JOURNAL
OF THE
Commons House of Assembly
OF
South Carolina

November 20, 1695—November 28, 1695

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Printed for the
HISTORICAL COMMISSION OF SOUTH CAROLINA
By The State Company, Columbia, S. C.
1943
In the Morning the house mett according to adjournment.

(The 20th day of November 1695)

and Present

m'r Speaker
m'r: Jonathan Amory
m'r Edmond Bellinger
Doct'r = Charles Burnham
m'r Gilbert Ashley absent
m'r Hew Hixt
m'r John Morton
m'r: Abra' Waight
m'r, Wm— Bower
Cap't Charles Basden
m'r Wm— Brockhurst
m'r Lewis Price absent
m'r, John Whitmarsh
m'r Thomas Elliott
m'r, Wm— Smith
m'r, John Ladson
m'r, John ffarr
m'r John Raven absent

Brought into this House by m'r John ffarr m'r Hew Hixt and m'r Abra' Waight A Bill for the asertaineing ye Gauge of Barrels and for avoyding Deceipts in Selling and buying Beefe and Porke/ Read the first Time and past wth amendments/ ord'red that m'r Jonathan Amory Receiver doe Bring in his acco's of the treasurie of this province to this house at 3 of the Clock in the afternoone

ordered that m'r Edmund Bellinger doe Draw up the posiaalls and amendments of the Jury act to present to the Govno'r— and Lord's pers— Deputies and Returne the same to this house at 3 of the Clock in the afternoone

The House adjourned to: 3 o the Clock in the afternoone

In the afternoone

The House mett according to adjournment

Ord'red that m'r Wm— Smith m'r Edmond Bellinger & m'r— John Morton be a Comitte to Examine the account's— of m'r:
Jonathan Amory Receiver, and make Report thereof to this house to morrow morning at Nine of the Clock/
According to: a foregoeing ord'r of this house m'r Edmond Bellinger Brought into this house the proposialls and amendments of the Jury Act as followeth
A bill for y'r Better observation of the Lords Day &c/
Brought into this house by m'r Gilbert Ashley m'r Lewis Price and m'r John Raven/
The Same Being Read the first Time is past w'th amendments
The House adjourned to 9 of the Clock to morrow morning/

In the Morning the 21st of November 1695 The House mett ac- 
cording to adjournment
Present m'r Speaker
m'r Jonathan Amory
m'r Edmond Bellinger
Capt George Dearsley
Doct'r Charles Burnham
m'r Gilbert Ashley
m'r Hew Hixt
m'r John Morton
m'r Abra Waight
m'r Wm— Bower
Capt Cha's Basden
m'r Wm— Brockhust
m'r Lewis Price/
m'r John Whitmarsh
m'r: Tho' Elliott
m'r Wm— Smith
m'r John Ladson
m'r John ffarr
m'r John Raven
Ordered that m'r Jonathan Amory Draw up a Petic'on to the Hon'ble— the Governo'r & Lords &pr's— Deputies for the abate-
ment of Rent and Returne the Same to this house at three of 
the Clock in the afternoone/
The Question is put whether the house shall Resolve into a 
Grand Comitte to Consult whether it be Convenient to Raise 
money for the Publick use of this &vince, or not/
Caryed in the afirmative
And the house Resolvd into a Grand Comitte accordingly and m'r: Edmond Bellinger Choose Chaireman/ who accordingly Took the Chaire/
m'r Speaker Resumes the Chaire and m'r Chaire man made Report to the house that it is the Resolution of the Comitte, that it is Convenient to Raise money for the Publique use, of this Province/
Capt James Moore and Landgrave Joseph Morton brought into this house from the upper house the answear of the address of this house Concerning the Jury act as followeth
The answear of the Uper House to the adress of the Comons Concerning the Jury act
M'r Speaker and Gentlemen/
We Consent that you may prepare a bill to make a New list to the Jury act wth the names of Such Sons only as we and you Shall thinke fitt to be Jury men anything in the Jury act to the Contrary not wthStanding and that the present Jury act may together wth the Same Bill be againe Confirmed/ But we Canot Consent to any Alterations to the Lords directions (one of which is that the names of the Jury Shall be in Single pieces of Parchment) Concerning the Jury act it being Especially Excepted in the Governo's— Commission
John Archdale

