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OF THE

Commons House of Assembly

OF

South Carolina

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A. S. SALLEY

Secretary of the Historical Commission of South Carolina

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1940
At a Generall Assembly mett at the House of Cap't John Collins in Charles Town the fifth day of June 1707
His Excellency John Lord Granvile Palatine and the Rest of the true and absolute Lords and Proprietors of the province of Carolina./

To William Williams Esq' High Sheriff of Berkly and Craven Counties.

Wee Com'and you to Sum'ons all the freeholders of Berkly Countey, together with all the Inhabitants of Craven Countey qualified for Ellection of Members of Assembly to Convene at the House of Cap't John Collins Marshall at Charles Town on Wensday the one and Twentieth day of May next then and there according to to the directions of an Act of Assembly Entituled an Act to regulate the Ellections of Members of Assembly to Chuse and Ellect twenty Members of Assembly to Advise, Consult, and Consent, to and with us about the arduous & great affairs and matters of that part of this province that lies South and west of Cape ffear which Members so ellected you are to Sum'ons to meet at Charles Town at the House of Cap't John Collins on Thursday the fifth day of June next to Sitt in a general Assembly for this part of the province. And this precept and your Execution thereof you are to returne to us at the time and place aforesaid of which you are not fail of,—

Witness Our Govern' and Council at Charles Town this four and twentieth day of April Anno Domi. 1707

Nicholas Trott N Johnson
Henry Noble, Rob't Gibbs. Tho: Broughton
The Sheriffs Returne

By Virtue of the within writt to me directed bearing date the Twenty fourth day of April Anno Domi 1707 I Summoned all the freeholders of Berkly County together with all the Inhabitants of Craven County Qualified for Ellection of Members of Assembly who being mett at Charles Town on the One and Twentieth day of May In the Year aforesaid by plurality of Votes did Choose Cap't David Davis, James Moore, George Chicken, Hugh Grange, Richard Berrisford, Thomas Smith—George Logan Esq', Jo' Abra.' Motte, William Gibbon, Jonathan Drake John Stroud, Cap't George Smith, William Smith

Wm. Williams High Sheriff of Berkly & Craven Counties
His Excellency John Lord Granville Palatine and the rest of the true and absolute Lords and proprietors of the province of Carolina./

To John Williamson Esq' High Sheriff of Colleton County
Wee Command you to Sum'on all the freeholders of Colleton County togeather with all the Inhabitants to the Southward thereof Qualified ffor Ellection of Members of Assembly to Convene at the plantac'on late of Landgrave Bellinger at the Head of Stono River on Wensday the one and twentieth day of May next then and there according to the directions of an Act of Assembly Entitled an Act to Regulate the Ellections of members of Assembly to Chuse and Ellect ten members of assembly— to Advise, Consult, and Consent to and with us ab'. the arduous and great Affairs and matters of that part of this province that lies South and West of Cape Fear which members so Ellected you are to Sum'ons to Meet at Charles Town at the House of Cap' John Collins on Thursday the fifth day of June next to Sitt in a generall Assembly ffor this part of this province and this precept and your Execution thereof you are to Returne to us at the time and place afore-said of which you are not to fail./
Witness our Govern'r and Councill at Charles Town the fourth and twentieth day of Aprill Anno Dom', 1707

N Johnson
Nicholas Trott. Tho: Broughton
Robt Gibbs— Henry Noble—

The Sheriffs Returne.

Carolina Ss Ḟ
Con Colleton Ḟ By Vertue of a Writt to me directed under the Hand and Seal of the Hon'ble Sr Nathaniel Johnson Kn'. Govern'r, and the rest of the Hon'ble Lords proprietors Deputies to Sum'on all the freeholders of Colleton County together with all the Inhabitants to the Southward thereof Qualified for Election of members of Assembly.

... I have Sum'oned all the freeholders of the County aforesaid and they have Elected the persons underwritten Vizt.

Mr Joseph Morton Mr John Woodward
Capt Tho: Neirn Mr James Cochran
Mr John Ash Mr John Wilkins
Mr John Stanyarn Mr John Raven
Capt Christo'r: Wilkinson Mr Tho: Jones.

... me John Williamson
Vic Com'r pro'tect

The House Meeting.

Order'd
That Coll- Tho: Cary and Landg Smith do Attend the Govern'r and Council and Informe them this House is mett according to the precept being Return'd Inform'd the House that the Govern'r and Council would Send for them Immediately.

A Message from the Govern'r and Council by Capt Geo: Evans that this House Attend them./
The House went accordingly and being return'd
The Question was put whether Coll- Tho. Cary Esq' Shall be Speak't.

{Carried in ye affirmative Nemine Contradicente—
}

Who Accordingly Assum'd the Chair

Order'd
That Mr John Abra' Motte and Mr William Gibbon attend the Govern'r and Council and acquaint them that this House has
made Choice of their Speakr... who being Return'd reported that they had acquainted the Governr. and Council of the Same, who desir'd this House would Attend them to present their Speakr.
The House went accordingly.
Mr Speakr and the House being Return'd Mr Speakr. Reas-sum'd the Chair who Inform'd the House that the Governr. had deliver'd a Copy of his Speech to him to prevent mistakes/Order'd
That the said Speech do lye on the Table./
Motion being made that the House would make Choice of their Officers wch are wanting to say the Clerk and the Messinger
The Question was put whether Mr Tho: Hepworth be Clerk of this House

Carried in the Affirmative Nemine Contradicente

Order'd
That Thomas Hepworth be Clerk of this House./
The Question was put whether Mr Robt. Ellis Shall be Messinger of this House.

Carried in the Affirmative Nemine Contradicente

Orderd./
That Robt: Ellis be messinger of this House./
Mr Speakr. by Consent of the House Adjourn'd the House till tomorrow morning Eight a Clock. /

ffriday June the 6th: 1707

The House mett according to Adjournment
The following Members Qualified themselves by takeing the following Oaths./

The Oath of Allegiance
I A B. Do Sincerely promise and Swear that I will be faithful and bear true Allegiance to her Majesty Queen Anne so &c

The Oath of Supremacy
I A. B. Do Swear that I do from my heart abhor, Detest and abjure, as Impious and Heretical that Damnable Doctrine and possession that princes Excommunicated or deprived by the pope or any Authority of the See of Rome may be deposed or Murdered by their Subjects or any other person whatsoever.
And I do declare that no foriegn prince, person, prelate State or potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preeminence or authority Eclesiastical or Spirituall within the Realm of England or this province So help me God—

The Abjuration Oath
I A. B. Do truly and Sincerely acknowledge, profess, testify and declare in my Conscience before God and the world that our Sovereign Lady Queen Anne is Lawfull and rightfull Queen of England and of all other Her Majesties Dominions and Countries thereunto belonging. And I do Solemnly and Sincerely declare that I do beleive in my Conscience that the person pretended to be prince of Wales dureing the life of the late King James and Since his decease pretended to be and takeing upon him the Stile and Title of King of England by the Name of James the Third, hath not any right or title wsoever to the Crown of England or any other the Dominions thereunto belonging. And I do renounce refuse and abjure any Allegiance or obedience to him. And I do Swear that I will bear faith and true Allegiance to her Majesty Queen Anne, and her will Defend to the uttmost of my power against all Traterous Conspiracies and Attempts whatsoever which Shall be made against Her person Crown or Dignity And I will do my best Endeavour to disclose and make known to Her Majesty and Her Successors all Treasons and Traterous Conspiracies which I shall know to be against Her or any of them And I do faithfully promise to the Uttmost of my power to Support Mentaine and Defend the Limitation and Succession of the Crown, against him the said James and all other persons wsoever as the Same is and Stands Limited by an Act Intituled an Act Declareing the Rites and Liberties of the Subject and Settling the Succession of the Crown to her present Majesty and the Heirs of Her Body being Protestants and as the Same by one other Act Intituled an Act for the farther Limitation of the Crown and better Secureing the Rights and Liberties of the Subjects is and Standeth Limited after decease of her Majesty &c for default of Issue of Her Majesty to the Princess Sophia Electoress and Dutchess Dowager of Hanover and the Heirs of Her body being Protestants And all these things I do plainely and Sincerely Acknowledge and Swear ac-
cording to these Express words by me Spoken and according to the plain and Com’on Sense and understanding of the Same words without any Equivocation Mantal Evasion or Secret Reservation whatsoever and I do make this Recognition Acknowledgement Abjuration, Renunciation and promise heartily Willingly and Truely upon the true faith of a Christian so help me God.

The Declaration to be Subscribed

I A B. Do Solemnly and Sincerely in the presence of God profess Testify and declare that I do beleive that in the Sacrament of the Lords Supper there is not any Transubstantation of the Elements of bread and Wine into the body and blood of Christ at or after the Consecration thereof by any person whatsoever, And that the Invocation or Adoration of the Virgin Mary or any other Saint and the Sacrifice of the mass as they are now used in the Church of Rome as Superstitious and Idolatrous, and I do Solemnly in the presence of God profess, Testify and Declare that I do make this Declaration and every part thereof in the plain and ordinary Sense of the words read unto me as they are Com’on only understood by English protestants without any Evasion, Equivocation, or Mantal Reservation whatsoever and without any dispensation already granted me for this purpose by the pope or any other Authority or person whatsoever or without any hope of any Such dispensation from any person or Authority whatsoever or without thinking that I am or may be acquitted before God or Man or absolved of this Declaration or any part thereof altho the pope or any other person or persons or power whatsoever should dispense with or Annul the Same or Declare that it was null or Void from the beginning.

Henry Wigington
William Gibbon—
Hugh. Grange
George. Chickin.
John Ash.
John Stroud
Rob’t ffenwick
Jo’ Wilkins
Jo’ Raven
J A Motte.

Tho: Cary Speak’t.
Tho: Smith—
Geo: Logan
Evan. Mackpherson
Xwr. Wilkinson
William Elliott
Jos: Morton
Jo’ Cochran
Tho: Jones—
Wm. Smith
Motion being made that the Clerk and Messinger be Sworne 
Order'd
That William Smith Esq'r Administer to them the following 
Oaths, Viz'.

The Clerks Oath.
You Shall well and truly Execute the Office of Clerk of As-
sembly and Shall keep the Secretts of the said House when 
thereunto Commanded the foul and fair Journal of the said 
House you shall truly and faithfully keep and therein nothing 
shall enter or alter nor permitt knowingly to be enter'd or alter'd from the Sense and Order of this House./

So help you God/

The Messingers Oath—/
You Shall well and truly Execute the Office of Messinger of 
this House, and keep Secret all the debates which shall be 
made and Arrise therein./

Order'd
That Landg Tho. Smith and Mr. John Ash wait on the Govern'r 
with the following Message./ Viz':
May it please yo' Hon'r.

The House of Com'ons desires your Hon'r to Send them the 
Case of books, papers, and other Writeings belonging to the 
House, together with the Copper plate for the makeing of 
Countrey Bills./

who being Return'd Inform'd the House that the Govern'r would 
Send them Im'ediately./

Order'd
That Mr. Speak'r: Sign all Messages that are Sent in Writeing to 
the Govern'r, and Council./

A Message from the Govern'r, and Council by Cap't. George 
Evans with a Letter directed to the Govern'r. Subscribed by
Dr Edward Marston praying the House would take it into Consideration and Advise him therein. / 
Order'd
That it lie upon the Table. /
A Message from the Govern'r. and Council by Capt Evans with the Case of books belonging to this House as also a petition Signed by Several who Suffer'd great losses in the late Invasion Recom'ended to the Considerac'on of this House. / 
Order'd
That the said petition lie on the Table. /
Order'd
That the Rules and Orders of the House be read, which being done The Question was put whether they should be the Rules and Orders of the House. / 
Carried in the Affirmitive. /
Order'd
That the Govern'rs Speech to this House be read which was Read accordingly and then the House proceeded to take the Same into their Considerac'ons and then was Read the Govern'rs Speech to the last Assembly it being referr'd to in the p'sent Speech—
Order'd
That the Govern'rs Speech at the opening of this Sessions be Enter'd at length in the Journal of the House, Viz'. 
Gentlemen

Because of the pressing circumstances of our Publick Affairs: I have waited this Convention with great impatience, for notwithstanding former discouragements, and thô I see Several of the Same faces here, I am yet willing to hope for a Sincere and hearty Concurrence with me in a Speedy Applicac' on to buissiness and that you will begin to enter in good Earnest upon adjusting our Com'on Intrests, laying aside particular piques or private grudges very unseasonable to be remembred at this Juncture.

The more im'ediate Exigencies we are under are the Secureing the province by finishing the fortificac'ons about Charles Town and paying the publick debts, as also Reviveing the Laws that are out of Date and most necessary wch amongst other things I earnestly Recommended to the late House of
Conions, and now againe Repeat to you, and I hope Gentlemen my care will not always be in vain.

But to be briefe, for a farther account of what I think Expedient to be done I referr you to that part of my Speech given the last Assembly in which (tho after So long Sitting and so little regarded) I am not Conscious of haveing proposed any thing not necessary to the peace, happiness, and prosperity of this province (whatever false glosses may have been put upon my Actions) Assureing you now again, it shall not be my fault that there is not a good agreement and right understanding between us. And as to what concerns the Chief Justice I have so often repeated my resolutions therein both in publick and private that it needs no repetition here.

Ordered
That Coll- George Logan Mr Robt: Pennwick Cap: George Smith Mr John Abra Motte and Mr Henry Wigington be a Committee to prepare an answer to the said Speech and report the Same to this House to morrow morning.

Ordered
That the Journal of the last Assembly lie upon the Table.

Ordered
That leave be given to Mr John Stroud to go into the Countrey for Recovery of his health till Monday

Motion being made and the Question being put whether the House would Sitt Twice a day.

Carried in the Affirmative.

The House Adjourn'd till two a Clock in the Afternoon.

The House mett according to Adjournment

Motion being made and the Question being put whether those Members that are absent Should be Sent for by the Messinger Attending this House.

Carried in the Affirmative.

Ordered
That Cap: David Davis Mr James Moore and Mr John Woodward be Sent for by the Messinger of this House, and that they forthwith Attend the Service of the Same and that Mr Speak Sign the Order.

Ordered
That the Message relating to Dr. Marston with his Letter to the Govern'r be read where being done and the Question being put whether this shall be the Answer of this House to ye Govern'r — message Concerning said Marston Viz.

That the matters refer'd to this House for advice concerning Dr. Marston are Such as do not lie properly before this House.

Carried in the Affirmitive

Order'd

That Landg Thomas Smith and Mr. John Ash wait on the Govern'r with the following Message.

May it please your Hon'r.

We are alwaies willing to cultivate a good Correspondence with your Hon'r. and to afford you the best of our Advice in all matters wherein you can find no other Satisfaction but from the Assistance of the House, but the Indecent Expressions in Dr. Marston's Letter (tho we highly blame him for them) yet we humbly Conceive they are not of that nature as to lie anyways before us, and therefore have Come to this Resolution the matters refer'd to this House by your Hon'r for advice concerning Dr. Marston are Such as do not properly lie before this House./

Tho: Cary Speak'r.

Ordered

That Mr. Peter Mailhett be Sent for who appearing and being Examined relating to a Letter directed to Anthony Potivine reflecting very much upon the proceedings of the late Assembly Said Mailhet own'd he had Sent a Letter to the said Potivine that he and his Neighbours would come down and Vote, and being ask'd by Mr. Speak'r. whether he had any Order for his So doeing and from whome, Answer'd it was from the Govern'r, and then was Order'd to withdraw./

Ordered

That Anthony Potivine do Attend this House on wensday next and bring with him a Letter that Peter Mailhett wrote him to order him and his Neighbours to be downe to Vote. wch Letter Dr. Labrussie Mr. Lynch and Mr. Bonoa heard read who also are Order'd to Attend the House and the Same day, and that the Messinger Attending this House Serve them with this Order and that Mr. Speak'r. Sign the Same./
Ordered
That the Clerk of the House Affix up a paper at Some publick place in Charles Town to give Notice to all persons to whom the Countr\'y is Indebted upon any account w\'soever that they bring in their Said Acco\'s: to the said Clerk in order to be laid before this House. /

Ordered
That a Committee be appointed to prepare and bring in a Bill for reviveing Severall Acts now out of force, and that Wm Smith Esq Mr Robt: ffenwick Mr Evan Mackpherson and Mr John Ashe be a Committee accordingly and bring in the Same on Tuesday Next.

Ordered
That the Messinger of this House acquaint Mr Mailhet to attend this House on Wensday next. /

The House adjourn\'d till to morrow morning 8th a Clock

Saterday June the 7th: 1707.

The House mett according to Adjournment. /

The Committee to whome it was Committed to prepare an Answer to the Govern\'rs Speech, according to order brought in the Same, which is as followeth, Viz. /

May it please your Hon\'rs.

The Sincere Resolution we have to make the welfare & future happiness of this province the Sole Aim and Intent of all our proceedings Encourages us to hope that we Shall mett with a hearty Concurrence from your Hon\'rs. which will lay a foundation of a firm and Inviolable Union. /

what your Hon\'r. has been pleased to Recom\'end to us Chiefly to be regarded we are fully convinced is highly necessary at this juncture, and hope to demonstrate by our Speedy and faithful dispatch of the Same, that love to our Country is more prevalent with us then any other Consideration w\'soever and we further assure your Hon\'rs. that we are farr from Entertaineing private picques and grudges which we beleive is not only at this time Improper, but at all times very odious and unbecoming Christians, who are under the Highest Obligacion to promote (as far as they are possibly Capable peace and union. /

Tho: Cary Speak\'r.
Orderd
That Coll- Geo: Logan, and Mr: William Gibbon attend the
govern' and Councill to know of his Hon' when this House
shall attend them with an Answer to the Govern'r's Speech, and
being return'd Inform'd the House that they were ready to re-
ceive them. The House went accordingly./

Motion being made that the fortifications &c be finished—
the Question was put.
If Negro's be bought for the publick use the Southern part
may have one third of the use of them for the publick Service—
Carried in the Negative./
A further question was put whether fifteen Negro Men and five
Women should be bought out of the publick Treasury for the
finishing the fortifications and for all other publick uses./
Carried in the Negative./

Resolv'd
That this House will on Monday Next appoint a Committee to
Consider of the repairing and finishing of the fortificac'ons
about Charles Town and in Some place to the Southward and
for the appointing of lookoutts./

Orderd
That a Committee be appointed to Examine the Debts due from
the publick, together with L Coll- Rhetts Accotts and that
Cap'L Jo' Ab': Motte Cap'L Neirn Landg'S Smith Cap'L Geo: Smith
and Mr W' Gibbon or any three or Of them be a Committee
accordingly, and make their Report to this House on Sater-
day next.

