philadelphia the Eighth of y* second month, 1690.

PRESENT:

THO. LLOYD, Presid*.
John Symcock,       Tho. Clifton,       Luke Watson,
Arth. Cook,         Wm. Clark,         John Curtis,
Sam* Richardson,    Wm. Yardly,        Griff. Jones,
Tho. Ducket,        Griff. Owen,        Wm. Markham, Sec.

The Petition of John White, w*th was Read the 5th Ins*, was Reas-
sumed, whereupon this following Recommenditory ord* was order-
ed by y* board, (viz:)

To Our fellow members of The Provincall Councill, and to our
friends the Justices for the Towne and County of New Castle:

John White, of The said County, haveing made his application
vnto vs for Relief against the Continued suspension of him from the
Exercise and proffits of y* Office of The Clark of y* peace for y* Coun-
try aforesaid, Wee haveing with due Regard to fformer procedures,
& great circumspection, inspecting into and Considering his Com-
plaint, have in a full Councill, after severall previous and deliberate
debates, Resolved that y* Commission granted by Gover* Penn vnto
y* s* John White, for y* office of Clark of y* peace for y* County of
New Castle, doth notwithstanding y* Late Suspension, Continue in
force, and abides vntill he shall be Convicted by Due course of Law;
and wee further observing that y* said Office Cannot be well Execu-
ted by y* Person Commissionated by Cap* Blackwell, our late Gover*,
because of The officers power therein with y* said Gover* Station in
y* Governm', Wee doe therefore Recommend the said John White
herewith vnto your notice, and ffrndly admission of him in y* Rein-
vestiture of his Clark's office, and into y* Exercise of y* same with
you; And as wee have strictly Enjoyed him, and shall Require y* same
ffrom him, wee do not much doubt but he will deport himselfe obli-
gingly, & with Respect & ffaithfulness vnto you.

THO. LLOYD, Presid*.

[Given by y* Prov* Counciull y* 8 of y* 2d mo., 1690, at Philadelphia.]

The Petition of Thomas Harris, Requesting Relief from y* Judg-
ments given against him in the County Court of New Castle County,
both in Law and Equity.

Resolved he should have an order for a hearing in The next Prov* Court, w*th will be in y* next seventh month, provided y* matter of Com-
plaint be not Determined by y* Consent of both parties, at y* Counciull
at New Castle, and in y* meantime, notice to be given to John Cann
that he part not with any of y* Effects he hath in his hands of Oliver
Perry's, or his owners, vntill y* Determination of the Difference as
aforesaid.

adjour* till 3 in y* afternoon.
PROVINCIAL COUNCIL.

AFTERNOON.

PRESENT:

THO. LLOYD, P'.

Tho. Duckett,           Sam" Richardson,   Jo" Symecock.
Jo" Curtis,              Griff. Owen,       Tho. Clifton,
Luke Watson,             Wm. Yardly,       Wm. Markham, Sec'ry.
Griff. Jones,            Wm. Clark,

Vppon debate of y' neglect of y' Surveyor's Gen'le office and his Extraordinary fees, Resolved & Ord'd that y' Surveyor's Gene'ry Deputy be sent for to attend this board, and that Thomas Duckett be desired to take y' Care of sending for him.

The Petition of Benj. Chambers, Tho. Peart and Francis Rawle, was Read, Requesting for themselves and others, that a bridg might be built over, and a wharfe made against Mulberry street. Resolved that when y' Petitioners shall bring in their proposals, they shall have a hearing.

Adjourn till To-morrow 9 fforenoon.

At a meeting of The Councill in y' Councill Roome in Philadelphia y' 9th day of y' 2d Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.

John Symecock,           Tho. Duckett,     Jo" Curtis,
Wm. Clark,               Wm. Yardly,      Sam Richardson,
Arthur Cook,             Luke Watson,      Wm. Markham, Sec'ry.
Griff. Owen,

Benj. Chambers & Francis Rawle, according to the answer to their petition yesterday, brought in their methods, (viz:) Mulberry Street being not less than the Sixty foot in breadth in y' midst of The same, and about twenty perches back from y' River, weee Intend to Cut out a Cart Road of twenty foot in breadth, from thence to Extend with a graduell Descent to Low water mark, and to have y' said passage paved and walled vp with stones on both sides, and to have a bridg over y' said passage, in y' midst of y' front Street, and that part w'd Remaines uncovered to be fenced with Railes; and at y' River End of The said passage, to make a free and publick wharfe of Twenty foot in breadth on Each side thereof: Whereunto y' Councill did assent.

Ordered that a Warr be made to Impowre Each County, by Their Respective magistrates and Grand Jury, to Divide their respective Counties into hundreds, or such other Division as they shall think most Convenienc for their Base in Collecting y' Levies for the Defraying y' Charge of y' Counties.

adjourn till 3 in y' afternoon.
MINUTES OF THE
AFFTERNOON.

PRESENT:

THO. LLOYD, Presid'.
John Symcock,
Griff. Jones,
Arth. Cook,
am" Richardson,

Wm. Clark,
John Curtis,
Wm. Yardly,
Griff. Owen,

Tho. Duckett,
Luke Watson,
Tho. Clifton,
Wm. Markham, Sec'.

The Petition of Ann Young in the behalfe of y* halfe of herselfe and her husband, Jacob Young, against Edw*d Gibbs, High sherriff of New Castle County, about a seasure made by y* s*t Gibbs, y* Sheriff, on y* Goods and Chattelcs of y* said Young, in a Case between y* said Sheriff and Young, in which Case y* said Young had judgment past against him by Default, not Knowing y* Time he should Appear.

Ordered that y* said Ann Young and her husband, have an appeal granted them to y* Provincall Court after y* next; provided they give Sufficient security for the Estate seized, and for standing and abideing by y* Judgment of y* Provincu" Court.
adjo*a till 10 to-morrow afternoon.

At a meeting of the Counciull in the Counciull Room in Philadelphia The 10 of y* 2d Mo., 1690.

PRESENT:

THO. LLOYD, Presid'.
Jo*t Symcock,
Arth. Cook,
Griff. Owen,
Wm. Clark,

Wm. Yardly,
Jo* Curtis,
Sa. Richardson,
Tho. Duckett,

Grif. Jones,
Tho. Clifton,
Luke Watson,
Wm. Markham, Sec'.

17 bill. The bill for Regulating the Survey* fees Read, and past in y* affirmative.

John Blunston, a member of Counciull for y* County of Chester, haveing absented y* service thereof sometime, and y* board being informed by y* other members of The said County, that y* said Blunston at his Election was much ag* his being Elected, & still Continues very vneasy and much Indisposed to serve, Ordered the secretary write to him to have his Resolution therein.
adjo*a till 2 in y* afternoon.

In y* afternoon. Present as in y* afternoon.

The Commission for the Provinciall Judges, viz: Arth. Cook, Wm. Clark & Joseph Growdon, was this day signed by y* Presid', bearing date y* 1st Ins. to Continue only for this present Court.
PROVINCIAL COUNCIL.

Joseph Taylor presented y* Councill with a writing wherein he informed the board y* he made Choyce of Arth. Cook to be his Guardian, & Desired it might be Entred on y* minutes accordingly.
adj. till To-morrow, 9 florenoon.

At a meeting of the Councill in y* Councill room in Philadelphia The 11 of y* 2d Mo., 1690.

PRESENT:

THO. LLOYD, Presid'.
Wm. Clark, Wm. Yardly, Arth. Cook,
Jo* Symcock, Luke Watson, Jo* Curtis,
Sam* Richardson, Griff. Owen, * Tho. Clifton,
Tho. Duckett, Griff. Jones, Wm. Markham, Sec*.

A Letter bearing date y* 2d of Ap*, Directed to Thomas Lloyd, Presid* of Pennsylvania, was Read: it was subscribed Jacob Leislear; the purport was to send some agent to New York to treat with them of York and other Collonies, about some Cours to preserv themselves from ye* Enemyes, y* french.

Ordered that the Commission of The peace ff or y* Three Lower Counties be Renewed, and y* They runn by y* King's Authority.

Upon severall Debates Concerning the office of The Clark of y* peace ff or this County, it was generally refferred to y* Disposall of the present Master of y* Rolls, he being the Chief Officer of Records.

Upon a proposall Concerning a Sheriff to be Chosen ff or Bucks County, the present Sheriff Expressing his vnwillingness to serve longer, as the board were informed, Thereupon Wm. Yardly was agreed upon to be Commissionated ff or y* said place.

Adjor. till 9 to-morrow florenoon.

At a meeting of The Councill in y* Connell room In Philadelphia The 12 of The 2d Mo., 1690.

PRESENT:

THO. LLOYD, Presid'.
Wm. Clark, Sam* Richardson, Luke Watson,
Arth. Cook, Wm. Yardly, Wm. Markham, Sec*.
Jo* Symcock,

After some Debate about Commissionating officers, &c.,

Adjor. till 3 in y* afternoon.
MINUTES OF THE
IN THE AFTERNOON.

PRESENT:

THO. LLOYD, Presid't.
John Symcock,  Sa" Richardson,  Tho. Clifton,
Tho. Duckett,

Vpon y" Reading of The Petition of John Buzby, who married the Daughter of Christopher Taylor, Deceased, Requesting a Devision of y" Estate of y" said Chris. amongst his Children, Arthur Cook and Sam" Richardson Desired to Endeavour an Equall partition, more Especially of y" perishable part of y" s" Estate, which lyes in Thomas Hooton's Custody, and Thomas Hooton is hereby Ordered to Deliver The said Goods to y" order of The Referees before named.

Vpon y" Reading y" Pet. of y" Legatees of Ja. Claypoole, Requesting y" Care of y" Councill in inspecting into the mannagem't of the administration intrusted in their Eldest Brother's hands Chiefly, It was ordered that y" said Brother shall have notice to answer the legatee's Exceptions herein in y" next Councill.

John White Requesting the Councill to signifie their sense to y" Justices of New Castle County, to order James Claypoole to give vp the County Seale and Records vnto him, The board thought The Order granted in his behalfe, Directed to their members and Justices, was Sufficient for y" present.

Adjorn'd Till To-morrow, 9 in y" forenoon.

At a meeting of The Councill in The Councill room in Philadel-phia y' 13th of y" 2d Mo., 1690.

PRESENT:

THO. LLOYD, Presid't.
John Symcock,  Tho. Duckett,  Jo" Curtis,
Arth. Cook,  Grif. Owen,  Luke Watson,
Wm. Clark,  Tho. Clifton,  Wm. Markham, Sec'y.

Three Commissions of Peace for The Three Lower Counties were signed by y" presid't, bearing date y" 11 of y" 2d Mo., 1690.

Adjorn'd till The 15th Ins't.

At a meet. of The Councill in the Councill room the 15th of y" 2d Mo., 1690, in Philadelphia.

PRESENT:

THO. LLOYD, Presid't.
Jo" Symcock,  Luke Watson,  Grif. Owen,
Arth. Cook,  Tho. Duckett,  Sam" Richardson,
Wm. Clark,  Jo" Curtis,  Wm. Markham, Sec'y.
PROVINCIAL COUNCIL.

The Councill mett this day to appoynt a time to adjorne to, and Did Conclude off and adjord accordingly to ye 12 of ye 3 Mo. next, vnless the Presidt and 6 members see Cause of any Emergent occa- sion to meet sooner; or in his absence, by notice given: by any six members Else, hence from this place.

Before the Departure of The Councill out of The Councill, a lett' Came to the board from John Blunston, in answer to ye Secretary's, by ord' of this board on ye 10th Ins', wth being Read, and his Resons for Excuseing him to serve in Provinciall Councill being allowed, It was ordered a writt should be forthwith sent to the Sheriff of Chester County to Summons ye freemen of The said County to meet at Chester on ye 22 Ins', to Elect one to serve in his Room; the wth writt was signed by ye Presid't.

Then adjorr'd as before.

At a Council in The Council Room in Philadelphia The 24th of ye 2d Mo.. 1690.

PRESENT:

THO. LLOYD, Presid't.
Arth. Cook, Griff. Jones, Griff. Owen,
Sam'l Richardson, Tho. Duckett, Wm. Markham, Sec'y.

A Lett' was Read from ye Assembly of Maryland, bearing date ye 11th of Apr', 1690.

The Presid't is Desired to returne an answer from himselfe & ye board to ye Late speaker of The Assembly in Maryland.

The Petition of several of The freemen of This Province willing and Ready to bear Armes in Defence of The same, was Read; which follows verbatim, (viz:)

To The Honble the Provinciall Councill, now Dep't Gover' of ye Province of Pennsilvania.

The Humble Petition of some of The Inhabitants willing and Ready to bear Armes for ye service and Deffence of This Governm', Sheweth:

That wherease, there is a warre between ye Crownes of England and France, and that our Enemies, the French, have barbarously murdered many of his Maj's Subjects, very near ye Confines of this Province, wth have struck no Small terrour in vs and our families, and may happen to Attack vs when wee Least think of it, wee humbly pray that you, our Gover', will be pleased forthwith to settle ye Country in Such a posture that we may be able by force of Armes, to Defend it against any assault of our Enemies; and as in Duty bound, shall pray.

Wm. Markham,
Lacy Cock,
Swan Swanson,
Jo' Holme,
Andrew Binkson.

25°
MINUTES OF THE

The board being informed that Lassie Cock intends vp y° Skoolkill among our Indians, y° begining of y° next week, doe request that y° presid°, with y° present members, give Instruction to y° said Lacy Cock to make perticular Enquirie Concerning y° store and quantity of Ammunition in y° Custody of y° French families seated vp the said River, and in Case he shall finde greater store then shall be judged Expedition to be left there, to have y° same secured, in ord° to be brought to Barnabas Willcox's store, assureing the owner's Reasonable satisfaction for the same; and further, that such of y° said French who may be justly suspected of vnfaithfulness to this province, may be, by y° most suitable meanes, perswaded downe here; and that y° Chief Sachem of our Indians may be assured of our good Intention towards them and their people, and that wee desire a meeting with their Chief men as soon as they Cann Conveniently, giving vs notice of The time nine or tenn days before, and if he sees occasion to Imply four or six Likely and trusty persons of Them to Range along the most likely parts, for y° Discovering of any Designs of y° French, or their Indians, against the peace, who shall have Competent satisfaction at their Return to vs. And our desire is that Capt. Markham, Rob. Turner, with such Credible persons as may be perswaded vpon this service, goe along with y° said Lassie Cock, and that he vpon all occasions, take y° advice & Concurrency of y° said persons; And in y° meantime, Care be taken for suitable presents for them at their meeting with vs.

The Councill adord till y° 12th 3d month, vnless y° Presid° and 6 members, See Cause, vpon any Emergent occasion, to meet sooner, or in his absence, by notice given by any six members Else hence.

At a Councill held at New Castle y° 12 of y° 3d Mo., 1690.

PRESENT:

THOMAS LLOYD, P°.

Jo° Symcock, Griff. Owen, Tho. Duckett,
Arth. Cook, Wm. Stockdale, Jo° Brunkloe,
Jo° Cann, Barth. Coppock, Joha. D'Hawes,
Sam. Richardson, Luke Watson, Wm. Markham, Sec°.

The Returne of Chester County for Wm. Howell to serve In Provinciall Councill in y° Roome of John Blunston, was Read. He appeared not, but a Letter from him, Directed to y° board, bearing date y° Eighth of y° 3d month, 1690, was Read, setting forth his Incapassity, &c., of giving Such attendance as is Requisite to that service, Defered at present, and to be Resolved before y° Riseing of this Legislative Councill.

The Committee appoyned to Receive proposals from y° Assembly, vpon Amendments of y° promulgated bills, is Arth. Cook, Griff. Owen, Jo° Symcock, Jo° Cann, Jo° Brinkloe, Luke Watson,
The Petition of Adam Johnson was Read, &c. The board not having any Certain knowledge of ye matter, nor Copy of any Record before them, Defered it for the present.

The Pet. of James fox was Read, &c. Defer'd till afternoon. adjourn till 4 in ye afternoon.

---

AFTERNOON.

PRESENT:

THOMAS LLOYD, P'.
Arth. Cook, Jo* Symcock, Johannes D'Hawes,
Wm. Clark, Griff. Owen, Jo* Brinkloe,
Jo* Cann, Wm. Stockdale, Griff. Jones,
Sam Richardson, Luke Watson, Wm. Markham, Secy.
Tho. Duckett, Barth. Coppock,

James Fox's Pet., w'th was Read in ye forenoon, was again Read, Complayning ag' James Walliam, ye King's Collect' for selling tobacco he seized, pretendedly by virtue of a judgment obtained in ye County Court of New Castle: an abstract of ye Proceedings of ye said County Court was also Read at this board.

The Assembly Came to this board. Joseph Growdon, a member thereoff, acquaints ye Councill that ye Assembly had Chosen them their Speaker.

The bills No. 1, 2, 3, 4, 5, 6, w'th were promulgated, were given to ye Speaker.

Griff. Jones, a member of This board, acquaints the Councill that Wm. Yardly, an other member, Could not attend his Duty through Indisposition.

James Walliam, ye King's Collector, being sent for to this board, to answer ye Complaint of James fox, appeared and promised that to-morrow morning he would appear again, to give further satisfaction. adjourn till 7 to-morrow morning.

---

At a Councill at New Castle ye 13th 3d Mo., 1690.

PRESENT:

THOMAS LLOYD, P'.
Sam* Richardson, Wm. Stockdale, Luke Watson,
Griff. Owen, Jo* Brinkloe, Tho. Duckett,
Barth. Coppock, Jo* Curtis, Wm. Clark,
Joha. D'Hawes, Jo* Symcock,

James Walliam, ye King's Collector, not appearing according to ye minute yesterday, was sent for, but was gon out of Towne.

Wm. Clark was added to ye Committee appointed yesterday, and any 4 of them to be a Quorum.
Edw'd Gibbs, High Sheriff of New Castle County, and Hugh Masland, Butcher of ye said Towne, were sent for to appear before this board. Hugh Masland's attestation was Read, w'h is as followseth, verbatim: Upon the request of James ffox was Hugh Masland solemnly attested, who Declares that being vpon a Jury in a plea Depending y' 23 Ins', James ffox, pl't against James Walliam, George More, Vnder Sheriff, Came among them, and several times vrged y' Cause against James ffox; and that Edw'd Gibbs persuaded the Deponent to agree w' hd y' Rest of y' Jury in behalfe of James Walliam, for y' y' said Edw'd Gibbs said it was suspected y' y' Deponent was Concerned with Tobacco ffrom Maryland in y' Like Kind, which he and the Collector had Discoursed together about, and it might be well enough: And likewise persuaded him not to be so Stubborne, as having heard he was y' only man stood out; but that y' said discourse took noe Effect w' them, and that Edw'd Gibbs said to y' Depon't, he would promise vpon his word, if the Deponent would agree w' hd y' Rest of y' Jury, he should no ways be Damnified by reason of any suspicion of y' Depon't being Concerned in y' Like Nature, and f further Saith not.

Taken before vs this 25 Aprill, 1690. John Cann, Joha. D'Haes, Edw'd Blake.

Hugh Masland ownes y' attestation. The Sheriff and Hugh Masland being interrogated, &c., and y' whole matter Debated, Defer'd y' Conclusion till to morrow morning, at which time it was ord'n'd that James Walliam, y' King's Collector, attend this board.

Rich'd Curtis and Rob't Pyle, two members of y' Assembly, Came to y' board for y' Rest of y' Promulgated bills, w'h was Delivered them. No. 7 to 17.

Adjorn'd till 3 in y' afternoon.

AFTERNOON.

PRESENT:

THOMAS LLOYD, P'.

Arth. Cook, Thomas Duckett, John Brinkloe,
Wm. Clark, John Cann, Joha. D'Haes,
Grif. Jones, John Symcock, Barth. Coppock,
Sam'l Richardson, Wm. Stockdale, Griff. Owen,
Jo' Curtis, Luke Watson, Wm. Markham, Sec'y.

Credible Information being given to this board that John Richardson, y' Elder of Kent County, hath behaved himselfe so violently and Inhumainely towards his wife, that it is much feared he may be her Death; whereupon it was ordered y' a warr'd be sent downe to y' Justices of y' County, to make thorow Examination into y' matter, w'h Direction that vpon sufficient proof, to bind him over to his good behaviour, & to secure him in prison vntill he find good & able secur.
Cap' Peter Alrichs Came into y* Councill Roome and presented to this board a Commission from Gover' Penn to himselfe, bearing date y* 18 8ber, 1683, Constituting him Leif, and Conc* in Chief of y* Towne and fort at New Castle, &c., w* was Read; and Likewise, he produced a paper of Subscription of several persons that had List-ed themselves to serve y* Country vpon any occasion of an Enemies approach, w* was Likewise Read.

adjorned till 8 to-morrow morning.

At a Councill at New Castle y* 14th 3 Mo., 1690.

PRESEN:

THOMAS LLOYD, P*.
Arth’ Cook, Griff. Jones, Luke Watson,
Sam. Richardson, Wm. Stockdale, John Cann,
Griff. Owen, Jo* Curtis, Joha. D’Haes,
Tho. Duckett, Barth. Coppock, Wm. Clark,
Jo* Symcock, Jo* Brinklœ, Wm. Markham, Sec*.

According to y* notice sent yesterday to James Walliam, Collect* of y* King’s Customs, he appeared, & Likewise James ffox.

James Walliam produced his Instructions from Patrick Mien, Esq*, Surver* Gen* of his Maj* Customs in y* American Plantation.

Vpon y* Debate of y* tryall vpon a seizure made by James Walliam, of about 40 hdds. of Tobacco of said James ffox’s, y* Clerk of y* County of New Castle was sent with y* Record of y* said tryall.

The Petition of James ffox, w* was Read y* 12 Ins*, was againe Read: James Walliam, against whome he petitioned, being present.

Adjourn’d till 4 Afternoon.

IN Y* AFTERNOON, 14 3 Mo., 1690.

PRESEN:

THOMAS LLOYD.
Arth’ Cook, John Cann, Jo* Brinklœ, Wm. Stockdale,
Wm. Clark, Tho. Duckett, Joha. D’Haes,
Griff. Owen, Sam. Richardson, Wm. Markham, Sec*.
Griff. Jones, Jo* Curtis, Wm. Markham, Sec*.

The Difference between James ffox and James Walliam, y* King’s Collect*, was Reassumed, and y* Records of y* County Court of New Castle, where y* tryall was Examined; and vpon Debate it was Resolved that y* said Walliam and ffox be spoken to to End y* Difference between themselves, before this board proceeds any further in it.

Adjourn’d till 9 to-morrow morning.
MINUTES OF THE

New Castle, At a Councill ye 15th 3 Mo., 1690.

PRESENT:

THOMAS LLOYD, P', w' ye Rest, as yesterday.

The Committee of this board presented the Promulgated bills they had Received from a Committee of ye Assembly, with ye Assembly's Amendments and Reject't, which were Allowed off according to their proposes, tho' the forme of Drawing ye said Amendments into Bills may be properly ye Concerne of This board, and that their Committee be informed of their mistake in their Resolve vpon ye first bill.

Resolved that ye Committee of ye Council acquaint the Assembly that to-morrow morning they shall be Ready, if ye Assembly Can, to pass all ye bills that are to be passed.

Adj' till 7 to-morrow morning.

At a Councill in ye Court-house at New Castle, ye 16th 3d Mo., 1690.

PRESENT:

THO. LLOYD, P'

John Symcock, Arth. Cook, Jo' Brinkloe, Luke Watson,
Tho. Duckett, Jo' Cann, Wm. Stockdale,
Griff. Owen, Sam'l Richardson, Barth. Coppock,
Griff. Jones, Joha. D'Haes, Wm. Markham, Sec'y.
Wm. Clark, Jo' Curtis, Wm. Markham, Sec'y.

The Councill mett in this place, that they might have Roome to make a Gen'l Assembly.

The Councill being Called over and Satt, the Assembly was Called in; and being asked by the Presid' whether they were Ready to pass or Reject ye bills as promulgated, varied, or added vnto, Said they were. They took their places, and made a Gen'l Assembly.

1st. The first bill was Read, w' its amendments: past N. C. D.
2d. The Second bill was Read: past N. C. D.
3. The third bill was Read: past N. C. D.
4. The fourth bill was Read: past N. C. D.
5. The fifth bill was Read: past in ye affirmative.
6. The Sixth bill was Read: past N. C. D.
7. The Seventh bill was Read: Rejected.
8. The Eighth bill was Read: Past N. C. D.
9. The Ninth bill was Read: Past N. C. D.
10. The Tenth bill was Read: Past N. C. D.
11. The Eleventh bill was Read: Rejected.
12. The Twelveth bill was Read: Rejected.
13. The Thirteenth bill Read, & Rejected.
14. The Fourteenth bill Read, & Past N. C. D.
15. The Fifteenth bill Read, and past N. C. D.
16. The Sixteenth bill Read, & past N. C. D.
17. The Seventeenth bill was Read, & past in ye affirm.
The General Assembly adjourned at this time, till y* Gover' & Council should Dismiss them.

The Councill adjourned till y* afternoon, to y* place of Their Sitting, Cap' fforratt's house.

In y* Afternoon: Present as in the forenoon.

Ordered that y* Secretary make vp the acco' of Buoy mony with in a month.

Two members of The Assembly Came to acquaint the board that the Assembly were Ready (when the Councill pleased) to Receive their Discharge. Appoynted they should Come about two hours hence.

Ordered a Commission should be Drawne ffor Rich' Holwell to be High Sheriff of New Castle County, to Commence y* ffirst of August, to Continue for one whole year.

The Petition of White was Read, Humbly Requesting he might be Re-Invested in his office of Clerk of New Castle County, Alligeing he was Illegally turned out of The Same.

Resolved by y* majority of the board, that he shall have an Order ffor y* Delivery back to him the Records of y* said County Court. The wording of y* ord' is Referd to y* Presid' & Secretary.

The Petion of Sam' Atkins was Read, Complayning against Wm. Clark, a member of this board. Referd to Common Law.

Kent County Commission of y* peace, dat. 11 2d Mo., 1690, was Signed by Thomas Lloyd, Presid'. Justices inserted are Jo' Brink-loe, John Curtis, George Martin, Dan' Jones, John Walker, Mark Manloe, Wm. Lawrence, Wm. ffreeland Tho. Rouse, Wm. Manloe, Jo' Betts, Symond Hiron.

One of The same date ffor New Castle County, was also Signed. The Justices were Peter Alrichs, John Cann, Wm. Stockdale, Ew' Blake, Cornelius Empson, Joha. D'Haes, Pet' Bainton, Charles Ramsey, Rob' Ashton, John Hayly and Hen. Williams.

Ord' Rob' Robinson have a Commission ffor Coroner of New Castle County, and another ffor Thomas Stratton ffor Kent County.

The Assembly was Called in and Received their Discharge ffrom their present service.

The Councill adjorned to Philadelphia, The 22d Ins'.

At a Councill in y* Councill Roome in Philadelphia y* 22 of y* 3d Mo., 1690.

PRESENT:

THOMAS LLOYD, P'.

John Symcock, Grif. Owen, Wm. Clark,

Sam' Richardson, Arth' Cook, Wm. Markham, Sec'.
MINUTES OF THE

Some number of Indians this day Coming into the towne, supposeing to make application to the Governm', Ordered that Cap' Lawrence Cock be sent for, to be in Towne by Eight to-morrow morning, to Interprete; and in Case ye Counciell are not Sitting, that ye Presid', with ye Present members and Justices, with others, ye principall Inhabitants, Doe treat them Civilly, Receive their message, and give their answer accordingly.

Cap' L. Tort makeing his application to ye Counciell that he may have liberty to goe for England, Resolved that he may, provided he performs the Laws of Governm' in that Case provided.

Ordered that Nehemiah ffield have a Lycence to Keep ordinary at Lewis.

adjorn'd till further Order.

At a meeting of ye Counciell in the Counciell Room in Philadelphia the 30 of ye 5th Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.
Jo' Symcock, Barth. Coppock, Griff. Jones,
Griff. Owen, Sam'l Richardson, Wm. Markham, Sec'y.
Arth. Cook

Notice being given to this board by ye Justices of Sussex County, ye Sheriff of ye said County intends suddenly for England, and Recommending Sam'l Preston as a fitt person to Supply ye place, a Commission was this day signed for him.

In a letter from Edw'd Blackfann vnto ye Secretary, bearing date at London, ye 30. 9ber., 1689, and Rec'd of Rich'd Moriss, Master of ye Philadelphia march', the 15th 5 Mo., 1690, was Inclosed an Order from the Lords of The Privie Counciell, Directed (To Our Loveing friend, Wm. Penn, Esq.'', Proprietor of Their Maj' Province of Pennsilvania, in America,) bearing date from ye Counciell Room in Whitehall, ye 19th day of Feb., 1688-9, for the proclaiming William and Mary, Prince and Princess of Orange, King & Queen of England, France and Ireland, and of ye Territory and Dominions Therevnto appertaining; w'h three printed Proclamations for the Same, and Coppys of ye oaths to be taken in stead of ye Oath of Allegiance and Supremacy.

Vpon Debate of ye aforesaid ord' from ye Lords, it was Resolved That Since ye whole Tenour thereof hath been in Effect performed by an Order from ye Gover' and Counciell, bearing date ye 2d day of ye 9th month, 1689, and that so long time, by Accidents, hath Relapsed from ye Date of The said ord' to ye Time of Receit thereof, that it was not necessary to publish it.

The Petition of ffran. Cook was Read, Requesting an Equall Devi- sion of ye Estate of Jame Claypoole, Deceased, amongst his Children. Ordered that John Claypoole Appear at ye next Counciell, to answer ye said Cook's Complaint.
The Petition of Sam" Atkins was Read, setting forth that Rich" Russell hath taken out Execution vpon a judgment obtained ag" him, y" said Atkins, by y" said Russell, in y" County Court of Philadel-
phia, held in y" first month Last past, notwithstanding y" Court did appoynt Sam" Carpenter and Benj. Chambers to adjust their acco", and to make Returne thereoff to y" next Court. Ordered That Sam" Carpenter and Benj. Chambers be Desired to End y" Difference de-
pending between y" said Russell and Atkins, w"ch was Refer'd to them by y" said County Court of Philadelphia, and make Returne of Their so doing to y" next said County Court.

Ordered that notice be given to all y" members of Councill, that they meet at Philadelphia y" 4th 7 Mo. next, To Commissionate Prov" Judges.

Adjorf till 3 in y" afternoon.

__________________________

AFTERNOON.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock,            Griff. Owen,
Grif. Jones,              Sam. Richardson, Wm. Markham, Sec'.

The Councill vnderstanding that James Claypoole, Clark of New Castle County, was in Towne, sent ffor him, and asked him his Rea-
son why he did not obey y" order Directed to him to Deliver y" write-
ings and Seal of y" said County to Jo" White. His answer was that before y" order Came downe, the Court had Commanded him to De-
lever yp their Records to them, and that he did deliver y" same to them in open Court. The Councill thereupon signified to him that what Act he shall doe as Clark ffor ye future shall be looked vpon as of no Effect.

Ordered that notice be given to y" Magistrates of Kent County, that y" Councill hath thought ffit (vpon an Ill Character of John Richard-
son, jun'.) to make voyd y" Lycence he had to keep ordinary, and that they are desired to take Care it be suppressed accordingly.

Ordered That Benj. Chambers have a warr' to Constitute him a Water-Baly ffor y" Province of Pennslyvania.

Ord" Blank Commissions to be drawne for Coroners.
adjorn' till y" 4th 7 Mo. next, or till further order.

At a meeting of y" Councill in y" Councill Room at Philadelphia y" 4 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcock,            Griff. Owen, Barth. Coppock,
Arth' Cook,                Wm. Yardly,                John Brinkloe,
Tho. Duckett,            Wm. Stockdale, Wm. Markham, Sec'.
Sam" Richardson, Griff. Jones, 26
It was your sense of your majority of this board, and Griff. Jones was desired to deliver it to William Markham, that your said Markham should deliver your seal and records of your county of Philadelphia to your master of your rolls, or his order.

The address of your justices of your county court now sitting in Philadelphia, was read, complaining against William Markham for not delivering your records and seal of your said county.

adjourn'd till to-morrow, 7 in your morning.

At a meeting of your council in your council room in Philadelphia your 5 7 mo., 1690.

PRESENT:

THOMAS LLOYD, Presid'.
John Symcoock, Griff. Jones, Barth. Coppock,
Arth. Cook, Tho. Duckett, Griff. Owen,
Wm. Yardly, Wm. Stockdale, Wm. Markham, Sec'y,
Sam' Richardson,

A lett' was read from Cadwallader Jones, Gov'r of New Providence, bearing date from hence your 30th July, 1690, with a Proclamation from your said Gov'r to incourage those who have any claim to any land there to return.

The address of your justices of your county of Philadelphia for a further strengthening your authority of your watch was read. The board returned answer that they well approved of their address, and shall give due continuance to your same upon all occasions. It was put to your vote whether Wm. Markham should bring your seal and records of your county of Philadelphia and deliver your same vp to this board; it was carried in your affirmative.

Wm. Markham, by consent of your board, entred this for his reply: that he was keeper of your rolls and seal by commission, during good behaviour, and his commission not being legally vacated, nor any misbehaviour laid to his charge, he thinks it his duty to keep them still in his possession.

The council having thorowly considered his reply to their order for your delivery of your seal and records of this county, and being general satisfied that his commission determined with Cap't Blackwell's station in your governm', doe look upon his reply a contempt to your order of this board.

Upon your reading of your petition of severall of your inhabitants of Philadelphia, requesting the care of your council in reference to a certaine vessell, whereof John James is master, ordered that notice be given to the master, if in town, to appear in your afternoon to answer your complaint, and that Sam' carpenter, with your rest of your petitioners, attend accordingly.

Adjourn'd till 3 in your afternoon.
PROVINCIAL COUNCIL.

Afternoon: Present as in ye fsetting.

The Petition of James fox was Read, Requesting a Remission of ye Governour's part of 42 hdds. of Tobacco, wch was Seised and Appraised at Nine p. hdd. The board ordered that it Should be left uncollected vntill ye Gover'n be acquainted therewith.

John James, against whom ye Complaint in ye fsetting was Exhibited, not being in Towne, it was Defer'd till ye next sitting.

The Judges appoynted are Arthur Cook, John Symcock, Joseph Growdon, Peter Alrichs, Thomas Wynn.

Adjourn till to-morrow, 7 in ye fsetting.

At a meeting of ye Council in ye Council room in Philadelphia ye 6th of ye 7 Mo., 1690.

PRESENT:

THOMAS LLOYD, Presid't.
John Symcock, Wm. Yardly, Wm. Stockdale,
Arth. Cook, Sam'l Richardson, Griff. Jones,
Griff. Owen, Barth. Coppock, Wm. Markham, Sec'y.

Tho. Duckett,

Ord'd that ye Respective Sheriffs be Charged with ye Rec' of ye Gover'n Rents and Dues. Ord'd that Arthur Cook be added to ye Comission of ye peace for Philadelphia County, and John Symcock to Chester.

adjourn till ye 11th Ins't.

At a Councill in ye Council Room at Philadelphia 7ber. 11, 1690.

PRESENT:

THOMAS LLOYD, P'.
John Symcock, Tho. Duckett, Griff. Owen,
Sam'l Richardson, Barth. Coppock, Wm. Markham, Sec'y.

Sam'l Carpenter, Phil. Richards and Jo's Delavall, three of ye person that Subscribed ye Petition Read against John James ye 5th Ins't., Appeared to prosecute their Complaint against Jo'n James, be being present.

Vppon ye Debate of the whole matter, it was Ordered that a further Survey be made vpon ye vessell, Riggin, &c. of her sufficiency for performing her voyage to England, and in Case vpon ye survey it appears that she is Insufficient to performe her voyage to England, That The Goods mentioned in ye Certificate, with ye Certificate it selfe, and Letters, be Secured to ye satisfaction of ye Govenrmn'.

Digitized by Google
Ord'd That ye Commission for ye Judges be forthwith drawne and signed by ye Presid.
Ord'd That ye Presid' provide a County seal for Philadelphia County.
ADOR. TILL FURTHER ORD'.
PROVINCIAL COUNCIL.

AFTERNOON.

Present as in ye* forenoon.

Resolved that henceforward no Officer be Commissionated or appoyned by this board for any of the Respective Counties within this Government, vnless at Least two members of ye* County be present and assent therevnto: The wth* being putt to ye* vote, it past N. C. D. John Cann & John Brinkloe Returned from wayting on ye* Keeper with ye* Judges Commission to pass vnder ye* broad Seal, and reported that ye* Keeper absolutely Refused to seal them; therefore, it was Ordered that ye* Judges Act by Them vnder ye* lesser seale, as they are adjoined till further order.

Gulielmus et Maria Die Gratia Angliae scotiae Frantia at Hiberniae Rex et Regina Fidei defensores &c. Dilecto Nobis Benjamingo Fletcher Armigero Salutem ad cognoscendum et procedendum in quibuscunque Causis civilibus et maritimis atque querelis contractibus delictis seu quasi Delictis criminiibus placitis debitis, excambys Computis chartis partitis conventionibus Litibus transgressionibus, injurys extortionibus Demandis ac negotys civilibus ac maritimis motis sa movendis quibuscunque inter mercatores aut inter Dominos et proprietarias navium et aliorum Vasorum et mercatores seu alios quoscunque cum eisdem Dominis et proprietaris navium et caeterorum Vasorum quorumcumque infra Jurisdictionem maritimam Admiralitatis nostri provinciae Novi Eboraci et Territoriorum eisdem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali, Provinciae Pennsylvaniae et Regionis Novi Castri ac Omnium terrarum tractuum et Territoriorum eisdem dependentium occupatorum vel usitatorum seu interquoscumque alias personas qualitercunque habitis factis initis seu contractis proaliqua re materia causa vel negotio seu injuria quacunque infra Jurisdictionem nostram maritimam praedictam expeditis seu expediendis, Una cum omnibus et singulis suis incidentibus emergentibus dependentibus annexis et connexio causis quibuscunque ubicunque sen qualitercunque hujusmodi Causa querelae Contractus et alia promissa supradicta veleorum aliquod oriri celebrari, contrah vel fieri contingat, juxta jura statuta Leges Ordinationes et consuetudines ab antiqua observata audiendum et terminandum. Ac insuper in omnibus et singulis querelis contractibus conventionibus et causis et negotys civilibus et maritimis ultra mare per ficiendis ultrave mare contractis quaestorius emergentibus sen contingentibus. Ac etiam in caeteris causis et materys omnibus et singulis quae Jurisdictionem maritimam admirallatibus nostris praedictae in Dictis provincia nostra Novi Eboraci et terrortys eisdem dependentibus in America, viz: Colonys de Jersey orientali et occidentali provincia Pennsylvaniae et Regione Novi Castri ac omnibus terrarum tractibus et territorys eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque quovis modo tangunt sen aliquo modo concernunt vel ab antiquo pertinere debuerunt aut debetur. Et generaliter in omnibus et singulis alys Causis Litibus Criminibus delictis excessubus injurys querelis maleficys sen:
quasi maleficys Transgressionibus Regratarys forstallarys et negotys maritimis quibuscunque per Loca prædicta infra Jurisdictionem maritimam admiralitatis nostrae provinciae Nostra Nova Eboraci et territoriorum eidem dependentium in America, viz: Coloniarum de Jersey Orientali et occidentali Provinciae Pennsylvaniae et Regionis Nova Castrui ac omnium terrarum tractuum et territoriorum eisdem Dependentium prædict per mare vel aquam aut ripas sen Littora eorumdem qualitercurque factis Commiscis perpetratis aut emergentibus. Nec Non ad inquirendum per sacramentum proborum et Legaliom hominum dedicis provincia nostra Nova Eboraci et Territorium eisdem dependens in America, viz: Colonys de Jersey orientali et occidentali provincia pennsylvaniae et Regionis Nova Castrui ac omnibus terrarum tractibus et Territorius eisdem Dependens et partibus maritimis eorumdem et eisdem adjacentibus quibuscunque tam infra Libertates et franneallis quam extra ubi Libet Comorantium tam de omnibus et singulis quae de Jure statutis Legibus Ordinationibus vel Consuetudinibus ab antiqio observatis inquiri solent vel beberant quam de wrecro maris ac de omnibus et singulis bonis et Catalis quorumcumque prodictorum piratarum Homicidarum et felonum quilibetcurque infra Jurisdictionem maritimam admiralitatis nostrae provinciae nostrae Nova Eboraci et Territoriorum eisdem dependentis in America, Viz: Coloniarum de Jersey oriental et occidentali, provinciae pennsylvaniae et Regionis Nova Castrui ac omnium terrarum tractuum et territoriorum eisdem dependentium prædict delinquentium: Ac de bonis debitis et Cataliss omnium et singulorum eorum manu-tenentium accessorium Consulentum auxiliantium vel assistentium quorumcumque, Atque etiam de bonis debitis et Catalis quorumcumque personarum felonum de se et cujus libet personae felonis de se infra jurisdictionem nostram maritimam prædictam quovis modo sen qualitercurque ad mortem devenientium ubicunque bona debita et Catala hujus modi aut aliqua parcella eorumdem per mare aquam vel terram prædictis provincia nostra Nova Eboraci et territrys eisdem dependentibus in America, viz: Colonys de Jersey oriental et occidentali provinciae Pennsylvaniae et Regionis Nova Castrui ac omnibus Terrarum Tractibus et Territorius eisdem dependentibus et partibus maritimis eorumdem et eisdem adjacentibus quibuscunque tam infra Libertates et franneallis quam extra fuerint inventa sen inveniendi foris facta sen foris facienda vel existentia quæcumque. Ac etiam de bonis debitis et Cataliss quorumcumque aliarum felonum de se et cujuslibet alterius personae felonis de se infra jurisdictionem nostram maritimam prædict repertis sen reperiendis Contingentibus quibuscunque. Et praetetam tam de bonis debitis et Cataliss quorumcumque aliarum prædictorum felonum et Homicidarum ubicunque Locorum delinquentium. Ac debonis Debitis et Cataliss eorum manutenentium accessorium Consulentum auxiliantium vel assistentium quam de bonis debitis et Cataliss quorumcumque fugitivorum Convictorum attinctorum damnatorum utlagatorum vel in exigendo pro prudtione felonia homicidio vel murdro sen aliquo alio quocunque offenso aut delicto qualitercurque posito sive penendo. Atqueetiam de Bonis Waviatis Flotzon Setzon Lagon Shares Therauro invento sen inveniendo Deodandis. Ac debonis quorumcumque aliarum pro delictis habitis vel habendi sen casu fortuito repertis aut
reperiendis vel qualitercunque debitis sen debendis. Ac De omnibus alys Casualibus tam insuper vel per mare Littoraque Crecas aut Costeras maris vel partes maritimae quam in super vel per aquas dulces portus flumina publica rivos sen Crecas aut Loca super-inudata quaeunque infra fluxum et refluxum maris sen aquae ad plenitudinem aut super Littora vel ripas alicujus eorumdem infra Jurisdictionem nostram maritimam predictam qualitercunque quando-cunque vel quomodocunque emergentibus contingentibus sive pre- venientibus quibuscunque velubicunque bona debita et Catalla hujus-modi aut caetera praemissa vel aliqua parcella eorumdem infra Jurisdictionem nostram maritimam predictam reperiuntur aut inventiri sen reperiri contergint. Ac in super de amheraygs et Lastagys sen areuoso navium oneratione Et de piscibus Regalisus, viz: Sturgeonibus Bale- nis Cetis porpesys Delphinis, riggis ac graspiyts et generaliter de caeteris piscibus quibuscunque magnam sive ingentem Crassitudinem sive pinguedinem in se habentibus ab antiquo de jure vel consuetudine ad nos quoquis modo pertinentibus aut spectantibus sen aliquo modo consuetis cademque wreccum maris ac bona debita et catalla et cae- tera praemissa omnia et singula una cum omnibus et omnimodis finibus mulctis exitibus forisfacturis merciamentis redemptionibus et recog- nitionibus quibuscunque forisfactis sen.forisfacciendis et poenis pecu- niariys pro transgressionibus delictibus injurys extortionibus contemptibus acalys maleficy quibuscunque vel proaliqua re materia sen causa quacunque impositis vel inflictis inponendis vel in fligendis qualiter- cunque in Dictis provincia nostra Eboraci et territorys eisdem depen- dentibus in America, viz: Colonys De Jersey orientali et Occidentali, Provincia Pennsylvaniae, et Regione Novi Castri ac omnibus terrarum tractibus et Territories eisdem dependenctibus et partibus maritimis eorumund et eisdem adjacentibus quibuscunque in aliqua Curia admi- ralitatis nostrae ibidem tenta sen tenenda presentatis sen presentandis assididendis afferendis forisfacciendis sen adjudicandis. Ac etiam una cum merciamentis exitibus finibus perquisitis mulctis et poenis pecuniarys quibuscunque ac forisfacturis quaramcunque recognitionum coram Vobis vestiove Locumtenente deputato vel deputatis indictis provincia nostra Novi Eboraci et Territories eisdem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsylvaniae et Regione Novi Castri; ac omnibus Terrarum Tractibus et Territories eisdem Dependentibus et partibus maritimis eorumund et ysdem adjacentibus quibuscunque audiendi et terminandis assignatis sen assignandis contingentibus sen impositis aut imponendis vel in fligendis sen aliquo modo assididendis, afferendis forisfacciendis sen adjudicandis aut aliquo modo occasione praemissorum Nobis vel Heredibus sen Successoribus nostris in caparte qualitercunque Debitis sive De- bendis quibuscunque pretendum exigendum, Levandum Capiendum, Colligendum recipiendum et obtinendum ac ad usum nostrum at officy magnae Admiraliae nostrae Angliae praeclis pro tempore existente custodiendum et conservandum. Ac insuper recognitiones Cautiones obligationes et stipulationes quascunque tam ad usum nostrum quam ad quaramcunque partium instantiam pro Conventionibus sen debitis ac alys causis quibuscunque capiendum easque executioni ponendum
et exequi faciendm et mandandum. Nec non naves personas, res, bona, merces, it mercimonia quecunque pro praemissis et eorum quotlibet acalys causis quibuscunque ea concernentibus ubicunque Locorum per dicta provinciam nostram Novi Eboraci et Territoria eisdem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsylvaniæ et Regionem Novi Castrī ac omnes terrarum tractus et Territoria eisdem dependentia et partes maritimæ eorundem et eisdem adjacentes quascunque infra Libertates et ffrancheiss vel extra fuerint inventa sen reperta Atque etiam pro alys Conventionibus causis sen debitis quibuscunque qualitercunque contractis sive emergentibus dum modo bona sen catalla sen personæ debitorum reperiantur infra jurisdictionem nostram predictam juxta Leges Civiles et maritimæ et consuetudines ab antiquo usitatæ realiter arrestandum et arrestari faciendum et mandandum Spsasque cum suis emergentibus, dependentibus incidentibus, annexis et connexis Caussis et negotys quibuscunque una cum caeteris causis Civilibus et maritimis atque querelis contractibus et alys praemissius omnibus et singulis quibuscunque Superius respective expressis juxta Leges et consuetudines praedictas, ac alys yvs modis et modys Legitimus quibus melius Sciveris aut preteris audiendm examinandm disentiendm et fine debito Terminandm. Ac personas quascunque in ea parte prout casus exigit comparere et respondere cum cujuslibet Coertionis temporalis alteriusque poenæ et multææ potestas juxta Leges et consuetudines praedictas compellendm ac justi tiam faciendm et ministrandm etiam juris ordine servato sen velo Le vato sine Strepitu et figura justitiae sola facti et rei veritate inspecta procedendum Reosque et Contemptores ac juris sen Jurisdictionis admirabilitatis nostræ violatores et Usurpatores delinquentes et contumaciter absentes Nam Ceros Marinarios Remiges piscatores nanpegos et alias operarios et expertos quoscunque res Nauticas quascunque exercentes juxta jura statuta Leges Ordinationes et consuetudines ab antiquo observata mulctandm Corrigendm puniendm Castigandm et reformandm ac in quibuscunque Carceribus infra provinciam nostram Novi Eboraci et Territoria eisdem dependens in America, viz: Col oncias de Jersey orientali et occidentali, provinciam Pennsylvaniæ et Regionem Novi Castrī ac omnes terrarum tractus et territória eisdem dependentia predicta existentibus incarcerandum et incarcerari faciendm et mandandum Incarceratosque quascunque inea parte qui deliberandi fuerint delibandum et penitus exonerandum et exonerari faciendm et mandandum, Flumina que publica portus rivos et aquas dulces et Creças quecunque infra Jurisdictionem Nostram maritimam prae dictam ubicunque Locorum in Dictis provincia nostra Novi Eboraci et Territoris eisdem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, Provincia Pennsylvaniæ et Regione Novi Castrī, ac omnibus terrarum tractibus et territoriis eisdem dependentibus et partibus maritimis eorundem et eisdem adjacentibus quibuscunque existunt pro Conservationem Classis nostræ ac Classium et Navigiorum Regnorum et dominorum Nostrorum praedictorum quam piscium in eisdem fluminumet et Locis prædict crescentium quorumcunque Nec Non jura statuta Leges, ordinationes et consuetudines ab antiquo observata in dictis provincia Nostra Novi Eboraci et Territoris eisdem
dependens in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsyluaniae et Regione Novi Castri ac omnibus terrarum tractibus et Territorys eisdem dependentibus et partibus maritimis eorundum et eisdem adjacentibus quibuscunque conservandum et exequi et conservari faciendm omniaque et singula alia faciendm exercendm expediendm et exequendum in praemissis et eorum quolibet prout de jure et secundum Leges et statuta Ordinationes et Consuetudines prae- dicti fuerint faciendm. Ac in super Retianimis stricta acalia ingenia sive Instrumenta quaecunque illicita circa prensionem piscium ubicunque Locorum per mare aut flumina publica portus, rivos aquas dulces sen Crescas quaecunque per provinciam nostram Novi Eboraci et territoria eisdem dependens in America, Viz: Colonias de Jersey orientali et occidentali, Provinciam Pennsyluaniae et regionem Novi Castri ac omnes terrarum tractus et territoria eisdem dependentia praeiect et partes maritimae eorundum et eisdem adjacentes quasque infra jurisdictionem nostram praedictam ubicunque Locorum per aquam Occu- pata sive exercitata ac Exercitatores et occupatores eorundem jux- ta jura statuta Leges ordinationes et Consuetudines praedicta pu- niendum corrigendum et reformandum, Sententiasque et decreta quaes- cunque fulminandum promulgandum et interpenendum, Eaque execu- tione demandandm cum cognizione et jurisdictione quae cum alia- rum Causarum civilium et maritimarum, quis sunt maris sen quae mare vel maris pertransitum sive passagium aut Iter navale sive Viagium maritimum vel Jurisdictionem nostram maritimam supradictam sen Loca vel Limites admirabilitatis nostrae praedictae et Cognitionem antedictam ac alia quaecunque expedita vel expedienda quos modos Concernunt sen respiriunt etiam cum potestate procedendi in eisdem juxta jura statuta Leges, ordinationes et consuetudines praedicta ab an- tiquo usitata tam ex officio mero mixto vel promotu quam ad alicujus partis instantiam prout casus exigit et expediens visum fuerit, Et etiam cum Cognitione et decisione wreeco maris magnus sen parvo ac de morte submersione et Visu corporum mortuorum quorum cunque personarum in mare vel Fluminibus publicis portibus aquis dulcisbus sen Crescas quibusquinque infra fluxum maris et aquae ad plentitudinem perdicta provinciam nostram Novi Eboraci et Territoria eisdem dependentia in America, viz: Colonias de Jersey orientali et occidentali, provinciam Pennsyluaniae et Regionem Novi Castri ac omnes Terrarum Tractus et Territoria eisdem dependentia et partes maritimae eorundum et eisdem adjacentes quasque vel alibi infra jurisdictionem nostram praedictam qualiterque inter fectorum sive submersarum aut interficiendarum sen submergendarum sive murdera- tarum vel murderandarum alia aliquo alio modo iidem ad mortem devenirint; Una cum cognitione de Mahemio in Locis predict infra Jurisdictionem nostram maritimam praedictam ac fluxum maris et aquae- ibidem contingenti, Cum potestate etiam pumiendi delinquentes in ea parte quaescunque juxta juris exiendiam et consuetudines praedictas caeteraque omnia et singula quae in praemissis tantum et circa ea necessaria fuerint sen quomodo Libet opportima juxta et secundum Jura Statuta Leges, ordinationes et consuetudines praedicta faciendm exercendm expediendm et exequendm. Tibi de cujus fidelitate et Cir- cumspectionis industria plurimum in hac parte confidimus Vices et
MINUTES OF THE

authoritatum Nostras in et per provinciam nostram Novi Eboraci et territoria eidem dependentia in America, Viz: Colonias de Jersey orientali et occidentali, provinciam Pennsilvaniae et Regionem Novi Castri ac omnes terrarum tractus et Territoria eidem dependentia praedicata et partes maritimas eorumund et eisdem adjacentes quascunque Atque etiam per omnia et Singula Littora maris fluminaque publica portus, aquas dulces Rivos Crecas, ac brachia tam maris quam fluminum et Costerias quacunque dictorum provinciae Nostrae Novi Eboraci et territoriorum eidem dependentium in America Viz: Coloniarum de Jersey orientali et occidentali, Provinciae Pennsilvaniae et Regionis Novi Castri, ac omnium Terrarum Tractuum et Territoriorum eisdem dependentium et partium maritimarum eorumund et eisdem adjacentium quarcumque infra Libertates et francheiss ac extra Committimus per praesentes ac concedimus, Cum potestate aliim vel alios Deputaturn sive deputaturn quoties Tibi expediens visum fuerit Loco tuo in praemissis deputandi et Surrogandi Ac etiam cum potestate quosunque alios officiarios et ministros pro dicto officio et exercitio ejusdem indicits provincia nostra Novi Eboraci et territorys eysdem dependentibus in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi castri ac omnibus Terrarum Tractibus et territorys eisdem dependentibus et partibus maritimis eorumund et eisdem adjacentibus quibus cunque sub Te necessarrias idoneos et opportunos (Judice Registrario et marrescallo exceptis) de Tempore in tempus nominandi per ficiendi ordinandi assignandi faciendi et constituendi (Salvo seupper Jure Suprema Curiae admirallitatis nostrae Angliae Nec Non Indicis et Registrary ejusdem Curiae, Quibus et eorum alteri in aliquo nolumus derogare per praesentes, Et Salvo Jure cujuscunque Gaesi et gravati per aliquam Sententiam Definitivam, sive decretum Inter Locutorium in Curia vice admirallitatis provinciae nostrae Novi Eboraci et territoriorum eisdem dependentium in America, Viz: Coloniarum de Jersey orientali et occidentali, provinciae Pennsilvaniae et Regionis Novi Castri ac omnium terrarum tractuum et Territoriorum eisdem dependentium praedict ferendam ad Supremam Curiam admirallitatis nostrae Angliae praedict appelandi) Teque praefatum Benjaminum Fletcher armigerum Vice admirallium Commissarium ac Deputatum nostrum in Officio Vice admirallitatis in provincia nostra Novi Eboraci et territorys eisdem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi Castri ac omnibus terrarum tractibus et territorys eisdem dependentibus praedict et partibus maritimis eorumund et eisdem adjacentibus quibus cunque; Una cum omnibus et Singulis fœdis proficinis advantagys, emoluments Commoditatibus et pertinents quiibuscunque eidem officio Vice Admirallui Commissary et Deputati in dictis provincia nostra Novi Eboraci et Territorius eisdem dependens in America, Viz: Colonys de Jersey orientali et occidentali, provincia Pennsilvaniae et Regione Novi Castri ac omnibus terrarum tractibus ac territorys eisdem dependentibus et partibus maritimis eorumund et eisdem adjacentibus quibuscunque Juxta ordinationes et statuta Supremae Curiae admirallitatis nostrae Angliae praedict debitibus et spectantium Ordinamus proficimus et deputamus per praesentes ad beneplacitum
Provisum tamem semper et sub hac Lege et conditione Quod si Tu præfatus Benjaminus Fletcher armiger, Nos et Locum Tenentem nostrum supremae Curiae admirallitatis nostræ Angliae et indicia Curia et officialem principalem Commissariumque Generalum et Specialem ac ejusdem Curiae praesidentem et Indicem de omni eo quod de tempore in tempus vigores praesentum feceris, executus fueris, colligeris aut recuperis in praemissis vel praemissorum aliquo annuatim, Viz: in fine Cujsuslibet anui inter festa Sancti Michaelis Archangeli et Omnium Sanctorum, Cum pleno et fidei Computo Superinde sub authentica forma conficiendo, ac Sigillo officii Nos tit in Custodia tua reniante Sigillando debite non certificaveris et certiorem reddi feceris cum offertu, Extunc et post defaltam in ea parte, hujusmodi Litera nostrae Patentes de officio Vice admiralli praedict Tibi ut p' ferti concessae vacua et irrita erunt nulliusque ro boris aut offertus, Mandantes omnibus et Singulis proceribus Justiciargy majoribus Vice Comitibus Capitaneis Senescallis Ballivis et Custodibus Goalarum et Carcerum nostrorum quorumcunque et Constabularys caeretische ministris et fidelibus subditis et Ligeis nostris quibuscunque et eorum curilibet tam infra Libertates sen franchiss quam extra Quod Tibi et Deputato Tuo cuicumque alysque officiarii ejusdem vice admirallitatis nostrae in provincia nostra Novi Eboraci et territorys eidem dependentibus in America, viz: Colonys de Jersey orientali et occidentali, provincia Pennsillniae et Regione Novi Castri ac omnibus Terrarum tractibus et territorys eidem dependentibus praedict et partibus maritimis eorum et eiusmodi adjacentibus quibuscunque per Te assignatus seu assignandis circa executionem praemissorum et eorum cujsuslibet intendentibus faventibus auxiliantes rentes pariteret obedientes sint in omnibus prout decet sub poena juris et periculo incumbens. Datum Londini in Suprema Curia admirallitatis nostrae Angliae sub sigillo ejusdem magnno.

Decimoterio die mensis, } Anno Dui Millesimo Sextentesimo, Regnique Nostri Quarto. } nonagesimo secundo.

ORLANDO GEE, Reg. Eius.

BENJAMIN FLETCHER, Captain Generall & Gouvernour in Chief of the province of New-yorke, province of pennsillania, Courtrye of New Castle & the Territories & Tracts of land Depending theron, in America, Under their majesties, Wm. & Mary, by the grace of God, of England, Scotland, France & Ireland, King & Queen, defenders of the faith, &c., To William Markham, Esq., Leiu' Govern' of pennsillania & the Courtryes of New Castle, greeting: By virtue of the power & authority granted me by our Sovereign Lord & Lady, Wm. & Mary, by the grace of God, of England, Scotland, france & Ireland, king & Queen, defendrs of the faith, &c., under the great seal of their Admiralty, Constituting & appointing me Vice Admiral of the province of New yorke, Colonyes of East & West Jersey, province of pennsillania et Countries of New Castle, &c.: And reposing speciall trust in your fidelitie in this behalf, I doe by these presents constitute
appoint you my deputy or Surrogate in the sd office of vice admiral, so farr as it is extended over the sd province of pennsylvania & Countrie of new castle, And doe by these pnts give & grant unto you, the sd Wm. Markham, full power and authoritie to doe, execute & perform all things which I my selfe might Lawfullie doe, by virtue of the sd office of vice admiral, so farr as it is extended over the province of pennsylvania & Countrie of New Castle aforesaid, according to the Severall powers, authorities & directions contained in my Commission for the sd office of vice admiral as aforesaid, (which I have Caused to be registered in the province of pennsylvania,) & such other instructions as you shall from time to time receive from mee, undr my hand: provided alwayes, that you shall from time to time transmitt unto me a true & exact acco' of all what you shall doe, execute or perform, by virtue of these presents. Given undr my hand & seal att Philadelphia, the 17th day of May, in the 5th year of their maties' reign, Annoque domi., 1693.

BEN. FFLETCHER.

His Excellency BENJ' FLETCHER, his Commission und' the great Seal of England, to be Cap' Generall and Governo' in Cheif in and over their Maties. Province of Pennsilvania & Countrie of New Castle, &c.

William and Mary, by the grace of God, King and Queene of England, Scotland, France and Ireland, defenders of the faith, &c. To Our Trusty and well beloved Benjamin fletcher, Esquire, our Captaine Generall and Governo' in Chiefe of our province of New Yorke, and the Territories depending theron, in America, Greeting:

Whereas, by Our Commission, under our great Seale of England, bearing date the eighteenth day of March, in the fourth yeare of our Reigne, Wee have Constituted and appointed you, the said Benjamin fletcher, to be our Captaine Generall and Governo' in Chiefe in and over our Province of New Yorke, and the dependencies thereon, in America: And have thereby granted unto you full power and authority, with the advice and Consent of our Council, as need shall require, to Summon and Call Generall Assemblies of the Inhabitants, being freeholders, within our said province, according to the usage of our province of New Yorke: And that the persons thereupon duely Elected by the major part of the freeholders of the respective Counties & places, and soe returned, and hayinge before theire Sitting taken the oathes appointed by act of Parliament to be taken, in Stead of the oathes of Allegiance and Supremacy, and Subscribed the Test, and without takeing and Subscribing whereof none shall be capable of Sitting, tho' elected, shall be called and held the Generall Assembly of that our said province: And have thereby granted unto you, the said Benjamin fletcher, by and with the Consent of our said Counsell and Assembly, or the major part of them, full power and authority to make, constitute and ordaine Lawes, Statutes and ordinances, for the publicke peace, welfare, and good government of our said province, and of the people and Inhabitants thereof; which said
Lawes, Statutes and ordinances, are to be (as neare as may be) agreeable to the Laws and Statutes of this our kingdome of England: Provided, that all such Lawes, Statutes and ordinances be within three months, or Sooner, after the making therof, Transmitted unto us, under our Seale of New Yorke, for our approbation or disallowance of the same; And in Case any or all of them, being not before Confirmed by us, Shall att anye time be disallowed and not approved, and soe Signified by us, our heires & Successors, under our, or their Signe manuall or Signett, or by order of our, or their, privy Councill unto you, the said Benjamin Fletcher, or to the Commander in Chief of our province of New Yorke for the time being, Then such & soe many of them as shall be soe disallowed and not approved, Shall from thenceforth cease, determine, and become utterly void and of none effect. And to the end that nothing may be passed or done by our said Councill or Assembly, to the prejudice of us, our heires and Successors, Wee have thereby willed & ordained that you, the said Benjamin Fletcher, shall have and enjoy a Negative Voice in the makeing and passing of all Lawes, Statutes & ordinances, as aforesaid; And that you shall & may likewise, from time to time, as you shall judge it necessary, adjourne, prorogue and Dissolve all Generall Assemblies, as aforesaid; With full power and authority from time to time, by your Self, or by any other to be authorized by you in that behalf, to administer and give the Oathes appointed by act of Parliament to be taken in stead of the Oaths of allegiance and Supremacy, to all and every such person or persons, as you shall thinke fitt, who shall att any time or times passe into our said province, or shall be resident or abiding there; and with the advice and consent of our Said Councell, to Erect, constitute and establish Courts of Judicature and publick Justice within our said province, and for the hearing and determining of all Causes, as well Criminal as Civill, according to Law and Equitie, and for awarding of Execution thereupon, with all reasonable and necessary powers, authorities, fees and privileges belonging unto them: As also, to appoint and Commissionate fitt persons in the Severall parts of our said province, to administer the Oathes appointed by act of parliament to be taken instead of the oathes of allegiance and Supremacy, and the Test, unto such as shall be obliged to take the same: And also, to Consti tute and appoint Judges, Justices of the peace, and other necessary officers and ministers in our said province, for the better administration of Justice and putting the Lawes in execution, and to administer, or cause to be administered, such Oath or Oaths as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judicall Causes. And WHEREAS, wee judge it necessary that all our Subjects may have Liberty to appeale to our Royall person in Civill Causes that may deserve the same, Wee have thereby further signified our pleasure, that if either party shall not rest Satisfied with the judgment or Sentence of the Superior Courts of our said province, They may then appeale unto us in Our privy Council, provided the matter in difference exceed the reall value and Sum of three hundred pounds Sterling, and that such appeale be made within
one fortnight after sentence, and that security be Likewise duly given by the appellant, to answer such charges as shall be awarded in Case the first sentence shall be confirmed: And provided also, that execution be not suspended by reason of any such appeals unto us, And where you shall judge any offender or offenders in Criminal matters, or for any fines or forfeitures, fit objects of our mercy, you have full power and authority to pardon and remit such offences, fines and forfeitures, before or after sentence given, Treason and willfull mur-
ther onely excepted; In which Cases, upon extraordinary occasions, you are to grant reprieves to the offenders untill our Royall pleasure may be knowne therein. And Whereas, by our said Commission, wee have given & granted unto you, the said Benjamin Siftnch, by yourself, your Captaines, & Commanders, by you to be authorized, full power and authority to Levy, arme, musteer, Command and em-
ploy all persons whatsoever, residing within our said province, under your government; and as occasion shall serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, pirates and rebells, both att Sea and Land, and to transport such forces to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of any of our enemies; And to execute martiall Law in time of in-
vasion, insurrection or warre, and during the continuance of the same, as also upon Soldiers in pay, and to doe and execute all and every other thing and things which to a Captaine Generall Doth or ought of right to belong; And also, to erect, raise and build in our said pro-
vince, such forts, plantations, Castles, Cities, Boroughs, Townes & fortifi-
cations, as you, by the advice aforesaid, shall judge necessary; and the same, or any of them, to fortify and furnish with Ordnance, Am-
munition, and all sorts of armes, fitt and necessary for the security and Defence of our said Province: And Whereas, wee have thereby further given and granted to you, the said Benjamin Siftnch, full power and authority to Erect one or more Court or Courts admirall within our province of new yorke, for the hearing and determining of all Marine and other causes, & matters proper therein to be heard, with all reasonable and necessary powers, authorities, fifies and privil-
leges; and to exercise all powers belonging to the place & office of Vice admirall of and in all the seas and coasts about our said province, according to such Commission, authority and instructions as you shall receive from our selfe, under the seal of our admiralty, or from our High admirall, or Commissioners for executing the office of High admiral of our foreigne plantations, for the time being; And to Order and appoint fiaires, marts and marketts; as also, such and so manie ports, Harbours, Bayes, havens and other places for the Convenience and Se-
curity of Shipping, and for the better Loading and unloading of goods & merchandizes, as by you, with the advice and consent of our said Councill, shall be thought fitt and necessary; And in them, or anie of them, to erect, Nominate and appoint Custome houses and officers rel-
lating thereto, and them to alter, change, place or displace, from time to time, as with the advice aforesaid shall be thought fitt, with severall other powers & authorities granted & appointed you by our
said Commission, for the good governing & for the Defence and security of our sd province of New Yorke, and Inhabitants thereof.

And Whereas, by reason of great Neglects and miscarriages in the government of our province of Pennsilvania in America, and the absence of the proprietor, the same is fallen into Disorder & confusion By means whereof not onely the publick peace & administration of Justice (whereby the properties of our subjects should be preserved in those parts) is broken and violated, But there is also great want of provision for the Guard & defence of our said province against our enemies, whereby our said province, & the adjacent Colonies, are much exposed, and in Danger of being Lost from the Crowne of England: For the prevention whereof, as much as in us Lies, and for the better defence and security of our Subjects Inhabiting those parts During this time of warr, Wee find it absolutely necessary to take the government of Our province of Pennsilvania into our owne hands, and under our Immediate care and protection. Wee therefore, reposing especiall Trust and Confidence in the prudence, courage and Loyalty of you, the said Benjamin fletcher, Have thought fitt to constitute and appoint you, the said Benjamin fletcher, to be our Captaine Generall and Governor in Chiefe in and over our province of Pennsilvania and County of New Castle, and all the tracts of Land depending thereon in America: And wee doe accordinglie, by these presents, Command and require you to take the said province & Country under your government; And for the better Ordering governing and ruling our said province & Country, and the Tracts and Territories Depending theron, Wee doe hereby give and grant unto you, the said Benjamin fletcher, all & every the Like powers and authorities as in our said Commission, bearing date the eighteenth day of March, in the fourth yeare of our reigne, are given, granted and appointed you for the ruleing and governing our province of New Yorke, to be exercised in Like manner, by you, the said Benjamin fletcher, in and over our said province of Pennsilvania and County of New Castle, and the Territories & tracts of Land depending theron, in America: And Wee Doe hereby require and Command you to doe and execute all things in due manner, that shall belong unto your said Command, and the Trust wee have reposed in you, according to the several powers and directions granted or appointed you by this present Commission, or our Commission aforesaid, and such other Instructions & authorities as are, or att anie time hereafter shall be granted or appointed you, under our Signett & Signe manuall, or by our order in our privy Council, and according to such reasonable Lawes and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and consent of the Councill and Assembly of our province of Pennsilvania and County of New Castle aforesaid: And Our Will and Pleasure is, and wee doe by these presents require and Command you, the said Benjamin fletcher, untill our further pleasure shall be knowne, to nominate and appoint a Leuitenant Governo' of our said province of Pennsilvania and County of New Castle, unto which Leuitenant Governo' wee doe hereby give and grant full power and authority to doe and execute
whatsoever hee shall be by you authorized and appointed to doe, in pursuance and according to the powers & authorities hereby granted unto you. And Our Further Will and Pleasure is, and wee doe by these presents, Require and Command you in Like manner to nominate and appoint such & so many Councillors as you shall thinke requisite for our service, not exceeding the Number of Twelve persons att the most, out of the principall freeholders & inhabitants of our said province and Countrey, which said Councillors, or anie three of them, shall be att all Times held and deemed a Councill to be aying and assisting to you, and to our Leuitenant Governo', with their advice, in the administration of the publick affaires of that our province and Countrey. And wee Doe hereby give and grant unto you full power and authoritic from time to time to suspend sutch our Leuitenant Governo', or anie of the members of our Councill, soo appointed by you, from their respective places and Trusts, if you shall find just Cause for soo doing, & to appoint others in their stead: And Whereas, wee have been informed of the good affection of the Inhabitants of our Colonies of East and West New Jersey in America, and that the militia of these Colonies Consist of fourteene hundred men, well armed & disciplined; And it being Convenient in this time of danger, that the forces of our Subjects inhabiting those parts be united as much as may be upon all occasions that may require the same, Wee have therefor thought fitt, and wee doe by these presents grant full power & authority to you, the said Benjamin Fletcher, and to the Governo' & Commander in Chiefe of our province of Newyorke, for the time being, for & during this present warr between Us and the french King, to draw out and Command anie part of the militia of our Colonies of East and West New Jersey in America, not exceeding Seaven hundred men att anie one time; and to cause them to march out of our said Colonies, for the security or defence of Newyorke or Albany, or anie other parts or places of our province of Newyorke, under your Government, in case of anie Invasion, In- surrection, or attempt of the french or Indians upon our said province, or anie part thereof. And wee doe hereby require & Command all officers and ministers, Civill & Military, and all other the inhabitants of Our province of Pennsillvania and Countrey of New Castle, and Our Colonies of East & west New Jersey, respectively, to be obedient, aying & assisting unto you, the said Benjamin Fletcher, in the execution of this our Commission, and the powers & authorities herein contained. And in Case of your death, or absence out of our province of Newyorke and pensillvania, our Countrey of New Castle, and our Colonies of East & West New Jersey, To be obedient, aying & assisting to such person as shall be appointed by us to be Commander in Chiefe of our province of Newyorke for the time being; To whom wee doe therefore, by these presents, give & grant, all & singular, the powers and authorities aforesaid, to be executed and enjoyed by him for and during our pleasure, or untill your arrivall within our province and Countrieys aforesd. And if upon such death or absence, there be no person residing within our said provinces or Countrieys, Commissionated or appointed by us to be Commander in Chiefe of our
province of Newyorke, OUR will & pleasure is, that the then present Councill of Newyorke doe take upon them the administration of the Government of our province of Pennsilvania and Countrey of New castle, and execute this Commission, and the powers and authorities herein contained, in Like manner as in the government of our province of Newyorke. AND LASTLY, wee doe, by these presents, declare and appoint That you, the said Benjamin fletcher, shall and may hold, exercise and enjoy the office and place of Captain Generall and Governor in Chiefe in and over our province of Pennsilvania and Countrey of New castle, and the Territories and Tracts of Land depending theron, in America, during our will and pleasure. IN WITNESSE wherof, wee Have Caused our Letters to be made patents. WITNESSE Our Selves, att Westminster, the One and Twentieth day of October, in the fourth yeare of our Reigne.

Per Bre. De privato Sigillo,

CHUTE.

His Excellency BENJ^ FLETCHER, his Comission und' the great Seal of' England, To be Cap' Generall & Governo' in Chief In and over their Maties province of New-york, &c.

William and Mary, by the Grace of God, King and Queene of England, Scotland, Ifrance and Ireland, defenders of the faith, &c: TO our TRUSTY and well beloved Benjamin fletcher, Esquire, Greet- ing. WEE Reposing especiall Trust and Confidence in the prudence, Courage & Loyalty of you, the said Benjamin fletcher, out of our especiall Care, Certaine knowledge and meere motion, Have thought fitt to Constitute & appoint, And we doe by these presents Constitute and appoint you, the said Benjamin fletcher, To be our Captain Generall and Governo' in Chiefe in and over our province of Newyorke, and the Territories depending theron, in America: And Wee doe hereby Require and Command you to doe and execute all things in due manner that shall belong unto your said Command, and the Trust wee have reposed in you, according to the severall powers and directions granted or appointed you by this present Commission, and the Instructions herewith given you, or by such further powers, instructions and authorities, as Shall att anie time hereafter be granted or appointed you, under our Signett and Signe manuall, or by our order in our privy Councill, and according to such reasonable Laws and Statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and Consent of the Councill & Assembly of our said province, under your government, in such manner and forme as is hereafter expressed: AND WEE Doe hereby Give and Grant full power unto you, the said Benjamin fletcher, after you have first taken an Oath for the due execution of the office and Trust of our Captaine Generall and Governo' in Chiefe, in and over our said province of Newyorke & the territories Depending theron, which our said Councill, or any five of them, have hereby full power and authority, and are required to administer unto you, To give and administer to each
of the members of our said Councill, as well the oathes appointed by act of parliament to be taken in stead of the oathes of allegiance and Supremacie, as the Test, and the oath for the due execution of their places & Trust; And Wee Doe hereby Give and grant unto you full power & authority to Suspend any of the members of our said Councill from Sitting, voting and assisting therein, if you shall find just cause for so doing; And if it shall att anie time happen that by the death, departure out of our said province, or suspension of anie of our Councillors, there shall be a vacancie in our said Council, Anie three whereof wee doe hereby appoint to be a Quorum, Our WILL AND PLEASURE IS, That you Signify the same unto us by the first opportunity, that wee may, under our Signett and Signe Manuall, Constitute and appoint others in their stead: But that our affairs att that distance may not suffer for want of a due number of Councillors, if ever it shall happen that these be lesse then Seaven of them, residing in our said province, Wee doe hereby give and grant unto you full power and authoritie to Choose as manie persons out of the princi-pall freholders, Inhabitants thereof, as will make up the full number of our said Council to be seaven, and no more; Which persons, by Virtue of such Choice, shall be to all Intents and purposes, Councillors in our said province untill they shall be Confirmed by us, or that by the Nomination of others by us, under our Signe Manuall & signet, the said Council shall have seaven persons in it. Wee Doe HEREBY GIVE AND GRANT unto you full power & authoritie, with the advice and Consent of our said Council, from time to time, as need shall require, to Summon and Call Generall Assemblies of the inhabitants, being freholders, within your government, according to the usage of our Colony of Newyork: AND OUR WILL AND PLEASURE IS, that the persons thereupon duely elected by the major part of the freholders of the respective Counties and places, and so returned, and having before their Sitting taken the oathes appointed by act of parliament to be taken, instead of the oathes of allegiance and Supremacie, and Subscribed the Test, which you shall Commissionate fitt persons under our seal of newyork to adminis-ter, & without taking and subscribing whereof, none shall be Capable of sitting: the elected Shall be called & held the Generall Assembly of that Our province & Territoryes depending theron. And that you, the said Benjamin Fletcher, by and with the Consent of Our said Councill and assembly, or the major part of them respectively, shall have full power & authoritie to make, Constitute and ordaine Lawes, Statutes and ordinances for the publick peace, welfare & good government of our said province, and of the people and Inhabitants thereof, & such others as shall resort therto, and for the benefit of us, our Heirs and successors, Which said Lawes, statutes and ordi-nances, are to be as neer as may be, agreeable to the Lawes and statutes of this our kingdome of England: PROVIDED, that all such Lawes, statutes and ordinances, of what nature or duration soever, be within three months, or sooner, after the making thereof, transmitted unto us, Under our seal of Newyork, for our approbation or disallowance of the same, as also duplicates thereof, by the next Conveyance; And in Case anie, or all of them, being not before Confirmed
by us, shall att anie time be Disallowed and not approved, and so signified by us, our heirs and successors, under our or their signe manuall and signet, or by order of our or their privy Councill, unto you, the said Benjamin Fletcher, or to the Commander in Chief of our said province for the time being, then such and so many of them as shall be so disallowed and not approved, shall from thenceforth Cease, determine, and become utterly void and of none effect; Any thing to the 'Contrary thereof' notwithstanding.

AND to the end nothing may be passed or done by our said Council or assembly to the prejudice of us, our heirs and successors, WEE will and ordain, That you, the said Benjamin Fletcher, shall have and enjoy a negative voyce in the making and passing of all Lawes, statutes and ordinances, as aforesaid, and that you shall & may, Likewise, from time to time, as you shall Judge it necessary, adjourn, prorogue & Dissolve all generall assemblies as aforesaid. OUR WILL AND PLEASURE IS, that you shall and may keepe and use the publick seale appointed or to be appointed by us for our province of Newyork: WEE DOE FURTHER GIVE and grant unto you, the said Benjamin Fletcher, full power and authority, from time to time, and att any time hereafter, by yourselfe or by anie other to be authorized by you, in that behalfe, to administer & give the oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and supremacy, to all and every such person or persons as you shall think fit, who shall att anie time or times passe into our said province, or shall be resident or abidinge there. AND WEE DOE by these presents, Give and grant unto you full power & authoritie, with the advice and consent of our said Council, to erect, constitute and establish such and so manie Courts of Judicature and publick justice within our said province and the Territories under your government, as you & they shall think fit & necessarie for the hearing and determining of all causes, as well Criminall as Civill, according to Law and equitie. And for awarding of execution therupon, with all reasonable and necessarie powers, authorities, frees and privileges belonging unto them: As also to appoint and Commissionate fitt persons in the severall parts of your Government to administer the oathes appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the Test, unto such as shall be obliged to take the same. AND WEE DOE hereby authorize and Impower you to Constistute and appoint Judges, Justices of the peace, and other necessarie officers and ministers in our said province, for the better administration of Justice, and putting the Lawes in execution, And to administer, or Cause to be administered, Such Oath or oathes as are usually given for the due execution and performance of offices and places, and for the clearing of Truth in Judiciall causes: WEE DOE further by these presents, will and require that appeals be permitted to be made in Cases of error, from our Courts in Newyork unto our Governo, and to our Council in Civill Causes; PROVIDED the value appealed for doe exceed the sum of One hundred pounds sterling; and that security be first duely given by the appellant, to answer such Charges as shall be awarded in Case the first sentence shall be affirmed. AND WHEREAS, wee doe Judge itt necessary that all our subjects may Have Libertie to
appeale to Our Royall person in Cases that may deserve the same, Our WILL and PLEASURE is, that if either party shall not rest satisfied with the Judgment or sentence of Our Governo' and Councill, They may then appeale unto Us in Our privy Councill, provided the matter in differance exceed the reall value & sum of three hundred pounds sterling; And that such appeale be made within one fortnight after sentence, and that security be likewise duly given by the appellant, to answer such Charges as shall be awarded, in Case the sentence of the Governo' and Councill be Confirmed: And provided also, that execucon be not suspended by reason of anie such appeale unto us. AND WEE DOE hereby give and grant unto you full power and authority, where you shall Judge any offender or offenders in Crimnal matters, or for anie fynes or forfeitures, fitt objects of our mercy, To pardon and remitt all such offenders' fynes and forfeitures, before or after sentence given, Treason and willfull murther only excepted; In which Cases you shall Likewise have power, upon extraordinary occasions, to grant Reprievs unto the offenders untill our Royall pleasure may be knowne therein. WEE DOE by these presents, authorize and Impower you to Collate any person or persons, in anie Churches, Chappells, or other Ecclesiasticall Benefices within our said province and Territory aforesaid, as often as anie of them shall happen to be voyd. WEE DOE Hereby give and grant unto you, the said Benja-min Fletcher, by your selfe, your Captaines and Commanders by you to be authorized, full power and authoritie To Levy, Arme, muster, Command and employ all persons whatsoever, residing within our sd province of Newyork, and other the Territories under your government, and as occasion shall Serve, them to Transferr from one place to another, for the resisting and withstanding of all enemies, py-ratts, and rebells, both att sea and att land, and to Transport such force to anie of our plantations in America, as occasion shall require, for the defence of the same against the invasion or attempts of anie of our enemies; and them, if occasion shall require, to prosecute, in or out of the Limmits of our said province and plantations, or anie of them; and if it shall so please God, them to vanquish, apprehend and take, and being taken, either, according to the Law of armes, to putt to death, or keepe and preserve alive, att your discretion; and to execute martiaall Law in time of invasion, insurrection or warr, and during the continuance of the same, as also upon Souldiers in pay, and to doe and execute all and every other thing or things which to a Captain Generall doth or ought of right to belong, as fullie and ample as anie our Captain Generall doth or hath usually done. AND WEE DOE hereby give and Grant unto you full power and authoritie to erect, raise and build in our said province & Territories depending theron, such and so manie forts, platformes, Castles, Cityes, Boroues, Townes and fortifications, as you, by the advice aforesaid, shall judge necessary; And the same, or anie of them, to fortify and furnish with Ordnance, ammunition, and all sorts of armes, fitt & necessary for the securitie and defence of our said province: AND WEE DOE hereby Give and Grant unto you, the said Benjamin Fletcher, full power and authoritie to
Erect one or more Court or Courts Admirall within our said province and Territories, for the Hearing and determining of all marine and other Causes, and matters proper therin to be heard, with all reasonable and necessary powers, authorities, fees and privileges; as also to exercise all powers belonging to the place and office of Vice admirall of and in all the seas & Coasts about you Government, according to such Commission, authorities & Instructions as you shall receive from our Selfe, under the seal of our admiralty, or from our High admirall or Commissioners, for executing the office of High admirall of our forreigne plantations for the time being. AND FOR AS MUCH as divers mutinyes and disorders doe happen by persons shipped and employed att sea, And to the end that such as shall be Shipped or employed att sea may be the better governed and ordered, WEE DOE Herby Give and grant unto you, the said Benjamin Fletcher, our Captaine Generall and Governo in Cheife, full power & authoritie to Constitute and appoint Captains, masters of Shippes, and other Commanders, and to Grant to such Captains, masters of Shippes and other Commanders, Commissions to execute the Law martiaill, and to use such proceedings, authorities, punishment, Correction and execution, upon anie offender or offenders which shall be mutinous, seditious, disorderlie, or anie way unruly, either att sea or During the time of their abode or residence in anie of the ports, harbours or Bays of our said province or Territories, as the Cause shall be found to require, according to the martiaill Law: PROVIDED, that nothing herein contained shall be Construed to the enabling you, or anie by your authority, to hold plea, or have jurisdiction of anie offence, cause, matter or thing Committed or done upon the High sea, or within anie of the Havens, Rivers or Creeks of our sd province or Territories under your government, by anie Captaine, Commandeer, Lieutenant, master, or other officer, Seaman, Soldier, or person whatsoever, who shall be in actual Service and pay in and on Board anie of our shippes of warr, or other vessels acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admirall of England, under the seal of our Admiralty, or from our High admirall of England for the time being: And that such Captaine, Comander, Lieutenant, master, officer, Seaman, Soldier, and other persons so offending, shall be left to be proceeded against and tryed, as the merit of their offences shall require, either by Commission under our great seal of England, as the Statute of the eight & twentieth of Henry the eighth directs, Or by Comission from our said High admirall, according to the act of parliament passed in the Thirteenth yeare of the Reign of the Late king Charles the second, Entitl'd an act for the establishing articles & orders for the regulating & better Government of his majesties navyues, shippes of warr, & forces by sea, and not otherwise; saving onely, that it shall & may be Lawfull for you, upon anie such Captaine or Commander refusing or neglecting to execute, or upon his negligent or undue execution of anie of the written orders bee shall receive from you, for our service and the service of our sd province, to suspend him, the said Captaine or Commander, from the exercise of his said office of Commander, and Commit him into Safe
Custody, either on board his owne Shipp or elsewhere, at the discretion of you, in order to his being brought to answer for the same, by Commission, under our great seal of England, or from our High Admiral, as is before expressed; In which Case, our will and pleasure is, that the Captaine or Commander so by you suspended, shall, During such his suspension and Committment, be succeeded in his sd office by such Commission or warrant officer of our said shipp, appointed by our Commissioners for executing the office of our High admiral of England, or by our High admiral of England for the time being, as by the knowne practice and discipline of our Navy does and ought next to succeed him, as in Case of death, sickness, or other ordinary disabilitie happening to the Commander of anie of our shippes of warr, and not otherwise; you standing also accountable to us for the Truth and Importance of the Crimes and misdemeanors for which you shall so proceed to the suspending of such our said Captain or Commander: Provided Also, that all such disorders and misdeemnors Committed on shoare by anie Captaine, Comander, Lieutenant, master, or other officer, seaman, souldier, or person whatsoever, belonging to anie of our shippes of warr or other vessell, acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admiral of England, under the Scale of our Admiralty, or from our High Admiral of England, for the time being, may be tried and punished according to the Lawes of the place where anie such disorders, offences and misdemeanors shall be so Committed on shoare, notwithstanding such offender be in our actual service, and borne in our pay, on Board anie such our shipp of warr, or other vessell, acting by Immediate Commission or warrant from our Commissioners, for executing the office of our High admiral, or from our High admiral as aforesaid; so as hee shall not receive any protection for the avoyding of Justice for such offencs Committed on shoare, from anie pretence of his being employed in Our Service at sea. AND OUR WILL AND PLEASURE IS, That all publick moneys raised, or to be raised, within our said province and other the territories under your Government, be Issued out by warrant from you, by and with the advice and Consent of the Councill, and disposed of by you for the Support of the Government, and not otherwise. AND WEE DOE hereby Likewise Give and Grant unto you full power and authoritie, by and with the advice and Consent of our said Councill, to agree with the inhabitants of our province and Territories aforesaid, for such Lands, Tenements and Hereditaments as now are, or hereafter shall be in our power to dispose of, And them to grant unto anie person or persons, for such Terme, and under such moderate Quitt rents, services and acknowledgments, to be therupon reserved unto us, as you, by and with the advice aforesaid, shall think fit. Which said grants are to passe and be sealed by our scale of Newyore, and being entred upon Record by such officer or officers as you shall appoint thereunto, shall be good and effectual in Law, ag' us, our Heirs and successors. AND WEE DOE Hereby Give you full power to order and appoint faires, marts & marketts, as also such and so many ports, Harbours, Bays, Havens, and other places for the Convenience of
shipping, and for the better Loading and Unloading of goods and merchandizes as by you, with the advice and Consent of the said Coun-
cill, shall be thought fitt and necessarie, and in them, or anie of them, to
Erect, nominate and appoint Custome Houses, warehouses, and Officers
relating thereunto; and them to alter, Change, place or dispose, from
time to time, as with the advice aforesaid shall be thought fitt; AND
WEE DOE by these presents will, require and Command you to take
all possible care for the discourtenance of vice, and encouragement of
virtue and good Living, that by such examples the Infidells may be
invited and desired to partake of the Christion Religion. AND OUR
FURTHER WILL AND PLEASURE IS, that you shall not att
anie time hereafter, by Colour of any power or authority hereby
granted, or mentioned to be granted, take upon you to Give, grant or
dispose of anie officer or place within our sd province and Territories
which now are, or shall be granted under the great seal of England,
any further then that you may upon the Vacancy of any such office,
or suspension of any officer by you, putt in any person to officiate in
the intervall untill the said place be disposed of by us under the
great Seal of England, or that our directions be otherwise given
therein. AND WEE DOE Hereby require and Command all offi-
cers and ministers, Civill and military, and all other Inhabitants of
our said province and the Territories depending theron, to be obe-
dient, ayding and assisting unto you, the said Benjamin Fletcher, in
the execution of this Our Commission, and of the powers and authori-
ties therein contained: And in Case of your death, or absence out of
our said province and Territories under your government, Unto such
person as shall be appointed by us to be Commander in Chief of our
said province, To whom wee doe thersore, by these presents, give and
grant all and singular, the powers and authorities aforesaid, to be exe-
cuted and enjoyed by him during our pleasure, or untill your arrivall
within our said province and Territories: AND if upon such death or
absence, there be noe person upon the place Commissionated or ap-
pointed by us to be Commander in Chief, Our WILL AND PLEASURE
IS, that the then present Councill of our said province, doe take upon
them the administration of the government, & execute this Commis-
sion, and the severall powers & authorities herein Contained, relating
to our said province, and that the first Councillor who shall be att the
Time of your death or absence, residing within the same, doe preside
in our said Councill, with such powers and preheminences as anie
former president hath used and enjoyed within our said province, or
anie other our plantations in America, untill our pleasure be further
knowne, or your arrivall, as aforesaid. AND LASTLY, wee doe
Hereby declare, ordain and appoint, That you, the said Benjamin
Fletcher, shall and may Hold, execute and enjoy the office and place
of Captaine Generall and Governo' in Chief, in and over our province
of Newyorke and the Territories depending thereon, together with all
& Singular, the powers and authoritiees hereby Granted unto you, for
and during our will and pleasure.