Signed by ord'r of this house/
The Question is putt whether the house shall Resolve into a grand Comittee to Consult of wayes for Raiseing of money for the Defense of the Country and other Pubличk uses (or not) Caryed in the affirmativ and Doct'r Charles Burnham Choosen Chaire man who accordingly tooke the Chaire/ m'r Speaker Reasumed the Chaire
Doct'r: Charles Burnham Chaire man made Report to the house that it is the Resolution of the Comitte thatt an Impost be Laid upon Skins/
Coll Stephen Bull and Capt William Hawett brought into this house The answer of the Petition of this House for the Re-mission of arreares of Rent (as followeth)
The answer of ye Counciill to the Petition of the House of Commons Dated ye 19th: November Relateing to the Rents
Mr Speaker

You have Reason to beleive yt (because we the Deputies are Equally interested wth: yo' selves and the people you represent (ye Lords have left ye Concerns of the rents and the price of Lands to be Sold to the Governo— which as we understand by him they have done wth— Restrictions and Limetations, but out of the Zeale he had to make ye Inhabitants of thisvince Easie as Reasonable he, Could, he hath before you Petic'н of ye 19th— of November 1695/ Sett the price of Lands to be Sold at little more then at halfe the price as was formerly sold wherein he hath in a nature answered yo' Petic'on for all ye arreares of rents, and ye Price Land is now Sold at, amounts to but little more together then the former price was/

When you have Considered how far he hath allready gon towards the answering yo' Desires & yt ye Lords proprietors are Considerably in Debt for ye Support and maintanance of the Governm— which was allways Intended to be borne by the rents, we Beleive you will have Reason, to Cease to press any farther therein at this Time— it not being as he Informes us within the reach of his power to satisfie you therein, we beleive you will thinke it not Reasonable that ye Lords should Baire the Charges of the Governm out of their Private Pursses, Since they have had Quitt Rent due to them they haveing Expended Severall Thousands of pounds as we are Credibly Informed out of their owne pursses in the Planting this Collony and have forborne the Longest of any prietors that Ever Settled any Collony in america from Demanding any Quitt Rents from the people/

Signed by ord'r of Councill
Tho Cary Secretary

The House adjourned Till 3 of the Clerk in the afternoone/

The House mett according to adjournment in the afternoone

a Bill for Raiseing an Imposte or Duty upon skinns and furrs, Committed to Doc'r: Burnham cap' Dearsley & Cap'. Basden to be perpared and Brought into this house to Morrow morning at 9 of the Clock/
according to an ord'r of this house m'r Jonathan Amory Brought into this house a Petic'on Directed to the Honoble— the Governo'r—

for the abatement of rent/

To ye Rt Honoble John Archdale Esq'r Governo'r & Capt General of ye Province of Carolina

The Humble Petition of the Commons Assembled/

May it please yo'r Honors/

We acknowledge w'th Thankfullness the Great Care and tender affections the Rt Honoble= ye Lords and absolute proprietors have for ye People of this Settlement, and we give yo'r hono' our humble thanks for demonstrateing the Same to us, and yo'r Continuall Readiness to doe all things that tends to the ease and good of the people and particularly for their Lordshipps and yo'r hono'rs— Condesensions in Lowreing the price of purchase Lands in which we doe not Doubt but their Lord Shipps and your hono'rs— Designed a Generall Good, and we are Sorry their Lordships and yo'r Honors— Gracious Inclinations & offers therein doe not answer theires and your Expectac'ons, and the Condicons of all Sons, for their are a Considerable number of planters, Servants that Dayley become free and others which may arise here, that are not able to purchase Lands and the Rich onely are Capable of Receiv'ng the benefitt of their Lordships Benevolence/ May it therefore please yo' hono'rs— that a Proportionable abatement may be made of the yearely Quitt Rent of Lands not purchased, that the poore may Rejoyce w'th the Rich and that both may Joyne their prayers to God to bless their Lordshipps and your hono'rs— w'th Long Life and Prosperity/ ordered that m'r Edmond Bellinger and m'r Jonathan Amory Doe Draw a Supplicatory Reply to the answear of the Councill/ A Bill to Regulate the Retaylers of Strong Liquors/ Read the first Time and past with amendments according to an ord'r of this house m'r Edmond Bellinger and m'r Jonathan Amory brought into this house a Supplicatory Reply to the answear of the Councill as followeth/

To the Rt Honoble= John Archdale Esq'r— Governo'r and Capt General of the Prince of Carolina now Sitting in the upper house of the Generall assembly And to the Honoble= Members of the sad House
The humble Supplicatory Reply of the Comons to the paper Intitled the answear of the Councill to the Petition of the house of Comons dated ye 19th: Novemb.— Relateing to the arreares of rents—