Order'd
That L Coll- William Rhett Sole Commissio'n of the fortifi-
cac'ons of Charles Town lay his accts: before this House in the
Afternoon

Order'd
That Mr Longlemare Attend the House in the Afternoon.
The House adjourn'd till two a Clock in the afternoon—
The House met according to Adjournment
L Coll- Rhett being Inform'd that the House had orderd him
to lay lay his Acc'ts: before this House praid leave till Mon-
day to lay his Acc'ts: before the House
Order'd
That he have leave till Monday to lay his acco's: before this House./
The Messinger Inform'd the House that Mr Langlemare attend'd bellow according to order, who appearing Mr Speak'd deliver'd him the Copper plate for makeing the Countrey Bills to make tryall of on paper and parchment./
Order'd
That he bring the plate and Impressions to this House on Monday morning./
Order'd
That Mr Henry Wigington do prepare and draw up an address to the Govern'r. to let him know that this House desires to be Satisfied whether Coll- Nich's: Trott of London Esq' be one of the Lords proprietors, and to desire that Nich's. Trott his Deputy here may be removed
Upon further debating the finishing of the fortificac'ons the Question was put whether L Coll- Rhett should Continue sole Commissio'n: for the fortificac'ons./
Carried in the Negative Nemine Contradicon
Order'd
That the publick Receiv'. be ready at all times to lay his Acco's: before this House when thereunto required./
Order'd
That Cap't Thomas Walker be Sent for who apear'g and being Askd by Mr Speak'r. if he would accept of being Commissio'n: for the fortificac'ons, Answer'd he was willing to Serve the Countrey in any thing./
Order'd
That Mr Henry Wigington and Mr Jo' Raven have leave to depart the Service of this House till Monday five a Clock./
The House adjourn'd till Monday Morning Eight a Clock./

Monday June the 9th. 1707.
The House mett according to Adjournment./
Upon Reading the petition of Severall Inhabitants Relateing to a watch or lookout on Jones Island
Resolved
That there be a watch on Jones Island.
Ordered
That a Committee be appointed to prepare and bring in a Bill for Repairing and finishing the fortifications of Charles Town and appointing lookouts and that Mr. Tho: Nairne Mr. Tho: Jones Mr. Elliot Mr. Grange Mr. Cochran and Mr. Geo: Chicken or any three of them be a Committee accordingly and bring in the Same on Thursday next./
L'. Coll- W'm Rhett Sole Com'issio' of the fortifications according to the order of the day brought in his Acco's:/
Order'd
That the Committee appointed to bring in a Bill for finishing the fortifications bring in a Bill also for appointing a watch in Charles Town./
Order'd
That a Committee be appointed to bring in a Bill for the making and mending the Highways and that Tho: Nairne Esq' Mr. James Cochran Mr. Rob'. flenwick Mr. Geo: Chicken Mr. Hugh Grange Mr. Jo' Raven and Mr. Will': Wilkins be a Committee accordingly
The House Adjourn'd till two a Clock in the Afternoon./
The House mett according to Adjournment.
Order'd
That Major John flenwick attend this House to morrow in the Afternoon and bring with him such Journall's and other papers he Received from Mr Rich'd, Berrisford relateing to his progress amongst the Indians, and that the Messinger of this House Serve him with a Copy of this order and that Mr Speak'. Singn the Same
Order'd
That a Committee be appointed to bring in a Bill for Ellection of Members of Assembly and a Bill for the easier prosecution of Suits of Law, and that Mr. Henry Wigington Coll- Geo: Logan, Landg' Jo: Morton and Mr W'm Bull or any three of them be a Committee accordingly and bring in the Same to morrow./
Mr. Henry Wigington to whome it was Com'itted to prepare and draw up an Address to be presented to the Govern'r and Councill to desire to know if Nicholas Trott of London Esq', be one of the true and absolute Lords and proprietors of this
province &c. Reported that he had finished the same wch he read in his place and afterwards deliver'd it in at the Table and is as followeth Vizt.

To the Right Honble: Sir Nathaniel Johnson Kn:; Governr &c. and to the rest of the true and absolute Lords and proprietrs. Deputies.

The Address of the House of Com'ons./

May it please your Honrs.

By the Twenty-sixth Article of the true and absolute Lords and proprietors. Instructions to their Governr. Philip Ludwell Esq:., bearing date the Eighth day of Novemb'., Anno Dom'i 1691. (wch we take to be the present standing Rules of Governr.) the Governr with the Advice and Consent of their Deputies, and the Landgrs and Cassiques and Delegates of the freemen Assembled or the Major part of them are to make ordaine, and enact such Laws as shall be thought necessary for the better Governr. of their province, but to be ratified by the said Governr. and three or more of their Deputies./

And by the Commission granted by the true and absolute Lords and proprietors of the said province to the Honble: John Archdale Esq:; Governr &c., bearing date the thirteenth day of Augst:; in the year of our Lord 1694. he the said John Archdale is Impowr'd by and with the Advice and Consent of the Councill and General Assembly of their province or any part thereof to Enact all Such reasonable Laws and Statutes for the better Governr. of their said province as he the said John Archdale with the Advice and Consent of the Councill and General Assembly shall think Expedient which Power of making and Enacting Laws in man'er as aforesaid is derived to the R: Honble: Sir Nath: Johnson Kn:., present Governr, as " his Commission appears./

We are now with the greatest Earnestness going about the preparing and reading of Bills in our House in order to transmitt them to your Honrs. for your Reading but then we thinke our selves obliged to take care, that, after we have been at great Expence of time and money, the Laws we make and pass with you may have their design'd force and Energy.
Mr. Nicholas Trott who Sitts and Votes with your Honrs in ye makeing and passing laws, Acts as a Deputy to Nicholas Trott of London Esqr. as one of the true and absolute Lords and Proprietors of Carolina, but we are Inform'd that the said Nicholas Trott of London is no Proprietor, and consequently can have no Deputy to represent him in this province. 

It has been hitherto the constant practice and Usage of their Lords, when any person has been by them admitted and own'd a Proprietor of this province, to give their Deputies here publick Notice (to be recorded amongst their other publick Acts, Letters, Instruments, and Writeings) that Such a one was admitted and become a Proprietor otherwise their Deputies: were not to take notice of Such new Proprietors appointing and nominating a Deputy in Carolina, What notice their Lords have taken of said Nicholas Trott of London for a Proprietor, we are ignorant: but we never yet heard that their Lords, ever acquainted their Governours and Councill that he was a proprietor, or that he ever Signed or Subscribed any publick Letters: or other publick Acts or Instruments, or that he ever satt with them at the Board in London, and therefore we are of opinion that the said Mr. Nicholas Trott cannot Act as his Deputy here.

We therefore desire your Honrs, if things are really so as they appear to us to be, that you would be pleas'd to remove the said Nicholas Trott from Sitting, voting and acting with you in passing Laws, that so all Scruples and doubts may be removed concerning the obligac'on of Such Laws, and that people may yeild due obedience to them instead of disputeing their force and authority and we further request your Honrs, that if the said Nicholas Trott appear to be no Deputy to his Cozin Nicholas Trott aforesaid you would be pleased to think of Some other person to fill up any vacancy that may be in the Councill at this time.

These are what we Conceive proper and reasonable for us to offer to your Honrs concerning the said Nicholas Trott at this time and Shall with all Imaginable Expedition, prepare such further Articles as: the sd. Nicholas Trott the Chief Justice as Shall Justly render him unfit to be near your Honrs. in Councill or to bear any publick Commission or Office.
Order'd
That the said Address be Ingrossed and lie on the Table for a
Second Reading./
The House adjourn'd till to morrow morning Eight a Clock.

Tuesday June the 10th: 1707.
The House mett according to adjournment./
Motion being made that the address be presented to the Govern'r
and Councill by the whole House./
Order'd
That the said Address be presented to the Govern'r, and Council
by the whole House.
The Committee to whome the Acts was Refferr'd to be Super-
vised and to bring in a Bill for Reviveing Severall Acts Re-
ported that they had made Some progress therein and praid
leave till friday to bring in the said Bill./
Order'd
That the said Committee have leave till friday to bring in the
said Bill./
Mr. Henry Wigington according to order brought in a Bill for
the more Speedy Comencement of Suits in Law.
Order'd
That the said Bill lie upon the Table./
The House adjourn'd till two a Clock in the afternoon./
The House mett according to adjournment./
The Messinger Informeing the House that Major Jo'ffenwick
attended below according to yeasterdays order, who being Sent
for up and appearing deliver'd Such papers as he had Received
from Mr Rich'd. Berrisford./
Order'd
That they lie upon the Table
The House being Inform'd that Mr Jo' Barnwell had a pack-
quett wch was sent to Major fenwick from Mr Berrisford./
Order'd
That Mr. Barnwell be Sent for who appearing deliver'd the same
and being ask'd if he knew how it came down or to whome
directed answer'd he could not tell and then withdrew/.
Order'd
That Mr. John Abra' Motte and Landgr. Morton wait on the Govern'r and Councill to know when their Hon'rs would be waited upon by the whole House./
A Message from the Govern'r and Councill by Cap't Evans that ye Govern'r and Councill were ready to Receive this House./
Mr. Speak'r and the whole House Attended the Govern'r & Councill with the said Address, the House being return'd Mr. Speak'r acquainted the House that the Govern'r's answer was he would advise with his Councill and Send an Answer to the said address
Order'd
That a Committee be appointed to prepare a Bill to make Countrey Bills for the payment of the Countrey debts and that Mr. Henry Wigington and Coll- Geo: Logan be a Comittee to prepare and bring in a Bill Accordingly on friday next.
Order'd
That Mr. Rich'd. Berrisfords Journalls be read and after Some time Spent in Reading them
Resolv'd
That this House will to morrow morning proceed on the Reading of the said Journalls.
Tho: Neirm Esq'r One of the Committee appointed to bring in a Bill for finishing the fortificac'ons and appointing Lookouts, and a Bill for Settling a Watch in Charles Town brought the said Bills./
Order'd
That they lie upon the Table./
The House Adjourn'd till to morrow morning Eight a Clock.

Wensday June the 11th. 1707.

The House mett according to Adjournment./
According to Yeasterdays Resolution the House proceeded on Reading Mr. Berrisfords Journalls amongst the Indians./
Order'd
That Mr. Richard Berrisford do transcribe fair the Journalls of his proceedings amongst the Indians so soon as possible.
A Message from the Govern'r and Councill by Cap't Geo: Evans. Viz't.
Gentlemen

That we may really Seem on all occasions ready to oblige an Assembly who have given us Such franck Assurances of their Inclinations to Serve the Country. We with a more then common attention consider'd the Subject of your last address. And with as much Sattisfaction and brevity as possible returne you the following answer.

It is indisputable That Thomas Amy Esq" was a Proprietor of Carolina being Chosen and appointed Such by the Lords Proprietors to Supply the Vacancy of Seth Sothell Esq" Assignee of Edward Earle of Clarendon, on of the first true and absolute Lords Proprietor./

And Mr Trott has laid before us the Copy of an Assignment attested under the Hand and Seal of Samuel Kew Notary Publick in Londº, bearing Date the 28th day of Novembº, 1702., Wherein the said Thomas Amy, in Consideration of a marriage Portion for his Daughter whome Nichº: Trott of London had married Doth grant and Assigne his proprietorship aforesaid unto the said Nichº: Trott, and the Heirs of his body &c. wº Assignment is dated March the 21st. 1700.

And Mr Trott hath likewise Shown us a Deputation under the Hand and Seal of the said Nichº. Trott of Londº. bearing date the 2d. day of Novemº. 1702. impowering him to represent the said Nichº. Trott as his Deputy in this Goverment./

All which thus appearing to us in its true circumstances, there is not any Roome left to doubt the truth either of the Proprietorship, or Deputation, and as Such by the 37th Article of the Lords Proprieter's, Instructions to their Governr. Philip Ludwell Esqº (wº we also take to be the present rule of Governr.) we have not power to remove or Suspend a Lawfull Deputy, but are Expressly prohibited from doeing so, and which we find further confirm'd in a Letter from the Lords proprº-, dated May the 12th. 1691. directed to the said Seth Sothell Esqº. on his removing Mr Joseph Blake then Mr Archdale's Deputy and placing Mr Berrisford in his Roome wherein they say, that they will never allow, that any Governº. upon any pretence whatsoever, shall turne out a Deputy that is so appointed to be, under the Hand and Seal of any Proprieterº. that tending

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1See Commissions and Instructions from the Lords Proprietors of Carolina to Public Officials of South Carolina, 1685-1715. p. 170.
towards a Rebellion to ye Crown. Arbitrary power to Such a Governr and the Oating the rest of the Proprieto. of their Rights.

And thô wee do not find that we have Ever Received Publick Notice from the Lords Proprie., that the said Nicho: Trott of London was admitted and became a Proprieto. Yet it may be fairly and Easily implied, in as much as his Deputy Mr Trott here hath continued allmost these four years to pass Laws and Signe Publick Letters with. the rest of the deputies. with the Lords proprie., have from time to time Received and Ratified without any Scruple or objection to Mr Trott thô they very well know him to be the Deputy of Mr Trott in Lond. by our constant Letters to their Lordsproprie. to that purpose./

Besides it has not been always a Constant Rule with the Lords on the admission of a New Proprieto. to Signify their pleasure therein to their Dep'ties. here, for in the case of Mr Warre dec'd who came to represent John Archdale Esq. as his Deputy, their Lordshipps to this day have not by Letr or otherwise Signified to us their Dep'ties. that the said John Archdale Esq. is admitted as one of the true and absolute Lords Proprieto. Notwithstanding none of us I presume will dispute or Question his right to the proprietorship. And as to the Inference you draw from Mr Trott of London his not haveing ever signed or subscribed any publick Letters or other publick Instruments or that he ever Sat with the Lords at the Board in Lond.— You must needs have known or heard of his present Circumstances with (not to say more,) are Such as have for a long time past and as as yet deny him access Even to his own family.

And thus Gentlemen haveing Communicated to you those reasons that have prevail'd with us to consider Mr Trott here the undoubted Deputy of a Lawfull proprie. and as Such above our power of removeal or Suspension, so we hope they have the Same weight and Effect with you, and that you will apply your selves to the Publick buissiness and makeing of wholesome Laws, without the apprehensions that they will loose their design'd force and not Energy, or that any person will dispute their authority on this pretence. And least any person be yet unsatisfied with the reasons aforesaid Wee will take care that no laws Shall be Ratified without Such a Number of Deputies as may pass the Same, thô Mr Trott were absent./
This Gentlemen is all we can say (as of our Selves), in the case of Mr Trott. But we are Permitted from him to acquaint you That Seeing you Intend to Charge Articles agst him, He will wave Sitting in Counciill (tho not his right thereto) untill he has fully answer'd the Same. Least he may be thought or Seem to decline a Satisfaction to publick Justice by the Advantage and dignity of his Station

Wee have likewise Directed our Secretary to Read to you Mr Amy's Assignment of his Proprietorship to Mr Trott of London Mr Trott's Deputation and the Several paragraphs we have Referr'd to in their Lordship's Letter and Instructions and to leave them with you for your perusal and further Satisfaction. That you may see how unwilling we are to leave you unsatisfied in any thing within the Compass of our Reach and power

N. Johnson.—

The Messinger Inform'd the House that Anthony Potwin Dr Marbeuff Mr Tho: Lynch and Antho Boneau Attended below according to the order of this House were call'd up and gave in their Several Depositions agst Peter Mailhett and then was order'd to withdraw, wch are as followeth Viz.

Mr Poitevin/

Sr These are to Informe you that on the 21st. of this instant there will be a new Ellection and I desire you that you would come down and to acquaint all your Neighbours to come down to Vote for it is of the last Importance, for the Governz was oblig'd to dissolve the last Assembly because they were going to take away our priviliges not only of Voteing but also of Inheriting, and the Gentlemen presbetarians would bring Tyranny upon us as pharoh did upon the Children of Israel, & that you may come to my House and find the true lists those you Should. Vote for and in so doeing you will not only oblige me but also the Govr, and the Rest of the french.

June ye 11th: 1707.

Anthony Bonnoau

Mr Antho: Bonnoau being Sworne declared that the substance of wt he had written was true to the best of his knowledge Sworne before me. Geo: Logan./

Sr I send you this Letter to let you know that the Parliament is dissolv'd and desire you to have it read in your Church to
the Congregac'ion and to come down to vote and you shall find a true list at my house for to Save your Estate because the Gentlemen Presbitarians will hinder you to vote and they will put you Slaves as Pharoah did the Children of Israel and you will both oblige not only me but ye Govern'

Peter Mailhett

June the 11th: 1707 The above written is as much as I Remember of Peter Mailhetts Letter to me, wch he own'd to be his Letter, and demanded it of me when I came to Town to Vote.

Sworne before me A Poitevin

Geo Logan/

Mr' Mailhetts Letter to Anthony Poitivin the Substance of the Letter was that the Govern', had dissolv'd the Assembly and that there was to be a new one the 21st of May, the Reason of the Govern'ss dissolveing them was that they were not only for takeing away the liberty from them of voteing but of their Inheritance from them and their Children Inform'd them not to fail of Comeing down, and he would Show them the true Lists, and moreover told them that they were goeing to bring them into Pharoahs bondage yt is the Gentlemen presbetarians

Tho. Lynch

June ye, 11th, 1707 Mr' Tho: Lynch being Sworne declared that the substance of yt he had before written was true to ye best of his knowledge

Sworne before me Geo Logan/

Ordered

That Peter Mailhett attend this House in the afternoon./

The House adjourn'd till two a Clock in the afternoon.

The House mett according to Adjournment./

The Messinger Inform'd the House that Mr' Mailhett attended below according to Order who being Sent for up, and being ask'd by Mr' Speak', if he would produce the Letter which he Sent to the french Quarters concerning the last assembly takeing away the Right of Inheritance from the french &c, Answer'd He had it not, but if he had, he Should not deliver it./

Upon Debate of the said Answer

Resolv'd

That the Answer made by the said Peter Mailhett is contemptuous and highly affronting the authority of this House./

Order'd
That the Messinger Attending this House take the said Peter Mailhett into his Custody for his Contempt to this House and that Mr Speak. Sign this Order.

Tho Cary Speak.

Upon the further debate of the Letter written by Peter Mailhett The Question was put, Whether the Contents of the Letter written by Peter Mailhett directed to Antho. Poitivin. do not tend to the great and Manifest breach of the publick peace and to the disquiet of the Inhabitants of this Province

Carried in the Affirmative Nemine Contradicente

A further Question was put
Whether the Attorney Gen. shall be order’d to prosecute the said Peter Mailhett./

Carried in the Affirmative Nemine Contradicente

Order’d
That the Governr be desir’d to order the Attorney Gen. to prosecute the said Peter Mailhett for the words written in the said Letter at the next General Sessions of the peace/

Order’d
That a Declaration be drawn up and made publick to Satisfy the french Inhabitants that the last Assembly had no designe to deprive them of any Priviliges and that Cap’ Geo: Smith Mr Robt. flenwick & Mr Henry Wigington do prepare and bring in the Same./

Order’d
That the Bill for the Expedition finishing the fortifications in Charles Town be read, which was Read the first time and past with Amendments

Order’d
That Mr Wm Bull and Cap’ David Davis Carry the said Bill to yc Governr and Councill.

Resolv’d that this House will to morrow morning Resolve themselves into a Committee of the whole House to Consider yc State of yc Indian Affair.

The House Adjourn’d till to morrow morning Eight a Clock.

Thursday June the 12. 1707.

The House mett according to Adjournment.

A Message from the Governr. and Council by Cap’ Geo: Evans with a Bill for the Expeditions finishing the fortifications in
Charles Town whch was Read the first time and past with Amendments.

Order'd
That Mr Rob't: ffenwick and Cap't David Davis wait on the Govern'r and Councill with the Copper plate for makeing Bills with Impressions on paper and parchment as also to Informe them that this House is of opinion that paper is much better then parchm'.