IN WITNESSE WHEREOF, wee have Caused these our Letters
to be made patents. WITNESSE Our selves att Westminster, the eighteenth day of March, in the fourth yeare of our Reigne.
per Breve de privato Sigillo.
CHUTE.

PENNSILVANIA, SS.

Minutes and Orders of Councill, from the arrivall of his Excellency, BENJAMIN FFLETCHER, Captain Generall and Governo'r in Chiefe of the province of Newyorke, province of Pennsylvania and Countrey of New castle, And the Territories and Tracts of Land depending theron, in America. In philadelphia the 26th of April, in the fifth year of the Reign of our Sovereign Lord & Lady, WILLIAM & MARY, by the Grace of God, of England, Scotland, ffrance and Ireland, king & Queen, defenders of the faith, &c.

[26th April, 1693.
Wednesday, Att Philadelphia, the 26th of April, 1693.
His Excellency arrived here between the Hours of eleven and twelve in the forenoon, and being Conducted by the Sheriff to the mercate place, Caused their Majesties' Letters patents for the Government of pennsilvania and New Castle, to be publicly read.
His Excell. having sent for Thomas Lloyd, the Late Deputy Governo', did offer unto him the first place in the Councill, which he did refuse.

2 A CLOCK, AFTERNOONE.

William Markham, Esq'. took the Oaths appointed by act of parliament to be taken in stead of the oaths of allegiance and Supremacy, & Test, and afterwards the oath of a Councillor for the said province and Councill, and by his Excell. direction, took the first place in the Councill.
Andrew Robeson and Robert Turner did subscribe the Test, the declaration of fidelitie, and profession of the Christian faith, and afterwards did promise to performe the Substance contained in the oath of a Councillor, as in the presence of God, and by his Excell. appointment, took their places att the Councill board.
Patrick Robinson took the Oaths & Test, and oath of a Councillor, and his place att the Councill board, by his Excell. direction.

At a Councill Held att Philadelphia on a Wednesday the 26th of April, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson, Esq.

His Excell. did desire that the members of Councill would resolve into a Committee, to Consider of persons within the province of Pennsylvania & Country of New Castle, that are qualified to be Judges, Justices of the peace, Sheriffs, and other officers, throughout the Several Counties; which was ordered accordingly.

John White, Sheriff, being demanded what prisoners hee held, did deliver a warrant by which hee held Peter Boss in the Common goale, for making an Escape & not paying a fine of six pounds, including Costs; which was read.

His Excell. did Order That the members of Councill be in the Commission of the peace throughout the whole province and Country.

Adjourned till 8 a Clock the morrow morning.

[27th April, 1693.

Att a Councill held att Philadelphia on a Thursday the 27th of April, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.

Wm. Markham, Esq. Lawrence Cock, Esq.
Andrew Robeson, Esq. William Salway, Esq.
Robert Turner.

Lawrence Cock being Called to this Board, Had the oaths and Test, and Oath of a Councillor administered to him, and took his place att the board.

William Salway did Subscribe the declarations & profession of the Christian faith, and did promise to observe the substance of the oath of a Councillor, and by his Excell. order, took his place at the board.

His Excell. did nominate William Markham, Esq', to be Lieutenant Governo', which was approved of by the whole Councill, who did return his Excell. thanks for that hee did appoint a Gentleman to be their Leiu' Governor, of their particular knowledge and good affections.

The Councill did Return unto his Excell. a List of officers names
MINUTES OF THE

whom they Judged qualified for Civill offices in the government, which
was read & approved of;

His Excell. did Lay before the Councill That their matjes affairs
did call him Speedily to the fronteers, in the province of Newyorke,
The necessitie of calling an Assembly, and of their early meeting,
Desiring their advice. The Councill doe advise his Excell. that the
Least time can be allowed for their coming together is Sixteen or
eighteen dayes.

His Excell. did also desire their advice and opinion Concerning the
number of Representatives to be returned from each County: Which
was variouslie given.

It being the former Custome of this province to have nine representa-
tives for each County, different from the Custome of their maties
province of Newyorke, where there are Two for each County,

Some did allledge that upon this suddain alteration, sundrie were
therby disobliged, and a small number of Assemblymen might act
with Lesse Courage for their maties service. Others doe advise his Ex-
cell. to Consult their maties Letters patents, and his Instructions for the
government.

The Resolution therof is deferred till further advisement.

Upon the Reading the petition of peter Boss, the same is referred
To Andrew Robeson, Robert Turner, and Lawrence Cock, Esq." to
examine the petitioner's allegations, and make report therof to his
Excell.

Adjourned to 3 a Clock afternoone.

POST MERIDIEM.

Att a Councill Held att Philadelphia 27th Aprill, 1693, 3 a Clock
afternoone.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq', Leiu' Governo'.

Andrew Robeson, ? Esq".  Patrick Robinson, ? Esq".

Robert Turner, ? Esq".  Lawrence Cock, ? Esq".

His Excell. did again Require the advice of this board concerning
the number of Representatives to be returned for each Countie.

RESOLVED, That writts Issue, returnable the fifteenth of May next,
and that foure Representatives be returned for the County of philadel-
phia, foure for New Castle, and three for each of the other Coun-
ties.

Upon reading the petition of William Bradford, printer, directed to
his Excell., wherein hee setts forth that in September Last his tooles
and Letters were Seized by order of the Late Rulers, for printing
some books of Controversie, and are still keept from him, to the great
hurt of his family, and prays Reliefe. His Excell. did ask the advice of this board.

The Severall members of Councill being well acquainted with the truth of the petitioner’s allegatons, are of opinion, and doe advise his Excell. To Cause the petitioner’s tooles and Letters to be restored to him.

Ordered That John White, Sherriff of Philadelphia, doe Restore to Wm. Bradford, printer, his tooles and Letters, taken from him in September Last.

Upon Reading an Order of the late Governo’ & Councill, Concerning Jeremiah Elfreth, Thomas Groves and Thomas East, upon the Complaint of George Heathcote,

His Excell. did Order the Councill to Resolve themselves into a Committee, to examine and draw up their opinion of the matter therof, and to make returne thereof, under their Hands.

Wm. Markham, Esq’. having received his taking of the Oath and Test, with the oath of Liev’ Governo’, did receive his Commission from his Excellency.

His Excell. did move that there be a Certain day of the weeke appoynted for a weekly Councill Day for the publick affairs of the Government.

Agreed, That Tuesday is most Convenient for the weekly Councill day.

[28th Aprill, 1693.
Att a Councill Held att philadelphia on Fryday the 28th Aprill,1693.

PREsENT:
His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq’, Leiv’ Governo’.

Andrew Robeson, { Esq’.
Robert Turner, { Esq’.
Patrick Robinson, { Esq’.
Lawrence Cock, { Esq’.

Pursueant to his Excell. Order yesterday, The Councill did return under their hands, their opinion of the order of the late deputy Governo’ and Councill of the 20th of September, 1692, That it is unjust and Illegall.

Upon reading of the petition of Jeremiah Elfreth, Thomas Groves, & Thomas East, under Confinement by the said order of the late deputy Governo’ & Councill,

Ordered the said three petitioners be discharged; and the said Jeremiah Elfreth, Thomas Groves and Thomas East, are hereby discharged from any bond or recognizance taken from them by virtue of the said order, with their suretyes.

Upon reading the petition of dirk Johnson, al’ Clauison, setting forth that hee, with his wife and Sister, stand Committed in Close
prison, upon suspicion of murder, where he hath continued twelve months, without the benefit of being brought to tryall.

Ordered that a Commission of Oyer and Terminer doe forthwith issue for the Tryall of the petitioners.

His Excell. Caused the petition of philip England to be read, wherein the petitioner sets forth that by the proprietarie's appointment hee is keeper of the ferry and Ordinarius att the Skuillkill, together with his warrant and License, under Hand and Seal of Wm. penn, Esq', for soe doing.

His Excell. did Signifie unto this board, That for as much as the ferry was the propertie of the proprietary, hee would grant unto the petitioner his Confirman and License for the keeping of the same, and discharge all others from Transporting anie persons over the Skuillkill, neer the said ferry, for monie or reward, Untill the proprietary's pleasure be knowne, which was approved, and some of the Councill, on behalfe of the proprietary, did return his Excell. thanks.

Joseph Wood, Esq', Sherriffe of Chester, and John Hill, Esq', Sherriffe of Sussex, had the oaths and Test, with the oath of a Sherriffe, administr'd unto them.

[29th April, 1693.
Att a Councill Held att philadelphia on Saturunday the 29th of April, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq', Leiv' Governo'.

Andrew Robeson, Esq'.
Robert Turner, Esq'.

Lawrence Cock, Esq'.
William Salway, Esq'.

John Claypoole, Esq', Sherriffe of philadelphia, and Israel Taylor, Sherriffe of Bucks, Had the oaths and Test, and oath of a Sherriffe, administr'd unto them.

[1st May, 1693.
Att a Councill Held att philadelphia on Mounday the 1st of May, 1693, att 5 a Clock in the morning.

PRESENT:
His Excell. BENJAMIN FFLETCHER, Esq'.

WILLIAM MARKHAM, Esq', Leiv' Governo'.

Andrew Robeson, Esq'.
Robert Turner, Esq'.

Patrick Robinson, Esq'.
Lawrence Cock, Esq'.

His Excell. did Signifie to the Councill, that hee was to goe this
mornig to New Castle, to publish their Maties' Letters patents; That hee thought it Convenient to Leave them here for the preservation of the peace; That hee hath appointed them Justices of the peace through- out the whole province, and thencefore called them together to adminis- ter to them the oath of Justice of the peace, Leaving strict charge with them to maintain the peace here during his absence.

The Leiv' Governo' and Several members of Council, in different manner, had the oath of a Justice of peace administred to them.

[Att New Castle, 1st May, 1693.

Att New Castle the first day of May, 1693.

His Excell. being attended by the Leiv' Governo', and militia in arms, att 12 a Clock went to the Townehouse and there published their Maties' Letters patents, which was followed with fireing of guns, great Shouting and joy.

Att a Councill Held att New Castle on Tuesday the 2d of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

WILLIAM MARKHAM, Esq'. Leiv' Governo'.

John Cann, Esq'.

Wm. Clark,

John Cann, Esq'. took the oath and Test, and oath of a Councillor, and by his Excell. direction, his place att this board.

William Clarke, Esq'., did Subscribe the Severall declarations provided for non Conformists by act of parliament, and did Solemnly promise to observe & fullfill the Substance of the oath of a privie Councillor, and was ordered by his Excell. to take place att the board.

POST MERID.'

2 a Clock afternoone, presentibus Isdem.

John Cann, Esq', and Wm. Clarke, Esq', had the oath of a Justice of the peace for the whole province and Countrey administred unto them in different manner, as formerly.

Peter Alrichs, John Donaldson, Richard Hallwell, & John Grubb, had the oaths & Test, and oath of a Justice of the peace for the Coun- ty of New Castle, administred unto them.
Edward Blake did subscribe the declarations, and promised solemnly to perform the office of a Justice of the peace for the County of New Castle.

Luke Watson, for the County of Sussex, had the oaths and test, and oath of a Justice of the peace administered unto him.

[3rd May, 1693.
Att a Councill Held att New Castle on Wednesday the 3rd of May, 1693, in the morning.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.

William Markham, Esq., Leiv Governo.

John Cann, Wm. Clark,

Edward Lillington, Esq., Sherriffe of New Castle, James Claypoole, Clark, & Peter Reverdie, Coroner, Had the Oaths and Test, with the oaths of their respective offices in the said County, administered unto them.

His Excell. did Spend the rest of the forenoon in finding the most convenient place att New Castle to build a fort, to Command the channell of the river Delaware before New castle: in the afternoone did return to philadelphia.

[5th May, 1693.
Att a Councill Held att philadelphia, on Friday the 5th of May, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson, Lawrence Cock,

Robert Turner, Wm. Salway,

Pat. Robinson,

His Excell. Caused to be read an address of seaven persons (to him) Late of M'. Lloyd's Councill, viz: Joseph Growden, John Bristow, John delavall, John Simcocke, Hugh Roberts, Samuel Lewis and Richard Hough. The direction is to Benjamin Fletcher, Esq., Captain General & Governo in Chief, &c., without naming his Excell. of the province of pennsilvania & Countrey of New Castle, wherein they call themselves the delegates and members of the provinciall Councill, in behalfe of the freemen of the province, and desire that no other method may be used for the Calling together their Legislative power then the received Laws of this province doe prescribe.

His Excell. asks the advice of this board concerning the same. It is the opinion of this board, That the address being generall, It
cannot be Consistent with the powers granted his Exzell. by their majesties Letters patents, to have anie regard to, or answer it.

Samuell Jennings, a former Justice of the peace, being sent for, His Excell. did offer to continue him in the same station, which hee did refuse.

Arthur Cooke, in Like manner did refuse, Robert Ewer, in Like manner did refuse.

William Salway, Esq\(^{\dagger}\), did Solemnlie promise to execute the office of Justice of the peace throughout the whole province and Counrey.

[6\(^{th}\) May, 1693.\n
Att a Council Held att philadelphia on Saturaday the 6\(^{th}\) of May, 1693.

PRESENT:

His Excell. BENJAMIN FFLTCHEIR, &c.

Andrew Robeson, \[Esq\]^\(^{\dagger}\).

Robt Turner, \[Esq\]^\(^{\dagger}\).

Pat. Robinson, \[Esq\]^\(^{\dagger}\).

Lawrence Cock, \[Esq\]^\(^{\dagger}\).

Wm. Salway. \[Esq\]^\(^{\dagger}\).

Samuell Carpenter being offered the office of Justice of the peace, Refused.

Griffith Owen, a former Justice, in Like manner did refuse.

Anthony Morris did Subscribe the declarations, and Solemnlie promise to execute the office of a Justice of peace in the Countie of philadelphia.

Joseph Wilcox and Joseph Fisher did refuse the office of a Justice of peace.

Jacob Hall and Andrew Bankson took the oaths & Test, and oath of Justice of the peace for the Countie of philadelphia.

Francis Rawle did Subscribe the declaration and solemnlie promise to execute the office of Justice of the peace in the Countie of philadelphia.

Francis Daniell pastorius did subscribe the declaran and Solemnlie promise to execute the office of a Justice of peace in philadelphia.

Some of the Council giving Information That William Hudson did utter words in contempt of a proclamation Issued by his Excell. to prohibit Sabbath breaking, drunkenness, Idleness, Unlawfull gaming, and all manner of prophanesse,

Ordered 'Andrew Robeson, Esq'. doe call the evidences before him, take the sum of their evidence ag\(^{\dagger}\) Hudson in writing, and returne it to this board.
[6th May, 1693.
Att a Councill Held att Philadelphia on Moonday The 8th of May, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.
Andrew Robeson, Esq". Lawrence Cock, Esq".
Rob' Turner, Wm. Salway, Esq".
Pat. Robinson, Wm. Clarke, Esq".

Andrew Robeson, Esq'. made Return, That he had examined the
Evidences ag' Wm. Hudson, and found no positive Materiall Evidence
ag' him, & that he did deny the words.

Humphrey Murrey, a former Justice of the peace, did refuse to be
continued.

Nehemiah Field had the oaths & Test, with the oath of Clarke of
the Countie of Sussex, administred unto him.

[10th May, 1693.
Att a Councill Held att Philadelphia On Wednesday the 10th of
May, 1693.

PRESENT:
His Excell. BENJAMIN FFLETCHER, &c.
WM. MARKHAM, Esq'., Leiv' Governo'.
Andrew Robeson, Esq". Lawrence Cock, Esq".
Rob' Turner, William Clarke, Esq".
Pat. Robinson,

Humphrey Waterman had the Oaths and Test, and oath of a Jus-
tice of the peace for the Countie of Philadelphia, administred unto
him.

His Excell. did propose the necessitie of building a fort in some
Convenient place upon the River Delaware, to Command the Channell
for the Securitie and defence of trade and the Inhabitants: Which
was put to the vote and Caryed in the affirmative.

POST MERID.
Afternoone, The 10th of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.
WILLIAM MARKHAM, Esq', Leiv' Governo'.
Andrew Robeson, Wm. Clarke, Esq".
Lawrence Cock, Rob' Turner, Esq".

Some Indians from the upper part of the River being come to towne
to pay their respects to his Excell. His Excell. sent for them & gave them audience.

Lawrence Cock, Esq'., their Interpreter.

Their Speaker laid a belt of Wampum att his Excell. feet, Saying: this Belt of wampum Came to us from the Indians of Virginia and Maryland, for a token of peace between them and us, and now wee lay it before your Excell., in token that wee desire peace with all the Indians that belong to anie English plantations in America: And desire your Excell. to persuade the Senecas from doing them anie harme in their hunting, (as was done to some of them Last Summer,) that they may hunt in safety.

His Excell. did answer: That he was shortlie to Return to Newyorke; That their majesties have made him Governo' of Pennsillvania and New Castle, & putt all the forces of East & West Jersey under his Command, and hee was come here to publish it, But so soone as hee shall returne to Newyork, will goe to Albany & there meet the five nations, and have Conference with them; And that he wold Enjoine the Senecas, & all the other Indians, to peace & friendship with them, & all other Indians belonging to the English provinces in America. Therfore, they should not doubt his protection whilst they are of good behaviour.

The Indian Speaker Laid some dressed deer skins att his Excell. feet, & wished his Excell. joy of this government.

His Excell. told them that he was to returne to Newyorke himselfe, and Had appointed Leiv' Governo' Markham in his stead, and if anie of them be aggrieved in his absence, they must make application unto him for redresse, which they will alwayes have.

The Speaker says: Wee are verie thankfull to your Excell. for appointing one over us in yo' absence who hath done good to us formerlie, and whom wee Have known a Long time; and in token therof, Laid down some Bever at his Excell. feet.

The Speaker again says: Wee are now glad to know our Governo: when the Quakers governed sometimes one man & sometimes another pretended to be Governo', & when wee were in feare of the French and their Indians, and inclined to make war with them, they would not encourage us, nor make anie preparations themselves, nor give us assistance: although wee are a small number of Indians, yet wee are men & know fighting. Wee hope yo' Excell. will encourage us in it; & gave some raccoons.

His Excell. told them, That in February Last the French and Indians did invade the Mohoggs Country, and in three days hee was got to Schenactady with force sufficient to have destroyed them all; That they stoll away in a stormie night: But were sufficiently beat the day before, and most of their officers killed. Also, that hee was a man of armes, and not of the Quakers principle: That he had serv'd their majesties in their army before hee came hither, and wold now goe as farr as any man to protect them, and all that doe owne their majesties authoritie, as well Indians as Christians.
His Excell. told them He hoped they will give him a prooafe of their Manhood & valour by sending some of their best men up to Albany, to assist our people ag' the Enemy. That here they were in safety, for the French and their Indians cannot come neer to hurt them, Unless they come over him, which they should never doe.

The Speaker said That some of them had been drunk; His Excell. must pardon it and not put them in the stocks, for they knew no better, and the Christians did sell them the Liquor; and gave two deer skins.

His Excell. Replyed That their Brethren at Albany were not of their mind: in February last, some of them being drunck one killed another, and they came to me and prayed that I should dischairge the selling of Rum to the Indians during the warr, or that I wold punish such as were drunk.

The Speaker. Wee profess wee will be one Heart, and true to the English and to one another; Wee submitt ourselves to your Excell. and if ever you find us false, you shall cutt us all to pieces, making signs all over his body; & gave some deer skins.

His Excell. Replyed he was glad to see them so dutifull, and wold give them protection accordinglie. That he wold order something for them in testimony of his satisfaction with their friendship and submission.

[11th May, 1693.

Att a Councill Held att Philadelphia on Thursday The 11th of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Lawrence Cock,
Robert Turner, Esq. Wm. Clarke, Esq.
Pat. Robinson,

Upon reading the petition of sundrie Sweedes, Inhabitants upon the river Skuilkill, wherin they sett forth that their meeting hous is on the other side the river; That they Live three miles distant from the ferry, and that they are restrained from passing the river the nearest way to their worship on Sundayes & Holydayes by philip England, keeper of the ferry att Skuilkill.

His Excell. did offer his Inclinations to remove anie obstruction that might be given to the worship of God, and his regard to the Interest of the proprietarie in the ferry, desiring the Councill's advice.

The Councill are of opinion, That the petitioners may have Libertie granted them to transport themselves over the river to & from their worship, provided they doe not abuse this Libertie to other ends, to the prejudice of the ferry.
[12th May, 1693.
Att a Councill Held att Philadelphia on Friday the 12th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq', Leiv' Governo'.

Robert Turner, \text{Esq'}.  Lawrence Cock, \text{Esq'}.  Wm. Clarke, \text{Esq'}.  
Pat. Robinson, \text{Esq'}.  

Upon reading of the petition of William dennis, Complayning of Cornelius Empson,

Ordered the said Empson have a Copie of the petitioner's Complain.

His Excell. did order the Councill to resolve themselves into a Committee, to Consider what may be proper for his Excell. to offer to the Assembly.

[13th May, 1693.
Att a Councill Held att Philadelphia on Saturaday the 13th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

Robert Turner,  Laurence Cock, \text{Esq'}.  Wm. Clarke,  

George Forman Had the oaths & Test, & oath of a Justice of peace for the Countie of Chester, administrd unto him.

John Child had the oaths and test, and oath of the office of Countie Clark of Chester, administrd unto him.

Jeremiah Collet, Thomas Smith, and Thomas Withers, did subscribe the declarations & profession of the Christian faith, and solemnly promised to performe the office of a Justice of peace for Chester Countie, according to the substance of the oath of that office.

John Simcoke, John Bristow, George Merris & Wm. Jenkins, former Justices of the peace in the Countie of Chester, did give a dilatorie answer to his Excell. proposall to have them continued in that office.

Jonathan Hayes, Robert piles and Randall Vernon, did refuse the office of Justice of the peace in Chester.

Gilbert Wheeler and Joseph Wood took the oaths and Test, and office of a Justice of peace for Bucks Countie.

Rob't Cole took y' oaths & test, & oath of Clark of the County of Bucks.
MINUTES OF THE

[15th May, 1693.
Att a Councill Held att philadelphia on Monoday the 15th of May, 1693.

PRESENT:
His Exell. BENJAMIN FLETCHER, &c.
WILLIAM MARKHAM, Leiv' Governo'.
Andrew Robeson, Rob't Turner, Pat. Robinson, { Esq". Lawrence Cock, Wm. Salway, Wm. Clarke, } Esq".

John Brocke did subscribe the declaration and profession of the Christian faith, and solemnie promise to execute the office of a Justice of peace for Bucks Countie.

William Rodeney had the oaths and Test, and oath of Clarke of the County of Kent, administred unto him.

[16th May, 1693.
Att a Councill Held att Philadelphia on Tuesday the 16th of May, 1693.

PRESENT:
His Exell. BENJAMIN FLETCHER, &c.
WILLIAM MARKHAM, Leiv' Governo'.
Andrew Robeson, Robert Turner, Pat. Robinson, } Esq". Wm. Salway, John Cann, Wm. Clarke, } Esq".

George Forman Had the oaths and Test, and oath of a privie Councillor for this province, administred to him, & by his Exell. was appointed to take place att the Councill board.

[3d June, 1693.
Att a Councill Held att philadelphia in the Livet. Governor's house on a Saturaday 3d of June, 1693, about ten in the morning.

PRESENT:
WM. MARKHAM, Esq', Livet. Governo'.
Andrew Robeson, Robert Turner, William Salway, } Esq". William Clarke, } Esq". George forman, pat. Robinson, Secry.

Ordered that In° Claypoole, Sheriff of philadelphia, doe forthwith attend att the market place with the Constables, the publication of the new Laws from their Originals, under his Excell. hand, and of the
petition of right, & List of Laws therein contained, and the conclu-
sion thereof, and the ans' given therunto under his Excell. hand, which
were accordinglie published.
Adjourned to the afternoon.

POST MERID.

Post Meridiem. Præsentibus Sicut antea.
Upon the reading of a Letter directed to the Livet. Governo' from
Ju' Hill, Esq'., sheriff of Sussex Countie, dated the 29th day of May,
1693, mentioning that upon Thursday next Last, Silvester garland
brought him two silver cupps, mark't I B, and the other I A, which
upon further inquiree, were known to be John Bellamie's, wherupon
the said John Hill apprehended the said Indian, who upon examin
said that his children found them in grubbie neck. Hee tells hee has
him in Custodie in Irons, & desires the Live' Governor's advice y'in,
& by what means hee may be discharged of him.
Ordered that Wm. Clarke, esq', in his return home take w't him
the sd Silvester garland, by a warr', & that hee examin the sd Indian
befor the sd garland, as also the sd garland, & return the sd exami-
nan to the Live' Governo' & Councill, and to continue or discharge
ym as hee, the sd Wm. Clark. shall see cause.

[5th June, 1693.
Att a Councill, Held att philad. on a Moonday y' 5th of June, Annoq
domi. 1693.

PRESENT:

WILLIAM MARKHAM, Esq', Live' Governo'.
Andrew Robeson, Esq'.
Robert Turner, Esq'.

George forman, Esq'.
Pati. Robinson, Secry.

The Livet. Governo' and Councill being informed of the arrivall of
the Briganteen Ann from Barbadoes, & y' the M', George Stiles, was
Lost att sea, did call befor ym the briganteens Compa. & passengers,
"to give an acco' of his death, whether it was casual, or whether anie
on board was instrumentall therin. Emanuell Marius, a Spaniard,
deposed that being Sailler aboard the sd briganteen, came outt from
Barbadoes about 5 weeks agone, their Compa. consisting of the sd
M'. another Seaman, who was prest from them by a man of warr 3
dayes after they came thence, Christopher Hodges & the deponent;
when they were in sight of land, 8 Leagues southward of the capes
delaware, wind Southeast, they gybed, and the boom knock't the
sd M'. overboard, & the deponent saw him in the sea, & immediatlie
they cutt the boat Lashes & gott outt after the M'. and saw the Sharks
byte his hatt, and as they came up to him w't the boat hee sunk: the
deponent said that the M'. had no wife, & nothing on board but a few
old cloathes & instruments, & that hee, the deponent, cannot take an
observan, and knows onlie the North Starr.
Christopher Hodges deposed, that this accident happened of the 25th day of May Last, between the hours of 4 & 5 in the afternoone, after they had made land and ran to it, & came below the Inlett, and then the M'. did bid us get ready the anchor and drop it, thinking it was the whorkill. Ned Burch, a passenger, & shoemaker by trade, being at the Helme wher the M', as he was showing him which wind to keep, brought the saill to gybe & struck Burch, whose head was a little above the deck in the sterridge, and struck the M', who was standing aloft, quite overboard; & that this deponent saw his heells turn over his head, & so fell overboard and cryed to bring the vessell too, which they did, and gott outt the boat, & flung out a barrell, & the passen-gers flung outt ropes, but hee could gett hold of none of ym; they saw him swim, and att Last sunk, just as they gott to him, & also deposed the substance with the Spaniard. Elizabeth Cruikshank & Jean Yelden, passengers, deposed much to the same purpose, and that the M'. was Lost accidentallie.

[6th June, 1693.
Att a Councill Held att philad. on a Tuesday 6th June, 1693.

PRESENT:
WM. MARKHAM, Esq'., Livet. Go'.
Andrew Robeson, ? Esq".
Robert Turner, } Esq".
William Salway, } Esq".
William Clarke, } Esq".
Pat. Robinson, Secrie.

Ordered that Tuesday next it be considered att what place of the towne the public markett shall be keept.

[13th June, 1693.
Att a Councill Held at philad. on a Tuesday 15th of June, 1693.

PRESENT:
WM. MARKHAM, Esq'., Livet. Governo'.
Andrew Robeson, }
Rob' Turner, } Esq".
Wm. Clarke, }
Lacey Cock, } Esq".
Wm. Salway, } Esq".
Pat. Robinson, Secry.

Robert Brett, Clark of the market, appointed by Comission from his Excell. Benj' Fletcher, &c. having made some proposallss to the Livet. Governor and Councill about regulatting the markett att philadelphia, Ordered that it be deferred untill it be known what are the Customs of newyork about the clarke of the market & his fees, and that the market place be then also established.

Upon Complaint made to the Livet. Governor & Councill, that some of the Late Countie Clarkes of the province and territories wold not deliver up to the succeeding Clarkes Commissionated by his Excell. the
records, minutes, rolls, files & ordrs of their rexive Courts, wtout an order,

Ordered that the Secrie issue this order, Sub' by him, by ordr of Councill, for all the said Clarks to deliver up to the Succeeding Clarks Comissionated by his Excell. all the records, minutes, rolls, files, and orders of their rexive Courts, by Indenture, to be made betw'n the former and succeeding Clarks, as they will answer the same att their perrell.

[20th June, 1693.
At a Councill Held att philad. on a Tuesday y* 20th of June, anno dui 1693.

PRESENT:
WM. MARKHAM, Esq., Livet. Governor.

Andrew Robeson, Esq'.
Robert Turner, Esq'.

George Forman, Esq'.
Pat. Robinson, Secrie.

George Seith Having presented a petition, Setting forth that hee had been aspersed by some in this province, as having behaved himselfe offensivlie ag' the governm', & particularie by Thomas Lloyd, Sam't Jennings, Arthur Cooke, & Jn't delavall, in a Lett' from them to him, bearing date the 26th of 10th Mo., 1692, to the Liv't Go' & Councill produced, wherein they accuse the said George of being Crazie, turbulent, a declaryer of magistracie, and a notorious evill Instrument in Church & state, with manie other Severe expressions of that nature, and therfore requested a Certificate of his good behaviour.

Ordered that a Certificate be drawn and Signed to the petitioner; which was accordinglie done, and two of them Signed by the gentl. of the Council then present: a Copie of the pettn, letter and Certificate, remain on the files of the Councill.

[26th June, 1693.
Att a Councill Held att philad. on a Moonden the 26' of June, 1693.

PRESENT:
WM. MARKHAM, Esq'., Livet. Governor.

Andrew Robeson, Esq'.
Robert Turner, Esq'.

Lawrence Cock, Esq'.
Pat. Robinson, Secry.

Upon reading of the petin of divers of the relatns, friends & neighbours of derrick Johnson, a prisoner Condemned to dye, The sd petion containing in it reflecting matter relating to the triall of the sd derrick, was rejected, Which the Livet. Gor. & Councill imputed to the drawer of the petin, (supposed to be Jn't White,) & not to the petitioners, whom the Livet. Governor and Councill excused, because of their Ignorance.
MINUTES OF THE

And thereafter, upon the petition of Brighta, the wife of the sd derrick, begging the favor from the Livet. Governor of some support to herself and poor children, The Livet. Governor told ym he wold intercede for ym to his Excell. Benjm. fletcher, upon that accompt.

[27th June, 1693.
Att a Councill Held att philad. on Tuesday 27th June, 1693.

PRESENT:

WM. MARKHAM, Esq'., Livet. Governo'.
Andrew Robeson, Esq'.
Robert Turner, Esq'.
Geo. Forman, Esq'.
pat. Robinson, Secrie.

Upon reading the petition of Edward Burch to the Livet. Governor, setting forth, That having Sailed from Barbadoes in the barkenteen Ann, George Stiles, M', & onlie one man and a boy more belonging to her, the petition' and his servant being to have their passage for their Labour: that the M', to the Southward of Cape Henlopen, was causally knockt over board and Lost, to the hazard of the shipp, goods & passengers, and that att the desire of the people on board, the petitioner, with great hazard of his Life, went ashore, & for saving the Life of the people, & for preserving the vessell and cargo, did agree with a person to pylot her to some safe harbour, and to give him twentie pounds, and having had an easie & speedie passage into the shore-kills, the said pylon was willing to take ten pounds sterlign, which the petitioner accordinglie paid, & took his receit for the same: And yrfor praying that the owners or present M' of the sd vessell may repay the said monies, & to allow some reasonable reward for his extraordinarie service, care and danger, &c.: M' Jasper Yeates, to whom the sd vessell was Consigned, being called, and having had the sd petin read to him, and alluding that the passengers promised the petitioner fourtie Shillings p head for his care,

It was ordered that the owners of the said vessell should pay back to the petitioner the said sum of ten pounds, & that hee might take his remidie att law for the fourtie shillings p head, promised to him by the passengers.

Upon the petition of the Inhabitants of the townshipp of Cheltenham, in philadelphia Countie, for a convenient roade to the towne of philadelphia, while it may be done without injurie to the improvments of the Inhabitants: As also, for a convenient roade from the most inhabited part of the said townshipp, to Germantowne.

Ordered that the petitioners acquaint the Surveyor generall to attend the Councill the yth of July next, to informe about the convenientie of the said road.

Upon the petition of the inhabitants of Chester, to order the division of the sd Countie from the Countie of New castle, for want of which the petitioners Have long suffered,

Ordered that one or two persons of each Countie doe attend the
Councill the yth of July next, in order to inform the Councill of the true state of that affair.

Upon the petition of philip England, Setting forth that wheras his Excelly. Benjamin Fletcher, did confirm the proprietor's License for keeping a ferrie over Skuillkill to the petitioner, forbidding anie other to act therin att their perrill; And that notwithstanding therof, Wm. Powell does ferrie people over the Skuillkill, to the petitioner's damage, & yfor requesting the said Wm. Powell may be supprest,

Ordered that the Secry. Issue outt a warrant, to be served on the sd Wm. Powell by the Messenger, to appear before the Councill the 18th of July next, to make ans' to the sd Charge.

11th July, 1693.

At a Councill Held att philadelphia on a Tuesday, the yth of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esq', Livet. Governor.

Andrew Robeson, Esq'. Rob' Turner, Esq'.

Patrick Robinson, Secry.

The paucity of Justices of the peace for this Countie being represented to this board by some of the members yrof, It was thought fitt that between this & the 18th instant, John Jones & Joshua Carpenter should be desired to be present the 15th instant at this board.

Upon the petition of Edmond Lassell to the Livet. Governo' and Councill, setting forth that he has been 3 years agone prosecuted about making of monie, upon the evidence of persons att that time, Convict for the same crime, and yfor requesting that upon his giving securitie for his good behaviour, hee might have Libertie to come into philadelphia to pursue his calling,

Ordered, That by reason of the uncertaintie of this petin, that the petitioner be Left to his course att law.

Upon the petin of Israell Taylor, Joseph Taylor and Jn' Buzbie, setting forth That Robert Turner having had the adminstran of the estate of Christopher Taylor, their father, Comitted to him by the then Ordinary, 12 mo. agone, and that hee hath done little in it, to the petitioners's great damage; And yfor Requesting that the sd Rob' turner may be ordered to prosecute the sd business as farr as in him lies, otherwise the petitioners will be greatlie damnified.

Ordered, That if the sd Rob' turner doe not, with as much expedition as the Law will allow, perform the dutie of an administrator yrin, That another be appointed in his roomc.

Upon the Request of some of the members of Councill, that an ordr made by the Court of Quarter Sessions for the Countie of philadelphia the 4th July instant, (proceeding upon a presentment of the grand Jurie, for the bodie of the sd Countie,) ag' the tumultuous gatherings of the negroes of the town of philadelphia, on the first dayes of the wecke, ordering the Constables of philadelphia, or anie other
person whatsoever, to have power to take up negroes, male or female, whom they should find gadding abroad on the said first days of the week, without a tickett from their M'r, or Mrs, or not in their Compa, or to carry them to goale, there to remain that night, & that without meat or drink, & to Cause them to be publickly whipt next morning, with 39 Lashes, well Laid on, on their bare backs, for which their sd M'r., or Mrs. should pay 15f to the whipper att his deliverie of ym to yr M'r., or Mrs. & that the sd order should be Con-

firmed by the Lievt. Governo' and Council." The Lievt. Governo' & Council Looking upon the sd presentment to proceed upon good grounds, & the ordr of Court to be reasonable & for the benefit of the Inhabitants of the town of philadelphia, & that it will be a means to prevent further mischeifes that might ensue upon such disorders of negroes, doe ratifie & conform the same, & all per-
sons are required to put the sd ordr in execu'n.

Upon the presentment of the sd grand Jury for the want of a Channel to Convey y' water each way along the front street, between Chess-nutt-street & Wall-nutt-street, & upon the ordr of the sd Court that the Inhabitants between the sd streets on each side of the way should represent the same to the Lievt. Go' & Council,

Ordered, That the Mess' of the Council, by ordr from the Secrie, doe Summon all the inhabitants on both sides of the street from Chess-nutt to Walnut-street, to attend the Councill the 18th instant, in ordr to be heard in the sd matter, and to know the Lievt. Governor and Councill's minds therein.

[18th July, 1693.
Att a Councill Held att philadelphia on a Tuesday the 18th day of July, 1693.

PRESENT:

WILLIAM MARKHAM, Esq'., Lievet. Governo'.
Andrew Robeson, Esq'.
Robert Turner, Esq'.
Lawrence Cock, Esq'.
Pat. Robinson, Secry.

Upon a former petn to the Lievt. Governor & Councill, held 27th June Last, by philip England ag' Wm. powell, for ferrying people over Skullkill to the petitioner's damage, It was then ordered that sd powell should be Sumoned by y' mess' of the Councill to attend ym this day to ansr the sd charge. The sd Wm. powell appeared & for his justiciana produced a paper wherein the grand Jurie for the Coun-
tie of philadelphia, held the 7th of the 4th mo. 1692, presented the conveinience of another ferry att Wm. powell's on the Skullkill, which the sd Court allowed, approved, and thought convenient that it should be done accordinglie. To w' the Lievt. Governo' ansred that y' was no authoritie for him to keepe a ferrie there in prejudice to the ferrie established by the proprietor. But therafter the sd Wm. powell answered That he wold desist from & leave off ferrying over people att that place, & that none else under him should ferrie any people over from his Land for anie reward, And which the Lievt. Governo' strictlie charged him to observe att his perrill.
Robert Brett Having made known to the Livet. Governo' & Coun-
cill that he had a Comission from his Excell. Go' fletcher, for Clark
of the market of philadelphia, Requested that they wold establish
muteable fees to the said office.

Ordered, That the Clark of the market for the sd townse shall &
may receive for all Cattle killed for the market Sixpence p head; for
everie sheepe, calf & Lamb, two pence p head, for everie Hogg or
shoot brought to the market or cutt outt for Sale there, three pence,
And that nothing shall be paid for what the Countrie people bring to
towne readie killed; And y' hee shall & may receive for 'Sealing of
weights & measures, One pennie for each great or small. And they
also Ordered, that all persons concerned should duely pay the Clark
of the market the above said rates; And that all Justices, sherriffs,
Constables and other officers be ayding & assisting him in the exe-
cuon of his said office.

According to an ord' of the Livet. Go' and Councill, of the y<sup>th</sup> of
Julie instant, John Jones and Joshua Carpenter having appeared, &
the office of a Justice of y<sup>th</sup> peace being offered ym, John Jones abso-
lutelie refused the same: Joshua Carpenter accepted, and did take the
oaths appointed by act of parliament to be taken instead of the oaths
of allegiance & Supremacie, & subt. the test, & took the oath of a Jus-
tice of the peace.

In obedience to a form' order of Councill, dated yth instant, some of
the Inhabittants betweene Chess-nutt & Wall-nutt street, did appear,
viz: Griffith Jones, Sam<sup>n</sup> Carpenter, Anthony Morris, Alex' Beardslie,
Nath<sup>n</sup>Sykes, Humphrey Morrey, Rob'Ewer, Joshua Carpenter, Tho.
Marle, who did represent their willingness to have a Channell in the
midst of the street to convey the water both wayes along the front
street, between the sd two streets, qrby the nuisance between the sd
two streets might be remedied, and did desire that since they could
not agree among ymselves about the manner of it, That the Livet.
Governor & Councill wold take such Course yrin as might be Com-
pulsorie, & binding upon ym & the rest of the freeholders between the
said two streets.

Ordered, That Anthony Morris, Joshua Carpenter & Alex' Beards-
lie, doe oversee & order the doing of the sd worke, with all expeditn &
y' they take such advice & assistance y'in as they shall think fitt,
and that the charge be laid equallie & proportionable upon the free-
holders on each side of the way between the sd two streets.

[30<sup>a</sup> July, 1693.

Att a Councill Held att philadelphia on a Thursday the 30<sup>a</sup> of July,
1693.

PRESENT:
WM. MARKHAM, Esq'. Livet. Governo'.

Robert Turner, } Esq'
Lawrence Cock, } Pat. Robinson, secry.
Israel Taylor, sheriff of the County of Bucks, Having been Called before the Livet. Go’ & Council to give an acoc of the estate of derrick Jonson, Lately sentenced & executed for murdering an unknown person; And whether he had observed the Law relating to the estates of persons executed for murder; And why hee went from towne without taking full Instructions about the said estate; And why hee had disposed of some parts of the sd estate Contrarie to the instructions he had received from the Livet. Governo’: To all which Hee answered, That hee had not Inventoried the sd whole estate; and that hee had taken some part of it, but had not meddled with the widow & children’s half part; and that hee had disposed of some of the movables; and that hee had paid no fees but conditional, to be repaid him if demanded; and that hee had great trouble about it; And that hee had procured to himself manie enemies on the acco’ of his office; and after a peremptorie manner, desired to be dismist from the same: From which the Livet. Governo’did dismiss him from that time.

Ordered, That Israel Taylor doe bring in the Inventorie of the estate of derrick Jonson, and the appriment therof, with a particular acco’ how, in what manner, to whom and for what, hee has disposed of the same, by the 13th of August next; which hee promised to doe befor y’ time; and further added, that hee could give a true & just accompt of the same.

Ordered, That a Bill of Charges of 7£, 15s, & 5d, disbursed and brought in by Rob’ Cole for saving, reaping and securing the Cropt of Corne, be paid him out of the sd estate of derricke Jonson, with something for his owne pains, travell & expences.

[1st August, 1693.
Att a Councill Held att philadelphia on a Tuesday the 1st day of August, 1693.

PRESENT:
WILLIAM MARKHAM, Esq’t, Livet. Governo’.
Andrew Robeson, Esq’t.
Robert Turner, Esq’t.
Lawrence Cock, Esq’t.
pat. Robinson, Secry.

His Excell. Benjm. Fletcher’s Lett’ to the Livet. Governo’ and Councill was this day read, & becaus of the thin Councill, It was ordered y’ the same should be considred the 8th instant in a full Coun- cill, And y’ y’ Secrie. give notice to as many of y’ Councill to be then present as (by reason of their distance) can.

Thomas Meaking, keeper of the free schoole in the town of philadelpia, being called befor the Lt. Go’ and Council, was told that hee must not kepe schoole wtout a Licence. Anserd that hee was willing to Comply, and to take a Licence: was therefore ordered to’ procure a Certificate of his abilitie, Learning & diligence, from the Inhabitants of note in this towne, by the Sixteenth instant, in order to the obtaining a Licence, which he promised to doe.
Upon Reading the petition of Charles Butler against David Lloyd, Ordered That the Consideratn yrof be referred to the next Councill, the 8th instant, and that the Secrie. cause the mess' Sumons the sd David Lloyd to be then present to anser to the same.

John Claypoole, Sheriff of the Countie of philadelphia, Having informed the Lt. Go' & Councill that the members of Assembly for the sd Countie, & the other 3 assessors chosen by ym, Having thought fit to nominate him Collector for the sd Countie of the supply money, but were desirous that the Lt. Go' & Councill might take Securitie from & with him in 500 ll. for his performance yrof & fidelitie yrin, Hee brought befor the Lt. Go' & Councill Sam'h Atkins for his Securitie, Whom the Lt. Go' & Councill (with their owne Consents) ordered to be bound in 1000 ll. jointlie & severallie, to their maties, with Condition that the sd Jn'h Claypoole should faithfullie discharge that trust, and that hee should pay to the Treasurer all such sums as hee should from time to time receive, And ordered the Secrie. to take their obligaon to their maties accordinglie.

In prosecuon of an ord' made the 27th of June Last, past on the petition of the inhabitants of Cheltenham, for a road to philadelphia, Ordering the then petitioners to Desire Rob' Longshore, deputie Surveyor genrl, to attend the Councill to informe about the Conveniency of the said road.

This day Tobias Leech and the sd Rob' Longshore appeared. Ordered That this petitn, & another from the Inhabitants of 2d dublin township, whch was this day read, be considred the 8th instant, & that one person from each of the said Townships represent the said grievance with mentned, and that the Deutie Survey' genrl be then present, to inform about the Conveniency of the Road desired.

[8th & 9th of August, 1693.
Att a Councill Held att philadelphia on Tuesday and Wednesday the 8th & 9th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq'., Livet. Governo'.
Andrew Robeson.  John Cann,  Esq'.
Rob' Turner,  Geo. forman,  Esq'.

His Excell. Benj' Fletcher's Lett' to the Lt. Go' & Councill having been read, It was Resolved that a particular anser should be given to each part yrof & a minute made of the same.

The 1st claus yrof begins thus: "After my Heartie Salutaon, I doe recommend that you diligentie intend the keeping of the peace "in y' province & Countrie Comitted to yor charge. I hope you will "alwayes behave yo'selves w' that prudence, moderatn and justice in
"yo' Several stations during my absence, that will justify yo' Charactar & my choice."

The Lt. Go' & Councill did Resolve, That they wold, according to the outmost of their power, skill & ability, perform their rexive duties yrin, and hope that no Imprudence, Immoderation or Injustice should be found amongst them, or exercised by any of them, towards the people or one another, soe as to Impeach their Character or Condemn his Excellencies choice.

To the 2d, viz: "If there be any urgent necessitie for my presence to assert their maties interest, and Confirm the peace & quiet of the subject, I shall be ready to come amongst you att all times when their maties other affairs in the frontiers of this province will give me Leave. I confide much in your care."

The Lt. Go' & Councill are of opinion that att present there is none, for the people doe submit to their maties government under his Excelly & the Lt. Go', and are generallie Quiet under the same; And their care that it may so Continue will not be wanting.

To the 3d, viz: "I wold have you send me a Copie of the proceedings of that speciall Court of Oyer & Terminer, with all the several evidences that were given upon triall ag' the murderer who is putt to death."

Ordered That the seerie who was Clark to that triall, draw out a fair Copie yrof, & of the depositins of the several evidences, & Transmit the same to his Excelly.

To the 4th, viz: "I desire your care in Causin the penny in the pound to be duly collected, and if any of the Representatives of Assembly be backwards, Let me know their names and Residence."

The Laying of the same, Appointing assessors, Collectors, and the bringing in the names of the Inhabitants, does go on with as much expeditn as may be in all the six Counties, and if anie persons concerned shall be found backwards or negligent to assist in making the same, ordered that their names & residence be transmitted to his Excelly, and that all possible care be taken to supplie that defect by all Lawfull means.

To the 5th, viz: "It is my earnest desire that you take care to suppress all faction, heats and animosities, and that by such prudent methods and wayes as may most Contribute to the compassing the end."

Resolved, that as it hath been, so it shall be the Lt. Go" and Councill's care to suppress the same, and the discontents seem rather to decrease than Increase.

To the sixt, viz: "I wold have you from time to time to give me a particular acco' of all publikk occurrences in the government, who, or what, doth obstruct its peace & quiet, and what will most advance the benefit yrof."

Resolved that his Excellies desire therin be dudie answered.

To the 7th, viz: "You know there is no Revenue fixed for support of y' maties governmen'; How my time & patience was wasted the Last assembly to no purpose. I doe now desire yo' advice in the
"calling of an assembly, if it may be Convenient, this fall, & that you "doe use yo' Interests to procure such Representatives as may be best "affected to their maties governmen'."

This having been thorowlie debated, It is the Lt. Go' & Councill's opinion, That in regard that it's now the high time of rating the tax Land by the Last assembly, It was not convenient to make anie Conclusion. But Resolved, that when the rates are Laid and brought in, That this debate be Reassumed; Unless his Excellly will be pleased to give the Lt. Go' & Councill his reasons for having an assembly this fall, which then shall be debated and resolved upon.

Thereafter the whole Councill present Unanimouslie requested that the Lt. Go' wold be pleased to write in his owne & their names a Letter of thanks to his Excell. for his sd Letter & care of ym & the province, & y'in to assure him of their loyaltie to their maties, of their obedience to their governm', of their good affections to his Excelly, and their heartie inclinaons to maintain, promote & advance all their just interests, & of y' care & diligence to discharge the trust reposed in ym, though not after the strict rules & methods required of persons of better education, experience & Learning; yet after the generall rules of Comon Justice, which they earnestlie beseech his Excelly to accept of.

Charles Butler's petition ag' David Lloyd (from the preceeding Councill referred to this) was read, setting forth: That when the sd David Lloyd was Clark of ye provinciall Court Held the 24th 7ber 1691, The petitionor was indicted for uttering & paying away several pieces of false monie, of false mixt metall, to the Likenes of spanish Cyn, called peices of eight, wch hee sometime before made or Coyned in the Countie aforesaid, Intending craftilie, falslie, deceitfullie & traitourouslie, to defraud the king & his people, (wtout anie authority or Licence from the King & Queen to him given;) Contrary to the Laws in such case made & provided: And also, setting forth that the sd David Lloyd did add to the pettie Juriees veredict ag' the petitioner, (&c.) which the Jurie apprehending & reproving, demanded up their veredict again, (with consent of the bench,) and went forth again, & agreed on & wrote down their veredict again in the former words, as before they had done, viz: Philadelphia the 26th of y'7th mo., 1691. "Wee of the Jurie doe find Charles Butler guiltie of dispersing bad monie." Unto which the sd David Lloyd after that added, (&c.) whereby yor petitioner had sentence of misprison of Treason pronounced ag' him, viz: That he shall forfeit his goods and chattells forever, and the profitts of his Land during his Life, and be Imprisoned during his Life. And therefor, Requesting Releife.

The said David Lloyd appearing, made ansr. That hee added nothing to the verdict, and that the Records wch yrin has the, (&c.) added to their veredict, was made up after sentence past on the petitioner, & that the, (&c.) in the record to the veredict, was for forms sake, and yrfore could not be the caus of the sentence.

Upon full debate hereof, the sd Complaint was found to have matter of Law in it ag' David Lloyd, not cognizable by the Lt. Go' & Councill;
yet thought the sentence of misprision of Treason verie severe ag' y' petition', for being only found guilty of dispersing bad money. The Councill therfore desired his Excellencie, or in his absence the Livet. Governo', on the petitioner's application to grant him a pardon.

Upon the Complaint of Magister Jacobus Fabricius, the sweeds minister, That being blind, he was reduced to that povertie that hee had not wherupon to Live,

Ordered, That the Church-wardens of their Church, have notice to appear att Councill the fiftteenth instant, to make answr to the said complaint.

In answer to the petition of the inhabitants of Cheltenham-Townshipp, to the Lt. Go' & Councill, y^e 27th June, 1693; And of the Inhabitants of second Dublin townshipp, the 1st August instant, both requesting the Confirmaton of their roads from the sd respective townships to philadelphia,

Resolved, that the Comon road from Cheltenham townshipp to German townshipp, & from Cheltenham Townshipp to philadelphia, and from 2d dublin townshipp to philadelphia, (commonlie called Walter King's road) be & are hereby confirmed to be the high and Comon roads, provided they have been such for foure years Last past; And that the said Cheltenham road extend up into the Country to peter Chamber-Lains; And that the overseers of the Highwayes clear the said roads according to the methods prescribed by Law.

Upon the petition of philip England, setting forth that he hath a Licence for the ferrie att Skuillkill & Ordinarie there, on a place right ag' the High.street on Skuillkill side, from the proprietor, & another from his Excell. Benj^e Fletcher, &c., confirming the same on the conditions yerin express, and that he hath a grant from the Comrs of the proprietor's property of a Leass for the sd ferrie for ten years, or untill the proprietor should otherwise order, with 12 acres of Land on the west side of the sd ferrie, and ten acres on the east side yrof, as Land to the sd ferrie belonging, att 7l. p annum, to commence from the first of March next. And yrfor, Requesting the Lt. Gor. & Councill to grant to y^e pet' the sd Leass, under their hands & seals, on the terms above mentioned, & ansrable to the sd grant from the Comrs to yor pe', & yerin to ord' to whom the sd rent should be yearlie payable for the proprietor's use; yo' pe' behaving himself as hee ought to doe in the capacitie of a keeper of the ferrie in that place.

Resolved, That the Lt. Go'(by reason that there are no Quorum of the proprietor's Comrs that will act in yr capacitie,) grant to the petitioner the sd Leass, under his hand & Seal, on the terms above written, & ansrable to the Comrs sd grant to the pe', dated 24th June, 1693; and that the sd rent be made payable to Rob' Turner, for the proprs use; The per. behaving himself as he ought to doe in the Capcitie of a ferry-keeper in the said place.

John Cann, Esq', a member of Council, having Complained to the Lt. Go' & Council, that John White, Late Clerk of Newcastle Countie, had carryed away out of the sd Countie the Records of patents, deeds & Lands, & the records of the probats of wills, & several
papers, bonds and Inventories yrto belonging, which they had wanted for some years past, to the great prejudice of their Countie, Orphans and others, Requesting releife.

John White Having been sent for, appeared & made ansr that hee delivered all papers and records to his principall, Thomas Lloyd, and that he had none of them.

Resolved, That John Cann & Wm. Salway, Esq", goe to said Thomas Lloyd and demand of him all Records & papers of all the offices hee formerlie had relating to the Countie of Newcastle, philadelphia, and all other the Counties of the province.

They on their Returned Reported, That hee ansred That hee wold send to the Lt. Go' the two books relating to Newcastle Countie; But for the books relating to the other Counties, hee wold Discourse the Livet. Governor about them.

Upon the petition of the Inhabitants of Chester Countie to the Lt. Go' & Councill, To adjust the bounds of the sd County from the County of Newcastle, Referred from the Councill, June 27th, to this.

After full debate of the said matter, Resolved, That, (for the present Conveniencie of the government, and not for an absolute and finall proprietarie division, but that the Inhabitants on the borders of both Counties may know to which of the two to pay their Leavies, taxes, &c., and performe their other Countie services,) The bounds of New castle Countie shall extend Northward to the mouth of Naman's creek, and upwards along the South-west side of the northernmost branch, (excluding the Townships of Concord & Bethell,) and not to extend backwards of the said northernmost branch, above the sd two townships.

The Debate concerning the establishing of the place of the markett of philadelphia (referred from the Councill of Sixt of June Last to this) being Reassumed & now thorowly debated, (for the Conveniencie of all the Inhabitants of philadelphia,) as also the regulaon and fees thereof answerable to the present Circumstances of the Town and Countrie.

[The Markett of Philadelphia.]

The Livet. Go' did put it to the vote, Whether the markett should remain in the place where it now stands, on the west side of delaware front street, within the High street. It was carried in the negative, nemine contradicente.

The Livet. Go' did put it to the Vote, Whether the markett should be held att markett Hill, in Delaware front street. It was carried in the negative.

The Livet. Go' did put it to the vote, Whether the markett should be placed where the Second street crosses the High street. It was carried in the affirmative. But in respect that the said place could not be forthwith staked outt, & the bounds & extent of the markett place there ascertained, It was unanimouslie

Resolved, that after the 12th instant, the markett & stalls be for the present removed to markett-hill, & be there keept untill such time onley,
and no Longer, as the Lt. Gor. shall cause the place wher the second street crosses the High-street, to be staked out for the markett place, & till a Bell-house be built & erected, & the bell hung in the sd place, and that notice yrof be given to all persons concerned, by the clark of the markett.

Robert Turner, Esq', treasurer of the sd province, Having requested the Lt. Go' & Council to establish what sum In° Claypoole, Sheriff, shall have for the moneys hee shall pay to him as Treasurer,

Resolved, that hee allow the sd In° Claypoole 12d p pound.

[29th August, 1693.

Att a Councill Held att philadelphia on Tuesday the 29th of August, 1693.

PRESENT:

WILLIAM MARKHAM, Esq', Leiv' Governo'.

Andrew Robeson, Esq'.

Robert Turner, Esq'.

William Salway, Esq'.

Pat. Robinson, Secry.

Upon the petition of the Inhabitants in and about the Townshipp of South-hampton, Requesting the King's road already Laid outt from the falls to South-Hampton, to be Laid outt & continued from South-hampton to philadelphia, by the Surveyor generll, with the assistance of the neighborhood, and that the same may be confirmed to be the King's road,

Ordered, That a warrt from the Lt. Go' be directed to the surveyor generll, to Lay outt the king's road from South-Hampton to Henry Waddie's plantaon, where it may fall into the king's old road, to the great advantage of the Inhabitants: provided it be Laid outt att the p'er's charge, and that a Return yrof be made into the Secrie's office, in order to a finall confirmamon of the same.

Upon the petition of the Inhabitants of the first dublin Townshipp, Requesting a Continuation & Confirmamon to the sd townshipp of a ten year old road to Walter forest's mill,

Ordered, That warrt from the Lt. Go' be directed to the Surveyor generll, to Lay outt the road desired to be continued & confirmed: provided it be Laid outt att the p'er's charge, & y' a return yrof be made into the secrie's office, In order to a finall Confirmation of the same.

Upon the petition of the Inhabitants of Oxford townshipp, desiring the Lt. Go' & Councill not to confirm the High road granted to the Inhabitants of 2d dublin Townshipp, from thence to philadelphia, upon the 8th and 9th instant,

The Lt. Go' & Councill did not think it reasonable to grant their Request, and therfore, Resolved, That for a further Confirmamon of the sd road from 2d dublin townshipp to philadelphia, a warrt from the Lt. Gor. &c., be directed to the surveyor generll, to Lay outt the sd
road from 2d dublin townshipp to philadelphia: provided, it be Laid outt att the p'er's charge; And that a Return yrof be made to the Secrie's office, in ordr to a finall confirmaon of y' same. And as to the other road mentned in their petition, through Oxford to francford, when they Request the Laying of it outt for a publick road, It shall be then further considred.

[19th Septembr, 1693.
Att a Councill Held att philadelphia on 19th day of 7br., 1693.

PRESENT:
WILLIAM MARKHAM, Esq', Livet. Governo'.
Robert Turner, Esq'.
Wm. Salway, Esq'.
Lawrence Cock, Esq'.
pat. Robinson, Scory.

THe Livet. Go' Having produced a Lett' from John Miller, the minister of Newyork, directed to him, dated 18th August, 1693, which came to his hands the 4th instant, Containing enclosed severall copies of a printed Breife, granted by His Excell. Benjamin Fletcher, &c., by & with the advice of the Council of Newyork, to warmer wesells, Antie Christians, & others, the friends of Cornelius Christians, peter Wessels, Bartholomew Rowston, John Crage, & Wm. Green, Late of Newyork, mariners, & now Captives in Algiers, (by reason y't their relaons are not able to redeem ym,) To ask & receive the charitie of all Christian people undr his Excellys. governmr', for their redemption: As also, severall Lres to se' all places & persons in pennsilvania relating yrto: And yrfore, desiring the Lt. Governor's assistance yrin, and y' he wold promote it as much as he can, and to cause distribute the said Brieses and Letters.

And since, by reason of the sicklie time, the Lt. Go' could not have a full Council, and being Unwilling to deferr the consideraon of the affair anie Longer, did Communicate the same to this board, and after the said Lettr & Brieſe wer read, desired the advice and opinion of the Council yrin, Who, though they declared ymnselves willing to exercise their charitie towards such Captives, Yet upon debate, were of opinion, THat they having no command nor advice from his Excellency concerning it, and the brieſe being granted by his Excelly, by & with the advice of the Council of Newyork only, and that it had no relation to this province, & did threfore Humbles conceive THat they ought not to be distributed.

Ordered, That the secrie write to the assessors of the receive six Counties, to Transmitt to the Lt. Go' & Councilly, by the 3d of 7br. next, a true Copie of the assessment of the penny in the pound, with the names of each person, and how much they are rated, Signed by the assessors, as the originalls are.

Ordered, That hee also write to the severall members of Councilly that they be present att a full council, the 3d of October next.
MINUTES OF THE

Upon reading the petition of Philip England ag' Wm. Powell & Nathaniell Mullinax, It was referred to the Consideraon of the next full Council, And in the meane time, that they, by an ord' from the Secrie, be summoned to be then present, to answer to the petitioner's charge ag' them.

[23d Septembr, 1693.
Att a Councill Held att philadelphia the 23d day of September, 1693

PRESENT:
WILLIAM MARKHAM, Esq. Lievtenant Governo'.
Andrew Robeson, Robert Turner, John Cann,


Foure of the provinciell Judges, viz: Andrew Robeson, Wm. Salway, John Cann, Edward Bleake, Constituted by his Excellie Benjamin Fletcher, the Chief Governor, Commission dated the 29th of May Last, brought their Commission to this board, advising that the same was dated before the Law was past that did appoint there should be five provinciell Judges, and that it was not in such forme as answered the Law, And not having time befor the day appointed by Law for their sitting, Requested the Liev. Governo' to grant them a Commission which might answer the intent of the Law, which by the advice and Consent of the whole board, was ordered to be done, and was done accordingli.

[1st Octob 1693.
Att a Councill Held att philadelphia the 1st day of October, 1693.

PRESENT:
WILLIAM MARKHAM, Esq' Levt. Governo'.
Andrew Robeson, Robert Turner, John Cann,

Wm. Salway, Lacey Cock,

The Lievt. Governo' produced to the Councill a Letter which hee had received from his Excelly Benjamin Fletcher, the Chief Governo', wherin hee ordered him to summons a Council, which was then Convened accordingli. The Letter having been read, was in these words:

SIR, I have appointed the first Wednesday in October next for the meeting of Commissioners from all the neighbouring Colonies and provinces, att New york, to Concerte and agree upon a Quota of men and money for the defence of the fronteers. You have seen their maties Commands to mee as Govern' of pennsilvania for that purpose. You are therefore togett the Councill, or a Quorum, together, to Consider of a fitt person for pennsilvania & the Countrie of new Castle. Signed Benj' Fletcher, dated att fort William Henry; the 23 7br, 1693.
Upon which the board having debated, and then Unanimously resolved that Wm. Salway, esq'r. should be the person for this province and Countries, to treat with the Comrs. of the neighboring Colonies appointed to meet att New York, Concerning a Quota of men & monies for the defence of the frontiers, according to her maties Letters to his Excellie the Chief Governo', and the Lietv. Governo' is desired to Commissions for that service, & to give him such Credit as is requisit thereto, which was accordinglie done.

Ordered, that the sd Wm. Salway have for the defraying of his charge Twentie shillings per diem, and that Rob' Turner, Esq'r. treasurier, pay the same to him, and that hee reimburse himself out of the next tax to be collected, and that hee pay him downe Seaven pounds; & that the Lietv. Governor give an order for the same.

[Regulation of Market.

It was this day, by the Lietv. Governor, with the advice of the Councille, agreed, That the Regulaion of the market of philadelphia should be as follows; Viz:

1o That the place for the market be in the High-street, wher the second street Crosses it and in no other place.

2o That the market be kept there two dayes in the week weeklie, viz: Wednesday and Saturday.

3o That all sorts of provisions brought to this town for sale, viz: flesh, fish, tame fowll, butter, eggs, cheese, herbs, fruits & roots, &c. be sold in the aforesaid market-place; And in case anie of the aforesd provisions should come to the town of philadelphia on other dayes that are not market dayes, yet that they be sold in the market, under the same Circumstances, regulaons & forfeitures as upon the dayes on which the market is appointed; and in Case anie of the sd provisions be exposed to sale in anie other place in this town than the sd marke, they shall be forfeited, the one half to the poor of philadelphia, the other half to the Clark of the market.

4o. That the market begin and be opened att the ringing of the bell, which shall be rung from the first day of the 24 mo of Aprill, to the first day of 7ber., between the hours of six & seven, and from the first day of 7ber. to the first day of Aprill, between the hours of eight & nine, and in case anie of the aforesd provisions, or anie sort of markeeting be sold (flesh excepted) befor the ringing of the bell, unless it be for his Excellie the Governo' in Chief, or Lietv' Governo', the same shall be forfeited, one half to the poor, the other half to the Clerk of the market.

5o. That no person cheapen or buy anie of the aforesaid provisions by the way as it comes to the market, upon forfeiture of the same, besides the forfeiture of six shillings, both to the buyer & seller, one half to the poor, the other half to the Clark of the market.

6o. That no Hucksters (or persons that sell again) shall buy or cheapen anie of the forementioned provisions until it hath been two hours in the market after the ringing of the bell, upon forfeiture of the same & six shillings, one half to the poore, and the other half to the clerk of the market.
MINUTES OF THE

7°. That the Clark of the markett shall and may receive for all Cattle killed for the market, six pence p head; for everie sheepe, Calf or Lamb, Two pence per head; for everie hogg or shoat brought to the markett, or cutt out for sale there, three pence; and that nothing shall be paid for what the countrie people bring to town readie killed.

8°. That the Clark of the markett shall & may receive for sealing of weights & measures one pennie for each, great & small.

Lastlie. That all persons Concerned shall duelie pay to the Clark of the markett the several Rates, fees & forfeitures aforesaid, & that hee shall from time to time deliver to the overseers of the poore their parts therof; and that all Justices of the peace, sheriffs, Constables, and other officers, be aiding and assisting to him in the execution of his office. Given att philadelphia, the first day of October, 1693.

[24 Octobr, 1693.
At a Councill Held att philadelphia the 24th day of October, 1693.

PRESENT:
WM. MARKHAM, Esq', Leivt. Governo'.
Andrew Robeson, * Esq". Wm. Salway, * Esq".
Robert Turner, Lacey Cock, *

Wm. Salway, esq', who was appointed Com't, for the province, &c. to meet the Comrs. of the neighboring Colonies att Newyork, to Concert and agree upon a Quota of men & monie, &c., gave in to this board an acco' of his proceedings, which was read and unanimously approved of, viz:

NEW YORK, Wednesday the 4th of 8br., 1693.

Pursuant to her matie's Commands, att the request and appointment of his excellie Bcnj Fletcher, Governo' & Capt. generall of Newyork, &c., to the revixe Governors of Virginia, Maryland, pennsilvania, New england, Connecticut & Roadisland, desiring them rexivlie to Commissionate and depute persons to meet here the first Wednesday of this instant October, to Concerte and agree together upon a Quota of men, or other assistance, to be given by each Colonie or province for the defence of New york, as occasion may require the same, Appeared Miles Cary, gentl., deputed from the government of Virginia; Wm. Salway, esq', deputed from pennsilvania; and Wm. pitkin, Esq', deputed from Connecticut; & appointed to meet to-morrow morning.

THURSDAY, October the 5th, 1693.
The above named Comrs. being mett, James graham, esq', appeared, deputed from his excellie the Governo' of Newyork, requiring
him to Lay before us the true and perfect state of this province, together with the great charge they have been Latelie att in securing the fronteers att Albany, from the attempts of the French. And also, to Lay down an estimate of the annuall charge that the sd fronteers may require for securing the same for the future: Wherupon they adjourned till friday att nine a Clock.

FRIDAY, October 6', 1693.

The Com" being mett, Having before them the charge this province has been Latelie att in defending Albanie, its fronteers, & the estimate of the annuall charge for securing the same for the future, fell upon the Consideraon of pursuing her most gratious Matie’s Comands in agreeing upon a Quota of men, or other assistance to be given by the rexive governments of Virginia, Maryland, pennsylvania, Connecticut, New england, & Road island, And their being a failure, no persons appearing from the governments of Maryland, New england, & Road island, are of opinion that the sd Quota of men, or other assistance to be given, as aforesaid, Cannot be agreed on for want of persons deputed from the said governments, and doe accorginglie humble represent the same to his Excellie the Governor, with the assurance of the readines of their rexive governments to pursue her sacred Matie’s Commands in giving such aid & assistance, in men or otherwise, for the securitie of this province from the attempts of the French or Indians, as the Condition of the rexive plantaon shall permit.

MILES CARY,
WILLIAM PITKIN,
WM. SALWAY.

Ordered, That the sd Wm. Salway be paid the remaind’ of his travelling charges allowed him by order of this board the first instant, viz: Twenty shillings per diem, Hee having been outt ten dayes; and for his Loss of time and service, six pounds; and that it be paid outt of their matie’s moiety of the pennie pe pound tax.

Charles pickering, in behalf of the widdow Wynne, having preferred a petion to the Leivt. Governor and Councill, setting forth that her Husband, Thomas Wynne, Late of Sussex Countie, deceased, had been Sumoned to the Court of New Castle, to ans’ the Complaint of Adam Short and others, But falling sick, dyed 3 or 4 hours befor Judgm’ past ag’ him att the said Court, and that the orinnall proces ag’ her husband was by a wrong name, and therfore requested that the execuon be stopt, and that the petionr have a fair tryall.

After debate upon this matter, and production of the Copie of the records of the Court of New castle, und’ the Clark’s hand, wherein the petitioner’s husband was written Thomas Guin, (but his true siren name was Wynne,) Resolved, that the whole tryall be referred to the next provinciall Court to be held for Sussex Countie, & that in the meantime execuon be suspended.
MINUTES OF THE

[9th Decemb', 1693.
Att a Councell Held att philadelphia the 9th of December, 1693.

PRESENT:

WILLIAM MARKHAM, Esq'., Leivt. Governo'.

Andrew Robeson, Esq'.
Robert Turner, Esq'.
Pat. Robinson, Secrie.

John Chaffin, M* of the Barque pearl, now ryding att anchor before philadelphia, having preferred a petition to the Leivt Governo' & Councill, setting forth that ther is a suite depending between Jasper yeates, pltf. & the petition', in the Court of Comon pleas, & that he had waited on the sd Court for 3 dayes, but could not come to tryall, and that hee is informed by the Justices that by reason of the Limitaon of their Comission, they cannot anie longer hold the sd Court, and the petition' being on a dispatch of his vessell before the frost shut up the river, Therfore Requested the Leivt Governo' & Councill to take the emergencie of this Case into consideration, & to appoint such speedie remedy as the occasion requires; And the Justices having sitt 3 dayes upon actions commenced before this, & they thinking it unsafe to act contrarie to his Excellie's Comission, which Limitts their sitting to 3 dayes & no longer; And the Leivt. Governo' having read to the Councell the 3d article of his instructions from his Excellie, which prohibited him to act with a Quorum less than 5 members, except in Case of necessitie, the Leivt. Governo' and Council Concluded this to be such; And upon examinaon of the Justices' Comission, which was dated the first day of May Last, It was found to Limit them to sitt 3 dayes & no longer, And it being compared with the Law published the 3d of June, 1693, which ordered the Countie Courts to be held and keept Quarterlie, and often if occasion be,

It was Resolved, That the Lievt. Governo' should make such an Indorsement upon the back of his Excellies Comission to the Justices, that it might therby answer the end of the Law, which was done in these words:

pennsilvania, ye 9th of December, 1693. WM. MARKHAM, Esq'. Leivt. Governo' of the province of pennsilvania, &c., by authoritie derived to me from his Excellie, with the advice of the Councill, doe (notwithstanding the Limitaon of the within Comission to 3 dayes and no Longer) hereby authorize you, the Justices within named, to keep yo' Courts quarterlie, and often if occasion be, according to the Late Law.

WM. MARKHAM, Scal.

---

[10th Decembr', 1693.
Att a Councell Held att philadelphia the 19th of December, 1693.

PRESENT:

WM. MARKHAM, Esq'. Lievt. Governo'.

Andrew Robeson, Esq'.
Robert Turner, Esq'.
Wm. Salway, Esq'.
Lacey Cock, Esq'.
Pat. Robinson, Secry.
His Excellies Lett' directed to the Lievt. Governo' & Councill, dated 7th decemb' instant, was deliberatlie read; After which the Lievt. Governo' said, that it was absolutlie necessarie that the governm' should be Supported, & that the method proposed by his Excellie in the said Letter, was the most easie way to accomplish it; And therfore, earnestlie Requested the members of Councill, according to the rexive influence that each of them had on the people of the severall ranks and condions in the severall Counties, that they wold use their outmost endeavours before & att the elections, to persuade and advise the people to choose such representatives as may answer ther majesties & his Excellies Just expectations; for said hee, Wee have all some influence, some more some Less; And you that can give reasons to the people, & can resolve their doubts, It is your dutie to do it; and you must all use the best methods & your outmost interest for that end: for my part I shall not be wanting, as I am able. The Councill ansred that they wold doe their endeavour.

As to the Collusion in the assessment in his Excellies Letter mentioned, and his Excellies desire to have it rectified, & to know the state and amount of that affair, It was ansred by the Lievt. Governo', That hee and the Councill having formerlie heard of the assessors of Chester Countie, Their underrating the people, did write to them, and thereafter they somewhat rectified it; And the Secrie told ym that by ord' of the Lievt. Governo' and Councill, dated the 19th 7br, 1693, hee wrote to the representatives & assessors of all the six Counties, to send in their rates to the Lievt. Governo', but had received none but from kent, philadelphia & Bucks; and Robert Turner, esq'. said that hee had wrote to Bucks and Chester about the same.

Ordered, That the state and amount of the rate of each Countie be sent to his Excellencie, and the Lievt. Governo'said that he wold write to ym that had not sent in their rates, That they should send them in Speedilie, att their outmost perrill: Which Letters were that day writ by the Secrie, signed by the Lievt. Governo', and sent by the Secrie to each of the deficient Counties.

Upon the petion of the Inhabitants of Radnor, requesting a road to be Laid outt from the upper part of the sd. townshipp of Radnor unto marion ford; And of Andrew Robeson & Lawrence Cock, Esq'., Requesting a confirmaon of the road that now is from marionford to philadelphia, and that it come into the third street in the sd towne,

Ordered, That a warrant from the Leiv' Governor be directed to the Surveyo' generall, to Lay outtt the roads desired, and that the same may be Confirmed accordinglie, and that a return therof be made into the Secrie's office, in order to a finall Confirmaon of the same.

[Information ag' Ann Le Tort.]

Thomas Jenner and polycarpus Rose exhibited to the Leivt. Governo' & Councill the informaon following, viz: The informaon of Thomas Jenner & polycarpus Rose, concerning some passages & discourses that hath been betwixt the french people here & some of the pennsylvania Indians:

1°. The Informant, polycarpus Rose, saith; That about 5 weeks
since, this informant having some discourse with a certain Indian king called Hic quoqueen, The said Indian resented the unkindness of the English to the Indians here; and further said, that they were not like to hold the Land much longer; for that they were not satisfied for it; and that the French told him that it wold not be long ere they wold buy their Land of them again, for the English had but borrowed it, and that they could not be so kind to them because of the English; and this was particularie told him by Peter Bassillion and madam Le Tort.

2°. The informants, Thomas Jenner and polycarpus Rose, say that about a month since they were in Compa. with Benj Clift, att Zechariah Whitpain's plantaun, wher the said Clift said, that one Thomas Graves & hee being together, The Indians up Delaware told him that the French wold come in the spring of the year and burn the English, and take the Countrie for ymselves.

3°. Peter Yokum also told ym, that since the Letters that the Indian woman discovered about a year agoe, ther hath been strange Indians come to Letort's plantaun, & sent away again, and gave no acco' to the Indian king from whence they came or whether they went; Peter Yokum saith that severall Indians told him so, viz: Shakhuppo, Kyentarrah's wife, Olemoon's wife.

4°. They further say, That upon the 9th of Decemb', 1693, They ryding by the house of madam Le Tort, polycarpus asked her hou shee did. Shee anssred, where have you been. Hee said, att Peter Yokum's. Shee said, ther was no path for sweads or English rogues there, for no English Rogue nor sweat should come on her ground; and run in a furie with a horse whipp & whippt polycarpus, and called for Lewis to help her, a french Canada prisoner taken by o' Indians, and these informants and mounce Yokum wer forced to ryde away, for fear they should have been shott, but saw no gunn.

5°. Polycarpus Rose saith, That about a year since ther was a packet of Letters sent from philadelphia from peter Basilion, Capt. Dubrois & madam Letort, to the strange Indians called Shalnaroones, Sealed up in a blue Linnen cloath, & was left att James Standfield's plantaun by Richard Basilion's Servant, who then run away, and the Letters being there 3 dayes, James, the Frenchman, Came & carayed ym away, who then belonged to the persons abovesaid.

Signed, THOMAS JENNER,
POLYCARPUS, P. C. ROSE, his mark.

Dated the 12th decemb', 1692.

Polycarpus Rose having sworn to the first article; Thomas Jenner having attested, & Polycarpus Rose sworn to the 2d article; Polycarpus Rose & Peter Yokum having sworn, & Thomas Jenner having attested to the 3d article; Polycarpus Rose having sworn, & Thomas Jenner having attested to the 4th article; And Polycarpus Rose having sworn to the Last article of the sd Informaun,

It was ordered, that the sd Ann Le Tort appear att this board the 29th instant, & that Cap't Dubrois and Peter Bisalion, when they return from the Lower Counties, be sent for by a warr'd to appear as above,
to ansr to the said Complaint; And y' the Indian king, Hicquoqueen, be sent for, Shakhuppo, kyantar'o's wife, Olemeon's wife, mounce Yokum, & Lewis, the French Canada prison', also Benj' Clift & Thomas graves; and y' Capt. Cock take care to give ym notice hereof.

[29th Decemb', 1693.
The Leivt. Governo' & Lacy Cock onlie present, Ann Le Tort appeared, in obedience to the or'd of Councill, & was readie to ansr to y' sd informaon, but none of the informers nor witneses appearing, shee humblie desired that shee might not be again sent for till the extreme of the weather was over, shee having no person att home, remote in the woods, to be att her house in her absence.

---

PROVINCE OF PENNSILVANIA, AND COUTREY OF NEW-CASTLE.

Minutes of Council in the Assembly, Anno R. Ret. Ræ Willielmi et Marie Angliæ, &c., Quinto.

[15th May, 1693.
Att a Councill Held at philadelphia On a Moonday the 15th of May, 1693.

PRESENT:
His. Excell. BENJAMIN FLETCHER, &c.
WILLIAM MARKHAM, Esq', Livet. Governo'.
Andrew Robeson, Robert Turner, Pat. Robinson,
{ Esq". Esq". } Wm. Salway, Wm. Clark,
Lawrence Cock,

The persons Returned for Representatives being in number Twenty, viz: foure for the County of philadelphia, three for the County of Bucks, three for the County of Chester, foure for the Countie of New castle, three for the County of Kent, & three for the Countie of Sussex, came to wait upon his Excell. in Council, and wer admitted.
Six of them took the oaths appointed by act of parliament to be taken instead of the oaths of allegiance & Supremacie, & subscribed the test; the other fourteen did Subscribe the declaraon of fidelitie, profession of the Christian faith, and Test.
After which His Excellency did speak to them as followeth, viz:

Gentlemen: Before you goe to the Choice of your Speaker, I think it Convenient to Let you see by what authoritie you are Convened: my reason is, because I observed some commissioned by your proprietor did withdraw themselves at the publishing of their Maties' Commission; others have refused to act under that power, and manie of you wer absent att that time.

Then the Clark, by his Excellency's order, did read the Commissions, Upon which his Excellency Continued to say:

Gentlemen: You see by the Clauses of these two patents relating to Assemblies, that you are all obliged, before you can be qualified to sitt, to take these oaths prescribed by Law. Yet I have some Latitude in my Instructions, which enables me to admit such to act in the government as for Conscience sake refuse an oath, and are yet willing to make their protestation and subscribe the Test, &c.

It has ever been my endeavour & desire to act soe as that all people under my care might be in Love with their maties' governm' & Laws, and am therfor willing to allow such to sitt in this house of representatives, as are chosen by the freeholders of the revive Counties, who not being free to take an oath, are willing to perform the other obligations: provided this be entred in the Journalls of your house as an act of grace from their majesties, and not taken as a president.

Gentlemen: I must add, If there be anie amongst you who doe not take an oath, whom you cannot own as members of yo' Comunion, but may, under that pretence, shelter themselves from what the Law requires, pray Let me know them, otherwise you will bring a blemish upon yo'selves by Countenancing Hypocrites. And in this matter I expect you will be plain, and answer for such men, if anie there be, who for private ends put on a false dress.

And I desire you to provide a Clark to keep the Journalls of your votes and other proceedings; That you cause him particularlie to enter in his book, That your being admitted to sitt upon Subscriptions without an oath, is an act of grace, and not to be insisted on as a right, and for the future taken in president.

Your Clarke must also take care to give me a Copie of everie daye's votes and Minutes the night following.

Then bid them withdraw to some Convenient place & choose their Speaker, whom he wold be readie to see morrow morning.

Adjourned till Nine a Clock morrow morning.
PROVINCIAL COUNCIL.

[16th May, 1693.
Att a Councill Held att philadelphia on Tuesday the 16th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

Wm. Markham, Esq', Livet. Governo'.

Andrew Robeson,
Robert Turner,
Pat. Robinson,
Wm. Sulway,

\[\text{Esq'}.\]

Lawrence Cock,
John Cann,
Wm. Clarke,

\[\text{Esq'}.\]

The Governo' & Councill being mett, Joseph Growdon, accompanied by the whole number of Representatives for the province of pennsylvania, &c. presented himself to his Excell. Acquainting his Excell. that the Representatives here present had made Choice of him for their Speaker; That it was a great Charge & trust, & more then he Could Conceive himself capable of; Therfor moved that his Excell. wold Command the representatives to return to their house & choose some fitter person.

His Excell. made ans': Sir, The Latter part of yo' speech proceeds from yo' modestie. You are their Speaker, and gentl. I doe approve of yo' Choice. I have had a good character of you, Sir, and if I had been to Choose a Speaker from amongst y' representatives returned for this occasion, I had pitched upon you as best qualified.

Then his Excell. addressing to the speaker & Representatives, Said: I have sundrie things to offerr to yo' Consideraon, But shall only insist upon two att present.

1st. You know that governm', if it be not supported, becomes precarious, void, & ends in nothing.

2nd. Gentl., Here is a Lett' directed to me as Go' of this province, from her Matie, qrof you shall have a Copie. The province of New York has been a long time burdened with a troublesome warr, (if it may be called a warr, for Indeed the French and Indians in Canada are a pittiefull enemie, if they could be brought to fight fairlie, but the wood, swamps and bushes gives them the opportunity of vexing us.) You will see by this Letter their maties' Comands, and what is expected from you towards the assistance of that province.

Gentl., If ther be anie amongst you that Scruple the giving of money to support warr, ther are a great manie other charges in that governm', for the support yrof, as officers Sallaries & other Charges, that amount to a Considerable sum: Your money shall be converted to these uses, & shall not be dipt in blood. The monie raised there for the support of the governm' shall be imployed for the defence of the fronteers which doe give you protection.

I wold have you Consider the walls about yo' gardens & orchards; yo' doors & Locks of yo' houses; Mastiff doggs & such other things as you make use of to defend yo' goods & propriety ag' theves & robbers are the same Courses that their maties take for their forts,
garrisons & Souldiers, &c. to secure their kingdoms & provinces, & you as well as the rest of their subjects. I speake the more to this matter because I have their maties' Command, which Lyes now here before you.

And gentl., If you will propose anie thing for yo'selves, whether the Confirmation of former Laws or other new Laws, for the advantage and benefit of the people whom you represent, provided they doe not derogate from, or doe not appear in opposition to the Laws of England, you shall find my reade Concurrence.

I hope you will Consider to satsisfe their Maties' just demands and expectations. Time is of great value to me. Their maties' affairs call me to the fronteers; therfore desire you speedie dispatch of what is before you. You may return into your house and Consider therof.

M' Speaker said: I have something to offer to thee, Governo', on behalf of the representatives.

His Excell. asked: how could that be, befor you are a house, You being just now presented to me for Speaker; How could you have anie time for debates, unless you had had some private Consults before you wer a House.

M' Speaker ansered, That what hee had to offer was an omission of what hee proposed to say formerlie, and introductory to their bussi- nes, in ordr to their dispatch.

His Excell. bid him say on.

Then M' Speaker desired that they might have free access to his Excell. person, a favourable construction put upon their words, & be free from arrests, with the other priviledges of an Assembly.

His Excell. made ans': You have all the priviledges of a house, But I must again mind you to provide a Clark to keep a Journall of yo' votes and proceedings, & I doe expect Hee shall everie night, during your sessions, Let me have a Copie of the votes of yo' house the preceding day. I wish you to Consider their maties' service, your ownc saffice, & the prosperitie of the province; which on my part shall be allways rigorously endeavoured.

M' Speaker Replyed, They had provided a Clark. Then returned his Excell. thanks, and withdrew with the Representatives to their House.

His Excell. sent to Inquire of the Speaker, if hee believed their house wold have any thing to offer to his Excell. and Councell this forenoon.

The Speaker sent in ans', that hee did not know, & desired by the same messenger to have a Copie of his Excell. Comission, so farr as concerneth the power of assemblies; Which his Excell. Caused to be copied out of the Original by the Secrie, and sent unto them.

The messenger returning, told his Excell. that the Speaker told him hee believed they wold want a Copie of the whole, and that some of the representatives desired to see the original.

His Excell. sent the same person to tell ym that they should have a Copie of the whole to-morrow morning; And if M' Speaker wanted
to peruse the originall in the meantime, It will be granted: provided, the person his Excell. sends it by be admitted to be present att his reading yrof, and bring the same back to his Excell.

Ordered, y' Patrick Robinson, Esq'., doe forthwith prepare a Copie of their maties' letters patents to his Excell. Benj' Fletcher, for the pe- rusall of the Assembly.

Adjourned till morrow morning.

[17th May, 1693.
Att an Assembly held att philadelphia On Wednesday the 17th of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq', Livet. Go'.
Andrew Robeson,
Rob' Turner,
Lawrence Cock, Esq'.

William Clarke, Esq'.
George Forman, Esq'.

His Excell. did acquaint the board, that ther wer two gentl. of the Councell of Newyork in town, To wit: Chidley Brooke, Esq', and Wm. Nicholls, Esq': That the Councill of New york, by their Maties' Letters patents for the governmt. of this province & Countrey, have an interest in the govern' of this province and Countrie, upon his death or absence, & of the Comand' in Cheif Commissionated for Newyork; Therfor his Excell. is desirous that they be present in Councill here, which was approved.

And his Excell. did send for them accordingly.

The Assembly sent some of their house to know if his Excell. wer at Leisure to receive them, Having something to offerr. His Excell. told ym that he waited for y' Assembly.

The doorkeeper did acquaint his Excell. that M' Speaker and the representatives did desire access, which was granted. M' Speaker addressed himself to his Excell., & said:

May it please the Go', The house having something to offerr to the Go', for the help of my memorie, have put it in writting: may it please the Governo' to Let me read it. Which was granted. Then the Speaker read:

To Benj' Fletcher, Esq', Capt. Generall and Governo' in Cheife in and over the province of pensilvania & Countrey of New- castle, &c.

The humble address of the freemen of the said province and Countrie of New Castle, &c. in Assembly mett, sheweth:

That since it Hath pleased the king & queen that the absence of the proprietarie's personall attendance in this govermt. should be supplied by thee, or by thy Livet., Wee, the Representatives of the freemen of this province and territories, with due respect to the power of
thy Comission, and heartie acknowledgement of thy good will, care
& tenderness to us, doe readily acquiesce with the king's pleasure
therin, Earnestlie beseeching that our procedure in Legislation may
be according to the usuall method and Laws of this government,
-founded upon the Late king's Letters patents, Which we humble
Conceive to be yet in force; And therefor, wee desire the same may
confirmed unto us as our rights and Liberties. And wee, with all
faithfulness and sinceritie, doe give what assurance wee are capable
of, in the present Circumstances wee are under, to answer the Queen's
Lett & thy request, according to our ability.