Wee ye Comons haveing on ye 19th: of November Inst: humbly Peticoned yo' hono'rs and ye Lords & prs Deputies as Sitting in the Generall Assembly for ye Remission of arreares of Rents in the behalfe of this poore people and in the said Petic'on, offred to yo' hono'rs Consideracon (amongst many) Some as we thought prevaileant arguments to incline yo' hono'rs— to Oblidge this people in soe mercifull and Gracious a worke as the Giveing (as it were) new life and being to many who otherwise are in Danger of Inevitable ruine) but haveing Recd— from yo' hono'rs. No answear to the said Petition, but instead thereof the aforesaid Paper which allthought Intitled the answear of the Councill and Signed by m' Secretary by ord'r thereof, all way mentioneth yo' hono' in ye third &son, as Distant and Distinct from ye Lords Deputies and Assembly and the whole being onely a Supposition of their Debilatyes and yo' hono'rs— Sole power in ye matter of the Petition has necessitated us yo'— humble petic'onrs— to Supplicate yo' hono' to advise and Consult w'th: the honoble— members of ye upper house, and may it please yo' hono'rs— to take into yo' Serious Considerac'ons ye sd Petition and ye pitifull Estate of this poore people and to Give to us in their Stead Such a Direct answer thereto as may Rend— you most Deare to us and oblige us all Chearfully to Continue our Duty in Praying to Allmighty god for yo' hono'rs Long Life and prosperity—

Dated the 22d November 1695

The house adjourned till tomorrow morning nine of the Clock/

In the Morning the 22d of November 1695/

The House mett according to adjournmt

Present m' Speaker
m': Jonathan Amory
m': Edmond Bellinger
Capt': George Dearsley
Doct':— Charles Burnham
m': Gilbert Ashley

absent
m': William Smith
m': f'ra' Turgis—
m'r: Hew Hext
m'r: John Morton
m'r: Abra' Waight
m'r: Wm— Bower
Capt', Charles Basden
m'r: Wm— Brockhust
m'r: Lewis Price
m'r John Whitmarsh
m'r Tho' Elliott
m'r John Ladson
m'r John ffarr
m'r John Raven

The Question is whether the Question Conserning the Vallidity or Non Valliditye of the acts made by the Last Generall Assembly be putt at this Time or not—
Caryed in the Negative/
The Comitte for Prepareing a Bill for Raiseing an Impost or Duty upon skinns and furrs made their Report to this house that for want of Time they Could not finish the Same/
Ordered that the Comitte for Prepaireing a bill for Raiseing an Impost or Duty upon Skinns and furrs doe seeceed on the Same, and make Report of their seeceedings to this house tommorrow morning at Nine of the Clock/
orderd that m'r Speaker Signe the Supplicatory Reply to the answear of the Councill, to the peticon of the House of Commons Dated the 19th of November Relateing to the arreares of Rents and that m'r Wm— Smith m'r— Edm— Bellinger m'r Jonathan Amory m'r John Morton and m'r Hugh Hext Doe present the Same in the upper house Dated the 22d of November 1695/

A Bill for Ascertaining the titles of Lands and for the payement of the Lords Rents Committed to Capt Edm— Bellinger m'r Jonathan Amory and m'r John ffarr to be prepared, and that they make Report thereof to this house to morrow morning at Nine of the Clock/

m'r Speaker adjourned the House Till 4 of the Clock in ye after noone/
In the afternoone the House mett according to adjournment
The answere of the Governo'r by advice of this house to the
Supplicatory Reply of the House of Commons Dated November the Twenty Second 1695
My minde is Soe fully Expressed in that which was Signed by the Seciretary, by ord'r of the Councill (which Could not have been A Councill without mee) That I have noe more to add but that it Lookes Very Unreasonable that persons that are behind in their Arreares Should have them forgiven, Whereas those that have paid their Rents, may thereupon looke upon it as a Great hardship on them whome wee have Reason to Judge to be our friends in their Ready Complyance therein and this also would Give an Incouragement to a future neglect of their Duty to us in that Respect, for I have Reason to believe that many that are behind in their Rents, are as able to pay them, as those that have allready paid, And I Question not but I shall be A Competent Judge of the abillity or Disabillity of those yt are In arreares, and I know yt ye proprietor mindes, are not to Ruine any of the Inhabitants of this their Province