The House according yeasterdays Resolution Resolv'd into a Committee of the whole House to consider the State of the Indian Affair and Mr Speak'r left the Chair: and after Some time Spent therein Mr Speak'r Resum'd the Chair

Tho: Xeirn Esq' Chairman of the Grand Committee Reported that it is the opinion of the said Committee that waveing all other matters at this time the House shall only provide for Settling matters relateing to the deserted Savanas and that an Address be drawne to the Govern'r relateing to the best method of Concludeing matters among the people aforesaid./

The Question was put whether the House does agree with the Committee in the said Report

Carried in the Affirmitive Xemine Contradicente

The Chairman of the Committee praid leave to Sitt again when Mr Berrisfords Journalls is Compleated and laid before this House

Resolved
That the said Com'ittee Sitt againe when Mr Berrisfords Journalls are finished.

Orderd
That Cap't Xeirn Cap't Smith and Mr John Ash be a Committee to prepare and draw up an Address to the Govern'r and Councill relateing to the deserted Savanas and bring in the Same Immediately.

A Message from the Govern'r and Councill by Cap't Geo: Evans with the Copper plate and Impressions, who also Inform'd the House that the Govern'r and Councill did agree with this House that the Impressions on paper would be much better then parchment as also a Message in writeing Viz'.

Gentlemen

I have Several times Since the death of Lord Mr Morton requested the lady Blake that she would think of a flitt per-
son to Represent her Son the Young Proprietor in the Coun-
cill, but have not yet prevail’d with her Therefore desire you
would use your Intrest with her Ladiship that we may the
more Effectually Succeed therein./

Tho Xeirn Esq’ Reported that they had finished the Address to
the Governr relateing to the deserted Savanas wch he read in
his place and afterwards deliver’d in at the Table.

Order’d
That the said Address lie upon the Table./
The House adjourn’d till two a Clock in the afternoon./
The House mett according to Adjournment./

Order’d
That Landg’ Smith and Mr Jones wait on the Governr and
Counciill and desire his Honr would be pleased to Send the last
Writts of Ellection to this House and Carry the following
Message./ Viz’.

To the Right Hon’ble: Sth Nathaniel Johnson Kn’t. Governr &c
and to the rest of the true and absolute Lords and Proprietrs.

The Address of the House of Com’ons.
May it please your Honrs.

This House is of opinion that the Speedy Setling mat-
ters with the Revolted Savanas, is of very great concern to the
peace and happiness of this province and do with all Submis-
sion lay it before you as our Judgement that Mr James Moore
and Ten white men more be Sent forthwith abroad for that
purpose well provided with Arms and Am’munition at the pub-
llick Charge and we pray your Honr that the said Commander
may be Instructed faithfully to performe Such Contracts as
Mr Rich’d. Berrisford hath already (by your Honrs former
Instructions and a Letter of Advice from the late House of
Com’ons) made with them and to Settle them in any proper
place for the present year, untill their Chief have been here
and agreed every thing with your Honr, provided they have
faithfully performed their part and we further pray your Honr
to send Such other powers and Orders with the said Com’andr.
as may Enable him to reduce them by force if they be yet in a
State of Hostility./

Tho: Cary Speak’r.
Read the Petition of Peter Mailhet desiring to be released from his Confinement
Order'd
That the said Petition be Rejected
A Message from the Govern'r and Councill by Cap'n Evans with the Sheriffs writts for Elections and Returns, and withal Inform'd the House that the Govern'r would take care to dispatch Mr Moore away after the Savanas.
Upon Reading the Bill relateing to the fortificac'ions.
Order'd
That the said Bill be recommitted to Coll Logan and Mr William Bull for amendments.
The House adjourn'd till to morrow morning Eight a Clock.

Friday June the 13th. 1707.
The House mett according to Adjournment
Order'd
That Landg Tho Smith and Mr Mackpherson Cary the following order to the Govern'r and Councill for their Concurrance. Viz'.
Order'd
That the Publick Receiv'r. pay unto Mr James Moore Seventy two pounds Seventeen Shill- and Six pence it being for Wages for men Horses and provisions for those persons that formerly went to bring back the Savanahs also it is Order'd that the said publick Receiv'r do pay to Each man for himself and horse that now goes up five Shill- (52 day) on the Same account, and that this Order be Sent to the Govern'r and Councill for their Concurrance.

N Johnson Tho: Cary Speak'.
Order'd
That Landg Tho: Smith and Mr Rich'd. Berrisford wait on the Govern'r and desire his hon'rs advice how to prevent the Virginia Traders Tradeing with the Indians within this Govern't, and being return'd Inform'd the House that the Govern'r would give Mr Moore particular Instructions thereunto.
A Message from the Govern'r and Council by Cap't Evans with Mr Moores Commission for the Houses perusall and Concurrance as also that it is the Govern'rs opinion if the Virginia
Traders goods be Seized that twenty men be Sent with Mr. Moore./
Order'd
That all Committees Attend the House
Order'd
That Landg Tho: Smith and Cap. Geo: Smith Carry the following address to the Govern'r
May it please you'r Hon',
The House highly aproves of your Hon'r Commissin and care of Reduceing the Savanas as to the Seizure of the goods belonging to ye Virginia Indian Traders, now dealing within this Govern'r, it does not appeare to us that they are Seizable by any Law of this province but if it may be done by the Laws of England we pray your Hon'r to put them in Execution in this case and for any Deficiency that are in our present laws, relating to the Importac'on of goods by Land the House will Effectually provide against the Same for the future./
Tho Cary Speak't.
The House adjourn'd till two a Clock in the afternoon
The House mett according to Adjournment
Motion being made The Question was put whether a Clause Should be brought in to Repeal an Act that lays a Duty on Horsies./
Carried in the Affirmative
Order'd
That Cap't Wilkinson have leave to depart the Service of this House for ten days for Recovery of his health.
Order'd
That Mr John Woodward being already Sent for by the Messinger and not appearing according to order be Sent for by the Messinger of this House and taken into Custody, for Such his Contempt and that Mr Speak't Sign this Order./
Order'd
That Mr John Cochran have leave to depart the Service of this House till tuesday two a Clock upon Exteriordinary occasions.
Order'd
That Mr John Wilkins have leave to depart the Service of this House till to Morrow morning:
The Committee to whome it was referred to prepare and bring in a Bill for Reviveing and Repealing Several Acts according to order brought in the Same which was Read the first time and past with amendments.

Mr. Henry Wigington according to order brought in a Bill Entitled a Bill to Establish Bills of Credit &c.

Ordered That the said Bill lie on the Table.

According to Order Coll- Geo. Logan Reported the Several Amendments he had made to the Bill for finishing the fortifications of Charles Town which was read the first time and ordered to lie on the Table for a Second Reading./

Order'd That Mr. Henry Wigington prepare an answer relating to the Message from the Govern'r. and Councill concerning Judge Trott being a Deputy and bring in the Same to morrow morning./

Order'd That William Smith Esq. and Mr. William Elliott wait on the Govern'r and Councill with the Reviveing Bill.

The House adjourn'd till to morrow morning Eight a Clock./

Saturday June the 14th: 1707.

The House mett according to Adjournment.

Upon Reading the petition of Peter Mailhett praying to be released from his Confinement.

Order'd That the said Petition be Rejected.

Mr. Henry Wigington according to order brought in an address to the Govern'r. and Councill in Answer to their Message relating to Judge Trott which he read in his place and was agreed to by the House. Viz.

To the Rt Honble: Sr Nath: Johnson Knivs Govern'r &c. and to the rest of the true and absolute Lords and Proprietors. Depties. May it please your Honrs.

The Answer you made to our Address agst Mr. Trott sitting with you in ye making and passing Laws gives us very great assurances of your forwardness in maintaining a good Correspondence with the House of Com'ons, and we in returne
Shall omit nothing which may tend to the Support and Continuance of it./

We find that your Honors are agreed upon the very same Rules and Instructions of Government in relation to Mr Trott by and according to which their Lordsips, have tied up the Hands of their Governr and Councill from displacing any of their Dep'ts in Carolina. This seems very plain but it still remains a doubt with us, whether your Honrs. Confirms to the Eighth Rule of the aforesaid Instructions, can admit any person to any office, as is certainly that of being a Deputy before their Lordsnts, have certified under their Hands and Seals that the person such deputy represents is admitted a Propriet. It is confess'd on both sides, that their Lordsips, have given no such notice to their Governr and Councill here, that Mr Trott of London is a Proprietor, it seems therefore somewhat strange to us how he can have a Deputy here to represent him./

The care their Lordsips, tooke in providing that eighth Rule and Instruction undoubtedly proceeded from the apprehensions they were under of having one time or another, some person illegally and unwarrantably assume the Right and Title of a Propriet, and to prevent his acting as such by a Deputy in Carolina, they directed their Governr, and Councill not to admit of any such Deputy./ This we take to be the true and genuine Sense and Interpretation of that Rule. (without any force or strained construction put upon it./

Your Honrs are pleas'd to instance that Mr Warre came here a Deputy to Mr Archdale when the Lords prop's, tooke no notice of him as such to their Governr and Councill here, we are inform'd that Mr Archdale who was Mr Warre's principal, had before that signed & subscribed some publick instrument together with other prop's, which could leave your Honrs no Roome to doubt of Mr Warr's being a Lawfull Deputy, if Mr Trott of London had ever done any such thing we would not have troubled you with our address. Therefore we again humbly desire and request your Honrs, that Judge Trott be removed from sitting in Councill.

Tho Cary Speak.

Orderd

That Landg Tho: Smith and Coll: Geo: Logan carry the above address to the Governr and Councill, who being Return'd in-
form'd the House that the Govern'r Answer was he would advise with his Councill
Order'd
That Mr Henry Wigington Cap't Geo: Smith and Coll- Geo: Logan be a Committee to prepare and draw up Articles of Charge ag' Judge Trott and that they Send for for persons papers and records./
A Message from the Govern'r and Councill by Cap't Geo: Evans, with the Reviveing Bill.
The Committee to whome the publick Acco'ts. and Coll- Rhetts acco'ts. was Refferr'd according to order brought in their Report. Order'd
That they lie upon the Table
A Message from the Govern'r and Councill by Cap't Geo. Evans Gentlemen

As the Govern'r and Councill are the only persons accountable to their Lords's the Lords proprietors for the admission of any Deputy into the Councill, so we cannot but be concern'd to see you Spend so much of your time in controverting a Subject that does not properly lie before you. more Especially now when Mr Trott himself has waved his privilidge of Sitting with us in Counsell

And (but that we would prevent further un'eecessary disputes) wee might observe from your last address that Mr Archdale (whome you grant a proprietor) is not to be concluded Such by the Strict instruction of that Eighth Rule of Govern'r, you insist on for the Palatine and three more of the Lords Proprietors, have never yet Certified to us under their hands and Seals, that he is admitted into the place of a Proprietor, and wth is the case of Coll- Gibbs the Lord Cravens Deputy and indeed of all other Proprietors on any change or alteration amongst them, and in particular as to the late Govern'r Joseph Blake Esq, about whose Proprietorship their Lords's, never sent any advice that we know of./

But say you Mr Archdale Signed Some publick Instrument together with the other Proprietors, which could leave no roome to doubt of Mr Warrs being a Lawfull Deputy, and at the Same time dispence with the Rule you but just before insisted on, makeing a Circumstance Equivalent to it./
But Gentlemen have we not likewise the same liberty to conclude & suffer (as we did before) that forasmuch as Mr Trott hath continued almost these four years past to pass laws with the rest of their Dep*es, which their Lords*ps, the Lords Pro*ps, have ratified without any scruple or objection (tho they very well know Mr Trott here to be the Deputy of Mr Trott in London) that the said Mr Trott in London as a lawfull Propriet*.

Yes surely with a great advantage in the circumstance, unless you will suppose their Lords*ps, never lookt over the acts they confirm'd Therefore Gentlemen (Since such enquiries and disputes as these may be of very ill consequence, tending as it were to an overthrow and unhinge the govern*) let us advise you to confine your selves to the proper business of your own house, and be not solicitous (as we said before) about such things as do not properly come under your cognizance and lett us take care for ourselves that we do not exceed or fall short of the duty we owe their Lords*ps, this province and our own security.

N. Johnson.

Order'd
That Mr Henry Wigington do prepare and bring in an answer to the said address on Monday next

The House adjourn'd till Monday Eight a Clock.

Monday June the 16th, 1707./

The House mett according to adjournment

Upon reading the report of the committee concerning the publick acco*.

Resolv'd
That this House will resolve themselves into a grand committee of the whole house, which was done accordingly and Mr Speakr, left the chair coll--George Logan being chosen chairman assum'd the chair, and after sometime spent therein Mr Speakr, resum'd the chair./

The chairman reported from the committee viz

1st Agreed to by the committee that Judge Trott's Negro's and Mrs Page's Negro have no more then two ryalls and a half ? diem
Agreed to as to Coll– Rhetts books and acco*: that they be defferr’d and that a Committee without doors be order’d to Examine them./

Agreed to by the Com’ittee that the article of 75£ Coll– Rett has Charg’d the publick with in his acco:, for keeping the acco* of the fortificac’ons, that he be order’d to give the publick Credit for the Same, there being no law for makeing Dr., therewith and that the Considerac’on for his keeping the books be defferr’d untill his books be inspected by a Committee./

Resolv’d
That the House agrees with the Committee in the said Report
The House adjourn’d till two a Clock in the afternoon./
The House mett according to adjournment
Resolved/
That this House will immediaately Resolve themselves into a Comitte of the whole House to Examine into the Damages done to Severall persons in the allarme, which was done accordingly and Mr Speak* left the Chair and Mr William Gibbon being Chosen Chairman Assum’d the Chair, and after Some time Spent therein Mr Speak* Reassum’d the Chair

The Chairman Reported that the Committee did allow to Sundry persons the Sums following. Viz*:

To Cap* John Hartman - - - - - - - - - - - - £35.,--.--.--.--.
To Edwards Banks - - - - - - - - - - - - £4.,--.--.--.--.
To M* Rob* ffenwick - - - - - - - - - - - - £10.,--.--.--.--.
To Cap* Saltus - - - - - - - - - - - - - - - - £20.,--.--.--.--.

To M* ffairchild - - - - - - - - - - - - £18.,--.--.--.--.
To M* Tulada - - - - - - - - - - - - £13.,--05.--.
To Jo' Lebonte - - - - - - - - - - - - £3.,--02.,--6
To Thomas Booth - - - - - - - - - - - - £1.,--06.,--3 £35,,13,,09

To John King - - - - - - - - - - - - £30.,--.--.--.
To Majr Parris - - - - - - - - - - - - £3.,--.--.--.
To Tho: Cary Esq* - - - - - - - - - - - - £10.,--.--.--.
To Richd: Berrisford Esq* - - - - - - - - - - £10,,02.,--6 £83,,--02,,--6

To John Hollybush - - - - - - - - - - - - £05,,12,,9.
To Tho: ffitzgerald - - - - - - - - - - - - £05.,--.--.--.
To James Bassiford - - - - - - - - - - - - £60.,--.--.-- £70,,--12,,--9
To Jo' Lebontee ——— £.,,—15.— £.,—15—

To John Barksdale ——— £324.,—,.—,.—
To John White ——— £115., 13.,—,.—
To Cap't Dalton ——— £100.,—.,—,.—
To Mr Pope ——— £,7.,—10,— £547..03.,—.

To Cap't Saltus ——— £200.,—.,—
To Cap't Quelch ——— £210, —,— £410.,—. —

Makeing the Sum of———£1216..07.—

Resolv'd
That the House agrees with the Committee in the said Report.
Motion being made by Mr Chairman that the Committee have leave to Sitt again to morrow morning to finish the said Acco's.—

Order'd
That the said Committee have leave to Sitt again to morrow morning to finish the said Acco's.

The House adjourn'd till to morrow morning Eight a Clock.

Tuesday—June 17th: 1707—

The House mett According to Adjor'ment—————
Upon Reading the Petition of Mr. Henry Wigington relating to £18.,—,.—4½ Chargd by Coll Rhett for repairing a breach in his Said wall by Timber praying to be Released from the Said Charge having been at great Charge in finishing the Said Wall According to the Act./ and being Put to the Question whether Mr. Wigington Should be Allowed the Damage he Sustained in his Wall—

Carried in the Negatine
The House According to Yesterdays Resolution Resolud themsehues into a Committe of ye Whole house & Mr. Speak' left the Chair and after Some time Spent therein Mr. Speaker Reassund the Chair the Chairman of the Committee Reported that they had made Some progress therein and Prayd Leave to Sitt again The House Adjourn'd till ½ an hour after Two a Clock in the Afternoon
The House Mett According To Adjournment

Orderd—
That Cap't Nairne & Mr. Cochrain—
wait on the Gouverner with the following message
May it please your Hon'ry.

This house has Rec'd advice from Severall members that there are Now 5026 Veshells at St. Augustine providing Victualls which being a Number not usuall in that Place. And Concurring with Intelligence from St. Thomas That Such a Number of Privateers were gone from thence in Order to Cruise. On that Part of ye Continent Possessd by the English Upon Which Consideration we Pray your Hon'ry, with all Expedition to Send Intelligence to the Seuerall Officers along the Coast that they may Provide for the Safety of the Country Particularly to Port Royall and the Yamasees, as being nighest The Enemy

Tho: Cary—

Upon the Debate of This house Upon Information that has been giuen of fine or Six Veshells Lying at St. Augustin fitting and preparing for Some Expedition and uppon the Concureing Advice received from St. Thomas of Some Designe that may be Carrying on by our Enemies agst. this Province—

Orderd—
That Mr. Alex: Mackie Send Out a Watch at Port royall riuers mouth Consisting of Two white men and Six Indians. And Relieue the Same weekly for the Space of a month And that he Send out Likewise a Scout Canoe with two white men and well mannd with Indians— Towards St:- whans river in Order To Secure Intelligence And that upon his makeing it Appear before Cap't; Thomas Nairne what Time Each man hath been in ye Publick Service on this Acc't, and Upon their Produceing a Certificate Sign'd by him to the Publick receiv they Shall Receive Two Shillings & Six Pence a Day for Watch'ing and three Shillings & Sixpence a day for Scouting And the Receiver is hereby Orderd To Pay ye Same Accordingly and That this Order be Sent to the Governor and Councill for their Concurrence— Tho Cary Speak'r

Assented to in the Upper house

N. Johnson

The House According to the Mornings Resolution resolved themselves into a Committee of the Whole house and Mr. Speaker
left the Chaire and after Some time Spent Therein Mr. Speaker Reassumed The Chair

A message from ye Governor and Councill by Cap: George Evans Informing the house That ye Governor is of Opinion if the Information this house gives Them is True it would be Convenient a Veshell Should be Sent Out

The Chairman of the grand Committe made The following Report Viz—

We find due To Cap: Kember on ye Balance of his Account £105.15. ---
To Cap: Walker --- £94. 5. ---
To: ye Governor for his Negro £35. ---
To Jacob Yorkson £10. ---

Resolved—

That ye house agree with ye Committe in ye Said Report

Motion being made And the Question being Put whether any more Acc: Shall be brought in This Sessions Carried in the negitive—

Orderd

That Coll Geo: Logan and Cap: Smith & Mr. Gibbons draw up a Schedule of Debts due from the Publick to Severall Persons and bring in the Same immediatly—

Orderd—

That Mr. Mackpherson and Mr. Cochran Carry the following message to the Gouernr

May it Please your Hon:—

The Intelligence the house had from St. Thomas Came by Cap: Carter who Informd Coll Logan that there were Actually there five french Privateers who were bound to Cruise along the Coast of this Continent ye house understds by Mr. Cochran that there is a Spanish Prisoner in the hands of Cap: Thomas Bower and ye house think it the best method to Deferr the Sending a Veshell untill your Honr. Send for the Said Bower & Accquaint your Selfe with the Truth of the Report Because Sending a Veshell unless very well fitted might prove of verry bad Consequence by being Taken but Sending To the Southward being Soon done and at Small Charges The House with all Submission To your Honrs. Judgement, Pray it may be done as Soon As Possible 

Tho Cary Speak.
A message from ye Governor & Councell by Cap'. Evans with an Order for Setling a Watch to ye Southwards
A motion being made and ye Question being Put whether Judge Trott boy Shall haue one Royall & halfe 4th diem, Carried in the Aformative—
Read ye Petition of m'. Robert Tradd relating to be Excusd from four Pounds five Shillings & Seaven pence halfe Penny for filling up his Land tho ye Cuntry has the Sole Benefits thereof—
Orderd
That it Lie on the Table—
Orderd That Landg'r Thos. Smith Carry the followings Message to the Gouerner
May it Please your Hon'—
Dursuant to your Hon'rs Desire we haue Endeavourd to Despatch the Orders to ye Southward but finding no Body Willing To forward ye Despatches we Request yo' hon'. to use your Authority To Send them away as Soon as Possible—
Tho Cary Speak't.
The House Adjourned Till To morrow morning Eight a Clock.