His Excell. made answer, That this address Hath been drawn up
with much deliberation, and by the most Learned in their Country,
and it cannot be expected that I can give you an Immediate ans'. I
shall give you my ans' in writting, But att present I must tell you,
Gentl., You are verie much mistaken in alledging yo' Laws to be in
force, and at the same time, in yo' present station, to desire a Con-
firmation of ym. If in force, what need's ym Confirmation? Consider
by what power you are convened here: You are either a Law'll As-
sembly & Legally calld, or an Unlaw'll meeting att the best, & we
are doing nothing. If the Laws made by virtue of Mc penn's char-
ter be of force to you, and can be brought in Competition with the
great Seal of England that commandd me hither, I have no bussines
here. There is therfor nothing Left for you but to own the king's
authoritie, or disown it. There cannot be two establishments of go-
vernment, in opposition to one another. I wold have you satisfied in
that point. I have an abstract of yo' Laws by me, & manie of ym
are repugnant to the Laws of England. By yo' Constitution former-
lie, the people wer to Choose the provincial Council: The king hath
alwayes the power of Choosing his owne privile Council, which is
reasonable, for he is the best judge who are Capable to serve him.
By your former Constitution the people wer to Choose representatives,
who wer to have a negative voice in passing of laws, which is al-
wayes Lodged in the king, and for the present time granted unto me
by their maties' Lres, patents. By your former Constitution the people
did present to the Go' a double number of Sheriffs, Justices of the
peace, & I have the power of Commissioning & appointing officers, &
manie other things in yo' former constituions and Laws, repugnant to
the Laws of England, too tedious to enumerate; which are altogether
Contradicted by their maties' Letters patents. I doe understand that
it is the opinion of the Learned in the Law, That the Revenue of the
Crown; The making of Laws; The power of Life & death; arming of
the subject, & waging of warr; which wer granted to M' penn, are
the Reglia of the Crown & cannot be demised; as in case of an en-
tailment, they are entailed upon the successor: you have heard of an
entailed estate: the father is only tenant for life, & cannot demise it
from the son; if he grant it for Longer than Life, it is void, & the son
shall recover his estate. If there be anie Lawyers among you, they
can informe you king Charles' grant of these things might be good to
you during his life, because he might maintain his own act; But since
his death they are become utterlie void. I wold have you advised of
this point. These Laws and that model of govern't is dissolved & att an end: you must not halt between two opinions. The king's power and M' penn's must not come in the scales together.

But gentl., As I said before, when you did present yo' Speaker, If you doe propose anie Laws for yo' owne Conveniencie and safetie, I shall readily Concur with them, If they be not repugnant to the Laws of England.

Mr. Speaker Replyed. That he was a servant to the representa-
tives, & and had not yet received their minds; but this one thing he durst venture to say for ym, That they had a good affection for the king & Queen, & wer sensible of the great duty that Lay upon ym, & as they wold not be wanting yrin, soo they wer willing to know that their former charter is in a Lawfull way att an end: king Charles the 2d granted the power by which the Charter was founded, which grant being und' the great seal, perhaps they may think that in Justice it ought to be maintained, being the king's grant.

His Excell. in answer said. I hope your affections to their maties are good. My Custome is to speak the thoughts of my breast, & wold believe so of everie man untill I find the contrary. I wold have you have a tender regard to yo' dutie. The Question is short, either you must stand by their maties Comission for the govern', or Mr. penn's Charter; for you see they are in opposition to one another. Consider what I have alreadie said, and be resolved in this point. As for the propertie and the estate of the proprietor, you shall find me allways ready to advance his interest during my administraon. Gentl., I never sought to come here. I have enough to doe in the neighbouring province, wher I have a fronteer garrison & an enemy to Look after. I am come by their maties comands, and their government I will maintain, pursuant to their Letters patents. Therfore, pray Consider and dispatch an ansr. I am in haist to be gone upon their Majesties affairs.

Whereupon they withdrew. Two of the Representatives did signi-
fie to his Excell. that their house wold have nothing to offerr this forenoon; That they wer desired by their house to ask a Copie of the Governor's Comission & his answer to their address, in writing.

The answer given in writting, by advice of the Council, is as fol-
weth: philadelphia, the 17th of May, 1693. Gentl., I have, with the Councill, considred yo' address, and am sorry to find yor desires grounded upon so great mistakes. The absence of the proprietor is the Least cause mentned in their Maties Lres. patents for their Maties asserting their undoubted right of governing of their subjects in this province; there are reasons of greater moment, as the neglects and miscarriages in the late administration: The want of Necessarie de-
ference ag' the enemy & danger of being Lost from the Crown.

The Constituon of their Maties govern' & that of M' penn's are in a direct opposition the one to the other. If you be tenacious in stick-
ing for this, it's a plain demonstration (use what words you please) that indeed you declaine the other. I shall readily concurr with you
in doing anie thing may conduce to yo' safetie, prosperitie and satisfaction: provided yo' requests are Consistent with the Laws of England, their Maties Lres patents, and the trust and Confidence their Majesties Have reposed in me. Time is verie precious to me. I hope you will desist from all unnecesarie debates, and fall in earnest upon those matters I have alreadie mentioned, & still have to recommend to you, and for which you are principallie Convened together. Signed by his Excell. Order.

DAVID JAMISON, Ck. Concily.

His Excell. did deliver this ans' in wrinting, with the Copie of his Comission, to M' Jamison, and ordered him to deliver it to the speaker, and to tell the Speaker from his Excell., that hee had sent them an attested Copie of his Comission for their satisfaction: That his Excell. had made many steps of Condescention to them which he had not done in another govern't, & was not presidentiall, that they might have no hindrance nor obstruction in their maties' service. The Question is short, whether they wold owne their Maties' Lres patents, or M' penn's Charter. That his Comission was recorded with the Secretarie, where they may have recourse to it, and that hee expected they wold return that Copie when they had perused it. Which was accordingly performed by M' Jamison, and the Councill adjourned till foure a Clock afternoon.

---

POST MERID.

Att a Councill Held att philadelphia the 17th of May, 1693, 4 a Clock afternoon.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq'. Livet. Go'.

Andrew Robeson, Rob't Turner, Lawrence Cock, Wm. Salway,

\begin{align*}
\text{Esq'}. & \quad \text{Esq'}. \\
John Cann, Wm. Clarke, Geo. Forman,
\end{align*}

His Excell. ordered M' Jamison to wait upon the house of representatives & Signifie the Gor. and Councill wer mett, and no other thing befor them than to receive what they had to offerr, & desires to know if anie thing might be expected from ym this evening; Which was done.

M' Speaker's ansr. was, that they had agreed upon something, to his Excell. shortlie to be offered.

An Hour after his Excell. ordered M' Jamison to goe again to the house of representatives, & to tell M' Speaker that his Excell. had tarryed a Long while, & desires to know if hee might expect anie thing from them this evening; Which was done.

M' Speaker's answer was: something hath happened of difficultie befor them, which occasioned some debate & hath taken up some time,
but now is over; wee are come to a conclusion: If the Governor will tarry one half hour, He beleived they wold be readie to wait upon the Governo: perhaps within a Quarter of an hour.

The doorkeeper did inform his Excell. y t M' Speaker and the representatives did desire access; which was granted. M' Speaker said:

May it please the Govern'r, there happened some difficulty which occasioned some debate amongst us; Wee are now come to a Conclusion: Wee ask that the Go' will excuse us for making see Long stay. Wee hope that this matter being over, wee shall proceed to give satisfaction to the king & Queen's demands & thy desire. Wee have agreed to two votes, which are in writting, for the help of my memorie. I cannot much commend our Clarke; please, Go', to excuse that it is not writt fair over.

His Excell. M' Speaker, if you Leave it with me, I will cause writ it fair over.

M' Speaker. May it please the Governor to Let me first read.

His Excell. You may.

M' Speaker read: philad. y t 17th of y s 3d Mo., 1693. It was putt to the Question, whether it be the opinion of this house, that wee may saffe act in Legislaon in Conjunction with the present Go', according to the king's Letters patents. Caried in the affirmative, Nemine Contradicente.

It was also putt to the Question, Whether the following Clause be added to the Last vote, viz: provided, that the aforesaid Resolve may not be Construed, deemed or taken to our prejudice, but that wee may have the benefit of being governed by the Laws & constitutions of this govern'm, so far as is consistent to the tenor of the king's Lres patents to our present Go' Fletcher, and that our proceedings therin is in Conformitie to the king's pleasure, and not the Least apprehension of anie forfeitoure of our rights.

Resolved in the affirmative, Nemine Contradicente.

His Excell. M' Speaker & you gentl., To yo' first vote you have been a Long time in answering a plain Question, but have come to a Conclusion att Last. I am glad that you have agreed to submit to their maties govern' with a nemine Contradicente.

To the second part I must take some time to consider before I can give you an ans'; please Sir, to Leave the paper with me. Gentl. you shall find me allwayes stedfast to what I promise you; That is, when you have Considered to draw up what Laws may be for your Conveniencie and safetie, provided they be not repugnant to the Laws of England and their maties Lres. patents, I shall be readie to give them that sanction which their Maties have Impowred me to give. But in yo' former Law book I find sundrie Laws that are altogether repugnant to the Laws of England, and seem to supersede them, viz: the 9th Law, Sedomy & Bestiality; 10th Rape; 16th burning of houses; 96th stealing of hoggis & other Cattell; 106th estates of persons deceased; 117th manslaughter; 116 marriages; 171 M' penn's person. I am informed there is a person amongst you brought up in the Law in England, who can inform you. Therfore, you must not expect that I will pass those Laws into acts.
M' Speaker. May it please the Governo' to give us a list of these Laws the Governor is pleased to think repugnant to the Law of England.

His Excell: you may have it. Gentl. Besids what I have alreadie offered unto you, There is an Act ag' pyrats and privateers, with Limitaon of time for their coming into the province, & entring into bonds for their future good behavour, which was drawn in England & sent with me to be enacted in Newyork: pirates and privateers may become good men att Last, and the design of that Law is to draw them from their evil courses, that they may become good subjects & inhabit amongst us, to help our governm': It is enacted in Newyork: there needs no other alteraon than the alteraon of time for their coming in, & the name of the province; you may Lengthen the time as you find most for yo' good. I hope it will meet with no opposition.

There is also another thing which I recommend to you, which no person I believe will object ag', & that is the settling of a post office, which is intended to continue by Land from Virginia to Boston in New-England; It will be a great Conveniencie to all trading men, & a satisfaction to eveie one. It was recommended to me by the Queen's Letter to be promoted in Newyork, and is settled there, and in New England, by act of Assembly. Here is a Copie of the Queen's Letter & manner of its settlement, for yo' perusall.

M' Speaker. May it please the Gor. To let us have the perusall of those things that relate to our priviledges & Liberties, that we may have them under our consideration along with these things.

His Excell: you shall have ym, & I will readilie concurr to anie thing that may not be repugnant to the Laws of England & the trust committed to me by their maties Lres. patents.

M' Speaker. May it please the Governo', Wee hope ther will be a good agreement, and we will endeaver to give satisfaction to the king and queen's demands, and the Governor's desire. Wee are ready to show our good affection.

His Excell. I am glad to hear that you are soe well inclined, and that you have got over that rubb that was in the way; you shall alwaies find me according to my word, and I wold have eveie man soe. Therefore, put away all jealosies, that wee may go on cheerfullie and Unanimouslie in those affairs for which you are Cheiflie Concerned, without loss of time.

John White. May it please the Go' to give me leave to speak one word: There is one thing more which may have escaped the Speaker's memorie, and that is, To ask thee to grant that when there doth arise anie doubt or question amongst us, The Go' will grant us that some of the Councillors may be appointed to Conferr upon such doubts and questions as may arise.

His Excell. M' White, Its not a man of words, noise and contention, that I affect, but a man of sense, gravitie and discretion, that knows how to propose things in due time and manner: When there is occasion to resolve anie doubt or question, or to explain anie misunderstanding, When I shall be made acquainted yrof by the Speaker,
I shall be allways ready to appoint a Committee of the Council for that purpose.

M' Speaker. May it please the Go' to excuse this man, for it was discoursed of some time this day in our house, though if I remember right, it was not given me in charge with the other things when I came out.

His Excell. It is well, M' Speaker. Gentl., I wold have you to make what dispatch you can of what I have given you in charge. I hope ther will be a good understanding betwixt us. I wish you well.

The Speaker & representatives withdrew.

Adjourned till morrow morning, eight a Clock.

[18th May, 1693.
Att a Councill held at philadelphia on Thursday the 18th of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq., Lt. Governo'.

Andrew Robeson,
Rob' Turner,
Lawrence Cock,

{ Esq'.

William Salway, William Clarke, Geo. fforman,

Esq'.

His Excell. sent M' Jamison to the house of representatives with the Copie of their vote, which they delivered to his Excell. Last night, and desired to know if they had anie thing to offer this forenoon.

Two of the representatives from their House did signifie to his Excell. that they did beleive there will be nothing to offer this forenoon, and desire a List of the acts which the Go' did mention Last night to be repugnant to the Law of England.

His Excell. did say: I am no Clark; you have the Laws amongst you; What I have by me is only some minutes which I have extracted out of yo' Law book, for the help of my memorie; But I will remove all excuse for delay: You shall have it; pray let ym dispatch.

The List and number of Laws wer Immediately given them.

Adjourned till 4 a Clock afternoon.

[22d May, 1693.
Att a Councill Held att philadelphia on Moonday the 22d of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson,
Rob' Turner,
Pat. Robinson,

{ Esq'.

Lawrence Cock, Wm. Clarke,

Esq'.

Digitized by Google
His Excell. did signify that the delayes of the Assemblie did wearie him, their Maties' affairs calling for his attendance else where, and desired their advice whether he should send to them or not. It is the opinion of the Counsell, that his Excell., if he think convenient, may send to them to know if they will Have any thing to offer this evening & to desire them to dispatch; Which was ordered accordinglie.

Adjourned till eight a Clock morrow morning.

[23rd May, 1693.
Att a Councell Held att philadelphia on Tuesday the 23rd of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq'r., Lt. Governo'.

Andrew Robeson,
Robert Turner,
Pat. Robinson,

Lawrence Cock,
WM. Clarke,
Geo. Forman.

Esq'rn.
Esqn.

His Excell. did order Mr. Jamison to wait upon the House representatives, and tell Mr. Speaker that it's now the 9th day of their sessions & Little or nothing done, (other assemblies have dispatched more business in Less time,) To know if they have prepared any bills, and once more to desire their dispatch.

The Speaker made ans': That they wer dispatching. That the Governor must not take it amiss that they are so tedious, being putt out of their old methods. Formerlie the Councell did prepare the Bills & send them to the representatives for their assent, and now it is putt upon them to prepare them. That they are now agreed of something concerning their Laws, which they believe they shall offerr to the Gov't this morning.

Resolved, It is convenient to demand the Rolls of the former Laws from the late Mr. or keeper of the rolls of this province by two of the members of Councell.

Ordered, That Andrew Robeson and WM. Clark, Esq'r. doe demand of the late Mr. or keeper of the Rolls of this province, That forthwith hee either bring or send the rolls of the former Laws of this province to the Councill board.

His Excell. did send Mr. Jamison to the representatives, to Inquire if they had anie thing to offerr this forenoon, or when they would.

The Speaker's ans' was, That they were running over the body of Laws, & making alterrons as they could agree, & believed nothing wold be offered this forenoon.

Adjourned till 4 a clock afternoon.
PROVINCIAL COUNCIL.

POST MERID.

The 23rd May, 1693, 4 a clock afternoone.

PRESENT:

His Excell. BENJAMIN FFLETCHER, &c.

Andrew Robeson, Robert Turner, Pat. Robinson, Lawrence Cock, Wm. Salway, Wm. Clarke, Geo. forman. Esq".

His Excell. in Council, Having tarried two hours, did Order M' Jamison to wait upon the house of representatives to know if they had any thing to offer wt' in this halfe hour.

M' Speaker ansered, that they only tarried for their Clark, who wold verie soon have done with his writting.

Adjourned to 8 a Clock morrow morning.

[24th May, 1693.

Att a Councill Held att philadelphia on Wednesday the 24th of May, 1693.

PRESENT:

His Excell. BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Livet. Governo'.


Andrew Robeson & Wm. Clark, Esq". did return, That in pursuance of the order of Council yesterday, they did demand of M' Loyd, Late M' of the Rolls, either to bring or send the rolls of the former laws of the province to the Governo' and Councill, And that his ans' was: That hee never did enroll anie Laws; there was not, nor hath hee ever had anie warrant for soe doing.

The door keeper told his Excell. that a messenger from the house of representatives comes to know if the Go' be readie to receive ym, who was ansered that his Excell. hath been readie these two hours.

M' Speaker and the House of representatives being present, M' Speaker said: May it please the Go' to excuse our delayes, for wee are putt upon new methods, which wee are not yet acquainted with, & are not negligent nor disrespectfull to the Governo'; Wee have had about 200 Laws to review: Wee have now brought thee a Bill, which wee desire the Governo' will be pleased to pass into an act.

His Excell. What is the title of it?
M' Speaker Read a direction to the Governo', with his titles.
His Excell. What is the substance of it?
M. Speaker. It is our desire that the Governor would Confirm our former Laws to us. If the Governor please to give me Leave to read it. Granted.

To Benj Folch, Cap. Generall and Governor in Chief in and over the province of Pennsilvania and Countrey of Newcastle, &c.

Whee, the freemen of the sd province & Countrey in generall assembly mett, Humblie Shew:

That whereas, the Late king Charles the 2d, in the 33d year of his reign, by his letters patents under the great Seal of England, did for the consideracion therein mentned, grant unto Wm. Penn & his assigns, this Colonie or tract of Land, thereby erecting the same into a province, calling it Pennsilvania, and Constituting the sd Wm. Penn absolute proprietarie of the sd province; (saving amongst other things the sovereignty thereof;) Therby also granting unto the sd Wm. Penn, his deputies or Livets, by virtue of the said Royall charter, full, free, & absolute power, by and with the assent of the freemen of the sd province, to make, enact and publish any Laws whatsoever, for anie end, appertaining either to the publick state, peace or Safetie of the sd. Countrey, or unto the private utilitie of particular persons, according to their best discretion; Which Laws, so as aforesaid made and published, the sd Late king did by the same enjyon, require & command, should be most absolute aud available in Law, and that all the Liege people and subjects of the said Late king, his Heirs & Successors, should observe and keep the same inviolable in these parts; But that the Laws for regulating & governing proprietie within this province, and Likewise as to felonies, might be & continue the same as they should be for the time being, by the generall Course of the Law of England, Untill the said Laws should be altered by the sd Wm. Penn, and by the freemen of the said province, their delegates or deputies, or the greater part of them: And to the end the sd Wm. Penn or the inhabitants of this province, might not att anie time thereafter, by misconstruction or colour of the powers aforesaid, or by pretence of the said Laws therafter to be made, should thorow inadvertence or design, depart from that faith or allegiance which by the Laws of England they and the king's Subjects in his dominions allwayes owe to him, his heirs & successors, Hee, the said Late king, did by his sd Ltres patents, declare it to be his will & pleasure, that a duplicate of all the Laws soe as aforesaid made & published, should, within five years after the making thereof, be transmitted and delivered to the king's privie Council for the time being; and if anie of the sd Laws within the space of six Mo's. after, (by the said king, his heirs or Successors, or his or their privie Council,) inconsistent with the Sovereignty or Laull prerogative of the sd king, his Heirs & Successors, or contrarie to the faith and allegiance due to the legall government of England from the said Wm. Penn, or the planters and Inhabitants of the said province, and that therupon any of the sd Laws were adjudged and declared to be void by the said king, his heirs & successors, under his or their privie seal, That then, and from thenceforth, such Laws concerning which the sd Judgment and declaraon wer made, should become void, otherwise the Law so transmitted should remain and
stand in full force, according to the true intent & meaning thereof; By virtue of which Letters patent, & pursuant to the powers, provisoes and restrictions therein specified, divers reasonable and wholesome Laws were made, transmitted & presented to the said king and privy Council: And whereas, the king and Queen that now are over England, &c. by their Lres patents, under their great Seal, dated the 21st of Octobr, in the 4th year of their reign, Having for the reasons therein mentioned, taken the governm't of this province and Countrie into their owne hands, & under their Immediate care & protection, did think fitt to constitute and appoint thee, the sd Benjamin Fletcher, to be their Cap'. Generall & Governo' in Cheifse in and over the same, Thereby Requiring thee among other things, to doe & execute all things in due manner that shall belong to thy comand & the trust reposed in thee by the sd king & Queen, according to such reasonable Laws & statutes as then wer in force, or therafter should be made & agreed upon by thee, with the advice and Consent of the Councill & Assemble of this Countrie.

Now, forasmuch as the Laws of this governm' soe made & transmitted as aforesaid, Have not been hitherto adjudged or declared, (either by the Late king & Councill, or by his Successors, the sd king & Queen, & their Council, under his or their privie Seal,) to be void, soe that such of the sd Laws as wer not discontinued or repealed by the Legislative authoritie of this governm' are still in force. And seeing it hath pleased the king & Queen so tenderlie to regard the happie governm' and comfort, as well as protection of this province & Countrie, as to Conserve these our Laws and Constitutions, so fittlie accommodated to our circumstances, with respect to tender Consciences, as well as Commerce and Cultivation, Wee can doe no Less than with grattitude & sinceritie acknowledge their Royall bountie and peculiar favour therein, Earnestlie desiring that thou wold be pleased, according to the Tenor and most favourable direction of thy commission, to govern us & Cause the administraon of Justice within this governm' to be agreeable with these following Laws, which are now in force, as aforesaid, Viz:

The first Chapter of Laws, concerning Libertie of Conscience.
The 2d, concerning the qualificaons of members of Assemblei.
The 3d & 4th, agt. Swearing.
The 5th & 85th, agt prophan speaking.
The 6th, against Cursing.
The 7th, against adultery.
The 8th, against Incest.
The 12th, 83d & 169th, agt drunkennes & drunkards.
The 14th, agt drinking Healths.
The 20, agt Rioters.
The 22d, agt Menacing of Magistrats.
The 24th, agt assaults.
The 26th & 27th, agt rude sports, plays & games.
The 30th, agt Spreaders of false news.
The 35th, about the dayes of the weeks & Mo's.
MINUTES OF THE

The 37th, about pleadings in English.
The 38th, 123d & 150th, about Fees.
The 42d, 74th & 107th, about arrests.
The 45th & 46th, about wills.
The 54th, about prisons.
The 56th, about the manner of punishment.
The 59th, about Taxes.
The 66th, about Summons & Court proceedings.
The 75th, agt Barretors.
The 77th, about Orphans Court.
The 80th, about 7 years quiet possession.
The 82d, about Counterfittings hands or Sealls.
The 90th, about taking away boats or Canoos.
The 11th, Against polygamy.
The 15th, agt such as suffer drunkennes in their houses.
The 17th, agt breaking into houses.
The 19th, agt forcible entrie.
The 21st, agt menacing parents.
The 23d, agt menacing Mr Mrises.
The 25th, agt Challenging to fight.
The 28th, agt Sedition.
The 31st & 121, agt scolding.
The 31st, about trialls by 12 men.
The 41st, about defalcation.
The 43d, about verball contracts.
The 50th, agt defacers of Charters.
The 53d, about goalers.
The 55th, about false imprisonment.
The 58th, about free elections.
The 64th, about Libertie & propertie.
The 72d, agt derogators of Judgments of Courts.
The 74th, about making debtors pay by Servitude.
The 79th, about acknowledging decds in Court.
The 81st, about Countie Sealls.
The 84th, about Vending pyple staves.
The 91st & 184, about fences.
The 94th, About fying the woods.
The 96th, About Hog-stealing.
The 101st, About the house of Correction.
The 108th, About departure out of the prov.
The 114th, About buying land of ye natives.
The 119th, About binding to the peace.
The 125, About assigning bills & specialties.
The 131st, About shipwreck.
The 134th, About passes.
The 136th, About attatching & passes.
The 138th, About trucking wt servants.
The 146th, About sumons of Juries.
The 164th & 165, about robbing & stealing.
The 168th, About appraisers.
The 177th, About Juries not appearing.
The 178th, About removing Land marks.
The 183d, About tannd Leather.
The 188th, About the sale of intestates' Land by the widow or adm'.
The 190th, About the dyke at New castle.
The 199th, About rangers.
The 201st, About the registrie kept by religious societies.
The 205d, Concerning the Surveyo' generll's fees.
The 100d, About Cart wayes.
The 102d, About weights & measures.
The 118th, Ag' murder.
The 120th, About fornication.
The 126th, About bills of exchange.
The 122d, About trusting mariners.
The 134th, About selling servants out of the province.
The 137th, About Harbouring servants.
The 157th & 180, about runaway servants.
The 144th, for Countrie produce to be Curr' pay.
The 149th, about exporting horses.
The 156th, about monthlie Courts.
The 169th, about Licenses for ordinaries, and ag' disorders in ale-houses.
The 181st, about debts payable in Country produce.
The 187th, about Usury.
The 189th, About taking Land in execution for debts, &c.
The 194th, Ag' witnnesses refusing to give evidence, being sumoned.
The 200d, About determining debts under 40s.

All which said Laws and Chapters, & everie part yrof, Wee Humblie desire that thou will be pleased to cause thy officers & ministers to observe and putt in due execucon, as they tender the Honour of God, the king's Comands, the prosperitie of this government, and the rights and Liberties of the free people thereof. Signed in behalf of the House.

JOS. GROWDON, Speaker.

His Excell. M' Speaker, Leave it with me. This is a tedious businesse and all to no purpose: where are the rolls of these Laws? You have brought me no Bill; And I am informed that these Laws wer never transmitted to the king, nor confirmed by him. This is now the tenth day of your sessions, & all you bring me is a List of titles.

M' Speaker. I doe conceive Some of our Laws wer enrolled & presented to the king, & the king and Queen doe allow that wee have reasonable Laws, in the Go' Comission.

His Excell. You have the Queen's Letter with you for a supply towards your defence, and I doe not see that you have done anie thing in Complyance therwith. I must begone and Leave you, Since I find you have no regard to their Maties' interest. I must give their Maties an accompt of the truth as I find it.

M' Speaker. May it please the Go' not to be offended with me. There might be a mistake of the Clarke in writting a word in the
votes the night before Last, wher the house had under consideraon
to givé some Monie to the Late deputy Governo' Lloyd & to Go' Mark-
ham, and the remainder to the Governo'. It was no disrespect to the
Gor. that the Governo' was Last named.

His Excell. M' Speaker, I never took notice of anie personall
abuse of that nature; you mistake me if you think me of the opinion
and humor of some that have been Latelie in authoritie here, to use
the power and dignitie their Maties have conferred upon me, above
other men, in a personall abuse. I did not take anie notice of it,
some others that see them were pleased to doe. I come here to serve
their Maties by their Command; am Concerned to see the time goe
away and nothing done.

M' Speaker. May it please the Governo', John the Baptist came
befor Jesus Christ, and yet hee said hee was not worthie to Untye the
shoes of him that cometh after; wee doe not think that either the Late
deputy Go' or Livet. Go' Markham is neer so great as the Governo'.
Thou must not therfore take it amiss of us, for wee truelie honor thee,
& will take care to ans' the king & Queen's demands. Governo',
ther was a Remonstrance which wee did offer formerlie to the Go-
vero', and the Governor did reject the same; wee have made some
alteraon & doe now offer it.

His Excell. You are mistaken that I did reject it. I did onlie ad-
vice you as yo' friend, to withdraw it, having used some scurrilous
terms, as false suggestions, &c., which might no wayes tend to yo' in-
terest, but hurt when seen att Whitehall; you may read that.

To Bens' FLETCHER, Esq', Captain Generall & Governor in Cheif
in and over the province of penncilania and Cuntrie of New-
castle, &c.

The Remonstrance of the freemen of the said province and Coun-
trey, in Assembly mett, Humbly Sheweth:

That having with all dutiefull respect read and Considered the Go-
vernor's answer to our address this morning, Wee in anser. therunto,
with submission say: Wee conceive that our desires wer not grounded
on mistakes in relation to the proprietor's absence; But as to the other
clause mentioned by the Governo' of their maties asserting their Un-
doubted right of Governing their subjects in this province, &c., Wee
with all readines and Cheerfullnes own accordingle to be the right of
the king & Queen, whois prosperitie and happie reign wee heartilie
desire.

And as to other reasons rendred for the superseding our proprie-
tor's governancie; Wee apprehend they are founded upon Misinforma-
tions; for the Courts of Justice wer open in all the Counties of this
governmt and Justice duly executed, from the highest crimes of Trea-
son & murder to the determining the Lowest difference about pro-
pertie, befor the date or arrivall of the Go' Comission. Neither doe
wee apprehend that the province was in danger of being Lost from
the crown, although the government was in the hands of some whois
principles are not for warres. And wee Conceive that the present
PROVINCIAL COUNCIL.

377

governancie hath no opposition, (with respect to the king's government here in generall,) to our proprietarie, Wm. penn's, that the exercise of thy authoritie att present supersedes that of our said proprie-
taries. Nevertheless, wee readily own thee for our Lawfull Governo', saving to ourselves and those whom wee represent, our and their just rights & priviledges. Signed on behalf of the house.

JOS. GROWDON, Speaker.

17th of 3d Mo., 1693.

His Excell. Gentl., The word (misinformation) is verie Unman-
erly: their Maties are not misinformation. I could now wish you had offered no such thing: notwithstanding your positive assertion of mis-
formation in relacon to the govern't of this place, I doe affirm that manie and most of yo' Laws are not Consonant to the Laws of Eng-
land, nor have they been dulie executed: some Criminals have Lain years in prison for want of execution, & manie Instances can be given. I find the province in no Securitie. It is obvious to anie discerning man, that Less than 500 Soulders may reduce it in as Little time as they can march through it. If it should please God that their Maties' forces (as I hope) have taken Martiniceo, Wee must expect that such a great prince as the king of France will endeavour a Repri-
sell, unless wee can beat him out of paris. It will goe hard with him before he putt up such an affront, and he will allwayes make his first impression where there is Least defence. Nevertheless, I will doe anie thing in my power for the renovation or Confirmacion of anie Laws that are consonant to the Laws of England. I will Consider and advise with the Counciell concerning this paper of titles. In the meantime, I will desire you to goe on with the other affairs: I would have you to dispatch the setting the post office; It is a Comon good to everie one, and will save us the charges of sending expresses to our nighbouring provinces: also, the act ag' privateers, which none can object against.

M' Speaker and the Representatives did withdraw.

His Excell. with advice and consent of the Counciell, ordered M' Jamison to tell the Speaker in the House of representatives, that they have considred what they did offer this day in Counciell Concerning Laws. That his Excell. was readie to pass anie Laws not repug-
nant to the Laws of England; That this is the tenth day of their sessions, and what is offered is onlie a List of titles. It cannot be expected that his Excell. can goe blindfold to order the execution of Laws that doe not appear to him; Therfore, desires they will send him the rolls of these Laws they have mentioned, and whether they doe proceed upon the post-office and bill ag' privateers, or when they doe intend to proceed.

M' Jamison returned in ans': That the house was adjourned for an houre, and were gone to inquire of the M' of the rolls for the Laws.

Adjourned till S a Clock afternoon.
378

MINUTES OF THE

POST MERID.

3 a Clock afternoon, the 24th of May, 1693.

PRESENT:

His Excellency BENJAMIN FLETCHER.

Wm. Markham, Esq., Leivt. Governo.'

Andrew Robeson, Wm. Salway,
Rob' Turner, Esq'. Wm. Clarke,
Pat. Robinson, Geo. forman.

Ordered, that Mr. Jamison doe deliver his former Last message, and doe ask Mr. Speaker to return his Excell. Copie of his Comission and bring it with him.

Mr. Speaker made ans'. That they have examined and find but some rolls, That Livet. Governo' Markham was Secretarie, and he hath a book of Laws which they have much regard to, and also, that they did believe they might find with him the original bills; they have now sent some of their House to Inquire for ye, whom they expect. It were hard to suppose that these Laws they have acted by should be void, for the officers neglect if not enrolling them.

Mr. Jamison replied: That his Excell. did not blame this House for the want of them rolls, nor mean to charge any person with the neglect att present; but that his Excell. conceives that these Laws might have by this time beene got redie in new bills, to be offered for his sanction, that they may be enrolled for their use.

Mr. Speaker said: He believed their Laws wer good, notwithstanding the officers neglect.

Mr. Jamison said: His Excell. did order him to enquire if they did proceed upon the post office and Bill ag' privateers, or when they intended to proceed.

Mr. Speaker ansred: That the Bill for the post office was once read in their house, and hee found no objection ag' it amongst the members.

Mr. Jamison said: His Excell. does expect that Mr. Speaker will send back the Copie of his Commission.

Mr. Speaker answered, that the Go' had asked one of the members of the house for it formerlie, but that att the time hee had forgot to mention it in the house: it should be returned.

Mr. Jamison said: His Excell. doth expect that I bring it along with mee.

Mr. Speaker: it shall be returned by those who shall bring up the Laws.

Edward Bleake, Samll. Carpenter, david LLoyd and John White, from the house of Representatives, came with a book of Laws to his Excell. and Councill, and did offer it as a true Copie; That they did beleive Livet. Governor Markham and some others of the Councill could inform the Governo' that of their own knowledge these wer the Laws they had proceeded by in the governm', and desired that a
Comittee may be appointed to Conferr with a Comittee of the representatives concerning those Laws that wer returned in the List of titles given in this day.

His Excell. told them, Hee could take no notice of that book unless it wer attested for a true Copie by the Go', secretarie, or M' of the Rolls: these scripts of paper are handed about from one to another, and everie one may alter them att pleasure.

M' Lloyd. May it please the Go', I did see some of those Laws, & doe know that they wer delivered in to the privie Councilly by M' penn; & being no wayes disallowed, they must needs be of force.

His Excell. This is the first time I have heard of that, nor doe I conceive it to be true. By the king's Lres pattents, yo' Laws are to be made, ordained & published under M' penn's seal, & these conditions are not performed: you cannot produce me one Law soe enacted.

John White. May it please the Governo', wee are but poor men & of inferiour degree, and represent the people, and wee cannot have the boldness to say to the Go' freeli, becaus thou art soo farr above us, & putts an awe upon us. Wee wold willingly be resolved of this point, that wee may be ready to doe the other part which perhaps may be ended in hours & not take up dayes; But it's hard that all our proceedings in Courts of Judicature, &c. are grounded upon no foundation, having no Law, then consequentlie void, & all for want of forme.

His Excell. That may be easilie Salved with two lines of an act, which I will readily pass.

M' White. May it please the Governo' to heare me speak the truth of the matter. This is our difficultie: Wee durst not begin to pass one bill to be enacted of our former Laws, Least by soo doing wee declare the rest void, & of no force nor validitie, which will be of dangerous consequence; and therfore, wee desire to be at some Certainty in this matter: If wee can get over it, I hope wee shall quicklie come to a period, and therfore desire a Committee may be appointed to Conferr with us upon our doubts and objections.

Ordered, Wm. Markham, Esq'., Livet. Governo', Andrew Roberson, patrick Robinson, Wm. Salway and Wm. Clark, Esq', be, and they are hereby appointed a committee of this board, to join a Committee of the house of representatives, to Concerte of the paper containing the List of titles of Laws delivered his Excell. by the Speaker this day, and to advise what may be proper to remedie the former neglects & remove the doubts that have arisen amongst the representatives upon his Excell. ans' to the sd paper.

Ordered, that George Forman, esq'. doe carrie a Copie of this order to the house of Representatives, and desire that the Speaker will appoint a Committee of that house to join the Committee of the Councilly att the house of Coll. Markham, at 8 a Clock morrow morning according.
[25th May, 1693.

Att a Meeting of the Comittee of both houses att the house of Livet. Governo Markham, on Thursday the 25th of May, 1693.

PRESENT:
WM. MARKHAM, Esq. Livet. Go'.

OF THE COUNCILL.
Andrew Robeson, Esq. William Salway, Esq.
Patrick Robinson, Esq. William Clarke, Esq.

REPRESENTATIVES.
Joseph Growdon, David Lloyd, James Fox,
John White, Sam" Carpenter, John Brinkloe,
Edward Blake, Cornelius Empson, John Swift.

Livet. Governo Markham. Gentl., You have desired a Comittee should be appointed to concerte with you upon some objections and doubts arisen upon the paper Containing the List of titles of Laws, & his Excell. answer therunto, for which reason wee are now met.

M' Speaker. Wee have manie reasons to believe that our Laws are of force, but shall only mention this; That these manie years wee have exercised the government by these Laws, & are in the enjoyment of them; Wee know them to be our Laws, and wee know & can prove that Wm. penn carried the greatest bodie of them to England, & conceive they wer delivered to the king, and never declared void: and as to the rest of our Laws, the time Limited in the Letters patents for transmitting of them is five years, which is not yet expired; and as to yo' objection that they are not enrolled and und' the Seal of the proprietarie or his deputie, wee say that is not necessarie to the making of Laws, but they are onlie Ceremonies, and you have been active as well as wee in executing these Laws, tho without the Seal, and therfore, wee pray they may be allowed to be of force as our right.

M' White: all the Laws that wee pretend to are 203, wherof 174 were made while the proprietarie, Wm. penn, was here in person. Wm. penn had sufficient power to make these Laws, and Livet. Governo', You wer present att the making of ym, and if any thing wer amiss you are concerned.

Livet. Governor. I was present att the making of them all.
M' White. All except about twelve or thirteen.

Livet. Governor. I was not secretarie all that time when the Laws wer made, but att the making of a few of them.

M' White. Those Laws were caried home to England by Wm. penn, and by him presented to the king, or his privie Counciull, which wee are readie to prove, and the king did not within six months declare them to be void; Therfore, they are our Laws, and wee have had the peaceable exercise and enjoyment of them; and some of you that are of the Comittee of the Counciull have sitt upon the Bench, and given Judgment of death by these Laws; wee are in the possession
of ym & say they are good and of force. Wee desire you to prove that they are not good.

Livet. Governo'. Wee are not to prove the negative, you are to prove the affirmative, becaus you produce none.

M' White. Wee have our Laws here; And wee now put it to the Livet. Governor to say whether hee hath not the originall bills of these Laws in keeping, as formerie secretarie of this province. Wee are willing to have them compared with these bills; wee know ym to be true Copies; wee are readie to prove that they wer passed into acts.

Livet. Governo'. I owne that I have the Bills by me, and doe believe that book may be a true Copie, and all which you have alledged may be answered in one word, but goe on and say what you have to say.

M' Loyd. That is all wee desire, if these be the Laws that wer enacted; Wee came not here to dispute the forme and validite of the Laws by the want of a seal, or their not being Legallie published; But whether these be the Laws or not that wer made and published, which you confess; Soe the matter is att an end.

Livet. Governo'. Have you anie more to offer.

M' Speaker. Doe you call us in question by what authoritie wee doe use these Laws, when you have jointlie along with us executed them?

M' Loyd. Who can be Judge whether these Laws be in force or not. None can be Judges but those that made them, since ther is no order from the king and Councill declaring them void; wee desire that they may be put in execucon. It wer hard that the want of the affixing a Seal, or some such other Ceremonie, should destroy our Laws; And if wee allow this att present wee must expect it for the future, That everie new Governor, finding fault with some omission or another in the making or publishing of our Laws, will declare them void, which is of evill Consequence, and wee doe not know that ever wee shall have more Laws.

Livet. Governor. Have you anie more to offer.

M' Speaker. Wee have, But this may suffice att present; Saving to our Selves the making farther ans' and defence when wee shall hear what is offered ag' our Laws being in force, Which wee desire to bear.

Patrick Robinson, Esq'. Gentl., You have desired his Excell. to Cause the officers to putt in execucon the Laws contained in this List, and have made a Large preamble or Introduction to this desire, wherein you have been Unfair in repeating the words of the Charter. In your paper you say: ["also granting unto the said Wm. penn, his de-
"putie or Livets, by virtue of the said royall charter, full, free &
"absolute power, by and with the assent of the freemen of the said
"province, to make, enact and publish any Laws whatsoever, for
"anie, and appertaining either to the publick state, peace, or saffie
"of the said Countrie, or unto the private utilitie of particular per-
"sons, according to their best discretion."] Whereas, the 4th par-
"graph of the Letters patents is in these words: ["And for as much
"as wee have hereby made and ordained the aforesd Wm. penn, his
"Heirs and Assigns, the true and absolute proprietors of all the "Lands & dominions aforesaid; know yee threfore, that wee, reposing "speciall trust & confidence in the fidelitie, wisdom, justice and pro-"vident circumspection of the said Wm. penn, for us, our heirs and "Successors, doe grant free, full and absolute power, by virtue of these "presents, to him & his heirs, to his and their deputies and Livets, "for the good & happie government of the said Countrie, to ordain, "make & enact, & under his and their Sealls to publish anie Laws "whatsoever for the raising of Monie for the publick uses of the said "province, or for anie other ends appertaining either unto the publinc "state or safety.""

Where it is plain that your Laws ought to be pub-lished under some seal, either of Wm. penn, or of his deputie or Livet., which is the defect you now lye under, and wold Conceale. None of those Laws (you desire may be putt in execucon) wer ever SOE pub-
ished, nor are to be anie where seen or found, nor is there anie stand-
ard of such Laws to be produced to his Excell. for his approbation. You have books of Laws, & so have I, but they are not attested by any officer for true Copies, and there are not any originall rolls under seal to compare them with, Which is manifest to you all. You doe Likewise alledge that the greatest bodie of Laws wer transmitted & presented to the Councill by M' penn, which is a doubt. But if they wer, it will signifie nothing; for as they are to be published under seal, so also wer they to be transmitted under seal: paragraph 7th:

"Our further will and pleasure is, that a transcript or duplicate of all "Laws which shall be SOE AS AFORESAID made and published within "this province, shall, within five years after the making thereof, be "transmitted & delivered to the privie Councill for the time being, of "us, our heirs and Successors; and if anie of the sd Laws within "the space of six mo's after that they shall be soe transmitted & de-
"livered, &c."

(Soe transmitted) is under seal Soe as published, and if never published under seal, consequentlie never soe transmitted. You must not think to claim that of right wch is meer grace.

Their Maties are tender of their Honour and interest in forreign plantation, and take care to prevent their alienation from the Crown, by appointing such methods of governm' in their Letters pattents as may be most for their preservation, which they expect shall be punctuallie observed. The Seal is the soule and Life of the Laws, as you find by the charter, and was never affixed to them, or anie of them. Wee are ready to hear you offerr anie thing to the contrarie. Also, by your own confession, manie of your Laws are not transmitted, and manie or most of them dissonant to the Laws of England; wheras, his Excell. is commandd to pass such Laws as are as neer as can be, agreeable to the Laws of England.

M' Speaker. It is not an injunction to affix the seal, but a Leave of a thing given to Go' penn, as a mark of favour, which hee may use if he please, but there is no obligaon to use the seal. It is only a Ceremonie; and so says over again what hee said before.

Leivt. Governo'. M' Speaker, neither does the king enjoin the making of Laws when hee gives the power of making them, But when
this power is exerted by you, It ought to be done in the manner the
king directs, because you have not power to make ym otherwise.

Mr Lloyd and Mr White repeat their former arguments, and allege
that the sealing is not material to the making of a Law, but the con-
sent of the Governo, Council & assembly.

Mr Andrew Robinson. The agreement of the Governo, Council,
and people, to the passing of a Law, is but like a deed drawn by
articles of agreement, which is no deed until it be sealed and delivered,
the attested by the parties’ hand.

Mr White acknowledged there may be defect in the officers, one or
other, but we cannot tell but they may be enrolled and sealed some-
where or other; perhaps they may. Wee know these are our Laws,
and wee have executed them, and it will runn us all into confusion,
& all our acts of govern & proceedings in Courts of Judicature
must be condemned, if wee allow the Laws are not of force and in
being.

Mr pat. Robinson. de non apparentibus et non existentibus eadem
est ratau.

Sam1 Carpenter. If now they are our Laws I will stand by them.
I had rather Loose all I have in the world than part with our Laws.

Mr White. It does not appear that the Laws were to be made un-
der the seal, onlie to be published under the seal; therfore, they were
made by a good authoritie, and if any thing be wanting it is not our
fault who made them, & we ought not to suffer by the neglect. The
fault may be remedied.

Mr Loyd. I am surprized the members of Council, who have
a joint interest with us in the province, and have acted by these Laws
and satt in Courts of Judicature, should speak ag’ their validitie. Our
privileges are yours.

Andrew Robeson, Esq., Chief Justice. Gent., wee are well satis-
fied it is so, & heartilie wish the prosperitie of the province in everie
respect; But it is all our duties to know the strength and Validitie of
our Laws, that the misters of Justice may be satisfied of the validi-
tie of their Laws, and that they proceed upon good grounds; and also,
that the people may be satisfied of the Justice executed, and what they
must expect if they transgress.

Mr pat. Robinson. Gentl., His Excell the Governor has a tender
regard to this province & the peace of the people therin; But you
must Likewise consider that hee must be tender of the prerogative of
the Crown. Hee hath come hither by their maties’ comands, not of
his owne seeking. I am verie well assured that notwithstanding all
this wee have heard in this meeting, His Excell. will goo as far as
may be to serve the province in bringing all to rights. His Excell.
cannot agree to the execuion of any Law that is repugnant to the Law
of England, therfore I wold advise you to Looke over again that List
of Laws, and consider with yourselves what may be for your owne
peace and benefit: I am pretty well satisfied you may order the List so
as that his Excell. will agree that the Laws therin contained shall be
executed by the officers in the government, untill his excell. shall receive orders from their maties concerning the same. But this I must tell you, that you must not think to offer that Law concerning wrecks, for his excell. has a particular Comission for Vice admirall, which reaches this province and the three Lower Counties.

M' Speaker. We are well satisfied to doe this; wee matter not the Law of wrecks; Believe that will make no rubb. Wee desire you will be pleased to request this of the Governo'.

[25th May, 1693.
At a Council Held att philadelphia on a Thursday the 25th of May 1693, Afternoon.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.
WM MARKHAM, Esq', Livet. Governo'.
Andrew Robeson, {Esq'.
Robert Turner, William Sallaway,
Patrick Robinson, William Clarke, Esq'.
{Esq'.
{George Forman.

The Comittee of the Councill doe return, That the representatives appointed a Comittee to join them this day to read over the List of Laws, and to offer such of them as they think convenient to his Excell. to order ym to be executed by the officers of the government untill their Maties pleasure should be further known; which, if his Excell. will promise to grant, they will then proceed with all expedition to the other bussines.

The Councill are of opinion and doe advise his Excell. to grant their desire.

His Excell. did send to the house of representatives to acquaint them that he was readie to grant that some Laws should be executed, Untill their Maties pleasure should be known, and to desire them to proceed upon the other affairs befor them wtout loss of time.

[26th May, 1693.
At a Council Held att philadelphia on Friday the 26th of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.
Andrew Robeson, Esq'.
Robert Turner, Lawrence Cock,
Pat. Robinson, Geo. forman.

His Excell. did send for Livet. Go' Markham, and understanding
him to be indisposed to come abroad by the gout, & desirous to have a full board, did adjourne to his house.

At the House of the Livet. Governo'.

His Excell. did offer that hee understood there was something in articles ag' Thomas Loyd appearing in the Minute book of assembly, 1689, wherein he is charged with defaults in the administration of Justice, Which may serve if there be occasion, to defeat their allegation that Justice was dulie executed, and ordered the perusall of the book.

Ordered also, the Councill doe resolve into a Comittee this afternoo', to Consider of an answer to the Remonstrance of the representatives, which they are desired to putt in writting & return to his excell. und' their hands, for his better informaon, being a stranger in the Countrie.

POST MERID.

3 A Clock afternoon, the 26th of May, 1693.

Andrew Robeson, Esq'.
Robert Turner, Wm. Salway,
Pat. Robinson, Wm. Clarke,
Lawrence Cocks, Geo. forman.

The Comittee having drawn up their answer to the remonstrance, doe sign it, and afterwards present it to his Excell.

The Councill's answer to the representatives' remonstrance, philad. the 26th of May, 1693.

Whereas, the Governor hath been pleased to appoint us a Comittee of the Council to give our opinion of the remonstrance delivered to him by the assemblie, Wee having mett & considred the same, doe with submission deliver our sense, That whereas the assemblie doe say: That they "conceive that their desires wer not grounded on mis-" takes in relation to the proprietor's absence. Wee conceive it was Be-" caus they doe earnestlie beseech that their proceedings in Legislation " may be according to the usuall methods and Laws of this governm', " founded upon the Late king's Lres patents, desiring the same may " be confirmed unto them as their rights and Liberties:" The which themselves have overthrown & declined, by their choosing representa-" tives to serve in assemblie according to the Governor's writts, founded on their Maties' Letters patents, befor they did ever assert or insist on their former methods or frame of government. And whereas, they say that they " doe w' all readines and cheerfulness " owne accordingly to be the right of the king and Queen." But " they do not mention king Wm. & Queen Mary, which wee conceive to be a great Omission, if not a slight put upon ym. And whereas, they say that they " apprehend the reasons for the Superseding the " proprietor's governancie are founded on misinformations, for that the " Courts of Justice wer open in all the Counties of this governm', &
"Justice duly executed." Wee doe say that wee can instance in several particulars where justice was delayed, if not denied, & therfor not duly executed. And wheras, they say, that they "doe not apprehend that the province was in danger of being lost from the Crown." To which we ans', That wee doe not know of anie care that was taken for the defence thereof.

Andrew Robeson,  William Salway,  
Rob' Turner,  George Forman,  
Wm. Clarke,  pat. Robinson,  
Lasse Cock.  

[27th May, 1693.  
At a Counciell Held att philadelphia on a Saturaday the 27th of May, 1693.  

PRESEN'T:  
His Excell. BENJAMIN FLETCHER, &c.  

Andrew Robeson,  Wm. Salway,  
Rob' Turner,  Wm. Clarke,  
Lawrence Cock,  Geo. Forman,  
\[Esq'\]  \[Esq'\]  

His Excell. sent Mr Jamison to know if the representatives have made anie thing readie for the perusal of the Counciell, to save time.  
Mr Jamison returned that the house were not mett; that some of the representatives there told him they wer copying out such Laws as they wer to offerr to his excell.; that they had imploied three Clarks, but that they beleived it Impossible they wold offerr any thing this day; & that they were also proceeding upon other matters.  
Adjourned till Monunday morning, 8 a Clock.  

[29th May, 1693.  
At a Counciell Held att philadelphia on Monunday the 29th of May, 1693, Afternoone.  

His Excell. gave the board to understand that in the forenoon hee had sent to the house of representatives about eleven a clock, and there was no assemble mett; that the Speaker is now come to town and the assembly sitting, desiring the advice of the board If it may be proper to send for the speaker & reprimand him for going out of town w'tout leave, or to send to him and urge their dispatch. The Counciell doe advise his Excell. to send to urge their dispatch.  
Ordered, Mr Jamison doe wait upon the House of representatives, and tell the Speaker that his Excell. and Counciell did attend on Saturday Last, and sent a Message to them and they wer nott mett; In Like manner this forenoone, and they were nott mett, The Speaker and Sundrie representatives being out of town: That it is neither warrantable nor answerable for the members of assembly to goe out of
towne without the Leave of the House, nor for the speaker without
his Excell's Leave, during their Sessions; That his Excell. must be
gone to morrow: That if anie thing extraordinarie shall happen in
the fronteers during his Excell's absence, they must think to answer
for their delays; and to desire to know if they will have anie thing
to offer this night.

The Speaker did return in answer, that the house was adjourned on
Saturaday to ten a clock this day; That his house was not far out of
towne; that against, ten a clock hee did return & was in towne; That
they wer putt upon new measures, the provinciall Council having
formerlie prepared bills; That they were unskilled in the methods:
They were busie, and hoped they wold have something to offer this
evening, att Least they wold send word how farr they were proceeded.

Adjourned till 8 a clock morrow morning.

[30th May, 1693.
Att a Council Held att philadelphia the 30th day of May, 1693.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.
Andrew Robeson, Wm. Salway, Esq.
Robert Turner, Wm. Clarke, Esq.
Pat. Robinson,

Two of the Representatives did present 13 bills not signed by the
Speaker, nor anie wayes relating to the Queen's demands and his
Excell. desire, which wer read.

Adjourned till 3 a Clock afternoon.

[post merid.

POST MERIDIEM.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, William Salway,
Robert Turner, William Clarke,
Pat. Robinson, George Forman.
Lawrence Cock,

Ordered, that Pat. Robinson & George Forman, Esq., doe signifie
to the House of representatives that his Excell. is surprized to find
13 bills returned & none of them answering their Maties' demands,
nor hath his Excell. seen one vote or minute of assembly concerning
anie of them. None of them are signed nor passed the house in anie
forme, Soe that nothing is done but an expence of time; That they
desire them to dispatch their Maties' affairs, which sufferr much by his
I shall be sorry if I can be able to give you no better character; and in short, you must expect to be annexed to New yorke or Maryland. I will not Look upon the Bill untill it will be three times read & signed by the Speaker.

The Representatives did throw down another bill upon the table and withdrew.

The Bill Last delivrd is Concerning the estate of persons deceased, and not signed by the Speaker.

His Excell. Ordered Mr. Robinson to Carie the same back to the house, and tell them that his excell. hath passed a bill ag' abusing Magistrats this day in Councill; that they sufficientlie abuse his Excell. in sending up such scripts of paper without being signed, & that they must not expect that hee will take anie notice of such.

His Excell. sent Mr. Robinson and Mr. forman to inquire if the house of representatives had anie more bills to offer; Who in ans' said, the house wer in debate whether they should send anie more bills for assent Untill they heard that the other former bills were passed.

His Excell. after Long expectation, did desire the advice of the board whether hee should not dissolve the assemble, having had no regard to their Majesties demands for assisting New yorke.

His Excell. ordered pat. Robinson & Geo. Forman, Esq". to wait upon the house of Representatives and demand of them whether they have complied with their Maties demands for assisting New york; whether they had considred of a Quota of men or monie, or both, and that they return an ans' in writing, Signed by the speaker.

His Excell. gave them the Queen's Letter, of which the Representatives had formerlie a copie, that they might see it.

They brought in ans' that shortlie they wold bring an ans' in writing.

His Excell. did demand of the Councill If they have observed him to take wrong measures to disoblige the representatives and make the inhabitants uneasie since hee came amongst them, and prayed them to use their freedom of speech.

The Members of Councill did Return, That they wer admirers of his Excell. patience, and wer witnesse that hee hath taken all the stepps of Condescension Imaginable to gain them, and that they wer afraid the Countrie will be att Last Sufferers through their means.

His Excell. gave the board to understand that hee hath sent several messages to the Representatives they have done nothing to answer the Queen's Letr". They have adjourned ymselfes twice this day, and it is now three Hours since the Last message was sent to them; Therfore, asks the advice of the board to send for them and dissolve them.

Andrew Robeson Esq' made answer, That hee was ashamed of their behaveour to his Excell. after all that Condescension and patience his Excell. hath showen to them: being putt to the vote, It is the opinion of the Councill (onlie Mr. Salway excepted) that His Excell. have
patience till morrow morning, and that if they give not satisfactorie ans' to the Queen's Letter by 8 a Clock to-morrow morning, then to dissolve the present assembly.
Adjourned till 5 a Clock morrow morning.

[1st June, 1693.
At an Assembly Held att philadelphia the first day of June, 1693, 5 a clock Morning.

PRESENT:
His Excell. BENJAMIN FLETCHER, &c.

Andrew Robeson, Esq.
Robert Turner, Esq.
Pat. Robinson,
Lawrence Cock,)
\[
\text{Wm. Salway, Wm. Clarke, Geo. Forman,}
\]

The Councill Having sitt two hours, Ordered that Pat. Robinson, Esq', doe wait upon the House of Representatives, and demand of them an ans' to that message concerning the Queen's Lett', according to promise Last night, in writting, & whether they have anie further Bills to offerr.

John White and Edward Blake from the Representatives brought a Roll of Laws, annexed to a petition of right, which Laws the assemblie doe petition may be ordered to be putt in execucion by the officers in the government, & a bill giving one pennie in the pound to y' Maties.

His Excell. did say: Gentl., you have not dealt kindlie by mee. I suppose because you doe not know mee. However, I shall cause this Bill to'be read, & then send to the speaker and the whole house. I suppose I shall give them satisfaction. This might have been done five dayes agoe.

Mr. White. May it please the Governo' not to take it amiss from anie particular member of the house, for as wee differ in face, so also in mind; It was not delayed through anie disrespect to the Governo' but that it doth take up some time to bring men's thoughts and tempers to agree. I hope the Governo' will part with us in Love.

His Excell. You may tell the house that I shall send for them so soon as have perused the bill.

The Bill of the pennie in the pound read three times. Ordered pat. Robinson, Esq'. doe call the speaker and Assembly.

The Speaker and assembly present.

His Excell. said: Mr Speaker and you gentl., The representatives of y' province, There is one bill that you have passed giving the pennie in the pound to their Maties, for which I am obliged to thank you. It wold require several amendments, but I am in haist. I could wish you had given that monie, as you call it, for support of the
government of the province, by another name; It would a been more suteable & pleasing if you had taken some notice in the bill of the Queen's Letter; But I shall not insist, and as for that part yref which you design for mee, I shall put it to that use which their Maties shall require mee.

Gentl., There are Bills which are passed in Counciull without amend- ment and approved: there are some five or six more that will want amendments, as that of marriages. The Counciull are of opinion, with some of yo' house, that it is hard to oblige persons of religious socieities different from the Quakers, should be tied up to their measures.

BRIDGES. There is a word Left outt, perhaps by the Clark's mistake, which is the penalty for not working. The Counciull have putt in twentie Shillings for a dayes neglect: I believe you will agree to it. I believe it wer not amiss it wer 40 shillings.

CRIMINALL OFFENCES. There is wanting in this Bill the Crime of Burglarie, which you may have easilie added.

CASK. In the assize of Cask, It wer proper to take Notice of the oil Cask; fishing with the people of New york is much improved & oil makes a good return. I hope you will consider the improvement of it amongst you; also, I understand there is something done towards that trade of oil; therfore, it cannot hurt to regulate the oil Cask.

RECORDING OF DEEDS. I wold have the preamble Left outt; It's no part of the Law nor adds nothing to it.

There are severall other Laws which I could wish there wer time to consider of ym, but I doubt they will occasion so much debate as will make expence of time. There is that ag' debacherie in officers; I am willing to pass anie Law ag' bebauchrie you can propose; but there are Laws alreadie ag' those Crimes, and if they be putt in exec- ution will not serve.

M' Speaker. May it please the Governo', Wee know there are penalties upon such offences; But wee wold willinglie see that the highest places in governm' should be supplied with officers of most virtuous & examplarie Life.

His Excell. And I also; But it is hard for a false step, in drinking a cup perhaps too much, a man should be deprived of his birthright, which is that hee be incapable to elect or be elected; this is too severe. It is the free Holders birthright as much as his name. I will give you Leave to banish mee out of the governm' when you shall find me drunk. But M' Speaker, there are manie other crimes, as fornication, which a man may happen to be guiltie of as well as drunkennes; why is not that in amongst the rest. I cannot take away the Subjects birthright. But if you will pass a Law for either Muelct or Corporall punishment upon such offences in Officers, I shall be readie to pass it. I believe if this bill You have proposed wer applied to this present assemble in the strictnes of it, Wee should have but a thin House. There are but few men in the world but one time or other may be convicted of Some of these Crimes.

YEARLIE DELEGATES. This is directlie oppositt to their Maties Lres patents. I will engage that while I am in the govern' I will call an
assemblie together once a year; But the king's affairs will not Suffer me to be allwayes here att a certain time. Besides, It is their Maties prerogative to call assemblies as often as they see meet, and this they have given unto me; I cannot part with it; besides, where is the hurt, if a good assembly should be continued by adjournment from one year to another. I Love to have Honest men upon my side, and for the rest I do not care where they be.

SALLARIES TO THE ASSEMBLIE. Gentl., It is well, but you must also have under consideraon the Livet. Governor and the Councill. If it wer once come so farr as to have a Revenue established within this province upon their Maties to defray the necessarie charge of the govern', I wold show you which way it should be made use of for Support of the officers.

Therefore, att present I wold have you take the Livet. Governor and Councill undr' your Consideraon, as well as the representatives.

FERRYS, If I am well informed, are a Royaltie, and are granted to the proprieto'. It seems strange to me that you should incline to take away anie thing from the propriort, who is yo' friend. It is but his right, and I cannot take it from him. I cannot pass this bill.

PIRATES AND PRIVATEERS. The Bill which I sent you was originally drawn up at Whitehall. I cannot pass it as you have altered it. There is other Laws to punish privateers, & I am Vice admirall as well as Governo' here. Since you did not pass it in form I shall not insist. I remember some of you said it was too Sanguinarie; It can doe you but Little good or harme.

And for Choosing of officers, It is a thing the king hath Lodged in me to appoint officers; therfore, you must not expect it. To this and the other concerning delegates, I must give you a positive answer. I cannot pass them.

M' Speaker desired the amendments, and was told they wer endorsed on the bills, then w'drew.

His Excell. did sign the other Bills that wer passed the Councill, and an ord' undr' the List of Laws & petition that all Justices, Sheriffs, Constables & other officers in the province of pennsylvania and Countrie of New Castle, should execute, or cause the same to be executed, untill their Maties pleasure should be further known.

Ordered, Pat. Robinson, Esq'. doe carie down the signed roll, and show his Excell. Signature therunto, and desire them to return the Monie bill; which was done accordinigie.

His Excell. ordered Wm. Salway, Esq'. to enquire of the representaives if they were desirous to be adjourned, prorogued or dissolved.

Who returned that they wold consider of answer.

Adjourned till 2 a clock afternoone.
Post Meridiam, præsentibus ysdem qui ante.

Edward Blake brought up Nine bills amended as the Governo' and Councill did propose, which his Excell. did pass; and that the assemblie could not consent to the amendment of the Bills for allowance to representatives, nor that of appeals, since they cannot allow Burglarie to be a capitall crime.

Edward Blake brought the bill of appeals, with the crime of Burglarie, allowed by the representatives, Which being three times read was assented unto by the Governo' & Councill.

His Excell. bid him tell the representatives that see was readie to pass the bill for allowance to the representatives, But the Councill declare their opinion ag' it, unles provision be made for the members of Councill, which is best done by establishing a revenue for support of the government.

His Excell. desires that the speaker and representatives doe attend him forthwith, being readie to goe on board.

Mr Speaker and the assemble wer admitted. Then His Excell. said: Mr Speaker and you gentl., you may be perhaps mistaken or not well acquainted with the Nature of passing bills in generall assemblie; You have had the Copie of my Comission, & you will find it there, that they are to be enacted by mee, by & with the advice & consent of the Councill & assemblie, or representatives, Soe that it is not in my power to pass anie bills that come from your House, if I wer never so willing, w'out the advice and consent of the Councill, tho' as they say in England, I have in myself the power to damn them, which is the Negative voice. I am verie willing to pass this bill for an allowance of Six shillings per diem to each representative, and Nine shillings to the Speaker; But I find a nemine Contradicente in the Councill for Lay-ing it aside. They doe allege that your preamble to that Bill is verie fair and plausible, (to witt, the support of the Governm',) but then you must not seem therby to take the government whollie into yo' owne hands, as if the Livet. Governo' and the members of Councill had no share yrin. They are Satisfied that ther is some thing due to you for yo' service, but it is also true that the members of Councill have a share in the government, and are in the Nature of the upper house, and there is no provision for them; you must not then take it ill att my hand, for I doe declare to you, Gentl., that if the members of Councill will Consent to it now, I will this moment pass it as it is.

Mr Speaker. May it please the Governo', I knew not what thou woldst say to mee, therfore am not prepared to ans'. But this I will venture to say of my self, and beleive it is the opinion of the house, That wee may give the Councill the Character of great injustice to us. I doe not blame thee.

His Excell. It is not my fault; I am readie to signe it, and think it a verie reasonable allowance.

Mr Speaker. Governor, wee have just now paid twelve pounds odd monie out of our owne pockeths for house rent, Clark's fees, and doore keeper, & for my owne part, I have served the Countrie these
several years, and never had one farthing; But since it is soe, wee will not insist upon it. I wish that upon the Like occasion for the future, the Governo' may be assisted with Councillors of more justice, and an assembly of more witt.

His Excell. I am a stranger; I have put no stranger over you. I have had those gentl. recommended to me, and have found ym all wise, Carefull, & diligent to forward their Maties' Service during my abode. It is my rule to believe well of everie man Untill I find the Contrary; your jealousies have been a great hinderance to their Maties' affairs in this assembly. This businesse might have been done 8 dayes agoe: But I attribute it to this, That you doe not know me. I could wish you had made provision for all the officers of the govern'; If you had, I was allways ready to pass it. I see one vote of the house to that purpose, but heard no more of it.

M' Speaker. Governo', True wee did in the beginning. Wee had several debates upon it, but it could not pass the house; It was ever much opposed.

His Excell. What harme wer it, or who could sufferr by it, if something wer laid upon wine, brandie, beer and Syder. No person is obliged to drink, & they y' will dipp a Little more than ordinarie, will never feel the paym' of it, nor drink the Less. It wer a better way than to Levie monie by distres, which takes a sum out of poor sober people's hands at once. I doubt not but an excise upon strong Liquors, with the addition of some things els, wold raise a Considerable sum of monie yearlie for the support of the Livet. Governor and Council, & other officers.

Gentl., These Councillors will not allways be in place. It may be probable yo' owne turns to Serve verie shortlie. If once you wold establish a revenue upon their Maties for the support of the govern't as it is in all places, I should quicklie give you an accompt how it should be distributed. It hath cost mee neer 200lb. the time I have been amongst you; there is my servants, horses & my table, which I have kept for these gentl. y' came along w' me: and for you M' Speaker, & the gentl. of the assembly, if all times three or foure of you could have come, my door was never shutt, and I told you allways soe; but there was such jealousies and fears amongst some of you in this place, that it was avoided as if it wer treason for the speaker or anie other representative to be seen in my Companie during yo' Sessions. My temper has been allways otherwise. I ever Loved freedome, and it is no argument of Love and affection where jealousie doth so predominate; It is not my fault; I hope wee shall be better acquainted in time. Gentl., I did desire to know of you whether you desire to be adjourned, prorogued or dissolved.

M' Speaker. Governor, wee desire to be dissolved; wee doe thank thee for thy care and kindnes to us.

His Excell. Gentl., I will order the secrie to enroll those Laws that I have passed upon parchment, and affix a Seal to ym, and they shall remain in his office, to be a standard of yo' Laws, to which you may recurr upon all occasions. I have Likewise ordered that the monie
bill shall be first enrolled, Which I doe for yo' sakes; And trulie, I could wish you had taken notice of the Queen's Lett' yrin; It wold have been better received by their Maties. And since you desire to be dissolved, I Have dissolved you, And you are hereby dissolved from the assembly, Soe gentl., I wish you all well to yo' homes. Wee thank thee Governo and departed.

The end the first Sessions of Councill and Assembly.

Att a Councill held att philad. 2d Janry, 1693-4.

PRESENT:
WM. MARKHAM, Esq' Leivt. Governo'.
Rob' Turner,  Esq'.
Wm. Salway,  Pat. Robinson, Secrie.

No business offering, the Councill was dissmit.

[9th Janry, 1693-4.
Att a Councill Held att philadelphia the 9th of January, 1693-4.

PRESENT:
WM. MARKHAM, Esq'. Leivt. Governo'.
  Wm Salway,

The Leivt. Governo' being Informed that some persons had been brought before some of the Justices of the peace for Robbing & stealing, which Crimés, by the 104th & 105th Laws of this province, wer formerlie punisht with restitution & 21 strypes, And which two Laws wer designed by the Last assemblie to have been Continuued in force in their petition of right to his excellie, and tho' these two Laws be in the minuts of the Councill, & also in the assemblie book, amongst the List of those Laws presented to his Excellie & Councill to be Continuued, yet they wer through haste omitted to be putt by the assemblie in the roll of Laws by ym requested to be continuued, By reason qrof, the Justices are doubtfull how to proceed in the punishment of such Criminals.

It was resolved, That his Excellie be Humblie requested to give his determinaon in this matter.
PROVINCIAL COUNCIL.

[16th Janry, 1693-4.
Att a Councill Held att philadelphia the 16th of Janry, 1693-4.

PRESENT:

WM. MARKHAM, Esq'. Leivt. Governo'.

Robert Turner, Esq'.

Pat. Robinson, secry.

No bussines presenting, the Councill was dismist.

[23d Janry, 1693-4.
Att a Councill Held att philadelphia the 23d January, 1693-4.

PRESENT:

WM. MARKHAM, Esq', Leivt. Governo'.

Robert Turner, Esq',

pat. Robinson, Secry.

The Leivt. Governo' signified to the Councill, That hee had a
Lett' from his Excellie, Containing a matter of moment, which wold
require a full Councill; did therfor acquaint the members present not
to faill to be here the 30th instant, and ordered the Secrie to write to
Jn' Cann & George forman, Esq'\', to be then also present, which
the secrie accordinglie did.

[30th Janry, 1693-4.
Att a Councill Held att philadelphia the 30th of January, 1693-4.

PRESENT:

WM. MARKHAM, Esq', Leivt Governo'.

Rob\ Turner,

Wm. Salway,

Lacey Cock,

\{ Esq'\}

Geo. Forman, Esq'.

pat. Robinson, Secry.

The Leivt. Governo' acquainted the Councill that hee had sent for
Jn' Cann, Esq', the 22d instant; That the Secrie had writ to him
from Geo. forman, Esq', his house, to be present att a full Councill
this day to advise about a matter of moment. M' Cann not having come,
The Livet. read a part of his Excellie's Lett' to himself of the yth
instant, in these words, viz: "You doe not ans' mine relating to assem-
blie which I incline to hold att New-Castle, but will complie to the
"Councill's opinion."

After some debate about this matter, The further debate thereof was
defferred to the Sixt of Febrie next; and it was ordered that M' Cann
should have fresh notice to be then present.

Joseph pidgeon having exhibited to the Livet Governor and Councill an acco' of tenn pounds two Shills., for sundrie presents delivered
the Indians by his Excellie's ord', when here at a treatie w'ym, And
desiring paym'.
Ordered that Rob' Turner, Esq', treasurer, pay the said sum out of the pennie per pound tax raised for the support of the government.

Ordered that the Secrie issue outt a warr'd directed to the Messinger of the Councill, To Sumons Ann Letort, Cap' Jn' dubrois, peter Bisalion, mounce yokum, Lewis, the French Canada prison', Ben' Clift & Thomas graves, to be here present the Sixt of Februarie next.

Att a Councill Held att philadelphia the Sixt of February, 1693-4.

WM. MARKHAM, Leivt. Governo'.

Robert Turner, John Cann, Wm. Salway, } Esq'.

Lacy Cock, Esq'. pat. Robinson, Secry.

The Informaon of Thomas Jenner and polycarpus Rose, exhibited to this board the 19th of Decemb', 1693, ag' Ann Le Tort, &c. was again read, and by peter Reverdie interpreted to her & her husband from the English into French.

Shakhuppo, an Indian king, being examined by Capt. Cock, interpreter, saith That hee knows nothing of anie Letters sent to strange Indians by Ann Le Tort, nor by anie others, but that hee hath seen some strange Indians come to trade with her, but that hee neither knew ym, nor understood their Language.

Kayantarras' wife, by the sd Capt. Cock, interpreter, being examined, saith that shee has sometimes seen strange Indians come to Le Tort's plantaon to buy goods.

The said Ann Le Tort, by peter Reverdie, Interpreter, saith, that what those Informants by mistake call a packct of Letters, was onlie a book of acco' of what the Indians owed them, wrapt up in a blue Linnen Cloath to preserve it from the weather.

To the 5th article, about Le Tort's whipping polycarpus Rose, calling the English and Sweeds rogues, Shee saith, That the Indians are much indebted to her & Little to peter yokum, and that shee came befor her hous with Rum, & therwith enticed the Indians from her; wherupon shee in her anger, might call him & the sd polycarpus Rose names.

To the 1st article, The said Ann Le Tort saith, That shee never had anie such discourse with Hicquoquean, nor has shee seen him these three years past.

Ben' Clift being Lame and not able to travell, sent to the Leiv' Governor a paper, wherein hee saith, That two ot of Indian kings told him that ther have been Severall Lett' & powders sent to Canada by peter Bisalion, & that Lewis, the french Canada prisoner that lives at Le Tort's, told our Indians that they should see in a short time that all our English wold be cutt off by the French, and that if the English wer from amongst us you & wee should Live bravelie.
Cap'. Cock saith, that hee believes our Indians are onlie afraid that the strange Indians will come and Surprize them.

Wherupon the Leiv'. Governor ask't and desired the Councill's opinion, Whether from the above-said examinations & proffis, ther wer sufficient grounds wherupon to bring the sd Ann Le Tort to a tryall.

They wer Unanimouslie of Opinion that there wer not.

The petition of some of the Inhabitants of philadelphia & of some other parts of the province, was read, setting forth their Jealousies relating to the French in generall amongst them, and more speciallie referring to those trading in remote & obscure places with the nativs, without securitie or approbaon: And therfore, Requesting that the French may be called from those places, where they still Continou their Commerce with the Nativs, and that if they be permitted to retail trade, that it be in places of this or other towns in the province, and that neither they, nor anie others, be permitted to freedom of trade with the nativs, but such as are approved of, and upon securitie of acquainting the government with all the matters they can hear or observe concerning the natives and the enemies of the Countrie.

It was hereupon Resolved, That Capt. Jaques Le Tort give to the Leivt. Governor sureties that hee shall acquaint the governm't with all matters hee can hear of or observe concerning the Natives & the enemies of the countrie, and that he take the oaths appointed by act of parliam't to be taken in stead of the oaths of allegiance and supremacie.

Ordered, that Cap' Le Tort, or his wife, bring before the Leivt. Governor and Councill Lewis, the Frenchman that Lives at his house, the 13th instant.

Ordered that Robert turner, treasurer, give to Shakhuppo and kyantarra's wife two match coats, and two shillings sixpence in monie.

His Excellies Letter to the Leivt. Governor and Councill, dated "the 25th of January, 1693-4, was read, Wherin Hee says: "I find it needfull for their Maties' service to call a generall Assemblie in the spring; doe therfore ask your advice of the time & place of meeting, Which I will order accordinglie. I shall be readie to meet you the Later end of March, or beginning of April, Unless I be called to the frontiers. You are sensible of the weaknes of governm' without support. I hope you will use yor endeavors to gett such to assist me who are best qualified for that service."

After some debate, it was the unanimous opinion of the Leivt. Governo' & Councill, That the most Convenient time for the sitting of the next generall assemblie wold be about the tenth day of April next, and the most Convenient place the town of philadelphia, But Humble submitted both time and place to his excellies pleasure; And desired the Leivt. Governo' to return their heartie thanks to his excellie for his care of them, assuring his excellie that they should not be wanting in anie degree of their dutie to, and assistance of his excellie, according to their power and abilitie.
MINUTES OF THE

[7th Febry, 1693-4.
Att a Councill Held att philadelphia y* 7th of February, 1693-4.

PRESENT:

WM. MARKHAM, Esq'., Leivt. Governo'.
Rob' Turner, Esq'.
John Cann, Esq'.
Lacey Cock, Esq'.
pat. Robinson, Secry.

The petition of Thomas Lacey ag' John Swift, having been read, Ordered that the Secrie write to Jn' Swift to be here the 13th instant, to make ans' to the sd petition.

The petition of philip England having been read, setting forth that hee hath been Lawfullie Impowred and authorized to keep an Ordinarie and ferrie att Skiullkill, first by an order from the proprietor, dated the 16th of 8ben 1683, under his hand and Seal, therin strictlie Charging that no person presume to transport anie passengers for monie or reward, over the said river, near the sd ferrie: secondlie, by an order from Governo' Fletcher, dated the 29th of April Last, fullie Confirming the proprietor's grant to the petitioner for the sd ferrie and ordinarie: And thirdlie, by a Leass from the Leivt. Governo', in behalf of the proprietor for the sd ferrie, for a certain term of years, att the yearlie rent of seven pounds; And that the sd petition' seatled himself and familie theron, the acco' of keeping the said ferrie, and has been att great charges to fitt & accomodate the same with boats & Canoes, and in making a convenient Landing place on both sides of the river, both for horses and passingers, And is obliged to attend the publick service of the government. Notwithstanding of all which, one Wm. powell, in Contempt of the authoritie aforesaid, hath a Longtime ferried over people and horses, & has for six mo. past erected a boat, as ferrieman, and ferried over severall horses and passengers, to the petitioners' great detriment, and since his being called to acco' for his contempt of the authoritie aforesaid, befor the Leiv' Governo' & Councill, which was the 18th of July, 1693, has pretended to sell the sd boat to certain people, who doe employ one Nathaniell Mullinax to ferrie them over, in Contempt of the power and authoritie aforesaid; And yføré, Requesting the Leiv' Governo' and Councill to cause the sd Wm. powell and Nathaniell Mullinax to appear befor ym to ans' the contempt aforesaid, as also for the wrong the petitionr has sustained yrly, that so yo' petitionr may receive such Justice herein as you shall Judge meet. Nathaniell Mullinax having appeared, the minutes of Councill of the 27th of June & 18th of July & 19th 7br. relating hereto wer read, Wherin Wm. powell promised that hee wold desist from and Leave off ferrying over people att that place, & that none else und' him should ferrie anie people over from his Land for anie reward, and which the Liev' Governor and Councill charged him strictlie to observe att his perrill.

The sd Nathaniell Mullinax being interrogated who they were that first employed & hyred him to ferrie people over, Hee ansered, That most of the people of Harford & Marion, & some of darbie, employed and hyred him to ferrie ym over, and that they were to pay him his wages, & that he knew no reason why he might not work for
his Living as well as others: And after sometime hee brought in a List of the names of some that employed him, viz: Evan prothero, Wm Howell, Thomas Smith, Wm. Smith, Morris Luellon, David Meredith, Jn' Rhodes, Wm. Warner, Humphrie Ellis, Ellis Ellis, Hugh Roberts, Robert Owen, Jn' Apowen, Richard Haye, Adam Rhodes, Christopher Spray, Davis Luex, Luex David, David Ewer, John german, Hugh Shone, Evan Hendrie, Wm. garrett, John Blunstone, Sam' Lewes.

It was ordered that the sd Nathaniell Mullinax be committed to the Comon goale of this County, till hee give good and Sufficient securite to the Leivt. Governo', that hee shall ferrie no more persons, horses, nor cattle over Skuilkill, att Wm powell's, for gift, hyre or reward, directlie nor indirectlie; And that the said boat be forthwith Seazed and secured by the sheriff, till the owners therof appear befor the Leivt Governo' and give the like securite.

Upon reading the petition of Jn' Bristow, setting forth that when hee was Ranger for Chester Countie one Richard Thompson, in 1692, brought to him an unmark't horse as a stray, which the petition' received from him, and therafter the grand Jurie for sd Countie presented the petition' for receiving a markt horse for a stray; Att which Court of Quarter Sessions the petition' was discharged from the sd presentment, upon evidence that the sd horse did not appear to be artefacificialie markt when hee came to the petitioners hands; Wherupon the petition' was ordered by the then Court to sett up a paper on the Courthouse door, to notifie that in Case anie person should come and prove the said horse to be theirs, they should have him returned; which the petition' accordinglie did, As by a Certificate und' the hands of the then Justices for the sd Countie, and und' the hands of the grand Jurie therof, has appeared; Notwithstanding wherof, the Late grand Jurie for the sd Countie have of new presented the petition' for y' same thing, wherof hee was formerlie cleared, tho' no person hath yet appeared to owne the sd horse, which the petition' believes is done of purpose to stopp him from prosecuting his intended voyage for England, and to damnifie him in his good name & reputation; And therfore, Requesting such releif in the premisses as the nature & circumstances of his case requires, and that the rather, that the petition' is still willing for peace sake to deliver up the sd horse to anie person that can make proof that ever hee was theirs, tho' he has paid half of his value to the proprietors receiver, &c.

It was the opinion of the Leivt Governo' & Councill, That (the new presentment seeming rather Litigious than just,) the Court of Chester Countie be advised to moderation, and to be careful not to countenance anie thing that caries with it the face of anie former grudge, animosite or revenge, ag' anie person whatsoever.

Ely Lush, Wm Rawlings, Charles kemarr, Rob' Lindsay, peter Goss, mariners, having made prooef befor the Leivt Governo' and Councill that they were ordered by — petit, M' of the ketch James, (wherof Cap' James Risbie was owner,) to putt on shore Nathaniell Lukins, who piloted the said ketch down the bay of delaware, which they did, and that by reason of the bad weather att Cape Henlopen,
they could not get on board the sd ketch again, and that they were readie to deliver the ketch’s boat to John More, attorne to said Risbie, and therfore, requested they might have a Certificate from the Leivt Governo’ accordinglie, which was granted them.

[13th Febry, 1693-4.]
At a Councill Held att philadelphia the 13th of February, 1693-4.

PRESENT:
WM. MARKHAM, Esq’., Leivt. Governo’.
Robert Turner, Esq".
William Clark, Esq’.
Pat. Robinson, Secrie.

The Leiv’ Governo’ represented to the Councill, That the proprie-
tor’s Comrs of propertie, had made appliacon to him by way of com-
plaint, That Wm darvall of kent Countie, stood Lawfullie indebted
unto the proprietor in certain considerable sums of monie upon obliga-
on and for arrears of Quit rent, and that one John Barns, who has lived
on sd Wm darvall’s plantaon in the sd Countie, does without anie
due Course of Law, imbezzil, wast and Consume the goods, house-
hold stuff, cattle, and stock of the sd Wm dervall, and sells and
squanders away the same, and Converts the monie to his owne use,
Intending to Leave this province and to Carie with him what hee
can of the sd Wm. darvall’s estate, to the utter ruine of the sd Wm.
darvall, and to the toall defeating the proprietor of his just debts So
owing to him, and therfor, Requesting the assistance of the governm'
for prevention therof.

Ordered, that a warri be issued from the Leiv’ Governo’, directed
to the Sheriff of kent Countie, to secure the person of the sd In* 
Barnes, untill hee show good and Sufficient reason for his doing as
above, And in the meantime, to attach, att the proprietor’s suit, and
take into his Custodie all such goods, household stuff, stock and
Cattle that shall appear to belong to sd Wm. darvall, in whois hands
soever they be; As also, to secure all such monies as are in the hands
of anie person whatsoever, as the produce of anie of the goods of
the sd Wm. darvall, sold to them by the said John Barnes.

Robert Wade’s petition having been read, setting forth That hee is
Lawfullie seized in fee simple, in an estate of inheritance to him &
his heirs forever, in a piece of Land in Chestertowne, oppositt to &
ranging with the front of the Court house of the sd Countie, Beginning
on the south west side of the sd street of the sd town, and so to Low
water mark in the Creek in depth, and fifty-three foot in breadth,
fronting sd street, with all its appurtenances, under the yearlie rents
due to the Lord of the soil therof, As by his deeds for the same, 
dulie perfected, to the Leivt. Governo’ & Councill produced, hath ap-
peared; and that notwithstanding therof, on the 5th day of the 4th mo.
1689, the grand Inquest for the sd Countie of Chester did, without
the petitioner’s knowledge, Leave, or consent, and without offering or
paying to the petition the Least consideraon, Lay out the petitioner's said whole piece of Land for a public Landing place and open street, for the pretended Service of the said Countie, and the then Justices of the sd Countie declared to the petition', that they Seazed it for the king; and that the petition' being a freeman, cannot by Law be dis-seized of his freehold but by the Judgment of his 12 equalls, by a Legall tryall, and which act of the Court has been to the petitioner's great Loss & damage, who is daylie threatened to have what hee shall build on sd his Land pulled downe and thrown into the sd creek, and therfor, requesting such remedie & redress in the premisses as is agreeable to Justice & equitie.

Wherupon, the Leiv' Governo' ask't the advice of the Councill, who after further hearing of the said Robert Wade, ordered that the said Court, or Clark thereof, (on the petitioner's request of payment for it,) send to the Leiv' Governo' & Councill by whois and what warrant the then Court and grand Jurie So Laid out the petitioner's Land aforesaid, and that hee send a Copie of the same warrant, & of the whole presentments, orders and minutes of Court from time to time, relating to this affair.

Upon reading the petition of Thomas Lacey, setting forth that being by Mary Rowles, servant of John Swift, unjustlie accused for the father of her bastard child, and by sd Swift's procurement was bound over in 40lb, to ans' att the next Court of Bucks, att which the petition' appeared, and the Court bound him in 10lb, & Israeli Taylor, his suretie, in 5lb, for appearance att the next Court, att which time the petition' being sick appeared by his attornie, where Little was done in the matter, & being advised that ther was no need of appearance att another Court did not goe, wherupon his bonds wer forfeited, on which they got out execuon ag' the petition', and have Leavyed it on Israeli Taylor's goods, & the petition' is threatened by sd Swift with the sd execuon throughout all the province, to his detriment, and that as hee has formerlie offered to take the bastard, & to give securitie for maintaining of it, so he is still readie to doe, if Jn' Swift and its mother will part with it, Which they refuse; And yrfor, Requesting the fine may be forgiven, & also all such Corporall punishment as the severitie of the Law might inflict on him by reason of the false accusaon of the sd Rowles.

John Swift appeared and answerd, that it was true that said Rowles Laid the sd child to the petitioner, but that hee was not bound over by his procurement, being done under the Late govern'; that hee was never bound in 40lb, but in 10lb, & his suretie in 5lb, & that hee never appeared att anie Court, and that ther's no execuon out ag' him nor his suretie; that hee has yet given no securitie for maintaining the sd child, and that the mother will not part with it.

Ordered, that the petition' produce to the Leiv' Governor and Councill a copie of the records of the sd Court relating to the whole affair, whereby it may appear whether the sd bonds wer forfeited or not; and the Leiv' Governo' told sd Swift that no Countie should be a place of refuge for persons that had broken the Laws in another Countie, and
that if he would take out a warrant from you to carry him into their County for his legal trial and punishment, he might have it; and if he desired that the petition should give security here for maintaining the child, they would force him so to do. To which sd Swift answered, that it was not his business to be att anie Charge about such a fellow.

[20th February, 1693–4.]
At a Council Held at Philadelphia the 20th of February, 1693–4.

PRESENT:
WILLIAM MARKHAM, Esq'. Leiv' Governo'.

Robert Turner,  
William Clark,  

Esq'.

Pat. Robinson, Secry.

No business presenting, The Council was dismissed.

[27th February, 1693–4.]
At a Council Held at Philadelphia the 27th of February, 1693–4.

PRESENT:
WILLIAM MARKHAM, Esq', Leiv' Governo'.

Robert Turner,  
Wm. Salway,  

Esq'.

Lacy Cock, Esq'.

pat. Robinson, Secrie.

Robert Owen and divers others of the Inhabitants beyond Skuillkill, in this province, appeared before the Leiv' Governo' and Council, and signified to you that they had a property in the boat Latelie seized by their order, and that their transporting themselves therein over Skuillkill, proceeded not in the Least from any Contempt to the authority of the province, and therfor Requested that they might have their boat returned to them again, & that for their more easie Coming to their meetings, fares & marketts, & to the election of representatives to serve in the ensuing assembly, they might be permitted to transport themselves therin.

Upon Consideration wherof, & y' the sd Inhabitants might not pretend that by the detention of the sd boat they would be hindered from coming to the sd election, It was ordered, by the Leiv' Governo' & Council, that the sd boat should be by the sheriff delivered back to them, & that the owners yrof might transport, or cause you selves to be transported therin, without taking any monie or other reward therefore, untill such time as his Excellie the Chief Governo', should come hither, to whom they referred the full hearing & determining of the whole affair. For which the said Inhabitants returned to the Leiv' Governo' their Heartie thanks.
[24th May, 1694.
Att a Councill Held att philadelphia the 24th day of May, 1694.

PRESENT:
His Excellencie BENJAMIN FFLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.
And' Robeson,
Rob' Turner,

{ Esq'.

Wm. Clarke,
Geo. foreman,

{ Esq'.