John Archdale
November 22d 1695

The House adjourned 'till tomorrow morning Nine of the Clock

November the 23d in the morning the House mett according to Adjournment/

Present m' Speaker/

m' Jona' Amory

m' Edm'd— Bellinger

Capt George Dearsley

Doct' Cha' Burnham

m: Gilbert ashley

m' Hugh Hext

m', John Morton

m", Abra' Waight

m", Wm— Bower

Capt Charles Basden

m' Wm— Brockhurst

m Lewis Price

m", John Whitmarsh

absent

m' sra' Turgis
The Comittee for Prepareing a bill for the ascertaineing the titles of Lands and for payment of the Lords Rents, made Report to this house that they had made Some Progress in the Same. but Desire a farther time to finish the Same/
The Committee for Prepareing a Bill for Raiseing an Impost or Duty upon Skinns and furrs, brought the Same into this house accordingly
A Bill for Laying an Impost upon Skinns and furrs for the Defence and Publick Use of this Country/ Read the first time and past with amendments/
A Bill to Regulate the Retaylers of Strong Liquors Read the Second time and past/
Mr— Speaker adjourned the house Till Tuesday next at Tenn of the Clock in the forenoone/

Tuesday the 26th = day of November 1695/}
The House mett according to adjournment {

Present Mr Speaker/ Absent/ 
Mr: Gilbert Ashley 
Mr: Abra' Waight 
Mr, Wm— Bower 
Mr, Wm— Brockhust 
Mr: Lewis Price/ 
Mr, John Whitmarsh 
Mr, Hugh Hext 
Mr, Tho' Elliott 
Mr, Wm— Smith 
Mr, John Ladson 
Mr, John ffarr 
Mr, John Raven 
Mr Speaker by Consent of the members adjourned the house Till nine a Clock tomorrow morning/
In the Morning the 27th of November 1695/
The House mett according to adjournm't/

Present m'r Speaker
m'r Jonathan Amory
m'r, Edmd Bellinger
Capt,„ George Dearsley absent
Doct'r— Charles Burnham
m'r„, Gilbert ashley
m'r„, Hugh Hext
m'r John Morton
m'r: Wm— Abra' Waight
m'r: Wm— Bower
Capt„ Cha's Basden absent

absent m'r: Wm— Smith
m'r ffra' Turgis/

Present
m'r: Wm— Brockhust
m'r„, Lewis Price
m'r: John Whitmarsh
m'r„, Tho' Elliott
m'r: John Ladson
m'r John Farr
m'r John Raven

m'r Speaker by Consent adjourned the House till 4 of the Clock in the after noone/.

In the afternoone the House mett according to adjournm't
The Question putt whether the money Raised or to be Rais'd
upon Skinns and furrs/ Shall be appropriated to any ¶ticular
use or not/ Caryed in ye negative
The Question is putt whether the money Raised or to be Raised
as aforesaid Shall be Disposed by the Generall assembly, or
by the Comons only (Caryed that the Comons only have the
Disposiall) 'of said money
The Question is Whether all Skinns and furrs now in the Set-
tlement, already bought Shall be Custome ffreed or not, Caryed
in the negative—
The Question is whether an act Entitled an act to Raise money
to be Disposed of for the Incouragement of the ¶duction and
manufacturing of Divers Sorts of Provisions & Comodities
of the Growth of this ¶vince, Shall be Confirmed & Continued
and Limited Equall wth the act for Raising an Impost or Duty
upon Skinns and Furrs/ Caryed in the Negative/
ord'r'd that Doct'r— Charles Burnham Draw up an answere to
the proposials of the uper house Relateing to the act for an
Impost or Duty upon Skinns, and make Reports to this house
to morrow morning of the Same at 10 of the Clock/
Mr/ Speaker and Gent'n—

Wee have herewith Returned yo'r Bill for Laying an Impost
upon Skinns and furrs for the Defence and Publick use of this
Country, which is Soe Generall that we Canot thinke it will answeare the Ends which we hope you Designe it for (vizt fortification, or the Like) wee Therefore Desire that it may be addopted to that &ticular Use, and Comission— appointed for the Oversight of the work and Disposiall of the Money otherwise (it may be) when it is halfe Done, no farther progress may be made therein, and then it will be, but Soe much Throwne away Those Commission— may be accountable to the Generall Assembly from Time to Time. Gen'men we Canot but Take notice that you would Exclude us from having to Doe/ in the Disposiall of the Money & due assure you that if we doe Consent to the Raiseing, and pay apart of it, we thinke it Reasonable to have our share in y— Disposiall/ We thinke it Reasonable to avoyd an Intricate Trouble which other wise will arriose that all Skinns pay but halfe Duty that Shall be Shippt off between this and the first of may, And that all Skinns allready in Towne or wthin the Settlements be free of Duty to be made out by oath/ We Expect that act Entitled an Act to Raise Money to be Dispos'd of for the Incouragement of the _duction and manufactory of Divers Sorts of Provissions and Comodityes of the Growth of this Province Be Continued to be in force as Long as the Imposition upon Skinns &c/and that boath the said acts be Limeted All this Gent—we leave to yo Consideration, hoping that in Soe Good a worke as this is and of soe Greate Use and Reputation to this Country you will Joyne wth us heart and hand