Wednesday June 18th: 1707—
The House mett According To Adjournment
Landg'r. Joseph Morton Praid Leave To Depart The Service of this House till Monday Next
Orderd—
That the Said Joseph Morton haue Leave To Depart the Service of This House till munday Next
The House Adjournd Till Two a Clock this afternoon
The House mett According To Adjournment
A Bill for Appointing Lookouts was Read The first Time & Past with Amendments—
A Bill for the Expedition finishing of the fortification of Charles Towne was Read the Second Time & past with Amendments—
A Bill to Receive the Severall Acts within mention'd was Read The Second time & Past with amendments—
Orderd That M'r. Grange & M'r. Jno. Williams Carry the Said bills to the Gouerner & Councell for their Concurrance—
Upon Reading again the Petition of Mr. Robert Tradd—
Ordered—
That ye Said Robert Tradd be Released from the Said Charge of four Pounds five Shillings & Seaven Pence halfe Penny and That ye Comission, make no Demande of ye Said Tradd of ye Said Sume of four Pounds five Shill & Seaven Pence—
A Bill for Regulating Elections was Read The first Time & Past with Amendm's—
Ordered That Cap't. Thomas Nairne & Mr. John Cochran wait On ye Gov-ern'r. & Councell with ye Said Bill for There Concurrence Coll George Logan One of ye Committe To Whome it was Committed To Consider of ye State of ye Publick Debts According To Ord', made his Report
The House Adjourn'd Till to morrow morning Eight a Clock

Thursday June 19th: 1707—
The House mett According to Adjournm't—
Ordered—
That Mr. Robert Fenwick Mr. John Stroude & William Smith Esq'r, be a Committee to Prepare & bring in Severall Acts, now Expird ye with Amendments—
Ordered That Mr. William Gibbon & Mr. Euan McKpheres Carry ye, following messages To ye Gouern'r & Councell.
May it Please your Hon'r—
The House being now upon Consideration of purchasing great Gunns for ye use of the Publick and understanding that There is Some of ye Money Remaining Which was allowed by the Lords Proprietors for that purpose do therefore Apply Our Selues To your Hon'r. To be Informed What Quantity of Such money does now Remaine. And with all Praying your Hon'r. to Order it into ye Publick Receiver hands That it May be Dispoced of According To There Lords Proprietors Intentions in giuing it./

Tho Cary Speak't.

May it Please your Hon'r—
Altho the Placing of ye Lords Proprietors Dep't's, doth not properly Lie before this house yet we Could not but Think Our Selues Obligd and Look Upon it as Our indespensable Duty,
To Take the greatest Care your power Should Remaine Entire and unexceptionable and for That Reason it was that we inter posed with Our Advice and Address To your Honrs Against Mr. Trott's Sitting and Voteing with you in the Making & Passing Laws.—

We Take noe Delight in multiplying massages in this Matter & Would have desisted Pressing it any further but we Esteem it of That Consequence as by noe Means to be disregarded having noe Answer made To Our Main Objection—

Indeed by the Strictest Construction your e 8th. Rule of Government: To Coll Ludwell wee Observe with your Honrs, that Mr. Warr Could not be Admitted a Deputy To Mr. Archdale but Then This Would be Such a Construction as if it Put Upon Some Other rule would Render Them impracticable but however your e Case between Mr. Trott of London & Mr. Archdale in respect of your being Proprietors is vastly Different

Mr. Trott of London as We Insisted in Our address Never Satt at your e board with, there Lordships Mr. Archdale Constantly did One never sign'd To any Publick Letter or Instrument to the Governor & Council here The Other has Mr. Trott has not been Publickly Owned as Proprietors but Mr. Archdale has had your e respect from the Rest of Their Lordships as a true & Lawfull Proprietor Ought To have & we dont Doubt but there Lordships by Signing and Subscribing a Publick Instrument to Which They Severally Put Their Seals & To Which Mr. Archdale Put his hand & Seale Intended To Certifiee There Deputies your e— Archdale was Admitted a Proprietor within your e Intent & meaning of your e Said Eight Rule, Tho. your e Writing it Selfe Purported a Commission

If There Ever Was An Act Sent home To be rattified To Which There was but a bare Quorum of Their Deputies your e Signed & Mr. Trott here One of That Number Then Such a Case Would be Some thing Opposite but Otherwise we may beliuee There Lordships read your e Laws & yet did not allow Mr. Trott here a Deputy or Mr. Trott In England Proprieter. Wee by Taking This Caire about Passing of Laws think That we Dont Exceed your e Proper bussiness of This House & are Very Sorry your Honr Should blame us for being Sollicious about an affair of This Consequence & are of Oppinion your e, your Honr, do not
displace a Deputy all Curcumstances Considerd when you do not admitt Mr Trott in the Councell—
A Bill for Settling ye Watch In Charles Town was read ye first Time and Past wth Amendments—
Ordered
That Mr. William Gibbon & Mr. Mackpherson Carry the Said Bill To ye Governr. & Councell for Their Concurrence
Resolved
That This House will Resolve Themselves into a Commite of ye Whole house To Consider of Ways and means To Regulate The Indian Trade—
Motion being made that ye Clarke & Messenger fees be Settled—
Resolved—
That This House agree with the following fees Viz:
The Clerks fees

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<tr>
<td>Reading a Petition</td>
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<td>Entring Any Order Upon ye Same</td>
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<td>Order for Moneys on ye Receiver</td>
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<td>Order Commitment</td>
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Messangers fees

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<td>Bringing in a Petition</td>
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<td>Serving An Order</td>
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<td>Serving Order of Commitment</td>
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<td>Keeping any in Custody diem 7/6</td>
<td>£2.6</td>
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Ordered That Mr. Gibbons & Mr. Mackpherson Carry ye following message To the Governor & Council Viz:

Whereas it Appears To This House That because of ye great Distance of Some Parts of This prouncine from Charles Town Where ye officer for Executing of Writts resides Who Absolutely Refuses or Delayes, to goe To These Remote Parts to Doe his Office by which Means The Inhabitants of These Places are absolutely Deprvd of ye Benefit of the Laws for Recovering Ther Debts To ye Great Inencouragement of Emill Design-
And Discouragement of Trade and Credit to Prevent which we Pray your Honn'r. To appoint officers in These Remote Places for Executing of Writts, that the Inhabitants may be Releaved from that Grievance./

Tho Cary Speaker

The House Adjourned Till Two a Clock in ye afternoon
The house met according To Adjournmt — —
Upon Reading The Bill for Establishing of bills Credit
The Question was Put whether Maj'r. Parris Should be Comptroller—

Carried in ye Negative
The Question being Put whether Mr John Barnwell Shall be Comptroller—

Carried In ye affirmative
The Question was Put whether Coll George Logans Shall be Receiver

Carried in ye affirmative
A message from The Gouernor & Councill by Capt Evans With Severall Bills Viz—
A Bill to Reuine and Repeale The Severall Acts Read The Second Time and Past with amendments
A Bill for Appointing & Settling Watches Read The first Time and Past with Amendments—
A Bill for the Expeditious finishing the fortification In Charles Town Read The Second Time & Past with Amendments—
As alsoe the following message—

Gentlemen

The Donation there Lordspps ye Proprietors made To This Province Towards chasseing Great guns was Directed To the Governor And Councill who have already disposed of a great Part Thereof to that Purpose and What Remains is Reserved when Conveying my Serves to Defray the Charges of Sending for the Winchester guns Soe that it Will Not be worth While to Trouble the Receiver with it The Remaining Vallue you Will find in ye Journall of The Late house of Commons—

N Johnson

A Bill for Establishing Bills of Credit was Read ye first Time and Past with Amendments—
Ordered That Lang's, Smith & Tho: Neirn Esqs. Carry the Said Bill & Address to ye Govn. & Councill
The house Adjourn'd till To morrow morning Eight a Clock—

Friday June 20th: 1707—

The house mett According To Adjournment
Read The Petition of Jannet Tibbs relating to Canoe Prest from her by Cap't: Neirn for the use of the Expedition agst. St Augustine./
Ordered y't. ye Said Jannet Tibbs be allow'd ten Pounds
Read ye Petition of Sundry Inhabitants of This province relating To Judge Trott—
Ordered—
That it lie upon ye Table
Resolved—
That ye Sume of 60£ be Paid To Mr. Rich'd Berrisford for his great Pains & Caire in reducing ye Savanas & for his faithfull Service Done The Cuntry in Making Observations of ye Abuses Committed among The Indians & That y't. Speaker be Desired to returne him ye Thanks of ye house for ye Same—
Motion being made That Dr. Stewart having Lost his Arm in ye Service of ye Country be allowed Twenty Pounds £20 Annum During Life
And ye Question being put whether he Should be allow'd Twenty Pounds £20 annum During his Life—
Carried in the affirmative

Ordered
That a bill be brought in for the Encouragement of Potash & Salt Peter and That a Clause be Inserted in the Said Bill for The Payment of ye Said Twenty Pounds £20 Annum To ye Said Dr. John Stewart and that Cap't. Tho: Neirne & Mr. John Strode pepaire & bring in a bill Accordingly—
A Bill for the Raising a Publick Store of pow'd— was Read ye first Time & Past with amendments—
A message from the Govern'r & Councell by Cap't. George Evans with ye Watch Bill whch. was Read ye first Time & Past with amendments with Several messages Viz't.

Gentlemen—
Wee think it Verry Strange That no arguments will Content you in ye Affair of Mr. Trott wee have already done all or
rather more Then we need Towards your Satisfaction without Prevailing However we will add one Circumstance more which is a Copy of a Paragraph of a Letter Sent by mfr. Trott ye Proprietor To his Deputy here ye Truth of which you may Examine by Compareing it With Originall Letter in Mfr. Trott hands—

If all this will Not Convince you That Mfr. Trott is ye Deputy of a Lawfull Proprietor we must Conclude you have Some further Reasons Then are Discouerd in ye Speciousnes of your Pretences wch we Shall in noe Wise Encourage and resting Secure in the Sincerity of our Owne Proceedings discharge our Selves from any further Disquisition in this affair But Doe again repeat to you, That we are Still ready to Receive and hear any Articles That you have To Charge agst. mfr. Trott who on That Consideration Still Continues his absence from The Councell./

N Johnson

Gentlemen./

By Virtue of Letters Patents from ye Crown To ye Lords Proprietors their Lordships are impow'd To Assemble ye freemen of This Province or their Delegates or ye major Part of Them, in Order to The making of Laws, in Such manner and forme, as To their Lordships shall Seem best as by ye 20th. Article of Instructions of governm't. to Coll Phillip Ludwell Appears— And in a Paragraph of Theire Lordships Instruction for granting of ye Land Recorded ye 14th. Day of Novemr 1693 They Thought fitt To Send Additionall Instructions To their Deputies about Pasing Laws in Carolina wherein They Require Them To Ratifie no Law that Diminisheth or altereth any of The Powers granted to Them in ye Charter from ye Crowne, but when any Such Bill is Pass'd, in ye. Generall Assembly and Consented to by ye Deputies, they are To Send ye Same to them for Their Approbation & Consent before they Ratify ye Same Adding that their Intent and meaning That of that nature Should be Put in Execution as a Law in Carolina Untill they Themselves have Consented To it—

Which being premised we must observe To this House That a Law for Ellecting members of Assembly According to ye Proprieto's, owne maner and from hath been Settled and Rattified by Their Lordships and is Still in force
Wherefore we their Deputies cannot without the greatest violation of Their Lordships said previllidge and a Diminishing and altering of ye Powers granted to Them in ye Charter Agree with This House in ye bill for Regulateing Elections now before us further then To Pass The Same without Ratification The maner and form of Assembling The People being Not Ours but Their Lordships undoubted Right This Information We Thought Previously Necessary before Reading That Bill, That you may not Thinke we Refuse Passing it into a Law on any Other Consideration

Intending when it is Past in ye generall Assembly & Consented To buy Our Selues Then To Send it to Their Lordships for Their Approbation and Consent Pursuant To Their Said Instructions—

X Johnson

Gentlemen,/

O Xo: 6 By force of ye Charter there Lordships ye Lords Proprietors with out ye Advice Consent & approbation of ye Freeman of This Province or of ye greater part of Them, or of Their Delagates or Deputies are Impowd To Appoint & Establish any Judges Justices majestrates or other officers whatsoever wthin ye Said Province at sea or Land in Such manner and forme as unto Them most Convenient Which being Soe wee Cannot but be Surprized To Observe in your Bill for Establishing Bills of Credit &c. That Instead of Leaving to us The True and absolute Lords and Proprietors Deputies The Right and freedom of Appointing Two Such Considerable officers as ye Receiver and Comptroullr— you doe not Vouchsafe so much as To Take Our Advice or Opinion Therein but nominate Them your Selues—

Which being so Paliable and Incroachm on There Lordships Privillidges we Cannot by Noe means \( \exists \)mit it. And Therefore Desire further Sattisfaction Therein In Ord\( \exists \), to wch, and To avoid (if Possible) all This under Standing we Desire That you Would appoint a Commite of your house to meet and Confer with a Committee of Ours and That There may be ye Least Delay of buissness we Desire ye Conference may be at Three of ye Clock This Evening at ye house of mr\( \exists \), William Gibbon

X Johnson
Orderd That They Lie on ye Table—
Upon Reading the Said messages—
Orderd.

That Cap't. Tho: Neirn & Mr. Henry Wigington Cap't. George Smith Mr. Jn°. Abra Motte Mr. Robert Fenwick be a Comittee To meet a Comittee of ye Upper house at a Conference Relateing To ye Two Last messages at ye house of Mr. Will Gibbons but by a Verball message from ye Govern'r. & Councell it was Appointed at ye house of Cap't. John Collins—
No: A—Orderd That Landg'r Smith and Cap't. Neirn Carry ye following Message To ye Govern'r & Councell Viz
May it Please your Hon'r.

The House of Commons have Appointed Some of There members To meet Some of your Hon'r's. at a Conference This afternoon at ye house of Mr. William Gibbon, but Desire The Time may be five a Clock when & where they will not only Confer with your Hon'r's. Concerning The Power and Right of ye Commons to Nominate Their Receiver & Comptrrol'r. but alsoe Desire your Committee To Conferr with Them Concerning The Subject matter of ye Ellection Bill as Farr forth as you Take Exceptions to it—
No:- A Orderd
O That ye Said Comittee do Prepare and Draw up reason to be made use of at ye Said Conference
No:- 7 The Comittee To Whom it was Refered To draw up reasons To be offerd to ye Govern'r. and Councell at a Conference for Disagreeing with Them as To ye— nomination of ye Publick Receiver being in ye Lords Proprietors only; reported That They had Drawn up ye Same Accordingly, wch were read and Then agreed unto by ye house wch. are as follows—
Reasons 1st Whereas ye Govern'r & Councell insist in Their This Days message, That ye Lords Proprietors without ye Advice, Consent & approbation of ye freemen of This Province or There Delagates are Impowerd To appoint and Establish any Judges Justices, Magistrates or Other Officers whatsoever within ye Said Province at Sea or Land in Such manner and forme as unto Them Shall Seem most Convenient, from Whence They Inferr That They hane ye Right and freedom of Appointing ye Receivers & Comptroler
To this it is answered, That King Charles ye Second of Glorious memory, who granted ye Said Letters Patents To ye Lords Proprietor for ye Province of Carolina with ye Governor's, Thereof, could Never by ye Generall words in ye Said Patent of Appointing all officers whose both at Sea and Land Intend That There Lords ye two's should have Power by Them selves or Deputies To Nominate and Appoint any Other Officers Then Such as They Grant by Whose Places They might have Immediately ye Desposall of As Judges Justices majestrat & which by ye Enumerateting ye Said Officers plainly Appears—

1. for Otherwise ye King was mistaken in his grant
2. for Then There Lords ye two's might Appoint ye Speak'r. of ye House of Commons who is an Officer of That house—

They might Likewise appoint ye Clerk and messenger of ye House who are Certainly officers wch. if They Did, would not Only be absurd and redicoulous but Contrary To all Laws of Parliament & by the Same Rule ye Lords might appoint ye Commissioners of ye fortification wch. is verry Considerable Post and office. Besides it is notorious That ye Desposition as well as granting of money by That of Parliament has Ever been in ye House of Commons if They have ye Desposall of Publick money, it is fitt They Should appoint ye Officers whome They Can Trust with The Disposall of it otherwise the main end of raising of money might be frustrated by Some misapplication of sons whome They Would not Trust This They might Burthen ye Country with Impositions and Taxes wch. might be Converted To Some very Pernicious use & Employment—

If ye Commons when they have raised money could not Despose of it, we Should never find Parliament Inclind to raise money Though it were Pretended ye, ye Nation was in Never Such Need of it for would any Private Person Trust another with a Sume of money when he Could not Tell how Soon ye Trustee might make use of it To his Prejudice—

The Commons In England never Sufferd ye Lords in Parliament To make any alteration In money Bills altho ye Lords have so Considerable Share of ye Kingdom in Their Possession: how Then can it be Possible That a Govern'r. & Councell of any Collony, where There is not Such Thing as a house of Lords Should have any Power in That Point wch ye House of Lords In England Never had
After several years contending between ye Governor and Councell and ye house of Com'ons for Nominating ye Receiver which was never made use of either, but when some sons had a mind to Create misunderstandings between both houses. Tho ye Com'ons if they ever did recomend their Receiver for there Approbation yet was it purely to maintain a fair Correspondence, tho not of right) yet ye Hon'ble ye Present Govern'. being well satisfied ye said Nomination was inherent in ye house of Comons & from which they would never depart did confirm such right to them by an Act of Parliament ratified by himselfe and ye rest of ye Councell and it is somthing strange that ye Governor & Councell after such a publick decision of ye matter by Act of Assembly, should at this juncture require a dispute which may produce differances & delays of publick business—

Ordered—

That ye Com'itte who are appointed to draw up the reasons do manage ye conference and being resolved by Cap't Tho: Neirne reported they had been at a Conference with some members appointed by ye Governor & Councell and gaue them there Reasons for Dis a Greeting with them concerning ye Lords Proprietors hauing ye sole right of nameing the Publick Receiver. —

Ordered—

That ye said report be enterd into ye Journall and is as followeth. —

That at ye opening ye Conference it was said on both sides that the Way they were in was to maintain a good Correspondence between both houses—

The Manager for the Governor, and Councell when your Managers insisted upon two things which should be the subject matter of there conference vizt the nominating ye Publick Receiver and Comptroller &c, & upon matters in the Election Bill to which they had tooke Exceptions the Manager for ye Governor, and Councell acquainted your Managers that they had no Instructions to Medle with the Election bill, upon which, they returned to ye house for Instruction to know if it were there opinion that there Managers should Conferr with them upon the nominating a Publick Receiver and Comptroller onely, which being consented to by ye house, your Managers returned to the
Conference and made use of the Argumens drawn up and Enter'd in your Journal. —

They Said, that because the Lord High Treasurer in England was nominated by ye Queen therefore the Lords Proprietors had ye Right of Nominating ye Receiver here in Carolina. —

To which your managers answer'd that altho the Queen nominated the Treasurer yet it was Principally for her Private Revenue and that they Conceived that the Commons had a Right when they rais'd money To appoint Commissioners for The Receiving & Disposing of it —

And the Case was Instanc'd, where The Commons had Lodg'd the Money which they had rais'd in Ch. 2d reign in ye Chamber of London.