The petition of Breta Jonson was read, Setting forth that shee is the widow of derick Jonson, who was executed for the murder of a man, &c. whereby his estate, real & personal, became forfeited to their Maties, But by the Clemencie of the Leivt. Governo', the petition' was ordered one moiety yrof, for her and children's subsistence, but Could not get possession of anie of the movables, onlie the moiety of the Land and house, and is now in a very Low condition, having three children to maintain; And therfor, Requesting his Excellie to Consider her condition, & reverse the judgm' which was executed on the other moiety of the Land, and in his clemencie & charitie, Order the restoraon of the moiety which is not in her possession, for a further support to her present necessities. The abov sd petition was referred to Wm. Salway & Geo. forman, esq'., to report what they Judge proper to be done in answer thereto; And they having Reported that by the Law the widow hath a right to half the personal estate, and desired, with the rest of the Councill, that his Excellie will grant the other half, for ye maintainance of herself and children, His Excellie ordered that the same be granted her for that use, shee paying all reasonable charges and fees.

[30th of May, 1694.
Att a Councill Held att philadelphia the 30th day of May, 1694.

PRESENT:
His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq., Leiv' Governo'.

Rob' Turner,
pat. Robinson,
Wm. Salway,

{ Esq'.

Wm. Clarke,
Geo. Forman.

{ Esq'.

His Excellie ordered the reading of the articles exhibited by some of the Inhabitants of Philadelphia ag' Robert Brett, Clark of the market, which wer read, and ordered the said Robert Brett should have a Copie thereof.

Ordered that a warrant Issue upon Robert Turner, Treasurer, for payment of One Hundred pound to daniell Honon, for his Excellie's use.
[2d June, 1694.
Att a Councill Held att philadelphia the second day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson,
Rob' Turner,
pat. Robinson, } Esq''.

Wm. Clarke, Geo. forman, } Esq''.

The petition of Joseph Brayman, in behalf of himself and wife, The reference therof to Wm. Clark, esq', and his report therupon, wer read. The Report in his favour approved, and the petition granted.

[4th June, 1694.
Att a Councill Held att philadelphia the fourth day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

Andr. Robeson, } Esq''.
Rob't Turner, pat. Robinson, } Wm. Clarke, } Esq''.

His Excellie did offer that he is desirous to give all just Satisfaction to the people, and therfor proposed to affix placardes, giving notice to all persons that hee hath appointed Tuesday, att eight in the morning for the hearing of anie Complaints made ag' Rob't Brett, the Clark of the market, for anie misdemeanors Comitted in the execucion of his office, wher all Complainants & evidences shall have access, which is agreed unto, and ordered accordinglie.

His Excellie did Likewise acquaint the Councill, that hee hath appointed the same time for enquiring into the matter of peter debuc, deceased, which Comes under his Excellie's Cognizance, and desired they would be witneses therto.

[5th June, 1694.
Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson,
pat. Robinson, } Esq''.
Wm. Salway, Wm. Clarke, } Geo. forman. } Esq''.

Robert Brett, Clark of the market, being heard, & manie persons
appearing ag' him, they made severall misbehewors appear in the 
execucon of his office, for which his Excellie discharged him from the 
said office.

The bussines of peter debuc's will deferred till afternoon.

---

3 of the Clock, afternoon.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson,
pat. Robinson,
WM. Salway,

\{Esq'\}
\{Esq'\}

Wm. Clarke,
Geo. forman,

His Excellie Having ordered the Hearing of what might be offered 
ag' the will of peter de buc, deceased, and severall things being offered 
by sundrie persons, wherein they seem to insinuate there was fraud and 
Collusion in the making therof, His Excellie did, upon hearing therof, 
dismiss the people, and desired the Councill to give their opinions upon 
the whole matter, Whether or not the will, which was proved before 
the Leiv' Governo', Can be allowed or not; Which being putt to the 
vote amongst the members of Councill, was caried in the affirma-
tive, & his Excellie did allow yr.of.

[6th June, 1694.

Att a Councill Held att philadelphia the sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FFLETCHER, &c.

WM. MARKHAM, Esq', Leivt. Governo'.

And' Robeson,
Rob' Turner,
Pat. Robinson,

\{Esq'\}
\{Esq'\}

Wm. Clarke,
Lau' Cocke,
Geo. forman.

The petition of Waddy Reynolds was read, & Ordered Wm. Clarke, 
Esq', be Impowered to hear and determin the matter of complaint, & 
to See that the widow & children be not injured, and that an Ord' 
Issue forth to the justices of the peace to stoppanie further process in 
the mean time.

The petition of Mary White was read, and ordered the Justices of 
the Countie Court deliver her accotts, & cause them to be regulated 
according to the table of fees then established.
[11th June, 1694.
Att a Councill held at philadelphia the yth day of June, 1694.

PRESENT:
His Excellie BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq', Leivt. Governo'.
And' Robeson,  Wm. Clarke
Rob' turner,  Wm. Salway,  Esq'.

The petition of Mary White was read, qin shee sets forth that her Husband, deceased, was sheriff of philadelphia, & became bound for the rent of y' house hyred for the use of the Countie, to be a goal; that the rent of the sd house is not yet paid, and the bond of the sd Jn' White standing outt ag' the petition', to her great trouble.

Ordered, the Justices of the peace in the Countie of philadelphia, draw a warrant upon the Countie Collector, to pay the rent due for the said house, and procure the said bond to be delivred up Cancelled, to the petitioner.

His Excellie did acquaint the board that hee did receive informaon Saturunday night, that after the dissolution of the Assembly, David Loyd, with the Representatives, returned to the place of their sessions, and david Loyd assumed the chair, and said they wer not dissolved until they had dissolved themselves also, and caused some minute to be entred upon record.

His Excellie desired the opinion of the Councill to send for the Clark of the late Assemble, together with the minutes of their Journall, Which the Councill doe approve of.

Ordered, Jn' Claypoole, Esq' sherif of philadelphia, doe forthwith bring the Clark of the assemble, with the minutes or Journall of their House, besor his Excellie in Councill.

His Excellie did give to understand that the assemble did insinuate in their Remonstrance, that something in the former Assembly was done in ans' to the Queen's Letter, produced the act to the Councill, & demanded the opinion of the Councill whether it doth appear that they have given anie thing to ans' the Queen's Letter.

It is the opinion of the Councill that ther was nothing granted in the first assembly to enable his Excellie to ans' the Queen's Letter, nor anie thing proposed in the Last Assemble that could be construed that way.

It is the opinion of the Councill, nemine Contradicente, that his Excellie, the Governo', hath proceeded in all matters in this Late Assemble with great prudence and moderation, and with their Consent and advice, and not otherwise.

The Clark of the assemble Having brought the minutes or Journall of the Assembly, It found entered that upon the Governor's request they did adjourn to the Councill chamber, after his Excellie the Governor, had dissolved the assembly In haec verba is entred. Upon their Return the Speaker Reports that the Governor was pleased to dissolve this house, & it is accordinglie dissolved.

The Comrs of the propertie of Mr' penn gave in their report concerning the ferrie at Skuillkill, that it is the undoubted right of the
propritor. His Excellie gave his opinion that they ought to main-
tain & support the proprietor's right in his ferrie, as they had done
formerlie, And ordered a warrant Issue to the keeper of the said ferrie,
requiring him to pursue the rules yrof, and a prohibition to all others
from offending ag' the said rules, or using anie other ferrie within foure
miles distance on either side the river, of the proprietor's ferrie.

The petition of sundry freemen & Inhabitants of philadelphia,
praying that the street upon the bank in philadelphia, of thirttie foot
breadth, as the same is agreed upon by the Inhabitants and possessors,
under hands and sealls, by Indentures, may be Laid outt, and sur-
veyed and cleared, and afterwards Held and reputed a street of the
said Town of philadelphia, by the name of Delaware street. And It
is Ordered therupon, that the said street shall be Laid outt & surveyed
forthwith, and afterwards, as soon as possible, may be cleared, accord-
ing to the sd Indentures and agreement, To be Held, reputed and
taken as a Comon street of the town of philadelphia, by the name
of KING'S-STREET.

[15th June, 1694.
Att a Councill Held att philadelphia the 15th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM MARKHAM, Esq., Leivt. Governo'.

And' Robeson,
Rob' Turner,

pat. Robeson,

Esq'.

Wm. Clark,
Law' Cock,

Esq".

His Excellie told the Councill how manifest it is to ym all, How his
Excellie has tendered the Queen's Letter to the assemblie, & proposed
something to be done by them in ans' yrto, in a manner agreeable
with the principles of the people, & that nothing is done in ord' yrunto.
That the Queen's Letter is directed to his Excellie & not to the assem-
blie, Therfore desires the advice of the board, If it be not proper for
his Excellie to array the whole province and detatch att Least fiftie
men for the assistance of albanie, or if ther be anie other way Left
his Excellie to answer the sd Letter since the assemblie have shutt
their purses ag' the king.

Resolved, the Councill doe draw up their answer to his Excellies
prosell in writing, und' their Hands.

His Excellencie, with advice and Consent of the board, did sign a
proclamation for the encouragment of the proprietor's ferrie over the
Skuilkill.
[26th June, 1694.
Att a Councill Held att philadelphia the 26th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq’, Leiv’ Governo’.

And’ Robeson, Wm. Salway, Esq’.
Rob’ Turner, Law’ Cock, Esq’.
pat. Robinson, Geo. forman, Esq’.

Ordered a warrant Issue to the Receiver Generell, for the paym’ of the whole Amount of the Tax raised by the pennisie in the pound, granted by the assemble, anno 1693, to Andrew Robeson & patrick Robinson, Esq’, who are by his Excellie appointed to dispose y’of as his Excellie shall direct, for y’ maties Service.

His Excellie did Recommend to the Leiv’ Governo’ and Councill the care of the Government during his absence, that they will endeavour the peace and prosperitie y’of, and heall the divisions & Controversies that may happen amongst the people. Soe bid them farewell.

[6th July, 1694.
Att a Councill Held att philadelphia the Sixt day of July, 1694.

PRESENT:

COLL. WM. MARKHAM Esq’, Leiv’ Governo’.

And’ Robeson, Law’ Cock, Esq’.
Rob’ Turner, pat. Robinson, Esq’.

The Leivt. Governo’ acquainted the Councill That the occasion of his calling them together was, that yesterday Lacey Cock, Esq’, informed him that the Delaware Indians were come down to discourse him.

Hithquitoquean, kyanharro, Shakhuppo, Oriteo, Menanzes, Mohocksey, Tamaneec, Alemecon, with several others of the Delaware Indians, were admitted.

Hithquitoquean (in name of the rest of the delaware Indians) took out and Laid down a Belt of Wampum, which hee said was sent to ym by the Onondages & Senekaes, who say, you delaware Indians doe nothing but stay att home & boill yo’ potts, & are Like women, while wee Onondages & Senekaes goe abroad & fight ag’ the enemie. The Senekaes wold have us delaware Indians to be ptners w’ ym to fight ag’ y’s french, But wee having allways been a peaceable people, & resolving to Live so, & being but week and verie few in number, cannot assist ym; & having resolved among o’selves not to goe, doe Intend to send back this their belt of Wampum. Mohocksey said; The former belt sent by the Onondages & Senekaes, is sent to us all, & wee have acquainted one another w’it, & tho’ wee live on the other side of the river, yet wee reckon o’selves all one, becaus wce drink one
water. Wee have had a Continuued friendship with all the Christians & old inhabitants of this river, since I was a young man, & are desirous to Continuou the same soe Long as wee Live; And gives a Belt of Wampum.

Tamanees said: Wee and the Christians of this river Have allways had a free rode way to one another, & tho' sometimes a tree has fallen across the rode yet wee have still removed it again, & kept the path clean, and wee design to Continou the old friendship that has been between us and you; and gives a Belt of wampum.

The Leiv' Governo' said, That by three of the Clock in the afternoon hee wold consider & givc ym an answer.

3 a clock afternoon, presentibus ysdem; except Andrew Robeson.

Law' Cock, Esq', acquainted the Lt. Governo' that kyanharro & Oriteo, two Susquehanna Indians present, had something to say, and in respect they could not be understood, desired Menanzes to speak for ym.

Menanzes says, That a certain Indian king (being kyanharro's old acquaintance) having Come from the Cayogues to kyanharro's house to see him, and on his way the sd king and his kyanisse Indians had some mischance befallen ym, for the Titwa's, the naked Indians, fell upon ym; But the sd king & his kyanisse Indians fought their way through ym & gott to kyanharro's house, where they desired to remain & be entertain'd in a peaceable Countrie. Menanzes in their name gives six deer skins. To whom kyanharro replied: You are of my blood; I cannot deny you, but must receive you; and the sd kyanisse Indians desired that kyanharro wold speak with the Christians that they wold receive ym with the same kindness as hee did, and y' as they are here protected by the Christians, the sd kyanisse Indians hope to meet with the same protection. Gives six doe skins.

The Leiv' Governo' acquainted those Indians that on the 4th instant, Jn' Budd informed him that an Indian king of West Jersey, with other Indians of this place, told him that from a meeting they Latelie had within 25 miles of this governmt, they brought two belts of wampum & delivred ym to Capt' Cock, to present ym to his Excelly in ord' to a treatie for confirming their former Leaque with the English; that they complained that they had severall dayes delivred in their belts & could have no hearing, but wer putt off by promises that they should be heard one day after another. They tarryed in town eight or nine dayes, & that about thirteen dayes since Mohoksey's son came here & acquainted him, the sd Budd, that he was sent to see if the philadelphia could give him a good word back; And that about ten dayes since the sd Informant being att peter Stallewpp's house, in Newcastle County, said Stallcupp told him that an Indian called Nescaacato, then informed an Indian king named Awahelah, saying Verie ill news, (repeating it again,) & said you know that from such a meeting wee sent two belts of wampum in ord' to a treatie, But the Go' of
newyork wold not treat with us, & they have had in philadelphia a great number of men, with drums & guns, &c; & the same att New Castle while the Go' was there, & y' hee went thence to Maryland, w' such speed y' they killed two horses in the way, which things Look w' a verie ill design; wee believe y' there is no good meant by the English; there is some speedie matter in hand. The sd Budd further saith y' Last Moonday hee acquainted Joseph Wilcox w' the substance of the abov writtin.

The Lt. Go' askt the Indians if the sd informaon was true: they ansred it was all false, ther was no such meeting, nor no such design to treat w' Go' Fletcher, nor no Hearing ask", And if Mo-hocksey's son or their young men when drunk, told Jn' Budd anie such thing, hee should not make a storie of it unles hee had had it from their Sachims. Law' Cock also said, that the two belts wer given him by Tamanee & Hithquoquean, to be keept for ym till they should call for them.

The Leivt. Go' told M' Budd, that he was much to blame for giving his Informaon first to the Justices, (who never acquainted him of it, nor of his Informaon,) especiallie since it concerned the peace of the province in Generall, & for y' hee came not to him till hee was sent for, and that if hee Comitted the Like again hee should not goe unpun-isht, & soe dismiss him.

Then the Lt. Go' (by Law' Cock, esq'. Interpreter,) answered the Indians: You did verie prudentlie to Consider well how you entred in a war w'out advice & consent of their Maties of great Britain's Chief Go' here, who is Governor of New york. I heare there are sober & wise men among you, & ther's an old man who cannot come down, who can give you good Counsell, & you must be Considerate in what you doe, for wee have enemies round about us.

It's but of Late that wee took up armes, & I assure it's not o' design y'by to make war upon you, nor upon any others; but thereby to be in a Capacitie and readiness to defend o'selves and you from o' & yo' Comon enemie the French, if they should happen to assault us or you.

His Excellie the Go' of Newyork is also Chief Governo', & came hither to see what men and monie hee could raise for the defence of Albanie the frontiers from the French & Indians; Hee caried some monie with him but suffered o' men to stay att home to defend ymselfes & their Countrie ag' the french. While here He enquired how o' Indians and wee Christians agreed; We answered that for manie years wee had Lived as brethren. He desired wee might Continou our friendsipp, for said hee, The enemie of one is the enemie of both. The Leiv' Governor also said: If the Senekaes send again to you doe you send to me, and Ie send an express to Newyork, and His Ex-cellie will take care that the Senekaes shall doe you no Injury. Soe they all departed, verie well satisfied with the Lt. Governor's answer.
PROVINCIAL COUNCIL.

[24 August, 1694.
Att a Council held at Philadelphia the 24 day of August, 1694.

PRESENT:

COLL. WILLIAM MARKHAM, Esq'. Leiv' Governo'.

And' Robeson, 
Rob' Turner, 
Pat. Robinson, 
Wm. Clarke, 

Esq'. 
Esq'. 
esq'.

The Lt. Go' produced to the Council an ord' to him from his Ex-
cellie the Chief Go', Requiring him upon receit yrof, y' hee Cause
Charles Sanders, esq'. to be Sworn one of the Council of the pro-
vince of pennsylvania & Countrie of Newcastle; Which was accord-
inglie done: And the sd Charles Sanders having taken the oaths
appointed by act of parliament to be taken in stead of the oaths of
allegiance and Supremacie, & subscribed the Test, Took his place
att the board accordinglie.

10th August, 1694.
Att a Council held at Philadelphia the 10th of August, 1694.

COLL. WILLIAM MARKHAM, Esq'. Leiv' Governo'.

And' Robeson, 
Rob' Turner, 
pat. Robinson, 
Law' Cock, 
Geo. forman, 
Charl. Sanders, 

Esq'. 
Esq'. 

Esq'.

William Clark, Esq'. exhibited an Informaon to the Leiv' Governo'
& Council, setting forth that att a Council held at Philadelphia on
the 10th of aug', in the six year of y' Maties reign, before the Lt. Go'
& the rest of the members of their Maties Council, personally ap-
peared the sd Wm. Clarke, esq', Collector of their Maties Customes
in the sd province & Territories, who (as well on the behalf of y'
king & Queen as of his Excellie, the Governo' of y' sd province, as
also on the behalf of the sd Wm. Clarke,) in this Case prosecutes,
gave the Council to understand & be informed y' hee, the sd Wm.
Clark, had on y' 21st of July Last, att Lewis, in Sussex Countie, in
the Countrie aforesaid, seized on sundrie goods, wares, Comodities
and merchizes imported thether, of the growth, production or manufac-
ture of Europe, wch were not bona fide & without fraud laden & shipt
in England, Wales, or y' Town of Barwick upon Tweed, & in Eng-
lish built shipping, or wch were bona fide bought before the first day
of October, 1662, & wherof the M' & three fourths of the mariners
att least, are English, & caried directlie thence to y' Lands, islands,
plantaons, Territories & places to their Maties belonging in Asia,
Africa or America, Tangier onlie excepted, and from no other place
or places whatsoever: As also, that hee, the sd Informant, had Like-
wise seized on sundrie other goods & merchizes for which their Maties
Customes & duties were not dulle & trulie paid, (the particulars qrof

35*
are, viz.: One small bale of fine Linnen, 2 baggs of Cocco nuts, 14 peices painted Callico's, 14 peices Strypt Linnen, 2 peices of figured Linnen & woollen, 2 peices of Strypt Linnen & woollen, One Remnant of ferrarine, 15 Cards of Lace, One bagg of Cinamon, 15 papers of silk, 13 peices of Holland or white Linnen, One Remnant of alamode Silk,) Contrarie to the Laws and Statutes in that Case made and provided: And therefor, the said Informant Craves the Judgment of the Councill ag' y' s'd goods and merdizes, & whether they ought not to be forfeited & disposed of, according to the direction of the aforesaid acts of parliam':

W.M. CLARK.

After reading qrof appeared George parris, owner of the sd goods, who had nothing to say for his owne defence nor in defence of the sd goods, And therefor, Judgm' past ag' the sd goods, wares, and merdizes, that they were forfeited, and that they should be disposed of according to Law.

Ordered that the Secrie Issue a warr" to George Heathcote, philip Richards, & Jn" Whitpain, Mertz, or any two of ym, forthwith, upon their oath or attestacion, to apprise & Value the sd goods, & to make return yrof into the secrecy office, wch was accordinglie done: And which apprizers made Return of the sd warr' into the sd office, & valued the same att eightie-two pounds monie of this province, as the sd warr' & return yrof, und' the hands & seals of y' sd philip Richards & Jn" whitpain remaining on the files of Councill, more att Large propro.

Att the same Councill, psentibus ut antea & Wm. Clark.

A Lett' from Jn" Brinkloe, Geo. Martin & daniell Jones, esq".; Some of the Justices of peace for the Countie of kent, dated 4th Aug', 1694, was read, qrin they Signifie to the Lt. Go' y' att the time when their Last Courts of quart' sessions & Comon pleas should have been held, according to their Last adjournment, The sd Geo. Martin & daniell Jones appeared att the place appointed, & wer willing to hold Court, but Jn" Curtis, another of the Justices, wold not sitt, & Jn" Betts, another Justice, sent word by a Constable y'hee wold never sitt there, meaning att James Maxwell's, att the Head of Jones's, wherfor they look on y' Comission void; And there being several actions of moment depending, they request the Lt. Go' to give new Comissions. The Lt. Go' desired the advice of the Councill therin.

It was the Unanimous Opinion of the Lt. Go' & Councill, that his Excellies Comission, both for the Quart' ss. & Comon pleas to y' sd Countie of kent, are in force, notwithstanding the sd Justices neglect.

Resolved, that an ord' be sent to the Justices of y' peace of the sd Countie of kent, from the Leiv' Governo', to hold their Courts accordinglie.

Ordered that the provinciall Judges in their next Circuit, doe Inspect and Inquire into the disorders in the Countie of kent, in references to the times & places of holding their Courts, & to see what may be the most proper place in the sd Countie to hold their Courts in, for the most Universall ease of the sd Countie, and to make report to the Leiv' Go' & Councill.
PROVINCIAL COUNCIL.

The necessitie of a provincial Judge in the room of Jno. Cann, Esq. deceased, was urged to the Lt. Go'. there being manie appeals depending to be tryed in 7br next, which if delayed to be tryed would give occasion of Complaint.

The Leiv' Governo' named Anthonie Morris, esq'. a fitt person to discharge y' trust, which was agreed to by the Council, & orders hee should take the oaths & test next sitting of the Council, & y' a Comission be prepared for him.

4th Decemb', 1694.

Att a Councill Held att philadelphia the 4th day of december, 1694.

PRESENT:

WM. MARKHAM, Esq'., Livet. Governo'.

Rob' turner, } Esq". Law' Cock, } esq". pat. Robinson, Charles Sanders,

Upon reading the petition of Andree doze & others, setting forth that they having obtained two Judg ag' Sam' peres, for 139l & 10l damages, w' cost of sute, & y' Lt. Go' Having putt a stop to the execun till his Excellies pleasure should be further known, yrfor requesting y' Lt. Go' would decide the bussines according to his Excellies directions, to prevent their ruine,

It was ordered y' the sd Sam' peres should give fresh securitie to the petitioners in 300lb. to satisfie and pay ym all such sums of monie, costs, damages & charges as hee should be adjudged to pay, & to be Condemned in by the sentence of the Leiv' Go' and Council upon the sd appeal, who accordinglie became bound with Sam' Holt, by obliagaon bearing date 4th decemb', 1694, in y' sd sum of 300lb, & y' as full a Councill as could be gott be Sumoned for decyding y' sd matter.

25th December, 1694.

Att a Councill Held att philadelphia the 25th day of december, 1694.

PRESENT:

WM. MARKHAM, Esq', Leivt. Governo'.

Rob' Turner, } Esq". pat. Robinson, Ch. Sanders,

Lacey Cock, } Esq".

The Lt. Go' produced to the Council an ord' to him from His Excellie the Chief Governo', requiring him upon receit yrof, that hee Cause Griffith Jones, Esq'. to be sworn one of the Council of y' province of pennsilvania & Countrie of New castle, wch was accordinglie done: and the said Griffith Jones having taken oaths appointed by act of parliam' to be taken in stead of the oaths of allegiance & Supremacie, & Sub' the test, took his place att the board accordinglie.
Sam's peres appearing before the Lt Governo' & Councill, did exhibit to ym a receit undr y's hand & seal of Andree doze, for himself & as attornie for Jeffrey Martin, Mathurin Sampson & Peter Morreau, qrin hee released & discharged him, y's sd Sam's peres, from all legacies left unto ym by peter debuc, & from all suits, Judgments or execuons by ym, or anie of ym, obtained ag' him, and from all sums of money, debts, dues, Legacies, costs of suits, either in Law or equitie, or anie other demands whatsoever, from the beginning of y's world to the day of the date hereof, being y's 22d day of decemb'. 1694, & Sealed & delivred in presence of david LLoyd & Ip. Claypoole, & acknowledged upon the back yrif to be the act & deed of y's sd Andree doze, before pat Robinson, Secrie, And yrf or Requesting his bond of 300lb to be delivred up to him Cancelled: Which was accordinglie done.

The Secrie exhibited to the Lt. Go' & Councill the Copie of the record of the provinciall Court held for & in kent Countrie, the 9th, 10th & y's dayes of Octob', befor Wm. Clark, Edward Blake & Rich'd Halliwell, esq're, making mention y'an ord' from the Leiv'd Go' & Counciull being read, for the provinciall Judges to inspect & Inquire into the disorders of the sd County of kent, in reference to y's time & places of holding their Courts, & to see what might be the most proper place in the sd Countrie to hold their Countrie Courts in for the most Universall ease of the sd Countrie.

Their Report (in ans' to the minute of Councell the 10th of aug', 1694,) was, That the matter being largelie debated by the Judges & Justices of the sd Court, the grand Jurie, & several persons of the sd Countrie being then present, It was Unanimouslie agreed upon that for the future the sd Countrie Courts should be held & keepet on some part of y's Land belonging to Wm. Southersby, situate on the south side of the Head of dover river, wch is next adjoyning unto david Morgan's Land, And that the absolute deceree & Sentence of the sd Judges was accordinglie, & that it be as near a Landing as may be, and there the same to Continuoe.

---

PROVINCE OF PENNSILVANIA & COUNTRIE OF NEWCASTLE, 10 APRILL, 1694.


Att a Councill Held att Philadelphia on Tuesday the 10th day of April, 1694.

PRESENT:

COLL. WM. MARKHAM, Esq', Livet. Governo'.

Andrew Robeson, Wm. Clarke,
Rob't Turner, George Forman, Esq'.
Wm. Salway, pat. Robinson, Secrie.
His Excellie Benj* Fletcher, the Chief Governor’s Lett* to the Leiv’ Governo’ and Council, bearing date the 26th of March Last was read, which is as follows, Viz:

“Gentl., I did resolve to meet you & the Assembleie the 10th of April next att philadelphia, and was to sett out from hence to morrow Seven-night, but that by Later intelligence from Albanie, “I am advised of other messengers from Canade come to draw over ‘o’ Indians, as is pretended, to hold a Conference with Count Fron-“tiniac, concerning peace, Wherupon ‘o’ Sachems are verie desirous “forthwith to see mee thither. The Council being of opinion that “this Service is first to be attended, I think fitt to adjourn the “Assembleie of pennsilvania and Newcastle to the first of May next “ensuing, And require the Leiv’ Governo’ by these pnts, to adjourn “the sd Assembleie to the first of May next accordinglie. I shall en-“deavour to be with you then. I desire the Representatives of the “remoter Counties to be Inmediatlie wrote unto not to give themselves “the trouble of Setting out too soon; The rest may meet the tenth of “April, be sworn or attested, and then adjourned. Gentl. I am your “verie Loving friend.

“BEN: FFLETCHER.”

The persons returned for representatives, Viz: Four for the Countie of philadelphia; Sam* Richardson, Sam* Carpenter, Henrie Waddey and James flix. Three for the Countie of Chester; David LLOYd, Caleb pussey, & Sam* Lewis. Three for the Countie of Bucks; William Biles, phinhas pemberton, and Jonathan Scaife. Three for the Countie of Sussex; wherof appeared Thomas pemberton and Roger Corbett, came to wait on the Leiv’ Governo’ and were admitted.

The Last two took the Oaths appointed by act of parliament to be taken in stead of the oaths of Allegiance and Supremacie, and subscribed the Test. The other ten did Subscribe the declaraon of fidelitie and profession of the Christian faith, and test.

After which the Leiv’ Governo’ desired them to goe together and Choose their Speaker. Some time after David LLOYd, accompanied by the above Named Representatives, presented himself to the Leiv’ Governo’, acquainting him that the representatives there present had made Choice of him for their Speaker, that it was a trust much above his Capacitie, and for discharge wherof hee wast most Unfitt & unable, And therfore beseeched the Leiv’ Governo’ wold Comand the Representatives to return and Choose a more qualifed person.

The Leiv’ Governo’ answered, that if they had Chosen anie one of their Number for their Speaker, Hee saw no reason to Object ag him; But you all know some are more capable to perform that dutie than others, and I cannot but well approve of yo’ Choice, and doubt not M’ Speaker, but you will perform yo’ dutie with all sinceritie, and keep a good decorum in the house, and that you’ll urge and put them in mind to a Consideraon & dispatch of what shall be before you of their Maties affairs and Service, and their duties therto.

Thereafter M’ Speaker desired they might have the Ordinarie privilidges granted them, Such as free access to the person of the Leivt.
Governo', A favourable Construction putt upon their words, and freedom from arrests.

The Leiv' Governo' made ans', that hee granted them all these as freellie & amply as had been usuall.

Then the Leiv' Governo' told Mr. Speaker and the Representatives, That his Excellie the Chief Governo', did intend to have mett them here this day, but was prevented by an express from Albarie giving him Intelligence of other Messengers come from Canada to draw over their Indians, as is pretended, to hold a Conference with Count Frontiniac, concerning a peace, wherupon the Sachims were Verie desirous forthwith to See his Excellie att Albarie, and wold bring the messengers along with them thither, The Councill of New York being of opinion that this service was first to be attended. And therfore, his Excellie thought fitt to adjourn this assembly to the first of May next, and required me to adjourn the same accordinglie. The Leiv' Governo' further added, That the affair his Excellie was gone about was of verie great import to this province, as well as to that of New York, and that our future saftie in our persons, estates & trade, did much depend upon the prosperous event of his Excellies going to Albarie, & therfore hoped they wold be well satisfied; that his Excellies absence att this time was Inevitable.

Mr. Speaker desired, That they might have untill five of the afternoon, In regard the whether was bad & the wind agt the members of Newcastle, who, as they wer informed, wer coming up by water. Which was granted.

Att five the assemblie came again. Then Mr. Speaker desired that they might have time till to-morrow morning to consider of some petitions Sent them by the Counties whom they did represent, who wold take it ill if in some measure they did not answer their expectations.

The Leiv' Governo' desired them to withdraw a Little and hee wold consider of it with the Councill; Wher it was resolved, That in respect the provinciall Judges wer to sitt next morning, that it was fitt the assemblie should meet the Leiv' Governo' to morrow, at three in the afternoon.

The Representatives having been called by the messenger, returned, and the Leiv' Governo' gave them time till to morrow, att three in the afternoon, & appointed them to meet him at that time.

[11th April, 1694.
Att a Councill Held att Philadelphia on wednesday the 11th day of April, 1694.

PRESENT:
COLL. WILLIAM MARKHAM, Esq'., Leiv'. Governo'.
Rob'. Turner,
Wm. Salway,
Wm. Clark,

Esq'.

George Forman, Esq'.
pat. Robinson, Secrie.

The above named representatives appeared. Mr. Speaker told the
Leiv' Governo' that they had considred of what yesterday hee had Laid befor ym, & that they had taken a Longer time than they ex-pected to Consider of severall things, and particularie the amending of severall errors and mistakes that had beene comitted by the Last Assemblie, by reason of his Excellies hast to be gone Last year to the fronteers, and that hee promised them that if anie thing wer amiss, or error in Clarkshipp, it should be amended.

The Leiv' Governo' answered, that it wold not be Long befor his Excellie wold be here, and that then that wold properlie come und' consideraon.

Mr Speaker said, that the Law about Stealing was in the List of Laws proposed by the Assemblie in their petition of right, to be con-tinued, & yet was ommitted by their Clark to be engrossed in the roll of Laws signed by the Chief Governo', and yrfor requested that that Law might be added to the sd roll, especially since for want yrof, people might be exposed to a triall for their Life for every small & trifling theft.

The Leiv' Governo' answered, that the reason why that Law was not continoud was becaus his Excellie Lookt upon it to be repugnant to the Laws of England.

Mr Speaker said, that att the conference Last year held by some of the members of Council & assemblie, they endeavoured to reconcile that Law to y' Law of England, & to show that it was not repug-nant.

The Leivt. Governo' told ym that hee had wrote to his Excellie about that Law to be continoud; and his excellie in his ans', put the Judges & Justices in a way which wold effectuallie take off anie danger that the people might be in for want of the sd Law: And the Leiv' Governo' further added, that since they wer to be adjoynned, He intended not to medle with Legislation; and if they wold have anie Law that might be beneficall for the province, They might propose it to his Excellie when he came, & hee doubted not but his Excellie wold give ym full Satisfaction.

Mr Speaker said, that their Clark was drawing up something to present to the Leiv' Governo' & Council, which hee desired them to consider off, & that it wold be quicklie readie.

The Leiv' Governo' told them that his Excellie was positive to him to adjourn ym.

Mr Speaker desired to see the Order, if it might be.

The Leivt. Governo' answered that hee had such orders, and that they must take his word for that.

Mr Speaker desired that if they must be adjoynned that it might be to a Longer day than the first day of May next, In respect the yearlie meeting att Salem was to begin the 27th of Aprill, and that the representatives wer desirous to be there, and other conveniencies to the members of the Lower Counties, which the Councill was not Un-acquainted with, and therfor, that it might be to the 20th of May next.

The Leivt. Governo' desired them to withdraw a Little and hee would advise with the Councill about it; which they did.
The Leiv' Governo' caused read his Excellies Letter the second time, and upon the whole, did putt it to the vote whether it was convenient to adjourn the Assemblie to a further day than was mentioned in his Excellies Letter, and it was caried in the affirmative.

A member of Council mentioned the tenth day of May; others desired that it might be Longer; And the 20th of May falling on a Sunday, The Leiv' Governo' did put it to the vote whether to adjourn the Assemblie to the tenth or 22nd of May next, and it was caried to the twenty second.

The Representatives again appeared, and M' Speaker presented to the Leiv' Governo' and Council of the province of pennsil-vania, Countrie of Newcastle, & the territories therto belonging.

"The Remonstrance of the Representatives of the freemen of the sd province & Countrie in Generall Assemblie mett, Humblie Sheweth: "That whereas, wee being at this time Conveened by Virtue of the "Leivt. Governo" writts, which gave us no other expectation but "that wee might proceed in Legislation & redressing the grievances "of the people whom wee represent; But since wee are given to un-"derstand that Governo' Fletcher, by reason of some emergencie, is "prevented of being present at this Assemblie, and so it seems gave "ord to this effect, That as soon as wee wer put in a capacitie of "acting as an Assemblie, wee must be adjourned befors we can ac-"complish the Countries bussines, Which wee Conceive to be not "onlie inconsistent with the tenure of the sd writts, & the necessarie "priviledges of a Legislative Authoritie, but also, with the powers "granted our Leiv' Governor by the king & Queen's Letters patents; "Therfore, wee desire you take it not amiss If wee so farr Assert "our priviledges as' to adjourn our Selves, in Case you think not fitt "in the Chief Governor's absence to proceed according to the writts "aforesaid, in ord' to make Laws, & to redress the agreivances of "the sd Countrie, Some of which are as follows:

"1st. That wee have not the Catalogue of the Laws, with the pre-"amble to them, and the Governor's approbaon of ym, which wer "declared by the petition of Right in the Assemblie Last year to be in "force, that Justice may be administred according to the sd Laws in "the Severall Courts of Justice in this province & Countrie.

"2nd. That the Late Law for appealls, which gives Libertie to ap-"peal both in Law & equitie, Wherby the Judges and Justices of y"peace have too great Libertie to destroy or make void the Verdicts "of Juries, without due care be taken; Wherfore, wee desire that the "Judges and Justices of y' peace may receive instructions & Caution "from you not to decrew amie thing in equitie that may make void the "Verdicts of Juries, or Judgments before given in Law, in the same "Cause.

"3rd. That the power given by the Late Law for raising money by "Justices of the peace in their rixeve Counties, may not be made "to the dissatissation of the Countrie, But that the Justices Cautioned that what monie is raised to defray the publick "of the Countrie, may be done by the approbaon of the grand
"Jurie, or other Sufficient Inhabitants of the severall Counties, to ass sist in and approve the severall taxes to be raised, and to have the "Hearing & examinaon of the accompts of the severall receits & "disbursements.

"4th. That the omissions in the Late Laws by the Clark appointed "to transcribe ym, may be Corrected, and the Laws, or such parts "of the Laws as are Left out, may be enred in the roll of Laws.

"5th. That the monie granted to be raised the Last Assemble, for "the support of this government, may be accordinglie Employed to "the use it was intended, & that an accompt thereof be given att the "next Sitting of Assembly, according to the true intent of the said "act and makers therof.

"philadelphia, the 11th 2 mth, 1694. Signed by order of the house, "by DA. LLOYD, Speaker."

Which having been read, The Leiv' Governor desired M' Speaker to take it again, & att the next sitting of Assemble they might offerr that, or anie thing else, to his Excellencie's consideraon.

M' Speaker answered, that hee had orders from their house to pre sent that Remonstrance to the Leiv' Governo', but had no orders from them to take it again.

Then the Leiv' Governo' said: M' Speaker, The Councill having taken into their consderaons the reasons for yo' desire to be adjourn ed till the 20th of May, which will fall on a Sunday, They have ad vised and Consented that you should be adjourned to the 22nd of May next; And accordinglie, I doe adjourn you to the sd day, Hopeing to meet again att that time as good friends as wee part. So, gentl., I wish you well to yo' homes.

M' Speaker. Wee thank the Leiv' Governo'; & departed.

[21st May, 1694.
Att a Councill Held att philadelphia on a Moonday, The 21st of May, 1694.

PRESENT:

His Excellencie BENJAMIN FLETCHER, &c.

Wm. MARKHAM, Esq', Leiv' Governo'.
Andrew Robeson.
Robert Turner.
Patrick Robinson.

Wm. Clark, Lawrence Cock

His Excellie did Signifie to the Councill that hee had Sumoned ym to Consider of what is proper to be offered to the Assembly for their Maties' service. It is the opinion of the Councell that no monie will be granted.

Adjourned till to-morrow morning.
[22d May, 1694.

Att a Councill Held att philadelphia on a Tuesday the 22d of May, 1694.

PRESENT:

His Excellency BENJAMIN FLETCHER, &c.
Wm. Markham, Esq., Leivt. Governo'.

Andrew Robeson, Wm. Salway, Wm. Clarke,
pat Robinson, Esq".

The rest of the Representatives that wer not attested, nor had taken the oaths & Test, Viz: Richard Hallywell, Henry William & Jno Donaldson, for the Countie of New castle, took the oaths ap¬pointed to be taken in Stead of y* oaths of allegiance and Supremacie, and subscribed the test. John Brinckloe & Richard Wilson, for the Countie of kent, and Luke Watson, for the Countie of Sussex, did the same. Edward Blake & Wm. fifreeman, for Newcastle & kent Counties, did subscribe the declaraon of fidelitie & profession of the Christian faith, & Test.

Adjourned till to morrow morning.

23d May, 1694.

Att a Councill Held att philadelphia on Wednesday the 23d of May, 1694,

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.
Wm. Markham Esq.*, Leiv' Governo'.

Andrew Robeson, Lawrence Cock,
Robert Turner, William Clark,
pat. Robinson, George Forman.

His Excellie Ordered Searie Robinson to Call the Speaker and Assembly. The Speaker and Assembly being present, His Excellie spoke to ym as follows:

"M' Speaker, and you Gentl. the Representatives of this province,
"I had designed to have mett you here the tenth of the Last mo,
"according to the writts which I directed to Issue for calling this as¬
"semblly, But their Maties service required my hastie repair to Albany,
"upon Intimation that the five Indian nations (who have hitherto
"been faithfull to the Crown of England,) were now debauched to
"the french interest, and entring into League with the Governo' of
"Canada.

"This Defection appeared to mee with so ill an aspect when I con¬
"sidered the Consequences of it, not onlie to New yorke, but to this
"province & all the neighboring Colonies, that I thought myself
"obliged to Lay all other bussines aside, & apply the outmost of my
"endeavours to prevent so great a mischief. I could willinglie have
"spared my self this journie, if my dutie to their Maties & my affec¬
tions to you, their subjects of this province, had not Compelled me
"to it.
"I am therfore Come with a true & Unseigned Zeal for your saftie 
& prosperitie, to Lay this Matter before you; and in order to your 
full satisfaction, I have brought with me the papers relating to the 
Conference I had Latelie with these Indians, by which you may see 
what they allged. I must also assure you that yor Indians here 
will be compelled to join in this fatall Confederacie.

"I have Latelie seen, with a heavie heart, fourescore fine farms 
all deserted about Albany, after the great expence of the owners in 
building & Improving, which has been ocasioned rather by the 
unkindness of our Nighbours, who refused us their assistance, than 
by the force of the enemie. Could we have found men to secure 
our advance posts, Conestiguna and the Half Moon, these farms 
wold have flourished still. I pray God this Leprosie may spread no 
farther; but I much doubt those who have shutt their eyes att a 
distant danger, will find it come to their owne doors.

"I am bound, as well in Justice as gratitude, to acknowledge our 
Nighbours of the Jerseys have done more in the Comon defence than 
all the other adjacent provinces: they sent us foure Hundred pound 
in Silver, Sixty odd proper men, well armed, who passed upon dutie 
on the fronteers one year. They have now sent up thirty men att 
their owne Charge, and Considered of a way for their maintenance 
during the warr.

"Gentl., I consider yo' principles that you will not Carie arms 
nor Levie Monie to make warr, though for your own defence, Yet I 
hope you will not refuse to feed the Hungrie and Cloath the Naked. 
My meaning is, to supply those Indian nations with such necessa-
ries as may influence them to a Continuance of their friendship to 
those provinces. And now, Gentl., If you will consider wherein I 
may be useful to you, according to the Tenor of my Comission, in 
redressing yo' greivances, (if anie you have,) you shall find me 
readie to act by the rules of Loyaltie, with a true regard to Libertie 
& property."

Majo' John donaldson, Sam" Richardson, & Capt. Luke Watson, 
from the representatives, desired the Copie of his Excellie's Con-
ference with the Indians of the five Nations att Albany, for the per-
sall of the House, which are ordered them accordingly.

Major donaldson, with foure others of the Assemble, in behalf of 
the house, did give his Excellie thanks for his favorable speech, & 
desired they may have a Copie of it, which his Excellie ordered to 
be delivred so soon as Copied.

Andrew Robeson, Rob' Turner, Wm. Clark, & Wm. Salway, 
Esq'., are appointed a Committee of the Councill, to Inspect the exe-
cuon of the act of assemble granting to their Maties the rate of One 
penny in the pound, to Calculate the amount yrof, how much paid, 
how much in arrears, the Nett value in Newyork monie, and in 
Sterling monie of England, and what may be the most proper me-
thods to be used for gathering in the arrearages forthwith, and to 
make report to his Excellie in Councill to-morrow afternoon.

Adjournd till to-morrow morning.
MINUTES OF THE

[26th May, 1694.
At a Councill Held att philadelphia the 26th of May, 1694.

PRESENT:
His Excelly BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq. Leiv' Governo'.

And' Robeson, Rob' Turner, pat. Robinson,

WM. Clark, Geo. forman, Lacy Cock,

Esq'. Esq'. Esq'.

The Speaker and the whole house attended his Excellie.

The Speaker did address his Excellie, Saying, that the house had appointed a Committee to Consider of amendments in the Laws past, & desired to know of his Excellie if those Laws wer confirmed by their Maties, or disapproved.

His Excellie was pleased to Answer that hee had received no Letter from Court Concerning them, but understood from a private hand in England that manageth some bussines there for the province of Newyork, that the Laws of Newyork and his other government are befor the attornie generall, being referred to him for his perusall.

The Speaker did present some greivances, which his Excellie promised to take into Consideration, with the advice of the Councill, and to remove anie greivance that Lay in his power to doe; and for amendments of Laws, that hee should be glad they wold all study amendment in Laws & everie thing else.

His Excellie ordered the reading of the proceedings att Albany with the Indians, in the beginning of this Mo.; which was accordinglie done.

Adjourned till afternoon.

POST MERID.—AFTERNOON.

PRESENT:
His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Leiv' Governo'.

And' Robeson, Rob' Turner, pat. Robinson,

Esq'. Esq'. Esq'.

William Clark,

The house of Representatives, amongst other greivances, desired that the Clerk of the markett in philadelphia may be removed from his office, for severall misdemeanors in the execution therof.

His Excellie in Councill taking into Consideraon that there is no particular charge ag' the Clerk of the Markett, It being his priviledge to hear & ans' anie accusation which may be brought ag' him befor the proper Judges,

It is resolved that it is not expedient to remove him from his office until hee be convicted of some misbehaviour to deserve it.
The Representatives having desired that the probates of wills may be done in each Countie, His Excellie in Councill did agree, that the wills be proved & administraons granted in the rexive Counties by such persons as shall be appointed for that purpose by the ordinarie.

The Representatives Having also desired that more ferries may be appointed over Skuilkill, His Excellie understanding that the appointment of ferries is the right of the proprietarie, In respect and Justice to the proprietarie, hath referred this matter to the proprietarie’s Commissioners, who are desired to make their report therof.

As to the Complaint for seazing the boat & Imprisoning the boatman, It appearing to his Excellie to have been done by ord’ of the Leivt. Governo’ C Council for their proceeding in the ferrie Contra-rie to the proprietarie’s appointment, & to his Excellies ord’ since; Which is also referred to y’ Comrs of his proprietie.

His Excellie appointed Leivt. Governo’ Markham, Andrew Robe-son, pat. Robinson, Wm. Salway & George Forman, Esq”, a Com-mittee to join a Comitee of the Assemble for the amending the errors of Clarkshipp & omissions of the Laws Mentioned in the Last year’s Assemble their petition of right, to meet att eight of the Clock Moniday morning, att the old Councill room, which was accordinglie done.

The Committee appointed by his Excellie the 23d of May instant, to inspect the execuon of the act of Assemble granting the pennie per pound, Reported to his Excellie in Councill, that having examined the severall rates of the rexive Counties, did find that in most of the Counties there have been great errors & partialitie Committed by the assessors in Undervaluing their owne & others estates, whereby the whole amounts but to 760lb. 16s. 2d. monie of pennsylvania; In monie of Newyork to about 700lb; In English monie about 560lb; Which 60lb. may come short in the Sallaries for collecting the same & in Runaways, So that the Nett produce may be about 500lb. English money.

The Rates of the Severall Counties, with what is paid to the Re-ceiver general, and what is in arrears.

| Countie of philadelphia | 314 11 11 | 242 0 0 | 72 11 11 |
| Countie of Newcastle | 143 15 0 | 000 0 0 | 143 15 00 |
| Countie of Sussex | 101 01 9 | 45 0 0 Ar* | 56 01 09 |
| Countie of kent, Rated, paid | 88 02 10 | 61 8 4 | 26 14 06 |
| Countie of Chester | 65 00 07 | 58 1 0 | 6 19 7 |
| Countie of Bucks | 48 04 01 | 000 0 0 | 48 4 1 |

760 16 2 | 405 9 4 | 354 6 10

And the said Comitee Likewise Humblie offerr to his Excellie in Councill, that warrants be forthwith Issued to the rexive Collectors of the severall Counties, requiring them that they speedilie send up the arrears, which was accordinglie order’d.
¶ 29th May, 1694.
Att a Councill Held att Philadelphia the 29th of May, 1694.

PRESENT:
His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esq., Leivt. Governo'.
And' Robeson,
pat. Robinson,
Wm. Clarke,

Lawrence Cock,
Geo. Forman,

His Excellie proposed to the Councill that since the Assembly were spending their time and doing nothing in Complanyce to what he had offered to them, they be sent for, the Queen's Letter for assisting New York Laid before them for consideraon, and that they be required to give a positive ans' Which is approved of.

M' Bleake, &c. from the House of representatives, came to ask if his Excellie wold pass two Laws which that house alledged to have been omitted by the Clark Last assembly, which his Excellie took to consideration.

His Excellie desired the opinion of the Councill, If those two Laws concerning stealing and robberie should pass or not. Caried in the affirmative.

Ordered that M' Robinson doe Carie back the two Laws to the house of Representatives, and acquaint them that his Excellie is readie to give them such sanction as the rest of the Laws contained in the roll had, And that his Excellie expects they have some regard to what hee had proposed to them, and Commands M' Speaker and the whole house to attend him in Councill in the afternoon.

Adjourned to 3 a Clock in the afternoon.

POST MERID.
Three a Clock afternoon.

PRESENT:
His Excellie BENJ FLETCHER, &c.

Wm. Markham, Esq', Leivt. Governo'.
And' Robeson,
Rob' Turner,
Pat. Robinson,

Wm. Clark,
Wm. Salway,
Geo. forman.

His Excellie ordered M' Jamison to desire the speaker & the whole house to attend his Excellie in Councill forthwith, which was done.

The Speaker and Representatives being present, His Excellencie said: "M' Speaker & you gentl. of the Representatives of this province, "you may Remember that I did desire you to doe something which I "thought needfull for their Majesties service and your own preserva-
"tion in a way agreeable to yo' owne principles, which is to feed the
"Hungric and Cloath the naked. The Indians of the five nations are a Barrier and Defence to you & all the English Colonies on this main; your saftie and interest is Concernd; they are poor and naked, and in this time of warr have Lost the Libertie of hunting, which is their onlie support. They are objects of yo’ charitie. I judged it so reasonable a demand as could not admit of delay. I sent you the minuts of my Last Conference with them for yo’ satisfacon, whereby you may see that although they are brought verie Low and discouraged, yet not so farr gone as to be past retreive; I know but two methods to be used with these heathen; they are to be held by Love and fear. I have been plain with them, and given one Hundred dayes to Consider of their answer from the time of my Last Conference, then I intend to meet them with the sword in one hand and presents in the other.

"Gentl. It were verie Convenient you did supplie mee with some Considerable present of cloathing and food to be given in the name of the province of pennsilvania & Countrie of Newcastle: you shall have a particular accoart of the disposition therof. I doe think of other methods to gett forces to appear with me, not to trouble or molest anie of yo’ people; This I take to be the onlie way Left att present to prevent the Indians falling off, and all the Calamities that will attend it in this province, as well as the rest; you have not as yet regarded it, for ought I can Learn.

"Gentl. You have the Queen’s Letter Comanding assistance to New yorke, which ought to have greater force than my arguments: I expect her Maties Comands would have so far prevailed. The original was shown to the Last Assemble, which I suppose may be entred in yo’ books, or a Copie therof upon file with yo’ Clark. I had no positive ans’ from them, & expect one from you.

"Gent. You are witnesses that I am readie to serve you, to doe anie thing in my power you can think of for yo’ ease & Satisfaction. I set up for no arbitrarie Comand, have putt no stranger over you, treated no man rudely, & am as readie to grant what is in my power to serve you as you to ask. I have as great a regard to the interest of yo’ proprietor as anie man in the government, and wold not goe about to hurt it; But I find you slow in bussines, which makes mee think wee shall have no sessions this time. Gentl. Some of you may Rememb ber I proposed to the Last Assemble to Consider of some fund for the support of the government, which is verie needfull, but they did not think fit to Consider of it further than that they franklie & generouslie gave a pennie in the pound to their Maties, and designed one half therof as a mark of their respects to mee, for which I thank ym.

"I doe Resolve you shall see how the other part of it is disposed & what the whole amounts to befor I leave you; I have Issued Orders for the speedie Collecting of it, and if there is nothing else for you to doe, I will adjourn for some time untill it come in; Therfore, gentl. I shall expect yo’ ans’ If you’ll give anie thing to feed and Cloath our Indians; Consider of it, and of what I have now said. Gentl. you may withdraw to yo’ House.

Adjourned till 30th instant.
[30th May, 1694.
Att a Council held at Philadelphia the 30th of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson,
Rob' Turner,
pat. Robinson,

WM. Salway,
WM. Clark,
Geo. forman,

His Excellie Ordered WM. Clark, Esq', to acquaint the assemblie that his Excellie expects their answer to what he had offered to them yesterday afternoon, & desired to know if ther was anie bussines to offerr; Who returned in answer that they had nothing to offerr this morning; that they wer upon the Consideraon of what the Governo' spoke to ym yesterday, and believed they should have something to offerr this afternoon.

Adjourned to the afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

Robert Turner,
pat. Robinson,
WM. Salway,

WM. Clarke,
Geo. forman.

Ordered, the Secrie ask the assemblie if they have anie thing else to offerr to his Excellie & Councill this afternoon. The Secrie Returned that they had something to offerr presentlie.

WM. Biles, &c., from the House of representatives, brought up two Bills and presented them to his Excellie; The one Concerning the regulaon of tobacco Cask, the other to stopp the transport of tobacco from Maryland to the Lower Counties, by Land or otherwise, not having first paid the dutie to their Maties.

The said two bills wer read the first time. Ordered a second reading of the bill to regulate the tobacco Cask.

Ordered, The Leiv' Governo', Andrew Robeson and WM. Clark, Esq'. be a Comittee of the Councill to conferr with a Comittee of the Assembly Concerning the bills for regulating the Cask for tobacco, and ag' transporting of tobacco from Maryland, without the king's dutie being paid.

Ordered, Secrie Robinson to acquaint the House of this ord', & desire them to appoint their Comittee, to meet the morrow morning.

Adjourned to the 31st of May instant.
PROVINCIAL COUNCIL.

[31st May, 1694.
Att a Councill Held att philadelphia the 31st day of May, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esq', Leiv' Governo'.

And' Robeson, Esq'.
pat. Robinson, Esq'.
Wm. Clark,
Rob' Turner, Geo. Forman,

The Committee for Considering the two bills Having Returned them with amendments, they were ordered a third reading, and George Forman to Carie them down to the house.

The house of representatives sent up severall new bills & a regulation of fees.

Adjourned to the 1st of June, 1694.

[1st June, 1694.
Att a Councill Held att philadelphia the 1st of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

And' Robeson, Esq'.
Rob' Turner, Esq'.
pat. Robinson, Wm. Clark,

Ordered, the bill for Levying Countie rates be read the first time, which was done. Ordered a second reading.

Ordered, the Law concerning fees be read the first time.

Ordered, the reading of the bill for regulating weights & measures, which was done.

Ordered, the reading of the bill for Continouing three Laws, which was done.

His Excellie Ordered Wm. Clark & Geo. Forman, to acquaint the House of representatives that his Excellie did expect to hear from them something in ans' to the Queen's Letter, to know what they are a doing, and to desire them to dispatch this affair, and appoint a Committee of their house to join a Committee of the Councill this afternoon to Confer upon some amendments of those bills sent yesterday.

The Leiv' Governo', Andrew Robeson, Robert Turner, pat. Robinson & Wm. Clark, are appointed the Committee to Confer with a Committee of the House of representatives accordinglie, this afternoon att three of the Clock, in the old Councill room.
[2d June, 1694.

Att an Assembleie Held att philadelphia the 2d of June, 1694.

Present:

His Excellie BENJ' FLETCHER, &c.

Wm. MARKHAM, Esq', Leiv' Governo'.

And' Robeson, Rob' Turner, Esq'. Wm. Clark,
pat. Robinson, Geo. forman, Esq'.

Wm. Clark, Esq'. returned the bills, with the amendments agreed upon to be presented by the Comites of Council and Assemble and humble Submitted, which were ordered to be read.

His Excellie the Governo' and Council doe agree to the bill for regulating weights & measures, with these amendments; That the Governo', with advice of the Council, appoint the officers in philadelphia and Newcastle, and the forfeiture of five pounds therin to be to the king.

His Excellie the Governo' and Council, doe agree that the three old Laws ag' usurie, Sale of Intestate's Land, and taking Lands in execução for debts which did expyre by their owne Limitation, be formed into bills & enacted de Novo.

Ordered, George Forman, Esq'. doe require the Speaker and the whole House to attend his Excellie in Council forthwith; who giving attendance,

His Excellie said: "M' Speaker and you gentl. the representatives of this province, there are some Laws which wer Comitted to a Committee of Council and Assemble yesterday afternoon. They are returned this morning with some amendments agreed unto by the Committee. I am willing to agree to what I find the opinion of the Committee, Onlie there is one Law which verie much concerns you & yo' posteritie, which I cannot approve of. It is the Law for raising monie to defray the Countie charges. I disapprove of the method which you propose, being repugnant to the Law of England. "You may bring a Slaverie upon yo' posterity after you, which I will not consent unto. I have the appointment of Justices of y' peace over you, but I declare I cannot answer for everie person that is recommended to me for that trust. By the Law of England, if understood right, no monie can be raised to defray the Countie Charge but by the consent of the grand Jurie, which represents the people of the Countie as you doe the bodie of the whole province. I am as willing yo' debts be paid, and everie thing needfull should take effect for yo' ease and good as yo' selves; but this I take to be otherwise. I have no Interest in it nor can have none. "M' Speaker, you must needs know this to be repugnant to the Law of England, ththerefore, wold have you Consider of it, & of a proper method for paying yo' Countie debts, & I shall agree thereunto.

Gentl., There is one thing more; I wold have you to Lett me know how manie bills you have before you. The time is short, therfore, pray dispatch them.
[4th June, 1694.
Att a Councill Held att philadelphia the 4th of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq'., Leivt. Governo'.

And' Robeson, Esq'.
pat. Robinson, Esq'.

Robert Turner, Wm. Clark, Esq'.

His Excellie Ordered Secrie Robinson to ask of the Assemble if they had anie thing to offer this forenoon, Who returned in ans' that they would have nothing to offer till 4 a Clock in the afternoon.

Adjourned till 4 in the afternoon.

[5th June, 1694.
Att a Councill Held att philadelphia the 5th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

And' Robeson, Esq'.
pat. Robinson, Esq'.
Wm. Salway, Esq'.

Wm. Clarke, Esq'.
George Forman, Esq'.

Edward Blake, from the Representatives, brought in a bill for regulating fees.

Adjourned to 6th instant.

[6th June, 1694.
Att a Councill Held att philadelphia the Sixt of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.
WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson, Esq'.
Rob' Turner, Esq'.
pat. Robinson, Esq'.

Wm. Clarke, Esq'.
Law' Cocke, Esq'.
Geo. forman, Esq'.

The bills ag' Usurie, taking Land in execucion, & sale of Intestates' estates, read a third time; that of Usurie to be amended, & the word (divided, &c.) taken away, & instead therof: (the one half to the use of the king, the other to the informer.)

The bills about weights and measures, regulating tobacco Cask, & tobacco transported by Land from Maryland, read a third time.

Adjor. to 7th instant.
[7th June, 1694.
Att a Councill Held at philadelphia the 7th day of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq'., Leivt. Governo'.

And' Robeson, Robert turner
pat. Robinson, Law' Cock,
Wm. Clarke, Geo. forman,
Wm. Salway, Esq".

His Excellie Ordered the reading of a bill giving one pennie in the pound, whereof 200lb. to Coll. Markham, 200lb to M' Lloyd, and the remainder towards presents to the Indians.

His Excellie desired the opinion of the Councill Concerning the sd bill.

The Councill are of opinion that the sd bill Cannot pass, and that it is no answer to the Queen's Letter, nor does anie thing towards the support of the government.

His Excellie sent for the Speaker & the whole house, and then said:

"M' Speaker, &c. You have mistaken the form of the bill. I can pass no bill to Leavie monie on their Maties Subjects for myself, or for the use of anie other person whatsoever. Their Maties, or their particular service, must be first regarded in all Leavies, and if you design a favour for Coll. Markham or M' LLOYD, your method is to raise a fund answerable to the Queen's Letter and their Maties expectations for the securitie of the fronteers and assistance of Newyork, and then to pray their Maties wold be pleased to allow out of that sum what you intend for these gent. I find you goe about to appoint yo' owne Collector: as you cannot raise monie or give it to anie other but their Maties, So you Cannot appoint such an officer; Indeed it appears an Unmannerlie distrust of the person in that office alreadie Comissionated, and it Looks Like putting it out of their Maties power (if you could) to disallow of yo' act. I shall suspend my determination as to the other bill till you Consider better of this, and doe again put you in mind of a positive answer to their majesties Letter."

Adjourned till morrow morning.

[8th June, 1694.
Att a Councill Held att philadelphia the 8th of June, 1694.

PRESENT:

His Excellie BENJAMIN FLETCHER, &c.

WM. MARKHAM, Esq', Leiv' Governo'.

And' Robeson, Wm. Clarke,
Rob' Turner, Geo. forman,
Wm. Salway, Esq'.

M' Blake, &c. from the House of Representatives, presented an
address, wherein they pray the passing of the Bill for the 400th to Coll. Markham & Mr. Lloyd, and alledge it warrantable; which was read.

The said gentl. giving his Excellie accompl that the house are Considering of an ans' to the Queen's Letter, to give them time to deliberate, His Excellie did adjourn till morrow morning.

Adjourned till 9th of June 1694.

[9th June, 1694.
At a Councill Held att philadelphia the 9th day of June, 1694.

PRESENT:
His Excellie BENJAMIN FLETCHER, &c.

Wm. Markham, Esq'. Leiv' Governo'.

And' Robeson,
Robt. Turner,
pat. Robinson, \{ Esq'.

Wm. Clarke,
Geo. forman, \} Esq'.

The memorialis of And' Hamilton, esq'. given in to his Excellie & Council, was read and recommended to the Consideration of the Assembly, and was ordered to be carried to them by Wm. Clark, Esq'.

The House of Representatives having Considered the said paper, doe find no Cause att present to add to the Sallerie belonging to the post office as established by the law made here Last Assembly.

Mr Bleake, Major Donaldson, Sam' Carpenter and Wm. Biles, brought up a Remonstrance in ans' to the Queen's Letter, which was read, viz:

"To Benj' Fletcher, Capt. Generall and Governor in Chief of this province of pennsilvania and Courtrie of Newcastle. The Remon-
strance of the freemen of the said province and Courtrie in gene-
rall Assemblie mett, Humblie Sheweth: That having read thy speech delivered us the 23d of the 3d mo., 1694, as also having Considered the message sent us from thee and the Councill on the first day of this M', with respect to the Queen's Letter, Wee find upon perusal of the minuts of Assembly held here about 12 M'.

agoe, that the rate, or tax, then granted to the king and Queen, was in Complyance to the aforesaid Letter, so far as the religious per-
suasion of the most part of that Assemblie could admit, and although the said tax amounted to seven hundred and sixtie pounds, and the greatest part therof paid in by the Courtrie to the revive Collectors, and (as it seems) in great readiness to be received by the Treasurer, which wee looke upon to be a verie Considerable demonstraon of our realtie and affection towards the king and Queen, Considering the Circumstances and infancie of this place,
"and what our neighbouring provinces (who are of much more abili-
tie, but under no Less obligaon than wee are in that respect) have
Contributed upon the Like occasion; Yet notwithstanding all wee
have done, wee find that wee are not suteable represented to the
Indians in the Late treaties thou had with them att Albany; and
not onlie see, but wee perceive by thy speech that the five Indian
nations (who till of Late have been faithfull to the Crown of Eng-
land) are now drawn over to the french interest, and our Indians
here Like to be Compelled to join in that fatall Confederacie, unles
prevented through thy prudent management in returning the said
five Nations to their former friendshipp with the English; for the
accomplishment wherof, If what has been raised for support of go-
vern'm', (allowing a Competent Consideraon to the Leiv' Go' for his
Last year's service,) or in case anie thing that wee shall Contri-
bute towards the Supplying of the Indians with necessaries for food
and rayment, shall receive that Candor as to be accomted of assist-
anee, In order to inue and gain them to a Continouance of
their former amitie with these provinces, wee shall with all readi-
ness acquiesce that a Suteable proportion of the monie raised, or
intended to be raised & appropriated by us to that use, Shall be
reputed and taken as a support to this govern'm'. Therfore, wee
desire that wee may be accordinglie Represented to the Indians,
& not rekoned among those that refuse to Comply either with the
Queen's Letter or thy Just Comands, which otherwise may prove
of ill consequence to us. Signed by ord' of the house, this 9th 4th Mo.
1694, p.

DA' LLOYD, Speaker."

Adjourned till afternoon.

[Post merid.

POST MERIDIEM.

PRESENT:

His Excellie BENJAMIN FLETCHER.

Wm. MARKHAM, Esq', Leivt. Governo'.
And' Robeson,
Rob' Turner,
pat. Robinson,
\{ Esq".
\{ Wm. Salway,
Wm. Clarke,
Geo. forman,
\} Esq".

It is the opinion of the Councioll that his Excellie dissolve the
Assemble.

Ordered, M' foreman call the whole house of representatives.

M' Speaker and the whole house being present, his Excellie said:
"M' Speaker, you have now satt nineteen dayes without the Least
Consideraon of their Maties Service in the Securitie of the province;
you have applied the first part of yo' time in the searching for griev-
ances, which will all appear to be the effects of yo' owne weaknes
in not redressing ym by the due course of the Laws, there not being
one of the foure you took such pains to hunt for but must reflect upon
yo' proprietor or yo'selves.
You have Laid some bills before me. First, you desire me to give Sanction to two bills ag' Robbing and Stealing, which tho' (as you word ym) they are not Consonant to the Laws of England, yett att yo' instance and request I doe allow of them, till their Maties pleasure be further known. And so for the rest, viz: 2\textsuperscript{d}, that for regulatings weights and measures. 3\textsuperscript{d}, That for Regulating Tobacco Cask. 4\textsuperscript{th}, That ag' Importing Tobacco by Land from Maryland. 5\textsuperscript{th}, that for Limiting the Interest of money to eight per cent. 6\textsuperscript{th}, That to make land and freehold liable to execuon for debt. 7\textsuperscript{th}, That for Impowering the widow and exers, to sell Land for paym' of debts.

These other bills I cannot pass. First, the bill for Countie Levies, which appears most unreasonable and Contrary to the Laws of England and the Comon practice in anie of their Maties dominions, for particular persons to Leive money upon the subject wtout their owne Consent. A grand Jurie att the Quarter sessions doe represent the Countie, and are Judges of the necessarie charges of the Countie, and may present such sums of money as are Convenient for the repairing highwayes, bridges, &c. and the Justices take care to order it accordingly; But in this Bill the Justices and Representatives of each Countie are empowered wtout a grand Jurie, and ag' their Consents, to Leive money att pleasure, under a pretence of paying old debts of twelve years standing. The Second is a Bill for Regulating fees. This power is by their Maties Letters patents invested in the Governo' & Councill, & care shall be taken therof, as in the province of Newyork, to yo' generall satisfaction.

The third is for a Sallarie for Assemblie men of Six shillings a day, I recomended to yo' Care a support for the Leivt. Governo', the Judges & other officers who act by their Maties Comission in this province, To which you have allwayses Lent a deaf eare; And I find yo' members of Assemblie have a way to gett their old allowance of three shills. a day by a bill for defraying Countie charges. This I think, is sufficient wages.

The fourth is the money Bill, Wherin you have no regard to what I proposed to you for their Maties service, In enabling mee to ans' her Maties Letter for assistance to Newyork, tho' proposed in such a way as is agreeable to the most tender Consciences among you. You wold raise monie upon the subject & dispose of it at yo' pleasure to the two Late deputies in such a manner as I cannot consent to, being Limited by my instructions. You wold also putt itt outt of their Maties power to approve or disallow of yo' gift; you will not trust the Receiver generall appointed by authoritie of the Crown, but name one of yo' owne, who shall not be accountable for the sd sum, but to the two Late deputies: And you wold by this bill give a certain sum of 400lb. to those two gentln, who never acted by Immediate Comission from the Crown, and Leave the uncertain fragment for the support of governm', which, according to the measure of yo' Late aplottment, will not amount to 100lb. s'; I am apt to believe to nothing.

Now Gentl. finding no prospect of yo' Inclinaons for their Maties
service or your owne safie, I think fitt to dissolve this present assem-
bly, and you are hereby dissolved.

The end of the Second Sessions of Councill and Assembly.

[5th Febry, 1694–5.]
Att a Councill Held att philadelphia the 5th day of February, 1694–5.

PRESENT:
WM. MARKHAM, Esq., Livet. Governo'.
Robert Turner, Esq'. Law' Cock, Esq'.
pat. Robinson, Charles Sanders, Esq'.

The Leivt. Governo' showed the Councill an Ord' from his Excelly the Chief Governo', Requiring him that hee cause Jn' Donaldson, Esq'. be sworn one of the Councill for the province of pensilvania & Countrie of Newcastle; which was accordancely done. And the said Jn' Donaldson Having taken the oaths appointed by act of par-
liam' to be taken instead of the oaths of allegiance & Supremacie, & subscribed the test, took his' place att the board accordingly.

26th March, 1695.
Att a Councill Held att philadelphia the 26th day of March, 1695.

WM. MARKHAM, Esq'. Leivt. Governo'.
Rob' Turner, esq'. Griffith Jones, Esq'.
pat. Robinson, Jn' donaldson, esq'.
Charles Sanders, esq'.

The Leivt Governo' said to this effect: Gentl. I am glad of this opportunitie to acquaint you that I Have Latelie received their Maties Letters' patents, by which they have been graciously pleased to restore the proprietor to the government of this province of pensilvania & territories, and that the proprietor has been pleased to send mee a Comission to be Governo' therof under him, both which Lye before you for yo' perusal, and which I intend to Cause publish forthwith; But before I doe, or that I enter upon the government, or that you are dustom from being their Maties Councill, I judge it Requisitt to take those oaths that Governors are by Law obliged to take, before you, that you may be witnesse of therof; And I desire the secrict to administer the same unto mee.
Wherupon, the Secrie did administer to the sd Wm. Markham, the oaths appointed by act of parliament to be taken in stead of the oaths of allegiance & supremacie, also hee subscribed the test, as also the oaths appointed by the act of parliam' made in the 12th year of the reign of Charles y' 2d, Entitled an act for the encouragement & Increasing of Shipping & navigation; & by the act of parliam' made in the 15th year of his sd reign, Entitled an act for the encouragement of trade. All which oaths the sd Wm. Markham did Solemnlie take in pence of the sd Council.

The Leiv' Governo' did also desire the Secrie to Record their said Maties Letters patents for Restoring the proprietor to his government, and the proprietor's Commission to him to be Governo' under him, in this minuts of Council book.

The Leiv' Governo' then said: Gentl. I thank you for the true allegiance and Loyaltie I have observed in you all to their Maties, of Soveraign Lord & Lady, Wm. & Mary, which you have shewn by yo' readiness and willingness to their Service upon all occasions. I also thank you for all yo' kindnesses to mee whilst Leiv' Governo', for all which you shall always find mee readie to serve you wherein I may. Pray gentl, As it is all o' duties, Soe let us hereby jointlie give o' heartie thanks to his Excellye Governo' fletcher, for his care of y' province, and for his affections to the proprietor and us, Humblie beseeching His Excellie that hee will be pleased still to Contiuou y' same, assuring him of our true, sincere and unfeigned respects and service to o' outmost; To which all the Council Heartlie assented. Then the Leiv' Governo' said: Gentl. I desire you will attend the publishing of their Maties Letters patents, which will be the Last act you can doe as their Maties Council under His Excellie Governor fletcher; Whereby you will yet the more express yo' readie obedience to their Maties Commands. Soe bid you Heartlie farewell.

Here follow their Maties Letters patents.

Their Maties king William & Queen Mary's Letters patents resting Wm. penn, Esq' proprietor of pensilvania, to the governm' of the said province:

William & Mary, by the Grace of God, king & Queen of England, Scotland, France & Ireland, defend' of the faith, &c. Wheras, upon information that by reason of great miscarriages in the government of our province of pensilvania in America, & the absence of the proprietor, the same was fallen into disorder & confusion, By means whereof not onlie the publick peace & administraon of Justice was broken & violated, But there was also great want of provision for the guard and defence of our sd province ag' our enemies, whereby it was apprehended that our sd province & the adjacent Colonies, wer much in danger of being Lost from the Crown of England; for prevention thereof, as much as in us Lay, & for the better defence & Securitie of o' subjects Inhabiting those parts during this time of warr, Wee did find it absolutlie necessarie to take the government thereof into our hands, and under our Immediat Care & protection; And did therupon, by Letters patents under our great Seal of England, bearing
date the Twentieth-first day of October, in the fourth yeare of our reign, Constitute and appoint our trustie & well beloved Benjamin Fletcher, esq'. our Captain Generall and Governo' in Chief of our province of Newyork, to be our Captain generall and Governor in Chief in and over our said province of pennsilvania & Countrie of New castle, and all the Territories and tracts of Land depending theron in America, with directions to take the said province and Countrie under his government: And did therby grant unto him, the sd Benjamin Fletcher, and in Case of his death or absence out of o' province of Newyork & pennsilvania, our Countrie of New castle and our Colonies of East and West New Jersey, unto such person as should be appointed by us to be Commander in Chief of our said province of Newyork, or to our Councill of our sd province, the Like powers and authorities as wer granted by our Comission to the said Benjamin Fletcher, bearing date the eighteenth day of March, in the said fourth year of our reign, for the ruling & governing of o' sd province of Newyork: and wheras, Humble application Has been made unto us by our trusty and well beloved William penn, Esq. proprietor of o' sd province of pennsilvania, that hee may be restored to the administration of the government therof as formerlie: And wheras, the said proprietor Has given us good assurance that hee will take care of the government of our said province & Territories, and provide for the saffie and securitie therof all that in him Lyes, Wee have therupon thought fitt to restore him to the administraon of the government of o' sd province & Territories, and accordinglie, our will & pleasure is, that soe much of our said Comission bearing date the twentieth-first day of October, in the fourth year of our reign, as doe constitute & appoint our trustie & well beloved Benjamin Fletcher, Esq'. to be our Captain Generall and Governo' in Chief of our said province of pennsilvania, Countrie of newcastle, & the territories & tracts of Land depending theron in America, together with all the powers and authorities therby granted for the ruling and governing of our sd province and Countrie, doe from the publicaon of these our Letters patents, cease, determin & become void, and accordinglie, the same are hereby declared void; of which all persons whom it may concern are to take notice & govern ymyselves accordinglie, Under paine of our Highest displeasure. In witnes wherof, wee Have caused these our letters to be made patents. Witness ourSelves att Westminster, the twentieth day of August, in the Sixt year of our reign.

Indorsed a duplicate of the grant to William penn, Esq'.

By writt of privie Seal, with the great Seal appended, in yellow wax.

WM. PIGOT.

Wm. penn, proprietarie of pennsilvania, &c. His Commission To Wm. Markham, to be Governor under him of the sd province and Countries annexed.

 Seal of the province. William penn, proprietarie of the province of pennsilvania & Counties annexed, to his Trustie and beloved friend and kinsman, William Markham, Greeting:

Being as yet unable to goe myself, and having not time to make
anie other settlements of publick affairs than that which followes, And reposing speciall Confidence in thy justice, prudence and integritie, I have hereby thought fitt to Nominate & appoint thee Governo' of my said province, &c. under me, And I doe hereby declare and Constitute thee Governo' of the same as aforesaid; Hereby also appointing & constituting for the more easie discharge of the trust reposed in thee, Two assistants, viz.: John Goodson and Samuell Carpenter of philadelphia, in the province aforesaid, strictlie charging and requiring thee in all things to govern according to the known Laws & usages therof, and with the advice and Consent of both, or one of them; And particularie, that Care be taken to Suppress all vice and disorderlie walking, by reviving and zealouslie executing all those Laws that tend to Sobriety—Strictlie charging all persons concerned to give thee & assistants the respect due to yo' respective stations in govern-ment; Hereby revoking all former Comissions granted by mee, And this Comission to Continu in force till farder order from mee. Given att Bristol, this twenty-fourth day of the ninth month, one thousand Six Hundred ninty and four. WM. PENN.

Wm. penn's Commission to John Goodson & Sam'l Carpenter, to be assistants.

William penn, proprietary of the province of pennsilvania, &c., to his trustie & Loving friends John Goodson and Samuell Carpenter: Wheras, I Have appointed and Constituted my Cousin William Markham, Governour under mee of my province of pennsilvania, &c., and taking into Consideration the state of the province, and his frequent indisposition, I have thought fitt, Reposing Speciall Confidence in yor Justice, prudence & Integritie, To appoint and Constitute you assistants to him in government, according as is expressed in his Commission, by your advice and Consent, or the advice and Consent of one of you, to transact and govern the affairs of the said province in my absence, according to the Laws & usages therof; Requiring all people to give you the respect that is due to you in that station and Capacitie. Given att Bristol, this Twenty-fourth day of the ninth month, 1694. WM. PENN.

[PHILADELPHIA, 23d April, 1695.
Att a Councill Held att philadelphia Die Martis, 23d April, 1695.

PRESENT:

WM. MARKHAM, Esq', Go'. under Wm. penn, &c.
Sam'l Carpenter, David Lloyd, Jn'r Donaldsonn,
Sam'l Richardson, Caleb pussey, Jn'r Williams,

Upon reading the petition of Wm. Troutt, It was ordered that the triall of the Seizure of the briganten named, should be in the
COUNTY OF CHESTER, UPON THE 18th OF APRIL INSTANT, AND THAT A COMMISSION BE ACCORDINGLY GRANTED, & A WARRANT TO THE SHERIFF OF THAT COUNTY TO SUMMON A JURY.

UPON READING THE PETITION OF JN HOLME, IT WAS ORDERED Y' SAM RICHARDSON, DAVID LLOYD & ANTHONIE MORRIS, DOE INSPECT THE ACCOUNT IN THE SD PETITION MENTIONED, AND MAKE REPORT THIS AFTERNOON.

UPON READING THE PETITION OF SAM PERES, IT WAS ORDERED THAT EXECUTION & ALL FURTHER PROCEEDINGS ATT Y' COMON LAW BE STOPPED TILL Y' CAUSE Y'IN MENTNED BE HEARD AT NEXT PROVINCIAL COURT IN EQUITABLE.

UPON READING THE PETITION OF RALPH WARD, ORDERED Y' HEE & THE SHERIFF COMPLAINED AGAINST, APPEAR AT THIS BOARD TO-MORROW MORNING.

UPON READING THE PETITION OF JN KING, ORDERED Y' ELIZABETH HOOTON, BY HER SELF OR ATTORNEY, APPEAR TO-MORROW MORNING AT THIS BOARD, TO SHOW CAUSE (IF ANIE THEY HAVE) WHY A PROCEDENDO SHOULD NOT ISSUE, & Y' Y' SECREE GIVE HER A COPIE OF Y' SD PETITION & OF THIS ORDER.

UPON READING THE PETITION OF EDMOND DUTTON, ORDERED Y' HEE & SAM ATKINS, COMPLAINED AGAINST, APPEAR TO-MORROW MORNING AT THIS BOARD.

ADJOURNE TO 5 POST MERIDIEM.

POST MERID.

FIVE IN THE AFTERNOON.

PRESENT:

WM. MARKHAM, ESQ', GOVERNO', & OTHERS, AS IN THE FORENOON.

SAM RICHARDSON, DAVID LLOYD & ANTHONY MORRIS, REPORTED TO THIS BOARD, THAT BY THE INSPECTION OF Y' ACCOUNT MENTNED IN JN HOLME'S PETITION, THE ESTATE OF NICHOLAS & MARIE MORE'S, DECEASED, ARE CONSIDERABLE IN DEBTED TO SEVERAL PSONS UPWARDS OF 370 LBS. AND YRFORE, THE GOVERNOR & COUNCILL ORDERED, THAT THE SD JN HOLME MIGHT BE PERMITTED & ALLOWED; & IS HEREBY PERMITTED & ALLOWED TO SELL THE PLANTATION OF GREEN-SPRING, WITH ALL Y' LANDS & IMPROVEMENTS THERETO BELONGING, & SUCH PARTS OF THE MANOR OF MORELAND AS DECENDED TO SAM MORE, DECEASED, OR WERE LOTTED OUT FOR Y' SD SAM & REBECCA MORE'S, DECEASED, AS MAY AMOUNT TO WHAT THEY DYED INDEBTED TO HIM, Y' SD JN HOLME & OTHERS, AND SUCH OTHER PARTS OF THE ESTATE OF Y' SD NICHOLAS, MARIE, SAM & REBECCA MORE'S, DECEASED, AS WILL ONLIE DEFRADE THEIR JUST DEBTS, & THE EDUCAON OF THE SAID NICHOLAS MORE'S SURVIVING CHILDREN, & THE BETTER IMPROVEMENT OF THE REMAINDER OF THE SD ESTATE, ACCORDING TO LAW. AND FURTHER ORDERED, THAT THE MEMBERS OF COUNCILL FOR THE COUNTY OF PHILADELPHIA, OR ANIE TWO OF Y'M, MAY SUPERVISE THE SD SALES THAT THEY BE MADE FOR TRUE & VALUABLE CONSIDERATIONS & NOT UNDERSOLD.

ADJOURNE TO 24th APRIL INSTANT.
[24th April, 1695.

Att a Councill Held att philadelphia Die Mercury, 24th April, 1695.

PRESENT:

WM. MARKHAM, Esq'., Governo', und' Wm. penn, &c., et ysdem ut antea.

John More appeared on y° behalf of Eliz. Hooton & Jn° king, by himself & Griffith Jones on his behalf, and upon reading y° sd Jn° king's petition, & some debate yron by the attorneys on both sides, The further debate yron was referred to the 18th day of May next.

Upon Reading the petition of Ralph Ward, Ordered y' y° sd Ralph paying y° two fines of ten shills. each, & the Lau" charges, y' y° Sheriff return him y° goods taken upon execuon, If unsold.

Upon reading the petition of Edmond dutton, ag° Sam° Atkins, Sam° having had notice to appear & ans' y° same but did not, Ordered y' both the execuons of both the sd Judgm° obtained by y° sd Sam° Atkins ag' the sd Edmond dutton, be stopt, & y° the whole matter be, and is hereby referred to the further Consideration, explicaon & determinaon of y° next provincial Court in equitie.

Upon reading the petition of Hugh Hall ag' James Stanfield, By the consent of the said James, It was ordered y' Hugh Hall have an appeall granted him from the judgm' of the Countie Court to y° next provincial Court in equitie, ag° y° sd James, The sd Hugh Hall giving good securitie to prosecute the said appeall, & to pay all costs & damages that shall be awarded ag° him.

Att a Councill Held att philadelphia Die Saturni, 25 May, 1695.

PRESENT:

WM. MARKHAM, Esq', Governo', und' Wm. penn, & all the members of Councill.

Upon Reading the petition of Jn° king ag' Eliz. Hooton, & the two orders yron, y° 23d & 24th of April Last past, Ordered y' y° further Hearing of the sd petion be befor all Comittee of all the represenatives of Councill, & y° they make report yrof to the Gor. in Counciell.

Upon Reading the petition of Robert Wade ag' the Countie of Chester, for the grand Jurie of the sd Countie their taking away his property in Chester for a Landing, by virtue of y° 100° Law of the province, enacting that each Countie Court of this province & territories yrof, shall appoint & settle a sufficient Cart-way to the most convenient Landing place in their revixe Counties for publick use & benefit.

After a full debate, The Question was put by the Governo', whether the sd Law could Justifie the sd grand Jurie's act? And it was Caried in the Negative.
MINUTES OF THE

Wherupon, it was ordered by the Governor and Councill, that the said Robert Wade, nor his assigns, be no further troubled, molested nor disquieted in the peaceable possession of his propertie.

Upon Reading the petition of Sam! Lewis, Ordered that the representatives in Council for the Countie of Chester, examine & hear the whole matter, & that they Have yrby power to call before ym all persons concerned in the sd Complaint, both pties & witneses, & make report theroffo to the Governo' and Council.

Upon reading the petition of Tenniss Lins, Ordered that the Sheriff of the Countie of Chester give the petition' an order for the goods hee took in excucion of Israel Taylor's, & that hee have his remeade att Law for the remainder of his debt, & damages.

Upon Reading the petition of Thomas Herris, It was the opinion of the Go' & Counciell that the matt' is not cognizable before ym, seeing hee might have had an appeal to the County Court in equity.

Upon reading the petition of Jn' Hugg agt Benj' Chambers, Referred to Law.

Upon reading the petitions of Henrie peirce & Wm. Howell, Referred to Comr of proprie.

Upon reading the petition of Chester Countie for a ferrie att the rock; And of the welsh for a ferrie att Wm. powell's; And of some of the inhabitants of philadelphia about Securing their gun-pow'd; & providing of Ladders & Leather buckets; & of another ag' disorders in sd towne; and of another about Tam'd Leather; These 5 petitions were referred to the Committee for preparing of Bills to be past into Laws.

Upon Reading the petition of Griffeth Owen agt Wm. Hawkes & Jn' More, for detaining from him a patent delivered them to make some writings by, Ordered that sd Hawkes attend y' Governor & Counciell the 29th instant.

[28th May, 1695.
Att a Counciell Held att philadelphia Die Martis, 28th May, 1695.

PRESENT:

WM. MARKHAM, Esq'., Go' under Wm. penn, &c., & all the members except Jos. Growdon.

Upon Reading the petition of Griff. Owen, Appeared Wm. Hawkes, & upon Hearing, It was Ordered y' sd Hawkes give the pa's to David Lloyd to be recorded, & there to remain till the several grants be made to the pties y'in concerned, & till the sd parties agree in whois hands it shall be Lodged.

Upon Reading the petition of Comfort Scott agt Wm. Clark, & his ans' therto, It was referred to the Comrs. of propertie.
PROVINCIAL COUNCIL.

[30th May, 1695.  
Att a Councill Held att philadelphia Die Jovis, 30th May, 1695.  

PRESENT:  
WM. MARKHAM Esq', Go' und' Wm. Penn, &c., & all the members except as above.  

Upon reading the petition of Joseph Wood ag' Wm. Shardlow & his attornies, Charles Sanders, The matter was Left to the Course of the Comon Law, & it was recommended to the Justices of the Countie Court to inspect the matter.  

Upon reading the petition of Thomas Herris relating to his former, It was the opinion of the Go' & Councill y' was not Cognizable before them.  

* Upon Reading the petition of Jn' king ag' Eliz. Hooton, Ordered that a writ Issue from the Go' to the provinciell Judges, to try the appeall depending between Eliz. Hooton & Jn' king, & forthwith to proceed to Judgm' therupon.  

Upon Reading the petition of Sam'n Atkins ag' Sam'n preston, Late Sheriff of the Countie of Sussex, The petition' is Left to his Course att Law.

[15th June, 1695.  
Att a Councill Held att philadelphia Die Saturni, 15th June, 1695.  

PRESENT:  
WM. MARKHAM, Esq', Governo' und' Wm. penn, &c.  
Sam'n Carpenter, David Lloyd, William Clark,  
Anthony Morris, Rich'd Hallywell, phin. pemberton.  
Joseph Growden, Griffith Jones,  

The Go' Having acquainted the Councill of some reports hee had heard of the designs of o' enemies the French, ag' these parts, & y' they had a Squadron of Shipps att sea bound for y' plantaoes, to attack ym, & y' some of the members of this board had proposed to him that a watch on Cape Inlopen to be keept, might be of Service, to give notice if anie suspicious vessells should appeare wtn sight of sd Cape,  

The Go' putt it to the Question, whether a watch there wold not be necessarie, convenient, & of service to the publick. It was caried in the affirmative, nemine Contradicente; And for defraying the publick charge yrof, It was Resolved y' the Go' & representatives in Council wold effectuallie Recomend the same to the next assemble, and that in the meantime, the Go' should Issue an ord' to the Justices of the peace for the Countie of Sussex, that they Cause the sd Watch to be keept on the sd Cape by two men to the first day of Octob' next ensuing, from five in the morning to Seven of the Clock att night; which was accordinglie done, & delivred to Wm. Clarke.
MINUTES OF THE

[18th June, 1695.
Att a Councill Held att philadelphia Die Martis, 18th June, 1695.

PRESENT:
WM. MARKHAM, Esq'., Go' under WM. penn, &c.
Sam' Carpenter, David Lloyd, Rich' Hallywell,
Sam' Richardson, John Donaldson, William Clark.

Upon reading the petition of Harman Lawrier, Setting forth that
there are 4 children belonging to his Sister in the sd Countie of New-
castle, whom hee requests that hee may be permitted to take ym to
Newyork, & engages to take such Care of yr education as becomes
their qualitie & his relation to ym. It was the opinion of the Go' &
Council y' y'o sd Harman take the children y'in named into his Care
& custodie, & after hee has made such satisfacon to the pties y' have
kept ym as is reasonable, & given securitie to the Justices of y'
Court for Indemnifying the said Countie ag' the sd children, Hee may
transport ym out of this governm't to Newyork.

[29th June, 1695.
Att a Councill Held att philadelphia Die Veneris, 29th June, 1695.

PRESENT:
WM. MARKHAM, Esq', Go' under WM. penn, &c.
David Lloyd, Rich' Hallywell, WM. Clarke,
Jn' donaldson, Griffith Jones, Tho. pemberton.