Signed by ord' of the house and Dated this 27 Day of November 1695/ John Archdale
ord'd—that the Clerke, doe Ingrosse the act Entitled an/ act to Regulate the Retaylors of Strong Liquors/ and bring the Same to this house/
The House adjourned till nine a Clock to morrow mor—

In the morning the House mett according to adjournm't— the 28th: of November 1695/

Present Present absent/
Mr Speaker/ m': John ffarr } m', ffra' Turgis/
m': Jonathan Amory m': John Raven }
according to an ordr of this house Doctr Charles Burnham brought into this house an Answear to the proposials of the upper house, Relateing to the act for Raiseing an Impost or Duty upon Skins & furrs
ordrd— that the Clerke Ingrosse the sd Answear/ and accordingly it was Ingrossed/ as followeth
To the Rl Honooble= John Archdale Esq: Governor and Capt General of the Province of Carolina and the Honooble the (Lords Parlrs) Deputies and the Rest of the members of the upper house now Sitting in the Generall assembly
May it please yo Hono/rs—
The Returne of our Bill (for Laying an Imposition upon Skins & furrs for the Defence and Publick use of this Country) yesterday to this house, wth yo Hono/rs— additionalls thereunto, as allsoe yo Hono/rs proposals for further alterations therein, has been all maturely Debated, and Seriously Considered by this house, and wth all modest Submission, we herein humbly present to yo Hono/rs— the Result thereupon, as followeth That we Conceived it much Better to give our Selves the opertunity to Effect Something for the Publick good, with what money that bill would have furnished, then to Ordaine for that particular of fortifisng. Tho' nothing at this Juncture more necessary) for feare, as yo honors= has well observed, when that is halfe finished the Comissionrs— Should Informe us, the money is all gonn/ but the worke not done
and who can we, then blame but our Selves, who has thus Reckoned without our host? wherefore wee hope (in this poynt) we ought to be Excused, and not to be Condemned for this our good Intent and fore sight We alio think it very Reasonable, that we ought to have the Disposiall of our owne Mon-
eys, & that ye Receiver or Comissioners— Should be accountable, only to this house, if the Lords p^p's— please, to give any thing for the Defence of this their Country (as the King gave lately all his Rents in Jamaica to the Defence thereof) We are Satisfied that we ought not to be Curious whome they Imploy and how they Lay it out. and if the present Lords p^p's Deputies pays a part of this Tax, this we humbly Conceive is in their private Capacityes (and not as Deputies) and Soe are one with us, as we Represent the whole people, and in this Respect we hope they ought not to take any further notice but that we pleade as much for them as for our Selves/ As for the Takeing off all Duty upon Skinns & furs that are now in Charles Towne and within this Settlement (wee cannot but thinke) will Soe farr frusterate the Good Intent of that Bill vizt to Raise money for the Defence &c/ that it will be only nominall, and at Least for this yeare wholly useless And for the Clause yo Hono's has been pleased to add to that our Bill vizt) an act to Raise money to be Disposed of for ye Encourage-ment of the production and manufacureing of Divers Sorts of ivisions and Comodities of the Grow^th of this province, and for what Else is Conteyned in the said Clause, (that is not herein before answeread) this house is not fully Resolved, and therefore if yo Hono's thinke fitt we are Very Ready and Willing in a Conferrance (by Some members Deputed from Each house.) further to Debate thereupon in which, we, hope to give yo's. Honors— Such ample Testimonies of our Zeale, and Con-currance for the Publick good, as we hope may for the future obviate all Misunderstandings and Soe fix us in yo's Honors Good Esteeme and Love as not to be Eradicated/ November 28th. 1695/ ord^d— that mr Speaker Signe the before answear to the p^posialls of the upper house and that it be presented to the upper house/ which accordingly was/ presented/
Coll—. Ste’ Bull m’ Tho’ Cary and Cap’ Wm— Hawett was Sent by the upper house, to Informe this house that ye upper house Desired a Conferrance wth the whole house/ ord’rd— that m’ Speaker and the house wayte upon the upper house Accordingly./ This 28th day of November ye: upper house adjourned the Comons/
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