They Said The Commons might Appropriate the money but not Appoint the Receiver. —

To this it was Said that ye Person who received the Money might haue The Disposall of it, for When it was once in his hands he might dispose of it Otherwise Than as it was Appropriated and That ye only Security ye People Could haue was To be Satisfy'd of ye Fidelity of ye Person with whom their money was Lodged.

—They from the Upper house — urged that all officers whatsoever must Signifie Such officers of great Trust as The Receiver and ye Comptroller — It was Answer'd That Time was when There was no Comptroller & That he was an Officer appointed by ye Commons & might of Consequence cease To be so when they pleas'd and further That ye Word whatsoever must of Necessity Impoy Such officers as are there named and not those of a Contrary nature which was further Plain in That ye Lords Never Pretended to Look upon ye Publick Receiver as Their officer Else They Would have Sent him Letters Instructions &c., which, They had Neuer Done. They argued it was Strange That our house should name ye Receiver and Comptroller in an Act without Acquainting Them.

Your Managers Answer. —

That our house Took ye Point To be Past all Debate because it was Decided after Severall years Contending by an Act of Parliament, ratified by This Present Governour who was Verry Well Satisfied of the Right of ye house of Commons in That Point it was Answer'd The governour, was Trickt into ye Passing That
act your managers answerd, his honner and Then The Coun-
cell were not men of so Small Capacity to be so Trickt besides
That all Laws are read Thrice Your Managers further urged
That it was unamountable that The greater Power Such as
Raiseing & Disposeing of The Publack money Should be in
ye People and not Likewise ye Lesser Power, wch was but Ac-
cidental to ye Other—
The house Adjourned till ½ an hour after Two in ye after-
noon./—
The house met According To Adjourn’—
The House According To yesterdays Resolution Resolvd Thems-
elves into a Committe of ye. Whole house To Consider of
Ways & Means To: Regulate ye Indian Trade and m'. Speaker
Left The Chair & Landg'r Tho Smith being Chosen Chairman
Accordingly Assumd ye Chair & after Some Time Spent Therein
Mr. Speaker Resumd ye Chair
A message from the Governor and Councell by Cap't George
Evans Viz't
Gentlemen
Altho Mr. Berrisford first measures in his Expedition agst. ye
Savanna Indians were Taken without our Consent and Ap-
probation, or so much as given us any Accot., or notice thereof,
Whose Right it is to make peace & Warr & we hereby Suf-
ficiently induced & Justified to Take Exceptions at or rather
To Punish such a Liberry Nevertheless hopeing it might Prove
for ye Publack Benefitt—
Wee are so farr from Resenting such behaviour or Command-
ing his Returne That we Sent him a Commission & Instruc-
tions, & furnished him with Necessaries ye More Effectually
To Prosecute his Designe making That Lawfull and Honn'bile.
wch. was before of as Contrary Complection, & from Which
had he not Deviated we might Possibly have had a Letter Acc't.
of so much Expence and Time—
But when m'. Berrisford Return'd we Expected him To lay ye
Journall of his Whole Proceedings before us, who Answered
That ye house had already orderd it Out of his hands & That
when he Urged it would be Requisite to Lay it first before us
your house Answer'd we might have a Coppy—
Wee have Ever Since waited with Patience expecting when
you would Send it To us, but finding That you Take no Notice
of Doeing so we are forced To put you In mind and That it is Certainly as necessary & Expedient That There Lordspps ye Lords Proprietors & Consequently we who are Their Deputies Should be Informed in ye True State of ye affairs and Circumstances of ye Indians Our friends and allies, as ye house of Com'ons Especially When nothing can be Transacted in Those Matters without our Concurrence & approbation Therefore we Look upon Such Expressions as you used To m'r. Berrisford, and ye neglect of Sending ye Journall in all This time to us as an Argument of your disrespect and Tending to a breach of That good agreement wch Ought inviolably to be Preserved between us—

Wee are weary of Complaining of ye many Slights Imposs'd. upon us by This House and Desire we may have no more Occasions And That ye Originall of M'r. Berrisfords Expedition be Sent us Immediatly together with The Coppy./

N Johnson

Orderd That
Carry ye following message to ye Governr & Councill
May it Please your Honrs.

Wee would not have your Honrs. Think that we Commanded M'r. Berrisfords Journall out of his hands on Purpose to Prevent your Honrs. a Sight & Examination of it. ye Journall it Selfe was verry Imperfect & we were resolvd after M'r. Berisford had reviewd it to Send a Coppy To you

This Coppy was Indeed ? pedest by m'r. Berrisford on munday night and brought into our house. but being so Press'd. with Other weighty Affairs we Could not Compare it Till now. wch. we are doing wth. all Expedition & Then we Shall with the utmost report Lay it before your Honrs.—

Tho Cary Speakr—
The House adjourned to ye house of m'r. Wm. Gibons till To morrow morning Eight a Clock./

Saturday June the1

The House met According To adjournm't.—
Upon Reading ye Petition of Peter Mailhet praying to be releas'd from his Confinement
Orderd

1The date (21st) was omitted.
That Mr. Mailhett be sent for by ye messenger attending
This House
The house adjournd Till three a Clock in ye afternoon
The house mett According To: Adjournment
A Bill To Permitt Veshells To unload in any Creek or River
To ye Southward &c. was read ye first time & Past with amend-
ments
Mr. Mailhet According To Ord'r. attended ye house & Ap-
ppearing Mr. Speaker Informd him That Upon Reading his Pe-
tition and upon his acknowledgem't of ye front & Contempt
given To this house—it is—
Orderd by ye Generall Assembly that ye Publick Recevr Pay
unto Cap't. John Collins the Sume of five Pounds fourteen
Shill & five Pence halfe Penny in full of his Acc't. it (being)
the Charge of an Express Sent To Port Royall N Johnson
by Ord'r. of ye house of Com'ons Tho Cary Speak't.
Orderd
That Mr. Peter Mailhett now in Custody of the messinger of
This house be Dischargd Paying his fees and That Mr Speaker
Sign this Ord'/ Tho Cary Speak't
Orderd
That Mr. Tho: Jones attend ye Service of this house on Tues-
day next and That ye Messinger of This House Serue him with
a Coppy of this ord'. & That Mr. Speak't. Sign ye Same
Tho: Cary Speak't.
The house adjournd Till munday morning Ten a Clock

Munday June ye 23d. 1707—
The house mett According To Adjournm't—
Orderd—
That Mr. Peter Mailhett be sent for by ye messenger Attending
This House./ and That Mr. Speak't. Sign this Ord'r—
A Bill To Encourage making Potash & Salt Peter was read
ye first Time & Past with amendmts
The house being Informd That Peter mailhett attended in Cus-
tody of ye messenger Calld up and The messinger was askd
w'h he had To say ag'st him concerning the Reflection s'd. mail-
het had used ag'st. ye Justice of this House
Who Produced James Burt, Timothy Bellamy and James Greer for Evidence—

James Burt being Examind, Saith That he Went by Mr Ellis. The messenger of This House his Ordr. along with Said Ellis To Take P Mailhett into Custody of said Messinger and goeing with him to ye house of said Mailhett he heard Such or ye Like Words from ye said Mailhet That he was not Oblidg to goe with him ye Said Ellis That ye Assembly had not Done fairly by him but had impossd upon him telling him he would pay ye messenger no fees Then ye messenger Mr Ellis Tooke hold of him Mailhett and Reasd him and Mailhet said There was no Law to Compell him To pay The fees—

Timothy Bellamy being Examined Said That he went with Mr Ellis as above whereas Mr Ellis Told him ye Said mailhet he must goe with him mailhet said he was at home and was not oblidg To go and Said further That ye house of Comons had not Done fairly by him ye Said mailhet but had imposd upon him—

James Greer being Examind said That he went with Mr Ellis as above & found ye Said mailhet at Supper The Messinger Mr Ellis went in Where he gave Mailhet very good Words & began To Treat with him Civily Mailhet Said ye house of Comons had not Done what they Could Justify by him Mailhet said he would not go out and Then one Memin as This Examinaunt is Informd his Name was when ye Messenger went To Take hold of him ye Said Mailhet put ye messenger by Taking hold of him ye Said Mailhet—

Die Lunce 23 die Juny 1707—

Orderd That Peter mailhet for his Reflections on ye honr: and Justice of This House be Taken into the Custody of ye messenger attending this house and That Mr Speaker Sign This Ordr—

Tho Cary Speakr—

A message from The governor & Councell by Capt. Evans Recommending an Address To Our Sovereign Lady The Queen wch they had drawn up & Desird This House To Joyne with Them in ye Same Ordrd—

That it Lie On ye Table for ye •iusall of This house—
The House Adjournd Till half an hour after Two
The house mett According To Adjourn’d
Orderd—
That Capt. Tho Neirn Mr. Rich’d Berrisford Capt. George Smith & m’r. John Stroude be a Committee To Prepare & bring in a bill for regulating ye Indian Trade—on next
The house adjournd Till To morrow morning Eight a Clock—

Tuesday June ye 24th: 1707—

The House mett According To adjourn’d
Orderd
That Landg’r Tho Smith Capt. Tho Neirn & Rich’d Berrisford Carry The following Bills To ye Govern’t & Councell as also Copp’y of m’r. Berrisfords Journall Viz’t)
A Bill to Encourage making Potash
A Bill To committ any Veshells To unload in any Creek or River To ye Southward—
A Bill for Raiseing a Publick Store of Powder—
A Bill for Settling Lookouts,
A Bill for Errecting a Generall Post office was Read ye first Time & Past wth Amendments—
Upon Reading ye Petition of Mr. Mailhett praying to be released from his Confinement.—
Orderd—
That m’r. Mailhett now in Custody of ye messenger be Discharged Paying his fees & That Mr. Speak’d Sign This Order./
A Bill for Settling of Pilotage was Read ye first time & Past with amendments./
Orderd.
Mr. John Stroud & m’r. Jn°. Ash Carry up ye Said Bill To ye Govern’t. & Councell—
The house Adjournd till Two a Clock in the afternoon
The house mett According To Adjourn’d—
Mr. John Stroud Pray’d Leave to bring in a bill for Encouragement of bringing money into This Province—
Orderd
That ye Said John Stroude have Leave To bring in ye Said Bill wch. was brought in Accordingly and Read and ye Ques-
tion being Put whether it Should pass with ye first time with amendments

Carried in ye Affirmative

A message from ye Gouernr. & Councell by Cap: Geo Evans with Sundry Bills./ Viz:/

A Bill for Settling of Lookouts read ye first time & past with Amendments./

A Bill for Raiseing a Publick Store of Powd— wch. was Read the first Time & past with amendments—

A Bill for Encouragement of making Potash &c Read ye first time & Past amendments—

A Bill for Settling of Pilotage Read the first time & Past with Amendments—

A Bill for Raising a Publick Store of Powd Read ye first Time & Past with Amendments—

A Bill for Encouragement of making Potash &c Read ye first Time & Past with Amendments—

A Bill for Settling of Lookouts Read ye first time & Past with Amendments—

A Bill for Regulating Elections Read ye first Time & Past with Amendments—

Ordered

That Mr. John Stroude & Mr. Wm. Bull Carry the following message to ye Gouernr. & Councell Viz

May it Please your Honrs.

The Business of This house is Come so far forward that we Can do Nothing untill ye money bill be Returnd. because all ye Rest of Our Bills haue Such a Dependance on it that we Cannot come To a Conclusion of any Think untill we first see ye Issue of all Disputes Relating to it to the End therefore That ye Sessions may be ye Sooner Ended we Pray your Honrs. To Returne That Bill as Soon as Possibly./

Tho: Cary Speak

Ordered

That Mr. Henry Wigington Prepare & Draw up a Bill for Escheating of Lands by Juries & bring in ye Same on Tuesday Next—

A message from ye Gouernr. & Councell by Cap: Evans as followeth./ Viz:

Gentlemen

There being Some part of ye money Bill so wearily Respecting the Rights & Priviledges of Their Lordspaps the Lords Pro-

\footnote{1}Thing.
That it gives us some trouble more than ordinary on that occasion.

However, we hope to prepare it for your further read[8]. Sometimes to morrow, being equally impatient with you for ye dispatch of this session.

N. Johnson

Wednesday June

The house mett according to adjournment

The com'itte to whom it was referred to draw up a declaration to satisfy ye french inhabitants relating to ye letter sent by Mr. Mailhett to Mr. Poitvin which, is as followeth viz—

Whereas ye house of Comouns have received information upon oath, that Peter mailhett some few days after ye dissolution of ye last assembly, writ and subscribed a letter directed to Peter Poitvin on Cooper river, wherein he The said Peter Mailhett, used these words amongst others relating to ye said assembly viz—that ye govern' had dissolved ye said assembly and called a new one to be chose on ye 21st: May then following and that ye reason of ye govern'. Dissolving them was, because that assembly were not only going to take away ye liberty of voteing from ye french, but alsoe there inheritance and that ye gen' presbyterians were going to bring them under pharaohs bondage and further in ye said letter wrote to ye said Poitvin to bring down ye french to his house where they should find ye true list and in so doing they would not only oblige him but the govern' and all ye french for which scandalous reflections upon ye justice of ye last house of Comouns & tending to ye disturbance and disquiet of this province altho we have taken care that ye said mailhett shall receive such punishment as he justly deserves, yet we think our selves obliged for ye quieting & appeasing ye minds of ye french inhabitants for whom equally with our selves we have a common interest & concern to make this publick declaration that we are well satisfied that ye last assembly had never ye least thoughts or design of depriving ye french inhabitants of any right they have hitherto enjoyed in this province, but would rather if occasion were, do their utmost to confirm & strengthen there

125th.
Intrest & Inheritance To Them and There Posterity whatever ye mallice of Selfe Intrested people may Suggest To Them To ye Contrary./

Orderd
That Mr. Speaker Sign ye Same

A message from ye Governr. & Councell by Cap' George Evans That This house attend them Immediatly The house Went accordingly and being Returnd Mr. Speaker Informd ye house ye Governr. message & ye Money Bill Viz:

Gentlemen

It is Very unwillingly that we are forced to Call you up here from ye Publick business at This house but by ye Experience Wee haue had in ye World wee haue always found That When Divisions are Once come to That height as To forme Themselves into factions Upon Different Measures & appoint Designes that Then Reason & Reasoning make but Verry Small Impressions upon Either of ye Parties wch— wee find Verified by ye Last Conference reported to us wch, ye Committees of both houses had Together Therefore Since ye Reason of ye Thing & former Custom (ye Last Act wch was Obtain being by Surprize) will not Convince you of ye Just Demands of This house we must in Verry Plain words tell you wee Neither can nor will give away their Lordsps Perogatius & Rights now it is in Our Power not to Submit to So unreasonable a Demande & we are Verry Well Assured that we haue good Reason to Insiste upon This Right wch, wee See is ye Constant Method of ye Governm't of England Where Except in One Instance very extraordinary as well as ye Occasion of it ye Publicke Exchequer & ye Officers belonging to ye same allways receive ye moneys raised by Act of Parliam't though Accountable to Them for ye Same where They Suspect any misapplication of it Especially if appropriated To any Particular use. Whereas all That wee Pretend to at This Time is To Nominate him Joyntly with you, And Surely we that (you content not) must Signe with you before any Money Can be Drawn Out of ye Treasury ought Equally to be Concernd with you in ye Nomination of a Person fit for so Considerable a Trust—

And wee must furthur Tell you that we Think never more reason Then now to Insiste upon Our Right in This Affaire
And not To gie ye Power out of Our Own hands into yours, when we plainly See what ill use you now make of That Power That you Pretend to haue in Chooseing a ˙poson so Justly obnoxious to the Governm′ as Mr. Logan who hath made it his business to make Clubs, Parties & Factions & to be Principally Concerned in a notorious Riot, & Seconded with a Tumultuous & most unreasonable Petition, & a Sedicious Association to Jus-
tify ye Same illegall & Extravagant Actions on purpose to Shelter ye Creminalls from Punishment by Those men & who upon ye Account of Those ill Actions & affronting & Turning agst. ye governm′, & for nothing Else is proposed to be Continued Receiv′r. wch. is Evident to any one That Can see & Will but con-
sider That an Other Interest that allways Opposed him & Stood Competitors with him for That place can now Joyne there In-
terest for him To Uphold him To Oppose & affront ye Gov-
ernm′, and Therefore Depend upon That it is ye full Resolu-
tion of my Selfe & Deputies That Mr Logan Shall Never be Continued in That Place of Receiv′r for we are Resolved fully to Exert Our Power & To Convince all People That ye Way To gett ˙ferm′, shall not be to fly in ye face of ye governm′: But if you Will ˙pose to us any ˙poson That is Indifferent you Will find us ready to Comply with you in any Thing Rea-
sonable, & for feare you Should not Readily Thinke of a ˙poson I Shall Nominate one To you who by his Industriously avoid-
ing meddleing with any Parties or Interests in These our un-
happy Differences wee Think Standes Equally faire in ye Opinion of ye Governm′, as also of ye People. And That is Maj′— Parris who Offers to under take it upon Such Reasonable Terms wch. we heare have been allready Communicated to you That we Cannot Immagine how you Can justly Refuse him however if you Can gie in any Just Reason or objections against him wee Shall be Ready To hear Them but if you doe not app-
proane him this be Assurd that whoever hath ye Place Shall of-
ficiate upon ye Same Terms being So advantageous to ye Pub-
llick. And by That means I shall fully Convince all ye Peo-
ple of ye falseness of That Calumny wch. a Certain member of your house Who Takes an Extravagant Liberty in Words as Well as Actions) was Pleased To raise of me That I was desir-
ous To haue ye nomination of ye Receiv′. That so I might have a Sum of money for it, now to Convince you of That Slander
I would Desire you To ask Mr. Logan who hath held That Place will ye full Profitts of it Upwards of four years) What I Ever received of him for it Though When I consented to his being appointd Receiv'r. An Other Worthy member of your house offerd me a blank to Make my Owne Demands if I would give him ye Preference, if you aske That Worthy Member he Will have more Hon'r. Then To Deny it if he Doth I Will Produce his Own Letter under his hand to Prove it but by this method & Terms That major Parris hath Proposed it Will be out of the Power of my Selfe Or any Owne Else to make any Advantage of That Office This Gentlemen is Our full Resolution in This affaire from wch weel will not in ye Least receended, therefore if you Refuse Com [break] with us herein if any Injury happens to ye Publick fault will lye at your doors & you must blame no one but your Selves for this be Assured that I will Neither dissolne you nor Prorogue you Therefore if you Will adjourne yo'. Selues & leave ye Countries business undone & Neglected now in ye Time of This Eminent danger wee will Take Caire To sett this whole affaire in a Cleare light not only to ye People here but alsoe to there Lords's at home then all Well meaning sons may See That it is not ye good & interest of ye People that you drive at But yo'. Own ye Privyate Designs