The Go' Spake to this effect: "Gentl. Seeing it will require a Long
" time to gett a full Councill, by reason of the remoteness of manie
" of y' members, I Let you know That having Latelie received
" another Lre from His Excell'y Governo' Fletcher, I thought it
" necessarie to call a Councill as soon as I could; I hop't indeed to,
" have had a Larger number present than I find come." However,
his Excell'y Governo' Fletcher's Lre being read, wherein hee applied
himself to Go' Markham that a Quota of Eighty men, with their
proper officers, viz: One Captain, Two Leivts., Three Sergeants,
Three Corporalls & two drummers, or the value of the charges for
maintaining the same, be provided & sent to Newyork by the first of
August next, in obedience to the Comand of her Late Matie & for
his Maties Service, in order to the Generall defence of this part of his
Maties empyre.

After the reading wherof, The Go' said: "Gentl. When his Excel-
" lie Governo' Fletcher, by his Lre to mee of the 15th of April Last
" past, made his first demand of y' sd Quota of men, or the value of
" the charges for maintaining the same, Requiring that they should
" be provided & sent to Newyork by the first of May Last past,
" You know the ans' you gave to it, viz: That you wer not in a
" capacitie to give a full & Satisfactorie ans' to see weightie a matter
" wtout a general Assemble, And that most of the members Living
PROVINCIAL COUNCIL.

"see remote from this place, & harvest drawing on so near that they
"could not meet till about the 9th of 7ber next, & yflore, you yn
"advised mee to Comand the Assemble to meet the 5d day to advise
"& Consult yrupon.

"'Gentl., You know that I thought that time too long, & yflore yn
"desired you to Consider further before you resolved; yet you then
"replied that you had deliberatlie Considered of it, & that it wold be
"to the ruine of manie families to be from home in harvest. Therefore
"fore, I now desire you serioulsie to Consider what ans' I shall give
"His Excellie Go' Fletcher, to his 2d demand.

"Gentl., I'm here in the roome of o' proprieto', & since hee has
"not restricted nor Limited mee, the blame shall not Lyne att his
"doore. If you will doe anie thing that may effectuallie ans' her
"Late Maties Royall will & pleasure, and his Excellie Governo'
"Fletcher's demands formed yrupon, I'le give such sanction to it as
"becomes mee to doe; and tho' the proprietor has given their Maties
"good assurance that hee will take care of the governmt & provide
"for the saftie & securitie therof all that in him Lyes, And is by her
"Late Maties Royall Lre Comanded to give directions that due pro-
"vision be forthwith made att the publick charge of y' province, for
"the furnishing the said assistance, as the same shall be soo demanded
"from time to time by his Excellie the Governo' of Newyork, yet
"the proprietor if he were here himself, nor I that represent him,
"Cannot raise monie wtout you & an Assemble, who are the people's
"representatives; And if you will doe anie thing, I am ready in the
"proprietaries behalf to give it Sanction. And yflore, I desire your
"advice whether to shorten the time of the Assemblies meeting from
"the 9th of 7br. to a neerer day, will be of any service."

It was the unanimous opinion of all the members present, that it
wold be of no service to call ym sooner. The Governo' Having askt
the reason of their opinion, one of the members ansred, Becaus by
the great mortalitie of the Cattle & stock of the Inhabitants Last year,
the people have been, & still are unde' great straits for Corn & provi-
sions, and the substance of the province & Territories Consisting all
together in stock, provisions & Corne, If the inhabitants should be
called off from getting in their Harvest & Cropts to attend the assem-
brle, whose number w' the Councill are 54 persons, It wold tend to
their utter ruine. And tho' a Law were alreadie past for raising monie
to defray the charge of the assistance demanded, It could be no sooner
collected then it wold be if not made till the 9th of 7ber. next, Becaus
the paymts must be made out of the Cropt yt is now upon the ground,
& upon which the sole dependence of the province for their support
relies, & the proper time of paymt therof is in the winter. To which
the rest of the members Unanimouslie assented.
MINUTES OF THE

[5th August, 1695.
Att a Councill Held att philadelphia Die Jovis, 8th August, 1695.

PRESENT:
WM. MARKHAM Esq'. Go' under Wm. Penn.
Sam'n Carpenter, William Biles, John Williams,
Sam'n Richardson, David Lloyd, Rich'd Hallywell,
Anthony Morris, Caleb pussey, John Brinkloe,
phincas pemberton, George Marris, Griffith Jones.

The Go' himself read to the Councill some part of a Lre directed to
him from Go' Fletcher, wherin hee told him Hee should not be want-
ing in calling for the supplies, ordered him out of this province by the
Royall Comand, And then ordered the Secrie to Issue writts to the
sheriff of each of the Six revixe Counties, to warn the representatieve
of Councill & assemble to meet at philad the 9th of 7ber. next, as
was agreed Last provinciall Councill; & y' in case of the death of
anie of y* Representatives, giving power to the revixe sheriffs to elect
others in their rooms, according to Law.

PROVINCE OF PENNSILVANIA & COUNTIES ANNEXED.
[20th April, 1695.
Minutes of Councill in the Assemblie Anno R. R. et Ræ, Willielmi

Att a Councill Held att philadelphia die Saturni, 20th April, 1695.

PRESENT:
WILLIAM MARKHAM, Esq', Governo' under Wm. penn, &c.
The Sheriff of the Countie of philadelphia, his Return of Repre-
sentatives in Councill was read, & there wer elected Sam'n Carpenter
for 3 years, Sam'n Richardson for 2 years, & Anthony Morris for one
yeare. As also the Sheriff of the Countie of Chester, his return of
representatives in Councill was read, & there were elected David
Lloyd for 3 years, Caleb pussey for 2 years, & George Marris for
one year.

Adjourned to 22d instant.

[22d April, 1695.
Att a Councill Held att philad. Die Lunæ, 22d April, 1695.

PRESENT:
WM. MARKHAM, Esq', Governo' under Wm. penn, &c.
The Sheriff of the Countie of Newcastle, his return of representatives
in Councill was read, & there were elected Jn° Donaldson for 3 years, Jn° Williams neering for 2 years, & Richard Halliwell for one year, all which six members appearing in Councill, their elections were approved of.

The Sheriff of the Countie of Bucks, his return of representatives in Councill being read was rejected, because it did not mention the day of their election, nor the rexive years for which the members were to serve.

The Sheriffs of the Counties of Kent & Sussex their Return of representatives in Councill being Read was rejected, because they made not their election till the 13th instant.

The Representatives of the Countie of Newcastle took the oathes appointed by act of parliament to be taken instead of the oathes of allegiance & supremacy, & sub't the test, & promise of secrасie, & took their places att the Councill board.

The Representatives for the Countie of philad. & Chester did subscribe the declaration of fidellitie, profession of the Christian faith, test & promise aforesd, & took yr places as above.

Adjourned to 23d instant.

[23d April, 1695.
Att a Councill Held att philad. Die Martis, 23d April, 1695.

PRESENT:
WM. MARKHAM, Go' under Wm. penn, &c.
Sam'' Carpenter, David Lloyd, Jn° Donaldson,
Sam'' Richardson, Caleb pussey, Jn° Williams,
Anthony Morris, George Marris, Rich'd Halliwell.

The Governor desired pat. Robinson, Secrie., to read yr Maties Lrees patents under the Great Seal of England, restoring the proprietarie to his governn'; & the proprietaries Comission to Wm. Markham, to be Governo' und' him, & his Comission to Jn° goodson & Sam'' Carpenter, to be his assistants, all which hee accordinglie read, & they stand recorded in the other end of this book.

Adjourned to 24th instant.

[24th April, 1695.
Att a Councill Held att philad. Die Mercury, 24th April, 1695.

PRESENT:
WM. MARКHAM, Go' under Wm. penn, &c., et ysdem sicut antæ.

In respect of the Illegallitie of the Returns of Representatives for the Counties of Bucks, Kent & Sussex, Ordered that new writts be issued for their election of representatives upon ye 8th of May next, & to meet in Councill the 18th of sd mo., which was accordinglie done.

Adjourned to 18th May, 1695.
MINUTES OF THE

[18th May, 1695.
Att a Councill Held att philad. Die Saturni, 18th May, 1695.

PRESENT:
WM. MARKHAM, Governo under Wm. penn, &c.
Sam Richardson, David LLoyd, George Marris,
Anthony Morris, Caleb pussey, Jn Donaldson.

The Sheriff of the Countie of Bucks, His Return of Representatives in Council was read, & there were elected Joseph Growdon for 3 years, phinehas pemberton for 2, & Wm. Biles for one yeare: The Sheriff of the Countie of Kent, his Return of Representatives in Council was read, & there were elected John Brinkloe for 3 years, Richd Willson for 2, & Griffith Jones for one yeare.

The sd Jn Brinkloe & Richd Willson took the oathes aforesd & subt the test & promise of secesie. The sd Griffith Jones subt the declaration of fidelitie, profession of the Christian faith, the test & promise of secesie, & took yr places att the board.

[20th May, 1695.
Att a Councill Held at philad. Die Lune, 20th May, 1695.

PRESENT:
WM. MARKHAM, Governo under Wm. penn.
David LLoyd, Jn Donaldson, Jn Brinkloe,
Caleb pussey, Jn Williams, Griffith Jones
George Marris, Richd Hallywell,

The Sheriff of the Countie of Sussex, His return of Representatives was read, and there were elected Wm. Clark for 3 years, Thomas pemberton for 2 years, & Robert Clifton for one year.

The sd Wm. Clark, phinehas pemberton & Wm. Biles, did subscribe the declaration, &c. profession, &c. test & Secresie, & took their places att the board. The said Thomas pemberton & Robl Clifton took the Oathes, test & promise of secesie, & took their places as above, & so wer present:

phinehas pemberton, Anthony Morris, Griffith Jones,
William Biles, Jn Donaldson, Richard Willson,
David Lloyd, Jn Williams, Wm. Clarke,
Caleb pussey, Richd Hallywell, Tho. pemberton,
George Marris, Jn Brinkloe, Robl Clifton.
Sam Richardson,

After the reading of ye Maties Lres patents for restoring the proprietarie to his governm, & the proprietaries Comission to Wm. Markham to be Governo under him, & to Jn Goodson & Sam Carpenter to be his assistants, by the Secrie, The Governor said:

"Gentl., You are Convened by virtue of a power derived unto mee " from M' penn, Our absolute proprietarie & Chief Governo, under " whois governm' you Lived happifie for manie years. Their Maties,
PROVINCIAL COUNCIL.

"our Soveraign Lord and Ladie Wm. & Marie, wer pleased upon
some apprehensions that this province was in danger of being Lost
from the Crowne of England, to take us und' their more Immediat
care & protection, During which time I was yo' Leivt. Governo', &
I must say that I have observed in you (I mean both you & those
you ressent) a dutiefull affection to their present Maties, in a readie
Compliance with all y' Comands, after such mann' as yo' tender
Consciences could permitt. Most of you were either of the Coun-
cill or of the Assemblie first called by his Excellie Governo' Fletch-
er, and when the Queen's Lre for the assisting the province of New
york to defend y' fronteers was read, I rejoiced to see yo' readiness
' to Comply, and tho' the principles of most of you were ag' giving
any thing to Maintain warr, yet you Dutiefullie & prudentlie, &
without example from yo' neighbours, raised money under the title
FOR THE SUPPORT OF GOVERNMENT, but to be disposed
 of as his Excellie Governo' Fletcher should think fitt, Which monie
was by his sd Excellies order transmitted to New york, & no doubt
well imploied in the service of the Crown. And now Gentl., Their
Maties Have been graciously pleased to restore our proprietarie to
His governm', a gentl, I'm sensible, has allwayes been vere affec-
tionate to us, & I hope none of us (I am Confident there is not one
here) will be wanting in gratitude towards him, nor in due respect
' to & Love for him; Let us yrfore, Like dutifull, Obedient & grate-
ful subjects, entertain of proprietarie to return their Maties o' most
Humble & Heartie thanks for this y' great & gracious favo', & to
assure ym y' weel shall ever Continou to be yr most Loyall & obe-
dient subjects."

To which the whole members of Councill Heartilie assented.
Adjournd to 22d May instant.

[22d May, 1695.
Att a Councill Held att philadelphia Die Mercury, 22d May, 1695

PRESENT:

WM. MARKHAM Esq', Governo' und' Wm. penn, &c., et ysdem
Sicut antea.

The Governo' Ordered the whole Representatives to resolve into a
grand Comittee to Inspect & revise the Laws of y' province, In order
to repeal those that were not fitt to be Continoued, & to prepare Bills
for such Laws y'are necessarie & wanting.

Resolved, yt y' 5th instant be & is appointed for the Hearing of
petions and Complaints.
Adjournd to 25th instant.
[25th May, 1695.
Att a Councill Held att philadelphia Die Saturni, 25th May, 1695.

PRESENT:
WM. MARKHAM, Governo', und' Wm. penn, &c., and all the representatives in, No. 18.
Joseph Growdon, Hitherto absent, sub' the declaraon, Test & promise of Secrisie, & took his place att the board. And soe wer present y' Governo' & a full Council, viz:
Sam" Carpenter, David Lloyd, John Brinkloe,
Sam" Richardson, Caleb pussey, Richd Willson,
Anthony Morris, George Marris, Griffith Jones,
Joseph Growdon, Jn" Donaldson, Wm. Clark,
phinehas pemberton, Jn" Williams, Thomas pemberton,
Wm. Biles, Richd Hallywell, Robert Clifton,
               Pat. Robinson, Secry.

The Grand Comittee of y' whole Repsenteatives, to whom the inspeacting & revising of the Laws of y' province was Comitted, presented to the Governo' a Bill Relating to the new modelling the government, which was read once.
Adjourned to y' 27th instant.

[27th May, 1695.
Att a Council Held att Philadelphia die Lunæ, 27th May, 1695.

PRESENT:
WM. MARKHAM, Esq'. Governo' under Wm. penn, &c., & all the members except Jos. Growden & Jn' Williams.
The said Bill was again begun to be read & debated, but it Could not be agreed upon.
Adjourned to 28th instant.

[28th May, 1695.
Att a Councill Held att philadelphia die Martis, 28th May, 1695.

PRESENT:
WM. MARKHAM, Governo' under Wm. penn, &c., & all y' members except Jos. Growden.
The said bill being Laid aside, becaus it could not be agreed upon, A Comittee of one member for each County, viz: Sam" Carpenter, Wm. Biles, David Lloyd, Richd Hallywell, Jn" Brinkloe, & Wm. Clark, were appointed to Consider of a new frame & modell of governm', & to make report to the Governo' & Council this afternoon.
PROVINCIAL COUNCIL.

POST MERIDIEM, Presentibus ut antea.

The Committee to whom the Consideration of a new forme & modell of governm' was Comitted, Reported: That they had made some attempts, but Could not agree upon a new frame; And y'rfor, the Governo' appointed the same Comittee to meet w' himself to-morrow morning, about the same, And to make report.

Adjournd to 29th instant.

[29th May, 1695.
Att a Councill Held att philadelphia Die Mercury, 29th May, 1695.

PRESENT:

WM. MARKHAM, Esq'. Governo' und' Wm. penn, &c., & all the Representatives ut antea.

The Governo' & Comittee to whom y's Consideration of a new form & modell of governm' was comitted, Reported: That nothing could be agreed upon in ord' to a new modell of governm' notwithstanding all y's pains & time spent about y's same.

Then the Governo' said: "Gentl. By the writs issued by me for "Calling you together, you may se it was to choose representatives "to forme a provinciall Counciull, to advise w' mee in matters relating "to y's governm'; Accordingly the elections wer made, & you that "were chosen have appeared & performed all the Ceremonies Usuall "by any former provinciall Counciull. Gentl. you have taken up much "time in endeavoueing to Lay aside the Charter granted you by the "proprietarie, which you then fullie accepted of, & to propose "& make a more easie frame than formerlie by y' sd Charter & act "of settlement you had, but y's difficulties y' attended yo' new bill & "frame were so great that they Could not be gott over. Since y'rfor "the end of my Calling and of yo' Coming together was to advise "w' mee in matters Relating to y's governm';

I Lett you know That the Queen's most excellent Matie Hath, upon the 21st of Augt, 1694, signified to or sd proprietor & in his absence to the Comand' in Chief of y's sd province of pennsylvania for y's time being, That a Quota not exceeding eighty men, with their officers, or the value of the chairges of maintaining y's same, be the measure of the assistance to be given by y's sd province of pennsylvania & Countrie of Newcastle for y's defence & securitie of the province of Newyork, Thereby Requiring & Comanding o' sd proprietors att all times, upon application of the Governo' & Commander in Chief of the province of newyork, to send y same for the defence & Seuritie yrof; And y the said proprietor give directions that due provision be forthwith made, att the publick charge of the sd province of pennsylvania & Countrie of Newcastle, for the furnishing such assistance as the same shall be soe demanded from time to time, by the sd Governo' or Comand' in Chief of the sd province of Newyorke.
The Serious & due Consideraon of which Letter I Recommend unto you, & according to your dutie, doe require your advice & assistance in the prosecuting this weightie affair, upon which yo' owne & yo' neighbours securite and preservaon soe much depends.

I also Let you know, That His Excellie Benj' Fletcher, by his Letter of y' 15th Aprill, writts me that hee is necessitated for y' Maties Service & the securiety of y' fronteers, to demand from us eightie men & y' officers, with armes, amunition, & pay for one yeare. The officers y' will be requisite are One Captain, Two Leivtenants, foure sergeants, foure Corporalls & two drumers; & y' y' Maties have Comanded us to furnish him with this assistance from pennsillania & newcastle, & y' y' frontiers are soe circumstantiated att psent, that there being att Albanie on the first of May next ensuing, or as soon as possible may be, is thereby required. Both which Lres having been read, The Governor added: Gentl, you are the Representatives of the people, yrfor I again desire yo' advice here. The Representatives Having desired some time to Consider therof, the Governo' did Resolve the whole Representatives into a grand Committee, to Consider of an effectual answer both to her Majesties Letter and Governo' Fletcher's, and delivred to Wm. Clark, one of their number, both the sd original Letters for their perusal, & to make report to-morrow.

Adjourned to 30th instant.

[30th May, 1695.
Att a Councill Held att philadelphia die Jovis, 30th May, 1695.

PRESENT:
WM. MARKHAM, Esq', Governo' under Wm. penn, &c., & all y' members except Joseph Growdon.

Wm. Clark Reported from the Committee of the whole Representatives, to whom the Consideraon of her Maties Letter & of Governo' Fletcher's Letter, & their advice yrin an' ans' yrto, was Committed. That having taken the same in to their Serious Consideration, Humble offerr y' opinion that they are not in a Capacite to give a full & Satisfactorie ans' to soe weightie a matter wtout a generall Assembly, & most of ym living soe remote from this place, & Harvest drawing on so near, that they cannot meet untill about the 9th day of Sept' next, And yrfor, doe advise the Governo' to Command the assembley to meet the sd day, to consult & resolve yrupon.

Then the Go' said: "Gentl., You are my witnesse that I "have done my dutie: Onlie wish that this your delay may not be "taken for a deniall, The Consequences wherof may prove verie "fatal to us all. And desired they wold Consider further before they "resolved."

They replied that they had deliberatlie Considered of it, & y' it wold tend to the ruine of manie families to be from home in harvest time.
Resolved you the Assembly be Convened to meet at Philadelphia the said 9th day of Sept next, by order from the Governor.

Then the Governor said further: "Gentl., you know you in their Majesties Letters patents for restoring Mr. Penn to his government it's said, That "he, the sd Mr. Penn, Has given you your Majesties good assurance that he will "take care soe far as in him Lyes, to secure the province. What "will you advise me in this case about securing you same as again "attempts that may be made upon us by our enemies? will you be "willing you if an enemy should assault us I should defend you by "force of arms?" Some made ansr. you they wold; Others that they must Leave everie one to your Libertie, & your Governo' Penn's instructions yrin must be followed, and it being his bussines they had nothing to doe with it.

Then the Governor desired to know of John Goodson, his assistant, whether he was dissatisfied with anything he had done during this time of Sessions? John goodson ansred you hee was well satisfied with all that had been done.

Then the Governor desired you the representatives that Lived nearest to Philadelphia might give your attendance in Council upon any emergency, when called by the Governor & his sd assistant.

Adjourned to 9th Septemb, 1695.

[9th Septemb, 1695.

Att a provinciall Council Held at Philadelphia die Lunæ, the 9th of September, 1695.

PRESENT:
WM. MARKHAM, Esq'r. Governo' und'r Wm. Penn, Esq'r. &c., and John Goodson assistant.

Samuel Carpenter, David Lloyd, John Brinkloe,
Samuel Richardson, Caleb pussey, Richd Willson,
Anthonie Morris, Thomas Marrs, Griffith Jones,
Joseph Growdon, John Donaldson, William Clark,
phinehas pemberton, John Williams, Tho. pemberton,
William Biles, Richd Halliwell, Robt. Clifton,

The Governor desired the secrecy distinctlie to read all the minutes of Council that have been held since the restoration of the proprietor to his government, Which the secrecy accordinglie did.

Then the Governor said: "Gentl., I ordered all the minutes of "Councils that have been held since the proprietor's restoration to "his government to be read, to remind you how wee have fallen out of "the method of govern't formerlie settled by the proprietor & the "people's representatives, In which the provincial Council used to

*His name was George.
MINUTES OF THE

promulgate bills that were to be past into Laws twenty days before the sitting of the assembly, att the end of which time the assembly used to meet to Confirm or reject those bills.

"Gentl., You are sensible how much I was ag altering anie thing in the charter which was granted us by the proprietar, wtout his knowledge & consent, & how great occasion I had for an Assemble was & is plain to you, Viz: to answer the late Queen's Comands in assisting Newyork w'o' Quota ag' o' Comon enemie the French. "Gentl., I endeavoured to bring the govermt to the method that was ever used in the proprietar's time, before his Excellie Governo' Fletcher had it, and accordingly, I issued out writs to forme a provinciall Councill; In answer wherto you mett & performed by Oathes, attests & Subscriptions, all things necessarie to it; and then I did my dutie & Laid before you the late Queen's Letter & his Excellie the Governo' of Newyork's application to mee for the Quota allotted to this governm't, expecting you wold have promul-gated bills for the raising monie for it, but instead of that your Résolves wer that you were not in a capacite to give a full & Satisfactorie answer to so weightie a matter wtout a Generall Assemble, & most of you Living soe remote from this place, & Harvest drawing on soe neer, that you could not meet untill about the ninth day of Sept' then next; And yrfor, did advise mee to Comand the assembly to mee to meet the said day, to consult & resolve yrupon. And yrfor, it was resolved that the assembly be convened to meet att philadelphia the sd ninth day of Sept' then next.

"And now Gentl., you are to advise what course to steer to attain to the Chief end of of meeting, viz: to answer the late Queen's Letter, & when that is done & the Ice broken, all other things will be easie.

"Gentl., the Assemble is come according to appointment; The first thing wee are to Consider of is the method of preparing and passing Bills. Gentl., Both you of the Councill as well as of Assemble, are Representives of the people, both being choosen by them; I Have not the choice of one member of either, therefore, when I speak to you I speak to the people's Representives, as much as when I speak to the Assemble, And wtout yo' & their Consent, I cannot raise monie, & wtout monie I cannot answer the Queen's Commands. I pray God direct you that what you doe may be to his glorie, the king's honour, & the saftie of this poore province. Gentl. I expect your ans'.

Adjourned till to-morrow morning.

[10th Sept., 1695. Att a Councill Held att philadelphia die Martis, 10th of Septemb', 1695.

PRESENT:

WM. MARKHAM, Esq' Governo' und' Wm. penn, Esq' & Jn' Goodson assistant, And all y' members ut antea.
Cornelius Empson & James Fox, two of the members of Assem-
bly, Came from the Assembleie, desiring to know of the Go' when the
Assembleie might ye admitted.

The Governo' answered that hee & Counciell were readie to re-
ceive them.

In a small time afterwards they all appeared, & presented Edward
Shippen for y' Speaker, of whom the Governo' did approve.

Then the sd Edward Shippen, Speaker, & all the other members of
Assemble for the Counties of philadelphia, Bucks, Chester, newcas-
tle, kent, & Jn' Stoaktie & Thomas Oldman, for the Countie of Sus-
sex, subscribed the test, profession of the Christian believe & declara-
on of fidelitie; and the Last foure for the Countie of Sussex, Viz:
Joseph Booth, Henrie Malleston, James peterkin & Jonathan Baylie,
took the oathes appointed by act of parliam' to be taken in stead of y'
oathes of allegiance & supremacie, & subscribed the test.

Then the Governo' Spake to the Assembleie:

"Gentl., you are now qualified for bussines, and that you may
"the better know yo' dutie, you shall heare the papers following:" and then desired the Secrie to read their Maties Letters patents re-
stoiring M' penn to his governm', which was accordingly done; Then
Go' penn's Comission to his kinsman, Wm. Markham, to be Go' und'
him; Then Go' penn's Comission to Sam'l Carpenter & John Good-
son, or anie of them, to be his assistant; Then the Late Queen's Let-
ter of y' 21st of August, 1694, appointing eightie men, with their offi-
cers, or the value of the claierges of maintaining the same, to be the
measure of the assistance to be given by this province & countrie of
newcastle for the defence & securitie of the province of Newyork, Re-
quiring & Comanding o' proprietor, upon appicacion of the Go' & Co-
mand' in Chief of the province of Newyork, to send y' same. Then
His Excellie Benj' Fletcher, the Go' of Newyork, his Letter to Go'
Markham of the 15th of April, 1695, demanding from this province the
sd 80 men & their officers, w' arms, amunition, & pay for one year,
to be att Alabane the 1st of May then next ensuing, or as soon as
possible may be. Then his sd Excellies other Letter of 12th June,
1695, then applying himself to Go' Markham for the sd Quota of 80
men w' y' proper officers, or that the value of the claierges for main-
taining them be provided & sent to Newyork y' 1st of Aug' then next,
in obedience to the Comands of her Late Matie. Then his Excellies
other of 3d 7br., 1695, Renuing his appicacion to Go' Markham for y'
above assistance in men or monie, with a copie of the mohaque pro-
posions. And then wer read the propositions made by ten of the
principal Sachims of the Mohaque Countrie to Go' fletcher, in the
Court house of Alabane, y' 28th of Aug', 1695. And y' yr' Go' said:
"Gentl., I thought it necessarie to cause the above papers to be read,
"as the foundation & beginning of yo' proceedings. I made a speech
"to the Counciell yesterday which they shall have, and they will Re-
"solve into a Committee of the whole house to consider yrof; & M'
"Speaker, I desire you to doe the same, y' you may meet together &
give yo' best concurrent advices in ord' to answer my sd speech."
Ordered, That the whole members of Councill doeResolve intoa
grand Comittee of the whole house to Join a grand Comittee of the
whole members of Assembly, to consider of an answer to the Go" speech, att 3 post meridiem, And to make report to-morrow morn-
ing.

Adjourned to y^th Sept', 1695.

Att a Counciell Held att philadelphia die Mercury, 11^th of Septemb', 1695.
WM. MARKHAM, Esq', Governo' und' Wm. penn, Esq', and all
the members, ut supra, except Wm. Biles.
The Comittee to whom the consideraon of an ans' to the Go" Speech was comitted, Reported That the Go" speech to the Counciell
Having been read to the Assembly, They did upon the vote putt, agree
That they might proceed to Legislaoon witout promulgaon of bills, (as
was usual by the Late Charter,) Considering the present emergencie.
They also did upon the vote putt, agree that the power of preparing
& proposing bills to be past into Laws may be in the Counciell as well
as in the Assembly, (while both are the people's choice.) They did
also agree that the Go' be requested to appoint a Comittee of Counciell
to meet a Comittee of the assembly, To Consider of an answer to the
Queen's Letter, & an act of settlement.

The Governo' did accordinglie appoint two members of each Coun-
tie, Viz: Sam'a Carpenter, Sam'a Richardson, Joseph Growdon,
phinehas pemberton, David Lloyd, Caleb pussey, Jn' donaldson,
Richd Halliwell, John Brinkloe, Griffith Jones, Wm. Clark & Tho.
pemberton, to Join a Comittee of the Like number of y^ members of
assembly, to Consider of an ans' to the Queen's Letter, And his Ex-
cellie Go' Fletcher's demands therupon, & of an act of settlement, to
meet at two of the Clock in the afternoon.

[19^th Sept', 1695.
Att a Counciell Held att philadelphia die Jovis, 19^th Septemb', 1695.
PRESENT:
WM. MARKHAM, esq' Governo' und' Wm. penn, esq', & all y^ members
except Jn' Williams & Jn' Brinkloe.
The Comittee to whom the Consideraon of an answer to the Queen's
Letter, & his excellie Go' Fletcher's demands therupon, & of an act
of Settlement, was Comitted, Gavo in y' report in answer to the
Go" speech in writing, Which was read, viz: The report of the Com-
ittee of certain members of Council & assembly in answer to the
Go" Speech:
"May it please the Governo'. Wee Having dulie Considered thy "speech delivred us att the opening of this Assemble the ninth instant, "As also the Late Queen's Letter, dated the 21st of Aug', 1694, "together w' Coll. Fletcher's applicaons for the Quota appointed by "the sd Queen to be sent from this governm' for the defence of New- "york, and also having perused the minutes & proceedings of the "Councill & assemblie for the two Last years, Wee find that the "Generall Assemble in the yeare 1693, in Compliance with the "Queen's former Letter, soe farr as the religious psuasion of the "major part of them could admit, did Humblie psent king Wm. & "Queen Marie with an assessment of monie upon all estates win the "sd province & territories for support of this governm', which sd "assessm' amounting to about 760lb. this Countrie monie, The nett "produce wherof being Computed upon the then Councill book to "be about 500lb. st. The greatest part of which wee understand, is "gathered & sent to newyork by ord'of Coll. fletcher, Who having "soe much regard to the tender Consciences of such as might scruple "the giving of monie to support warr, did declare before anie assess- "ment was agreed on, that what monie should be raised here for "support of governm', should not be dipt in blood, (as hee was pleased "to phrase it,) which hee afterwards explained upon several occa- "sions, & picterialie in his speech to the assemblie in the yeare 1694, "wherein hee expressed in these words, viz: Gentl. I consider yo' "principles that you will not Carie armes nor Levie monie to make "warr, tho' for yo' owne defence, yet I hope you will not refuse to "feed the hungrie and & cloath the naked; my meaning is to sup- "ple those Indian nations w' such necessaries as may Influence ym "to a Continuance of y' friendship to these provincs. Therefore, "It is the Opinion of this Committee, that all the monie alreadie "raised, or att this time intended to be raised for support of governm', "& not expresslie appointed for anie other picterial use, ought to be "deemed & taken in stead of the assistance required from this go- "vernment, the same being in ans' to the Queen's Letters, soe farr as "in Conscience & abilitie wee can Complie therwith, And that the "same may be appropriated accordinglie, as the Go', or his deputie "for the time being, shall see meet."

'The Governo' then told ym, "that if that narrative of what they "had done in 1693, relating to the Late Queen's first Letter, might "be serviceable to ym, hee should be satisfied yrwt, and yrfor desired "as they had begun, soe they wold proceed to give an effectual "answer yrto, & to His Excellie Go' Fletcher's demands yron, by "raising of monie."

'Then all the members Unanimouslie declared, that it was their "design to raise monie for the king, To be made use of as hee pleased. "The sd Committee also gave in y' Report relating to an act of settle- "ment in writting, which was also read.

'Then the Governo' told them "that what they had heard read was "but Reports of a Comitee, both of members of Councill & assem- "blie, & yrfor, It was necessarie y' y' whole members of Councill
MINUTES OF THE

"should signifie ther acquiescence ywith. Wherupon the Go' putt
"this Vote: all you Gentl. that acquiesce with the two reports now
"read, stand up & say YEA, all you y' doe not acquiesce therwith
"stand up & say NAY." Caried in the affirmative.

Thereafter the Go' Ordered Joseph Growden, Sam'' Richardson, david Lloyd, Rich' Halliwell, Griffith Jones, & Wm. Clarke, to pre-
sent the said two Reports to the assemble for their acquiescence, and
after they had done the same, Hee, the Go', wold make such observa-
ons theron as hee should think fitt.

Adjourned to the 20th instant.

[20th Septemb', 1695.
Att a Council Held att philadelphia die Veneris, 20th of Septemb',
1695.

PRESENT:
WM. MARKHAM, Esq'. Governo' und' Wm. Penn, Esq', &c., & all the
members except Anthony Morris, John Williams, & John Brinkloe.

The members who wer ordered to present the sd two Reports to
the Assemble for their acquiescence, made report that they had
delivered the sd two reports to the assemble, who ansred they wold
Consider the same.

Ordered, that Sam'' Richardson & Wm. Clarke goe to the assem-
blie & acquaint them That the Governo' & Councill doe waite for
them.

John Blunston, James Fox, Wm. Rodeney & Edw'd Gibbs brought
from the assemble y'sd two Reports, & told the Go' & Councill
that they acquiesced y'with, With some few amendments.

Thereafter the Gor. Caused the sd two reports, The one relating to
the Queen's Letter, & the other relating to the act of settlement, to be
read, ag' which act of settlement The Go' made objections to severall
paragraphs therof.

Ordered that the whole members of Councill doe Resolve into a
grand Committee of y' whole house, to join a Grand Committee of the
whole members of assemble, to Consider further of proceeding effect-
uallie to ans' the Late Queen's Letter, By drawing up a bill for
raising of monie to answer y' same, & his Excellie Governo' Fletch-
er's demands therupon. And by drawing up another Bill for the a
of settlement.

[27th Septemb', 1695.
Att a Council Held att philadelphia die Veneris, 27th of Septemb',
1695.

PRESENT:
WM. MARKHAM, Esq',, Governo' und' Wm. penn, esq'. John Good-
son assistant, & all y' members of Councill, And all y' members of
Assemble except Nicholas Wallne & John Betts, sick, and daniell
Brown, dead.
"The Committee to whom the Consideration of the Late Queen's "Letter, by drawing a bill for raising of monie to answer the same, & "his Excellency Governor Fletcher's demands upon, and the act of "Settlement, made Report, That they had drawn up the said Bills "which had been ye day before sent to the Governor by foure mem-
bers of Council for his perusal.

Then the Governor said: "Gentl, I yesterday Received from you "two bills; The one entitled an act for raising One pennie p. pound "& Six Shillings p. head on such as are not otherwise rated ye'y'by, "towards the support of governm't, wherein you propose to give 250lb. "for support of governm't & 300lb. to mee towards my services, and "the Surplusage for defraying the debts of the governm't. The other "an act of settlement.

"If you Gentl, the members of Council & assembly, are satisf-
sied with those bills as they are, They need not be read over again. "But if you, or any of you, are not, Ile order the reading of them." Whereupon the members of both Council & assembly did declare themselves Satisfied w' ye'm, & ye' they needed not be read over again.

Then the Governor said: "Gentl, You have deliver'd mee these "two bills together, as if you meant to tack ym soo the one to the "other, as that I must pass both or neither. Gentl, you know I "allwise Recommended to you the effectuall Consideration of, & ans' "to her Late maties Letter, & his Excellie Go' Fletcher's demands "yrupon; This was the prime & principall (if not the onlie) occa-
sion of my calling & of yo' coming together at this time, (for wee "formerlie had Laws enough, & men enough to execute them.) "You have indeed in some manner Consider'd it. But as you have "brought these two bills together, it wold seem you wold have ye'm "past together. But Gentl, To be plain & above board with you, "If you'll first pass the monie Bill, designed (as you say) to ans' the "Queen's Letter, in what manner & und' what title you please, Ile "give sanction to it, Leaving the bill about the act of settlement to a "further debate. Gentl, In the monie Bill you have Considered mee, "and I as much thank you as if I had received yo' offerr; But I "desire to be totallie left out of it, rather than the Late Queen's "Letter should remain unanswered. And I assure you Gentl, I shall "not assent to the passing of anie bill or bills whatsoever till that be "past first."

Then a member of Councill Spake to this effect: that in the par-
liament of England the people had allwise their priviledges granted to "them befyr they gave anie monie, & ye' the monie bill used to be the "last; & tho' wee can pretend to no equalitie with them, being a poor "province, yet we are to proceed in some sense in a parliamentarie way in our degree.

Then the Governor said: "Gentl, You Have now satt well nigh "three weeks & have done next to nothing; The onlie thing I called "you for was to answer the Queen's letter, & his Excellie Governor "Fletcher's demands yruupon. I have oft prest you to it, & do now "again."
MINUTES OF THE

Wherupon Severall members, one after another, urged the passing the act of settlement, alledging there was no more required by ym in y' bill than what the proprietor had granted ym befor.

The Governo' said: "Gentle, I cannot in Honor nor Justice to the proprietor pass this bill or act of settlement, Nor will I. I have sufficient reasons for it, wch I am not obliged to give here. Gentle, As oft as I press you to ans' the Late Queen's Letter for the supplie of Newyork, yo' ans' to mee is that yo' priviledges ought to be confirmed to you. I never did, nor ever shall endeavour to diminish them.

But Gentle, Since there's no Liklihood of obtaining from you anie ans' to the Late Queen's Letter, nor to his Excellie Go' Fletcher's demands therupon, Unless Ile enter upon & grant you a Charter of priviledges, I dissolve you, & you are hereby dissolved.

The end of the third session of Councill & Assemble.

[PHILADELPHIA, 25th Sept', 1696.

At a Council Held at philadelphia Die Veneris, y* 25th day of Sept' Anno R : R: Gulielmi terty nunc Anglise, &c. Octavo Annoq dui, 1696.

PRESENT:

WILLIAM MARKHAM, Esq'., Governo'. und' Wm. Penn, Esq'.
Edward Shippen, Jasper Yeates, John Brinkloe,
Anthony Morris, Richard Halliwell, John Hill,
David L Lloyd, pat. Robinson, Secry.

Jasper Yeates, Richard Halliwell, Jr' Brinkloe, Jr' Hill & pat Robinson, took the oathes appointed by act of parliam't to be taken in Stead of the Oathes of allegiance & Supremacy, & Subt. the test. Edward Shippen, Anth. Morris & david Lloyd did subscribe the decla' of fidelity, profession of the Christian faith & the Test, and all of them promised fidelity to Wm. penn, proprietor & Governo' of y' sd province, & Secrissie in all matters that should be secretly treated of in Council.

Then in respect the provincial Court was a Sitting, & that one of the members of Council was a provincial Judge, & y' two members appointed to attend as Counsellors wer not yet come to town, The Governor

Adjourned to 28th instant.
PROVINCIAL COUNCIL.

[28th Sept', 1696.
Att a Council Held att philadelphia die Lunæ, 28th September, 1696.

PRESENT:

WM. MARKHAM, Esq'. Governo', &c. et ysdem ut supra.

The Governo' said: "Gentl, Att o' last meeting the provincial "Court requiring the attendance of some of you, I could then pro-"ceed no farther than to administer to some of you the Oathes, &c., "& to see you subscribe the test, And to see others subscribe the de-"claraon of fidelitie & profession of the Christian faith & test. I think "it necessary to take the same my selfe, which I desire you to admin-
"ister to me, & tho' I have taken ym before, yet I think it requisite to "take ym again, because there is some alteraon in the frame of o' go-
"vernmt since I Last took ym." To which some of the members answered, that since they could not take an oath ym selves, they could not administer one to others. Whereupon the Governo' desired the Secrie to administer the same to him, which he did, and accordingly, the Go' took the oathes appointed by act of parlament to be taken in sted of the oathes of allegiance & Supremacie, and subscribed the Test.

Then the Governo' said: "Gentl. I had not been so long wtout a "Council, but that I expected orders from o' proprietor & Chief Go-"verno', (having given him an exact & true acco' of the state of his "governm' from the time he has been pleased to Comitt it to my "care.) But by his Lyres, I perceive some of mine have been taken "by the French & others, soo delayed by the Long stay of the shipp "wherein they went, that they were not come to hand before this Last "Virginia fleet came from England. But Having Received several "orders & Instructions, both from the Honble The Lords of the Coun-
cill & the Comr' of his Matjes Customs, with an act of parliam for "preventing fraud & regulating abuses in the plantaon, & strict charge "& Comand from the proprietor & Chief Governo', vigorouslie to "put the same in execucion. All which I desire the secrerie to read."

Then the secrerie read The Copie of the Comrs of his maties Cust-
tomes, their report to the Lords spiritual & Temporal, in parliam' assembled, what may be the proper means to remedie the Inconveniences arising from the scotch act to the trade & navigaon of Eng-land, dated 12th decemb', 1695; And the Copie of their Lords & y' Comons, in parlaim' assembled, their address to his matie, representing to him the great advantages yrby granted to the scotch Compa, & the obstructions that the sd act will bring to the general trade of the nation of England, &c. As also, his maties most gracious answer to the sd adress. As also, the Comrs of his matjes Customs, their Lett' to the Governo' of this province, requiring him strictlie to observe & put in execucion all the Laws of trade & navigaon, dated 9th Janry, 1695-6. As also, the Lo' of Council, their Lett' to the Comand' in Chief of this province of 13th febry, 1695-6, to see the acts of trade executed according to the sd Comrs of y' Customs, their sd Letter.
As also, the act of parliam’ made in the 7th & 8th year of king Wm. the third, Entitled, an act for preventing frauds & regulating abuses in the plantaon trade. As also, the Lo’ of Council, their Lett’ to Wm. penn, proprietor of this province, Requiring him in his matjes name, to take care that the sd act past in the sd 7th & 8th year of his reign, & all other Laws made for the encouragement of navigaon & the securing the plantaon trade, be duly publisht within this his sd pro- vince & Country of Newcastle, & strictlie put in execuon by all whom it may concern, dated 15th April, 1696. As also, the Lords of Coun- cil, their Lett’ to the Governo’ of this province to putt themselves in a posture of defence ag’ the attempts of the French, dated 20th April, 1696. As also, y’ sd Wm. penn his Lett’ to Wm. Markham, his deputie Go’, desiring him to be vigorous and carefull to Comply w’ the Laws of trade & navigaon. All which having been read,

“The Governo’ said: “I have therefore, being well satisfied in “Yo’ Loytialte & allegiance to his matie king Wm. & of yo’ fidelity “to the proprietor, made choice of you for his Council, the number “of which is not to exceed Twelve, & no Less than five to be a “Quorum. I know you are all men that are fastned to the Country “by visible estates, I mean such as the Law calls Real estates, of “which each of you have a plentiful portion, & thats a great securitie “that you will study the Interest of the Country, & will advise me “in what you believe to be for the saftie & preservaon of it; and let “me tell you, that nothing can be more for yo’ preservaon & securitie, “nor recommend you more to his matie, than yo’ diligent observaon “and execuon of his Laws & orders. In this I doe not speak to you “only as a Council, but also as you are magistrates, & as such that “you will have a special care in yo’ respective Counties, that noth- “ing be done to the Contrarie, or in violation of them, but that you “be diligent to see ym duly executed; and this is not only a duty to “yo’ Soveraign, but a Justice incumbent upon all Honest men & “Lovers of their Country.

“The proprio’ advises mee that hee has wrote to some friends “about his Excellly Governor fletcher’s objection about men or money. “If anie of you know the Contents of that Lett’, & that it be conve- “nient, I desire you will acquaint the board with it; perhaps it may “his Excellly Go’ fletcher satisfaction. I have Sea’ll Lres from him “since the Last assembly, demanding our Quota; but you all know “I could make no Satisfactorie answer wtout money. To answer all “these things to purpose, and to putt this governm in a better posture “of defence & securitie than it is att present, I find it absolutlie neces- “sarie that there be an assembly called with all convenient speed, “Wherein I desire yo’ advice.”

The members of Council did Unanimouslie advise the Governo’ to call an assembly.

Wherupon the Go’ ordered the secr’ to prepare writts to be issued to the sheriffs of the Seall Counties, to Sumon the people to meet in the usual places upon the Sixteenth of Octob’ next, & the Counties of philadelphia & newcastle, to choose for each of them foure persons to serve in Assembly, & the other four Counties to choose for
each of them three persons to serve in Assembly, to meet the 26th day of the sd mo. Which the sec'ie accordingly did.
Adjourned to 26th of Octob' next.

[26th Octob', 1696.
Att a Council Held att philadelphia die Lunaæ, 26th Octob', 1696.

PRESENT:
WILLIAM MARKHAM Esq. Governo', &c.
Edward Shippen,    david Lloyd,     John Hill,
Anthony Morris,    John Brinkloe,  pat. Robinson.

John donaldson took the usual oaths, &c., & Subt the test. Wm. Clarke did subscribe the declaraon of fidelite, profession of the Christian faith & the test, & both promised fidelite to Wm. penn & secrisie in debate, & took their places att the board.

Therafter John Goodson, who had been by Comission from the proprietor appointed assistant to Go' Markham, Came into Council and desired of the Governo' to be acquitted of his assistanceshipp, To which the Governo' acquiesced.

In respect all the members of assembly wer not come to town, the Governo' adjourned the Council to three in the afternoon.

Adjourned to 3 in the afternoon.

[28th Octob', 1696.
Att a Council Held att philadelphia die Mercury, 28th October, 1696. Hora tertia, post meridiem.

PRESENT:
WM. MARKHAM, Esq. Governo', &c.
Edward Shippen,      John Brinckloe,      John Hill,
Anthony Morris,     In' donaldson,      Jasper Yeates,
David Lloyd,        William Clarke,      pat. Robinson.

Upon the memorial of the Honble Andrew Hamilton, Esq'. Go' of the Jersies, & post master generall, &c. to the Go' & Council, Setting forth that it was formerlie with great difficultie that the post could goe to philadelphia by Land, to the great inconveniencie of Correspondence & trade, And y' for remedie whereof, & accomodaon of Travellers, a ferry had been erected on Jersie side att a great chairge, but that the way was not yet returned from the Landing on pennsyl-vania side to the king's road, which is about three Quarters of a mile & easily cleared; And therefor, Requesting the Governo' & Coun-cil to approve the said road, and give the necessarie orders for clearing it.
Ordered, that a warrant be directed from the Governo' to Thomas Sfairman, Surveyor, To lay out the king's road from dunck William's Landing, (the nearest & most convenient y' may be had, & Least prejudicial to the Lands and improvements of the neighbourhood,) Into the king's great road that Leads to philadelphia; and that a Return in words, of the Courses & protracted figure therof, be made Into the Secries office, in order to be filed & recorded there, as a finall Confiirmaon therof. And that the Justices of the peace for the County of Bucks, be by the Governo' requested to order the overseers of y' Highways in that County to make good & clear the same w' all expedition.

[29th Octob', 1696.
Att a Councill Held att philadelphia die Jovis, 29th October, 1696.

PRESENT:
WILLIAM MARKHAM, Esq', Governo', &c., et ysdem ut supra, &c.

Upon the petition of divers Inhabitants of the Town of philadelphia, to the Go' & Council, Requesting them to grant an order for the Lay: ing out a sufficient Road, the nearest & best that may be had from the Lowermost ferry upon Skulkill, Comonlie called Benjamin Chambers' ferry, Into the Town of philadelphia.

Ordered, That a warrant be directed from the Governo' to Thomas Sfairman, Surveyor, to Lay out the king's road from the sd ferry, the nearest, best & most convenient that may be had, & Least prejudicial to the Lands & Improvements of the neighbourhood, To Come into the southernmost street of the town of philadelphia, & which street runsns from delaware river to the Skulkill, And that a return in words, of the Courses & protracted figure therof be made into the Secries office, In ord' to be filed and Recorded there, as a final Confiirmaon thereof.

Upon the petition of diverse Inhabitants of y' sd town of philadelphia to the Go' & Council, Requesting ym to grant an Ord' for Lay: ing out a sufficient road from the north side of the sd ferry, the nearest & most convenient that may be had, To Hertford townes.

Ordered, that a warr' be directed from the Governo' to Thomas Sfairman, Surveyor, to Lay out a Road from the west side of the sd ferry, to goe as farr in the road that leads to Darby as may be, and from thence the nearest, best and most convenient that may be had, & Least prejudicial to the Lands' & Improvements of the neighbourhood to the town of Hertford; and that a return in words, of the Courses & protracted figure therof, be made Into the seecries office, In order to be filed & recorded there as a final Confiirmaon thereof.

Upon reading the petition of Thomas Hollingsworth to the Governo' and Council, Requesting ym to grant an ord' for Laying out a Road from New worke, in Newcastle Countie, To Jn' Bucklies', Oliver
PROVINCIAL COUNCIL.

Copes', Jn° preus', Jn° Clowds', Wm. Rossen, Naaman's Creek, and thence to Hans Justice's, & so to the king's road in Chester Countie. And to grant another road from Jeremiah Clouds' in Newcastle county, to John Buckles, & from thence to delaware river.

Ordered, that a warrant be directed from the Governo' To Thomas pierson, surveyor, to Lay out the sd Roads the nearest and most convenient that may be had, & Least prejudicial to the Lands & Improvements of the neighbourhood, and that a Return in words, of the Courses & protracted figures of the same be made Into the secrs office, In ord' to be filed & Recorded there as a final Confirmaon thereof.

[Oxford petition for Two Roads & a Branch, &c.

Upon reading the petition of the neighbour hood and adjacent Inhabi tants of Oxford Townshipp, in the Countie of philadelphia, Requesting the Governo' & Council to settle upon ym & the publick, two roads, & a branch of a road: The first beginning att a white Oak, neer the bridge over Thomas p'sons water mill race, and thence to the Bristol Townshipp, according to the Return of the Courses thereof to the sd petition annexed, and protracted figure of the same. The second Beginning att Richard Dungworth's mill, Leading to Thomas pson's grist mill, Lying & being att Franckford, according to the Return of the Courses thereof & protracted figure of the same, to the sd petition also annexed. As also, a Branch of the said Road beginning att a white Oak, in Rich'd Buzbies Land, neer Jn° Wells' Log-house, Leading to the extent of the bounds of Oxford townshipp, according to the Return of the courses thereof & protracted figure of the same, to the sd petition also annexed.

[Answered.

Resolved, That the sd two roads & branches of a road, Bounded as is particularlie mentioned in the Returns thereof made by John Har per, surveyor, & who surveyed the same by the Consent, approbaon & with the assistance of the neighbour hood, Be, and shall hereafter be Reputed and taken for the sd roads & branch, And that the Secrcs Recording of the sd returns thereof, & fileing up the same, & the protracted figures therof, shall be a final Confirmation of the said two roads & branch.

Adjourned to 31st instant.

'Att a Council Held att philadelphia Die Saturni, 31st October, 1696.

PRESENT:
WILLIAM MARKHAM, Esq', Governo', &c.
Edward Shippen, William Clarke, John Hill,
Anthony Morris, John Brinckloe, pat. Robinson.
David Lloyd,

Upon Reading the petition of Samn Atkins against Edmond dutton,
Ordered that att or before the first day of decemb' next, the petition", Sam'l Atkins, pay to the sd Edmond Dutton, 'the sum of Twelve pounds, Silver monie, as was awarded him, with all the Legal charges that have accrued upon the suits upon the bonds of arbitraon, both att the Countie & provincial Courts, and that the same soe paid, be in full saspong to the sd Edmond Dutton, of all sum & sums of monie due to the sd Edmond by reason of the sd arbitraon, bond, Judgment and execuon following thereupon, and that after paym' of the sd sum & charges, as aforesaid, an ord' from the Go', to be directed to the sheriff of the Countie of Philadelphia, To make resti-tuon to the petitioner of all goods, chattells, Lots, Lands & Tenements that hee has taken in execuon upon the sd Judgmts; Because the sd execuon did Improvidently Issue forth.

[Record of The Road from Tho. Parsons' water bridge Race to Oxford, in Oxford Creek, behind Dan' Street's house.

The ninth of the Eighth moneth, 1695.

The observations and mensurations then taken in a Road between Thomas parsons' water Race bridge, and the ford in Oxford Creek, behind Daniel Streets' House, by mee actually measured, Then Hav-ing in Company the Inhabitants of the aforesaid Township; Beginning att a white oak neer the said parsons' water Race bridge, North-west thirteen degrees, twenty-two pearches; Thence north west Twenty degrees, Sixty pearches; Thence north-east Twenty-five degrees, fifty-two pearches; Thence north-west Twelve degrees, fifteen minutes, forty pearches; Thence north-west seven degrees, Twenty-four pearches; Thence north-east forty-three degrees, fifteen minutes, ten pearches; Thence north-east Sixty-seven degrees, thirty minutes, Sixtie-eight pearches; Thence north-east forty-one degrees, Twenty minutes, Seventeen pearches; Thence north-west ten degrees, eight pearches; Thence north-west Twenty-Seven degrees, Thirty minutes, one Hundred & Twelve pearches; Then north-west fifty-Six degrees, Thirty minutes, thirty-four pearches; Thence north-west forty-one degrees, fifteen minutes, fifty-two pearches; Thence north-west Twenty-nine degrees, forty-nine pearches; Thence north-west thirty-eight degrees, fifteen minutes, Seventy pearches; Thence north-west fifteen degrees, fifteen minutes, One Hundred & forty pearches; p. me,

JOHN HARPER, Junior.

[Record of The Road from Richd Dungworth's mill To Tho. parsons' grist mill.

The ninth day of the Eight moneth, 1695. The observaons & men-suraons then taken in a Road, Between Richard Dungworth's mill & the king's Road, by me actually measured, then Having in Company the Inhabitants of the oxford Township, Beginning att the said mill South-east six degrees, Twenty-eight pearches; Thence south-east fiftie-five degrees, nineteen pearches; Thence south-east thirteen de-grees, eighty pearches & ten links; Thence south-east thirty-six degrees, Twenty-nine pearches; Thence south-east fifteen degrees, thirty pearches; Thence south-west six degrees, Twenty pearches;
PROVINCIAL COUNCIL.

Thence south-east five degrees, Seventy-two parches; Thence south-west eight degrees, fifteen minutes, fifty-eight parches; Thence south-east Twenty-six degrees, ten minutes, seventy-four parches; Thence south forty parches; Thence south-west twenty-four degrees, fifty minutes, forty-four parches; Thence south-east nine degrees, forty-four parches; Thence south-east fifty-four degrees, twenty-eight parches; Then south-east twenty-three degrees, eighteen parches; Thence south-west three degrees, thirty parches; Thence south-west nineteen degrees, seventy-eight parches; Thence south-east eleven degrees, thirty minutes, seventy-two parches; Thence south-west Twenty-eight degrees, thirty minutes, Twenty-four parches; Thence south-west Two degrees, One Hundred and Twelve parches; The king's Road South-west forty-five degrees.

[Record of A Branch out of said Road.

As also a Branch out of the Road aforesaid, Beginning at a white oak in Richard Buzby's Land; Thence north-east thirty-four degrees, seventy-two parches; Thence north-east Ten degrees, fifty minutes, thirty-five parches; Thence north-east Twenty-three degrees, four-six parches; Thence north-east three degrees, ten minutes, fifty-nine parches; Thence north-east ten degrees, thirty-five minutes, ninty-six parches; Thence north-east thirtie-three degrees, fifty-five minutes, fifty-six parches; p. me, JOHN HARPER, Junior.

[Record of the Road from dunken Williams' Landing To The old king's Road.

By virtue of the Governor's speciall warrant, bearing date ye 28th day of October, 1696, to mee directed, psuant to an order of the Governo' & Council, granted upon the appilcaon of Andrew Hamilton, esq'. Governo' of ye Jersies & post m' generall, I Have surveyed & Laid out the king's roade from ye Landing of dunken Williams, on delaware, in the Countie of Bucks & province of pensilvania, Beginning there at a spanish oak att High water mark; thence sixtie foot broad, extending North North-west on each side the Line, divid- ing betwixt the Land of the sd dunken Williams & Nathaniel Harding, Two Hundred parches; Thence in the sd duncken's Land, north eightie-One degrees, westerie fourtie parches; Thence north sixtie-four degrees, westerie sixtie-two p parches, Unto the old king's Roade which Leads to philadelphia, & Hath been ancientlie Surveyed & Returned. The Janry, 1696, p. me, THO. FFAIRMAN, Survey'.

PROVINCE OF PENNSILVANIA & TERRITORIES.


[26th October, 1696.

Att a Councill Held att philadelphia Die Lune, 26th Octob', 1696, hora tertia post meridiem.
MINUTES OF THE

PRESENT:

WM. MARKHAM, Esq.', Governo' under Wm. penn, Esq'. &c.
Edward Shippen, Jasper Yeates, Wm. Clarke,
Anthony Morris, John Hill, Jno. Donaldson,
David Lloyd, John Brinckloe, pat. Robinson.

The Representatives Returned to serve in Assembly, by Sam" Richardson & Wm. Rodenev, acquainted the Governo' that they wer readie to make their appearance, who told them that hee waited for them.

After some time Sam’ Richardson, James Fox & Nicholas Walne, (Sam" Carpenter absent,) for the Countie of philadelphia; Wm. Biles, Joshua Hoops & Wm. paxton for the Countie of Bucks; John Simcocke, Jn’ Blumston & Caleb pussey for the Countie of Chester; John Hussey, Cornelius Empson and George Hogg for the Countie of Newcastle; Wm. Morton, (Richd Wilsson absent,) for the Countie of kent, (Thomas pemberton & Roger Corbet for the Countie of Sussex, absent.) All those present did subscribe the declaraon of fideliye & profession of the Christian beleife & the Test. Adam peterson for Newcastle, Wm. Rodenev for kent, & Jn’ Meirs for Sussex; and took the oathes appointed by act of parliamant to be taken instead of the oathes of allegiance & supremacie, & Subt. the test. The repesentatives appearing, being thus Qualified, The Governo' said: Gentl., I desire you to goe together & choose yo’ Speaker, & present him to mee to-morrow morning att ten of the Clock.

Adjourned to 27th instant.

[27th Octobr, 1696.
Att a Council Held att philadelphia die Martis, 27th October, 1696.

PRESENT:

WM. MARKHAM, Esq'. &c. et ysdem ut supra.

Cornelius Empson & Wm. Rodenev, from the assembly, told the Governo' that they wer readie to waite upon him; Who answered that hee & Council had expected them a Long time, & desired they might come. Who accordinglie came, and presented John Simcocke for their Speaker; Who having disabled himself, Hee desired the Governo' to Command the assembly to choose another in respect he was antient, & that there wer more fitt pssons for that trust than hee among the Representatives. To whom the Governo' answerd, that hee was well satisfied in the choice.

Then the Governo' said: Gent., The effectuell Consideraon of her Late matjes Letter was the chief occasion of my calling the last Council & assembly, and seeing att that time nothing was done to ans' the same, and that the Quota of men, &c. therein exprest to be given by this province to Newyorke, Hath been often demanded of us by Governo' fletcher, Therfore, I propose it to you now as the first thing
to be Considered. The second thing I Recomend to yo' Consideracon is the Securitie & defense of this province & territories, & that the rather, because when his matie was pleased to restore M' penn to his governmt, Hee gave his Matie good assurance that hee wold take care of the governm' of the same, & would provide for the saftie & securitie thereof all that in him Lay; To Inforce both which, the Go' desired the Secrie to read his matjes Lres patents unde' the great seal of England, restoring M' penn to his governmt & her Late matjes Letter: which hee did, & delivred Copies of both to the assembly for their greater ease & satisfaction

Adjourned to 28th instant.

[28th Octob', 1696.
Att a Council Held att philadelphia die Mercury, 28th October, 1696.

PRESENT:
WILLIAM MARKHAM, Esq', Governo' &c. et ysdem ut supra, except Jn' Donaldson—sick att philad.

The Governo' told the Council that Hee had received His Excellie Go' fflletcher's speech to the assembly of newyorke, dated 16th instanat, which had some relaon to the first thing by him recommended to the assembly, viz: The Consideracon of the Late Queen's Lett' for the Quota to be sent by this province to Newyork, and askt the advice of the Council, whether to Lay it before the Assembly. The Council advised him to lay it before them.

Adjourned to 3 post meridiem.

POST MERID.
Att a Council Held att philadelphia, Hora tertia post meridiem.

PRESENT:
WM. MARKHAM, Esq'. Governo', &c., et ysdem ut antea, except ut antea.

The Governo' Ordered Wm. Clarke & pat. Robinson to acquain the Assembly to attend him forthwith, which they two accordinglie performed, & told the Governo' they wold wait upon him. M' Speaker & the members of Assembly appearing,
The Go' said: "Gentl, You may Remember that the 27th instant "I recomended to you the effectual Consideracon of the late Queen's "Lett', & his Excellie the Go' of newyorke, his demands of the Quoto "therin mentioned, to be sent for the assistance of newyork from this "province. Since which, I have received the sd Go' fflletcher's speech "to the assembly of newyorke, dated the 16th instant, which had some
"relation to that matter, which I give you, that thereby you may
"see the pressures of that province, & the great occasion they Have
"of men & monie, & of food & rayment, to be given to those nations
"of Indians that Have Latelie suffered extremelie by the French,
"which is a fair opportunite for you (y' for Conscience cannot Con-
"tribute to war) to raise monie for that occasion, be it und' the
"Colour of support of governm', or of relieves of those Indians, or
"what else you may call it. The Speaker said they wold Consider
"of it."

Adjourned to 30th instant.

[30th Octob', 1696.
Att a Council Held att philadelphia die Veneris, 30th Octob', 1696.

PRESENT:
WM. MARKHAM, Esq', Governo', &c.
Edward Shippen, Jn' Brinckloe, John Hill, &
David Lloyd,

The Go' acquainted the Council that yesterday Hee had received
a Lett' from his Exclelly Go' fletcher, of Newyork, demanding the
Quota assigned for this province & newcastle; which hee caused the
Secrie to read, and then ask the advice of the Council, whether to
send for the assembly & comnicate the same to them. The Coun-
cil advised him so to do.

Ordered, that John Hill & Jn' Brinckloe acquaint the assembly to
attend y' Go' forthwith, Who reported that the Assembly wold wait
upon him speedilie.

Then the assembly desired admittance, and wer accordingly
admitted.

Then the Governo' said: "M' Speaker & you Gentl. of the assem-
bly, you are a verie silent & close Assembly, which I believe pro-
ceeds from some jealousies you may have that I intend to take away
yo' Charter. M' Goodson relinquished his assistancehipp to me,
that Arthur Cook might take it up, by presenting to mee a Comis-
sion from the proprietor to me, which hee had keept bid from mee
these 18 mo's past, & wth authorized me to act according to Law &
Charter, & by another to Sam'l Jennings & Arthur Cook, to be my
assistants, which they also keept bid from mee the Like time.
"Gentl, After the proprietor had his Governm' restored to him, I was
of opinion that his Charter to you was in force, and I then called
you together according to it, (except in the day,) & endeavored to
putt the governm' in that frame it was in before it was taken from
him, & no man more asserted the powers of the Charter than I did,
"and am still readie to doe; But the then Representatives wer of
opinion that it Could not be Reassumed but by a Legislative authoritie,
"which was a thing of too great moment for mee to have done
"wtout advice from the proprietor, who gave the Charter; and since
"att that time you owned not yo'selfes to a provincial Charteral
"Councill, It was then in my power to dissolve you, which I did.
"Gentl, no man ever heard mee say that the Charter was void, &
"no man stood more for the defence of it than myself. And had
"that;Comission which M'Cook now presents to mee from the proprie-
tor, which authorizes mee to act by Law & Charter, been the first
"presented to me, I could not even by it, have acted more Charter-
"allie than I did by that by which I then & now act, which authori-
"zes mee to act according to the Laws & Usages. And since you
"say that the Charter cannot be put into act & motion wtout a Legis-
"lative authoritate, If I had power or Instructions from the proprietor
"to doe it I wold most willinglie; But yet for all that, care must be
"taken for the governm', and if by Charter I can doe nothing by the
"king's Letters patents, I must, seeing the emergencie of affairs, call
"for it with all dispatch. Gentl, If there be any thing you wold
"have me do that may secure anie right or claime you have in Law
"or equitie to that Charter, or anie part of it, (besids putting it in
"force wtout the proprietor,) I'll offer that nothing you doe this
"sessions shall be any manner of way prejudicial to yo' claime or
"right to the same.

"Gentl, Its above 12 mo's since I called an Assembly, & indeed
"I was backward to call one, knowing how fond you wer of the
"Charter, Hoping to Have Heard from the proprietor; but now the
"emergencies being such that I could no Longer delay the calling
"you, I have now called you according to the king's Lres patents to
"M' penn, & as neer as I can according to the Customs of the nigh-
"bouring provinces. Gentl, yesterday I received a Lett' from his
"Excellie Go' fletcher, demanding o' Quota, &c." Which the Go'
"ordered the Secrie to read, wh was done, & delivred to the assemblie
"for their Consideraon.

Then the Speaker of the Assemblie presented to the Governo' a
paper of this tenor, viz:

"To the Governo' & Council. Wheras, the Go' has been pleased
"to convene us by his writts, tho' not in the form of Charter, as wee
"could desire, Wee have obeyed the same & considred what he has
"laid before us, Viz: an ans' to the Late Queen's Letter, & o' pro-
"prietor's promise upon his restoration to his governt, And wee are
"heartlie & Unanimouslie willing & ready to perform duties therein so farr as in us Lyes, If the Go' wold be pleased to settle
"us in o' former Constituon enjoyed by us before this governt was
"committed to Go' fletcher's trust. Signed by order of the assemblie.

JOHN SIMCOCKE, Speaker."

Then the Go' said: "Gentl, What I have said to you but now
"Contains a sufficient ans' to this message, Soe I need not repeat it
"again. And Gentl, you may make what Salvo you please to secure
"your Charter, so that nothing that shall now be done shall prejudice
"your right & claime to it, and Ile consent to it, but I cannot give it
"you for want of power."

Adjourned to 4 post meridiem.
MINUTES OF THE
POST MERIDIEM.
Att a Council Held att philadelphia Hora Quarta, post meridiem.

PRESENT:
WILLIAM MARKHAM, Esq'. Governo', &c. et ysdem ut supra.

Two members from the assembly acquainted the Governo' that the assembleie desired a Conference with some of the members of Council, Wherupon the Go' appointed Wm. Clark, David Loyd, John Hill & pat. Robinson, to join a Comittee of the assembleie, In order to Consider what expedient they may find outt to secure to the people their Char-ter, Liberties & priviledges, if the assembleie will att this time raise monie to ans' the Queen's Letter for the assistance of newyorke, and to meet to-morrow morning.

Adjournd to 31st instant.

[31st Octob', 1696.
Att a Council Held att philadelphia Die Saturni, 31st Octob', 1696.

PRESENT:
WM. MARKHAM, Esq', Governo', &c., et ysdem ut Supra.

William Clarke (who was Chairman of the sd Comittee) made re-port to the Governo' & Council in writting, viz: att a Comittee held att philadelphia the 31st instant: psent for y' Council W. Clark, David Lloyd, Jn' Hill & pat. Robinson; for the assembleie, Cornelius Empson, Wm. Biles, Sam'h Richardson, Wm. Rodeney, Caleb pussey, Jn' Miers, Jn' Blunston, Samll Carpenter. The matter Comitted to Consideraon being, what may be the best expedient to ans' the Queen's Letter & preserve the people's priviledges Considering the Governor's ans' to the assembleie yesterday.

After a full Consideraon & debate therupon, It is the Opinion of the Committee that money may be raised to ans' the Queen's Lres, with this proviso: That the Go', att the request of y' assembly, will be pleased to pass an act with a salvo to the proprioer & the people, and that hee will also Issue outt his writts for choosing a full num-ber of representatives on the tenth day of the first mo. next, To serve in provinciall Council & assembleie, according to Charter, until the proprioer's pleasure be known therein, and if the proprioer shall disapprove of the same, that then such act shall be void & no wise prejudicial to him nor the people, In relation to the validitie or Invai-ditie of the Charter. And y' sd Wm. Clark further Reported, that the Assembleie have Caried the sd report to the assembleie for their acquiescence to the same.

Then the Go' desired pat. Robinson to acquaint the assembleie that the Governo' waits for them, who returned that they wold wait upon him speedily.

The assembleie appearing, Mr' Speaker presented to the Governo'
PROVINCIAL COUNCIL.

the said Report, with this addition, viz: The assembly having appro\ed of this report, Humbly request the Governo' to Consider the same and Concurr therein. Signed in behalf of the assembly, y* 31st day of the 8th mo., 1696. JN* SIMCOCKE, Speaker.

Adjourned to 3d Novemb', 1696.

---

[3d Novemb', 1696.

Att a Council Held att philadelphia Die Martis, 3d Nov', 1696.

PRESENT:

WILLIAM MARKHAM, Esq', Governo'.
Edward Shippen, Jasper Yeates, John Hill,
Anthony Morris, John Brinkloe, pat. Robinson.
David Lloyd, Wm. Clarke,

The Governor said: Gentl, I here propose to you a frame of go\ernm' much the same w' the Charter, but with some emendaons & alteraons, which I think to present to y* assembly, & y'fore desired Jn* Hill & Jn* Brinckloe to acquaint them that hee waits for them who return that they will wait on him forthwith.

The assemblie appearing, The Go' said: Mr Speaker & you Gentl. of assemblie, I have Considered the Report of the Comittee & yor acquiescence w' it, have drawn up some heads of a frame of governm' with some emendations & alteraons from y' Charter, w' I give you, & desire you to Consider of it & draw it up into a bill, & then I will Consider whether to pass it into an act or not.

Adjourned to 7th 9b', 1696.

---

[7th Novemb', 1696.

Att a Council Held att philadelphia Die Saturni, 7th Novemb', 1696.

PRESENT:

WM. MARKHAM Esq', Governo', &c., et ysdem ut supra, except Jasper Yeates.

The Go' desired pat. Robinson & Jn* Brinckloe to acquaint the assemblie that hee and Council doe wait for ym, who returned y' y* assembly wold wait on him in a verie short time.

The Assemblie appearing, The Speaker presented to the Go' five bills which had past their house. The Governor told ym that hee would cause them to be read & Considred.

Then the Go' desired the Secrie to read the first bill, which hee did; & ordered the following title to be prefixed to it, viz: The frame of
the governm' of y* province of pennsillvania & Territories yrunto belonging. As also, ordered the two Interlineations in page 2d to be delet. And in page 3d, instead of the words (three years,) to insert the words (Two years;) and in page 8th, after the words (relating to the peace,) to insert the word (safe.)

Then the Go' desired the Secrie to read the second bill, entitled an act for raising One penny per pound, &c. which hee did, and ordered in page 4th the words (support of govern' and) to be delet; and ordered the Secrie to Cary them back to y* assembly with the sd amendments, for their perusal.

Adjourned to 2 post meridiem.

POST MERID.

Att a Council held att philadelphia codiem die, post merid.  

PRESENT:

WM. MARKHAM, Esq'. Governo', &c. et ysdem ut supra, except ut supra.

The Go' desired y* Secrie to read y* 3d bill, entitled an act how to raise Countie Levies, which was approved of. As also the 4th bill, entitled an act for preventing of Hogg's, &c. Running at Large in the town of Chester, wch was approved of. As also y* 5th bill, entitled An act for preventing of accidents that may happen by fire in the towns of philadelphia & newcastle, wch was approved of.

Then the Go' desired Jn* Hill to acquaint the assembie y' he waited for ym forthwith.

The assembly appeared & psented to y* Go' the first two bills wch they past in their house, wt the amendments proposed. Then the Go' Caused y* Secrie read over everie one of y* sd five bills three times, & to under writ each bill in these words, viz: philad. y* 7th day of 9br. 1696, this bill being three times read, was assented to by y* Go' & Council, and then hee did pass ym all, one after another, by affixing yrto his hand & Seal of y* province.

Then y* Go' ask't y* assembly whether they had prepared any other bills for his assent. Who ansred no. Then the Go' said: Gentl, I doe dissolve you, & you are hereby dissolved.

The end of the 4th Sessions of Council & Assembly.
PROVINCIAL COUNCIL.

PHILADELPHIA 13th May, 1697.

Att a Council Held att philadelphia die Jovis, 13th May, 1697, post merid.

PRESENT:

WM. MARKHAM, Esq', Governor under Wm. Penn, absolute proprietarie of y' province of pennsilvania and the Territories thereunto belonging.

Sam' Carpenter,    John Simcocke,    John Curtis,
Edward Shippen,    Caleb pussey,    Wm. Clark,
Joseph Growdon,    Peter Alriches,   Jno. Hill,
phineas pemberton, Richd Halliwell,   pat. Robinson, Secr.

Upon Reading y' petition of peter Gronendyke, desiring an appeal to the next provincial Court, &c., & full debate yron, It being by the Governo' put to the vote whether the sd petition ought to be granted; It was caried in y' negative, nemine contradicente.

Adjourned to 15th May instant.

[15th May, 1697.

Att a Council Held att philadelphia die Sabbatti, A. M. 15th May, 1697.

PRESENT:

WM. MARKHAM, Governo', und' Wm. Penn, &c., et ysdemut antea, except peter Alriches.

Sam' Atkins petition ag' Edmond Dutton, Requesting the Governo' & Council again to order y' said Dutton to receive from him y' 12lb. yrin mentned & charges, that hee may be eased from His Unreasonable demands & vexatious proceedings, & that his estate may not be any longer Incumbred & may have Libertie to Leass or sell y' same, was read.

Ordered, That the Secrie give the sd Edmond Dutton a Copie of the sd petition, and that Hee be summoned to appear before the Governo' & Council, To make answer to the same.

Adjourned to y' 20th May instant.

[20th May, 1697.

Att a Council Held att philadelphia die Jovis, A. M. 20th May, 1697.

PRESENT:

WM. MARKHAM, esq. Governo' und' Wm. penn, &c., et ysdem ut antea, except ut supra.

The petition of Rob' Chinton, Edmund Lassey & peter Clauson
being read, setting forth That they were Committed Close prisoners for suspicion of piracy & felonie, whereof they were not guiltie, & yrfor desired Releasement, or that bail might be taken for their appearance.

Ordered, that Robt. Sneed appear before the Governo' & Council to-morrow morning, & bring with him his Informaon ag' the peti-
tioners.

Upon reading the petion of yr* Representatives for the Countie of Kent, Setting forth THat Richard Willson & Wm. Morton, to whom the care of purchasing a piece of Land & building a Court-house for yr* sd Countie att the Head of Jones's Creek, was by the grand Jurie of the said Countie Committed, who have purchased the Land, but deny to be any further concerned yrin; And therefore, desiring that some other persons that are willing to Compleat such a building, may be appointed, And that the sd Richard Willson & Wm. Morton, Render a just accompt of what they have Received, and how they have dis-
posed the same, &c.

Ordered, THat the next Countie Court for the said Countie doe appoint two other psions to build the said House, and that the sd Willson & Morton do forthwith accompt with & pay to the said Court, in behalf of yr* Countie, what they have received; And if they Refuse, that the sd Countie Court doe make Return of their Contempt to the Governo' and Council.

Adjourned to the 21st instant.

[21st May, 1697.
Att a Council Held att philadelphia Die Veneris, A. M. 21st May, 1697.

PRESENT:
WM. MARKHAM, esq'., Governo' under Wm. penn, &c., et ysdem ut antea, Except peter Alriches.

Robert Sneed appeared before yr* Governo' & Councill, who ask't him for his Informaon ag' Robt. Chinton, &c. Hee answered that hee had no Informaon nor the proclamaon, but said that hee had sent for yr* proclamaon ag' Averie als. Bridgman, and that hee wold no other-
wise prosecute the sd Robt Chinton then as a justice of the peace, & that the attornei generall would prosecute, & yr' when the petioners Came to their triall, Hee would exhibit an Informaon ag' ym.

The petion of the Representatives for Bucks Countie being read, Setting forth their want of a Convenient Roade from yr* Countie of Bucks to philadelphia, & a roade to theerry att dunken Williams', In manner yrin mentioned, And yrfor Requesting the sd roads to be Laid outt accordinglie; Ordered, That the sd Roads be Laid outt with the Consent of y' nighbourhood, And that a warrant be direct-
ed to phineas pemberton, Surveyo' for Laying outt the same accord-
inglie.
Upon reading the petition of Mary keys, widow, Relict & adm'rix of Richard keys, deceased, setting forth that his personal estate amounts but to 142lb. 15s. as p. Inventarie, and that she stands indebted to several persons in ye sum of 191lb. 7s. that is alreadie come to her knowledge, and fears more debts yet unknown may come upon her, & finds no bodie indebted to her; Wherby it appears that the sd movable estate will not by far amount to the paynt of her debts that already appear, far less to educate & maintain her & her two poor children: And yrfor Requesting the Governo' and Councill to allow & permitt the petition' att present to make sale of such part or parts of the real estate as they shall see meet, Towards ye defraying of such just debts, the educacon of her children, Her owne support, & the better Improvement of ye Remainder of the sd estate to their advantage, According to the Laws and Customs of this province.

Ordered, That Wm. Clarke & Edward Shippen Inspect & examin the within petition and the truth of the allegations yrof, & make Report to this board ye 22d instant.

Adjourned to 22d instant, Hora 9 A. M.

[22d May, 1697.
Att a Council Held att philadelphia Die Sabatti, A. M. 22d May, 1697.

PRESENT:

WILLIAM MARKHAM, esq', Governo', &c., und' Wm. penn, et ysdem ut antea, except ut supra.

William Clark & Edward Shippen, to whom the inspection and examination of the petition of Marie keys, & of the truth of the allegations yrof, was Comitted, made Report to the Governo' & Council, that they have examined the allegations of the sd petition', & do find that shee is Considerably indebted more than the movable estate will defray.

Ordered, That the sd Marie keys be allowed & permitted, and is hereby by the Governo' & Council, allowed, permitted, authorized & Impowered for ye present, to make Seal & Conveyance to any persons whatsoever, of the brick house in the Second street in the town of philadelphia, with the Lott of Land & appenances thereof, & to them & their Heirs & assigns forever, towards the defraying of her & Her sd deceas Husband's just debts; The educacon & mainaissance of her two children, her own support, & the better Improvement of ye Remainder of the sd estate to their advantage, according to the Laws & Customs of the said province. To Hold to the said purchasers, & their Heirs & assigns, & to the use and behoof of the sd purchasers, their Heirs & assigns in fee simple, & estate of Inheritance for ever, &c.
According to a former order from the Governo' & Council y* 16th May instant, Edmond Dutton appeared, & being heard to answer the petition of Sam" Atkins, exhibited ag' him the said day, and being ask't why he did not accept of y* 12lb. when it was tendered to him by y* sd Sam" Atkins, according to an ord' of this board the 31st of Octob', 1696. The sd Edmond made answer that the sd Sam" never made anie such tender, & if hee had, Hee declared that hee never did nor wold accept of y* same. And Sam" Atkins Having produced to the Governo' & Council sufficient proof of the said tender, (according to the sd former order,) before the Countie Court & att this board, both by writting, & by the knowledge of some of y* members of Councill,

It was ordered, THat the sd Sam" Atkins doe att the next Countie Court of philadelphia, Consign, deposit & pay the sd sum of 12lb., with all the Legall charges that Have accrued upon the suits upon the bonds of arbitracon, both att the Countie & provinciall Courts, into the hands of Jnº Claypoole, sheriff of y* sd Countie, for the use of the said Edmund Dutton, and that the same so Consigned, deposited & paid, be in full satisfaction to the said Edmund, of all sum & sums of monie due by the sd Samº Atkins to the sd Edmund Dutton, by reason of the sd arbitration, bond, Judgmt & execucon following therupon; And that after the said Consignment is made, THat an order from the Governo', undº his hand & seal of the province, be directed to the Sheriff of philadelphia, Comanding Him to make Restitution to the said Samº Atkins, of all goods, chattells, houses, Tenements, Lotts and Lands, which be has taken in execucon upon the said Judgment, because the said execucon did Improvidentlie Issue forth.

Upon Reading the petition of Ann Collins ag' Jnº Crapp, Chirurgeon, his severe treatment of her, Jnº Crapp appeared & produced a warrant, undº yº Hand & Seal of a Justice of yº peace, Comanding him to take her Into His particular charge, to be cured of her madness, & declared that hee used her as a patient in that Condion. Ordered y* yº petitioner & her complaint be & is referred to the justices of yº peace of yº Countie of philadelphia, for relief.

Adjourned to y* 24th instant, hora 9 A. M.

[24th May, 1697.
At a Council Held at philadelphia die Lunæ, A. M. 24th May, 1697.

PRESENT:
WM. MARKHAM, esq', Governo' Under Wm. penn, &c. et ysdem ut antea, except ut supra.

Upon Reading the petition of Edward Antill, Setting forth the reasons offered by him ag' a Judgm' obtained in a provincial Court held for yº Countie of Bucks, yº 15th of April, 1695, wherin Gilbert
PROVINCIAL COUNCIL.

Wheeler was appellant, & by which Judgm' the petitioner alledges hee had wrong done him, & ye for desiring from the Go' & Council such Relief as they shall think most most just & equitable, both in Law & Conscience, or grant him an appeal for England, as ye Law directs.

After some debate yron, It was by the Go' put to ye vote, whether ye sd Edward Antill's Case, & ye Judgm' given by ye provincial Judges in the Last Court of equitie in the Countie of Bucks, should be Re-heard in ye next provincial Court in equitie for ye sd Countie. It was Carried in the affirmative, nemine Contradicente.

Ordered, That the said Case & Judgment be Reheard in the next provincial Court in equitie for ye sd Countie of Bucks, by ye Judges to be appointed for ye said Court.

Upon Reading the petition of Tho. Curtis, messinger of the Council for ye Last year, and this ss., desiring paym', Ordered that the Go' Issue his warrant to the Receiver, James Fox, to pay the petition' 5lb. 10s. In the order as the act for Assessment in 1696 prescribes.

Upon Reading the petition of sundrie mer'ns of philadelphia, about the naval officers' fees, The same was Recomended to ye Consideration of the assemblie for ascertaining ye sd fees.

The Speaker of the assemblie presented to the Go' & Council a Bill of Charges for their house rent, Clerk & messinger's fees, amounting to

Ordered that the Go' Issue his warrant to the Receiver, James Fox, to pay the sd bill, in ye Order as the Law for ye sd assessment in 1696 prescribes.

Att & Upon the Request of patrick Robinson, Secrie, that the accot of his services done for ye publick from the 7th day of 9br. 1696, to the Rysing of this sessions of Council and assemblie, be made up & paym' made him accordingl.

Ordered, that the sd pat. Robinson's accot of his Services done for ye publick from the sd 7th day of 9br. to the rysing of this ss. of Council & assembly, be made up at the next meeting of Council, and paym' ordered him out of the provincial stock, as soon as it is or can be raised.

Adjourned to ye 10th of June, to the House of phinehas pemberton, in Bucks Countie.

10th June, 1697.

Att a Council Held att the House of phineas pemberton, 10th June, 1697.

WM. MARKHAM Esq'. Governo' under Wm. penn, &c.

Sam' Carpenter, Caleb pussey,
Joseph Growdon, phineas pemberton.

Upon Reading the petition of the Inhabitants & owners of Lands
the road for Newyork that side the River, and if possible, to miss
mill stone river, or to be Laid outt over it in a convenient & safe
place.

[12th June, 1697.
Att a Council Held att philadelphia 12th June, 1697.

PRESENT:
WM. MARKHAM, Esq'. Governo' under Wm. penn, &c.
Sam" Carpenter, Caleb pussey, phineas pemberton.
Edward Shippen,

The Governo' Having read a Letter from Wm. Stoughton, esq',
Governo' of y* Massachusetts bay in Newengland, datet att Boston,
y* 29th May, 1697, in which was inclosed a Copie of his Maties Lett'
to the sd Lt. Go', bearing date from kensington, y* 18° of March,
1696-7, Requesting him to encourage the sending of such provisions,
victualls & refreshments, as may be usefull to his maties Shipps &
Land forces in their expedition to New found Land, In order to the
recoverie therof from the french, and the sd Wm. Stoughton's Letter,
signifying to the Go' their inabilitie to ans' His maties Comands in
respect to their scarcitie of provisions, thought it necessarie for His
Maties Service to Comunicate y* same to the Governo', not doubting
of his readines to encourage the sending of such provisions, victualls
& refreshments to New found Land, as may be needful for His Maties
shipps & Land forces employed upon that expedition. Resolved,
That the Governo' Issue his proclamaon Signifying the sd occasion,
& yrin to give all encouragement Can be desired by any persons
that are willing to export anie provisions, victualls or refreshments
to new found Land, for the expedition aforesaid, Which hee accord-
inglie did y* 17th of June, 1697.

[1st October, 1697.
Att a Council Held att philadelphia the 1st of Octob', 1697.

PRESENT:
WM. MARKHAM, esq', Governo' under Wm. Penn, &c.
Sam" Carpenter, Edward Shippen, Caleb pussey,
Wm. Clark, John Simcokc, Richd. Halliwell,

Upon Reading of the petion of Elizabeth Hooton, widdow, & Elinor
Whitfield, Her Servant, that they might come to a Speedy triall, upon
a psentment brought ag' them the Last provincial Court, about the
death of Charles Goss, THe Governor putt it to the vote whether they
had any thing to object ag' their having a speedie triall, or his granting
a Special Commission for y* same. It was Caried in the negative, ne-
mine Contradicente; that is, that they had nothing to object ag' y* 
same.

Ordered, That the Governo' Issue a Special Commission for the 
trill of the said Elizabeth Hooton and Helinor Whitfield, her servan.

Upon Reading the petition of Robert Webb, for a Rehearing of 
George plater's ac'on ag' him, att the next Countie Court, or befor the 
provincial Court, The said petition after full debate, was rejected.

Upon Reading the petition of Thomas Curtis, for Clerk of the mar-
ket & Corder of wod, The same was granted him.

Then the Governo' said: Gentl, I Latelie received a Letter from 
His Excelly Francis Nicholson, Governo' of Marie Land, bearing 
date y* 10th of August last. I have forborne making ans' to it, Until 
I had opportunitie to Comunicate y* same to you, in ord' to have yo' 
advice therein, being equallie Concerned in it with my self: Read it. 
The Clark reads the direction, viz: To the Right Honble Wm. Mark-
ham, &c; att philadelphia. Then the Governo' bid the Clerk read 
onlie the last paragraph, that being all that concerned ym. The 
Clark reads, viz: I hear it's reported that I entered Into Sussex Coun-
tie (in which I suppose the whor-kills is) with men & horse, & broke 
open chests, &c., att which Report I verie much wonder; therfore, 
desire that you would do that piece of Justice as to send mee under 
yo' hand, what you know in that affair. And I think I ought to have 
it also from under y* hands of those who are of the Council of penn-
silvania, &c. And if these two things are denied mee, You must all 
excuse mee If I esteem you all enemies to

FFR. NICHOLSON.

After some debate yrupon, It was Resolved; That seeing the sd 
Letter was onlie directed to Coll. Wm. Markham, & not to him as 
Governo', nor to the Council of this province; Therfor, y* members 
of Council did Humbly offer it as their opinion to the Governo', That 
they are und' no obligation to make ans'; But as they have hitherto 
done justice to all who addrest ymselfes to this board for it, so they 
shall ever Continoue to doe the same.

PROVINCE OF PENNSILVANIA AND TERRITORIES.
Minutes of Council in the Assembly. Anno Ri. Rs. Gulielmi, Terty 
nunc Anglæ, &c. Novo.
[10th May, 1697.

Att a Council Held at philadelphia Die Lunæ, Ante meridiem, 10* 
May, 1697.
PRESENT:

WM. MARKHAM, esq', Governo' under Wm. Penn, esq', absolute proprietor of the province of pennsylania, and the Territories thereunto belonging.

The sheriff of the Countie of philadelphia his Return of Representatives for Council was produced, whereby it appeared that ther wer elected, Sam' Carpenter & Edward Shippen, who appeared.

The Sheriff of the Countie of Bucks His Return of Representatives for Council was produced, whereby it appeared that there wer elected, Joseph Growdon & phineas pemberton. The sd phineas appeared.

The Sheriff of the Countie of Chester his Return of representatives for Council was produced, qrbry it appeared that there were elected Jn' Simcocke & Caleb pussey, who appeared.

The said five representatives for y' sd three Counties did subscribe the declaaron of fidelittie, The profession of the xtian faith & the test, and took their places att the board.

The sheriff of the Countie of kent his Return of Repsentatives was produced, qrbry it appeared that ther wer elected Griffith Jones & Jn' Curtis, who appeared; But being unwilling to be Qualified at that time, they wer desired by the Governo' to absent for that time.

The Sheriff of the Countie of Sussex His Return of Representatives was produced, qrbry it appeared that ther wer elected Wm. Clark & Jn' Hill. Wm Clark subscribed the declaaron, profession & Test, ut supra, & Jn' Hill took the oaths appointed by act of parliam' to be taken in sted of the oaths of allegiance & Supremacie, & ubt. the Test, and took their places att the board, & yn ther wer

PRESENT:


Resolved, that the Governo' may be pleased to Cause send by an express a warrant to the Sheriff of the Countie of Newcastle, to bring his return. Which the Governo' was pleased to do und' his owne hand & Seal of y' province.

Adjourned to 2 in the afternoon.

POST MERID.

Att a Council Held att philad : die Lune, post meridiem, 10th May, 1697.

PRESENT:

WM. MARKHAM, Governo', &c., et ysdem ut antea, &c.

The Sheriff of the Countie of philadelphia his return of Representatives for assemblie was produced, qrbry it appeared that there wer elected Sam' Richardson, James Fox, Robert Owen and Nicholas Wallin, who appeared.
The Sheriff of the Countie of Bucks His Return of Repsntatives for Assembly was produced, whereby it appeared that they were elected Joshua Hoops, Stephen Beakes, Richard Hough and Jeremiah Langhorne, Who appeared; And those eight did subscribe the declaration & profession, and the Test.

The Sheriff of the Countie of Chester His Return of Repsntatives in Assemble was produced, qrb it appeared that they were elected Jn° Blunston, Bartholomew Coppock, Jn° Worth & Jonathan Hays, who appeared & subt. the sd declaration, profession & the test, ut supra.

The Sheriff of the Countie of Kent his Return of Repsntatives in Assemble was produced, qrb it appeared that they were elected Jn° Walker, Sam° Burberry & Jn° Bradshaw, Who appeared.

The Sheriff of the Countie of Sussex His Return of Repsntatives in Assemble was produced, whereby it appeared that there were elected Luke Watson, Tho. Oldman, (Thomos fisher absent,) and Nehemiah Field, Who appeared.

The sd Sam° Burberry & Tho. Oldman subt. y° sd declaration & profession, & took the test; The other seven took y° sd oaths & test.

All which members of Assemble y° wer returned & appeared being thus qualified as above, The Governo said: Gentl, I desire you to goe together & choose yo° Speaker, & present him to mee to morrow morning att Nine of the Clock.

Adjourned to y° 11th instant, Hora 9 A. M.

[yth May, 1697.
Att a Council Held att philadelphia Die Martis, A. M. y° 11th May, 1697.

PRESENT:
WM. MARKHAM, esq'. Governo' und' Wm. Penn, &c. et ysdem ut Supra.

James Fox & Jn° Bradshaw two of the Repsntatives for Assembly, acquainted the Governo' & Council y° y° Repsntatives wer not willing to Choose their Speaker untill the Sheriff of y° Countie of Newcastle his Retum was made & their Repsntatives qualified.

Adjourned till 12th instant, hora 9 A. M.

[12th May, 1697.
Att a Council Held att philadelphia die Mercury, A. M. 12th May, 1697.

PRESENT:
WM. MARKHAM, esq'., Governo' und' Wm. Penn, &c., et ysdem ut antea.

Joseph Growdon appeared & subt. the sd profession & declaration,
& the test, and took His place att the board. The Sheriff of the County of Newcastle His return of Representives for Council was produced, whereby it appeared y' there were elected for Council peter Alriches & Richard Halliwell, who appeared & took y's sd Oathes & the Test: And for Assembly Cornelius Empson, Benj. Gumbly, Jn' Richardson & Jn' Buckley, who appeared & submt. y' above declaraon, profession & test. Then the sd peter Alriches & Richard Halliwell took their places att the board.

Ordered, that Jn' Curtis, returned a representative for Council for y County of kent, be sent for. Who having Come, the Governo' said that hee hoped Hee was now willing to be Qualified. The said Jn' Curtis ansred, that the Sheriff of y's County of Newcastle his Return of Representives being Come, & they being Qualified, Hee was also willing to be Qualified; Who accordinglie submt. y's sd declaration, profession & Test, & took his place at the board. And then wer

**Present:**

- Sam' Carpenter,
- Edward Shippen,
- Joseph Growdon,
- Phineas Pemberton,
- John Simcooke,
- Caleb pusey,
- Peter Alriches,
- Richd Halliwell,
- John Curtis,
- Wm. Clark,
- Jn' Hill,
- Pat. Robinson, Secry.

Cornelius Empson & Luke Watson, from the Representives of the Assemblie, acquainted the Governo' that they were ready to wait upon him. The Go' returned y' hee & Council tarryed for them.

Then John Blunston, accompanied by all y's representives for y' province & territories, presented himself to the Governo', acquainting him y' y's representives there present had chosen Him for y' Speaker. Who, after hee had disabled himself by telling y' Go' that it was a burden too great for him, & yrfor desired wold be pleased to bear with his weakness, as being unacquainted with such affairs. Then y' Go' said: Sir, you are their Speaker, & I verie well approve of their choice, & its all o' duties to bear with one another's weaknesses, the best of us all being but inexpert in manie things relating to those affairs.

Then the Governo' addressing himself to the representives said: Gentl, & you M' Speaker, "You are att this time mett together, not "by virtue of anie writt nor call of mine, but by virtue of a Law made "by yo'selves, or by yo' representives Last Sessions, & y'for I have "the Less to say to you. I recomend to yo' Consideration a Letter "which I latelie received from his Excelly Benj' Fletcher, Go' of "Newyork."

Then y' Governo' desired y' Secrie to read his Letter to him, bearing date y' 4th of May, 1697, wherein his Excelly tells him y' Last year they sent in 300lb. pennsilvania monie, which was expended in Contingencies to feed & cloathe y' Indians, for which hee Returns thanks in behalf of y' province. Hee farther says: you know what orders I have for applying for assistance, & upon what condions y' governm' was restored to yo' proprietor: yo' Queta is 80 men, &

41*
the charge for one year will amount to 2000lb. & upwards; that there is now 50 men wanting to Compleat the number of forces I design to be att Albania, of which I do apply to you for 25 men, or a proportionable sum of monie, to ans' other charges w' y' Indians, & of procuring those men: and then y' Governo' gave it to M' Speaker for y' Assemblie's Consideration.

Cornelius Empson & Sam" Richardson, two members of y' house of representatives, acquainted y' Governo' & Council y' y' house Requested y' Governo' to appoint a Comitee of Council to join a Comitee of y' Assembly, to Consider of y' sd Lett'. To whom y' Go' made ans' that hee would.

The Governo' appointed Sam" Carpenter, phineas pemberton, Caleb pussey, Richard Halliwell, Jn" Curtis & Wm. Clark, (being one outt of each County,) a Comitee of Council to join a Comitee of the Assemble in y' Assemblies room, to Consider of y' sd Lett' at 3 p. m. & to make report to y' Go' & Council to-morrow morning.

Adjourned to 13th instant, hora 9 A. M.

[13th May, 1697.
Att a Council Held att philadelphia die Jovis, 13th May, 1697.

PRESENT:
WM. MARKHAM, esq'. Governo' under Wm. Penn, &c., et ysdem ut supra.

The day before y' Go' having sent for Griffith Jones to appear att Council, as being Returned a representative for Council for kent Countie, Hee this day appeared, & y' sd declaraon, profession & test being offered to him, Hee refused to be Qualified, Unles hee wer admitted upon y' old Charter.

Wm. Clark, Chairman for y' Comitee appointed to Consider of Governo' Fletcher's Lett', made y' following Report in writing, viz: Philadelphia, y' 12th of y' 3d mo., 1697. At a Comitee Consisting of Several members of Council & Assemble, appointed to Consider of Governo' Fletcher demands of a further assistance to y' Governm' of Newyork, May y' 4th, 1697; Having read his Letter, & weightile considered y' same, wee can do no less than acknowledge his & that government's regard & Candor to us, in applying y' 300lb. which hee pleased to mention, sent from this governm' as intended, viz: to feed & cloath the distressed Indians. Onlie this wee wold desire, hee might be given further to understand, that y' sd 300lb. was about Six mo's borrowed att Interest, upon y' Credit of an act of Assemblie for raising y' same, & is not yet repaid: Therfore, Considering y' Infancie & pvertie of this governm', which also Lyeth under other considerable 'debts, Wee do not find wee are capable att psent to raise any more money for y' service, which wee desire o' Go' may accordinglie repsent, with o' readiness to observe y' king's farther Comands, according to o' religious psuasions & abilities. Signed by ord' of y' Comitee. WM. CLARKE, Chairman.
PROVINCIAL COUNCIL.

Ordered, That the seecrrie Carrie y^ ad report to y^ house of representatives for y^ approbation; which hee did. James Fox, one of y^ representatives for y^ assemblie, Returned y^ same Indorsed thus, viz: the within report being presented to this House, & read & Considred, was Unanimouslie approved of. Signed by Ord' of y^ Assemblie.

JOHN BLUNSTON, Speaker.

Adjourned to 2 p. m.

POST MERIDIE.

Att a Council Held att philadelphia die Jovis, 13th May, 1697, P. M.

PRESENT:

WM. MARKHAM, esq'., Governo' und' Wm. Penn, &c., et ysdem ut antea.

The Governo' Ordered the Secrie to read y^ Law past Anno, 1696, for raising an assessment of One pennie per pound; which hee did. Ordered that the Secrie Call James Fox, Receiver of y^ said tax, to appear before y^ Governo' and Council; Who appeared. Ordered that James Fox bring in His accots to this board; which hee did. Then y^ Governo' appointed Sam' Carpenter, phineas pember-ton, Richard Halliwell, Caleb pussey, John Curtis & Wm. Clark, a Comittee to examine the said Receiver's accots of the sd Tax, & to make Report thereof to this board.

Adjourned to y^ 14th instant, hora 10 A. M.

[14th May, 1697.

Att a Council Held att philadelphia die Veneris, 14th May, 1697, A. M.

PRESENT:

WM. MARKHAM, esq'., Governo' und' Wm. Penn, &c., et ysdem ut antea.

Wm. Clark, Chairman of y^ Committee appointed to examine James Fox, receiver, his accots, & what hee had received of the said tax, made report by an accot in writing, That by his owne accot It appeared that hee had received in all 356£. 11s. 10d, & that severall of y^ Collectors had neither brought in the monies they had Received, nor the duplicats of their precincts, nor y^ names of the deficients.

Ordered that warrants be Issued from y^ Governo', Comanding the Sheriff of Bucks Countie to sumons Jn^ Rowland & Francis White, Collectors of Bucks Countie, And to the Sheriff of the Countie of Newcastle, to Sumons Richard Reynolds, Tho. Wollaston, Richard Cantwell, & George Harlen, Collectors of the Countie of Newcastle: As also, to the Sheriff of the Countie of philadelphia, to Sumons Jn^ Carver, peter Taylor, Attwell Wilmerton, Joseph shipps, Nicholas Skull,
Richard Townsend, Arnold Castle, John Palmer, Joseph Knight, Edward Shute, Sam Nicholls & Robert Barrow, Collectors of the County of Philadelphia, forthwith to appear before the Governo' & Council, & to bring with them the duplicates of your original assessment for their sd respective Counties, & the monies they have received, & the names of your deficients in their respective precincts. Under your pains & penalties mentioned in the Late Law for raising the said assessment; Which was accordinglie done.

James Fox & Joshua Hoopps, from the House of Representatives, Requested the Go' would be pleased to appoint a Committee of Council to join a Committee of Assembly, to Consider of the amendment of some laws, & the making of some new ones.

Ordered, That Sam Carpenter, Joseph Growdon, Caleb Pussey, Richard Halliwell, Jr. Curtis & Jr. Hill, be a Committee to join a Committee of the House of Representatives, to Consider as desired; And to make Report to-morrow morning.

Adjourned to 15th instant, Hora 9 A. M.

[15th May, 1697.
Att a Council Held att Philadelphia die Sabbatti, A. M. 15th May, 1697.

PRESENT:
WM. MARKHAM, Esq'., Governo' under Wm. Penn, &c. & all your members except Peter Alriches.

Joseph Growdon, Chairman of the Committee appointed to join a Committee of Assembly, to Consider ut supra, made report to the Go' & Council, That they had proposed several amendments of some former laws, & some new ones to be made, Which your members of Committee for your Council left to your Representatives for the assembly to be drawn up into Laws.

James Fox & Luke Watson, from the Representatives of Assembly, presented to the Go' & Council an acct presented to your house by Charles Sanders & Compa, amounting to 28l. 4s. 1d., due to & expended by him by order of Tho. Lloyd & Wm. Markham, formerlie Go', upon the Indians, & desired the Governo' & Councill's advice yupon.

After some debate, & it being found that the sd monie was due to your service of your governmt, It being put to your vote whether your sd acct should be allowed as a publick charge of your government, It was carried in your affirmative, nemine contradicente, & returned to your Assembly for y' approbaon.

The petition of several of your Inhabitants of your town & Countie of Chester & others, to the Go' & Council, for an ord' for building a bridge over Chester Creek, In or near Chester-town, being read; As also another paper, Containing several reasons offered ag' y' sd petition,
signed by several; being read & both debated, And it being by the Governo' pust to the vote, whether it's more convenient that the sd petition be considered rather by a grand Comittee of both Houses than by the Go' & Council, Caried in the affirmative, nemine Contradicate.

Then the Govern' Resolved the Council Into a grand Comittee, to Join a Comittee of y' members of 'Assemble, to consider y' sd petition & paper, & to make report to him & Council y' 24th instant.

Adjourned to 17th instant, Hora 9 A. M.

[17th May, 1697.
Att a Council Held att philadelphia die Lunæ, A. M. 17th May, 1697.

PRESENT:
WM. MARKHAM, esq '., Governo' under Wm. Penn, &c., et ysdem ut antea.

David Lloyd, Co-exer. with Isaac Norris, of Thomas Lloyd, deceased, exhibited to y' Go' & Council a draught of a Law to enable them to sell some parts of y' Real estate of y' sd Tho. Lloyd, for paym' of His debts. After some debate yrupon, & some amendments made yrof, it was Recomended by y' Governo' & Council to the house of Representatives for y' assemblie.

John keighin, who married Sarah Griscom, the widdow, relict & exrix. of Andrew Griscom, deceased, exhibited to the Go' & Council, a draught of a Law enabling them to sell some parts of the estate of the sd Andrew Griscom, for paym' of his debts. After some debate yrupon, It was recomended to the House of representatives for y' Assembly.

Cornelius Empson & Sam'' Richardson presented to the Governo' and Council from the house of Representatives, several bills for their assent.

The petition of the Representatives for the Countie of Sussex for some defence for y' Countie being read, It was ordered to be considered to-morrow, p. m.

Adjourned to 18th instant, hora 9 A. M.

[18th May, 1697.
Att a Council Held att philadelphia die Martis, A. M. 18° May, 1697.

PRESENT:
James Fox & Sam'^ Richardson, from the assemblie, presented to
the Governo' & Council another bill for their assent. The Sheriff
of the Countie of Bucks His Return of y* Sumons directed to him
being read, Jn'' Rowland, one of the Collectors of y* sd Countie,
appeared & brought in the duplicate of y* rate of his precinct, &
declared hee had done no farther, & also declared that rather then
he wold demand, collect, or strain for y* sd assessment, hee wold pay
the fine in the Law mentioned.

Adjourned to 2 post meridiem.

POST MERIDIEM.

Att a Council Held att philadelphia, p. m.

PRESENT:

WM. MARKHAM, Esq'., Go', et ysdem ut antea, except peter Al-
richs.

The Go' did resolve the whole members of Council into a grand
Comittee, to meet the whole house of representatives for assemblie,
to be a grand Comittee of both houses, to examin what monie is
brought in according to the Late act, & to Consider what may be
necessary to be done for the speedy paym' of the arrears of y* sd
tax, & to report to-morrow morning.

Adjourned to 19th instant, Hora 9, A. M.

[19th May, 1697.

Att a Council Held att philadelphia die Mercury, A. M. y* 19th of
May, 1697.

PRESENT:

WM. MARKHAM, Esq'., Governo' und' Wm. Penn, &c., et omni-
bus membris, except peter Alrichs.

William Clark, Chairman of y* Grand Comittee of both Council
& Assembly, to whom the matter of the Assessment Laid in 1696,
was Comitted to be Considered, made Report in writting, viz: That
Having examined y* accots, found that divers Collectors have neglect-
ed to bring in their duplicitis of y* tax they wer rexivellie charged
with in y* rexive Counties, & y* monies therein rated, And that it
being putt to y* Question whether it be necessarie to prepair a bill
for the better enabling the Justices & Collectors in their rexive Coun-
ties to Collect such sums as are in arrear & Unpaid, due by y* afo-
said Law, and that the sd Law be reinforced & Continued untill y*
same be collected, It was carried in the affirmative. And that it
being also putt to y* question, whether it be necessarie that the Go-
verno' & Council send to the Justices in the several Countis y' are
in arrear whose collectors have not paid in the full tax charged on them, to cause the same to be Speedilie sent in to the Receiver: Caried in the affirmative.

The memorial of Andrew Hamilton being read in Council, for some encouragm't to support the post:

The petition of y° Representatives for the Countie of Sussex being again read, about some defence to that Countie: The petition of Tho. Herris about clerk of y° markett being read: All these wer referred to y° Consideraon of all y° members of Council & assemblie, in a grand Comittee, to meet in y° assemblies room post meridiem, & to make Report to-morrow morning.

Cornelius Empson & Ju° Bradshaw brought in some more bills for the Governor's assent.

Adjourned to 20th instant, Hora 9 A. M.

[20th May, 1697.
Att a Council att philad. die Jovis, A. M. 20th May, 1697.

PRESENT:
WM. MARKHAM, Esq', Governo' Under Wm. Penn, &c., et ysdem ut antea, except peter Alrichs.

Joseph Growdon, Chairman of y° Grand Comittee appointed to Consider of Andrew Hamilton's memorial for encouragm't to support y° post; And of y° representatives of Sussex County's petition for some defence; And of y° petition of Tho. Herris, about Clark of the markett; made Report, That it was y° vote of y° sd Comittee that a bill be prepared for encouragement to Support y° post, both by y° publick & upon private Letters. And it was also their opinion, that a watch be kept upon Cape Henlopen in sumer time, To give notice of the appearing of anie enemie, att y° publick charge of y° governm' & that the justices of y° Countie order the same, & what sign y° sd watch shall give, And that the Last years charge, amounting to about Six pounds, be allowed as a debt of y° governm'; And y° Tho. Herris' petition was rejected.

Ordered that Sam° Carpenter draw up a bill for encouragment & support of y° post office, & psent it to the House of Representatives.

The petition of the Representives for the Countie of Sussex being again read in Council, and the said Report, Ordered that the Justices of the sd Countie Cause a watch to be kept on Cape Henlopen in sumer time, to give notice of the appearing of anie Enemy, att the publick Charge of the governm', & that the sd justices Order y° same, & what sign the sd watch shall give, and that the Last year's charge, amounting to about Six pounds, be, & is hereby allowed as a debt of the governm'.

Adjourned to 22d May, 1697, p. m.
MINUTES OF THE

[22d May, 1697.
Att a Council Held att philadelphia die Sabbatti, 22d May, 1697, P. M.

PRESENT:
WM. MARKHAM, esq'., Governro und' Wm. penn, &c., et ysdem ut antea, Except ut antea.

The Governro' desired Jn' Hill & Jn' Curtis to acquaint the assemble that hee & Council do wait for them, who Returned that they wold forthwith attend him.

The assemble appearing, M' Speaker presented to the Governro' and Council Sixteen bills which had past their house. The Governro' told ym that hee would Cause ym to be read & Considered.

After Reading of all the sd bills by the Secrie, The Governro', with advice of the Council, rejected & voted out eight of them.

The other eight being three times read, wer by the Governro' and Council approved of.

The first entitled, The Law for ratifying & confirming of y' acts & proceedings of y' Assembly in 1696.

The Second entitled, The Law for the encouragment & Support of the post office.

The third entitled, The Law for the Speedie Collecting the arrears of y' assessment Laid in 1696.

The fourth entitled, The Law about Testats & Intestats estates.

The fifth entitled, The Law ag' Swine Running att Large in the Countie of Bucks.

The Sixth entitled, The Law about married women having children in y' absence of y' Husbands.

The seventh entitled, The Law against Swearing.

The eight entitled, The Law for selling the Old Court house of Chester Countie; All which wer by the Governro' and Council approved of.

Then the Governro' desired Caleb pussey & Richard Halliwell, to acquaint the assemble that hee waited for them forthwith.

The assemble appearing, The Governro' desired the Secrie to Read over all the said Bills; which hee did, and then underwrote each Bill in these words, viz: Philadelphia the 22d day of May, 1697. This bill being three times read, was assested to by the Governro' and Council. And then the Governro' past ym all one after another, by affixing thereto His Hand and Seal of the province.

Adjourned to y' 24th instant, Hora 9, A. M.

[24th May, 1697.
Att a Council Held att philadelphia die Lunæ, A. M. 24th May 1697.
PRESENT:
WM. MARKHAM, esq'. Governo' und' Wm penn, &c. et ysdem ut antea, except ut supra.

Wm. Clark, Chairman of the grand Comittee of both Council & assembly, to whom the Consideraon of the petition of Several of the Inhabitants of the town & County of Chester & others, to the Governo' & Council, for an Ord' for Building a bridge over Chester Creek, in or neer Chester Town: as also of another paper, Containing several reasons offered ag' the said petition, & signed by severalls, was referred, made Report: That after Reading of both the sd petition & reasons ag'it, & several debates yrupon, It being by the sd Chairman putt to the vote of y' sd grand Comittee, whether a Bridge should be built over the navigable part of Chester Creek, as is petitioned, It was Caried in the negative, nemine Contradicente.

Adjourned to 2 in the afternoon.

POST MERIDIEM.

Att a Council Held at Philadelphia die Lunæ, P. M. 24th May, 1697.

PRESENT:
WM. MARKHAM, Esq'. Governo' und' Wm. Penn, &c. et ysdem ut supra, except ut antea.

The Go' desired the Secrie to acquaint the House of Representaives, That Hee and the Council waited for ym; Who returned that they wold attend him forthwith.

M' Speaker & the whole house of Representaives appearing, The Governo' Caused the Secrie to read M' Blaithwait's Letter to him about the association to be taken in this province; as also, the act of parliament, Entitled ; As also, a fair draught of the association, taken from that which M' Blaithwait sent him, & desired that the Representaives both for Council & assembly, would with him sign the same. And accordingly, the Governo' & those members who wer free so to doe, signed the association in terminus, as also the Secrie; And those whois principles & religious persuasions would not allow them to sign the same in Terminus, presented to the Governo'a paper which they had drawn up, entitled: A declaracion of the people called Quaker's, representatives in Council & assemblie for y' province of Pennsylvanıa and territories thereunto belonging, met at philadelphia in the 3rd mo. 1697, with respect of our Loyaltie to the king, & fidelity to His Government, & in reference to the Late association.

Then the Governo' askt both Council & Assemble whether they had prepared anie other bills for his assent, or whether they had anie other bussines at this time; who answered no.
MINUTES OF THE

Then the Governo' said: Gentl, I doe dissolve you, and you are hereby dissolved.

The End of the 5th Sessions of Council & assembly.

[9th Febry, 1697–8.

PRESENT:
WM. MARKHAM, Esq', Governo' und' Wm. penn, &c.
Sam' Carpenter, John Simcooke, Rich' Halliwell,
Edw' Shippen, Caleb pussey, William Clark.
Joseph growden,

The Governo' exhibited to the Council a Lett' from the proprietor, directed for him, to be opened only & read in a full Council; Which being thought to be as full a Council as could be got in such a season of y' year, It was yrfor Resolved that the sd Lett' should be opened & read, which was done. The contents qrof wer as follows, verbatim, viz: "London 5th 7 m., 1697. Friends, The accusaons of one sort, & the reports of another that are come for England, ag' yo' governm', not only tend to o' ruin, but disgrace. That you wink at Scotch trade & a Dutch one too, Receiving European goods from the Latter, as well as suffering yo", ag' the Law & English interest, to goe to the other; Also, that you do not onlie wink att but Imbrace pirats, Shipps & men. These are yo' accusaons, & one "Fra. Jones of' philadelphia has Complained of them to Go' Nichol-
son, because it was not redrest in the governm'. The Reports are, "& a nameless Lett' is come to me besides from philadelphia, to y' same purpose, that there is no place more overrun with wicked-
ness, Sins so very Scandalous, openly Committed in defiance of Law & Virtue; facts so foul, I am forbid by Comon modesty to Relate ym. I yrfor desire & charge you, the Gor & Council for the time being, to issue forth some act or acts of state forthwith to sup-
press forbidden trade & piracy, & also the growth of vice & Loos-
ness, till some severer Laws be made ag' ym: And I do hereby "charge that no Licence be granted to any to keep publick houses, "that do not give great securitie to keep Civil houses, & are not "known to be of a sober Conversaon, & that the Courts of Justice in each County have the approbaon, if not Licensing of ym, In "order to prevent such acts of the Lewdness & Idleness as are too "often seen in such places; And that you take Care that Justice be
"Impartially done upon transgressors, that the wrath & vengeance of God fall not upon you to blast yo' so very flourishing beginning. I hasten to you as fast as y' Complaints here ag' you will give me leave, that make my presence now but too necessary. Let neither base gain nor a byast affection mak you partial in these Cases, but for my sake, yo' own sakes, and above all for God's sake, Let not the poor province Longer suffer under such grievous & offensive Imputations; and will oblige him that loves you, prays for you, & prays to be with you, & is with true Love yor real friend & affectionate proprietary.

WM. PENN."

The Contents whereof, & the Complaints yrin mentioned being strictlie inquired into, The Go' did appoint Samh Carpenter, Joseph Growdon & Wm. Clarke, a Comittee of Council further to peruse the sd Letter, & To inquire into the sd Complaints, & to make report yrof to the Go' & Council next day, by way of ans' to y' sd Letter.

Adjourned to 10th instant.

10th Febry, 1697-8.

Att a Council Held at philad die Jovis, 10th Febry, 1697-9.

WM. MARKHAM, Esq'., Governo' et ysdem ut antea.

Joseph Growdon, Chairman of the Comittee appointed further to peruse the sd Letter, & strictlie to inquiere into y' Complaints yrin mentioned, & to report the same to the Go' & Council by way of ans' to the said Letter, this day Exhibited to the Go' and Council their report in writting, viz: The Comittee having perused & thoroughly Considered the proprietor's Letter, Charging the Governor & Council to suppress forbidden trade & piracie; & also the growth of vice & Loosness, &c. within this governm', doe Humblie make this Report unto the Governo' and Council.

First. As to the Scotch & dutch trade, wee are not privie yrto nor any of us Concerned therein, but if any such trade has been & escapt unpuneshet, It may rather be attributed to the Conivance or neglect of those officers appointed by Edward Randolph to inspect those things, or others particularly appointed in that behalf; for wee can say, that the magistrates & Courts of Justice have been ready & diligent upon all occasions to punish, suppress & discourage all illegal trade that came to their knowledge.

Secondly. As to Imbracing of pirats, &c. Were know of none that has been entertained here, unless Chinton & Lassell, with some others of Avery's Crew, that happened for a small time to sojourn in this place, as they did in some of the nighbouring governments; but as soon as the magistrates in Philadelphia had received but a Copie of the Lords Justice's proclamation, gott all that were here apprehended, & would have taken the Care & Charge of securing ym, until a Legal Court had been erected for their trial, or an opportunity had presented to send ym for England; but before that Could be effected, they broke
goale & made their escape to New york, where Hues & Crys wer sent after ym. And as to pirates' shippes, wee know of none Harbourd or ever came in here, much Less encouraged by the Go' or people, who as it is well known, are generally sober & industrious, & never advanced y' estates by forbidden trade, piracie, or other ill ways, notwithstanding what is suggested by o' enemies to the contrary.

As to the growth of vice, Wee cannot but owne as this place hath growne more populous, & the people increased, Loossnes & vice Hath also Creep in, which wee lament, altho' endeavours have been used to suppress it by the care & industry of the magistrates from time to time, offenders Having received deserved & exemplary punishments, according to Law.

As to Ordinaries, Wee are of opinion that there are too many in this governm', especiallie in philadelphia, wch is one great cause of the growth of vice, & makes the same more difficult to be supprest & keep under.

On the whole, Wee being at all times Heartily inclined to show o' Loyaltie to the king, & readie obedience unto His Laws, do think it necessarie, & do yrfore make o' request to the Go' & Council, that an Ordinance be made, & a proclamaon do forthwith Issue from the Governo' & Council, strictly to suppress forbidden trade & pirates, if any shall Happen; and also, the growth of vice & Loossnes within this governm', until some wholesome & severer Laws be made for a more effectual remedy, and the ordinaries or Houses of entertainment be reduced to a Less number, & that all such as have not alreadie given good securitie for keeping good orders, and discharging the place according to Law, be spedilie required so to do, or otherwise to be suppressed, & for the future that the Justices in the Quarter Sessons in each Countie may have the approbaon, if not the Licensing Ordinarie keepers throughout the government.

The which report being read in Council, It was put to the vote by the Go', Whether they approved yrof, & whether they esteemed it to be a proper ans' to the sd Lett'. It was Caried in the affirmative, N.C.

Then the Go' did Resolve the whole members of Council Into a grand Comittee, to draw up a proclamaon to suppress forbidden trade & unlaw piracie, the growth of vice & Loossness, & to regulatte & reduce the ordinaries, untill severer Laws can be made ag' such enormities, & to bring in their report & a draught of a proclamaon to the Go' & Council the 12th instant.

Adjourned to 12th February, 1698.

[12th February, 1697-8.

Att a Council Held att philadelphia die Sabbatti, 12th Febry, 1697-8.
PROVINCIAL COUNCIL.

PRESENT:

W.M. MARKHAM, esq'. Go', et ysdem ut antea, except Richard Halliwell.

Joseph Growdon, Chairman of the Committee appointed to draw up the sd proclamaon, &c. Exhibited to the Go' & Council a draught yrOf; Which having been read & some amendments therein made, It was by y' Go' putt to the vote, whether the members of Council did approve yrOf or not. It was carried in the affirmative, N. C., which was in these words:

By the Governo' & Council of the province of Pennsylvania & Counties annexed: A proclamaon.

Whereas, o' proprietary Hath Latelie given us to understand of sundry accusations or Complaints ag' this governm', for Conniving att illegal trade & Harbouring of pirats; as also, of the reports that are come for England about the growth of vice & Looseness here: As to the former, its evident that they are the effects of the envy & emulation of those who by such unfair & indirect means wold accomplish their designs ag' this governm', for that wee are satisfied the generality of the people, merts, & Traders of this province & territories, are innocent & clear of those imputations; And this Countrie being so posited, Philadelphia is become the rode where sailors & others do frequentlie pass & repass between Virginia & New England, that it cannot be avoided but the bad as well as y' good will be entertained in such an intercourse; and since Comon charity obliges us not to presume any persons guilty (especiallie of such great enormities) till by some legal probabilite they appear so to be, and tho' wee find that the magistrates & people in general are & have been ready, & perhaps more active & Conscientious, to serve y' king & his officers ag' all unlawful trade & piracy, when any such offences have by any means come to their knowledge, than anie of those neighbouring Colonies who have been so Querimonious ag' us in that behalf; yet wee can do no less than psuant to our proprietarie's Comands to put all in mind of their resixe dutys, that ther may be no just cause for such Complaints. And as concerning vice, Wee also find that the magistrates have been carefull & diligent to suppress it, but their endeavours have proved sometimes Ineffectual yrin, by reason that the ordinaries or drinking houses, especiallie in Philadelphia, grew too numerous, & the keepers y'of disorderlie & regardless of the tenor & obligations of y' Licenses, whereby they prove ungrateful to the Governo', and a reproach to the governm'. Therefore, these are strictlie to Charge & comand all magistrates & officers whatsoever wtin this province and territories, as they regard the honof of God & their allegiance to the king, faithfully to put in execuon all the acts or Laws of trade & navegason; And also, all the Laws & statutes extant ag' piracy, when ever there be any such occasion, & to use their utmost diligence & care in preventing, suppressing & punishing all vice, disorders & Loos living, wheresoever & in whomsoever it shall appear. And that end it is by the Governo' & Council ordained, that from & after
the first day of March next, The Justices of ye peace of each countie in this province and territories, at their revixe General or private sessions, may nominate & pitch upon such & so many ordinaire keepers or Inn holders within their revixe Counties, as they shall be well assured will keep good orders & discourage vice; And the Governo' is pleased to condescend that hee will Licence those so approved of by the Justices, & will permit no other to keep taverns, Inns or drinking houses within this governm', but such as shall be so recomended from time to time. And wee further strictlie charge & Comand all ps ons within this governm', as they will answer the contrary at their peril, that they give due assistance to the magistrates & officers aforesaid, in putting the sd Laws in execuon, & suppressing vice; that the wrath of God & the king's displeasure may not be drawn upon this poor country. Dated att Philadelphia, this 12th day of the 12th mo., 1697-8, in the —— year of the reign of Wm. the 3d of England, king.

Wherupon, It was ordered By the Governo' & Council, that the Secry should forthwith write six of ye, one for each Countie, & should subscribe the same as Secry, by order of the Governo' & Council, & transmit one of ye to each Countie, directed to the justices yrof, & that they should forthwith publish ye same in their revixe Counties, & then put ye up in the most publick place thereof revivelie, that all persons Concerned might take notice yrof.

Upon reading the petition of Wm. Southbee & other Inhabitants of philadelphia, to the Governo' & Council, Requesting ye to place officers of good repute & Christian conversation, & to cause tables of all officers fees to be Hung up in their offices, & that they wold reduce the number of ordinaries & better regulate ye, & to cause the Laws of the province to be put in execution, & Cause stock & cage be provided, & to suppress the noise & drunkenness of Indians, especially in the night, and Cause the Cryer go to the extent of each street when hee has any thing to Cry, and to put a check to Horse racing. The said petition was by the Governo' & Council referred to the Justices of ye peace for ye Countie of philadelphia, for a specie & effectual remedy of ye abuses yrin complained of.

Upon Reading the petition of Edward Shippen, Anthony Morris Charles Sober, John Farmer, James fox & Sam' Richardson, justices of ye peace for the sd Countie, ag' Jn' Claypoole, who is & is Like to be incapable to serve ye Countie either as Clerk or Sheriff; by reason of his Lameness and misbehaveour, &c., and yrfor desiring the Go' to permit ye to pitch on some others to serve as Clerk and Sheriff for ye Go' approbaon, who may be better able & more reputable to discharge those places.

The Governo' bid ye recomend a Clerk & hee wold Comissionate him, & a person to serve as sheriff during Jn's Claypoole's illness, & ye hee wold Comissionate him; & said Hee wold give the Justices an ord' to Cause Jn' Claypoole deliver to ye the books of records & papers relating yrto, The Justices being willing to take the pains to make up the records of Court.
PROVINCIAL COUNCIL.

Upon Reading the petition of Peter Clauson, Cooper, Setting forth, that hee had been Long since apprehended, & his goods seized, upon Suspition of piracy, and that his occasions call him hence for Europe, & that in regard no proceedure is made agt him, Hee prays the Libertie to depart the governm', & that his goods may be redelivered. Ordered, That the examingaon of John Matties, in relaoon to the petitioners being taken out of a deans vessell by Capt. Avery, be further inspected, & a further consideracion of ye petitioners case referred to the next sitting of Council.

Petition.—Upon reading the petition of Sam'l Carpenter, Edward Shippen, Anthony Morris, James ffox & David Lloyd, William Southbee & John Jones, in these words, viz: To the Governo' & Council of the province of Pennsilvania & territorys yrof, sitting att philadelphia, the tenth day of the 12th mo., Anno domini, 1697-8. The Humble petition of Sam'l Carpenter, Edward Shippen, Anthony Morris, James ffox, David Lloyd, William Southbee & John Jones, in the behalf of themselves & the rest of the people called Quakers, who are members of the monethly meeting, holden & keep't att the new meeting house, lately built upon a piece of ground fronting the High-street, in philadelphia aforesaid, obtained of the present Governo' by the said people, Sheweth: That it hath been & is much desired by MANY, That a School be set up & upheld in this town of philadelphia, where poor children may be freely maintained, taught & educated in good Literature, untill they are fit to be put out apprentices, or Capable to be masters or ushers in the said school.

And for as much as by the Laws & Constituons of this governm', It is provided & enacted That the Governo' and Council shall erect & order all publick schooles, & encourage & reward the authors of usefull sciences & Laudable inventions, in the said province and Territories, Therefore, may it please the Governo' & Council, to ordain and establish that at the said town of philadelphia a publick schoole may be founded, where all children and sevants, male & female, whois parents, guardians & masters be willing to subject ym to the rules & orders of the said schoole, shall from time to time, with the approbaon of the overseers thereof for the time being, be received or admitted, taught and Instructed; The rich at reasonable rates, and the poor to be maintained & schooled for nothing. And to that end a meet & convenient house or Houses, buildings & rooms, may be erected for the keeping of the said schoole, & for the entertainment & abode of such & so many masters, ushers, mistresses, & poor children, as by the order & direction of the said monethly meeting shall be Limited & appointed from time to time. And also, that the members of the aforesaid meeting for the time being, may, at ye respective monethly meetings, from time to time make choice of & admit such and so manie persons as they shall think fit, to be overseers, masters, ushers, mistresses & poor children of ye sd school, and the same persons, or anie of ye, to remove and displace, as often as the said meeting shall see occasion. And that the overseers and schoole aforesaid, may for ever stand & be established & founded in name & in deed, a Body politick and Corporate, To Have
Continuance for ever, by the name of The Overseers of the publick schoole founded in Philadelphia, at ye request, costs & charges of the people of God called Quakers. And that they, the said overseers, may have perpetual succession, and by that name they & their Successors may forever have, hold & enjoy, all the lands, Tenements & chattels, & receive & take all gifts & Legacies, as shall be given, granted or devised for the use & maintenance of ye said School & poor scholars, without any farther or other License or authority from this governm' in that behalf; Saving unto the Chief proprietor His Quitrents out of ye sd Lands. And that the said Overseers, by the same name, shall & may, with Consent of the said meeting, have power & capacitie to demise & grant, by writting, under their hands & Comon seal, any of the sd Lands & tenements, & to take & purchase any other Lands, tenements or Hereditaments, for the best use & advantage of the said schoole. And to prescribe such Rules and ordinances for the good order & governm' of the same schoole, & of the masters, ushers, mistresses, and poor children successively, & for their & every of their stipends & allowances, as to the members of the said monethly meeting for the time being, or the major part of ym, shall seem meet; with power also to sue and be sued, & to do, perform & execute all & every other Lawfull act & thing, good and profitable for the said schoole, in as full & ample manner as any other body politick or Corporate, more perfectly founded and Incorporated, may doe.

The Governo' and Council doe grant this petition as is desired.

Commission to Fran. Nicholson, To appoint Judges, Registers, Marshalls & advocates for the Court of Admiralty of pennsulvania upon vacancie, &c. 26 June, 1697.

WILLIAM THE THIRD, by the grace of God, king of England, Scotland, France & Ireland, defend' of the faith, &c. To our well beloved Francis Nicholson, esq'. our present Governo' of Mary Land in America, & to the Go' of Maryland for the time being. Greeting: Whereas, wee think it necessarie that for the preventing a failure of Justice, as well in the rexive Courts of admiraltie in the provinces und' our Imediate authoritie in the west Indies, as in the several proprieties Contained in the Comissions to the Governors of the sd provinces, for want of proper officers to manage those matters upon any present vacancy, or the death or Legal disabilitie of those who are in present possession of those employments. The said Governors should in such case be impowered to appoint Judges, Registers, marshalls & advocates, not onlie in the sd admiralty Courts of their owne governmuts, but also in those of the proprieties which are nearest to the same. And wee being desirous that Justice should be duly administr'd in all the provinces and places und' our Imediate authoritie in the west Indies, & also in the several pro-prieties Contained in the Comissions to the Governors of the said provinces, and by these o' Letters patents & Comission, particularie to provide for o' Courts of admiraltie of Maryland, pennsulvania &
west Jersey, have thought fitt to Impower, & do by these presents Comitt & grant unto you, o' present Governo of Maryland, & to our Governor of Maryland for the time being, full power and authoritie to appoint Judges, Registers, marshalls & advocates for o' admiralty Courts of Maryland, pennsilvania & west Jersey, upon any present vacancie of anie of these offices, or when there shall happen any, either by the death o' Legal disabilitie of those who are or shall be in the possession of the same. And wee do Hereby Require you o' present Governo of Maryland, & o' Governor of Maryland for the time being, to transmitt as soon as possibly you can, to o' Lord High Admiral of England, or to o' Comrs for executing the office of Lord High Admiral of England for the time being, the names of the respective persons which you shall at any time appoint to the offices before mentioned, in the sd admiralty Courts, in ord' to their being approved or disallowed of: In witnesse whereof, wee have Caused the great seal of o' High Court of Admiraltie of England to be hereunto affixed. Given at London, in o' sd Court, the six & twentieth day of June, in the year of o' Lord one thousand six Hundred ninety-seven, & in the ninth year of o' reign.

ORLANDO GEE, regr.

The great seal of the High Court of admiralty of England is sub-pended.

[Locus Sigilli.]

Commission to Mathew Birch, to be Collector of y* Customs att New-castle.

To all people to whom these presents shall Come, Wee the Comissioners for managing & causing to be Levied & collected his Maties Customs & other duties in this kingdom of England, send Greeting: Know yee, that wee, y* sd comrs, have, by virtue of an act of parliam' made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragement of the eastland & Greenland trades, & for better securing the plantaon Trade, and in pursuance of the authoritie and direction to us given by the right honble The Lords Comrs of His Maties Treasure, have deputed & Impowred, & do hereby depute & Impower Mathew Birch, esq', to be Collector of all the rates, duties & Impositions arising & growing due to his Matie att Newcastle in pennsilvania, by virtue of the said act. Whereby Hee Hath power to enter into anie ship, bottom, boat, or other vessel; as also into any Shop, House, warehouse, Hostery or other place whatsoever, to make diligent search Into any Trunk, pack, Casse, Truss, or anie other parcel or package whatsoever, for any goods, wares or merchandizes prohbid to be imported or exported, or whereof the Customs or other duties have not been duly paid, and the same to seize to his Matjes use; as also to putt in execucion all other Lawful powers & authorities for the better managing or collecting the sd duties, In all things proceeding as the Law directs; Hereby praying & requiring all &
every his maties officers & ministers, & all others whom it may Concern, to be aiding & assisting to him in all things as becometh. Given und' our Hands and seal, at the Custom-House, London, this Twenty-first day of November, in the eight year of the reign of o' Sovereign Lord WILLIAM THE THIRD, annoque domi, 1696. Robt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsilvania, 21st March, 1697–8. The within Mathew Birch, esq', did upon the day above written, Swear on the Holy Evangelists of Almighty God, that he wold diligentie & faithfullie execute the within Comission, in presence of mee.

WM. MARKHAM, Governo'.

Recorded 29th March, 1698.

Commission to John Bewley, To be Collector of the Customs att

To all people to whom these presents shall come, Wee the Comrs for managing & causing to be Levied & collected his maties Customs & other duties in this kingdom of England, sends Greeting: know yee, that wee, the sd comrs, have by virtue of an act of parliam' made in the five & Twentieth year of the reign of king CHARLES THE SECOND, entitled, an act for encouragment of the eastland and greenland trades, and for better securing the plantation trade, & in pursuance of the authoritie & direction to us given by the Right Honble the Lords Comrs of his maties Treasury, Have deputed and Impowed, & do hereby depute & Impower John Bewley, esq', to be Collector of all the rates, duties and Impositions arising and growing due to his matie att Philadelphia, in Pennsilvania, by virtue of the said act. Whereby hee Hath power to enter Into anie ship, bottom, boat or other vessel, as also into any shop, house, warehouse, hostery, or other place whatsoever, To make diligent search into any trunk, pack, Casse, truss, or any other parcel or package whatsoever, for any goods, wares or merchandizes prohibited to be imported or export-ed, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to put in execution all other Lawfull powers & authorities for the better managing or collecting the said duties; In all things proceeding as the Law directs. Hereby praying & Requiring all & evrie his Maties officer & ministers, & all others whom it may concern, to be aiding & assisting to him in all things as becometh. Given und' o' Hands & Seal, at the Custom House, London, this twenty-first day of November, in the eight year of the reign of o' Sovereign Lord, WM. THE THIRD, Annoq domi, 1696, Rebt. Clayton, Robert Southwell, Walter Yonge, Sam. Clark, Ja. Chadmesh. Indorsed thus:—province of pennsilvania, 21st March, 1697–8. The within John Bewley, esq', did, upon the day above writtin, swear on the
Holy Evangells of almighty God, that hee wold diligentlie & faithfully execute the within Comission, In presence of mee.

WM. MARKHAM, Governo'.

Recorded 29th March, 1698.

Commission to Mathew Birch, To be Surveyor & Searcher of the Customs in pennsilvania.

Edward Randolph, esq'., Surveyo' General of His maties Customs on the Continent of America, & Islands adjacent, To Mathew Birch, esq'. By virtue of a deputaon granted me by the Honble the Comrs of his Maties Customs in London, bearing date the 13th day of October, 1691, & in pursuance Likewise of additional articles of instructions from y' Honors, dated att the custom hous in London y* 22d of 7br, 1697, directing mee, amongst other things, that in Case of any vacantie by y' death, or want of any of the officers of y* Customs, or otherwise, To appoint some fit and able person to serve yrin; And finding no Surveyor & searcher in the province of penn-silvania & Counties annex, I do hereby depute & Impower you, the sd Mathew Birch, to be Surveyo' and searcher of his maties Customs, in the sd province of pennsilvania & Counties annexed, with all the rivers, bays, Creeks & Harbours yruno belonging, With power to enter any shipp, bottom, boat, or other vessel, as also into any Shop, house, warehouse, Hostery or otherwise, whatsoever, to make diligent search Into any trunk, chest, Casse, truss, or anie other parcel or package whatsoever, To make diligent search for any goods, wares or merchandizes prohibited to be imported or exported, qrof the Customs & duties have not been duly paid, and the same to seize for His Maties use; & also to putt in execuon all other Law" powers & authorities for the better managing & causing to be Collected the said duties, in all things as y* Law directs, following & observing all such Rules & instructions as you shall from-time to time receive from y' Comrs of His Maties Customs in England, or from the Comrs of His Maties Customs for the time being. Given und' my hand & seal of office, att y* port of philadelphia, the 25th day of March, Annoque domi, 1698, & in the Tenth year of the reign of o' Sovereign Lord king WILLIAM Y* THIRD of England, &c.

EDWD. RANDOLPH, Surveyo' Genr".

Recorded 29th March, 1698.

[19th May, 1698.
Att a Council Held att philadelphia, die Jovis, 19th May, 1698.
MINUTES OF THE

PRESENT:

WM. MARKHAM, esq'. Lievt. Governo'.

Sam'h Carpenter, Wm Biles, Wm Rodeney,
Edwd Shippen, David Lloyd, Wm Clarke,
Joseph Growdon, Jn' Simcocke,

Upon Reading ye petition of Peter Gronendyke, for a rehearing of a triall hee had in the year 1690-1, wherein hee was Convicted of perjury, The same was rejected.

Upon Reading the petition of Nicholas Skull & others, Requesting that there may be an allowed rode from the Lime-kilns, for carting of Lime to philadelphia, extending from the sd Lime kilns Into plimouth rode, near Cressoon, where there is neither Improved Land, Hill nor water to impede,

Ordered that Wm Harmer, Jn' fisher, Daniel Howell, Edward Burch, Thomas Rutter and Nicholas Skull, do see Lay out the said rode, The nearest & most Convenient that may be, & to the Least prejudice of the Improvts of ye' neighbourhood, and to make return yrof in a protracted figure & words, into ye' Secrecy's office, In order to & as a final Confirmaon yrof.

Upon Reading the petition of Ann Baynton, Setting forth that her husband, Peter Baynton, Late of Chester Countie, some years ago removed himself & most of his estate to England, & left her destitute of a Competent means of Livelyhood, promising in some short time to return, & that hee has Latelie sent over a Letter to her that hee has taken another wife there, & never intends to return hither, nor take anie care for her subsistence, & that hee will draw the remaining effects over to England, & Leave her whole destitute of means of Living, And yrfor Requesting the Governo' & Council to grant her an ord' to take & possess all that is Left or can be found, of her sd husband's estate within this governm', towards her necessarie Support & alim' as to Justice & equitie does appertain,

Ordered that it shall & may be Lawfull for the said Ann Baynton to take into her hands & possession all that is Left or can be found of her sd husband's proper estate within this governm', towards her support and aliment, as is desired; and it's further ordered, that all & every person & persons whatsoever, within this province & Territories, having any of the sd Peter Baynton's estate, real or psonal, in their hands or possession, as attorney or otherwise, shall upon sight hereof, deliver the same to the said Ann Baynton, towards her sd support & aliment, whose receipt shall be their sufficient discharge from the sd Peter Baynton, his heirs, exors, admrs or assigns, and shall be accordingly deemed & taken in all Courts & before all magistrates within this government.

Upon reading the petition of George Claypoole, setting forth that being one of the younger children of James Claypoole, deced, & who by his last will & Testament give to such of his children as is yrin menoned, all his front Lott of Land, w' y' Improvements yrof, to ym
& yr heirs forever, and y' yor petitionr having proposed divers ways for a division yrof, but all to no purpose, and yrfor Requesting the Go' & Council to order y' sd division,

Resolved that the sd division be made by the ordinary, according to y' Laws of this province, &c.

Comission. William Massey, to be Collector of the Customs att Lewis, in pennsylvania.

To all people to whom these presents shall come, Wee the Comissioners for managing & causing to be Levied & collected His maties Customs, subsidies and other duties in this his kingdom of England, send greeting: Know yee, that wee, the sd Com'' Have by virtue of an act of parliam' made in the five & Twentieth year of the reign of king CHARLES THE SECOND, intitled an act for encourgoment of the eastland and greenland trades, & for better securing the plantaon trade, and in pursuance of the authority and direction to us given by the right Honble the Lords Comrs of his maties treasury, deputed and Impowered, and do hereby depute and Impower WILLIAM MASSEY, esq', to be Collector of all the rates, duties & impositions arising & growing due to his matie at Lewis, in pennsylvania, by virtue of the said act, wherby hee hath power to enter into any Ship, bottom, boat, or other vessel, as also into any Shop, house, warehouse, hostery or other place whatsoever, to make dili- gent search into any trunk, chest, pack, Casse, truss or any other parcel or package whatsoever, for any goods, wares, merchandizes, prohibited to be imported or exported, or whereof the Customs or other duties have not been duly paid, & the same to seize to his maties use; as also to put in execuon all other the Lawful powers & authorities for the better managing and Collecting the sd duties, in all things proceeding as the Law directs; Hereby praying and Re- quiring all & every his Maties officers & ministers, and all others whom it may concern, to be aiding and assisting to him in all things as becometh. Given under Our hands and seal, at the Custom house London, the Twenty-first day of Novemb', in the eight year of the reign of our Soveraign Lord, king WILLIAM THE THIRD, An- noque domi, 1696, so Subt. Robert Southwell, Godolphin, Walter Yonge, Sam. Clark, Ben. Overton. Recorded 1st July, 1698.

Edward Randolph, esq', Surveyo' General of his maties Customs in the plantaons & Colonies on the Continent of America, and Islands adjacent, To Captain John Jewell. By virtue of a deputaon granted me by the Honble y' Comrs. of his maties Customs in London, bearing date y' 13th day of Octo', 1691, & in psuance Likewise of additional articles of Instructions from their Hon'', dated at the custom
house in London, y" 22d day of Sept', 1697, directing mee amongst other things, that in case of any vacancy by the death of any officer of the Customs or otherwise, to appoint some fit & able person to serve yrin, giving notice yrof for their Hon" directions yrin, and finding a present want of an officer in the province of pennsilvania, in America, I do constitute & appoint you, the sd Jno. Jeweld, to be Surveyor and Searcher of his maties customs in the province of Pennsilvania & Counties annexed, & all the rivers, creeks & bays yrunto belonging, With power to enter into any Ship, bottom, boat, or other vessel, as also Into any Shop, ware-house, hostery, or other place whatsoever, to make diligent search into any trunk, chest, pack, Case, truss, or any parcel or package whatsoever, for any goods, wares or merdizes prohibited to be Imported or exported, qrof the Customs & duties have not been duly paid, and the same to seize for his maties use; and also to put in execucion all Lawful powers and authorities for the better managing and Collecting the said duties in all things as the Law directs, following and observing all rules and Instructions as you shall from time to time receive from the Comrs of his Maties Customs for the time being. Given und' my hand & seal of office, att the port of Philadelphia, this 15th day of April, in the tenth year of his maties reign, annoq dui, 1698.

Ed RANDOLPH, Surv' genr".

I, Nicholas Hayward, Notary & Tabellion publick, dwelling in London, admitted & sworn, do Certifie & attest unto all whom it may concern, that I have seen and perused certain Letters patents of denization, granted by our Soveraigin Lord and Lady king William & Queen Mary, under the broad seal of England, dated the 15th of April, in the fifth year of their sd maties reign, wherein among others, are inserted the names of francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, who through born beyond seas, are made their majesties Leige subjects, and to be held, reputed and taken as subjects born in this kingdom of England; & may as such purchase, buy, sell, and dispose of Lands, tenements and Hereditaments, in this kingdom or any other of their majesties dominions, as freely, peaceably & entirely as anie subject born in this kingdom; & that the sd francis Bassett, Marie Magdalen his wife, Susanna Magdalen and Susannah, their daughters, by virtue of the said Letters patents, are to enjoy all Liberties, privileges and franchises of subjects born in this kingdom, without any disturbance, Impediment, or molestaon as by the said patent, relaon being thereunto had, may more at Large appear, of all which act being required of mee, the sd notary, I have granted these presents to serve & avail the said francis Bassett, Mary Magdalen his wife, Susanna Magdalen & Susannah, their daughters, y" time & place convenient, y" 25th of April, 1693, & in the 5th year of y" maties reign. In Testimonium veritatis Signo meo manuali Solito Signari, et Tabellionatus mei Sigillum apposui, Roga tus: Nich" Hayward, Nota. pub. Locus Sigilli, Entered in the Clark's office of the Citie of New york, in the book of deeds No 18, pag.
PROVINCIAL COUNCIL.

257, y° 23d day of Sept', 1693, p. Will. Sharp as Ck. Indorsed thus: personallie appeared before mee, the within named francis Basset, who made oath upon the Holy Evangel of Almighty God, that hee is the verie self same individual person mentioned in & intended by the within mentioned Letters patents, & no other, So Subt.

WM. MARKHAM, Locus Sigilli in margine.
Record 3d August, 1698.

[3d Sept', 1698.

At a Council Held att philadelphia die Sabbathi, y° 3d September, 1698.

PRESENT:

WM. MARKHAM, Esq', Leivt. Governou'.
Sam° Carpenter,        Jn° Simcoke,                   Wm. Biles,
Edw° Shippen,          Joseph Growdon,               Wm. Clark.
David Loyd,

The Lt. Go' acquainted the Council ye hee had received a Lre from ye Justices of the peace of Sussex County, & desired ye Secrie to read it, which hee did, viz: may it please yo' Hono', This to o' Sorrows, but according to our duties, is to inform, That on friday Last, in the afternoon, a small snug-Ship & a Sloop came too win our Cape, not wholly undescribed, but little dreaded of being an enemy or french, both which they proved, & yesterday morning Landed about 50 men, well armed, & came up ye' town & plundered almost every house yrin, Comitting great spoil, breaking open doors & Chests, and taking away all money or plate to be found, as also, all manner of goods & merchizes worth any thing, together with rugs, blanketting, & all other bedd Covering, Leaving scarce any thing in ye' place to Cover or wear. They brought two English prisoners on shore wt ym bound, one of ym known to be Jn° Reedwood, of philadelphia, His Boy, with whom they wold Sufferr no Converse, but wee suppose ye' sd sloop to be said Redwood's, taken Coming out Cinnepxon Inlett; They all went on board Last night; killed several Sheep & Hogs. They Continue still att anchor in yr birth, as neer in the bay opposite to this towne as they well can find water to ride in, & it's doubted they will be on shore again before night for more Cattle, if not to burn ye' houses; but wee shall endeavo' to Scare ym. They Ly ready for all mischief inwards or outwards by Land or water, and Have pilots any way. They are now in Chasse Inwards of a Briganteen with their sd sloop. The brigantine outsails ym, & wee Hope in God will escape. They are begarly Rogues, and will pillage for a trifle, and do think they may tarry Long enough untill ye' man of warr att York may have Speedy notice. They took about eleven of ye' Chief of o' town prisoners, & when they had made ym help on board their plund', dismiss all except one man, Cap'. Watson's Carpenter. This place is very open for danger, & verie naked for defence. M' Clark's House
& goods Hath Sufficiently shared in y* villany. Wee hope wee need not repeat y* Calamities aforesaid, nor y* great terror y* must needs here attend all Sexes & Sizes; all which is Submitted to yo* Honorable most Serious Consideraon, By Sir, yo* Humble Servants.—Luke Watson, John Hill, Tho. Oldman, Jonat Baily.

Therafter the Lt. Go* sent for Tho. Simkins, mariner, who appeared, & aged forty years, made oath y* y* name of y* vessel y* took him hee knows not, but y* it was a pirate named Canoot, on board Jn* Redwood’s sloop, & y* sloop that took ym was said to belong to one William, in providence, & that the pirate took her about the Bahama Islands, as his men said, & that Hee took y* deponent and said Reedwood’s Sloop off Cinapuxon Inlet, 30 miles below y* Cape, & that they wer taken y* 3d Aug, & that y* sd Canoot keep still on board sd sloop, shee being the best Sailor, & y* y* sd Capt. shott one of his owne men for some misdemeanor as they said, formerly committet by him. And further saith not.

Edward Gillibrand, aged about 36 years, being sent for, appeared & made oath y* hee was M* of y* dunmore of Liverpooe, & came from Rapahannock river, out of y* Capes of Virginia, y* 17th Aug. Last, & was taken by y* sd pirate y* 19th, with the sloop y* now Lyes att philadelphia; y* hee was taken about 75 Leagues off y* Capes of Virginia, about E. N. E. the pirate Lay fair northerlie off y* Cape, & Laid him athwart y* House & boarded him att once, & y* y* pirate fired but killed none on board him; that hee knows not y* Sloop’s name y* took him, and y* at Rapahannock hee was told y* many pirats wer on y* coast, & y* hee heard y* pirats say y* y* sloop quin they took him belonged to providence, & further says not.

The which Lre & depositions being read, The Lt. Go* ask’t y* advice of y* Council yrin, Whose ans* was: That seeing y* king’s Lre paton impowers y* proprietarie, His Heirs & assigns, by ymselves or y* Captains, or other their officers, to Levy, muster & train all sorts of men, of what condition or qusoever born, in y* province of pennsylvania, for y* time being, & to make warr, & to psue y* enemies & robbers aforesaid, as well by sea as by land, even wtout y* Limitts of y* sd province, & ym, by God’s assistance, to vanquish & take, & being taken, to putt to death by y* Law of war, or to save ym, att y* pleasure; And to do all & everie other thing which to the charge & office of a Capt. general of an army belongeth, or Hath accustomed to belong, as fullie & freelic as any Capt. General of an army ever had y* same. And seeing the Lt. Gor. is vested with the above sd powers of a Capt. General, & is not scrupulous to putt y* same in execucion; Therfore, y* sd members of Council do refer y* managmt of y* whole affair upon this & y* Like emergencie, to his conduct & prudence. And It is y* Opinion of this board, that what charge shall accrew yrby, ought to be speedily raised by a provincial tax.

The petition of David Evans being read, Setting forth His Long Imprisonment, & y* notwstading y* great charge Hee has been att in procuring evidences of his being cleared in England, by his Country, on a fair trial of the Crimes allledged ag* him, yet is still detained
PROVINCIAL COUNCIL.

Close prison', to His ruine; and therfore Requests enlargement & your enjoymt of his Liberty. Resolved your petition make His applicaon to your Judge of your Court of admiralty, for his enlargement Or speedy trial.

[24th Sept', 1698.

Att a Council Held att philadelphia die Sabbathi, your 24th day of Septemb', 1698.

PRESENT:

WM. MARKHAM, Esq', Lieut. Governor.
Sam'n Carpenter, Rich' Halliwell, Jn' Donaldson,
Joseph Growdon, John Simcooke, William Clark,
Wm. Biles, David Lloyd,

The Lt. Gor said: Gentl, There Has Hapened here in this town an action that hath verie much troubled me, & I think in it self verie Irregular, viz.: There wer some goods & merchize Seized by your king's Collectors for goods imported Contrary to Law, The wch goods Coll. Robt. Quarry, Judge of the Court of admiralty for this province & territories, by his warrt to Robt. Webb, marshall of your sd Court, took from your said Collectors, & Comitted ym to your custodie of your sd marshall, and your sd Coll. Quarry being upon going to Maryland, I was petitioned by Jn' Adams, your owner of your said goods, for a relevein, in these words, viz.: "To your Honble Wm. Markham, esq', Go' of the province of pensilvania. The Humlepetition of Jn' Adams most humbly Sheweth, That yo' petitioner did, in your mo. of June Last past, ship a Considerable Quantite of goods on board your sloop "Jacob, Francis Basset M't; bound for this place from New york wch sd goods, for want of a Certificate, wer seized at New-castle; whereupon I, as in duty bound, made my applicaon to yo' Hon', & yo' Hon' was pleased to promise mee all your favour you Could in such a Case grant mee, And by yo' Honor's advice, I went down to Newcastle to treat with the Collecto' concerning that, who not willing to take any advantage to Ruine mee, was verie willing to observe yo' Honor's Comands & directions, so your I hoped (as I thought on good ground) to Have my goods returned mee upon an apprais'm, till your Court wold be. A smal time after my certifi cate Came from Newyork, which I showed to the Judge of the admiralty, & to Esq' Randolph, & requested I might have my goods. The Judge told me if I had 1000 Certificates I could not have my goods but in a Legal way, Becaus hee said your M't was not Qualified according to Law. I submitted it to, and pray'd I might have my goods prized, & wold give in good securite to ans' it att Court, which was promis't mee (as soon as your provost marshall had his Comission, which yet hath not been granted;) Tho' hee who was
the author of all my trouble, & an alien, had his goods & vessel de-
livered to Him; & I was still put off with fair promises that I should
have ym; when y\n advocate (y\n is to be) had been att Newyork &
come back again, I should have ym delivered to me instantly. I
\nmeantime, understanding I had a Cargo of goods arrived there
for mee, I went to Newyork to dispose of y\n same, And meeting wt
\n Advocate on my journey, Hee told mee I might have my goods
if I wold give bail according to my prime Invoice, wch I was will-
ing to do, rather than to Consume so much of my precious time
waiting for I know not what, and so made all possible Hauist to New-
york & putt my goods Into a merts. Hands there to sell for mee,
allowing Him Usual Comissions, in regard I was Unwilling to ne-
glect my troublesome bussines here, in hopes of a Speedy dispatch,
according to the manie Reiterated promises made mee. So I made
post from Newyork back again, & Have since made my applicaon to
\n Judge of y\n admiraltie, and delivered him my Invoice to puse, &
offered him my oath to it. He told me he wold Consider of it, &
since tells mee hee can do nothing in it, and gave mee some Hints
as though it Stuck wt yo\n Hon', & am still putt off wt fair words,
but no such actions. So y\n have assumed the boldness once more
to address to yo\n Hon', Hoping & Humbly requesting y\n yo\n Hon'
will please to Consider the great Charge I have been att in having
my goods seized, & paying ten shills p. week storidge, almost these 2
mo's., & in having ym detained from mee; my several chargeable
and uncomfortable voyages to Newcastle (by yor Honors advice)
to treat with the Collector; my great charge, pains, & trouble in
Coming back from Newyork, together with my great Charge &
Inconveniencie in Leaving my goods there on Comissions; my in-
tolerable Charge in y\n Loss of my precious time, & extraordinary
expenses I am dayly att; the Loss of my market & damnifying of
my goods, wch, for aught I know, may be roten before y\n Court of
Admiralty be Constituted, the Judge being bound to Maryland for y\n
advocat's Comission; the great detriment it hath been to my health,
being fallen away since I came almost to skin & bones, by Continual
Concernedness for my hard,Unheard of Usage; the great destruction
of my bussines att home & abroad; the impairing my Credit, the
best Jewell I have; the utter, unavoidable Ruine of my dear wife &
children; y\n small, or no advantage that can redound to his matie or
yo\n Hono' by with-holding ym from mee; all which tends to the dis-
honor of his matie in having his subjects wronged in pson & estate,
by Hard hearted, unreasonable officers, & y\n discouragm of y\n
growing trade of this province. Yo' petition Humbly prays yo'
Hon' to Consider y\n premises, and grant Hee may Have his goods
on an appraismt, by sworn appraisers or anie other ways, as yo'
Honrs great wisdom may think fit, being willing to give in Securi-
tie to ans' what may be allledged ag\n my goods, and abide y\n Ord' of
\n Court. And yo' petition', as in duty bound, shall ever pray for
yo' Hons' Happiness & prosperity. JOHN ADAMS, philadelphia,
"August 19th, 1698."
PROVINCIAL COUNCIL.

I made ans' that I wold not medle with any thing that Lay before the Court of admiralty; But the day after, as I take it, the sd Coll. Quarry went out of this Town, The sd Jn° Adams, Owner of the goods seized, obtained from Anthony Morris, one of the Justices of y° peace for this County, a warr; by y° name of a warr of Replevin, which was executed by y° under Sheriff, and the goods taken from y° marshall & delivered to the sd Jn° Adams, y° owner yrof.

Upon the Complaint of y° marshall, I wrote to the Sheriff y° 27th Aug', 1698, in these words, viz: “Mr. Claypool, I wonder such an action of replevying y° goods in y° hands of y° marshall of y° admiralty should be done without my knowledge: It was but yester day that I was petitioned for a Replevin, which I refused; & I think I have as much power as any man in this governm'. What complaints & damages may arise from this Let the actors ans' for; since I cannot undo what's done, I will declare ag' y° proceedings of all who were concerned in it: my advice to you is, & I expect that every thing you have taken by virtue of the warr of Replevin, be forth coming in its proper specie.” To which the sd Sheriff made answer in these wrds, viz: “Sir, I perceive by yors, y° Adams of Boston had been with you to request the grant of a Replevin, & y° hee had yo' denial. Hee came to mee about four in the afternoon yesterday, & desired to have a Replevin of certain goods that was taken from him by Robt. Webb, not naming him to mee by any office, & the writt named him Robt. Webb, gentl; I knew not that it any way interfered with the Court of admiralty, neither did I either hear or know any ways that hee had been with you. Replevins have been always here granted by the Justices, and never questioned by the Sheriff, no more than writts of arrest. I took of him bond w' Securitie in 300lb. for y° goods to be forth coming, being several sorts of English goods, five bolts of Canvass, & five ½ barrels of East India goods, and that hee shall make restitution of y° sd goods, if it shall be so ordered by y° Court. Had I known you had been interced about it, wold not have any ways medled in it wtout yo' approbaon; So hope my ignorance yrof may plead my excuse, being ever willing to obey yo' Comands to y° best of my power and ability, so subt. JOHN CLAYPOOLE, 7th Aug', 1698.” And Seeing the sd Robt. Webb, marshall of the admiralty, came no more near mee, I sent the Sheriff the following warrant, viz: “province of pennsilvania: By the Lt. Go'. Whereas, several goods & merchandizes wer seized by M° Jn° Bewley & M° Mathew Birch, Collectors of his Maties Customs wtin this governm'; which goods wer delivered by ym Into y° hands or possession of M° Robt. Webb, marshall of y° Court of Admiralty, in ord' to have ym tried in y° same Court, as goods illegallie imported, Which goods wer by the Sheriff of y° Countie of Philadelphia, taken from the sd Robt' Webb, by virtue of a warrant of Replevin from a justice of the peace of the sd Countie, & the goods delivered to Jn° Adams, the pretended owner thereof; I do yrof hereby will and require you, to take into yo' possession y° same & sd goods, & safely keep ym, untill further order, or that they be brought to trial in such Court
"Ye Informer shall think fitt, according to Law, for which this shall
be yo' sufficient warrant. Given att Philadelphia, this 27th day of Aug',
in ye 10th year of ye reign of King Wm., & 18th of ye proprietors
"govn'. Annoque domi, 1698, Wm. Markham. To Mr. John Clay-
"pool, High sheriff of Philadelphia Countie." And the sd Sheriff
wrote mee in answer this, viz: "Aug' 30th, 1698. Sir, Jacob May,
"(the under Sheriff,) Has been yesterday & to-day about the execution
"of ye warrant for seizing & securing of ye goods taken by replevin,
"& have not as yet any account thereof: I hope to wait on you to morrow,
"& receive ye further Comands. To Subt, John Claypoole." Ther-
after the marshall, Rob' Webb, posted out of town after Coll. Qua-
rry, & overtook him at New castle, and there drew up a narrative &
swore to it, but know not as yet what it is; But Coll. Quarry att his
return to Philadelphia, told mee hee had sent several Copies of it
home, wth Coments upon it as large as the Circumstances of the thing
wold bear, wt reflections upon mee in it. I told him I thought hee
had been to quick in writing home before hee had first inquired in
"ye matter Himsely. Then the Lt. Go' said, Gentl, Its now late, yrfor
wee'll adjourn till Moonday ye 26th instant, & in ye meantime I desire
you will think of what I Have Laid before you, and ye you will be
readie by ye time to assist mee wt yo' advice in this matter.

Adjourned to 26th instant.

[26th Sept', 1698.
At Council Held att Philadelphia, die Lunes, ye 26th of September,
1698.

PRESENT:
WILLIAM MARKHAM, Esq'. Leuit. Govern', et ysdem ut antea.

The Lt. Go' said: Gentl, I Hope you Have by this time Consid-
ered of what I Laid before you ye 24th instant, & are ready to give
me yo' advice yrin. I ask your opinion of the action of Anthony
Morris, the Justice of ye peace ye granted ye writt of replevin, becaus
Coll. Quarry, the Judge of the admiralty, aggravates it as an action of
ye governm't, and I think no action of any Justice of the peace,
nor no unjust proceedings of any Court, can be termed an action of
ye governm't.

It was resolved, that the granting of ye sd replevin was no act of
the government, nor was the Governr any wise Consenting or privie
therto.

Therafter, three of the Justices of ye peace for the County of phil-
delphia, viz: Anthony Morris, Sam'l Richardson & James Flex, pre-
sented to the Go' & Council the paper following, viz: "May it please
"the Go' & Council, Wee, the Justices of the County Court of phil-
delphia, understanding that some complaints have been made to you
"ag' o' proceedings in a replevin Latelie granted by one of us to John
"Adams, mert, returnable to o' last Court, do humbly offer this fol-
lowing answer for o' vindication. First, that wee look upon a reple-
vin to be the right of the king's subjects to have, &c duties to
grant, where any goods or Cattle are taken or distrained. 2dly,
That such writs have been granted by the Justices, & no other in
this govern', the p'ties giving bond with Surties, to the Sheriff, for
redeliverie of such goods in case y' plf. in the replevin be cast,
according as is usual in England in such cases. 3dly. That since
wee understood how the goods in Question wer Seized & secured
in y' king's store house, wee might have just grounds to conceive
that the Sheriff might be as proper to secure the same to be forth
coming in Specie, as by the replevin hee is Comanded, as that they
should remain in the hands of Robt. Webb, who is no proper officer
as wee know of, to keep the same, nor hath given any Security or
Caution to this governmr to ans' the king and His people in that
respect, as wee can understand. Lastly, That wee att o' Last Court,
finding this matter to be weighty, tho' wee did not know of any
Court of admiralty erected, nor psns Qualified as wee know of to
this day, to hold such Court, yet wee forbore the triall of y' sd reple-
vin, & Continued it untill wee further advised, & so the pties are to
come before us again att next Court, where wee should be glad to
receive some advice yrin from you; And rest yo' Loving friends,
"Anthony Morris, Samn Richardson, James ffox, philad. y* 27th of y*
" 7th mo., 1698."

Adjourned to y* 27th instant.

[27th Sept', 1698.
Att a Council Held att philadelphia die Martis, 27th Sept', 1698.

PRESENT:

WM. MARKHAM, Esq'. Leuit. Governo', et ysdem ut antea.

The Lt. Go' Sent for the Justices of y* peace of the sd County of
philadelphia, that Satt on the bench the last Countie Court. There
appeared Anthony Morris, Samn Richardson & James ffox, (Edward
Shippen, one of ym, being gone to New england,) The Lt. Gor told
ym y' Coll. Robt. Quarry & m' Jn; Moor, had been with him, & told
him y' in y' sd Last County Court, there wer great reflections made
upon Coll. Quarry's psion, & his Comission; And that the Court per-
mitted a petition to be read in Court that had many reflections in it upon
sd Coll. Quarry, wtout any reprimand or notice taken of it. Gentl,
I am sorry to Hear & unwilling to believe these things. But y' I may
be satisfied in y* truth yrof, I sent for you to have if examined before
this board; But y* time of y' provincial Court's circuit being come,
wherein Some of y* Council are Judges, I cannot have a Quorum of y*
Council until y* sd Court be over, and then I shall call a Council on
purpose to examin y' sd Complaints. Whereupon some of y* members
of Council moved that the Lt. Go' wold be pleased to Cause Coll.
MINUTES OF THE
Quarry & Jn Moor, to reduce y® Complaints to writting, y' y® persons Concerned might make their defence thereunto.
Adjournd till further order.

MINUTES OF COUNCILL IN ASSEMBLIE, Anno Ri. Rs.
Guilielmi tertii Angli, &c. decimo.

10th May, 1698.
Att a Council Held att philadelphia, die Martis, 10th May, 1698.

PRESENT:
WILLIAM MARKHAM, Esq', Lieut. Governo', by virtue of a Com-
mission granted to him by the Right Honble William penn, absolute proprietor and Governo' of the province of pennsilvania & the terri-
торies thereunto belonging.
Sam° Carpenter, Richd Halliwell, William Clark°
Edward Shippen, William Rodeney, David Lloyd.
John Simcooke,

The Leit. Governo' sent the secrie to the Representatives in As-
sembly, to acquaint them that hee waited for ym, who returning, told him that they wold attend him forthwith.

The Assembly appearing, The Leivt. Governo' said: Gentl, I have received a new Commission from the proprietor and Governo'; I yfrore desire you to attend the publishing yrof by the secrie at y° market place, & when that is done, I desire the members of Council to return hither.

The sd Commission having been so published, & the sd members re-
turning, The Leivt. Governo' desired the secrie to record y° same in the book of minutes of Council. Here it follows:

Commission.
WILLIAM PENN

to
WM. MARKHAM, to be LEIVT. GOVERNO'.

11th May, 1698.
At a Council Held att philadelphia die Mercury, 11th, May 1698.

PRESENT:

The Sherif of the County of philadelphia His Return of Representatives for Council was produced, qrby it appeared y° ther wer elected Sam° Carpenter & Edw° Shippen, who appeared.
The Sheriff of the County of Bucks his Return of Representatives for Council was produced, qrbv it appeared y'r ther wer elected Joseph Growdon & Wm. Biles, who appeared.

The Sheriff of the County of Chester His return of Representatives for Council was produced, qrbv it appeared y'r ther wer elected David Lloyd & Jnº Simcocke, Who appeared.

The Sheriff of the County of Newcastle his Return of representatives for Council was produced, qrbv it appeared y'r ther wer elected Richº Halliwell & Jnº Donaldson. The first appeared, the Last absent.

The Sheriff of the County of kent his Return of representatives for Council was produced, qrbv it appeared y'r y'r wer elected Jnº Curtis, since deced, & Wm. Rodeney, who appeared.

The Sheriff of the County of Sussex His Return of Representatives for Council was produced, qrbv it appeared y'r ther wer elected, Wm. Clark & Jnº Hill. The Last absent.

The sd Samº Carpenter, Edwº Shippen, Joseph Growdon, Wm. Biles, David Lloyd, Jnº Simcocke & Wm. Clark, did Subscribe the declaion of fidelitie, the profession of the Christian faith & the Test, & took their places at the board.

The said Richard Halliwell & Wm. Rodeney took the oaths appointed by act of parlaimº to be taken in stead of the oaths of allegiance & Supremacie, & Subt yº test, and took y'r places at yº board.

AND THEN WER PRESENT:

WILLIAM MARKHAM, Esq'. Leivt. Governo'.

Samº Carpenter, Wm. Biles, Richº Halliwell,
Edwº Shippen, David Lloyd, Wm. Rodeney,
Joseph Growdon, Jnº Simcocke, Wm. Clark.

The Sheriff of the County of philadelphia his return of representatives for Assembly was produced, whereby it appeared that there wer elected, Anthony Morris, James fox, Samº Richardson and Andrew Bankson, Who appeared.

The Sheriff of the County of Bucks His Return of representatives for Assembly was produced, qrbv it appeared that there wer elected, phineas pemberton, Robt. Heaton, Joseph kerbride, & Henry Baker, sick. The first three appeared.

The Sheriff of the County of Chester His Return of representatives for Assembly was produced, qrbv it appeared that there wer elected, Caleb pussey, Samº Louis, Nathaniel Newline and Robert Carter, Who appeared.

The Sheriff of the County of Newcastle His Return of Representatives for Assembly was produced, qrbv it appeared that there wer elected Adam pieterson, Edwº Gibbs, John Grubb and Joseph England. The Last absent.

The Sheriff of the County of kent His Return of Representatives for Assembly was produced, qrbv it appeared that there wer elected, Richard Wilson, Wm. Morton, both absent; Robert Edmunds & Henry Molleston, who appeared.
MINUTES OF THE

The Sheriff of the Countie of Sussex His Return of Representatives for assembly was produced, qby it appeared that there wer elected Thomas Oldman, Jonathan Bayley, Cornelius Wiltbank and Luke Watson, Junior; The Last sick. The rest appeared.

Anthony Morris, James ffox, Sam" Richardson, phineas pember-ton, Robert Heaton, Joseph kirkbride, Caleb pussey, Sam" Louis, Nathaniel Newline, Robert Carter, Edward Gibbs & Jn" Grubb, did subscribe the declaraon of fidelitie, profession of the Christian faith and the test.


All which members of Assemble that were Returned and appeared, being thus qualified as above, The Leivt. Go' said: I desire you to go together & choose yo' Speaker. The assemble departed. After some time Edward Gibbs & Tho. Oldman acquainted the Lt. Go' & Council, that the members of Assemble wer readie to wait upon him. The Lt. Governo' Returned y' hee & Council wer ready to receive ym.

Then phineas pemberton, accompanied by all the representatives of Assembly, acquainted y' Leivt. Governo', that they had made Choice of him for y' Speaker; Who having desired to be excused, & y' y' Lt. Go' wold order another choice, The Lt. Go' replied that hee was well satisfied with their Choice.

Then the Lt. Governo' addressing Himself to all the representatives in Council & Assemble, said: "Gentl, & you M' Speaker, Ever since I received instructions from yr excellies The Lords Comrs of "the Governmt, Sub' by y' Comrs of His majes Customs, wch was on "y' 17th March Last, & Lyes upon the table for yo' pasual, I Have "thought the time Long to the day of yo' meeting, that I might advise "wt you about an effectual way to answer every article or Comand "thereof. Our navigable Creeks where small vessels may Load are "many, & not so well known in England as they are to us here, "yrfor wee cannot expect yr excellies instructions should be so "exactlie framed, nor any Law in England so made, but there may "be some difficulty here to put in execuon every part or Article; But "this wee know, That it is o' duty to take care they be punctually "observed & keept. Therefore, I desire you will diligently peruse "the Laws of trade & navigaon, with the instructions, and where you "find anie article difficult to execute, you will make such Laws as "may make them more easy, & enable the Governo' & his majes "Collectors to pform y' duties with all the securite possible may be. "I have desired the Collectors to Consider what Laws they think "necessary for his maties Service & interest, & advise mee yrof. "I have promised ym free access & freedom of Speech both to & "in the Council & Assembly, and I expect you will perform it, & "also to any of yo' Comiteses. This is the first thing I Have to
"proposes, & desire it may be dispatched before we enter upon any
thing else."

The Lt. Go’ delivered his sd speech to the assembly, & appointed
Edw⁴ Shippen, Joseph Growden, Wm. Clark, Rich⁴ Halliwell &
David Lloyd, a Comittee to Join a Comittee of assemblie to Consider
of y⁴ sd speech, & to propose such a Bill to be past into a Law as
they should think Convenient, and to make report to the Governo’ &
Council.

Adjourned to the 19ᵗʰ instant.

[19ᵗʰ May, 1698.
At a Council Held at philadelphia die Jovis, 19ᵗʰ May, 1698.

PRESENT:

Joseph Growden, Chairman of the Comittee of Council & Assem-
bly, appointed to Consider of the Lt. Governo⁴ speech, made report
to the Leivt. Go’ & Council, that they had with all diligence perused
& Considered y⁴ same, & had drawn up a bill for the further Con-
sideraon of the Leivt. Go’, Council & Assembly, to be past Into a
Law, for preventing frauds, &c. which was distinctlie read & debated,
article by article.

Ordered y⁴ Da⁴ Lloyd & Wm. Rodney, Carry y⁴ sd bill to the
house of representatives for y⁴ approbaon; wch they did.

John Hill, returned by the Sheriff of Sussex County to serve in
Council, & Luke Watson, Jr. to serve in Assembly, took y⁴ oathes
apointed by act of parliamont to be taken instead of the oaths of alle-
giance & Supremacie, and subt the test.

[DAVID EVANS.
Upon Reading the petition of David Evans, setting forth that hee
was Close prisoner in the comon goal of y⁴ Countie of philadelphia,
upon Suspition of Having been a pirate belonging to Avery’s Crew,
& y⁴ hee had his triall at y⁴ old Bayley in England, before the Lord
Chief Justice Holt, & was cleared by proclamaon, but remanded to
Newgate for his fees, & was relieved thence by Jn’ Lowrie, who
had been by the petitioner subpoenaed as a witnes for him on his
trial, & was psent at y⁴ same, & at his discharge, which the peti-
tioner was ready to make appear, by the testimony of y⁴ sd Jn’
Lowrie, & other Lett⁴ from Credible ps ons, & yrfor requesting to be
discharged from his confinement. John Lowrie appearing before y⁴
Lt. Go’ & Council, did Swear on the Holy Evangells of Almighty
God, that in July Last hee was at the trial of the said David Evans,
at the old Bayley, before the Lord Chief Justice Holt, & heard him
cleared by proclamaon; and afterwards saw him in Newgate, paid his
fees for him, & tooke him into the said deponent’s Lodging; Also
a Lett' from one Capt. Humphrey pellew, Mr of a vessel, directed to the Lt. Governo', dated 14th May instant, was produced, where-in hee says: I am a perfect Testator, by report of david Evans acquaintance, but Mr Lowrie who was at his trial at ye old Bayley, London, in July Last, Can more fullie satisfy yo' Hono'. The said David Evans also sent to the Lt. Go' & Council a Lett' from one James Lewis to his children here, dated the 8th of 7br, 1697, wherein hee writts that his Cosen, David Evans, having mett with trouble about the psian ship, is now cleared & discharged by Law, for the king's evidence from first to Last, affirmed ye he was prest & forct away by Capt. Avery; That there were about fifty gentl, as they call them, from Carmarden & pembrockshire at his triall, & tho' some did, yet there was no need for any of ym to appear in his behalf. Hee was at a great charge to bring several Mr of Shippes to vindicate the truth of things as to him, but the Judges saw there was no need for any of ym to appear in his behalf, nor to examine ym, & so released Him in open Court, To the great joy & Content of Judge Wogen, Esq'. Sommerford, & the rest of his Countrymen.

Sam" Harrison, mariner, (a man of good Credit here,) also made oath on the Holy Evangells of Almighty God, ye in England hee saw the sd David Evans in Custodie, & saw him Carried prisoner to London, & knows no more of him but what hee, this deponent, had from ye sd David Evans' own mouth.

Robert Sneed being sent for before the Lt. Go' & Council, by whois means the said David Evans was by the Lt. Go' Comitted, was desired to exhibit Informaou ag' him, the said David Evans, which hee did, and which remain on ye file in the Sercies office.

Resolved, that if the sd David Evans cannot bring good & sufficient securitie to the Lt. Go' & Council, to be bound body for body for him, that hee shall not depart the province untill hee produce from England authentick Certificates of his trial & discharge, ye then hee shall remain as hee is, close prisoner, untill he be discharged by due Course of Law.

The Lt. Go' ordered ye Secry to Issue a Sumons for ye sd R' Sneed to appear befor ye Go' & Council post m.

---

POST MERID.

Att a Council Held att philadelphia die Jovis, 19th May, 1698, Post merid.


The sd Robt. Sneed appearing, The Lt. Go' acquainted him ye hee had advice from England that ye sd Robt. Sneed had wrote to England, particularie to Sir I. Hoblon & Coll. Robt. Quarry, Informing ym That tho' ye Governo' knew of & had ye proclamaon to seize pirats, yet that hee refused to seize several of ye pirats of Avery's
crew, & bailed ym after Seizure, & denied & refused guards to watch them, the goal being insufficient. All which hee, y" sd Robt. Sneed, positively denied, & said that hee sent to y" proprietor a Copie of what hee wrote. Hee owned that hee had writ They wer bailed, but not by y" Go', & that hee Complained home of abuses he had received here. The Lt. Go' told him that it had been his duty, first to have Complained here for redress of the sd abuses, & when y' was denied him here, It was then time enough to have Complained home. Then the Lt. Go' & Council demanded a sight of the Copies of y" sd Lres, that they might make ans' yrto, if hee had charged ym with any thing. Hee replied they wer at Newyork, but expected ym by y" post, & yn he wold pduce ym.

Thea the Lt. Governo' said, that there were other Informaons sent home, viz: that many 100d hhds of Tobacco are Constantlie Shipt from pennsylvania directly for Scotland, & particular men named, & no security taken but beggars, for which bribes taken. That there is an illegal trade from Curassao. That pennsylvania is become y" greatest refuge & Shelter for pirats & Rogues in America, The Go' giving ym Comissions. That a ship Came hither directtie from Denmark with Copper, tin, & other European goods, wch were all unloaden, & the Shipp unrigged before shee was seized. That a briganteen from Newyork took in almost all her Loading of tobacco wtout giving bond or securitie; & that the bussines making a great noise, The Go' ordered the Collector to seize her, which was done, & preparaon made for a trial, but y' before it Came on, The Go' ordered her to be discharged, & that some of the owners say It cost ym 100l. to clear their briganteen. All which hee, the said Robt. Sneed, denied, & said Hee knew nothing of it.

John Moor, a practitioner in Law at the Courts of this province, being sent by the Lt. Go', appeared. The Gor told him y' he understood y' Esq' Randolph had named Him to act as attornie General in behalf of his maty, & told him that hee sent for Him to qualify him to act accordingly in that station, & to put in Suit some plantaon bonds & other actions y' Esq' Randolph intended to prosecute. The said Jn' Moor refused, becaus Esq' Randolph had required him to prosecute persons to Judgm' & execucon in Cases where hee, the said Jn' Moor, Conceived y' hee, y" sd Esq' Randolph, himself was not Impowered to discharge, or words to that effect.

Adjournd to 20th instant.

20th May, 1698.
Att a Council Held att philadelphia die Veneris, 20th May, 1698.

PRESENT:

WM. MARKHAM, esq' L'. Go', et ysdem ut antea, & Jn' Hill, Rich Halliwell, absent.
The Lt. Go' appointed Edw' Shippen, Wm. Biles, Da' Lloyd & Jn'
Hill, a Comittee of Council to join a Comittee of Assembly to examin, adjust & bring in an acct of the debts of the governm', & to report. Adjourned to 23rd instant.

23rd May, 1698.
At a Council Held att philadelphmA Die Lunæ, 23rd May, 1698. PRESENT:
WM. MARKHAM, esq'. Lt. Go', et ysdem except Joseph Growdon.
Edw4 Shippen, Chairman of y's Comittee of Council & Assembly, appointed to examin, adjust & bring in the debts of the governm', made Report to the Lt. Governo & Council, that they found the province to stand indebted to sundry persons in y's sum of ———
Anthony Morris & Cornelius Wiltbank, brought from the Assembly to the Lt. Go' & Council, a Bill for Confirming the Laws of this government, which was read & debated.
Adjourned to 24th instant.