N. Johnson

According to Ord'r. Cap't. Tho: Neirne brought in a bill for Regulating ye Indian Trade—
Orderd That it lie upon The Table—
The House adjourn'd till Two a Clock in ye afternoon
The House mett According To Adjournm't.—
Orderd./
That Landgr. Tho: Smith Will Bull & Mr. Jn. Strode & Mr. Richard Berrisford Carry ye following message To ye Gov'-ern'r. & Councell To morrow morning./ Viz't May it Please your Hon'r.
The house having naturally taken into Consideration the Sev-erall Parts of yo'. hon'r. Last Speech we must in Answer re-turne That we are infinitely sorry at ye sent unhappy Circum-
stances of This Country are Still Like To continue by your Hon'r. endeavouring to abridge ye house of Com'ons of There
just Right of Ordering all Things Relateing to ye Desposall of ye Publiek money wee are heartily Sorry may it Please your Honr. that, that debate that Was finally Concluded by a Law (wch. Tho: now Expired yet ye Justice & Reasons of it Con-
tinue for Ever Should be againe received yo. Honrs. Argu-
ments from Ther Lordspps Perogative (if They be supposed as farr as They Will goe) tend intirely To Take away ye Whool power of ye Commons in Parliament from Nameing any Officer whatsoever a pretence never before Started in This Province & wch. we Cannot Think of wthout ye deepest regret yt. your Honr. Should Seem so firmly Perswaded of That of wch Reason & Constant Experience may Show ye Contrary if There Lordr's had Looked upon ye Publiek Receiver to be one of There Officers they would Certainly at Some Time or Other heretofore have Sent him Letters or Instructions as Such but it is Verry Plaine they Never Did wch. is as good as a thous & Argumts that They Thought they had no Right so to do as to ye One Instance wch. your Honrs mentions relateing to ye house of Comons, nameing Commissionrs to Lay out the Pub-
liek money it is not alone but in any Other Instances may be Produced of That Kind Even as often as They Doe not Think fitt to Trust ye Treasurer but if it were to ye paralel will by No means hold good betwixt ye King & a governr. of Provincie who being a Subject & more Limited by Law theres infinitely more reason that Every Thing Relateing to Disposall of ye Publiek money Should be in ye hands of ye Representatines of ye Whole People Then in Governrs. who have heretofore & may hereafter be Needy Courtiers Come abroad to Enrich themselves Though ye People have Nothing of That Nature to fear from yo. honrs. yet Presidents and Laws are made for Time To Come your Honrs.. Presently of your Own Accord Seem To gine up What you Aleiged was Wholly ther Lordspps Perrogatine, & Seem Only to Insist on a joynpt Power of Nominating a Receiver wth. ye Lower house but Lays foundations for Endless Debates & divisions between ye Two houses wch. heretofore have hapned when your honrs Predecessors Tho against Reason have Insisted on ye Same Pretence, & Which Debates yo. honrs. so wisely laid a Sleep by ye Law before Mentioned, & we must Take The freedom To Enforme yo. Honr: That we Cannot wthout a man-
ifest Violation of ye Trust reposd in us, gine away That Right
wch The People by There Representatives always had, & of Which wee found them in Possession wee Cant but be Con-
cernd That you, hon. Should so much Reflect Against ye judg-
ment of ye house in Chusing a Person whom your hon, hath
always esteemd so well Quallified for That Trust That your
hon, did most Generally refuse all That was Proposed To
you by Another hand, rather Then ye Publick Should be De-
prived of ye Service of a man so fitt for That business, & as
for Parties & competitors for Places, Nothing of That Nature
Lies before our house & we Think strange yo, hon, should
mention such Things To us but much more That you are
Pleased To Aleidge That Such a post is Sought as a Protection
for any Crimes. Whereas your Hon. Knows Verry Well ye Law
is as Equally Open against Such an officer, as any other
\textsuperscript{7}son, as for ye Person Proposed To us by your hon,
. it is
Sufficient reason for us To reject him, because we are not Con-
cernd so much To Know your Honrs Opinion as ye Opinion
of our own house whos undoubted Right it is. & Who haue al-
ready Come To a Resolution in That Point but To make good
Our former assertion & Show how Difficult or almost impossible it is for ye Two houses To agree in Nameing Receivers
& Comptrolers wee of all Others in This Prouince should Never
haue Appointed nor will be ever Consent That major Parris
shall be Put in That Trust & ye Reasons yo, hon, aleidges in
his behalfe confirmes us in our Opinion for we are far from
believing a Careless indifferency, or Rather a Slavish fear to
be a good temper, no, he is a man of true worth & hon, that
When a Country is Divided boldly Esponseth ye Cause of That
Party wch he belieues To have truth & justice on there Side
And we haue vrey good information what Character yo, hon,
wex Pleased to gue that gentleman very Publickly such as Ras-
kell Lyar &c As To being Limitted To majr. Parris or any
\textsuperscript{7}sons terms, wee must begg your honrs. Pardon if we abso-
lutely refuse it, because as wee haue ye undoubted right of
Nameing these officers now in Controversys, so are we they
Only Proper judges what is a Sufficient reward for doing their
Duty wch, we haue so abridged already by yt, act wch, was Laid
before your Hon. yt, ye Country can Receive no Prejudice by
Paying so Small a Sume for Doing so great Buisness. —
As to Coll Logan giving your hon* any Reward for ye. Place it no way relates to us Neither is it materiall to Decide y'. Thing in debate but we must Take Notice how much reason we have steadly to insist upon our Rights Since yo* hon* informs us y'. a Verry worthy Person Proferrd such high Terms & we Think it Verry Necessary for y* good of y* Province y* all Persons should Rather aim to be Rewarded by y* Representation of there Country, for Serving it fairly & faith fully rather Then by Contracting with Governrs. Who haue Verry often, & may againe be ?enson Who rather Aim at in riching themselues then at y* Public good wch. Cannot be Said of y* house of Comr*ons As to yo* hon* resolution in y* End of your Speech wee Answer—

That wee haue notwhst*standing y* Discouragem*. wee have met wth. made y* greatest Progress in Publick matters as Ever any Assembly did we haue brought Every Thing near To a Conclusion most of our Bills are Comd. & y* People haue Discouerd a more then ordinary Satisfaction in y* Proceedings of This Assembly—

But if at Last we must be able to do Nothing for y* Publick good, if y* Debts remaining Due from y* Publick must Remain unpaid & Consequently severally People ruin'd if y* Country be Exposed to y* Invasions of y* french & Spaniards for Want of finishing Our fortifications if Our Coasts must Remaine ungarded & Our Town Neglected for Want of Watches & Lookouts if in a Word, y* Countr* must Lie Open to y* incursions of y* barbarous heathen who make no Distincion of Persons for Want of a Due regulation of y* Indian Trade & all y* Dismall Consequences of an Indian Warr not prevented nor Provided against & This only because y* people will Name y* Officer They Think fitt to Intrust There Money wth; we hold Our Selues guiltless & appeal to all y*— World at Whose Door all y* misfortunes, Devestations & Calamities wch. may happen to us Will be Laid & how unlike this Difference is to y* union & Reconsiliation wch. you in yo* Address to her Sacred Majestie. Say, is Now restores unto us—

Upon Reading y* governrs. This Days Speech to This house wherein Coll George Logan a member of This house was mentiond as being a ?enson obnoxious to y* Governm*, &ca. y* said Geo: Logan Desird y* Leaue of This house. That They Would
Committ him to answer To Such matters & Thing as ye Governr. & Councill had To Object against him.

The house Takeing the Request aforesd into Consideration gaue There Opinion. That They had Sufficiently declard in yo'. Answer to ye' Governr. & Councill That ye' Law was Open to Them if they had a mind to Question ye' Said Logan. & therefore Thought ye' Said Request Needless—

A Bill for Regulateing ye' Indian Trade was Read ye' first Time & Past with amendm'ts,—
The House Adjourned Till To morrow morning Eight a Clock

Thursday June The 26th— 1707—
The house mett According To Adjournm't—
Upon motion made to ye' house by Cap't Tho Neirne That The house Send an Ord'r. for five Pounds To ye' Governr. & Councill for There Concurreance, being To be Paid To Shandedee a St. Helena Indian as a Gratuity for his brother being Killed by an apalachi Slaue. —

Ordered
That Coll George Logan Esqr. Publick Receiv'r. Pay unto Cap't. Tho; Neirne for ye' use of Shandedee a St. Helena Indian The Sume of five Pound as a gratuity for having his Brother Killed by an apalachi Indian Slaue. & for an Encouragem't To Other Neighbour Indians to be Deligent in Persuening & apprehending run away Slaues & That This Ord'r. be sent To ye' Gournr. & Councell for their Concurreance Tho Cary Speak'r—

Ordered—
That ye' Same Members That was Ordered to Carry ye' Forgoeing message Carry Bill up Likewise ye' Indian Trading Bill The Gen'l. afores'd. being return'd in formd This house That they had receed ye' aforesaid message & Delyverd into ye' Gourn'r. & Councill

May it Please your Hon'r—
Wee were much Surprized when ye' members of Our house Returnd and Acquainted us That your Hon'r. would not Receive ye' Bill for Regulateing ye'. Indian Trade after ye' Title was Read makeing This Answer That it was folly for you to Receive any More Bills—
Wee haue all a Long Shewn Our Willingness to eflect all Publick Matters and are astonished at your Hon's Answer, intimateing that we Would not do Business to let you See we are Willing to proceed as far as we Can have Sent you a bill for yor. Reading

Tho Cary Speak'd

A Bill for Settling of a post office was Read yc first Second time & Past with amendments

Order'd/ That Mr. Robert fenwick & m'r. Gibbon Cary up yc Said Bill & message To yc Govern'r. & Counsell in the afternoon— The house Adjourn'd Till two a Clock in yc afternoon

The house mett According To Adjournmt— Mr. Robert fenwick & Mr. W'm— Gibbon being returnd from yc Govern'r. & Counsell with yc Bill and Inform'd yc house as followeth

Having Read yc message To yc Upper house yc Govern'r he Returned yc Same Answer he Did before & That he Would receive no Bills before we came to a Regulation & right und- Standings of yc main buissness for we had resolved to do none and he asked yc Counsell if it were not so who were Silent yc Govern'r further Said That we might adjourne our Selues for They Would neither Dissolue nor Prorogue us, and Leave The buissness of yc Publick undone & Then we must Look To Answer for it

A Message from yc Govern'r. & Counsell by Capt. Evans Viz

Gentlemen
The Resolution of us yc Lords Propriet's. Dep's. with yc Reason that induced them Concerning yc Subject of our Present Difference was yesterday in Our Speech to your house Plainly delivered to you It was yc Result of Our more Serious Considerations and Not taken up in haste or Prejudice To Either yc hon's. or real Privillidges of This house wch. we would by No means Violate but In Ord. to p'serve their Lordsp's. Rights. wch. we plainly See you are Resolved to Invade, and therefore what you Were told from us Yesterday is Our Resolution also To Day and must so continue untill There Lordsp's Pleasure be further Known

Remember Gentlemen it is your Concerne as much as Ours to regard yc Prosperity and p'servation of This Province
& if Either Suffer on any of ye Acts wch, you haue Enumerated beware it be not found in ye End to be ye Effect of your unreasonable Obstincacy, who Seem to be so Easyly Content Rather To Let all Things Run into Ruine & Confusion then abate ye Least Pretensions To a Privilidge wch, you haue no manner of Reason to Clainie agst. your Own Knowledge Asserting That ye Right of Nominating a Receiver was always in ye Repre-
sentatives of ye People

Therefore if you Will not agree to go hand in hand Through ye Business of a generall Assembly, be Assurd wee will Never Consent to Let you Impose new Laws upon us or asure Pre-
rogatins That Dont belong to you, much Less to awe us into a Complyance with any Thing That we haue so much Reason To Think unreasonable—

Wee cannot however believe but That you haue a More ten-
der Regard to ye good of ye Province then thus abruptly to break of from ye Buisness of This Session so far Advanced, & Therefore According To Our Duty & Desires of Serving ye Country: we will Continue as an upper house in Ord'r. to Con-
curr wth you in Every reasonable affair untill you first Dis-
charge us by yo'. owne Adjourment

X Johnson

The house resolvd into a Comitte of ye Whole house To Take into Consideration ye Grivance of ye Provinct & m'r. Speak'. Left ye Chair and Cap't. Neirn was Appointed Chairman of ye Said Committe & assumd ye Chair/

And after Some Time Spent in ye Said Comitte ye Chairman
Left ye Chair & m'r. Speak', Assumd ye Same

Cap't. Neirne Reported from ye grand Comitte that they had made Some Progress in ye Inquiry into the Grievances of ye Countrey but would not finish their Report and Desird further Time—

Resolved That ye house will on Wedensday Next resolue into a Comitte of ye Whole house To make further Enquiry into ye Grievances of ye Country & Then The house Adjournd Till Eight a Clock to morrow morning/
friday June the 27\textsuperscript{th}: 1707—

The house mett According To Adjournment

Coll Geo: Logan a member of This house Complaining to this house that ye Govern\textsuperscript{r} had used very Sharpe & Reflecting Expressions ag\textsuperscript{st} him To mr. Edwd Weekley & Desird ye Said Weekly might be Sent for to prove what was Said by ye Govern\textsuperscript{r} ag\textsuperscript{st} him

Ordered That ye Said Weekley be Sent for

The house being Acquainted That mr. Weekly attended below was Sent for up and Demanded by ye Speak\textsuperscript{r}. w\textsuperscript{t} ye Discours was Which ye Govern\textsuperscript{r} made use of to him Concerning Coll Logan & Desird him to Withdraw & Enter it Downe in Writing Viz—

Upon ye Debate of ye foregoing words ye Questions following were Put Whether ye house are Resolvd to abide by their Own Nomination of ye Publick Receiver

Carried in ye Affirmiteine X C

Whether Coll Geo. Logan a member of This house is unanimously Chosens by ye Comons to be Publick Receiv\textsuperscript{r}

Carried in ye Negatitne X C

Whether Coll Logans be ye Cause of ye Publick Differences

Carried in ye Negatitne X C

Whether it be The Opinion of ye house that ye words Spoken by ye Govern\textsuperscript{r}. Concerning Coll Logan to Look To himselfe do not Tend To ye Ouerawing ye Whole assembly

Carried in ye Affirmiteine—

Resolvd ye house will abide by your Own Nomination of ye Publick Receiver—

Resolvd

That Coll Geo Logan a member of This house is unanimously Chosen by ye Com\textsuperscript{o}ns for to be Publick Receiv\textsuperscript{r}.

Resolved—

That ye Said Coll G Logan is not ye Occaision of ye Publick Differences./—

Resolved—

That ye Threatning words Spoken by ye Govern\textsuperscript{r}., that he ye Sd. Coll Logan Should Take Care of himselfe are Such as Concern ye Whole Assembly & Which They Look upon as Endeavouring to Onerawe ye Assembly
A Message from ye Gouern'r., & Counsell by Capt. George Evans Viz.

Gentlemen

The Present Deplorable State of ye Country ye misseries it is Like further To Suffer by Reason of ye und'"Standings between us make so great impression that if Possible we would Divert them & therefore haue Thought of an Expedient wch. if you Approve will we Doubt not haue ye Desir'd Effect The Point in Controversie is you Know about ye Right of Nominateing a Receiv'r wch. has already been Debated without Sattisfaction on Either Side— however if you are Willing matters shall rest Just where they are untill ye Pleasure of ye Lords pricetors be Known ther in to Whome we Will both State ye Affair— And in ye meantime That Some Other Third person. Such as we Shall Joyn'tly Approve of be fixt upon to be Receiv'r & so Continue During ye Time Limited in yo' Bill This We Expect will Appear so Reasonable That we hope To See your Concurrence This afternoon X Johnson

Order'd./ That an Address to her majesty from This house relating to ye Griveances of ye Country be Prepar'd & drawn up & That Capt'. Neirn & mr. Robert fenwick do Prepare & Draw up ye Same

Capt'. Neirn Reported That had Prepar'd ye said Address, wch. he Read in his Place & Then Deliver'd it in at ye Table wch. was agreed to by ye Whole house & is as followeth—

Order'd./ That Mr. Rich'd Berrisford & mr. Grange Carry ye— following message/ Viz.:

Wee are very glad to Observe such good Tempter in yo' message this morning, & it gives us great Satisfaction that your hon't. Seem willing to Incline to Divert ye unhapiness of ye Country wch. your hon't. have in your Power to do when you Please

But as To ye Expedient of making their Lordspps Judges in This matter who are Parties we Can by No means Consent to it & we Can Never receed from you right in That Point unless ye Cause be giuen against us by a higher Authority then there Lordspps and Which we Doubt not but will giue an
Indifferent and Equall Judgm't, betwixt y' Lords & us in That affair but for ye Third Ps'son to be Nominated Receiv'r, and approved joynly that Seems To us to be giving up ye Thing in Queston but if yo'r. hon'r. pleases to Concurr with us by yeilding ye Power of nominating to Remain in ye Same hands That it hath done These Sealed years by Past without Dispute we are willing to Put the matter to a finall Issue before ye Queen & Parliament of England, at Least if yo'r. hon'r. cannot Come to a Sudden Resolution in That you may be Pleased To joyn me in Dispatching Such Necessary bills as no ways Depend on The money Bill wch Occaisson ye Debates here 

The house Adjourned Till Two in ye Afternoon

The house mett According To Adjournment

Ordered That Cap't. Tho: Neirne Landg'r. Smith & Coll Logan be a Committee To Draw up & Lay before This house ye Grievances of ye Country——

A message from ye gouver'r. & Counsell by Cap't. Geo Evans Viz't—

Gentlemen

for Peace Sake, & ye good & Safety of This Province wch. is What we always aimed at, & in Assurance of ye Justice & Reasonableness of Our Pretentions: We are Willing that ye matter in Debate Should According To your own Desire, Receive its finall determination before ye Queen & Parliament of England, If her Sacred majesty will Vouchsafe to undertake ye Same And of wch. we will give there Lordspps ye Lords Priv'etors an Account that They if They Think fitt may there Attend ye Issue & we Do Consent That in ye meantime ye Power of Nominating a Receiver wth a salvo to ther Lordspps Priv-ilildges if at home Determin'd in there favour) be in your hands Provided you do not Choose mr. Logan or any Other Ps'son under Like Circumstances with him, who by having made themselves so Obnoxious to ye Governm't. in There Late Actions, we Can by noe Means Approve of So farr (at Least) as To Admitt Them to places of That Trust

And Surely Gentlemen Since There is so many Other Deserving Ps'sons both among your Selues, & in ye Country you Will not differ with us on This Acc't & bring ye Designe of
Oblidging Such Persons in Competition with ye Peace Safety & Preservation of ye whole Province

Thus you See Gentlemen how farr we advance to meet you in way of Reconsilliation waiving those pretentions with no Other Consideration but ye Peace of ye Province would gine from us & as we are Willing to believe you are Actuated by ye Same Principles & Reasons. So we hope you Will herein Accord With us & Put an End at Last this unhappy Subject. wch has so Long Recarded more Seasonable buissness— for Wee cannot think of ffecting any Other bills untill the Money bill be Determined of wch Opinion you were your Selves, when you Told us in a late message from your house (wch, we have Now Orderd To be Read to you) that all ye. Rest of your bills had Such a dependance on ye money Bill That you could not Come to Conclusion of any Thing untill you first saw ye Issue of all Disputes Relating to it & upon wch Acc it Was. That we Did not Read ye Two Last bills you Sent us

X Johnson

Orderd

That Langt. Tho Smith & Mr. Jn. Wilkins Carry up ye following message to ye Gouernr. & Councill.—

May it Please yor. honr.