[24th May.
At a Council Held att philad. die Martis, 24th May, 1698. PRESENT:
Samn Richardson & Henry Molleston brought from the house of Repsentatives to the Lt. Go', a bill for Continuing of an act entitled, The Law for the speedy Collecting the arrears of the assessmt Laid anno 1696, which was read & debated.
Anthony Morris & Tho. Oldman brought from the house of Repsentatives to the Lt. Go', a Bill Supplemen tal to y's Law ag' Robbing & stealing; as also, y's bill for regulating frauds; Both wch wer read & debated.
Adjourned to 26th instant.

[26th May, 1698.
At a Council Held att philad. die Jovis, 26th May, 1698.
PRESENT:
WM. MARKHAM, esq'. Lt. Go', et ysdem ut antea, & R4 Halliwell.
PROVINCIAL COUNCIL. 521

Jn* Donaldson, Returned by y* sheriff of y* Countie of Newcastle as representative in Council, took the usual oaths & test, &c. Caleb pussey & Jn* Grubb, from the house of representatives, brought to y* Lt. Go' & Council a Bill to encourage bringing in of money to promote trade & ease paym"; as also, a Bill for regulating the streets & water Courses in the cities & towns of this governm'; both which wer read and debated.

Adjourned to 27th instant.

[27th May, 1698.
Att a Council Held at philad. Die Veneris, 27th May, 1698.

PRESENT:

WM. MARKHAM, esq'. Leivt. Go'.
Sam* Carpenter, David Lloyd, Wm Rodeney,
Edw* Shippen, Jn* Simcocke, Wm. Clark,
Joseph Growdon, Rich* Halliwell, Jn* Hill,
Wm Biles, Jn* Donaldson,

John Bewley, Esq', Collector.

The Lt. Go' delivered to y* Secry certain Letters patent, und' the great Seal of England, wch y* sd secrie read, & by reason that a Quorum of y* Comrs yrin named Could not be gott together at y' time to Swear y* Lt. Go' by virtue of y* sd Lres pat., dated y* 30th of April, in y* 9th year of y* reign of Wm. the 3t, &c. Wm. Markham, Lt. Go' of y* sd province, (by virtue of a Late Commission granted to him by y* Right Honble Wm. Penn, absolute proprietor & Governo' of y* sd province of pennsylvania & the territories yrto belonging,) made oath upon the holy Evangelists of Almighty God, to do his utmost that all the matters and things Contained in the revixe acts of trade & navigaon in y* sd Lres patt & oath annexed Contained, shall be punctually & bona fide observed as yrin is directed. In a full Council held y* sd day, Jn* Bewley, Collector, presont, Whereof an Indorsment is made on the sd Lres pat, & Signed by sd Jn' Bewley, Collector, Rich* Halliwell, Jn* Hill, Wm. Rodeny & Jn* Donaldson, all four of the Council.

The Assembly having repesented to the Lt. Go' & Council as a grievances, That the ordinarie had required exers of Testator's estates to give securitie at y* office; After a full & free debate yrof in Coun cil, It was y* unanimous opinion & Resolve of y* Lt. Go' & Council, that exers give securitie to the office for the due administraon of the Testator's estate, as admrs do for Intestate's estates.

Adjourned to 28th instant.
[28 May, 1698.
Att a Council Held att philad. die Sabbati, 28th May, 1698.

PRESENT:

WM. MARKHAM, esq'. Lt. Go', et ysdem ut supra.

The Lt. Go' Resolved y* whole Council Into Comittee, to Join a
Comittee of y* whole Assembly, to prepare an address from ym as
y* people's representatives to his matie, & to make report, &c.

Adjourned to 30th instant.

[30 May, 1698.
Att a Council Held att philad. 30th May, 1698, die Lunæ.

PRESENT:

WM. MARKHAM, esq'. Levt. Governo', et ysdem ut antea, except
Jn' Donaldson & R Halliwell.

Joseph Growdon, Chairman of y* Grand Comittee of Council &
Assemblie, appointed to prepare an address to his matie, made report
that they had prepared y* same, which being read & debated, it was
ordered that the same should be engrossed & signed by the members
of Council & assemblie, & that the secreie should make out two
duplicates y'of, & to be by the Lt. Go', with the original, sent to
England, & that another remain on the file in y* Secries office.

Then the Governo' desired Jn' Hill to acquaint the assembly that
hee waited for them. Who returned, That they wold forthwith
attend him.

The Assemblie appearing, Mr. Speaker psented to the Lt. Go' &
Council several bills which had past their house. The Lt. Go' said
Hee would Cause ym to be read & Considered.

After reading of all y* sd bills by y* secreie, the Lt. Go', with
advice of the Council, rejected & voted outt some of ym, and the
remaining six being three times read, wer by them approved of, viz:

The first entitiled, The Law for Confirming the Laws of this go-
vernmt.

The Second, An act for preventing of frauds & regulating abuses
in trade within this province of pennsylvania and Counties annex't.

The third. The Law for the Continuaoon of an act entitiled, The
Law for the speedy Collecting the arrearages of the assessment Laid
in 1696.

The fourth. The Law supplemental to the Laws ag' Robbing and
Stealing.

The fifth. The Law to encourage bringing in of money to pro-
mote trade, and make paymts more easie wtin this province & Ter-
ritories.
The Sixth. The Law for regulating streetts & water Courses in y^ Cities & towns of this governmt.

[PETER CLAUSSON.

Upon Reading the petition of peter Clausson, setting forth, That hee has been under Confinement above a year Last past, upon suspition of piracie & as being one of Avery’s Crew, & not brought to trial, and ye for requesting that seeing no accusaon Comes against him, hee may have Licence to depart this governmt.

The petition on his examinaon, Having confest that hee had been in Avery’s ship, but said he was forc’t on board, therefor y^ Lt. Go’ & Council thought fit to reject his petition; But a motion was made that the Lt. Governo’ might write to sfr. Nicholson, Go’ of Maryland, to order a Court of Admiralty to try this petition’ & David Evans.

Adjourned to 31st of May, 1698.

[31st May, 1698.

Att a Council Held att philad. die Martis, 31st May, 1698.

PRESENT:

WM. MARKHAM, esq^., Lt. Governo’.
Sam^ Carpenter, William Biles, William Rodeney,
Edw^ Shippen, David Lloyd, William Clark,
Joseph Grown, Jn^ Simcoke, John Hill.

The Lt. Go’ desired Jn^ Hill & Wm. Rodeney to acquaint y^ assemblie that hee waited for ym, Who returned y’ they wold forthwith attend him. M’ Speaker & the whole house of representatives appearing, the Go’ desired y^ Secrecy to read over all y^ six bills, which hee did, & yn underwrote each bill in these words, viz: Philadelphia, y’ 31st May, 1698. This Bill being three times read, was assented to by the Lt. Go’ & Council, & yn y^ Lt. Go’ past ym all one after another, by signing y’ same & affixing thereto the Seal of the pro-vince.

The Lt. Go’ having read a Lett’ from his grace the duke of Shrewsburrie, Concerning pirats & Sea Rovers, issued forth a proclamaon ag’ ym, a Copie qrof remains on y^ file of y^ minuts of this

In ans’ to y^ assemblie’s paper of grievances; To y^ first that security was required from exers, the Lt. Go’ told ym y’it was y^ opinion & Unanimous resolve of y^ Council, that exers do & shall give security to the ordinary.

To the 2cond, that the office of p’bates of wills, & granting of Lres of administraon, was at philadelphia only, Hec told ym y’ y^ sd office should be settled in each Countie rexively.

To y’ 3d, that the Center fair was a nusance, hee told ym y’ he wold Leave y’ to the care of y^ Justices of y^ peace.
To ye 4th, ye Jn Clapooole was reputed & convicted of ill-fame, & yefore unfit to be sheriff, Hee told ym Hee should have a fair Hearing. As to issuing writts for choosing representatives for ye Assembly in ye room of those ye had absentd ymselves, Hee told ym ye when there was occasion Hee should issue such writts to Choose others.

Then ye Go said; gentl, If you have anie thing else to offr at this time for the consideraon of ye Council & Assembly, I'mready to hear you; If not, to dismiss you: they ansred no.

Then ye Lt. Go said: gentl, I dissolve you, & you are hereby dissolved. M' Speaker thank't ye Governo' and departed.

Then ye Lievt. Governo' ordered ye members of Council to attend the publicaon of ye laws, & of a proclamaon ag' pirats, tomorrow att ten in ye morning, being 1st June, 1696.

The Go' adjourned ye Council to ye 1st 7br. next.

[15th May, 1699.
Att a Council Held att philadelphia die Lune, 15th May, 1699.

PRESENT:
WILLIAM MARKHAM, Esq't., Lieut. Governo'.
Sam' Carpenter, David Lloyd, Rich' Willson,
Edw' Shippen, Caleb pussey, Wm. Clarke,
Wm. Biles, Wm. Rodeney, John Hill.

Upon reading the petition of the Inhabitants of Kent County, setting forth that qras there is a certain pecel of land in ye sd County, of 200 acres, on the south side of dover river, neer the bridge in the king's road, qron the Court house now stands, wch ye sd Inhabitants Latelie phased from Wm. Southbee, for the publick use of the sd County; & qras ye said Land being convenientlie accomodated in all respects for ye good & benefit yrof, and it being highlie necessary that a township, with all other priviledges & benefitts, be erected & established for the good of the said County, with fairs att Convenient times, &c., and the sd Land being convenientlie situated for ye purpose; And yrfor Requesting ye sd Land may be from hence forth erected into a township, & called by the name of Canterbury, & that they have a fair yrin twice a year, and that the same may be Laid outt into Lotts, a Coman & market place, as the County Court & grand Jury shall order and appoint, with streets and publick Landings, & y the freeholders of the said Countie may have their Lotts yrin proportionabl to what they have paid towards it, & that whatsoever else may be necessary & Convenient for ye good & benefit
yrof, may be left to the Court & grand Jurie from time to time, as y's same shall be needfull to be done.

Upon reading the within petition, the Leuit. Governo' and Council granted the same as is desired, & that after y's 20th of June next, the within town shall be called Dover.

[Eliz. Cruikshank's petition.]

Upon Reading the petition of Eliz. (Late Cruikshank, now) Hall, exrix. of y's Last will & testamt of Alex' Cruikshank, decreed, setting forth y' qras the per's sd husband, decreed, by his last will & testamt, did bequeath to his daughter Hester, a negro girlie Hannah, & the rest of his real & psonal estate to yo' pe'r., to be managed by her till her children, in number five, should come to the age of 21, & yn to be equallie divided among ym, & yo' per. to have her thirds att her disposal, & did make her exrix yrof, as by said will appears; & qras, his real estate being a plantaon att passyunk, was apprized att 170£, & his psonal att 480lb. 17. 10d., in all 550£ 17 10$, as p. Inventarie appears, & y' shee hath lost by death of negroes & cattle, & paid & disbursed towards paying of debts & educaon, & maintainance of her children, 308lb. 9d., (as p. her accots exhibited to & proved before y' Go', in presence of Tho. & Eliz, two of her children, now of age, appears,) who pronounced for the validitie of her accots, & ordered yo' per. to make distribution to ym of yr proporions of the remainder of y's sd clear estate, after shee had deducted her third p't yrof, according to the sd will: And by which accots there appears to be due from your per. to y's sd estate, to ball 242 17 14, qrof yo' per. is to have one third, is 80 19$, as p. will, & y's sd five children are to have the remainder, wch is 161 18' equallie among ym, as they come to age, wch is 32 7 7d to each one of them, if y's sd plantaon sell for what it's apprized att. And qras, by y' Law of this province about Testats & Intestats estates, It is provided y' after all debts are pd the surplusage or residue (if anie be) of the testator's psonal estate, shall be by the exers divided according to y's Last wills, y' widows having a third of y' psonal estates. And quby its also provided, y' where y's sd testators or intestators psonal estates are sufficient to pay all y' debts, y' their real estates shall be invest & remain as their Last will & testamts devise y' same, the widow having a 3d p' yrof.

And qras, y's sd psonal estate is not sufficient both to pay y's said Thomas nor Hester yr proporions of y's sd clear estate, nor to pay her, the sd Eliz. her thirds yrof, no' to bring up, educate & maintain the other 3 youngr children, nor to keep in repair, uphold & save from ruine & destruction y's sd plantaon, nor to improve it to all y' advantages, & that y's sd Thomas is neither willing nor able to chass y's sd plantaon, outt of which to pay himself, the other children & yo' per's. thirds; but is most willing y' same should be sold for y' purposes aforesaid, wch cannot be done wtout the order of this board; And yf'or, Requesting y' Go' & Council to permit & allow her, yo' per, to sell & dispose of y's sd plantaon, towards the defraying of y's sd proporions, & of yo' pers. thirds, Her owne sup-
port, & the maintenance & education of her other 3 children, & the better Improvement of ye* remainder to ye* advantage.

The Lt. Governo* & Council appointed Wm. Biles & Caleb pussey to inspect into & examin the pers. accts, & the truth of the allegaons in ye* sd petition menoned, & to make report yrsof to this board tommorow morning.

[DAVID LLOYD's petition.]

Upon reading the petition of David Lloyd to the Lt. Go* & Council, setting forth that the per. Hath pchased a Smal peol of Land att Chester, Called the Green, wch Lyes verie Comodious for building a town. It fronts both to Chester creek & delaware river, & is protracted, & a market place Laid outt, with streets, by ye* Surveyo* General, as by the mapp to the said petition annex't appears;

And yrfore, desiring this board to allow of & Confirm the sd modell, as the Law in that case directs. As also upon reading a Letter from M* Jasper Yeates, Directed to the Secry in May, 1699, wherein hee says: Sir—I inclosed send you a petition whc I desire you to prefer to y* Go* & Council, in case M* Lloyd putts anie thing in, or moves to strengthen his title to the green. It appears to be Church Land, becaus it's from ym hee derived his pretended Title; if M* Lloyd moves not, there will be no occasion to putt foreward the petition. And upon reading the said Jasper Yeates' petition to the Governo* & Council, setting forth that hee is infornde there is a design on foot by M* Lloyd, to obtain an act of Assembly to strengthen a pretended title of his to the green Lying before Upland; that the sd Green is realie Church Land, & appropriated by a donation to ye* use for ever, And yrfor praying there may be no procedure yron till notice be given to ye* psions Concerned, & due time allowd, y* they may Lay before yor Honors what they have to alledge in behalf of the Church.

Upon debate on both the sd petitions, The petition of ye* said David Lloyd is granted, saving to the proprietor & Go*, & to all other persons, their rights.

Adjourned to ye* 16th instant.

16th May, 1699.

Att a Council Held att philadelphia Die Martis, 16th May, 1699.

WILLIAM MARKHAM, esq'. Leivt. Governo*, et ysdem ut an* tea, &c.

Wm. Biles & Caleb pussey, to whom the examinaon of the petition & accot of Eliz. Cruikshank was Comitted, made report, that they had viewed & examined the same, & her stated accots with the vouchers yrsof, & found y* shee hath Lost much by the death of negroes & cattle, & been at great charge in maintaining & bringing
PROVINCIAL COUNCIL.

up her children, & has paid considerable debts; and that there is
yrfor a necessitie to sell y' plantation yrin menoned.

Resolved & Ordered, that the sd Eliz (Late Cruikshank, now) Hall
& her husband, Richard Hall, with the consent of Thomas Cruik-
shank, her eldest son, be allowed & permitted, & is hereby, by y' Go'
& Council, allowed, permitted, authorized & impowered, to make sale &
conveyance to anie psons whatsoever, of the within plantaon att pas-
syunk, with its houses & all its apptenances, Containing —— acres
of Land, & —— acres of Marsh, & to ym, y' heirs & assigns for-
ever, towards the defraying the proporons in the sd petition menoned,
& of the pers. thirds, her own support, & the maintainance & edu-
cation of her other 3 children, & the better improvement of the Re-
mainder, to their advantage, according to y' Laws & customs of y'
sd province. To hold to y' sd purchasers & y' heirs & assigns, in
fee simple & estate of inheritance forever, &c.

Upon reading the petition of some of the Inhabitants of Chichester,
in the Countie of Chester, Requesting a weeklie markett & two fairs
in the year; After a full debate yrupon, The Leivt. Go' & Council
granted ym a weeklie market on friday's, to be keept in broad street
as is desired.

17th May, 1699.

Att a Council Held att philadelphia die Jovis, 17th May, 1699.

PRESIDENT:
WILLIAM MARKHAM, Esq'. Leivt. Govern' et ysdem ut antea.

The Lt. Go' acquainted the Council that the proprietor & many
others in England, wer dissatisfied about the monies being advanced
in this province above the rate putt on it by the neighbouring Colonies,
& y' the raising of it might be prejudicial to the proprietor's Interest
in the Quitt rents.

It was y' Unanimous Opinion of y' Council, y' the advancing the
monie was but a prudential act to keep mony in y' province, & that it
was never intended to be prejudicial to y' proprietor's quit rents, nor
should it be.

PETITION about y' streets.

Upon reading the petition of several of the Inhabitants of the town
of Philadelphia, setting forth the neglect of Levelling the streets, &
ordering the Currents yrof, & the annoyance of the inhabitants by
obstruction of the said Currents, and yrfor requesting y' Go' & Coun-
cil to appoint psons to remedy y' sam, according to Law. Ordered
that Edward Shippen, Joshua Carpenter, John Jones, Charles Read,
Jn' parsons, Wm. Southbee, & Robt. Turner, or anie foure of them,
do with all expedition psue y' Law made in the year 1698, entituled
The Law for regulating streets & water-courses in the cities & towns
of this governmt; & that they begin with the High-street Currents in y* front yrof & Highstreet wharff, The Currents between Robert Yeldall's & the widow Borden's, & the Currentts & wharff by Humphrey & John Morrey's, & Wm. Herr.

[29th June, 1699.]
Att a Council Held att philadelphia Die Lunæ, the 29th day of June, 1699.

PRESENT:
WM. MARKHAM, Esq'. Leivt. Governo'.
Samh Carpenter, William Biles, Caleb pussey,
Edward Shippen, David Loyd,

Upon reading the petition which Robert Brandingham & William Stanton (prisoners in the Countie goal of philadelphia, upon suspition of piracy) did exhibit to the Governo' & Council for a speedie trial; & Jn' Tudor of Newyork being heard in their behalf, & the mater debated, and this board being informed that the Lord Bellamont, Go' of new york, has a proclamaon from his matie for pardoning such pirats as shall surrender ymselfes within a Certain time yrin mentioned, (with an exception of Avery and kidd,) It was resolved that care be taken to obtain the Certaintie of the Contents of y* sd proclamaon, if anie such be, and that then further answer be given to the sd petition.

30th July, 1699.
Att a Council Held att philadelphia die Lunæ, y* 30th day of July, 1699.

PRESENT:
WILLIAM MARKHAM, esq'. Leivt. Governo'.
Samh Carpenter, David Loyd, Caleb pussey,
Edward Shippen,

Upon reading a Letter from Richard Halliwell, one of the Justices of the peace of y* Countie of Newcastle, directed to the Leiut. Governo', in these words, viz: Honoured Go', Sir, This Comes to acquaint yo' Honour that this day was several evidences taken before me relating to several words & passages that happened upon y* water yesterday, betwixt M' Birch, Collector, & Several other persons in another boat, bound up the river. M' James Meinzies, being one that was accused for words & act, being this day in Newcastle,
was bound in ye sum of five hundred pounds, with securitie, for his appearance before yo' Hon' before the first day of Aug' next, to ans' to such matters as shall be objected ag' him. I have given Mr Meinzie a copie of the whole accusation, & Coll. Quarrie another, keeping the original my selfe, Leaving the prosecution of the matter to yo' Honor's discretion. I confess its a thing not practicable; but wee having no king's attornie, the Last provincial Court to prosecute what was there cognizable, Could see no way more Safe & expeditious than to referr ye matter to yo' Hon'. Sir, if you think reasonable to have the original affidavits, they shall be sent, when yo' Hon' Comands them from your most Humble Servant.

RICHARD HALLIWELL, Newcastle,
July y* 27th, 1699.

Upon reading the petition of James Meinzie of Boston, to ye Lt. Governo' & Council, Setting forth that hee being employed by Mr John Boreland & Jn* Maxwell of Boston, merts, to receive several debts due to ym in these parts of America, & according to their Letter of attornie, hee received in west Jersie about 300£ due to ym, Which Sum yo' petitioner Carrying along with him in a boat, from the Lower parts of West Jersie to philadelphia, where hee was to dispose of ye same for his Constituents, according to their order, One Mr Birch of Newcastle, with 3 or 4 men more, Came out in a boat from Newcastle upon ye 26th of July instant, & came up with the boat in which yo' petitioner & several others were, and demanded from whence they Came; to whom it was answered from below; & Birch asking what Loading was in ye boat, Hee was told there was none but Cloathes; and hee desiring to know what was in the Chest that was in the boat, the same being opened, hee saw the monie, which yo' petitioner told belonged to Mr Jn* Boreland, & took up one of the bags marked with I. B. and the sd Birch desiring ym to go with him to the key at Newcastle, which they could not do, both wind & tide being ag' ym; The petitioner told him hee was bound to philadelphia, & if hee pleased to Come on board hee might see what was there; and yo' per. being a stranger, & seeing neither the king's Jack on board wt sd Birch, nor anie power nor Commission hee had for stopping ye' boat yo' per. was in, Wee turned our boat & came towards philadelphia; and the day after yo' petitioner being att Newcastle about his Lawll bussines, Upon informaon by said Birch to Justice Halliwell, ther wer several affidavits taken, & yo' per. obliged to enter into recognizance for appearing befor the Honord Lt. Go' before ye' first of Aug' next; and ther being as yet no Crime Laid to ye' petitioner's charge, nor anie psne appearing to accuse him, & a great part of the affidavits being false, as yo' per. can make appear by the testimonies of psnes of undoubted fame, who wer in ye' boat with him, and yrfor requesting ye' Go' & Council, upon due Consideraon of ye' premisses, to dismiss ye' per. & discharge his bail, and yor per. shall pray, &c.

Upon full debate on both, It was resolved that (in respect the said Justice Halliwell had not certified ye Complaint to ye' Go' & Council) the sd James Meinzie should be bound with sureties, to appear before
y° Go' & Council y° 8th ensuing, to ans' y° same, and y' a warrant be issued from y° Lt. Go', under his hand & seal of y° province, requiring y° sd Justice Halliwell, & M' Mathew Birch, Collector of Newcastle, to appear before him & Council y° sd day, bringing wt ym y° original affidavits taken ag' y° sd Ja. Meinizes & the other psns yrin named, with all other papers, psns & witnesses relating to y° sd matter.

Adjourned to y° 8th of August next.

Att a Council Held att philadelphia, die Martis, 8th of August, 1699.

WM. MARKHAM, esq', Leuit. Governo'.
Sam° Carpenter, Wm. Biles, David Lloyd,
Edw° Shippen, phineas pemberton, Caleb pussey

Henry Mallows, mess° of y° Council, to whom y° abov sd warr° was directed, did return y° same to the Lieut. Governo° & Council, dulia executed. The sd Rich° Halliwell & Mathew Birch (with Coll. Quarry, who told y° Lt. Go' & Council y' he was Comanded by y° sd Birch, Collector, to appear wt him att this board on his maties behalf) appeared, and sd Justice Halliwell delivered to y° board y° original affidavits of Jacob Boditt, James Hunt, & Harman peterson, taken before him, ag' Ja. Meinzes, Ja. Howe, Ja. m° Colme, Edward Robinson, Jn° Hues & Tho. Rogers, two boatmen, & one ————, Boatswaine, of y° ship———, Which having been read, The Lt. Go' told M' Birch, Collector, y' if hee had been abused in the execucon of his office by all or any of y° sd psns, the acts of navigaon did prescribe how, where & when, & by whom they should be tried, & y° it was not cognizable before this board. But since it was brought hither by mistake of y° Justice in his duty, hee should have Libertie to prosecute y° sd psns att anie Court in this governm°, & yet hee was readie to bind over so manie of ym as was in his governm° to answer y° same.

To which y° sd M' Birch, Collector, replied that hee thought it not reasonable y' hee should prosecute ym att his owne charge. The Leuit. Go' advised him to Consider of it, & told him hee wold send y° attornie general to assist him. The sd Birch went forth with Coll. Quarry to advise, who returning, desired that all these might be bound over wch are Contained in y° affidavit, att y° next Court of quarter sessions to be held att Newcastle, which was granted.

Accordingly, y° sd James Meinzes recognized himselfe in 300£, and Charles Sanders, his securitie, in 200£, to his matie, that the sd James Meinzies should appear att y° sd Court y° sd day, & there ans° y° Complaint of y° sd Collector, & not depart y° Court wtout Licence.

Then y° Lt. Go' desired y° mess° of the Council to Sumons Edward Robinson & James McColme, to appear att this board to-morrow morning.

Coll. Quarry said, y' hee had Latelie been in Virginia & Maryland,
PROVINCIAL COUNCIL.

& there had heard y' y" Go' there intended to secure y" psons & effects of all psons suspected of piracie, Untill his maties pleasure be further known, & y' hee had Consulted his Comission of Judge of y" admiraltie, & found y' notwithstanding y" Law past here by advice of the Honoble y" Lords Comissioners of y" plantaons, ansrable to y" Jamaica act, y' hee had not power yrby of trying piracy, but had writ to Secrie Vernon yrof, & y" Lords of y" admiralty. And then he sd that hee himself was a Considerable trader in this province for himself & several others in England, & y' hee had some vessells now at sea on y' accot, & y' tho' hee expected some dayly, yet was afraid y' y" first news hee should hear of ym wold be that they wer taken by pirats, & y' they had of Late grown so numerous & insolent, that they spared not even his maties Chambers & ports where shippes of warr are numerous, & that they had Comitted several murtheres on board his maties shippes of Warr.

To all which the Lt. Go' replied, that hee had secured all that he could heare of y' wer suspected of piracie, wt yr effects, & had sent advice yrof to England, & y' hee wondered y' Coll. Quarry, by him self or his deputie, Robt. Snead, had apprehended two psions upon suspicion of piracy, & had possessed ymselves of y' effects, & not trusting ym to y" Justice of this govermn', (tho' apprehended in it) nor acquainted y" governm' with it, Sent ym outt of it to West Jersie, which act of Coll. Quarrie's, or his deputie's, was by y" Go' & Council resolved not in y" power of ym to do, & a Contempt of this governm.

Upon reading the petition of Robt. Brandingham & Wm. Stanton, prisoners in y" Countie goal of Philadelphia, upon suspicion of piracy, setting forth y' y" estates wer seized & detained from ym, tho' nothing had been proved ag' ym, & yr for requesting they may be discharged, & yr monies & goods restored to ym, or admitted to a speedie trial, & in y' meantime to be allowed bail for y' psons & estates.

The Lt. Go' & Council being informed y' notwithstanding y' pers. wer Comitted Close prisoners, yet they went att Large about y" town. Jn' Claypoole, Sheriff, appeared, & y" Lt Go' acquainted him y' great notice was taken & Complaint made y' Rob' Brandingham & Wm. Stant- ton, who had been Comitted prisoners to y" Countie goal of Philadelphia upon suspicion of piracie, had great Libertie, & went about the streetts verie often att Large. To which the sheriff replied, that they never went wtout his Leave, & a keeper, wch hee thought might have been allowed in hott weather.

Whereupon the Lt. Go' stricctlie charged him that those persons y' had been Comitted for suspension of piracie & other felonious acts, should be keept Close prisoners, & y' hee be verie watchfull y' they make not y' escape, to y" scandal of y" governm'.

[9th August, 1699.
Att a Council Held att philadelphia die Mercury, 9th August, 1699.

WILLIAM MARKHAM, Esq'. Lieut. Governo'.
Sam'l Carpenter,  Phineas Pemberton,  Caleb Pussey.
William Biles,  David Lloyd,

According to an ord' of Council ye 8th instant, appeared Edward Robinson & John McCollme. The Lieut. Governo' told ym y' ye' had been affidavitts taken ag' ym & some others, before Justice Halliwell, for abusing Mr. Birch, Collector of Newcastle, in the execuo of his office, & ye' it was ye' sd Collector's desire ye' ye' psns in the sd affidavitts named should be bound over to ans' his Complaint att a Court of Quarter sessions to be held att Newcastle ye 15th instant.

Accordingly the said Edward Robinson recognized himself in 300£, & Ja. M'Colme, his securitie, in 200£, to his Matie, ye' ye' sd Robinson should appear att sd Court ye' sd day & ans' ye' ye' sd Complaint, & not depart Court wtout Licence.

As also, ye' ye' sd James M'Colme recognized himself in 300£, & Edw'. Robinson, his securitie, in 200£, to his Matie, ye' ye' sd James M'Colme should appear att sd Court sd day, & ans' ye' ye' sd Complaint, & not depart ye' Court wtout Leave.

Upon reading the petition of David Evans, setting forth that having been imprisoned in ye Countie goal of philadelphia about 18 mo's. past, upon suspicion of piracie, for which hee had been tried & acquitted in England, as by ye' oaths of several psns had been made appear, Which if not thought sufficient, the petitioner could produce others that were att his trial, ye' could witnesse ye' same; And yrfur, desiring this board to Consider his Long confinement and relieve him. It was the opinion of the Lt. Go' & Council, that ye' per. has had time enough since his confinement to procure Certificates from England of his trial & discharge, and ye' in ans' to his petition, when ye' manner, method & time of ye' trial of him & others, suspected of piracie, shall be concerted & agreed on, Hee should then, with others, have such relief as the Law allows.

Upon reading the Complaint of some of the inhabitants of Newcastle town to ye' Go' & Council, in these words: Wee, the inhabitants of ye Countie of Newcastle, humbly psnt, ye whereas, about ye' end of Aug' 1698, a Company of pirats To ye' number of about 80, in a ship, Came win the Capes of Delaware, went ahoar & plundered ye' town of Lewis, CARRYING away what they pleased, & had a design to come up to ye' town of Newcastle to do ye' Like, but accidentalie meeting with a ship in ye' bay which brought passingers from Holland, whom they forced to furnish ym wt provisions & other necessaries, otherwise they wold have seized her; And Likewise, since the 20th of June Last past, the briganteen Sweep Stakes, belonging to Col. Webb, Late Go' of providence, ryding before ye' town of Newcastle, mounted with six guns, richly loaded, ready the next day to sail for England, was in the night time, by ye' vessels Compa. of sailors & others, to ye'
number of 13, piratically taken away, foure of which vessels Compa.
wold not Consent to y\* said piracie, so wer sett on shore. All which
wee are verie sensible of and know, the greatest encouragements to
such attempts hath been & is the incapacitie wee are in to prevent
the Like, Having neither fort, castle nor breastworke, to Comand anie
ship or vessell; no militia, arms, nor ammunition to make use of on
anie occasion; And It is also manifest unto us, that the same Unlaw-
full & piratical practice may be as well putt in practice any time of
y* day, tho' it be 100\* miles up y* river, as in the dead of the night,
here being no provision to prevent y* same, so y* both-our Lives,
Liberties and estates, have hither to Lyen open, & still do remain de-
fenceless & void of protection, & ever exposed to y* wills of such
mercicless wretches, who are a plague to all honest endeavours & a
Continual terror to our peace & tranquillitie, which wee humbly referr
eto yor Serious Consideraon, & of right desire y* such care may be
taken y* o' Lives and estates may not remain in such Imminent
jeopardy and danger, but y* wee may be defended as his maties Law-
full subjects: subi. by 25 psons of y* sd town.

The above petion having been read and Considered, It is the opinion of
this board that whatever encouragm' pirats may take by o' not having
forts & castles, &c. Wee find y* bolder attempts than what is in the
wtin petion instanced, has been made wtin ports of great fortitude
and strength, even in those places (as wee are informed) Called the
king's chambers, where shippes of warr are numerous; and this board
does not understand that the forts of Virginia & Marie Land, wch
are Colonies of Long standing, and inhabited by psons of great es-
tates, & bring vast revenues to the Crown, are much more formidable
than the fort of Newcastle hath been, & if it's now delayed, the In-
habitants of y* place are accountable for it. And if this Countrie wer
able to build great Castles & forts of strength, yet if y* people are
not also able & capable (as they are not) to maintain such posts. It is
y* opinion of this board, that it may prove more prejudicial to y* king's
interest, & Hazardous to his subjects here, then if there be no such
fortresses. And as for a Militia, it is the opinion of this board that
its a more proper subject for the Consideraon of a general Assemble,
where the petitioner's might have taken y* opportunitie to propose it
in May Last, had they & the rest of the Inhabitants of Newcastle
Countie, done yr dutie in electing & sending y* repesentatives to assist
& advise y* Go' att y* said Assembly, in things pertaining to the
king's service, & good & sattie of y* govern't, which they obstinatle
refused.

Upon reading the petion of Sam*h Hadden & y* Lt. Go' & Council,
setting forth y* hee was encouraged in England by Sam*h Cart, that if
hee Could procure him 17 passingers for pennsylvania, y* then hee
should have his owne passage free, & his wife's & 4 children's for
15£ st. they taking up but two Cabbins & in one mess; Upon which
encourgm', y* petitioner having disposed of his effects, brought them,
with his familie and 17 passingers, to Bristow, a Journie of 70 miles,
& putt his goods on board by sd Cart's order, paid in the 15ll, and
that afterwards y* said Cart wold not suffer y* pers. wife nor children to go on board unless hee wold first pay 5ll. for his owne passage, and as much for each one of his children; and y* yrupon y* per. demanded his goods ashoare again, wch Cart denied him; and y* y* per. having but three pence Left, was forced to sell his children, one for nine & the other for ten years, or else stay in England, when his whole substance was Caried elsewhere; And yrfor Requesting y* Go' & Council to Order His Children to be returned him, or else y* they order him satisfacon some other way. Sam* Cart appearing and having heard y* sd petition read, & after a tedious dispute on y* matter between the per. and the sd Sam* Cart, They both submitted y* difference to y* Lt. Go' & Council (the per. being poor & not able to go to Law.)

Whereupon, it was ordered y* the sd Sam* Cart do return to y* sd Sam* Hadden his son Adam Hadden, & y* the sd Sam* Hadden give securitie to Sam* Cart to pay him eight pounds, and y* y* said Sam* Cart allow to James peters of Bristow, 10li. 10s. in Bristow, in Consideraon of his Laying down 5li. 10s. in Bristow for y* sd Adam Hadden's passage, att y* sd Sam* Hadden's request.

[21st Decemb', 1699.

Att a Council Held att Philadelphia die Jovis, 21st 10th Mo., December, 1699.

PRESENT:
The Honble WM. PENN, Absolute Proprietor & Governo' in Chief of y* province of pennsilvania and the territories yrto belonging.
Edw* Shippen, Caleb pussey, Wm. Biles,
Sam* Carpenter, Wm. Clarke, David Lloyd,
                           Pat. Robinson, Secry.

The pro'r & Go' Having repesented in Council the resentm of o' supiors in England, of the Countenance said to be given here to piracie & illegal trade, as by accot from some of the king's officers in these pts is suggested,

It is Resolved, y* a proclamaon be forthwith Issued for discour-agm' yrof; & y* further expedients be thought on concerning y* same, & that Coll. Quarry, Judge of the admiraltie, have notice to attend this board att the 3d hour-tomorrow, p. m. to offer what hee may think fitt in y* behalf.

Adjourned to y* 22d instant, hora 2a p. m.
PROVINCIAL COUNCIL 535

[22d Decemb', 1699.
Att a Council Held att philadelphia die Veneris, 22d Decemb', 1699.

WM. PENN, pror & Go', et ysdem ut antea.

The mess' of the Council acquainted ym y' Anthony Morris, one of the Justices of peace for philad. County, desired admittance, which being granted, said That hee had for some years past served y' king & Country as such to his great trouble & private detriment, and then delivering to ym 4 paps. relating to y' goods of one Robt. Adams of Boston, y' in June, 1698, had been seized by the king's Collectors here, & by ym, by a warr' from sd Coll. Quarry, delived into y' hands of Robt. Webb, marshall of y' admiralitie, & wch had been (by a warr' of replevin signed by him, sd Anthony) repleived and taken out of the hands of sd Marshall, And yrfor, y' hee now came befor ym to Lay down, & did lay down, his Comission of Justice; and further said, y' hee granted & signed y' sd replevin in psonuance (as hee thought) of his duty, believing hee was in the right, & y' hee was induced yrto by advice of those that hee thought wer well skilled in y' Law, who told him y' it was the privulidge of the subject; and further said, y' hee had no interest in the owner nor goods, nor no self' by nor sinister end in so doing.

To whom the pror' & Go' made ans', That his signing y' sd replevin was a verie indeliberate, rash & (in his opinion) unwarrantable act, which hee, sd Anthonie, could not justifie, & yet hee wold be so farr from Justifying it, that tho' hee could not deliver back Into y' hands of y' admiralitie y' sd goods, (they being long since delivered to the supposed ower, on securitie given to the Sheriff,) yet he wold deliver into y' Judge of y' admiralitie's hands, & into y' power of y' Court, the 2 invries & appraisments of sd goods, & y' obligaon given by sd Adams & his sureties to y' Sheriff of philad, for 327l: 8s. 6d Then sd Anthony was desired to withdraw; which hee did.

Upon notice given yesterday to Coll. Quarrie, hee this day appeared, To whom the pror. & Go' having opened his, the Council & govermts most sincere intentions, by all Lawd means, to discourange, discontence & severely punish piracy & Illeagal trade, Hee desired y' sd Coll. to be assistant in proposing such expedients as might be most Conducive yrto, & y' hee & all others the king's officers & y' govmts', might go on hand in hand in securing the king's interests in this govmt'. To whch y' sd Coll. anssed, y' the matter being weightie it required thought, & y' after some consideraon, hee wold propose to ym what in his opinion wold be most effectual for these ends.

Then y' pror' & Go' delivered to sd Coll. Quarry 4 paps. relating to the sd replevin, telling him y' tho' y' goods in kind were Long since delivered to y' ptended owner, & so out of his power, yet hee delievered to him the Invrie, 2 appraisments, & sd Adams & His sureties obligaon for y' sd sum, & desired y' scree to take Copie of sd 4 paps. wt Coll. Quarrie's receit for y' same, to remain on y' file of minutes of Council.
MINUTES OF THE

Upon reading the petition of Robt. Brandingham, prison' in y^ Countie goal of philad, upon suspicion of piracie, setting forth his Hardship by being confined in these Cold nights to a Low room, wout fire, & for want of monie to support him; And therefore desiring to be allowed a warmer room, & a Little of his owne monie (hee having a Considerable sum in y^ Late Lt. Go' Markham's hands) for his subsistence.

Ordered y'sd Coll. Markham Let y^ per, or his ordr, have 12s. weeklie to subsist on.

Adjourned to 1^ January, 1699–1700.

[ PENNSILVANIA, SS. 10^ May, 1699. ]

Att a Council Held att philadelphia die Mercury, 10^ May, 1699.

PRESENT:

WILLIAM MARKHAM, Esq', Lieut. Governo'.

The Sheriff of the Countie of philadelphia his Return of representatives for Council was produced, qrby it appeared that there wer elected Sam^n Carpenter & Edw^d Shippen, Who appeared.

The Sheriff of the County of Bucks His return of representatives for Council was produced, qrby it appeared that there wer elected phinehas pemberton & Wm. Biles; y^last appeared.

The Sheriff of the County of Chester his return of representatives for Council was produced, whereby it appeared that there wer elected David Lloyd & Caleb pussey, who appeared.

The Sheriff of the County of Newcastle His return of representatives for Council being called for, The Secrie produced a Lett' from Joseph Wood, then Sheriff of the sd County, dated 13^ March, 1698–9, directed to him, wt half a sheet of paper, all blank; and in the Letter it was said: "I here inclosed send you the return of the names of the Council & Assembly men Chosen here the 10^ of this instant. To give you anie reason for such an election is beyond my power; Have had no discourse with anie of the electors about it."

The Sheriff of the Countie of kent his return of representatives for Council was produced, whereby it appeared that ther wer elected Wm. Rodeney & Richd. Willson, who appeared.

The Sheriff of the Countie of Sussex his Return of representatives for Council was produced, whereby it appeared that there wer elected Wm. Clark and John Hill, who appeared.

The sd Wm. Biles, Sam^n Carpenter, Edw^d Shippen, David Lloyd, Caleb pussey, & Wm. Clark, did subscribe the declaraon of fidelity, The profession of the Christian belief & the test, & took their places att the board.
PROVINCIAL COUNCIL.

The sd Jn Dr Hill, Wm. Rodeney & Rich Wilson took the oaths appointed by act of parliam to be taken instead of allegiance and supre-macie, & sub't. the test, & took y' places att the board.

AND THEN WER PRESENT, viz:

William Biles, David Lloyd, Richard Wilson,
Sam" Carpenter, Caleb pussey, William Clark,
Edward Shippen, Wm. Rodeney, John Hill.

The Sheriff of the Countie of Bucks his Return of Representatives for Assembly was produced, whereby it appeared that there wer elected John Surkett, Enoch Yardley, Jn" Swift & Rich' Hough. The first two appeared.

The Sheriff of the Countie of philadelphia his Return of Representatives for Assembly was produced, whereby it appeared that there wer elected Anthony Morris, James ffox, Isaac Norris, Jn" Bevan, who appeared.

The Sheriff of the Countie of Chester his Return of representatives for Assembly was produced, whereby it appeared that there wer elected John Blunston, Robert pile, Jn" Worrola & Robert Carter, who appeared.

The Sheriff of the Countie of kent His Return of Representatives for Assembly was produced, qrbry it appeared that there wer elected John foster, Tho. Sharp, Henrie Moleston, & James Brown. The first two appeared.

The Sheriff of the County of Sussex his Return of representatives for assembly was produced, qrbry it appeared that there wer elected Wm. Biles, Wm. fisher, Nehemiah field & Wm. Dyre. The first three appeared.

The sd Jn Dr Surkett, Enoch Yardley, Anthony Morris, James ffox & Isaac Norris, Jn" Bevan, Jn" Blunston, Rob' Pile, Jn" Warrila, Rob' Carter, Wm. Piles, John foster, Tho. Sharp, Wm. fisher & Nehemiah field, did subscribe the declaraon of fidelitie, profession of the Christian belief & the test.

All which members of Assembly that wer Returned and appeared, being thus qualified, The Lt. Go' said: Gentl, I desire you to go together & choose yo' Speaker, & return him to mee in Council as soon as you can, Who departed.

The Go' Ordered the Secerie to write a Lre to Jn" Swift & Rich' Hough, to Command ym to make y' appearance in Assembly, Which hee did.

Adjourned to the 11th instant, &c.

[11th May, 1699.

Att a Council Held Philadelphia die Jovis, y' 11th May, 1699.
PRESENT:
WM. MARKHAM, Esq', Leit. Governo'.
Sam\n Carpenter, David Loyd, Rich\n Wilson,
Edw\n Shippen, Caleb pussey, Wm. Clark,
Wm. Biles, Wm. Rodeney, John Hill.

John Swift & Rich\n Hough, two of the members of Assembly for Bucks Countv, appeared & sub\n the declaraon of fidelite, profession of the Christian belief, & took the test, and wer sent to the House of representatives.

Anthonie Morris & Nehemiah ffeld, acquainted the Lt. Go' & Council that the members of Assembly wer ready to wait upon him. The Lt. Governo' & Council, Returned that they wer readie to receive ym.

Then Jn\n Blunston, accompanied by all the representatives of Assembly, acquainted the Lt. Go' that they had made choice of him for their Speaker. The Lt. Go' replied that hee was well satisfied with their choice.

Then the Lt. Go' said: M' Speaker & you gentl of the Assembly, Before wee go upon anie other bussines, I think it meet that you inquire into the reason of the absence of Several members of yo' house, & wee shall do the same here, and I shall signify to this board what I know in relaon to the sd absence, and if you think fit, I shall appoint a Comittee of the whole members of Council to join a Comittee of the whole members of Assembly, to be a grand Comittee, to inquire Into y' same. The Assembly departed.

Then the Lt. Go' read a Letter from Major Jn\n Donaldson, of Newcastle, directed to Him, dated y' 18th April, 1699; & another dated the ______ day of ______, 1699; & Recomended ym to the Consideraon of the said grand Comittee.

The messenger was by y' Go' sent to y' Assembly, desiring ym to send two of their members to him in Council. Jn\n Bevan & Anthonny Morris came.

The Lt. Go' told ym that hee intended to resolve the whole members of Council Into a Comittee, to Join a Comittee of all y' members of Assembly, to be a grand Comittee, to inquire Into & Consider of the reasons of y' absence of some members of Council & Assembly, & of y' sd 2 Lres, and desired the Assembly to do y' same.

It was ordered that the whole Council resolve itself into a grand Comittee to Join a Comittee of all y' assembly, to inquire into & consider of the absence of y' sd members & of y' sd Lres, & to make report to this board to-morrow morning.

Adjourned to y' 12th instant.

[12th May, 1699.
Att a Council Held att philadelphia die Veneris, 12th May, 1699.]
PRESENT:
WM. MARKHAM, esq', Leiu. Governo', & all the members ut antea.

Wm. Clark, Chairman of y'sd grand Comittee appointed to inquire into & Consider the reason of the absence of so manie members, made report in writting, viz: The Letters from John Donaldson directed to thy self, as also that of Joseph Wood, directed to the secr, wch wer recomended to our Consideraon, wee have perused, & do resent y's same as a great indigntie & High misdemeanor ag't y's governm', as also that the wtstanding, preventing or discouraging or elections of representatives for Council & Assembleie, is of verie ill consequence, & may tend to the subversion & overthrow of the frame & constitucion of this governm', & prove destructive to the rights & Liberties of the freemen & inhabitants thereof. Therfore, wee are of opinion, y't y'sd Jn'o Donaldson & Joseph Wood ought to be forthwith sent for, to ans' y's premisses before this general Assembly, and y'some sueteable provision be made this sitting to prevent such miscarriages for y's future.

WM. CLARK, Chairman.

THEN the Lt. Go' resolved the Council Into a Comittee to join a Comittee of Assembly, to hear the defenses of y'sd Jn'o Donaldson & Joseph Wood, who casually wer in town, to-morrow morning, & desired John Hill & Richd Wilson to acquaint the Assembly y'rof, & the messinger to acquaint y'sd Jn'o Donaldson & Joseph Wood ther with.

Adjourned to the 13th instant.

[13th May, 1699.
Att a Council Held att philadelphia die Sabbathi, y's 13th of May, 1699.

PRESENT:
WM. MARKHAM, esq'. et ysdem ut antea.

Phineas Pemberton, a member of Council for the Countie of Bucks, appearing, sub't. the declaraon of fidelitie, profession of the Christian belief & the test, and took his place att the board.

The Comittee of Assembly, viz: Jn'o Blunston, Speaker, Anthonie Morris, James ffox, Richd Hough, Thomas Sharp & Wm. Piles, came (att the Go' request) into Council, and major John donalson being called and appearing, and the above said Lre of 26th of April having been read, Hee made ans' that hee wrote it to the Go' as a private pson, & did not think it wold be exposed, & y't hee intended no reflection nor ill to the governmt yrby, & did assure that he ever had been & was then verie affectionate both to the proprietor & His governm' & y's Lt. Go'. The Lt. Go' and Council taking this ans' Into Consideraon, dismiss him.
Joseph Wood being called & appearing, the said Lett' of his to the secreie Having been read, & the blanck half sheet of paper shown him, Hee made ans' that hee intended no affront to nor slight of the governm', but what hee wrote was only jocular, & was sorrie that hee had given ym any offence yrby; which answer being Consider-ed, hee was dismiss.

Adjourned to 15th instant.

[15th May, 1699.
Att a Council Held att Philadelphia die Luneæ, 15th May, 1699.

PRESENT:
WM. MARKHAM, esq', Lt.Go', et ysdem ut antea, & phinehas pemberton.

Anthony Morris & James Fox, from the House of Representatives, requested the Ge' wold appoint a Comittee of the Council, to join a Comittee of Assemble, to consider of y' amendment of some laws, & the making some new ones.

Resolved y' the whole members of Council be a Comittee to join a Comittee of y' House of repsentatives to consider as is desired, & to make report.

Upon reading the petition of Lassey Cock to the Lt. Go' & Council, about some money due to him, Itt was recomended to y' assembly for y' allowance.

Upon reading the petition of Charles Sanders & other merts, about prohibiting skins to be caried out of this into any other province, as also y' franckford petition about Hoggs; Both wer recomended to the assembly.

Upon reading the memorial of M' Duncan Campbell, attornie for Coll. Andrew Hamilton, about y' Sallary of 20li due to him for support of the post, for y' year 1698, The same was by y' Lt. Go' & Council sent to the house of representatives, to be by ym allowed as a debt due by the governm'.

Adjourned to 17th instant.

17th May, 1699.
At a Council Held att Philadelphia die Mercury, 17th May, 1699.

PRESENT:
WM. MARKHAM, esq', et ysdem ut antea, except phineas pemberton.
PROVINCIAL COUNCIL.

Wm Clark, Chairman of the grand Committee of Council & Assembly, appointed to consider at supra, made report to the Go' & Council that they had proposed several amendments of some laws & some new ones to be made, which the members of Committee for Council Left to the representatives of Assembly to be drawn up into Laws.

Anthony Morris & James Fox brought some bills from the house of representatives to the Lt. Governor & Council for their assent.

John Swift & Isaac Norris brought some more bills from the sd house to the Lt. Go' & Council for their assent, which with the former, were read, considered & amended, & sent back to the house of representatives, wt y' revive amendments.

Adjourned to the 18th instant.

[18th May, 1699.
Att a Council Held att philadelphia die Jovis, 18th of May, 1699.

PRESENT:

WM. MARKHAM, Esq', Leiut. Governor.
Sam' Carpenter, David Lloyd, Rich' Wilson,
Edward Shippen, Caleb pussey, Wm. Clark,
William Biles, Wm. Rodeney, John Hill.

The Lt. Go' desired Wm. Biles & David Lloyd to acquaint the Assembly that Hee & Council waited for ym; Who returned that they wold forthwith attend him.

The Assembly appearing, M' Speaker presented to y' Go' & Council ten Laws whch had past their house. The Lt. Go' told ym Hee wold cause ym to be read & considered.

After reading of all the sd Bills three times by the secr'ie, They wer by y' Lt. Go' & Council approved of and assented to.

The first entitled, An act concerning elections of representatives in Council & Assembly.

The 2d, The Law for the continuation of an act entitled The Law for the speedie Collecting the arrearages of the assessment Laid in the year 1696.

The 3d, An act for raising the rate of one penny p. £, & six Sh'lls p. head, &c for the support of y' govern' & the paym' of the debts & defraying the necessarie charges yrof.

The 4th, The Law for regulating bread, flower, & tobacco casks to a certain guage, the better to enforce a Law made in the year 1693, entitled The Law about casks & packing meat for transportaion.

The 5th, The Law ag' pirats and privateers.

The 6th, The Law for Impowering the Justices in each Countie to
Lay out & Confirm all roads except the king's high-ways & publick roads.

The 7th, The Law for regulating ordinaries.
The 8th, The Law for appointing an officer to rectifie & stamp all money weights.
The 9th, The Law to prevent the Running of Stone Horses at Large.
The 10th, The Law about attachments & Sumons.
All which wer by the Lt. Governo' and Council approved of.

Then ye Lt. Governo' desired John Hill & Wm. Rodeney to acquaint the Assembly that Hee and Council waited for ye. The Assemblie appearing,

The Go' desired the Secrie to read over all the sd ten bills, wch hee did; and then underwrote each bill in these words, viz: The 18th day of May, 1699. This bill being three times read, was assented to by the Lt. Go' & Council, and then the Go' past ye all One after another, by affixing yrt to his hand, & Seal of ye province.

Then the Lt. Go' ask't both Council & Assembly whether they had prepared anie other bills for his assent, or whether they had anie other bussines for this time, who answered No. Then the Lt. Go' said: Gentl, I do dissolve you, & you are hereby dissolved.

The end of the Sixth sessions of Council & Assembly.

[1st January, 1699-700.
Att a Council Held att Philadelphia die Lunæ, 1st January, 1699-1700.

PRESENT:
WM. PENN, pror & Governo', et ysdem ut antea, except Wm. Biles.

The pror & Go' Having proposed to ye Council the necessitie of calling a genrll Assembly, qrin to take further measures for preventing & suppressing piracie & illegal trade; And after some debate yron, Hee desired ye to consider of it, & to be readie next Council to give him ye best advice yrin.

The pror & Go' also proposed that there might be a certain day in ye weeke fixed to hold Council on.

Resolved ye'y Council meet on ye 4th day of each week, 10 A. M. & oftener if occasion be.

Adjourned to 3d instant.
PROVINCIAL COUNCIL.

3rd January, 1699-700.


PRESENT:
WM. PENN, pror. and Governo'.
Sam'l Carpenter, David Lloyd, Wm. Clarke.
Edward Shippen,

The pror. & Go' acquainted the Council y' hee had re'd. from Rt. Turner, G' Jones, Fr. Rawle & Jos. Wilcox, a pap. directed to Wm. Markham, Late Lt. Go', qrin they complained to him y' by y' Late frame of govm't they had been deprived of the benefit of y' old Chart- ter, Wheron it was thought convenient y' they, in Name of ymyselves & others, might be heard befor y' board.

Ordered y' y's Mess' acquaint sd psons, in name of ymyselves & others, to appear befor y' Go' & Council y' 4th instant, Hora10, A. M.

Adjournd to 4th instant.

4th January, 1699-700.

Att a Council Held att philadelphia die Jovis, 4th January, 1699-700.

PRESENT:
WM. PENN, pror. & Go', et ysdem ut antea.

Accordingly y' sd 4 psons appearing, & after a Long conference with ym, The pror. & Go' desired y' by to-morrow morning they wold deliver to him in writting, such expedients y' might be an acco- modation between y' old charter & the Late frame.

Adjournd to 5th instant.

5th January, 1699-700.

Att a Council held att philadelphia die Veneris, 5th January, 1699-700.

PRESENT:
WM. PENN, pro' & Go'. et ysdem ut antea.

The sd 4 psons again appearing, To whom y' pror. & Go' having resumed y' substance of what had yesterday past, & having advised y' members of Council & ym to peace & modernon, Hee admitted ym to a friendlie conference.

Then y' sd 4 psons desired y' sd paper wch. they had formerlie pre- sented to y' Late Lt. Go' as y' grievance, & to y' pror. & Go' since
his arrival, wherein was Contained y\(^{e}\) substance of y\(^{e}\) objections ag\(^{t}\) y\(^{e}\) late frame, might be read, which was done by y\(^{e}\) secrie; as also a copie of a Lett\(^{e}\) from R\(^{t}\) turner, Gri. Jones, Fr. Rawle & Ar. Cook, of 9\(^{th}\) 2\(^{d}\) mo. 1697, to y\(^{e}\) pror. & Go\(^{\circ}\); which was also done. The sd 4 psongs also delivered to y\(^{e}\) pror. & Go\(^{\circ}\) a pap. of 5\(^{th}\) instant, in ans\(^{t}\) to his yesterday's proposal, desiring it might be read; wch was done. The substance qrof was, That psuant to y\(^{e}\) pror. & Go\(^{\circ}\) proposal yesterday, they were humbly of opinion, y\(^{i}\) if hee wold be pleased to cause be elected on 10\(^{th}\) March next, such members for representa- tives for Council & Assemby, as is prescribed by the Chart\(^{e}\) hee formerlie granted ym, who might Conveen accordinglie, & together wt himself, Settle y\(^{e}\) governt in such manner as to him & ym (or att Lest to 6 pts in Seven) should seem expedient, y\(^{i}\) such settlement will be most satisfactorie to the well effectted, who, they reasonablie hope, will, wt ymselfes, peaceablie & joyfullie acquiesce yrin, & wch is Humble offered to y\(^{e}\) Gor\(^{\circ}\)'s prudent consideraon.

After much debate yrupon, The Go\(^{\circ}\) caused the Secrie read a Lett\(^{e}\) from y\(^{e}\) Lords Justices, Viz : Tho\(^{c}\) Cantmars: pembroke: p: Lonsdale, p: Devonshire, Bridgewater, Marlborough, Montague, directed to y\(^{e}\) pror. & Go\(^{\circ}\) of y\(^{e}\) province of pennsilvania, dated 25\(^{th}\) July, 1699. The substance qrof was particularlie to require him to be vere Carefull in Causing the acts of trade & navigaon to be dule put in execucon wtin his matjes dominions undr his govrnmt, & that in order yrto, Hee faill not to give Constant protection & all due encouragm, not onlie to the officers of his Matjes Customs, but to those also of y\(^{e}\) Admi- ralties, wch his Matj. has thought fitt to be there erected in the dis- charge & execucon of yr revive duties, as hee will ans\(^{t}\) the Contrary. Then y\(^{e}\) pro\(^{\circ}\) & Go\(^{\circ}\) said, that hee hop'd they are now all sensible of the emergencie & necessitie hee was undr of calling an Assembly forthwith, qrby hee might the better complie wt the Lo's justices comands, & with the promises & assurances hee had given ym att his Last parting w' ym, to use his outmost endeavour to maintain & support the king & Crown of England's just interests, & to give true protection & encouragm to all his officers, & to discourage piracie & ilegal trade. The sd 4 psongs declared ymselves satisfied with the emergencie & necessitie of calling an assemble forthwith, to the ends aforesaid; but as to y\(^{e}\) mannor, whether by writ or otherwise, they Left that to the prudence & discretion of the Go\(^{\circ}\) and Council.

Adjourned to y\(^{e}\) 8\(^{th}\) instant.

---

8\(^{th}\) January, 1699-700.

Att a Council Held att Philadelphia die Lunæ, 8\(^{th}\) January, 1699-700.

PRESENT:

WM. PENN, pro\(^{\circ}\) & Go\(^{\circ}\), et yisdem ut antea.

pursuant a minute of Council of 1\(^{st}\) instant, y\(^{e}\) pror & Go\(^{\circ}\) desired
PROVINCIAL COUNCIL.

the Council to give him yr opinion about calling an Assemble for yr ends in yr sd minute menoned: Itt was Resolved, That yr gn" ass. meet att philad. 25th instant, & yr a writ be issued directed to the sheriff of Newcastle Contie, to choose representatives: 2 for Council & for ass. who, yr tenth March Last, omitted to make an election; And yr yr secr'y give notice hereof by an express, to yr Sheriffs of yr other 5 Conties, to acquaint yr representatives to appear accord- ingly; Saving to yr pro & Go of yr same power hee had before yr enacting of yr Late frame of governm'.

Adjourned to 24th instant.


Att a Council Held att philadelphia die Mercury, 24th Januarie, 1699–700.

PRESENT:

WILLIAM PENN, pror. & Governo'.

Sam" Carpenter, David Lloyd, Wm. Clarke.

Edward Shippen, Caleb pussey,

The Mess' of the Council acquainted ym that Coll. Quarry desired admittance; wch being granted, Hee desired Anthony Morris might be called befor hee spoke, wch was done. Hee appearing, Coll. Quarry said, That in the pror. & Gor's absence, many abuses had been Comitted, (qrof hee was, in duty obliged to Complain home, but was glad to see him since his arrival discountenance yr same, and provide better agt yr like for the future,) & yr goods that had been imported Contrarie to yr Laws of trade, had been seized by the king's Collectors, & put in his maje's store, and yr before trial, Anthonie Morris signed a writ of replevin, qrby the sd goods wer for- cible taken out of the sd store, & out of the power of the Court of Admiraltie, & what came of ym the sd Anthonie best knew. That this his action, was no Less then to Question whether his Matie or yr sd Anthonie has most power. The act of parliam' is for us, & hee cannot pretend ignorance, having been so Long a Justice yr hee became verie insolent, & by this his action, hee has affronted yr' king, (what in him Lay,) & has broken his Laws & invaded his privileges & Courts, And yrfor, desired the pror. & Go' wold order yr' sd Anthonie to restore yr' said goods into yr' power of the Admiraltie again, & yr' securitie had been taken by yr' sheriff for yr' value of yr' sd goods, according to apprais'm, & yr' the Security refuses to pay yr' monie, (& yr' Sheriff yr' took yr' bond is now Laid aside,) & yr' it is unreasonable yr' yr' king should be putt to yr' trouble & charge of a sute to recover the appraised value of yr' sd goods, (wch sd An- thonie had illegallie taken away out of yr' king's store.) Therfore, desired his Hono' & Council, to think of a method of prosecuting sd Anthonie for yr' sd violaons, & to make good yr' sd apprised value of yr' sd goods to yr' king.

466
The sd Anthonie made ans*, that his signing the sd replevin was an act of ignorance, & not of malice ag^t y^s king, his Laws & officers, y^s hee was persuaded to it by advice to ym y^t knew y^s Laws, & yr for hop'd y^t wold excuse him, who had no benefit by nor interest in y^s goods nor yr owner; & as for y^s apprised value, Hee knew nothing of it, but believed y^s securities wer responsible, & y^t it Look't verie hard y^t any Justice should suffer for an error in Judgment; & further added, that if it were to do again hee wold not do it.

Then the Go' told Coll. Quarry y^t care should be taken to secure y^s apprised value of sd goods to y^s king & his officers, wt either trouble or charge, & if hee was not satisfied wt Anthony Morris's being out of Comission of the peace, & wt his psent submission, Hee might propose in writting what other satisfaction hee expected, and it should be considered of. To wch Coll. Quarry made ans', y^t hee had no psonal animositie ag'M' Morris, & y^t for his pt hee was well satisfied wt y^s pror. & Gor's promise, & M' Morris' submission.

Adjourned to 14^th February, 1699-700.

14^th February, 1699-700.

Att a Council Held att philadelphia die Mercury, 14^th Febry, 1699-700.

PRESENT:

WM. PENN, pror. and Governo'.

Sam'' Carpenter, David Lloyd, Wm. Clarke.

Edw'd Shippen,

Upon Complaint of y^s poor ag' y^s bakers of bread for sale not being of the Law'' & due assize, Justinian Fox, Jn'' Sawtell, Arthur Holton, Wm. Royal, Geo. Abbitt, Marie Merryweather, Tho. Hall & Hugh Derburrow, being sumoned appeared, to whom the Go' notified y^s sd Complaint; Who generallie ansred, y^t thro' it was hard for ym to Live by itt, wheat being now 5t 6d. p. bush., & y^t they having but smal stocks wer outt-bid by the eminent merts & bolters; yet hoped y^t bread was of y^s due assize.

The pror. & Go' advised ym to be confromable to y^s Laws in that behalfe made, & said hee wold appoint a Clark of y^s market to y^t end.

The pror. proposed Wm. Southbee Clark of y^s market; y^s Council approved itt.

Randal Spikeman, Arthur Starr & Jn'' Heath, tobacco cutters in philad. upon notice given ym, appeared, whom y^s pror. & Go' acquainted of a Law Latelie made to prevent frauds in trade, pticularly tobacco, & desired ym to beware & keep a just acct of y^s quantities of tobacco they sold Cutt, & for whom, both for exportaon & retail, & to give him acct yrof when required, which they promised to do.
PROVINCIAL COUNCIL.

Upon reading ye petition of ye Late ass. to ye pror. & go', to appoint a treasurer in room of Ja. fox, deced, The pror. & Gor did appoint Sam'l Carpenter to be treasurer for ye province & territories, Hee giving securitie to execute it.

Adjourned to 15th instant.

[15th February, 1699-700.

Att a Council Held att philadelphia die Jovis, 15th Febry, 1699-700.

PRESENT:

WM. PENN, pror. & Go', et ysdem ut antea.

Upon reading ye petition of Wm. Houston to ye Go' & Council, setting forth, That Edw Gibbs, Late Sheriff of Newcastle Countie, having arrested one Tho. Collins, att ye Complainants sute, did take bond for said Collins' appearance & abiding ye Judgment of Court, ye Collins did not appear, quon sd Houston got Judgm ag' him, & by ord' of Court, had ye bail bond assigned by ye Sheriff, wch sd Houston putt in suit agt Georg Lamb, one of Collins' bail, who att Court pleading the rasures & interlineaons of sd bond, It was adjudged void in its self; upon wch ye pror. sued sd sheriff & was cast, & appealed to ye provincial Court, where he was also cast; That ye pror. repre- sented ye premises to ye Lt. Go' & Council ye 16th May, 1699, who gave ye opinion ye ye pror. might sue ye bail again upon ye sd bond, ye same not being Legallie vacated by ye sd Judgm'; That ye pror. in August last putt ye bail bond in execuon & suit ag' sd Lamb, who having pleaded ye former acion in barr, the Court gave Judgm ag' ye pror., viz': ye ye said action discontinue, wheron ye sd per. craved an appeal, wch ye Court refused to grant & wold no further hear him. As also, setting forth ye forasmuch as it appears not by ye record whether ye rasures wer before or after ye sealing & deliverie of ye bond, nor whether it was razed or interlined in anie essential part, neither was ye rasure tried by a Jurie, as ye pror. is advised it ought to have been; & in as much as ye same justices that allowed ye assign of ye bail bond, did vacat the same, & afterwards discontinued the petrs. action & refused him an appeal, qrby hee is Left remedie Less; And yrfor, requesting such relief in ye premises as to justice and equitie shall appertain.

Which petition & paps. relating yrto having been read and Considered by ye Go' & Council, who yrfor finding ye pror. per. to be left remedieless by ye Courts not granting him an appeal, & Like to be defeated of his just debt,

Itt was yrfor resolved ye ye pror. may de novo, enter his acion upon ye bail bond ag' ye sd Geo. Lamb, & ye other psions yrin bound, & ye the validitie or invalidity of sd bond, as to ye rasures & interlineaons, be tried by a jury att ye Countie Court of Newcastle.
The pror. & Go' proposed to y' Council y' hee intended to Issue his writts for calling next Council & Ass. in a charteral way as to the numbers, viz: 3 out of each Countie for Council & six for Ass., & desired yr advice yrin; After debate yron, the further consideraon yrof was deferred to next day.

Adjourned to 16th instant.

[16th February, 1699-700.
Att a Council Held att philadelphia die Veneris, 16th February, 1699-700.

PRESENT:
WM. PENN, pror. & Go', et ysdem ut antea.

The pror. & Go' did again propose y' former intentions, & it was y' Council's advice y' Hee Issue his wtts to call y' Council & Ass. Charterallie, both as to time & numbers of representatives, in ord' to prepare & propose Laws, as hath been formerlie accustomed.

Adjourned to 6th March next.

[6th March, 1699-700.
Att a Council Held att philadelphia die Mercury, 6th March, 1699-700.

PRESENT:
WILLIAM PENN, prop' and Governo'.

Sam' Carpenter, David Lloyd, Caleb pussey.
Edw' Shippen,

The pror. & Go' read to y' Council Secrie Vernon's Lett' about sending Home y' pirats, as also y' Earle of Bellemont's enlarging yron ; after several debates about y' time & manner of sending home dr. Brandingham & David Evans, prisoners here, Itt was y' opinion of y' board y' y' Governo' write to y' E. of Bellamont again about ym, & to his deputie Nanfan, att N. York, qther they will send for ym & yr treasure with a guard, or qther they must be transport-ed from this place to Newyorke.

[5th April, 1700.
Att a Council Held att philad. die Veneris, 5th April, 1700.
PROVINCIAL COUNCIL.

549

PRESENT:

WM. PENN, pror. & Governo'.
Joseph Growdon, Griffith Owen, Jn* Donaldson,
Wm. Biles, David Lloyd, Jasper Yeates,
Rich* Hough, Caleb pussey, Sam* Preston,
Sam* Carpenter, Jn* Simcoke, John Hill,

Upon reading the petition of Henry Hayward, ag* Anthonie Morris
& Sam* Richardson, Justices of y* peace for philad. Countie, Hee
was ordered to attend att 4 p. m., & ordered y* mess to acquaint y*
Justices yn to attend also.

Upon Reading y* petition of Susanna Harwood, widdow, setting
forth y* her husband Wm. dying intestate, Left behind him 3 smal
children, qch shee is in no capacitie to bring up but by a retail shop,
whr requirs a greater stock than shee has to support it, unless a
Lott in 2d street in philad., with a small house yron unfinished, may
be by her sold, to raise monie to pay her husband's debts, Carry on
her trade, to maintain & support her children & familie; & yrfor
Requesting ym to allow & permit her to sell y* sd house for y* ends
aforesaid. The Go* & Council do grant y* wthin petition, upon securitie
to be given by y* per. y* y* sd children shall have y* proporion of y*
father's estate forthcoming to ym after his debts are paid. Sam* Carpen
ter offered to be her securitie, who is her securitie in y* office
for her administring on her deceased Husband's estate.

Adjourned to 3 post merid.

Att wch time y* sd petition of Henry Hayward being again read, and
y* record of his misbehav vero & Comittm* having been produced by y*
Clark of y* Countie Court, Hee denied y* sd record, & undertook to
produce his witnettes y' hee had not offended in mann' yrin con-
tained; & y* next Wednesday was assigned him for his & y* Justi-
ces, & His witnettes attendance.

[12th Aprill, 1700.
Att a Council Held att philad. die Veneris, 12th Aprill, 1700.

PRESENT:

WM. PENN, pror. & Go*, et ysdem, except Jasper Yeates.

The pror. & Go* acquainted y* Council y' hee had Late intellig-
ence y' Wm. Ort, Geo. Thompson, peter Lewis, Henry Stretcher &
Diggerie Tenny, inhabitants of y* town of Lewis, in Sussex Countie,
had gone on board Capt. kidd, y* privateer, (who in July last Lay
some days before Cape Henlopen,) and had Corresponded w' him,
& received from him & his crew some muslains, Calicoes, monia
& other goods wch wer East India, & prohibited goods, & y' they had brought ym on shore, hid, sold & given away most of ym, wtout acquainting y' govrnmt or y' king's Coll' of y' port of Lewis w' y' same, wch hee Look't upon to be, if not piracie, att Lest Confederating w' ym, & accessaries & promoters of illegal trade, & yrfor desiring y' Councill's advice yrin.

It was the opinion of the Go' & Council, That Lawman, Collector of port Lewis, should be attested as solemnlye as if hee took an oath, to declare the truth as far as hee knows in y' matter, & y' yrafter y' sd psns should be examined one by one, Concerning y' sd Crime; wch was done, & y' examinaons are on file.

Upon reading y' petion of Luke Manlov, setting forth that att kent Countie Court 12th March Last, hee was psented for feloniouslie taking a Heiffer in March, 1696, & was Comitted & tried wtout his evidence, & denied imparlance to y' next Court, & Cast as a fellon, & y' hee honestly pchased sd Heiffer, & is now furnished wt evidence to prove y' same. And therefore, Requesting an ord' to y' Sheriff of sd Countie to forbear execuon of any Judgmt in y' casse, & to grant him a rehearing att next Court for sd Countie.

Ordered y' y' per. have a rehearing yrof next Quart' ss. for sd Countie, & y' Wm. Wilson, sheriff yrof, desist from executing any writ or warrant of execuon issued, or to be issued out ag . y' per on sd Judgmt, att his perrill, & y' y' per. intimate this ord' to him.

Adjourned to 13th instant.

[13th April, 1700.
Att a Council Held att philad. die Sabathi, 13th April, 1700.

PRESENT:
WM. PENN, pror. & Go', et ysdem ut anteac.

The pror. & Go' desired the Council to advise him what was fitt to be done w' sd Wm. Orr & others, in ord' to y' trial & punishm'. It was y' unanimous opinion of y' Council y' they be committed & delivcred up into y' hands of the Court of Admiraltie, in ord' to y' trial, & y' Jn° Moore, deputie to Coll. Quarry, Judge yrof, be sent for & acquainted yrwith, & y' his advise be taken yrin. Upon notice given him Hee appeared, & y' pror. & Go' acquainted him y' hee had send 150 miles for sd psns, y' they wer come att y' province charge, & had been examined before him & Council & Comitted Close prisoners, & y' itt was y' opinion y' hee, as Coll. Quarrie's deputie, be acquainted & consulted about the manner of y' trial. The sd Jn° Moore made ans' y' hee was but deputie, & y' thing new to him, but assured ym y' Coll. Quarrie wold be in town in a few days, & yn they wold take measures for y' trial, & y' it was not fitt to be precipitant yrin. To wch y' Go' & Council acquiesced.

Adjourned to 15th instant.
[15th April, 1700.
Att a Council held att philad. die Lunæ, 15th April, 1700.

PRESENT:

WM. PENN, pror. & Go'.
Edward Shippen, John Donaldson, Sam" Preston,
David Loyd, John Hill,

The pror. & Go' acquainted y' Council y' by warrett hee had Com-
manded the sherif' of kent Countie to bring hither one James Brown
who came home wt Capt. Averie to providence, who brought him up,
& was examined befor ym 13th instant, & was now prisoner in this
Countie goal, & desired to be advised by y' Council whether to take
bail for his appearance, or to send him hence to England by y' first
opportunity, or to send him to Boston in New England, to y' Earle of
Bellomont, in obedience. Itt was y' Council's opinion y' hee be sent
to Boston, to y' Earle of Bellomont.

[25th June, 1700.
Att a Council Held att philad. die Martis, 25th June, 1700.

PRESENT:

WILLIAM PENN, Proprietor and Governour.

The pror. & Go' sent y' mess' of the Council to Call Edward Ship-
pen, Sam' Carpenter, Jn' Moll, Robt. turner, Gr. Owen, Wm. Clark,
Caleb pussey & Joseph Growdon, to attend him att his house. Ac-
cordinglie Ed Shippen, Sam' Carpenter, Jn' Moll, Wm. Clark & Caleb
pussey appeared. 'The pror. & Governo' acquainted ym y' since the
Charter was delivered up again to him, it was not fitt hee should be
wtout a Council, y' y'for hee had made choice of ym to be some of his
Council, & yrfor desired y' secrerie to read y' Qualification prepared for
ym to sign; wch hee did, & y' sd psions signed y' same & took place
att y' board; also, Rob' turner appeared & was also qualified.

Adjourned to 26th instant.

[26th June, 1700.
Att a Council Held att philad. die Mercury, 26th instant.

PRESENT:

WM. PENN, pror. & Governo'.
Edward Shippen, Wm. Clark, R. Turner.
Sam' Carpenter, Jn' Moll,

Griffith Owen appearing, signed y' qualificacion aforisd & took his
place.
The pror. & Go' delivered to y* secrrie a Comission under y* great seal of the province, appointing one Thomas Storie keeper of the great Seal & M' of the Rolls, to be read; wch being done, y* pror. & Go' delivered him y* sd seal & admitted him a member of Council, who signed y* sd qualificacon, & took place.

Resolved y' y* Council meet everie 4th day of y* week, y* att Govr's house, att 9 in y* morning, & oftener, as hee should give ym notice. Adjourned to 1st July, 1700.

[1st July, 1700.
Att a Council Held att philad. die Lunæ, 1st July, 1700.

PRESENT:

WM. PENN, pro' and Governo'  
Edw* Shippen,              Wm. Clark,              Thomas Storie.  
Rt. Turner,                John Moll,

Upon reading the petition of Sarah Gibbs, widdow, setting forth y' Her Husband Latele dyed, Leaving her much in debt, & the charge of a sucking child, & having nothing wherwt to pay y* sd debts but y* shell of a smal house, unfinisht, & a Lott valued att 50£, and yrfor, requesting y* Go' & Council to allow, permitt, & authorize her to make sale yrof, towards y* defraying of sd debts, educacon of sd infant & her support, according to the Laws and Customs of sd province. Wheron Rt. turner signified y' y* sd allegaons wer true, y* circumstances yrof being to him well known.

It was yrfor Ordered y' sd Sarah Gibbs be pmitted, allowed & authorized, & is hereby by y* Go' & Council pmitted, allowed & authorized, to make sale & conveyance to anie pson qtoover, of y* sd house & Lott, wt its improvements and appenances, & to ym & y* Heirs & assigns for ever, towards y* defraying of her just debts, y* educacon & maintenance of sd infant & her owne support, according to y* Laws & Customs of sd province, to Hold to y* sd pchasers yrof & y* heirs & assigns, & to y' use & behoofe, in fee simple & estate of inheritance forever. Itt was unanimouslie agreed & assented to by y* Go' & Council, that——— be appointed & is hereby authorized & impowered to go round y* town with a small Bell in the night time, to give notice of y* time of the night & the weather, & if anie disorders or danger happen by fire or otherwise in the night time, to acquaint the Constables yrof.

Ordered y' y* Secrie give notice to Benj Chambres &——— powell, keepers of y* ferries over Skuillkill, y' they do not, after day Light is shutt in, transport anie psons y' if not well known to ym, or y' cannot give a good acct of ymselves.

It was by y* pror. & Go' proposed to the Council to consider how y* law about prisons being workhouses should be effectuallie put in execucon.
PROVINCIAL COUNCIL. 553

Upon reading the memorial of Wm. Southbe, Clark of y* market, to Go' & Council; about rules to be made for regulating y* market of philadelphia & bread assize,

Ordered y* sd Wm. Southbe in y* meantime discourse y* bakers about y* assize of bread, & y* hee, w* some of ym, attend this board y* 3d instant.

Adjourned to 3d instant.

[3d July, 1790.
Att a Council Held att philadelphia die Mercury, 3d instant.

PRESENT:
WILLIAM PENN, pror. and Governo'.
Edw* Shippen, Robt. Turner, Wm. Clark,
Sam* Carpenter, John Moll, Tho. Story.

Wm. Southbee & some of y* bakers appeared wt y* bread, wch being weighed was found too Light. In excuse they affirmed y* if they came up to y* assize they could not Live by it, wch was y* general opinion of the Council; And y* for, it was ordered by y* Go' & Council y* each baker should bake but 3 sorts of bread, viz: white, wheaten & household, & no more, & yt the Loaves should be a pennie Loaf or roll, a 5d Loaf or a 10d Loaf, & no other; & if anie of these should exceed the assize in finnes or weight, It should be equallie seizable as if it wer und' the finnes or weight, & y* each Baker of soft bread be allowed 6d on y* bushell above y* assize, i. e: when wheat is at 5* p. bush. they shall make y* bread as if it wer at 5S 6d, & wheat being now 5S. p. bush. y* sd white's bread shall weigh siz oz; the wheaten 10. oz, & y* household 13 oz & ½, & so proporonable.

Adjourned to 5 post meridiem.

Att wch time, Joseph Growdon appearing, subt. y* qualifcaon and took his place.

The pror. & Go' caused the secris to read y* orders, Rules & Regulaon y* wer made for y* market att philad. y* 1st 8br, 1693, wch was done; & after some alteraon in y* sixt article, they ratified y* same & ordered y* secris to ingross ym in these minutes, & to give Copie yrof to the Clark of the market, by him to be executed wt as much discretion as hee could, and y* sd regulaon stands fair on y* said minutes y* sd 1st 8br, 1693, to wch refferr consisting of 9 arti-
cles, qrof y* sixt is That no Hucksters (or psns y* sell again) shall buy or cheapen anie of the aforementioned provisions untl y* second ringing of y* Bell, upon forfeiture of y* same & 6d ½ to y* poor, & ½ to y* Clark of y* markett.
MINUTES OF THE

Upon reading the petition of Catherin Vandeveer ag' Cornelius Em- pson, Ordered y' y* secrie by Lett', acquaintance sd Cornelius therwith, & that Hee send him Copie of sd petition, and y' hee appear before y* Gor & Council the 17th instant, to make answer to y* same.

Adjourned to 10th instant.

10th July, 1700.

Att a Council held att philad. die Mercury, 10th July, 1700.

PRESENT:

WM. PENN, pror. & Governo*.

Upon reading the petition of James Streater, setting forth that in 1686 hee sent hither a man & his wife bound to him for 4 years, y' y* woman died at sea, & y* man soon after hee came hither, y' wt ym hee sent a boy bound to him for 3 years, & about 40£ st in goods, to take up his Land; y' y* sd servant man made a will & gave y* pers. servant boy, Edw* James, his time & all y* sd goods, & y' y* boy concealing y' hee was servant to anie other than y* pers. man, Jn* Honnet, The Court bound out y* sd boy to Jn* Redman, Bricklayer, for 4 years, who choose him for his guardian, who administered on y* sd pers. goods, apprized at 38£. 4s. & 7d, & some of ym at an under value. That y* per. wrote to Wm. Clayton about it, who told sd Redman y' y* sd goods & boy wer y* pers. & y' sd Redman had y* pers. writings in his hands, wch hee latelie hath delivered to him, & y' sd Redman & James have y* sd goods between ym, or y* value of ym, & y' said Redman hath said hee will never pay y* per, ptnding hee hath paid y* sd James, who says hee has received but 9£, & y' sd Redman sold y* sd James to one Freeman for 20l, & paid himself wt 20li of his goods, and yrfor desiring Justice. The per. produced Indres. for said John & Martha Honnets, undr y* hands & Sealls, as also the nuncupative will of y* sd Jn*. as it stands recorded in y* office of probate of wills, &c. & an obliagion undr y* hands & sealls of Jn* Redman & Wm. Freeman, his suretie, to admr the estate of sd Jn*, &

an Invrie.

Ordered y' Sam Carpenter speak to sd Redman about the said petition, & to know of him whether hee will Leave it to y* decision of men.

The iniquiniencie of the goales standing where it now does, and y* removal yrof to y* place purchased for y* same in 3d street, being moved to y* Gor & Council, After some debate yrupon, The Gor & Council appointed Edw* Shippen & Wm. Clark to go to y* inhabitants adjacent to y* prison, & to see what they & others will advance beforehand (to be deducted out of the next County tax to be Laid for building a Court house) towards removing y* sd goal & Brick wall.

Adjourned to 17th instant.
[17th July, 1700.
Att a Council Held att philad. die Mercury, 17th instant.

PRESENT:

WM. PENN, pror. & Governo'.
Edwrd Shippen, Jn' Moll, Tho. Story,
Sam' Carpenter, Robt. Turner, Gr. Owen.
Wm. Clark,

Sam' Carpenter Reported y' hee had discoursed sd Redman about Ja. Streeter's complt ag' him & Edw' James, who told him y' hee was ready to justifie himself before y' Go' & Council.

Upon reading again y' petion of Catherine Vanderveer ag' Cornelius Empson, who, according to an order of this board y' 3d instant, appeared, and after a full hearing & inspection of all y' old & new pats, & all witnesses on either side, both viva voce & affidavitts, & of all their draughts to y'm produced, The plies att Last wer willing to stand to & be Concluded by y' report of 2 able surveyors, that should be appointed by y' Go' & Council to view y' sd Lands, lines & bounds, att y' charge. The Gor promised to appoint 2 such surveyors.

Adjd to 24th instant.

---

[24th July, 1700.
Att a Council held att philad. die Mercury, 24th instant.

PRESENT:

WM. PENN, pror. & Go', et ysdem ut antea.

Jn' Redman & Ja Streeter, according to appointmt of last Coun-
cill, appeared, & sd Jn' being fullie heard in his owne justificaon, to y' satisfacon of sd James & Go' & Council, yet sd Jn' being sensible of y' Loss sustained by y' sd Streeter, offered in y' spring to pay him 5li, in Consideraon of y' advance y' might have been made on y' sale of y' sd goods; And y' Go' & Council Left sd Streeter to his remidie att Law ag' sd Edw' James, who had y' whole & sole benefit of sd Streeter's goods.

Adjourned to 31st instant.

---

[31st July, 1700.
Att a Council Held att philad. die Mercury, 31st instant.

PRESENT:

WM. PENN, pror. & Governour.
Sam' Carpenter, William Clarke, John Moll.
Edw' Shippen,
Upon reading the petition of Eliz Sanders, y* widow & admrix of Jn* Sanders, deceased, setting forth that qras hee by his last will & testament of 21 7br, 1699, after paymt of his debts & funerals, bequeathed y* rest of his real and psonal estate to sd Eliz during her widowhood, but if shee should again marry, yn y* one half yrof be putt into y* hands of Edwd Shippen & Nathan Stanbury, exers yrof, to be put to interest, & to be equallie divided between his children att y* age of 21 years; And also setting forth, y* qras y* sd exers having renounced y* sd office of exership, shee administered on his estate Cum testando annexo, & exhibited inventarie yrof, amounting in the whole, both real & psonal estate, to 519li 19s 6d; as also setting forth, y* qras y* sd Jn* att his decease owed 174li, wch when paid yr will be remaining in her hands onlie 85li. 19s 6d, pf y* s* psonal estate; And also setting forth, that by y* Laws of this govern't about Testates & Intestate's estates & y* sale of y* Land by y* widow or admr, Itt is provided y* after all debts are paid, the residue, if anie be, of ye testator's psonal estate, shall be by y* exers divided according to their last wills; And also setting forth, y* by y* sd will it evidentlie appears that the Testator's design & intent was y* y* one half of his sd clear estate, viz: both real & psonal, should be putt to interest, & be equallie divided between his sd children, att y* age of 21, wch can not be done unles y* sd real estate, or some part y*of, be sold; And also setting forth, that qras y* sd psonal estate is not sufficient both to pay y* sd debts & to keep in repair y* dwelling house & fences, & y* plantation & house yron, & to bring up, educate & maintain 3 young children, & to support y* per, & to improve y* sd estate to the best advantage, and y* y* sd Jn* died ptilie testate & ptilie intestate, And yrfor requesting y* Go' & Council to allow, permitt & authorize y* per. to make sale of y* sd real estate towards the defraying of the sd debts, y* educaion & maintaining y* sd 3 children & her owne support, and y* per. is willing y* the one half yrof shall be putt out for sd children's use to interest, according to y* sd will & y* Laws & Customs of this province, & y* shee may be Impowered & authorized to make title to a Bank Lott & house sold by her Husband in his Life time, to the purchasers yrof. And y* sd petitioner having made outt to y* Go' & Council y* allegaons in sd petition mentioned, It was ordered, That shee be permitted, allowed & authorized, & is hereby by y* Go' & Council permitted, allowed & authorized, to make title, sale and Conveyance to y* sd bank Lott & house yron built, wch by her Husband before his death, was sold to , as also of such other her sd Husband's real estate, (to wch hee had right,) wt all y* Improvments & appentances to y* pchers y*of, y* heirs and assigns for ever, towards y* defraying of her just debts, the educaion & maintenance of her sd 3 children, her owne support, and the better Improvmt of y* sd estate to y* sd children's use, according to will, To Hold to y* pchers yrof revivelie and to y* Heirs and assigns, by such estate as y* sd Jn* Sanders held y* same. And itt was ordered that y* sd per. putt outt y* sd One Half of y* sd clear estate, & the half of y* produce of y* sd real estate when sold, to interest, according to y* direction of y* sd will, by y* advice of Edwd Shippen & Nathan Stanbury.
PROVINCIAL COUNCIL.

Upon reading the petition of George Heathcote ag' Thomas Groves, & the records of several Courts, The Go' & Council ordered y* Secrie to prepare a Copie of y* sd petition to be sent to sd Thomas, & an ord'r of this board, directed to y* sheriff of Sussex Countie, to Su-mons y* sd Groves to attend y* Go' & Council y* 25th 7br. next, to make ans' to y* sd petition.

Adjourned to 7th Aug' next.

[7th August, 1700.
Att a Council Held att philad. 7th August, 1700, die Mercury.-

PRESENT:

WM. PENN, proprietor & Governo'.
Edward Shippen, Wm. Clarke, Griffeth Owen,
Robert Turner, Sam. Carpenter, Thomas Storie.

Complaint haveing been made to this board by some of y* mem-brs of Council, that y* Late fireing of gunns from on board some vessells lying before philad. hath not onlie frightned some women & children, but hath also occasioned some of the Senecar Indians y' came hither to treat w' this governmt to depart, as believing y* fire-ing of sd gunns to have been signs of Hostilitie intended ag' ym. It was yrfore ordered y' no vessells Lying before y* town of philad. shall fire anie gunns but att coming in & going outt, as a sign of yr arrival & depurture, & y' James Logan give notice to M' of vessells of this ord'r at their entrice of their vessells in his office. The Go' also, in open Council, Informed y* 3 Senecar Indians y' stayed behind the rest, that itt was the Custom of y* English to fire gunns as a sign of joy & kind entrainment of y' friends coming on board; & was in no manner of ways intended to frighten or disoblige ym; as also informed ym, yt they wer & should be verie wellcome to this gov'm', & in token of amitie & friendship wt ym, y* Go' gave ym a Belt of Wampum, by ym to be shouen to the other Senecar Indians y' went away upon fireing y*sd gunns, Which they kindlie accepted of. The Go' also desired y* members of Council to go on board Capt. Sims' vessell w' y* sd 3 Indians & y' Interpreter, y' they might see y* manner of the English on board y' ves-sells, wch was accordinglie done, to y' great satisfaction.

Adjourned to y* 14th instant.

14th August, 1700.
Att a Council Held att philad. die Mercury, 14 Aug', 1700:
PRESENT:
WM. PENN, pror. and Governo', et ysdem ut antea, & John Moll.