When we had read & Examind your Last message & Considerd your posall in ye first Part of it. we were in great hopes Concerning to a finall Determination of What has been so Long Debated betwixt us,

But when you Come to make your Exception agst. Coll Logan, we must be Plain that, that Exception came to Late, for he was Voted Receivt. by ye unanimous voice of ye Whole house & That vote Confirmd with ye Resolution of ye Same/

Yet if it were not so. ye Design you Seem to be upon; Can by no means Surprize us, being Well Sattisfyed if it were received from Our firm resolution & allow of those Seemingly fair Objections wch. you make agst. Coll Logan, we Shall do no Less then Quitt our Right & Let your honr. into a Nomination of a Rec t wch. we are by no means Willing To allow of./

We are agreed that ye Difference betwixt ye house of Commons & your honr. abst. Nameing a Publick Rec. Should be Submitted to ye Determination agreed upon but in ye meantime we Cannot receed from Our Resolution of Nameing Such Receivt. &
we are of Opinion That ye Receiver, we have Appointed Stands more free from those Charges of Rioting & Such Reflections than a great many Others yo^r. honn^r has a Ïticular Respect for
Tho: Cary Speak^r
The house Adjournd Till To morrow morning Eight a Clock

Saturday June The 28^th: 1707—

The house mett According To Adjournum^t
A message from ye Govern^r. & Counciill by Capt. George Evans & is as followeth Viz^t)

Gentlemen
You very grosly mistake ye Nature of ye Expedient we Proposed to you. When you Say that if you allow of Those Seemingly fair Objections w^ch we make ag^st Mr. Logan you Shall Doe no Less then Quitt your Right, and Let us into a Nomination of a Receiv^r.

for you may Remember this Was Proposed by Way of Accomodation untill ye Queens Pleasure was further heard and Surely it Can Never be understood ye Invasion of any one Right when they are Only Advised against Admitting unfit ^sons to Places of Trust & honnor and if you have any Scruple on ye Truth ye Objections ag^st. Mr. Logan Tho. you unwarrily acknowledge it in your Last answer) we Ïduce Such Proofs thereof as Cannot be Denied./

But wee See Gentlemen That you are Resolved to ingross ye Whole Legislatiue, & Thereof one it is in Vain to Reason any Longer with you for you are So much Prepossess'd in favour of Mr. Logan, That you have already determind to Pre-ferr him to ye^ good & Safety of the Countrey Closeing your Eyes to all Other Considerations—

Wee are Weary of ye insignificancy & uselessness of these Paper Disputes & Will Continue Them no Longer but Appeale to god. ye Country & Those moderate Ïsons of your owne house if we have not Done all Thats Possible for us to do (without betraying their Lordspps Rights & Our Own Reason) Towards an agreeem^t w^ch Proneing at Last in Effectuall as wee cannot Recede from These our Reflections so we must Submitt ye^ rest to the more Powerfull guideance & Direction of providence

N Johnson/
Ordered That a Comittee be Appointed for Drawing up grievances relating to Trade & That Mr. Motte Coll Logan Wm. Smith Esqr. & Mr. Mackpherson be a Comittee Accordingly & Lay ye Same before This house on Tuesday Two a Clock

Ordered That a Comittee be Appointed to Draw up ye Grievances of ye Indian Trade & bring in ye Same to This house on Tuesday Two a Clock & That Cap'. Tho Neirne & Mr. Rich' Berrisford be a Comittee Accordingly

Ordered That Mr. Henry Wigington Lay before This house on Tuesday Two a Clock Such grievances That he Knows of Committed in ye Courts—

Ordered That Cap'. George Evans Lay before This house all Such Papers & Depositions whch was Delyverd him by ye Ord'. of ye house of Comons relating misdemeanors Comitted by John Pight Musgrove & Others on monday Two a Clock & That Mr. Speaker Sign This Ord'.

Tho Cary Speaker:
The house Adjourned Till Monday Two a Clock

Monday June 30th: 1707—

The house mett According To Adjournm'.

Cap'. George Evans According To Ord'. Laid before This house all Such Papers whch was Deliverd him relating to ye Indian Trade—

The house Adjourned Till to morrow morning Eight a Clock

July 1th: 1707—

The house Mett According To Adjournm'.

The Comittee

Mr. John Strode According To Ord'. brought in a Declaration of ye Proceedings of This house To be made Publick for ye Satisfaction of all People whch he read in his Place & after wards Deliverd it in at ye Table whch was agreed To & ordered to be ingrossd—

The house Adjourned till Two a Clock in ye afternoon
The house mett According To Adjournment
Orderd
That Capt. Geo: Smith & Mr. Robert fenwick wait on ye Gov-
ernr. & Counsell to Know of their hon'rs. if They Would Ac-
cept of any bills wch. have no Dependance on ye Money Bill
Who being Returnd Acquainted ye house ye. ye Governr. offerd
them for Answer Part of Two of our messages Signifying
that we would not go upon any buissiness till The Point of
Right about ye nomination of a Receiver Was Determined.—
To Which Wee answered that Our house meant no Other wise
by Such universall tearms ye. Such act, as had a Certain De-
pendance on ye money bill. And ye Governr. replyed ye nomi-
ation of ye Receiv'r. was ye Thing contended for & he would
accept no bill untill That was Ended.—
This Day Several Articles of Charge were Read agst. Nichº
Trott Esqr. Cheife Justice And Approved of by the house And
as follows./ Vizº
Orderd That Mr. Speaker Sign ye Same.—
Orderd
That Landgr. Smith Mr. John Raven Mr. Woodward do goe to
ye Governr. & Counsell with ye Said Articles and Read ye Same
to Them, & Desire to know if They Please To appoint a Judge
or Judges in ye Room of Said Said Nichr. Trott That So he
may be Tryed upon ye Said Articles at a Session with all Con-
venient Speed & further To Acquaint them. That When They
haue so Done This house will Delyuer ye Articles fairly In-
grosd To ye Governr/
The house Adjournd Till To morrow morning Seaven a Clock—

Wednesday July ye 2th: 1707—
The house mett According To Adjourn't—
Coll George Logan a member of This house and Nominated
Publick Receiver Delyverd himselfe to ye house in ye following
message
Mr. Speaker
Since my being Nominated for Receiv'r. by This honororable
house has been made a Pretence by ye Governr. & Counsell of
ye Differences between ye Two houses. I am Verry Willing so it
Consist with ye Good Likeing & hon'rs. of this house To Whome
I Likewise Pay my utmost acknowledgments for there good Opinion of me, to Resigne and quitt my Place of Publick Receiver
upon Which ye house informed ye Said Coll Logan That they were unwilling to Part with an Officer, of whose honesty & fidelity They had so Long & great Experience in his Place of Publick Receiver but Since it was his voluntary Act To resign up ye Said office they did Return him Thanks for his Care in ye managm thereof hitherto:/

Resolved That a bill be Drawn up & Prepare to Declare ye Right of ye house of Comons for ye Time being to nominate ye Publick Receiver & ye Cap'. Neirn & Cap't Geo Smith do Prepare & bring in ye Same Immediately

Orderd
That ye Said Neirn & Smith do Prepare a message to be Sent to The Govern'r. & Councell To Acquaint Them That Coll Logan had Resigned his Place of Publick Receiv'r, & to recommend ye afores'd. Act for To declare ye Right of ye house of Comons to Name a Publick Receiv'r, to their Reading w'ch. They Did accordingly & are as followeth

May it Please you Hon'rs

Altho This house is ye Only Proper Judges of The Qualifications of Such ye sons with whome it is Proper To Intrust ye Publick money, & Tho the Gent, whome we nominated wanted Neither honesty nor abillity, fitt for Such a Trust, yet That the Publick Business may be no Longer hindred on his Account, he hath voluntarily Paid ye Assembly to Nominate another ye son in his Place w'ch, we are Willing To Comply with if yo'. hon'rs Pleases To Pass ye Act w'ch wherewith Send you, to ye End That This Dispute may Never be Raised again To hinder ye Dispatch of Publick affairs—

A Bill Declaring ye Right of ye house of Com'ons for ye Time being To Nominate ye Publick Receiver was Read ye first Time & Passd with amendments

Orderd—
That Cap't. Tho: Nairn & Mr. Rich'd Berrisford Cary up ye Said Bill & message To ye Govern'r, & Councill

A message from ye Govern'r, & Councill by Cap't. Geo Evans Relateing To ye Articles Ag'd, Judge Trott—

Orderd That it Lie on ye Table
The house Resolv'd into a Grand Committe
According To ye Ord'r of ye Day to Consider of The grievances &c., & m'. Speak'r. Left ye Chair—&—
Mr. Henry Wigington Assumed The Chaire
Mond That Certain Grievances drawn up & Lying on ye Table be Read in Ord'r—
wh. being gon Through within ye Committe & Examaind was again read in ye Committee & m'nd That ye Chair man Leave ye Chair & Mr. Speak'r. Assumed ye Same wh. Was Done Accord-ingly—
The Said Grievances were read in the house No.— 4—
The house Adjourned Till two a Clock in ye afternoon
The house met According To Adjournm't—
A Bill for Declareing ye Right of ye house of Com'ons for ye Time being To nominate ye Publck Receiv'r was Read ye Second—& Past with amendments—
Orderd
That Mr. Will Smith Mr. John Raven Mr. Jones Carry up ye aboue Bill to ye Govern'r. & Counsell——
The house Adjourned Till To morrow morning Eight a Clock

Thursday July 3d, 1707—
The house mett According To Adjournm't—
Orderd That The.—
Bill Declareing ye Right of ye house of Com'ons be Ingrossd
Upon Reading The Bills Relateing to Establishing Bills of Credit & appointing Receiv'r. & Compt'r—
The Question was Put whether Capt. Geo. Smith Shall be Publck Receiver
Carried in the affirmative
The Question was Put whether ye yearly Sallery of 150.£ for ye Receiv'r Shall Stand as it is in ye Bill
Carried in ye Affirmative
A Bill for Establishing Bills of Credit &c., was read ye Second Time & Pass'd with amendm'ts—
A Bill for Declaring ye Right of ye house of Com'ons was Read ye Third Time & Pass'd into a Law—
Order'd
That Landgr. Smith & Mr. fenwick Carry up ye above Bills to ye Govern'r, & Council./
Mr. John Stroud & Mr. Mackpherson was agst. ye s'd Bill & gave ye following Reasons Viz.—
The Right of Nominating ye Country's Receiv'r, being only in ye Commons, till Our Opinions were rec'd from That undoubted right & Previllidge Which has been alway inherent in ye, house of Commons by Nominating another Receiver (as ye Govern'r, Would have us) Contrary To a vote of This house and a Resolution thereupon That They Would not receede from there first nomination it Seems to acknowledge a Right in ye Lords Proprietors, of nominating of ye Receiver (or at Least of approvning the person wch. is What ye Govern'r, Insisted upon and Occasioned So much Debate & further I cannot see Wherein ye Said act will any ways advantage us When ye Lords's has a Negatine upon all our Acts by wch means Their Lordsp'ss may Repeale This—
The house Adjournd Till Two a Clock in ye. afternoon
The house mett According To Adjourn'n—
Coll George Logan Esq'r. Late Publick Receiv'r, informed This house that notwithstanding his Voluntary Resignation of ye Said Office. Some person's had Reflected on him as if by Resigning ye Said office so Willingly and on Purpose to Prevent further Disputes & Differences betwixt The Govern'r, & Council & ye house of Commons he Did Nothing but What he was forc'd To do
The house Thinking Themselves Oblig'd Publickly To Vindicate ye Said Coll Logan in the matters afors'd
Order'd
That ye Votes Resolution & Other matters enter'd into ye Journal Concerning The Said Coll Logan quitting & Resigning The Said office be forthwith made Publick & Posted up at ye most Publick Places in Charles Towne and are as follows—

A message from ye Govern'r, & Council by Cap't. Evan Gentlemen
The Country in Generall and we of ye upper house in Particular are Obliged to you for ye measure you have Now Taken with Respect to ye affair of a Receiv'r & we Promise Our Selves
from This agreem'T That There will be Now a more Speedy Dispatch of buissiness and as we are Justly Disliked your first Choice so we now with The Like Sincerity approve of Capt George Smith, and wish from Our hearts. That neither of us may meet any more Obstructions to a good Correspondence

N Johnson

Orderd

That Carry up the follow^ message To ye Governr. & Council—

May it Please yo'r. hon'r—

Wee Cannot beleine ye Country would in ye Least Think them-selves Obliged to us, if They thought we Should approve of yo'r. hon'r. Dislike of our first Choice of Our Receiv'r. or if They Should Thinke we were any ways Concernd at your approving or not not Approving our Second Choice of Mr. Smith, for we Cannot Think of So Our Selues—

However Since Coll Logan has generously quitted his Said Office in Ord'r. to ™vent ye retardeing Publick buissiness, for Which we have given him Our Thanks, we Joyn with you in wishing That we may meet with nothing in our future Pro- ceedings w'ch. may Tend To the breach of a Good Correspondence

Tho: Cary—

A Bill to Reuine & Repeale ye several acts within men'oned— was Read & Orderd to be Ingrossd—

A Bill for Appointing Lookouts &c. — read & orderd To be In- grossd—

A Bill for ye Expeditious finishing ye fortification in Charles Town Read & Orderd to be Ingrossd—

A bill to Encourage ye making Potash & Salt Peter was Read ye Second time & Past with amendm'^

A Bill for Settling of Pilotage was Read ye Second time & Past with Amendm'^

A Bill for Raiseing a Public Store of Powder was Read a Second Time & Past w'th amendm'^

A Bill to make & Establish Bills of Creddit was orderd To be Ingrossed—

The house Adjournd Till to morrow morning Eight a Clock—
friday July y^e 4th: 1707—

The house mett According To Adjournm^t—

A Bill for y^e Better Regulating of Elections was Read y^e Second Time & Past with amendments—

Ordered
That Cap^t. Tho Neirne & m^r. Cochran carry up y^e Said Bill to y^e Gouern^r & Counsell
A message from y^e Gourn^r. & Counsell by Cap^t. Geo Evans with Severall Bills Viz:
A Bill To Encourage making Pottash & Salt Peter—
A Bill for Settling Pilotage
A Bill for Raising a Publick Store of Powder
A Bill To Erect a Generall Post Office w^ch were read y^e Second Time & Passd with amendments—
A Bill for Regulating y^e Indian Trade was read y^e first Time & Rejected—

Gentlemen

We haue Read y^e Bills for y^e Indian Trade & are Obliged to Reject it being a grand monopoly & against y^e Express words of The Charter but are Willing To Receiue a bill for Regulating That Trade agreeable To The Charter & Their Lord ^t^s Instructions—

X Johnson

Ordered—

That a bill be Drawn and ^t^pared for y^e ^t^viding a further Fund & better Security of y^e Payment of y^e Publick Debts and m^r. Berresford m^r. Wiginton do prepare & bring in y^e Same To morrow morning

An Act to make & Establish Bills of Credit for Raiseing y^e Sume of Eight Thousand Pound &c was Read y^e Third Time & Passd into a Law—

An Act for Renewing & Repeale Severall Acts within mentioned & Passd into a Law./—

A Message from y^e Gouern^r. & Counsell by Cap^t. Evans with a Bill for Regulateing Elections w^ch— was Read a second Time & Past with amendments—

Ordered—

That Cap^t. Tho Walker or in his Absence Mr^r. Patrick martin do Receiue from m^r. Pawly one Raft of Cedar Post for y^e Publick use
Cap't. Tho Neirn Praid Leaue To bring in a bill for ye Regulation of ye Indian Trade
Ordered That Cap't. Neirne haue Leaue To bring in ye Said bill In ye afternoon
The house Adjournd Till Two a Clock in ye Afternoon
The house mett According To Adjournm't—
Cap't. Nairne According to Ord'r. Brought in a bill for ye Regulating ye Indian Trade./
A Bill for Appointing Lookouts was Read a Third Time & Pass'd into a Law./—
May it Please your hon''.
—Wee were not more started at yo'. Rejecting ye Bill for appropriating ye Profitts of ye Indian Trade to ye Benefit of ye Publick than at ye reasons you giue for your soe Doeing—

How ye management of ye Indian Trade for ye Benefit of a Whole Country in Such a manner as is Prescribd in ye Said bill can be a monopoly wee Cannot conceive unless we are Ignorant of ye Signification of That Word nor Can we Think that because (grand) is made an Epithet to it, it is Possible for you To Imagine ye word can extend to Signify, an intr-grossing of a Trade by an Entire Comunity of People./
The method & Way we were upon for manageing ye Indian Trade by a Publick Stock is Exactly agreeable To Such Proposals as were made by ye Late Gover'' Moore (who certainly understood ye Nature of That Trade as well as any Man in his Speech to ye house of Com'ons Jan': 15th: Anno 1702/3 wherein he Recomended to them as Worthy there Thoughts, Such a Regulation of the Indian Trade as might make it as well more Safe as More Profitable to ye Publick Receiver, wch be advised might be best Done by Taking it into ye management of ye Publick and With wch Advice ye Comons then in being entirely Concurd upon Those Considerations it was That we fell upon ye aforesd'' method, and had Nothing more in View by Our Soe Doeing then Preserving our Safty & Enlargeing our Publick Revenues—