Upon reading your petition of Gilbert Wheeler ag Edw' Antill, The Governo desired your Council on both sides to argue your matter before him & Council, wch was done; & several paps. wer produced & read about your matter in difference. The Gor ordered ym to appear again to-morrow morning, in order to a furth' examina'on & Hearing the same.

Adjourned to 15th instant.

[15th August, 1700.
Att a Council Held att philadelphia die Jovis, 15th instant.

SENT:
WM. PENN, pror. & Go', et ysdem ut antea.


Upon reading the petition of Henry Elireth ag Griffith Jones, The same was referred to your Comrs of inquirie into titles of Lands & Lotts.

Upon reading the petition of Elizabeth Robinson, widdow, ag your sheriff of Newcastle & Jasper Yeates, the same was deferred to your 28th instant, being a case unsidended in this province.

Itt was this day ordered by the Go' & Council, your the king's Highway or publick road, & the bridges yrin from your town of Philadelphia to the falls of Delaware yr now are, be w' all expedion sufficientlie cut & cleared from all timber, trees & stumps of trees, Loggs, & from all other nuisances whatsoever yr' Ly cross yr' sd way, & yr' yr' same, with all passages in & out of all creeks & Branches, may be made passable, Comodious, safe and easie for man, horse, cart, waggon or team, by yr' rexive overseers of the highways & Bridges wtin the rexive precincts, townships & Counties of philadelphia & Bucks, according to Law. And yr' yr' respective Courts of Justice & Justices of your peace in yr' sd Counties, Cause yr' same be dulie performed, & the Laws in those Cases made & provided to be strictlie putt in execucon, und' yr' rexive penalties yrin contained, & yr' yr' secr-ie take care to send a Copie of this ord' to yr' Counties of philadelphia & Bucks respectively.

Adjourned to 11th 7br., 1700.
PROVINCIAL COUNCIL

11th Septemb', 1700.
Att a Council Held att philad. die Merc, 11th 7br., 1700.

PRESENT:
WM. PENN, pror. & Governo'.
Sam'l Carpenter, Griffith Owen, Tho. Story.
Edward Shippen, John Moll,

Upon reading ye petition of Joseph Ashton, setting forth That the justices of Philadelphia Countie Having granted a roade Leading to pemapecca mill, & ordered six men of ye nighbourhood to sett itt forth, by the agreemt of 4 of ye six, & ye 4 of ye in ye absence of the other two, did sett itt forth to ye pers. prejudice, & ye itt may be altered without incommoding ye sd road, as in a draught yrof wt ye sd petition to ye Go' & Council exhibited, & ye for Requesting ye Go' & Council wold appoint a road of a reasonable breadth, according to ye sd draught, or to appoint psns to view & sett itt forth according to ye discretion.

Itt was ordered ye the said six psns appointed by ye Countie Court, do all meet together & Lay out ye sd road, both as ye 4 psns have Laid itt outt, & as it is desired by ye per. in his draught, & they return ye sd draughts & courses of both roads, wt ye con & inconveniencies, & ye reasons yrof to ye Go' and Council ye 25th instant.

Upon reading the petition of Henrie Elsfreth, ordered ye Griffith Jones have notice to appear before ye Go' & Council ye 25th instant, with his evidents of his Bank Lotts over ag' ye blue anchor.

Upon reading ye petition of Eliz' Robinson, widow, agt the Sheriff of the Countie of Newcastle & Jasper Yeates, Ordered ye sd Yeates Have notice of sd petition & ye hew appear 25th instant, & ye shee be then heard by her Counsell.

Adjourned to 12th instant.

12th August*, 1700.
Att a Council Held att philad. die Jovis, 12th instant.

PRESENT:
WM. PENN, pror. & Go'. et ysdem ut antea.

Upon full hearing of ye matter in difference between Edw' Antill & Gil. Wheeler, who had referred ye same to ye Go' and Council,
The Go' & Council Ordered sd Antill to pay to sd Wheeler One hundred pounds ye first of May, 1701, & to give securitie for ye paymt of ye same, & that sd Wheeler do forthwith sign to sd Antill & his heirs and assigns, a deed of sale & conveyance for ye mortgaged pmisses in fee simple & estate of inheritance for ever, & ye sd

*September.
Wheeler do live on ye pmisses to ye sd first of May, 1701, on such rent as they shall agree for.

The pror. & Gor. proposed to the Council the necessitie of calling an assembly in ye fall, for revising ye laws securing prop'tie, a frame of govern't & support yrof, & paying ye debts yrof.

Itt was Resolved ye' pror. & Go' do Issue his writs to summon s the freemen in each Countie to meet ye' 1st 8br., to choose 4 persons to serve as ye' representatives in Ass., & to meet at Newcastle ye' 14th day yrof, & ye' yrof sec'ie do forthwith prepare writs for that end.

Adjourned to 10th 8br., 1700.

10th Octob', 1700.

Att a Council Held att philad. die Jovis, 10th Octo', 1700.

SENT:

WM. PENN, pro' & Go', et yadem ut antea.

Henry Elfreth wt Henry flower, his Uncle's exer., wt Griffith Jones, appeared according to an ord' of Council 11th 7br., 1700, and having been fullie heard, ye' finall determinaon yrof was deferred till ye' Go' & Council return from N. Castle.

Adjourned to 11th instant.

11th Octob', 1700.

Att a Council Held att philad. die Veneris, 11th instant.

PRESENT:

WILLIAM PENN, propor. & Governo'.

Sam' Carpenter, Griffith Owen, Thomas Storie,
Edw' Shippen, Caleb pussey, John Moll.

Humphrey Morrie, upon ye' Gor's. call by ye' mess' of the Council, ap. subt ye' Qualificaon of a Councillor & took his place at the board.

--- Smith, father to --- Smith, now in goal upon susp' of a rape Committed on ---, desired his son might be bailed; wherupon the attornie general being heard for ye' king, & David Lloyd for ye' sd Smith, itt was by ye' Gor & Council Ordered ye' hee continuou prisoner till ye' pror. & Gor's return from ye' Ass. att Newcastle, to be held there ye' 14th instant.

Adjourned till ye' Gor's Return from N. Castle.
*There were many Councils further held at the Town of Newcastle, and a great number of Laws past wth the Assembly there, before J. Logan was appointed Clerk of the Council, and therefore he knows not what became of them.

PROVINCIAL COUNCIL.

PROVINCE OF PENNSILVANIA & TERRITORIES, SS.
Minutes of Council in the Assembly, Anno Ri. Rs. Gulielmi tertii Anglie, &c. decimo.

25th January, 1699-700.

PRESENT:
The Honble WILLIAM PENN, absolute proprietor & Governo' in Chief of the province of pensilvania & the Territories yrto belonging.
Sam'n Carpenter, Caleb pussey, Jn' Hill,
Edward Shippen, phin. pemberton, Rich' Halliwell,
David Lloyd, Wm. Rodeney, William Biles,
Wm. Clarke, Pat. Robinson, Secry.

The Sheriff of the Countie of Newcastle his Return of a writ directed to him from yr pror. & Go' for the election of representatives for sd Countie, to assist him in an assembly, to meet this day, was produced, whereby it appeared that ther were elected for Council, Rich' Halliwell & Rob' French, & for Assembly John Healy, Adam peterson, Wm. Guest and Wm. Houston.
Upon reading the petition of Cor. Empson & Jn' Grubb, in behalf of ymselves & others, in number 29, on yr south & north side of Brandywine Creek in sd Countie, setting forth, That notwithstanding yr pror. & Go', wt advice of his Council, had Issued his writ for election of 2 members to serve in Council & 4 in Assemble, in Ordr to repair yr Loss & disadvantage yr sd Countie had brought ymselves under by not electing in March Last, yet the pers. have not had the least notice given ym of any such writt nor time of election, from any known officer, & yr election was made att Newcastle yr 20th instant, by some of the other 100s, & yrfor yr pers. have just cause to say yr such as have been so elected are none of yr representatives, & yrfor requesting relief, by allowing ym a free vote & election of yr' Legislators, &c.
Wessell Alriches, Sheriff of sd County, having been called to ans'

*This paragraph is in the hand writing of J. Logan.
for himself, who appearing, declared y't in his owne person he went to y't Lower pts of y't Countie & sent his deputie to y't upper, & ye both were outt some days in giving notice to ye people, & if there was any Shortness it was to be imputed to his deputie & not to him, who could not be in 2 places at once, & to the shortness of time & severitie of ye weather and danger of travelling.

Therafter the Gor acquainted y't pers that the Sheriff should be punish't for his neglect, & ye nothing was intended to be done this assembly but ye passing of a law agst pirates & unlawfull trade, wch hee hop'd all wold concur in, & ye there was no design to make any other for raising of monie or otherwise, & yrfor, hop'd they would acquiesce in the choice made, & by passing ye sd two Laws ans' the present emergencie, & ye' a minute should be made that it should not be drawn into a president for the future.

Resolved that the accepting of the return of the said writt, and of the persons yin returned to serve, should by no means be drawn into a president for the future, & ye' the sd sheriff be att ye mercy of ye' pror & Gor.

Jnrs Healy, Adam peterson, Wm. Guest & Wm. Houston, returned to serve as representatives in Ass. for sd Countie, appeared befors ye' Go' & Council & wer qualified according to law. Also, Hen Moleston & Wm. Dyre for the Countie of Sussex, who had been absent 10th May last.

The pror & Go' desired ye' secrie to acquaint the house of representatives ye' hee waited for ym. John Blunston, who had been choosen their speaker in May Last, appeared wt all the representatives, To whom ye' pror & Go' said:

"Friends, Had the present emergencie of calling you att such a season of the year concerned me only, I should not have done it till ye usual time, but since it concerns ye' Crown in two verie con-siderable cases, recommended to me by ye' Lo's Justices of England to reinforce & Improve ye' Laws already made ag' piracie & illegal trade, I have yrfor desired to see you att this time to pass two such "Laws, & for no other end; I shall deferr other things to the usual "time of meeting in ye 3d mo. next." And withal, ye' pror & Go' told ym hee wold appoint 5 members of Council to join a Comittee of ass. to prepare ye' bill ag' pirats, & other 5 to join a Comittee of Ass. to prepare ye' bill ag' illegal trade, & desired ye' Ass. to do ye' same.

The pror & Go' appointed Edwd Shippen, David Lloyd, ph. Pemberton, Wm. Rodeney & Caleb pussey, to join a Comittee of Ass. to prepare ye' bill ag' pirats. And Sam'l Carpenter, Wm. Clark, Richd. Halliwell, Wm. Biles & Jnrs Hill, to join a Comittee of ass. to prepare ye' bill ag' illegal trade, & to meet ye' Comittees of Ass. revivelie att 8 in ye' morning, & desired ye' secrie to acquaint ye' ass. yrwith; which hee accordinglie did.

Adjourned to 26th, Hora 10, A. M.
[26th January, 1699-700.
Att a Council Held att philadelphia die Veneris, 26th January, 1699-700.

PRESENT:
WM. PENN, pror. & Go', et ysem decem ut antea.

Wm. Clark, chairman of y' Comitee appointed to prepare y' bill ag' illegal trade, exhibited some amendments, Improvements of & additions to y' former Law ag' illegal trade, y' wer considered by sd Comittee, but requested further time to put ym in form, wch was granted to 27th instant, 10 A. M.

Adjourned to 27th instant, 10 A. M.

---

[27th January, 1699-700.
Att a Council Held att philadelphia die Sabbathi, 27th January, 1699-700.

PRESENT:
WM. PENN, pror & Go', et ysem decem ut antea.

Wm. Clark, Chairman aforesd, exhibited to y' Go' & Council some Amendments & improvts of & additions to y' former Law for preventing illegal trade, & David Lloyd, Chairman of y' Comitee appointed to prepare y' bill ag' pirats, also exhibited to ym some amendments & improvts of & additions to y' former Law ag' pirats; both wch having been debated in Council, some further improvements wer considered of, & it was Left to y' members of each Comittee to prepare a draught of the revive bills Comitted to ym by 29th instant, 10 A. M.

Adjourned to 29th instant.

---

[29th January, 1699-700.
Att a Council Held att philadelphia die Lunæ, 19th January, 1699-700.

PRESENT:
WM. PENN, pror & Go', et ysem decem ut antea.

David Lloyd, Chairman of y' Comitee appointed to prepare y' bill ag' piracie & pirat, exhibited a draught yrof, wch, after a Large debate, was Left to y' further Consideration of y' s' Comittee.

Adjourned to 31st instant.
Att a Council Held att philad. die Mercury, 31st Janry, 1699–700.

PRESENT:
WM. PENN, pror & Gor, et ysdem decem ut antea.

Isaac Norris & Rich'd Hough, from y' Representatives, desired y'r Go' to appoint some of y' members of Council to meet wt some of y' house, to Conferr wt & satisfie ym about some Clauses in y' sd bill of piracie. The pror & Go' appointed Wm. Clark, David Lloyd & Caleb pussey, to meet some of y' house of repsentatives att the house of Isaac Norris.

Adjourned to 1st Febry, 1699–700.

1st February, 1699–700.

PRESENT:
WM. PENN, pror. & Go', et ysdem decem ut antea.

Wm. Clark, Chairman of the Comittee appointed to prepare a Bill ag' illegal trade, exhibited a draught yrof; a great part qrof having been read & debated, the Go'

Adjourned to 2nd instant.

Att a Council Held att philadelphia die Veneris, 2nd Febry, 1699–700.

PRESENT:
WM. PENN, pror & Go', et ysdem decem ut antea.

The Remain'd of sd Law ag' Illegal trade being read & debated, & some objections being made yrto, The pror & Go' appointed Edwd Shippen, Wm. Clark & Sam'Carpenter, to draw y' claus yrof relating to kent Countie by 4 post M.

The House of Representatives, by Anthony Morris & Isaac Norris, acquainted the Go' & Council y' they had read y' Law ag' piracie twice, y' had been sent ym, & wer satisfied yrwt, excepting y' claus yrof prohibiting trade wt Madagascar.

The Council moved to y' pror. & Gor that there be a clause inserted in y' bill ag' piracie, to indemnifie all those who have traded or had Comerce with some old privateers y' some years agoe came in & surrendered ymselves upon the Jamaica proclamaon, & yt had protections & permitts from the neighbourng governmtns. The pror.
assented yrto, & appointed David Lloyd, phi. pemberton and Wm. Biles to prepare & draw up y* sd clause.

'Adjourned to 3d instant.

---

At a Council Held att philadelphia die Sabbathi, 3d Feby, 1699–700.
Isaac Norris & Wm. Dyre, from the Ass. acquainted y* Gor & Council y'they had pused y* bill ag' Illegal trade, & had some objections to make ag'it which they thought wold be best answered in a Conference of both houses wt y* Go'.
The pror. & Gor yrupon desired by these 2 members y* ass. to repair to him & Council to Conferr about & ans' y* sd objections.

Adjourned to 5th instant.

---

[5th February, 1699–700.
At a Council Held att philadelphia die Lunæ, 5th Feby, 1699–700.

PRESENT:
WILLIAM PENN, pror. & Governor.
Samn Carpenter,          William Biles,         William Clark,
Edward Shippen,          Richd Halliwell,      Caleb pussey.
phn. pemberton,          John Hill,

The pror. & Go' appointed Wm. Clark, Saml Carpenter, David Lloyd, Richd Halliwell, ph. pemberton & Wm. Rodeney, to be a Committee of Council to join a Committee of ass. to abridge y* sd Law, by to-morrow morning.

Adjourned to 6th instant.

---

At a Council Held att philadelphia die Martis, 6th Feby, 1699–700.

PRESENT:
WM. PENN, pror. & Go', et ydsem ut antea.

Wm. Clark, chairman of sd Committee, brought in the Bill ag' illegal trade abridged, wch was read & sent to the Assembly.

Adjourned to 7th instant.
[7th February, 1699–700.

Att a Council Held att philadelphia die Mercury, 7th February, 1699–700.

PRESENT:

WM. PENN, &c., et ysdem ut antea.

Anthony Morris & Isaac Norris from y° ass. returned y° bill of piracie, desiring y° Go° & Council to satisfie ym about y° claus yr° prohibiting trading to Madagascar: The Go° desired a Conference wt y° house to morrow-morning, about y° sd clause.

Adjourned to 8th instant.

[8th February, 1699–700.

Att a Council held att philadelphia die Jovis, 8th February, 1699–700.

PRESENT:

WM. PENN, pro° & Go°, et ysdem ut antea.

The Go° desired the secrie to aquaint the ass. y° hee & Council waited for ym, to Confer about y° claus of y° act ag° piracie, prohibiting trade wt Madagascar & Nataall. The House of ass. appeared, wt whom a Conference was had about trading to Madagascar & Nataall. It was Resolved y° it should be prohibited for three years.

Adjourned to 9th instant.

[9th February, 1699–700.

Att a Council Held att philad. die Veneris, 9th instant.

PRESENT:

WM. PENN, pror. & Go°, et ysdem ut antea.

The ass. by Anthony Morris & Isaac Norris, 2 of y° members, sent to y° Gor and Council two Laws for their assent.

Adjourned to 10th instant.

[10th February, 1699–700.

Att a Council Held att philadelphia die Sabbathi, 10th Febry, 1699–700.

PRESENT:

WM. PENN, pro° & Go°, et ysdem ut antea.
The pror & Go' desired Wm. Biles & Jno. Hill to acquaint y' ass. y' hee & Council waited for ym, who returned ans' y' they wold attend him speedily.

The ass. appearing, The pror & Go' told ym y' yesterday hee had received from ym two bills wch had past yr house, wch hee desired the secrie to read over three times distinctlie. Afterwards they wer by the Gor & Council assented to, viz: The first entituled, An act ag' pirats & privateers: The other an act for preventing frauds & abuses in trade wtn y' province of pennsillvania & Counties annext; and did underwrite each bill in these words—viz : philad. 10th 12th mo., 1699-700. This Bill being 3 times read was assented to by me, Wm. Penn, Locus privati Sigilli provinciæ.

Theratera the pror & Go' proposed to y' Council & ass. y' hee intended to call y' next genrrl ass. according to Charter, att the usual & annual time; To which the members of ass. by the Speaker, declared y' satisfaction therewith. Then y' pror & Go' ask't the ass. whether they had anie other bussines for him att this time, who anwered no. Then he said, Gentl, you are dissolved, & I hereby dissolve you. They thank't y' Gor & departed.

The end of the 7th ss. of Council & Assembly.

---

MINUTES OF COUNCIL, Anno Ri. Rs. Gulielmi tertý Anglìæ, &c., Undecimo, for promulgaon:

[30th March, 1700.

Att a Council Held att philadelphia Die Sabbathi, 30th day of March, 1700.

PRESENT:

The Honble WM. PENN, Absolute pror & Go' in Chief of y' province of Pennsillvania & y' territories yrto belonging.

In respect y' there appeared onlie Sam'l Carpenter, Edw'd Shippen & Gr. Owen, returned as representatives in Council by y' Sheriff of philadelphia, David Lloyd, Caleb pussey & Jno. Simcoke returned as such by y' sheriff of Chester, The pror & Gor.

Adjourned to 1st April, 1700.

[1st April, 1700.

Att a Council Held att philadelphia die Lunæ, 1st April, 1700.
PRESENT:

WM. PENN, pror. and Governo'.

The Sheriff of y^s Countie of Bucks His return of repsentatives in Council was produced, qrby it appeared y^ ther wer elected Joseph Growdon for 3, Wm. Biles for 2, & Richd Hough for one years.

The Sheriff of philadelphia Countie his Like return was produced, qrby it appeared y^ ther wer elected Sam^ Carpenter for 3, Edward Shippen for 2, & Griffith Owen for one years.

The Sheriff of Chester Countie his Like return was produced, qrby itt appeared David Lloyd for 3, Caleb pussey for 2, & Jno. Simcoke, for one years.

The Sheriff of Newcastle Countie his Like return was produced, qrby itt appeared that there wer elected Richd. Halliwell for 3, John Donaldson for 2, & Jasper Yeates for one year.

The Sheriff of kent Countie his Like return was produced, qrby it appeared that there wer elected Jn^ Walker for 3, Henry Molleston for two, & Thomas Bedwell for one year.

The Sheriff of y^s Countie of Sussex his return of repsentatives was produced, qrby itt appeared y^ y^ wer elected Sam'n preston for 3, Jn^ Hill for 2, & Tho. fenwick for one year.

The abov returned psoms, excepting those for kent Countie, appearing, subt. the Qualificaon following, viz: pennsilia, 1^s 2^ mo., April, 1700, "We severallie, & each of us for oselves, do sincerely promise & declare as solemnie as if wee took an oath, y^ wee will be true & faithfull to y^ king & Crown of England, & to Wm. Penn, pror & Go' of y^ province of pennsilia & territories yto belonging, & his heirs, according to y^ Lres patent granted to him "by king Charles y^ 2^, und' y^ great Seal of England," & took their places att y^ board, and so yr yr

PRESENT:

Joseph Growden, Griffith Owen, John Donaldson,
William Biles, David Lloyd, Jasper Yeates,
Rich'd Hough, Caleb pussey, Sam'n preston,
Sam'n Carpenter, John Simcoke, John Hill,

Then the pror & Go' said: "Friends, Tho' this be a Colonie of 19 years standing, & not inferiour to anie of its age, yet wee have much to do to establish its constituen & Courts of Justice; there "are in it some Laws obsolete, others hurtfull, others imperfect, y' "will need improvm', & it will be requisit to make some new ones; "wee cannot go to slow to make, nor too fast to execute them when "made, & y' w' diligence & discretion, a few well made & duly exe- "cuted, will better ans' y' ends of governm' yn a greater bulk unexe- "cuted. You friends are ye people's choice & my Council; you'll "see what Laws are fitt to be Left outt & what to be made, & you "w' mee, are to prepare & propose ym. I say this the rather becaus "of a false notion some have got y' because you are my Council
"yrfor you are not y* people's representatives. The ablest men have
always been chosen to be of y* Council to prepare Laws, & y*
Assembly to consent to ymn; wee are two bodies yet but One power,
the one prepares, y* other consents. Friends, If in the Constituon
by Charter, there be anie thing y* jars, alter itt; if you want a
"law for this or that, prepare itt; I advise you not to trifle wt
govern'. I wish there wer no need of anie, but since Crimes
preval govrn' is made necessarie by man's degeneracion; Itt's
not an end but a means; hee y* thinks itt an end aims att
"proftit to make a trade on't. Hee who thinks itt to be a means
"understands y* true end of govern'. Friends, away w* all pties, &
"Look on yo'selves & what is good for all, as a bodie politick, first
"as und y* king & Crown of England, & next as und' me, by Lres
"patent from y* Crown. Att y* Late election att philadelphia, I was
grieved to hear some make itt a matter of religion; no its humane
"& moral relating to trade, traffique & publick good, consisting in
"virtue & justice; where these are maintained there is government
"indeed. Study peace, & be att unitie, ey y* good of all, & I desire
to see mine no otherwise than in y* publick's prosperitic. The
"last Ass. wee made 2 Laws, the one ag' piracie, y* other ag' for-
bidden trade. I hear they have not satt easie on y* backs of some,
"but I hope, wee having yrin been carefull of England, wee shall
have thanks for making ymn before wee had orders so to do, and
"after so manie calumnies & complaints wee have been Loaded
"with, I hope these two Laws will in some degree wash us clean;
"what concerns myself I also Leave wt you to Consider. I have
"been now 19 years yo' pror & Governo', & have att my chairge
"maintained my deputie, qrby I have much worsted my estate, &
hope itt will be no wonder to any to hear mee make this Lection
"of itt. Some say I come to gett monie & be gone, shappeys they that
"say so, wish itt so. I hope I or mine shall be wt you, while I or
"they Live—The disasters of my absence have been mine as well
"as yours, & as I'm used shall make suteable returns. I have
"latelie two packetts from Whitehall, an original & a duplicate;
"also one to my Cosen Markham, & two from Sécre Vernon, & am
"Comanded by y* Lords Justices to make Laws ag' piracie & illegal
"trade. I am glad wee have prevented their Commands in doing it
"before they came."

Thereafter, a motion being made by a member of Council, that
they might have a new Charter: Then y* pror & Gor ask't whether
they thought the Charter was Living, dead or asleep; is it vacated by
y* act of Settlement, or in what state is itt. A member made ans',
that they neve'r Look't on't to be void or dead,becaus att Go' Fletcher's
coming, wee made a salvo of it in y* assemble books, & another
salvo of it in y* frame of govrnt, as to its fundamentalls, but y* Cir-
cumstantialls of itt as to time, place & number, & rotation, wee could
not reassume. Our bussines now is to do good, y* Go' being here to
confirm itt, & he having in his Charter, power to call us as hee pleases,
ye manner is but circumstance, the meeting is essential; Letts take

48*
what's fitt & good both in y* charter & frame, & Lett's make a Constitution y* may be firm & Lasting to us & ours; This makes no breach on the old Laws, but will confirm what's reasonable, both in ym, y* charter & frame.

Then y* Gor said: The act of Settle my served till I came; now I'm come, It Cannot bind me ag* my owne act, the charter it being my grant, & the people my witnes by yr acceptaon of it, and tho' some violence cannot be resisted, yet when the violence is taken off, y* Charter returns, & how can it return but by writt.

Theresafter y* pror & Gor resolved y* whole members of Council into a grand Comittee, to meet hora tertia, p. m., to read y* Charter & frame of governm', & to keep what's good in either, to lay aside what's inconvenient & burdensome, & to add to both what may best suit y* Comon good, & if you be under any doubt l'e solve it, & psent to mee what you do yrin to-morrow morning for my perusall.

Adjourned to 2d April, 1700.

[2d April, 1700.
Att a Council Held att philadelphia die Martis, 2d April, 1700.

PRESIDENT:

WM. PENN, pror & Go', et ysdem ut antea.

Joseph Growdon, Chairman of y* grand Comittee appointed to inspect & puse y* charter, & frame, &c. made report y* they had pused both, & had made some alteraons in, diminutions from, & addions to both, wch wer read & had mark't outt y* ss. (but had not time to writ ym out fair,) & deliverd ym to y* Go' for pusall.

Then he desired y* all y* Laws from y* first settlement of y* province might be read over by y* secrice; accordinglie some of ym were.

Adjourned to 3d instant.

[3d April, 1700.
Att a Council held att Philadelphia die Mercury, 3d April, 1700.

PRESIDENT:

WM. PENN, pror. & Go', et ysdem ut antea.

The pror & Gor desired y* secrice to begin where hee Left in reading y* Laws; accordinglie some more of ym wer read.

Adjourned to 3 p. m.

The pror & Gor desired y* secrice to begin qr hee Left A. M. in reading the Laws, & y* rest wer read over by y* secrice.
PROVINCIAL COUNCIL.

Then ye pror & Gor resolved all ye members of Council into a grand Committee, to meet to-morrow morning at 9, to read & consider ye sd Law, & to keep what was fitt, to Lay aside what was inconvenient, & add such new ones as they thought meett.

Then hee proposed to ye necesitie of a Law for regulating Courts of Justice, & ye pleas to be held there, provincial Courts & appealls, about ye marriages of negroes, how to be punishd & tried, ag' selling rum to ye Indians, To restrain sickly vessels from Landing ye passingers for some time, & for ye better observaon of ye Sabbath or Lord's day, & to make report to-morrow morning.

Adjourned to 4th instant.

[4th Aprill, 1700.
Att a Council Held att philad. die Jovis, 4th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.

Joseph Growden, chairman of sd Comittee, reported ye they had made some small progress in pusing ye Laws, but feared should not have time to go thorow all, being Long & tedious, but desired more time; wch was granted.

Adjourned to 5th instant.

[5th Aprill, 1700.
Att a Council Held att philad. die Veneris, 5th instant.

PRESENT:
WM. PENN, pror & Go', et ysdem ut antea.

Joseph Growdon, chairman aforesd, reported ye they found great difficultie in pusal of ye Laws, & ye they could not in so short time go thorow ye, & desired Longer time; which was granted.

Adjourned to 6th instant.

[6th Aprill, 1700.
Att a Council Held att philadel. die Sabbathi, 6th Aprill, 1700.

PRESENT:
WM. PENN, pror. & Go', et ysdem ut antea.

Joseph Growdon, chairman of ye grand Comittee of ye whole members of Council, appointed to prepare some Laws, psented to ye pror
& Go' a paper containing some Heads of a Law for securing y* people's propertie.

The pror & Gor again recomended to ym the Consideraon of all the Laws; what should drop, what be Continued, & some heads of new Laws to be made, formerlie recomended to ym.

Adjourned to 8th instant.

8th Aprill, 1700.
Att a Councill held att philadelphia die Lunæ, 8th April, 1700.

PRESENT:
WM. PENN, pror & Go', et ysdem ut antea.

Thomas Bedwell, a memb'r of Council returned for kent Countie, for one year, appearing, sub'y above sd qualificaon & took place att y* board.

The pror & Gor proposed to the Council y* Consideraon of y* law about y* provincial Judges & Court, y' it might be made more easie & less expensive.

Joseph Growdon, chairman asforesd, psented to y* pror & Gor some heads of a Law for raising 3d p ll & 18th p poll, as a testimonie of y' respect to him, & being sensible itt was not anasurable to what he deserv'd, yet y* Countrie being poor & in debt, hop'd hee wold accept of itt for y* present; also, 14 p li & 6th p poll, for defraying y* debts & for support of governmt, which the Gor said hee wold consider.

Adjourned to 9th instant.

9th Aprill, 1700.
Att a Council Held att philadelphia die Martis, 9th instant.

PRESENT:
WM. PENN, pror. & Governor, et ysdem ut antea.

The pror & Gor psented to the Council a draught of a Law about arbitraons, another about Surveyors; wch wer read & recomended to sd Comittee.

Adjourned to 10th instant.

10th Aprill, 1700.
Att a Council held att philad: die Mercury, 10th instant.

PRESENT:
WM. PENN, pror & Go', et ysdem ut antea.
PROVINCIAL COUNCIL.

The matter of ye people's proptie, & the securing yrof, either by a Court to be erected by ye pror & Go', or by grants from him, or by a Law for ye purpose to be made, & about the Overplus Lands, being att large debated, was left to ye further consideraon of ye Gor & Council, and ye pror Gor appointed John Simcoke, Joseph Growdon & Wm. Biles to meet him att night to consider yrof, & as neer as might be, to adjust ye rates of overplus Lands, according to their neerness to or remoteness from ye town of philadelphia.

Adjourned to 11th instant.

[11th April, 1700.
Att a Council Held att philad. die Jovis, 11th instant.

PRESENT:

WM. PENN, pror & Go', et ysdem ut antea.

In respect some of ye members of Council wer provincial Judges & now sitting in Court, & ye abov named not having had time to confer so as to adjust ye rates of ye overplus Lands, The pror & Gor.

Adjourned to 4 post merid.

Att wch time ye pror & Go' (upon a proposion to him made by a member of Council to prolong ye time of Sessions of Gor, Council & assemblie for a longer time ym was usual,) who brought in a draught of a bill for ye end, wch having been debated, Itt was agreed to be brought in again ye 12th instant, wth some improvments & amendmets.

Adjourned to 12th instant.

[12th April, 1700.
Att a Council Held att philadelphia die Veneris, 12th instant.

PRESENT:

WM. PENN, pror & Go', et ysdem ut antea.

The sd Law, with improvments & amendmets, was exhibited by ye pror & Gor to ye Council, entituled a Law to be promulgated to Continue ye present ss. of Council & ass. 20 days beyond ye usual time by Charter Limited; & being by the Secrie three times read over, Upon the Question putt, all you that are of opinion ye this Law pass here in order to promulgaon stand up, Itt was Carried in the affirmathe, Nemine Contradicente.

Then the pror & Gor ordered ye Secrie to send a Copie yrof, signed by Him, to ye rexive Sheriffs of ye Six counties, to be by ye rexive promulgated.

[10th May, 1700.
Att a Council Held att philadelphia die Veneris, 10th of May, 1700.

PRESENT:
The Honble WILLIAM PENN, absolute proprietor & Governor in Chief of y* province of pennsylvania & the Territories thereunto belonging, &c.
Sam" Carpenter, Joseph Growdon, Caleb pussey,
Edw" Shippen, Rich" Hough, David Lloyd,
Griffith Owen, Jn" Simcoke, Rich" Halwell.

The Sheriff of Bucks Countie his return of Representatives for ass. was produced, whereby it appeared y ther wer elected Jn" Swift, phineas pemberton, Joshua Hoops, Wm. Paxton, Jeremiah Langhorne, Sam" Darck.

The Sheriff of philadelphia County his return was produced, qrbly it appeared that y wer elected Jn" Bevan, Anth. Morris, Nich Waln, Is. Norris, Sam. Richardson, Jn" Parsons.

The Sheriff of Chester’s retn was produced, & ther wer elected Jn" Blunston, Rob’ pyle, Richard Orms, Jn” Hood, Sam. Lewis, Henrie Lewis.

The Sheriff of Newcastle’s retn was produced, & there wer elected Adam peterson, Joseph England, Richd Cantwell, Rob’ French, Val. Holingsworth, Wm. Houston, who subt y* same Qualificaon y* y* membrs of Council subt. 1st April, 1700; and y* other representatives not being yet come to town,

Adjourned to 13th instant.

[13th May, 1700.
Att a Council held att philad : die Lunae, 13th May, 1700.

PRESENT:

The Sheriff of kent’s retn was produced, & y’ wer elected Wm. Morton, John Brinklo, Richd Wilson, Gr. Jones, Arthur Meston, Wm. Rodney.


Then y* Go’ desired y* members of Ass. to depart and choose y’ Speaker.
PROVINCIAL COUNCIL.

After some time John Blunston, accompanied by ye whole house of representatives, appeared before ye Go' & Council, acquainting ym that they had made choice of him for ye Chairman, a pson verie unfitt att such a time where matters too weightie for his capacitie wer to be considered, & yrfor desired to be excused if it could be, & if not, ye yr pror & Go' wold be pleased to putt a favorable Construction on his words, & yr the ass. might have freedom of speech & access to his pson; wch was granted. Then ye Go' said: Friends: * * * * * * * * * * * *

Wm. Rodney & R' pyle, from ye ass, desired a sight of one of the writts qrbly this ass. was called, & ye promulgated Bill; which ye Secrie delivered to ym.

The pror & Gor desired ye Secrie to read ye bills wch hee had prepared about tradeing wt ye Indians, & arbitraons, & after some debate on both, and then Resolved ye Council into a Comittee of ye whole members yrof, to consider ye same, & to make report.

Adjourned to 4 p. m.

Att which time Antho. Morris & Jn' Bevan, from ye Ass. acquainted ye' Gor & Council ye' yr Ass: desired a free conference wt ye Council members; which ye Gor granted. Then ye Speaker, accompanied as before, appearing, desired ye' hee or anie others of ye' Ass: might speak yr minds; wch ye Gover granted: some of yrm wer of opinion ye' they wold pass ye' promulgated Bill for ye' prolonga-on of ye' time of this ss, provided ye' yrafter they went on to settle ye' constituon of ye' govrt wtout ye' intervencion of any other bussines; To wch ye' Gor assented; And in ord' yrto, resolved ye' membrs of Council to be a Comittee to join a Comittee of ye' whole house of representatives, to meet to-morrow morning to read ye' Chart' & frame, & to Consider of the Constituon of ye' govrt, & desired Jasp. Yeates & Caleb pussey to acquaint ye' Ass. y'with, yr they might do ye' same.

Adjourned to 14th instant.

[14th May, 1700.
Att a Council held att philad. die Martis, 14th May, 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
Coll. Rob' Quarrie, Judge of ye Court of admiraltie for pennsil- vania, accompanied wt Jn' Moor, advocat of sd Court, exhibited a charge ag' David Lloyd, one of ye' Council elected for Chester Coun- tie, of Irreverent speeches & postures of & ag' ye' broad seal of Eng-
land & y king's picture, & a tin box appended to y Lords of y admiralty of England y Comission to Ro Webb, yn marshall of sd Court, in a Certain Court held att philad sometime Late past. To wch, after sd David Lloyd had made some answer, hee desired y charge might be exhibited ag' him in writting und' y charger's hand, wch was agreed to, & 4 p. m. assigned to sd Coll.Quarrie so to exhibit itt, wt y witnesses, for whom hee desired a Subpœna; which was granted.

Upon calling over y names of y members of Council, the 3 representatives for kent Countie wer found wanting, wtout whom y could but little be proceeded in, & y being no excuse made for ym, Itt was resolved y a wrt be issued by y Secrie, und' y Gor's hand & seal of y province, directed to Henry Mallows, mess' of y Council, forthwith to repair to y sd Countie of kent & bring ym up to ans' y sd contempt, wch was done.

Adjournd to 3 p. m.

Att which time ph: pemberton & Ro French, from y Ass, acquainted y Go' & Council y Ass: wer readie for him. The Gor told ym y hee & Council wold receive ym.

The Speaker acquainted y pror & Gor y they came to hear y old Charter and y Late frame of governmt read. The Gor askt him if they had past y Law given ym yesterday for y end. The Speaker anserd they had not, but sd they wold pass itt next morning.

Coll. Rob Quarry, accompanied as aforesaid, exhibited to y Gor & Council His memorial ag' David Lloyd, in writing, und' his hand, wch was read, and in these words, viz: To y Rt. honble Wm. Penn, esq', pror & Gor of y province of pennsylania & y annexed Counties. The memorial of Coll. Robert Quary, Judge of His maties Court of admiralty for y provinces of pennsylania & West Jersey, Represents to this board y hee is obliged, as well by his dutie owing to his most Sacred mate, & by the directions Latelie received from the Rt. honble y Lords of y plantonaes & trade, as y trust lodged in him by virtue of his maties Letters patents und' y broad seal of y High Court of admiralty of England, to signifie y having alreadie Laid before y board a charge of unparallelled misdemeanors & affronts offered ag' his mate in some of y Courts of this province, by one David Lloyd, now & att y time a member of Council, and being required to reduce y same to writting wtin y space of few Hours, with the witnesses to prove the charge, In wch time the whole series of y affair, wt y aggravating Circumstances yrof, cannot so fullie be digested as the nature of the crime may require. However, in obedience to y said order, Hee Showeth: That sundrie goods & merdizes being seized for Illegal Importaon, & Lodged in the marshall of y admiral's Custodie in the king's store, in the year 1698, & properlie triable in the sd Court by virtue of several acts of parlaimt, The sd David Lloyd did, in contempt of y sd Laws & Jurisdiction of y
PROVINCIAL COUNCIL.

sd Court, influence & advise the justices by force & arms, to force y* goods out of the sd store; 'That the sd David Lloyd did further advise & prosecute an action ag' y* sd marshall for the detainer of y* sd goods, att the succeeding Countie Court, where y* marshall being called to defend the sute, hee produced in his owne Justifcon His maties Lres pats, undr y* broad seal of y* High Court of Admiraltie, with the Judges warrt for y* seizure aforesaid, which sd patent having in the frontis piece his most sacred maties effigies stampt, with the sd seal appendant, the sd David Lloyd, in a most insolent & disloyal manner, taking the sd Comission in his hand & exposing it to y* people, did utter & publish these scurrilous & reflecting words following, viz:—what is this? do you think to scare us wt a great box (meaning y* seal in a tin box) and a little Babie; (meaning y* picture or effigies aforesaid;) 'tis true, said hee, fine pictures please children; but wee are not to be frightened att such a rate; & many more gross & reflecting expressions on his matie to y* like effect. That att another time, att a Court of admiraltie, held in this town of philad, hee, y* sd David Lloyd, in open Court, with a design to incense & irritate the people & expose y* king's officers to their furie, did publicklyie say, that y* Court did not sitt there by anie Comission from y* king. That y* sd David Lloyd, att a Council held in this town, (in Contempt of his maties authoritie Lodged in the sd Court of admiraltie,) did declare y* whoever wer Instrumental or aniewise aiding in the erecting & encouraging a Court of admiraltie in this province, were greater enemies to the Liberties & priviledges of y* people then those y* established & promoted ship monie in king Charles the first's time, or to that effect. All wch several charges hee is readie to avouch & prove; so subscribed

ROBT. QUARRY.

As also, y* sd Coll. Quarry produced some witnesses to prove y* sd charge in its several branches, as by y* depositions remaining on y* files may appear, wherupon y* sd David Lloyd desired of y* Gor & Council time to put in his ans'in writting to y* sd memorial, and to make his defence; To wch y* Gor replied y* this was not his trial but an examinaon, & when & wherever, or before what court soever hee should happen to have his trial, hee wold then have that granted him, & y* this was but an examinaon to see whether what was Laid to his charge was of y* weight to suspend him from being a representative of y* people in Council, as was desired by Coll. Quarry.

Adjourned to 15th instant.

[15th April,* 1700.
Att a Council held att philad. die Mercury, 15th May, 1700.

*May. 49
PRESENT:
WM. PENN, pror & Go'*, et ysdem, except David Lloyd.

The pror & Gor ask't y' opinion of y* Council whether what was exhibited & proved ag' David Lloyd, a member of this board, yester-
day, was sufficient ground to suspend him from sitting as a represen-
tative at this board upon y* people's choice. Resolved, N. C. y' it
was—wherupon y* pror & Go' desired Joseph Growdon to acquaint
David Lloyd that hee was suspended from sitting as a representative
att this board till hee had his trial, & wer cleared or convicted.

Upon a motion made, y* pror & Gor ordered y* secreie to write to
Wm. Biles, a representaive in Council elected by y* Countie of Bucks,
forthwith to appear att this board to this dutie; which the secreie did.

Adjourned to 16th instant.

[16th May, 1700.
Att a Council held at philad. die Jovis, 16th May, 1700.
PRESENT:
WM. PENN, pror & Gor, et ysdem& William Biles.

Tho. pemberton & Is. Norris, from y* ass: acquainted y* Gor y'
the assembleie desired admission; which was granted.

The Speaker, accompanied as aforesd, delivered to y* pror & Gor
the promulgated Bill entituled The Law Continuing y*pSent sessions
of Council & ass: 15 days beyond y* usual time by Charter Limited,
past y* house, wch being read to The pror, Gor & Council, y* same
was past by ym, N. C.

Therafter y* pror and Gor having laid opon both to Council &
Assembleie, the nature of the psent Constituon, & y* powers of both
Council & Assembleie, Left y* members of both houses to y* grand
Comittee appointed for settling the constituon of y* govrnt, & to bring
in y* report y* 17th instant.

Adjourned to 17th instant.

[17th May, 1700.
Att a Council held at philad. die Veneris, 17th instant.
PRESENT:
WM. PENN, pror. & Governor, et ysdem ut antea.

Joseph Growdon, Chairman of y* sd grand Comittee of Council
& ass: to whom was Left y* Consideraon of y* psent Constituon, &
y* powers of Council & Assembleie, & y* settlemt of y* new Constitu-
tuon, Reported y* they had Considered of some part yrof; that y*
ass: should have y* sole power of pparring & proposing bills to be past into Laws, & y* whole powers of an ass, & y' y' Gor's Council shall be y* people's choice, & y six shall be the number Constantlie to attend him on all emergencies, but had gone Little further yrin.

The pror & Gor made ans', that what hee expected from ym was that they should have prepared & exhibited to him y* Charter they desired, & when hee had it all in a piece before him, Hee should soon tell ym what hee could not & what hee could grant ym. And yrfore desired y* grand Comittee to go together again & Consider what hee had laid before ym; by y' time hee should return from penns-berrie; & Told ym y' hee left y* town on purpose y' in yr Comittee they might meet w' no interruption.

Adjorned to 24th instant.

[24th May, 1700.
Att a Council Held att philad. die Veneris, 24th instant.

PRESENT:
WM. PENN, pror. & Go', et ysdem ut antea.

The pror & Gor desired y* secrie to acquaint y* ass, y' hee & Council waited for ym; they returned they wold forthwith attend him.

The Ass: appearing, Joseph Growdon, chairman aforesaid, presented to y' pror & Go' a draught of y* Charter they desired. Hee ad hee wold peruse it, & in y' meantime desired y* grand Comittee to meet again & go on w' yr bussines.

Adjorned to 25th instant.

[25th May, 1700.
Att a Council Held att philad. 25th May, 1700, die Sabbathi.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor desired Caleb pussey & Nich. Wain to acquaint the ass: y' hee waited for ym. They returned they wold speedilie attend him.

The ass: appearing, Jos. Growdon, chairman aforesaid, acquainted y* pror & Gor y' they had much debate in y* grand comittee about y* oathes & test, & the manner of taking ym; as also about y* charges of y* provincial Council, but could come no agreement, whereupon y' debates wer again re-assumed before the Governo'.

Adjorned to 27 May instant.
[27th May, 1700.
Att a Council Held att philad. die Lunes, 27th May, 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The ass: appearing, To whom & Council, as a grand Comittee, y* pror & Gor did again propose y* matter of oaths, attest, & charge of provincial Council; and y* same being att large debated,
Adjourned to 3 p. m.

At wch time y* ass: again appearing, The pror & Gor proposed to ym a bill about y* regulaon of Indian traders, wch hee referred to a Comittee of both houses; also a bill about regulating negros, re-
ferred to another Comittee of both houses; also a Bill about regu-
lying Courts of Justice, referred to a 3d Comittee, & to bring y* reports of y* sd bills to-morrow morning.
Adjourned to 28th instant.

[28th May, 1700.
Att a Council Held att philad. die Martis, 28th May, 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The rexive Chairmen of y* sd 3 Comittees brought in each of ym a draught of the rexive bills recomended to ym.
Adjourned to 3. p. m.

Att wch time y* ass: appearing in a grand Comittee, wt y* Gor & Council, The bill about regulating Indian traders was read, considered and amended, & Gri. Jones appointed to draw it up fair by to-morrow morning; also y* bill about regulating negros was read, considered & amended; also y* bill about Regulating of Courts was read & consid-
ered, with its amendments, & given to sd Griffith Jones to be fair drawn up.
Adjourned to 29th instant.

[29th May.
Att a Council Held att philad. die Mercury, 29th instant.
PROVINCIAL COUNCIL

PRESENT:

WM. PENN, pror & Governor, et ysdem ut antea.

The pror & Gor presented to the Council & ass: a Bill about a Court Barron, another about Confirmaon of free-holds, another about surveys, & appointed a Comitee of 3 psns out of each Countie of y* province, & of 3 out of each County of the territories, to be a Comittee to consider of y* sd 3 Laws.

Ad. to 30th.

30th May, 1700.
Att a Council Held att philad. die Jovis, 30th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The ass: being sent for, appeared, & Gri. Jones presented to y* Go' & Council the bills about regulaon of Courts & Indian traders, for yr consideraon.

Then y* ass: requested they might go to y* owne house to dispatch what Lay befor ym, to wch y* Gor assented.

Adjourned to 31st instant.

[31 May.
Att a Council Held att philad. die Veneris, 31st May, 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Two members from y* ass: desired y* y* ass: might be admitted. Granted.

John Blunston, accompanied by all y* repsentatives in ass: appeared.

Upon reading y* petition of Rob Turner & Joseph Fisher, bearing date y* 27th instant, Setting forth that att an ass: held att philad. 10th May, 1689, (qrof Ar. Cook dece'd, was speaker, & David Lloyd Clark,) there was a vote & resolve past ag y* per. Rt. Turner, wtout a hearing or conviction by an insufficient number of y* members yrof, viz: Ar. Cook, speaker, Hen. Waddy, Gr. Owen, Tho. Ducket, phi. pembroton, Sam' Levis, Tho. paschall, Val. Hollingsworth, Edmd. Bennet, Richd. Martin, Nich. Blunston, Dan. Jones, Wm. Berrie, Wm. Manloue, Jn' Walker, Ab. Opdegraeff, Is. Weldone, Rob' piles, Jn' Bartram, Jn' Swift, That Wm. Markham, Rob' turner, & Gr. Jones, who Issued forth y* warrants ag Jn' White, a member of y* Ass, & y* Jno Claypoole & Richd. Reynolds Sheriffs, who by colour of such wrrt or wrrtts, arrested & caried him away; as also y* sd John Claypool, who,
wtout anie wrrt, during ye sitting of sd ass: did arrest David Lloyd, knowing him to be Clerk yrof, are, & everie of ym is yrfor reputed violaters of ye priviledges of Ass, & betrayers of ye Liberties of ye freemen of ye sd province & territories, & ye they ought to be made incapable of bearing anie publick office or place of trust in this govrt; & ye a wrrt be made out & signed by ye Speaker, directed to all high & pettie Constables, for bringing ye before ye sd ass: to ans' ye contemp & breach of priviledge aforesaid: As also, setting forth ye sd Joseph fischer, (wt other members of that Assemblie,) having entered his protest ag' a vote or resolve yrof, & yron absenting ymselves, there was another vote & resolve past, That ye sd Joseph fischer, per. & the other absent members, are not worthie to be chosen again, or be intrusted as delegates. And also, setting forth ye ye sd revive resolves, votes & sentences past yron ag' ye pers rexivile, have not only proved much to their scandal, reproach, detriment, publick shame & disgrace, but may also to that of their posterities, if not now att last remedied, the same being yet standing in one of the most publ- (as reputed) records of fame and Creditt wtn ye sd province & territories, and ye by reason yrof, ye pers. stand LIABLE (at ye will & pleasure of ill minded men) und' this or any change of govern' ye may happen to be drawn into question for & about ye same. And also setting forth, ye ye per. R'I Turner, hath made manie modest & Chris- tian petitions & applicaons to the succeeding assemblies, (Copies whereof are hereunto annexed) for a Hearing & trial, & hath Long waited att ye posts of ye doors; & peticularie in May, 1690, hee, by a petition to ye ass: then sitting att Newcastle, did sett forth ye being informed of some votes past ag' him last ass, & yn standing open upon their books, & ye having inquired of several of ye sd number of 20 psons, about ye same, they could give ye per no informaon, being whollie Ignorant yrof, & ye David Lloyd, ye clerk, tho' often requested to give ye per a Copie yrof, yet hee still refused, alledgeing his ord' to the contrarie, & yrfor yn requesting to be brought to a trial. As also, in May, 1691, requesting ye hee might Come to his trial & be found guilty of or acquitted from sd Charge, especiallie seeing some of ye sd 20 members said to be yn psent & yr names affixt to ye sd votes, denied ye they ever knew anie thing directie or indirectie of such a vote or resolve ag' ye sd R'I Turner. As also, setting forth ye by a Lett' of 24th May, 1690, ye per. R'I Turner, had acquainted ye pror & Gor with ye sd injurie done him, to whom ye per sent a Copie of ye ass: proceedings, requesting his assistance for relief yrin; ye hee was pleased so far in justice to take notice ye by his Lre to Jn' Goodson of 24th Sbr, 1691, hee advised ye an amicable end be put to R'I Turner's bussines about Jn' White saying in his Lre, tell ye Council so, & the parties, as my desire, & ye accordinglie ye sd Jn' goodson, wt ye per, went to a full Council & produced to ym ye sd letter, & pressed ye compliance ywith. And ye not standing ye sd Rob' Turner's petitions & applicaons, hee could never prevail to have a hearing or trial. And yrfor, now att last requesting a fair & open trial and Hearing, & ye if it be made appear ye ye sd vote & resolve hath proceeded on a groundless & false foundaon in matter of fact ag' ye per.
Rob\(^1\) Turner, & yt\(^1\) y\(^*\) psongs that so past y\(^*\) sd votes & resolves wer but 20 instead of 24, the Charteral Quorum, (By which Charter y\(^*\) assemblie had power to impeach, & y\(^*\) Gor & Council to Judge,) y\(^1\) yn the sd minutes, resolves & votes, may by y\(^*\) Gor, provincial Council & assemblie, wt y\(^*\) rexive sentences y\(^1\) followed yron ag\(^1\) y\(^*\) sd pers, be vacated, declared void & null & of no force nor effect, to all intents, constructions & purposes, in all time hereafter coming, so farr as relates to y\(^*\) sd pers rexivlie.

Whereupon, y\(^*\) pror & Gor desired Jr\(^o\) Blunston, the Speaker of the assemble, to produce the minutes of Ass: held 10\(^th\) May, 1689, which hee did; & being read, y\(^*\) wer yrin inserted y\(^*\) sd votes & resolves, with other votes & resolves introductory yrof; but nothing appearing by y\(^*\) sd minutes y\(^1\) y\(^*\) per. Rob\(^1\) Turner ever signed y\(^*\) sd wrrt or wrrrts, & y\(^*\) sd Rob\(^1\) absolutelie denying y\(^*\) hee did, & challenging y\(^*\) ass: to prove itt, (wch none of ym could do,) but on y\(^*\) contrarie, hee, y\(^*\) sd Rob\(^1\), producing before ym y\(^*\) original wrtt directed to y\(^*\) sheriff, wch was onlie signed by Wm. Markham & Gr. Jones, & not att all by Rt. Turner, (a copie qrof is to remain upon y\(^*\) file of y\(^*\) minutes of this Council) as also by y\(^*\) sd minutes, it plainlie appearing y\(^*\) y\(^1\) wer onlie psent 19 psions, & the speaker, att passing y\(^*\) sd votes & resolves, quas the Charteral number should have been 24, & if y\(^*\) had been a Charteral number psent they could not have passed y\(^*\) sd votes & resolves ag\(^1\) y\(^*\) sd Rt. Turner, he never Having signed y\(^*\) sd wrrt or wrrrts, as before is made appear, and nothing in the said minutes appearing that y\(^*\) sd Rob\(^1\) Turner was cited before ym, or y\(^*\) hee was ever heard to answer for himself. And y\(^*\) sd Robt. Turner, per, having been heard to make a full ans\(^a\) to y\(^*\) sd votes & resolves, & all his petitions, applicaons & proofs having been read, fullie heard, & y\(^*\) matter att Large opened & debated, & having made itt appear y\(^*\) y\(^*\) sd Arthur Cook on his death bed, told Gr. Jones y\(^*\) hee was willing to give satisfacon both to sd Jones & y\(^*\) per, in ass, & y\(^*\) sd Rot.Turner having onlie declared y\(^*\) tho' the words wer not spoken to him, yet they wer full satisfacon to him from y\(^*\) sd Arthur.

Therefor, it was the unanimous vote & Resolve of y\(^*\) Gor, Council & assemblie, N. C. y\(^*\) the sd votes & resolves, [proceeding upon a groundless & false foundation in matter of fact, ag\(^1\) y\(^*\) sd Rt.Turner, hee never having signed y\(^*\) sd wrt or wrrts, & not being heard in his owne defence, & not being made & past by a Quorum or Charteral number as aforesd,] & the sentence of y\(^*\) sd Rt. Turner, per, his being made incapable of bearing anie publick office or place of trust in this govtmt, following yron, as also y\(^*\) sd other vote & resolve, & sentence following yron, ag\(^1\) y\(^*\) sd per. Joseph fissher, Be & are hereby vacated, declared void & null, & of no force nor effect, to all intents, constructions & purposes, as if y\(^*\) same had never been made nor past, so farr as concerns y\(^*\) sd Rt. Turner & Jos. Fisher, y\(^*\) pers rexivlie, & y\(^1\) a reference be made by y\(^*\) secrie in & from y\(^*\) sd ass's book of minutes, to y\(^*\) minutes of provincial Council held this day, of the vacating & making void & null y\(^*\) sd votes, resolves, & sentences past yron, so farr as Concerns y\(^*\) sd pers rexivlie, and y\(^*\) a Copie hereof be delivered.
to ym by y* secrìe, to be by ym keept for yr compurgaon & clear-
ance in y* sd matter, in all time hereafter coming. Copie of y* re-
ference within y* book of minutes of ass: followes, Viz:—Pennsilva-
nia, 31st 3d mo, 1700, vide y* minutes of provincial Council & ass: of
this date, qruu by an unanimous vote of both the vote & resolves of
this ass: of 10th 3d mo, 1689, & y* sentences past yron ag' R' Turner
& Joseph Fisher, yrin rexivlie named, are (for y* reasons yrin
menoned) vacated, declared void & null, & of no force nor effect, to
all intents, constructions & purposes, as if the same had never been
made, so Farr as concerns y* sd Rt Turner & Jos. fisher, rexivly, sign
by ord' of Gor, Council & assembly, by

PAT. ROBINSON, secy.

Joseph Growdon, Chairman of y* grand Comittee of both Council
& ass: appointed to Consider of certain laws proposed by y* Go', Re-
ported that they had read & partly considred y* bills about regulaon
of Courts, power of the Civil magistrate, Court Barron, Regulaon of
Indians, Indian traders & negros, surveyors & y* fees, & robbing of
Orchards, & y* it was the opinion of the whole Comittee y* they saw
no service in sd bills att this time, neither had they time to consider
ym fullie.

Then the propr & Go' Laid before the Council & assemble the
Consideraon of a Bill to be past for securing the people's properties,
& another Bill of supple to him as Go', who never yet these 20 years
past, had had a farthing from them.

Adjourned to 1st June, 1700.

1st June, 1700.

Att a Council Held att philadelphia 1st June, 1700, die Sabbathi.

PRESENT:

WM. PENN, pror. & Go', et ysdem ut antea.

Upon the Request of some of the merts of philad to the Go', Coun-
cil and ass, setting forth y* there was this year more tobacco in the
river than could be Carried home to England, for want of shippes, if the
time of shipping of Tobacco in bulk was not protracted to a Longer
day, The pror & Gor appointed some psions to draw up a bill prolong-
ing sd time to the 1st July next; As also, another Bill obliging all
vessells going to & from the sea, to call att Newcastle & make re-
port there, und' a certain penaltie.

Adjourned to 3t June instant.
PROVINCIAL COUNCIL.

[3rd June, 1700.
Att a Council Held att philadelphia die Lunae, 3rd June, 1700.

PRESENT:

WM. PENN, pror. & Governo', et ysdem ut antea.

The pror & Gor appointed some psns to draw up a Bill about the trying and punishing of negroes.

Rob' French & ph. pemberton, from the ass, informed y° Go' & Council that the time of y' ass: was almost outt, & y' y° ass: could not agree upon the precise time of y° 15 days being outt; Wherupon y° pror & Gor sent Jos. Growdon & John Hill, to informe ym that in strictness y° 15 days are not expired (the first days not being in the number) till the sixt instant inclusive, & to desire ym to consider yrof, that the Gor & Council may not be straitned with time to do the publick bussines. They returning from the assemblie, made ans't that they wold consider yrof.

After some time, two of y° members of Ass: desired that y° speaker & ass: might have a Conference with the Gor & Council about y° time granted.

The members rexivlie appointed brought in a bill prolonging the time prohibiting the shipping tobacco in bulk; also, a Bill obliging all vessells going to & coming from y° sea, to call att Newcastle & make report there, under a certain penaltie; as also, a Bill about trying & punishing of negroes.

Adjourned to 4th instant.

[4th June, 1700.
Att a Council held att philad. die Martis, 4th June, 1700.

PRESENT:

WM. PENN, pror. & Go', et ysdem ut antea.

The sd 3 Bills being read by y° Secrie & amended, wer sent to the House of Representatives for yr assent, by Griffith Owen & Caleb pussey.

The pror & Gor acquainted y° Council that he had perused and Considered y° Charter by ym psented to him to be granted, and psented to ym y° draught of such Charter as hee could grant ym, & appointed Jos. Growdon, Sam'Carpenter, Rd. Halliwell & Jn° Donaldson, a Comittee of y° Council to join a Comittee of Ass, to puse & consider y° same, & desired sd Halliwell to acquaint y° ass: yrof.

Adjourned to 5th instant.
MINUTES OF THE

[5th June, 1700.
Att a Council Held att philad. die Mercury, 5th June, 1700

PRESENT:
WM. PENN, pro' & Go', et ysdem ut antea.
Joseph Growdon, chairman of sd Comittee, made report y' they
had considered of some amendmts of y' sd draught, wch hee gave y'
pror for his perusal.
Caleb pussey, a member of, made a motion y' a Bill should be pre-
pared about elections of repsentatives & y' fees, & a Bill about a free-
man. The pror ordered y' sd Caleb pussey to prepare itt.

The pror & Gor ordered Griffith Owen to prepare a Bill about
sicklie vessells coming into this governmt.
Joseph Growdon made a motion that 3d in the ll be raised for y'
Go' use. Hee ordered sd Growdon to prepare a Bill for that end.
Saml Carpenter made a motion y' a bill might be prepared for rais-
ing One pennie p ll & 6s. p poll, for defraying the publick debts of y'
government. The pror & Gor ordered Saml Carpenter to draw itt up.
Griffith Owen made a motion that a Bill might be prepared for
Laying an Impost upon wine, Rum, Cider, Liquors retailed, for y'
prors. use & support. Hee ordered sd Owen to draw itt up.
Caleb pussey desired y' a Bill might be prepared to Continue & con-
firm y' Laws of this governmt. The pror appointed sd Caleb to draw
itt up.

Adjourned to 6th instant.

6th June, 1700.
Att a Council Held att philad. die Jovis, 6th instant.

PRESENT:
WM. PENN, pror & Go', et ysdem ut antea.
Caleb pussey brought in the bill about elections, a freeman & rep-
resentatives fees, & another Continuing & Confirming y' Law of this
government.
Griffith Owen brought in the Bill about sicklie vessells, & another
about Impost.
Saml Carpenter brought in the Bill for raising one pennie p ll. for
defraying y' publick debts of the government.
The which 5 Bills, after some amendmts made yrin, wer sent to the
house of repsentatives for their assent.
The pror & Gor recomended the Bills of 3d in the ll. and of Impost,
to the Consideraon of y' Ass, & Saml Carpenter was sent wt ym.
Adjourned to 7th instant.
PROVINCIAL COUNCIL.

At a Council Held att philad die Veneris, 7th June, 1700.

PRESENT:

WM. PENN, propr. and Governo'.
Sam' Carpenter, Richd. Hough, Robt. French,
Edwd. Shippen, Jn' Simcoke, John Hill,
Giffith Owen, Caleb pussey, Tho. Fenwick,
Joseph Growdon, Rich'd Hallwell, Sam' Preston.
William Biles, Jn' Donaldson,

The pror & Gor desired Wm. Biles & Caleb pussey to acquaint
the assembly that hee & Council waited for ym; who returned they
wold attend him.

The ass: appearing, The Speaker presented to y's Gor & Council
eight bills wch had past yr house. The pror told ym Hee wold cause
them to be read and Considered, And desired ym wt all speed to Con-
sider of the Charter & the amendmts to be made yrin, & y'f if they
could agree among ymselves about the alteraons & amendmts they
desired Hee wold for his part, be as condescending Hee & easie as hee
could.

After Reading of all the said 8 bills 3 times by y's secrrie, they were
by y's pror, Gor & Council, approved of & assented to.

The 1st, entituled, the Law of a freeman about elections and Rep-
sentatives fees.

The 2d, The Law for granting an impost upon wines,Rum, beer, ale,
&c, & goods imported, retailed & sold in this province & territories.

The 3d, The Law requiring all M's of Shipp's & vessells to make
report att the town of Newcastle, y' are or shall be bound to or from
y's sea.

The 4th, The Law for prolonging the time prohibiting the shipping
tobacco in Bulk.

The 5th, The Law about trying and punishing negroes.

The 6th, The Law about sicklie vessels coming into this govern-
ment.

The 7th, The Law for raising one pennie p pound, and six Shills.
p head, for paymt of y's publick debts of the governmt.

The 8th, The Law for confirming & continuong the Laws of this
government.

Then the pror & Gor desired the Secrie to acquaint y's ass: y' hee
waited for ym. The ass: appearing, the pror & Gor desired the
Secrie to read over the sd eight bills, wch hee did, & y's pror & Gor
did underwrite each bill in these words, viz: philad., 7th June, 1700.
This bill being 3 times read was assented to by the Gor & Council,
& yn yrto put his hand & y' seal of y' province.

Then y's pror ask't y's ass: whether they had prepared any other
Bills for his assent, Who answered no.

Then y's ass: brought in to y's Gor & Council the Chart hee had
proposed to ym, wt amendmts, but after a Long debate, & nothing
being like to be agreed upon by reason of y's opposition between y's
upper & Lower Counties, about the number of members & representa-
tives charges, & some other clauses youf;

The pror & Gor, wt yė Consent of the Counciell, putt it to the vote
whether they wold be governed by yė old Charter; caried in the
negative.

Then hee putt it to yė vote qther, (since the Chart could not be
agreed upon.) Hee should not reassertume the govermt, as it was after
the act of Union, & govern by his Lres pats. from king Charles yė 2ė, &
on yė foot of yė act of Union; Caried in the affirmative by yė mem-
ers of Council & ass, except 4 or 5.

Therafter itt was by yė Gor & Council, & all the representatives in
ass: unanimouslie voted, declared & assented to, yė all yė Laws past
att Chester, & in yė petition of right, & all the Laws since made, as
also yė Law for Confirming & Continuing yė Laws of this govern',
made this ss of ass: shall stand, be & Continue in full force & virtue,
as hath been Customarie, until the rising of the next genral ass, &
20 days after, & no Longer, except such Laws, or pts of Laws, as are
repealed, altered, or supplied by other Laws.

Therafter yė pror & Gor, upon the motion of a member of ass,
promised yė the clause of yė Charter relating to proptie should con-
tinue as it was before.

Then Jno. Blunston, Speaker, in the behalf of the representatives of
yė people in ass, & Wm. Biles, in the behalf of yė representatives of
yė people in Council, for yė province, & Jnė Hill & Wm. Rodney for
yė territories, and in behalf of yė people & representatives in Council
& ass, and by and with the unanimous Consent of all yė members
both of Council & ass: present, took yė Charter, & delivred itt up to
the pror & Gor, which hee accepted of att yr Hands and then said:

Friends, since you wer dissatisfied wt yė Chart' you had, & yė you
could not agree among yourselves about a new one, I shall be easie
in ruling you by the king's Lettrs pats. & act of Union, & shall in
the ruleing of you, Consider my grant from the king & you that I
am to rule, and shall from time to time endeavour to give you satis-
facon. I advise you not to be easilie displeased One with another,
be slow to anger & swift to charitie, so I wish you all well to yor
homes.

The end of the eight ss. of Council & Assemblie.
MINUTES OF COUNCIL IN THE ASSEMBLIE, Anno Ri. Rs. Gulielmi tertii.

[14th October, 1700.
Att a Council Held att Newcastle die Lunœ, 14th 8br, 1700.

PRESENT:
The Honble WILLIAM PENN, absolute proprietor of the province of pennsylvania & territories yrto belonging.
Humph. Morry, Thomas Storie, Caleb pussey, Joseph Growdon, Edw. Shippen & Griffith Owen, appearing, signified that having been of his Council, but now as by y° sheriffs of Bucks & philadelphia Counties y° returns will appear being chosen to serve in ass, desired a dismiss from y° Council. The Gor told ym y° for y° psent hee did dispense w° their attendance on Council, y° they might attend in ass, but y° thereafter, & when the ass: was over, Hee expected yr return to yr service in Council.

Adjourned to 15th instant.

[15th Octob', 1700.
Att a Council Held att Newcastle die Martis, 15th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
Richd. Halliwell & Jasper Yeates being sent for by y° pror & Go', wer solemnlie attested, took & subt. y° Qualificacon of Counsellors, & took place att y° board.

[16th Octob', 1700.
Att a Council held att Newcastle die Mercury, 16th instant.

PRESENT:
WILLIAM PENN, prop' & Governo'.
Tho. Storie, Richd. Hallwell &

The pror & Gor desired y° secrerie to see if the Assembleie wer reade, who returned y° they wold forthwith wait upon him, wch they accordinglie did.
The Sheriff of philadelphia Countie his return of representatives for ass: was produced, qrby wer elected Edw Shippen, Gr. Owen, Rould Ellis, Isaac Norris.
The Sheriff of Bucks his return was produced, qrby yr wer elected Joseph Growdon, Richd. Hough, Sam Dark, Rob Heaton.
The Sheriff of Chester his return was produced, qrby y' wer elected Joseph Baker, Sam Levis, Natll. Newlin, Nicholas pyle.

The Sheriff of Newcastle his Return was produced, qrby y' wer elected John Healie, John Grubb, Rob French, Tho. pierson.

The Sheriff of ye Countie of kent his return was produced, qrby ther wer elected Jn Brinkloe, Richd. Wilson, Wm. Morton, Henrie Moleston.

The sheriff of Sussex his Return was produced, qrby ther wer elected John Hill, Tho. pemberton, Luke Watson, Jr. Tho. Fenwick.

Which psns so returned appearing, subt ye qualificaon of representatives in ass. The pror & Gor desired ym to go together & choose ye Speaker & psent him.

After some time, Joseph Growdon, accompanied by ye whole house of representatives, appeared before ye Gor & Council, & acquainted ym ye they had chose him for yr speaker; who, after hee had disadabled himself by repsenting his unfitness att such a time & for such work, yrfor desired to be excused, & ye y' Gor wold order ye ass: to choose a more fitt psn. The Gor said ye what ye ass: had done pleased him. Then ye sd Joseph Growdon desired ye att all times they might have access to ye Gor's psn, & a favourable construcon putt on ye words, and freedom from arrests; wch ye Governo' grant-ed; And yn said:

Friends, The calling you att this time was upon urgent occasions; you know we want a frame of govrm & a bodie of Laws, wtout wch societie cannot subsist. I recomend to you the revial of ye Laws; what to Continue, what to repeal, what to alter, what to explain, & what now ones is requisit to make. Secondlie, I Recom mend to you the settling of proptie. 3dlie, a suppilie for support of governmt; and I recomend to you amitie & concord among yorselves.

Adjourned to 17th instant.

[17th August, 1700.
Att a Council Held att N. castle die Jovis, 17th instant.

PRESENT:
WM. PENN, pror & Go' et ysdem ut antea.

The Gor & Council began with ye Laws made att Chester, y' by ye Council's previous examinaon, mending & altering yrin what they thought needfull, ye ass's: work might be ye more facilitated. H. Morrey had leave to go home.

Adjourned to 18th instant.

*October.
PROVINCIAL COUNCIL.

18th October, 1700.
Att a Council Held att N. Castle die Veneris, 18th instant.

PRESENT:
WM. PENN, propr & Go', et ysdem ut antea.

Griffith Owen & Joseph Baker, from y* ass, desired y* the writ & return of representatives chosen for N. Castle Countie might be sent ym; wch was done.

The Gor & Council Contioned to revise y* Laws for y* dispatch of y* assembly.

Then y* speaker & representatives of ass: (upon a previous message to y* Gor,) appeared, & humble respented to him & Council, y* upon reading a petition presented to ym by y* inhabitants of y* 3 lower 100th of N. Castle Countie, & on examinaon yrof, y* they had no notice of sd election, & y* for, in their house voted y* sd election void.

Whereupon, the Gor ordered y* secrie to issue a new writt, directed to y* sheriff of N. castle Countie, to sumon y* Inhabitants yrof to meet & make a new choice of 4 representatives for Assembly the 21st instant; wch hee did.

The Gor ordered y* secrie to attend the Committee of ass: appointed to revise & prepare y* Laws, & to explain to ym the observaons & alteraons y* hee & Council had made yrin. Jasp. Yeates had leave to go home till 21st instant.

The pror & Gor recomended to Tho. Storie y* Consideraons of the Laws about Testates & Intestates estates, & to make report to-morrow morning. The Gor & Council proceeded in revising y* Laws.

Adjourned to 19th instant.

[19th October, 1700.
Att a Council Held att N. Castle die Sabbathi, 19th instant.

PRESENT:
WILLIAM PENN, propr. & Governo'.
Caleb pussey, Rich Halwell, & Tho. Storie.

The Gor & Council Continued to proceed in the examinaon & revising y* Laws in Order to y* amendmts yrof, both in the fore & afternoon.

Adjourned to 22d instant.

22d October, 1700.
Att a Council held att N. Castle die Martis, 22d instant.
PRESENT:

WM. PENN, pror. & Go', et ysdem ut antea.

The Sheriff of y' Countie of N. Castle his return of y' late writt directed to him by y' pror & Gor for choosing 4 representaives in y' sd Countie for ass: was produced, yrby it appeared y' ther wer elected Rich' Hallwell, Jasp. Yeates, Rob' French, Jn' Healy.

Then sd Rich' Halwell & Jasper Yeates appeared beför y' Gor & Council, signifying y' having been of his Council, but now as by y' Sheriff of N. Castle his return appears being chosen to serve in ass, requested his dismiss from y' Council. The Gor granted yr desire during y' ss. of assemble, but yrafter expected yr return to yr duty as Counsellors to him.

Adjourned to 23d instant.

[23d October, 1700.
Att a Council Held att N. Castle die Mercury, 23d instant.

PRESENT:

WILLIAM PENN, propr. & Governo', Tho. Storie, Caleb pussey & Humphrie Morrey.

The Gor & Council proceeded in the examinaon & revising the Laws, and sent y' Secrie to y' ass: wt some Bills to ym, by them to be read & amended, if they saw cause.

Adjourned to 24th instant.

[24th October, 1700.
Att a Council held att N. Castle die Jovis, 24th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

The pror & Gor sent for ph. pemberton, Wm. Biles & Jn' Blunston, who having been qualified to be of y' Council, took yr places att y' board.

The Gor & Council proceeded in the examining, revising & amending y' Laws, & desired y' Secrie to cary some bills to y' ass: for yr concurrence.

POST MERID.

The Gor desired Tho. Storie to prepare a bill for y' regulacoa of Courts in y' province & territories by to-morrow morning, and in y'
meantime proceeded in examining, revising & amending y° Laws, by
drawing ym up into new bills for y° ass's: Concurrence.
Adjourned to 25th instant.

[25th October, 1700.
Att a Council Held att N. Castle die Veneris, 25th instant.

PRESENT:
WILLIAM PENN, pror and Governo'.
Caleb pussey,         Humph. Morrey,         phin. pemberton,
Thomas Story,         Jn° Blunston,         William Biles.

Isaac Norris & Jno Hill, from y° ass, presented to the Gor some of
y° Bills hee had sent ym, wt some amendmts, & twice by ym read,
all wch being read & considred by y° Gor & Council, wer sent back
to y° ass: for a 3rd reading ; And in y° meantime, hee & Council pro-
ceeded in examining & revising y° Laws for y° ass's: further ease &
dispatch.
Adjourned to 26th instant.

[26th Octob', 1700.
Att a Council Held att N. Castle die Sabbathi, 26th instant.

PSENT :
W.M. PENN, pror & Go°, et ysdem ut antea.
Tho. Storie exhibited to y° Gor & Council a draught of a Bill for
the regulao of Courts of Justice ; wch was begun to be read & con-
sidered.
Edw° Shippen & Jn° Healy psented some bills from y° ass, wch had
been twice read by ym, to be considred of by y° Governor & Council.

Jasper Yeates & Isaac Norris, from the ass, desired a Conference
with the Council ; which was granted. The Speaker & ass: appearing,
psented to y° Gor & Council an address, requesting him to
adjourn the ass: for some time, & that ph. pemberton, Griffith Jones,
David Lloyd & Jn° Moore, be imploied to peuse y° Laws now in force,
in order to amend ym, & to draw up other Bills for y° several occa-
sions, & desired his Concurrence. After reading yrof, y° Gor told
ym y° after hee, Council & ass: had agreed on y° amendments & al-
teraons of y° Laws now in force, & what wer fitt to be continued,
y° assemblie might then make use of whom they pleased to word
ym.
Adjourned to 28th instant.

50°
28th October, 1700.
Att a Council Held att N. Castle die Lunæ, 28th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The pror & Gor desired y° Secrie to read outt y° rest of the Bill for regulating Courts, wch hee did; & in y° afternoon it was again begun to be read over §. by §. & several addions & amendments wer made yrin.
Adjd. to 29th instant.

29th October, 1700.
Att a Council held att N. Castle die Martis, 29th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The remaining parts of y° sd Bill for regulating Courts, both in the fore & afternoon, wer read, debated and amended.
Adjd. to 30th instant.

30th October, 1700.
Att a Council Held att N. Castle die Mercury, 30th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The Gor desired the Secrie to Carry to y° ass: the Bill for regulating Courts of Justice, for their perusall, which hee did. Two members of ass: brought y° Gor & Council some more Bills by them twice read.
Adjourned to p. m.

Att wch time y° Gor & Council having pused y° remaining bills sent by y° ass, & by ym twice read, Ordered y° Secrie to return ym to y° ass: for y° 3d reading.
Adjourned to 31st instant.

31st Octob', 1700.
Att a Council Held att N. Castle, die Jovis, 31st instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
PROVINCIAL COUNCIL.

The Gor & Council proceeded in reading, revising, altering & amending the Laws for ye more speedie dispatch of ye ass, & sent ye some other Bills.

Adjourned to 1st Nov'.

1st Novemb', 1700.
Att a Council Held att N. Castle die Veneris, 1st Nov', 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.

Two members from ye ass: brought some bills from ye y' had been twice read, for ye pusal of ye Gor & Council, wch wer accordinglie by ye read & returned to ye ass: for a third reading.

Adjourned to p. m.

Att wch time Griffith Jones, in behalf of --- Richardson, son of John Richardson of ye Countie of Kent, deceased, brought in a draught of a bill for taking off the attainder of ye sd John Richardson, deceased, and ye sd Griffith Jones having been heard how hee could make good ye reasons of his request in sd bill contained, The Gor & Council, after perusal yrof, Comitted ye further perusal of ye same to Tho. Storie, & ordered him to report ye reasonableness yrof to-morrow.

Adjourned to 2d instant.

2d Novemb', 1700.
Att a Council Held att N. Castle die Sabbathi, 2d No', 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.

Tho. Storie gave in to ye Gor & Council ye Bill for taking off ye attainder aforesaid, wt amendments, wch was read and debated.

Two members of ass: brought to ye Gor & Council some more Bills for their perusal, which wer by ye read and Considered.

Adjourned to p. m.

Att wch time Gr. Owen & Jn' Hill, from ye ass, brought to ye Gor & Council another bill, by ye twice read, for yr perusall. The Gor desired ye Secrie to carrie to ye ass: 3 bills more for ye to Consider of.

Adjd. to 4th instant.
596  MINUTES OF THE

4th Novemb', 1700.
Att a Council Held att N. Castle die Lunæ, 4th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & Rd Halwell, from y* ass, acquainted y* Gor y' y* ass: desired a Conference wt him & Council about the act of Union, which y* pror granted to be held att 4 post merid. The Gor caused the Secrie to read some other Laws y* had been twice read by the assem- blie.

Adjourned to 4 p. m.

Att which time Joseph Growdon, Speaker, & representatives in ass, held a Conference with the Gor and Council, about y* act of Union, & that it was in force.

Adjourned to 5th instant.

[5th Novemb', 1700.
Att a Council held att N. Castle 5th Novemb', 1700.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jasp. Yeates & Is. Norris, from y* ass, desired another Conference with y* Gor & Council about y* act of Union, wch hee granted. The Gor ordered y* Secrie to Carry all y* remaining Laws y* had been twice read by y* ass: to ym, wch hee did.

Aftnoon y* Gor & Council proceeded to prepare some other bills to be caried to y* ass.

Adjourned to 6th instant.

[6th Novemb', 1700.
Att a Council Held att Newcastle 6th Novemb', 1700.

PRESENT:

The pror & Gor, et ysdem ut antea.

The pror & Gor sent by y* Secrie some other bills that had been twice read by the ass: for y* Concurrence. Edw'd Shippen & Rich'd Hallwell, from y* ass, brought to y* Gor & Council 26 bills by ym thrice read, for y* assent.
POST MERIDIEM.

Two members of ass: brought from ym some more Bills that had been by ym thrice read, for y^s Gor & Council’s assent.

The pror & Gor ordered Rob' Ashton & James Logan, to ingross y^s Laws sent by y^s ass, & by them trice read, in order to be past into Laws.

Adjourned to 7th instant.

[7th Novemb', 1700.
Att a Council Held att N. Castle die Jovis, 7th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Rob' French & Gr. Owen brought to y^s Gor & Council some more Bills past y^s ass: thrice, for y^s assent. Ph. pemberton & Tho. Storie wer by y^s pror & Gor sent to y^s ass. wt some Laws y^t had been brought to ym from ass: thrice read, with some amendments.


P. M. Two members brought from y^s ass: some more Bills y^t had been by ym thrice read, for y^s Gor & Councill's Concurrence, wch wer read.

Adjourned to 8th instant.

[8th Novemb', 1700.
Att a Council Held att N. Castle die Veneris, 8th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Gr. Owen & R' French, from y^s ass, delivred a message To y^s Gor & Council, desiring y^s Law of Seven years Quiet possession to continue as before.

The Gor desired ym to acquaint the ass: that hee desired a Conference wt them about that and some other Bills.

Adjourned to 9th instant.

[9th Novemb', 1700.
Att a Council Held att N. Castle die Sabbati, 9th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.
MINUTES OF THE

Jno Hill & R't Heaton, from the ass, desired a Conference wt Gor & Councill about y° Bill of 7 years Quiet possession; wch hee grant-ed. The Speaker & ass: appearing, & after Conference y° bill was returned to y° ass.

Ph. pemberton & Jno Blunston wer sent by y° Gor & Council to y° assemble with 3 more bills, & to desire ym to dispatch. The Gor caused the Secrie to read y° Laws y°' had been thrice read by y° ass; wch hee did.

Adjd. to p. m.

Att wch time Tho. Fenwich & Sam Dark brought some Bills from y° ass, by them thrice read, for y° Gor & Councill's Con- currence.

ph. pemberton & Tho. Storie wer by y° Gor sent to y° ass, to ex- plain to ym some amendments they had made in some Bills y° y° ass: had sent to ym.

Adjoined to 11th instant.

11th Novemb', 1700.
Att a Council Held att N. Castle die Lunæ, 11th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem, except Wm. Biles.

Jno Hill & Jos. Baker brought some Bills from ass: for Gor & Councill's Concurrence, wch having been read, wer returned to ym for y° 3d reading. ph. pemberton & Tho. Storie wer sent by y° Gor to y° ass: wt some new Bills.

The pror & Gor sent y° Secrie to y° ass: wt the Bill about the post office, for y° Concurrence yrin, and sent 2 of y° Council to y° ass, de-siring a Conference wt ym about certain Laws; which was granted.

Adjoined to 12th instant.

12th Novemb', 1700.
Att a Council Held att N. Castle die Martis, 12th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Sam' Lewis & Tho. Fenwick brought some bills from y° ass: that had been thrice read by ym, for the Gor & Council's Concurrence.

Adjoined to 13th instant.
PROVINCIAL COUNCIL.

13th Novem', 1700.
Att a Council Held att N. Castle die Mercury, 13th instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.
The Gor & Council proceeded to prepare some Laws to present to
the assembly, &c.

Adjourned to 14th instant.

14th Novem', 1700.
Att a Council Held att N. Castle die Jovis, 14th instant.

PRESENT:

WM. PENN, pror & Go', et ysdem ut antea.

Jn' Blunston & Caleb pussey wer by y' Gor sent to y' ass: with
some bills and amendments.

Adjourned to 15th instant.

15th Novem', 1700.
Att a Council Held att Newcastle die Veneris, 15th instant.

PRESENT:

WM. PENN, pror & Gor. et ysdem ut antea.

Edwd. Shippen, Richd. Halwell, Jasp. Yeates, & Isaac Norris,
brought two bills y' had been three times read, for y' Gor & Council's
Concurrence, and delivered to the pror & Gor y' frame of govermt
wt y' amendts yrof, for his pusall.

POST MERIDIEM.

Jn' Hill & John Healy brought some bills to y' Gor & Council that
had been twice read by y' ass.

Adjourned to 16th instant.

16th Novem', 1700.
Att a Council Held att N. Castle die Sabbathi, 16 instant.

PRESENT:

WM. PENN, pror & Gor, et ysdem ut antea.

Jn' Blunston, a member of this board, had leave from y' pror &
Gor to go Home.

Adjourned to 18th instant.
18th Novemb\', 1700.
Att a Council Held att Newcastle die Lune, 18th Nov, 1700.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
Tho. Fenwick & Nicho. Newlin, brought from y\* ass: four Bills that had been three times read, for their Concurrence. The pror & Gor desired y\* Secrie to Carry back to y\* ass: y\* bill about y\* preserva\-\-on of his pson, wt some amendmts.
Jasper Yeates & Isaac Norris brought to y\* pror & Gor y\* Bill of propertie from y\* ass; wch was read, & y\* Considera\-\-on yrf deferred to post meridiem.

Att wch time y\* pror & Gor desired y\* Secrie to read over y\* bill of propertie; wch was done, and some part of it debated.
Adjourned to 19th instant.

19th Novemb\', 1700.
Att a Council held att N. Castle die Martis, 19th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
Four members of ass: acquainted y\* pror & Gor y\* y\* ass: could not agree about y\* upper & Lower Counties proposons about y\* bill of support of govermt; wheron y\* pror & Gor desired a Conference wt y\* ass: on y\* affair; Which they accordingly had.
Adjourned to p. m.

Att wch time, Upon reading the petition of James Sandilands of Chester town, to the
Adjourned to the 20th instant.

[20th Nov\', 1700.
Att a Council held att Newcastle die Mercury, 20th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
Tho. Fenwick & Nicho. Newlin, from y\* ass, desired y\* Gor to appoint a member of Council to meet with two members of ass, to compare y\* Laws y\* wer ingrossed; who accordinglie appointed Caleb pussey.
Adjourned to 21st instant.
PROVINCIAL COUNCIL.

[21st Nov'. 1700.
Att a Council held att N. Castle die Jovis, 21st instant.

PRESENT:
WM. Penn, pror & Gor, et ysdem ut antea.
The Gor and Council did Consider some other branches & parts of y° Bill of proprie, and debated y° same.
Adjournd to 22d instant.

[22d Nov'. 1700.
Att a Council Held att N. Castle die Veneris, 22d instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The pror & Gor did further Consider y° Bill of proprie & sent y's secret to the ass. to desire a Conference w' ym about y° same y° 23d instant.
Adjournd to 23d instant.

[23d Novemb', 1700.
Att a Council Held att N. Castle die Sabbathi, 23d instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut antea.
The Ass: appeared, & the pror & Gor delivrd to the Speaker in writting some objections ag' some pts of y° Bill of proprie, for y° Consideraon, & after some ansrs made by the ass: yrto; The Speaker delivered to y° pror & Gor the Bill for raising monie for support of govrnt & depted to yr owne house.
The pror & Gor caused y° Secrie to read y° sd bill for support, &c., which hee did, & after some amendmts yrof the Gor desired Jr°. Blunston to carrie it to y° assemblie for their Concurrence.
Adjournd to 25th instant.

[25th Novemb', 1700.
Att a Council Held att N. Castle die Lunae, 25th instant.

PRESENT:
WM. PENN, pror & Gor, et ysdem ut ante.
Two members from y° ass: related to y° Gor, some objections they had ag' y° Bill of proprie, wch y° Gor satisfied ym in, & desired they wold acquaint y° ass: y° they wold make what haist they could to draw to an end by reason of y° hard seaso'n, and his indisposition of bodie.
Adjd to p. m.

1
MINUTES OF THE

Att wch time 2 members from y* ass: brought to y* Gor & Coun-
cil the Bill of propie, y* Bill for y* support of y* Govrnt, & a Bill
for a Bridge over Chester Creek, thrice read, & desired his Concurrence yrin. The pror & Gor desired y* secrrie to gett y* sd 3 Bills
ingrossed, & y* they might, with the other Bills be Comped. by y* appointed members of Council & ass: in order to be past into laws.
Adjourned to 27th instant.

[27th Nov 1700.
At a Council held att Newcastle die Mercury, 27th.

PRESENT:

WM. PENN, pror & Gov, et ipsdem ut antea,
The pror & Gor sent y* secrrie to the ass, desiring the Speaker &
y* whole House of representatives to wait upon him in ord* to have y*
Laws past.

Accordingly they appeared, & y* pror & Gor caused y* Secrie to
read the titles of all the Laws y* had been engrossed in number———
Contained in ———— sheets of paper, & askt y* member of
Council, Caleb Pussey & y* members of ass: Jasp Yeates & Isaac
Norris, whether they wer satisfied y* y* titles read wer the titles of
y* Laws they had Comped, & that they wer truelie ingrossed, who
answered y* they wer satisfied with both.

Whereupon, after y* pror had caused y* sd Laws to be signed by
y* Speaker Joseph Growdon, in name & behalf of y* assemblie, &
had Caused y* great seal to be appended to y* same—Hee openlie, in
presence of y* Council & assembly, declared the same to be the
Laws of the province of Pennsilvania & the Territories y*to belong-
ing, according to y* kings Letters patent, granted to Him und* y* great
Seal of England. And did prorogue this Assembly to y* first of
April next, but said hee wold not Call ym together till the eighth
moneth came, twelve moneth without a Verie emergent occasion.

END OF VOL. I.