This wee would make Appear would Naturally haue arison to us by means of ye aforesaid Project had your honn'rs— allowed us a free Conference, but Since we are So Strangly deprivd of That by your Rejecting our Said Bill without giving us ye
Least notice we have Reason to fear we Shall wee Shall too
Soon be Sensible of ye Loss of so good a Bill, and almost de-
spair of finding our Security in any Other way whatsoever
But Since we are under so fear full apprehentions & have so
great reason to Dread Our Utter Ruin and Destruction from
a Continuance of ye hurried Abuses & grievous mismanage-
ments of ye Trade Amongst ye Indians we have again Attempted
upon yo'. Encouragem't. to find out Some other Way by a new
Bill, To Preserue ye Country and Ease The Oppressions ye Indian Lie und'r. and have hitherto unsuccessfully Complain'd
of./—  Tho Cary Speak:'—
Orderd
That Mr. Robert Fenwick & m'r. Will Bull Carry the abone
message to ye Govern'r. & Counsell—
A Bill for ye Regulateing ye Indian Trade in read ye first Time
& Past with amendm'ts./—
Orderd
That Cap'. Tho: Neirne & m'r. Rich'd Berrisford Carry ye Said
Bill to ye Govern'r. & Counsell
The house Adjourn'd till to morrow morning Eight a Clock

Saturday July 5\textsuperscript{th}: 1707—
The house mett According To Adjournm't—
A message from ye Govern'r. & Counsell by Capt. Evans Viz
Gentlemen
Wee Verry Little Expected to receive any Other bill Thiss Ses-
sions for Regulating ye Indian Trade, because wee Could not
Imagine you were acquainted that a bill once rejected Cannot
be read again that Sessions for tho This bill be Writt on Other
Paper & for ye most Part framed on a Different scheme, yet it
Bears ye Same Still, & is to ye Same \(\text{\textsuperscript{7}}\)pose (Viz') ye Regulation of ye Indian Trade—
It is true, we told you yesterday on Rejection of your first bill
that wee were Willing to Receiue any Other Bill for Regulat-
ing ye Trade but with no manner of Intention or Designe to ad-
mitt it at This Time being altogether irregular, & unparliamen-
tary, & Therefore Cannot Receiue yo'. Last Bill This Sessions
& with ye reasons a foresaid wee had Imediatly Returned
Last Night but that you adjourn'd on Our Receipt thereof—
Wee Think it Verry Strange Gentlemen, That you who on all Occasions Profess so hearty inclinations for ye Good of ye People can Think of any Thing before Paying ye Publick Debts due to so any Necessitous sons finishing ye fortifications & Receiving ye Acts for Want of wch ye Poor People are in great Want, ye Towne defenceless & ye Publick Treasury Defeated of its Revenue—

Surely you Can never Expect to amuse any son here after by Laying these Things at your Doors—
You Know how often, & how Earnesly wee haue invited and Desird you to Perfect & Ratify ye money Bill, What Concessions haue we not made to Induce you to it passing a bill To Settle ye Right of nominating a Receivr In ye house of Comons wch. no Consideration, but Compassion to ye Present State of ye Province Could mone us To Choosing rather to Hazard ye displeasure of There Lordspps then see the Ruin of ye Country—
And after all, Even when those very Bills were Ingrossd & readily by your Own Consent for Ratification you most unaccountably postpond them To Other affairs that haue no Proportion in the Necessity

Wee See how improper it is to Oblidge Some People who make ye Receiving one favour aright To Demand anothr

The Bills for ye Ellections & Indian Trade, haue no manner of Dependance on ye Payment of Publick Debts then no Person you may be Assurd will Refuse his money because those matters are not yet settled but Every Body will Blame us for trifeling away soe Much time to so Little pose—

You haue Satt a Long Time already and its Reasonable to Think of a Recess therefore do Not any Longr. Procrastinate Necessary buisness but Vindicate at Last, the faith interest honnour & Reputation of ye Country by Paying ye Publick Debts finishing ye fortifications & revieneing ye Acts wch. as They are ye most necessary points In Demande, & wch you your Selves Promissd first To Take Notice of Soe we are Resolv'd to give them the Preference to all Other Considerations

N Johnson

Orderd ye. Landgr Smith & Mr. Evan Mackpherson wait On ye Governr. & Councell and informe their honrs. That This house Designs to Attend Them
Order'd
That Mr. Speak're, & ye Whole house Attend ye Gouern', and Counciell with ye following message./
May it Please your honrs—
With the utmost Surprise & Confusion wee heard your Message, And poor Shadows of reason for Returning Our Second Bill for Redressing ye abuses of ye Indian Trade, a Thing wch yor. hon', have Often Declared to be of absolute Necessity & is Now come to that height, That Want of Watches, forts, Loss of Duties &c is not To be Named in Comparison with it, & if it be Our unhappy fate To Line in Such a time when Our Country is Doomed to be ruined, we are not Sollicitous to vide a defence for Our breasts when we may at ye Same Time receiue a mortall Stabb: thro Our Backs. As To yor. honrs. Pretense That This is ye Same bill, it is so farr Otherwise That ye nature Design & very Title are different & nothing Com'on to both, to make them the Same unless it be because ye Words (Indian) & (Trade) are used in Each we have often been told by ye Generallity of ye Inhabitants That we Should never be able to cure any good Law for That End from yor. hon's. Tho we Our Selves had more Charity and Stronger hopes that yor hon's, would not be altogether so averse to any manner of Regulac'on how moderate soever untill now That you have been Pleased to give us an unanswerable Demonstration of it Yor. hon's. Seem Verry Earnest for Passing The money bill nor are we Less, but as To The Disproportion of ye Necessity of That & ye Other Relateing to ye Indian Trade we Confes it is great Even as great as Some Peoples being without ye money due To Them is in Comparison to ye Apparent hazard and Ruin of ye Whole Country a Thing ye People in Generall are so Sensible & apprehensive of That in Most Places They gave it in Express Charge to us their Representatines to proceed upon That and Preferr it To all Other Considerations./—
Yor. hon. Thinks it Improper to Oblidge y'sons who make ye Receiving One favour a Right To Demand another now we on Our Part know of no People yor hon hath granted favours to, and we are Sure Passing good Laws is a duty Incumbent upon all Governrs. Especially Whome Demanded by Soe Many Assemblies & ye universall cry of ye People, Neither Do we now Demande The Passing This Law as a favour but as a Right wch
we have to propose ye methods of Redressing abuses and Providing for ye Publick Safety. And yo\textsuperscript{r}, hon\textsuperscript{r}, by your Oath and ye Duty of yo\textsuperscript{r}. Place is Obliged to Assent to if we make appear not only ye Conveniency but Necessity of Passing Such Laws which we are ready to do When you Please—

It is True we have Sett Long already and do much Desire a Recess, yo\textsuperscript{r}, hon\textsuperscript{r}, hath Taken ye Ready may That we Shall Soon have it by Putting ye house in Such a ferment That we are not Like To Stay Long together, however Admit it all ye Confusions That Threatens This unhapy Country we Shall Still Enjoy That Tranquility of mind w\textsuperscript{ch} Constantly Attends those who have faithfully Discharged there duty w\textsuperscript{ch}. is all ye Comfor we have untilt it Please ye divine Goodness Either to Influence yo\textsuperscript{r}, hon\textsuperscript{r}, to Act in This Case for ye Publick good, or to Send us a favourable return from ye Queen Our Sovereign, To Whome we must must now Address Our Selues with ye utmost Application

Tho: Cary Speak\textsuperscript{r}

Orderd
That Mr. Grange & Mr. W—— Bull Carry up [break of a word or two] Entituled an act for Declareing ye Right of Comons &c\textsuperscript{a} in Ord\textsuperscript{r}. for you to fix Seals for Ratification, and Desire Them To Appoint a Short time for us to Come up for That Purpose/

A Message from ye Govern\textsuperscript{r}, & Councill by Cap\textsuperscript{t}, Evans w\textsuperscript{th}, ye Act Declareing ye Right of ye house of Comons that They were Read to Ratifie ye Said Act Provided ye Money Act Come with it

Orderd
That mr\textsuperscript{r} fenwick & mr\textsuperscript{r}. Cochran wait on ye Govern\textsuperscript{r} & Councill & Desire they Would be Plead To Appoint Some of Their members to mett Some of ye members of This house in a Conference relateing to ye Regulation of ye Indian Trade

A message from ye Govern\textsuperscript{r}, & Councell by Cap\textsuperscript{t}, Evans That They Would not admitt of any Conference relateing to the Said Indian Trade

The house Adjournd Till Three a Clock in ye Afternoon

The house mett According To Adjournment
Orderd That Cap. Neirn & Mr. George Chicken Carry ye following message Viz-
The house was so universally well Sattisfied wth— Mr. Berrisfords management That we Returned him Our Thanks for his great Pains in ye Publick Service & we are Strangly Surprizd to hear some part of his Journall Taxed with being false, wch. being of Consequence both to ye Reputation of ye house and That Particular member we Desire yeor. honrs. To make Appear what part of That Journall you Can disproze.

Tho Cary Speak-

Orderd That Cap. Neirn & Mr. George Chicken Carry up to ye Govern. & Councill ye act Declaring ye Right of ye house of Comons & c³, & ye Act for Establishing Bills of Credit & in Ord. to haue there Seals for Ratification—

Resolv'd That This house will Take into Consideration ye great grievances of this Provinc before any other Thing wsoever The Vote being put Whether ye Two Acts for Assertaining ye Right of ye house of Comons & ye Act Entituled of bills of Credit I Do Decent from ye Said vote it being positively my Opinion that ye Regulateing ye Indian Trade is the Cheif Thing necessary & Ought first To haue Past ye house but not Withstanding our Utmost Indeavour To Regulate ye Same we haue been unreasonably Obstructed so Cannot receede from my Resolution That if ye Said Trade be not regulated I would not Joyne in ye Proceedings upon further Buisness—

Rich., Berrisford¹

The house Adjournd Till Munday morning Eight a Clock

Munday July the 7th: 1707—

The house mett According To adjournment and Then
The house Adjourned Till Two a Clock in ye afternoon
The house mett According To Adjournment
The house According To Saturdays Resolution proceeded on ye Greivances of ye Provinc wch. were Read

¹He spelled his name Beresford, as did all members of the family in South Carolina. The copyist was evidently careless.
Orderd
That Coll George Logan & m[r. Henry Wigington do Prepare
and bring in a Bill for ye Better Regulating ye Watch in Charles
Town on Wednesday
A Bill for Repairing & Expeditious finishing ye fortification in
Charles Towne was Read ye Third Time & Past into a Law.—
A Bill for Encourageing ye making Pottash & Salt Peter was
Read ye Third Time & Past into a Law
A Bill for ye better Regulating of Election of members of As-
sembly was Orderd To be Ingrossd
A Bill to Erect a generall Post Office was Read ye Third Time
& Past into a Law.—
Orderd
That Mr. fenwick & Mr. W[m. Bull do Prepare and bring in a bill
for Regulateing ye Militia To morrow—
A Bill for Settling of Pilotage was Read ye Third time & Past
into a Law./—
Orderd
That Cap[t. Nairn Mr. Stanyarn Mr. Hugh Grange & Mr. Wood-
ward do wait on ye Govern[r. & Discourse him Concerning his
Last Speech Relateing to ye Indian Trade & his finall Resolu-
tion & Lay ye Same before This house to Morrow Morning—
Orderd
That Cap[t. Neirne & m[r. fenwick wait on ye Govern[r & Councill
with ye foregoeing Acts
Orderd
That all Absenting members do Imediatly attend The Service
of This house & That ye messenger attending This house Serue
Them with a Coppy of This Ord[r. and That Mr. Speak[r. Sign
ye Same./
The house Adjournd till to morrow morning Eight a Clock

June 8 Day

The house mett According To Adjournment
The house Adjournd Till Two a Clock This afternoon
The house mett According To Adjournment
Orderd
That Mr. George Chicken & m[r. Hugh Grange wait on ye Gov-
ern[r. & Councell and Desire his hon[r. would be Pleassd To Ap-
point Capt. John Cock Sen'r. Lookout on Sulivands Island./ This house Thinking him a per son for ye Said Look Out Orderd That Mr. Jn', Abra Motte Mr. Will Gibbon And Mr. Mackpherson be a Committe to Inspect ye Late Publick Receiving & Comptrover & Powder Receiving. Accounts & Report ye State of ye Same to the house on Thursday next

Orderd That George Logan Esq. Late Publick Receiving be Allowd in his Account, ye Sume of forty Pounds Curre Money for his Trouble & Charge in gathering in ye Late Publick Taxes & Cancellation of ye Late bills of Credit & other Trouble he was at in Pursuance of ye Same being According To ye Intent of ye Late Act of Assembly Entitled an Act for ye Raising ye Sume of four Thousand Pounds &c., ratified ye 4 Day of November Anno Dom. 1704—
The house Adjourned till to Morrow morning Eight a Clock

Wednesday June the 9th: 1707—
The house met According To Adjournment:
A Bill for ye better Settling & Regulating ye Militia was read ye first Time & pass'd with amendments—
A Bill for Continuanceing ye Impositions on furs Skins liquors &c., for a fund for Sinking ye Bills of Credit—
Read ye first Time & Pass'd with Amendments—
Orderd That Capt. Tho: Neirne & Mr. Henry Wigington do prepare & Draw Up an Address, Wherein They are so just that the Govern't. & Counsell are not a house of Lords nor a proper Judicature before Whome any Impeachm' will Lie from a house of Com'tons & therefore That this house cannot Think it Proper to Impeach Judge Trott before Them, & Desire ye ye Said Trott may be Suspended from his Office from his Office of Cheife Justice and another Judge Appointed
A Bill for Regulating a watch in Charles Town—
Read ye first Time & Pass'd with amendments—
Read a Petition of Landgr. Smith & Jn. Croskeys two of ye Executors of Joseph Croskeys deceas'd Praying Leave to bring in a bill To make good ye Last Will of ye Said Joseph Croskeys
and a Committee was Appointed to Examine into ye Reasonableleness of Said Pettition and Impowerd to Send for ye y^o sons Concerned & Report their Opinion thereof in Two hours.
The Committee aforesaid reported that ye Petition aforesd. & ye Allegac'ons therein Contained were approved and Appears to Them very Reasonable.
Orderd That Leave be given to Said Executors to bring a Bill for making good ye Said Petition—
A Bill for making good ye Last Will & Testament of Joseph Croskeys deceasd &c—

Was read ye first Time & Past w^th Amendments—
An Additionall Bill to an Act Entituled an Act for Settling ye Estate & Title of Cap^t. John flavell &c—
Read ye first Time & Past with amendments—

Cap^t. Neirm & Mr. Wigington According To Order brought in an Address to ye Governr. & Counsell Concerning Mr. Trott w^th. Read and Approved of by the house—
Orderd
That Cap^t. Neirm & Mr. Chicken Carry up ye Last menc'ond Bills To ye Governr.; & Counsell & acquaint Them That ye house would Waite On Them with an Address of ye Whole house & Desire To Know w^t Time They Will Appoint for ye Same.—The house Adjournd Till to morrow morning Eight a Clock—

Thursday July 10th: 1707—

The house mett According To Adjournment
A message from ye Governr. & Councill by Cap^t. Evans who Informd ye house That ye Governr. & Counsell were Ready To Receive This house According To yesterdays message Resolvd—
That The Whole house attend ye Governr. & Counsell w^th the following Address Viz—
May it Please your honrs—

Wee Do once more apply Our Selves to you in Relation To Mr. Trott Thinking it Strange your honrs. Should Refuse To Suspend him from ye Execution of his Office, untill his Cause be tryed in a Court Qualified to give Sentence & from w^th Either Party who Beleives themselves aggrieved May have An Appeale & after ye best Information ye house Could Pos-
sibly Procure in This affaire it appears Plain To us That yo. honrs, are not Such a Court nor any way Like To a house of Lords, before Whome in ye Kingdom of England Appeals Usually Lye & before Whome Impeachm' are brought by ye house of Comons Least therefore They Should be any Entire failure of Justice in ye Country we Desire yo. honrs, as we Did before To Appoint another Judge that ye Comons in Parliam & all others for Their Own Particular wrongs may have an Opportunity of Prosecuting Mr. Trott for Such is ye Aversion wch. ye Whole body of ye People have (upon just Grounds Conceived agst: him That They Will Neither bring their Actions nor Serve as Jury men untill he be Either Punished or Legally Cleared of What is Laid agst him.* Tho Cary Speak—

The house Adjourned Till two a Clock in ye afternoon

The house mett According To Adjournm—

Mr. Jn. Abra Motte Reported from ye Committe Appointed To Examine ye Publick Receivrs: Acc's. That They had finished ye Same wch he Read in his Place and afterwards delivered in at ye Table/

Wee Referr yo. honrs. house to ye Report of The Committe of Last Assembly—

The Receiv & Comptro. haue Laid before us ye Entry Inwards & Outwards & Their books of all ye Goods Imposd & Exported from ye 29th march till ye 9th. of July 1707 & we find all to agree Except Two Shill: ye Receiv has Wronged himselfe in Casting up a Sume/

Wee find also Ord're. for all ye money ye Receiv hath Paid According To his Books—

Wee find by ye Receivrs. Books That Since ye Last Auditing 29 march Last ye Imposition on Skins & furs due To ball till 9th. of July 1707 Comes To . . . . £235.2.6

And on ye Imposition of Goods Imported & Exported & furs Excepted ye Sume of £29.1.7.4—

Received Since ye Last Auditing of ye—

£4000 Tax 1704/5 with ye Interest . . . . £240.1.4.1

In all is Due To ye Publick 7½ Ball According to ye Receivrs—

books four hundred ninety five Pounds Six Shill & Seaven Pence—

Wee find by ye Last Auditing That by Ball of Building Churches
there was Due £333...1.—££ and Since ye Receiv' has Paid . . . 
£333...6.8. so he hath Paid in his Wrong fine Shill 7¼—
Wee find ye Ball of out standing Taxes as follows — —

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1703</td>
<td>£343...8.3½</td>
</tr>
<tr>
<td>1704/5</td>
<td>£1,240...8.9</td>
</tr>
<tr>
<td>500 &amp; 2000 Taxes</td>
<td>£136...9.5½</td>
</tr>
</tbody>
</table>

£1720..6..6—

Resolv'd That ye House agree with ye Committe in ye s¹. Repoū Resolv'd—
That Coll George Logan Esq'. Late Publick Receiv' be Al-

lowed his Commission of Two & halfe 7½ Cent for Paying ye Ball
of his Acc'. Due To ye Publick unto Capt. George Smith now
Receiver ————
Resolv'd.

That What Noats ye Late Receiv' hath Now in his hands for
Duty of goods ye Present Receiv'— shall Take ye Same in Pay-
ment Towards ye Ball of his Account—
Resolv'd
That ye Late Receiv'— be allowd Seaven Shill & Seaven Pence
farthing he having givin ye Publick Credditt for so much in
his Own Wrong—
Orderd
That Mr. Speak', Sign ye foot of ye Late Receiv'ss. Acc'ss. They
being Adjusted & allowd of by The house./
The house Adjournd Till To Morrow Morning Eight a Clock

fiday June³ ye. 11th: 1707—
The house mett According To Adjournm'n—
Resolved—
That ye house will Leaue ye matter of ye 7½rSents as is Ex-
pressed in ye Bill at 7½rSent
Resolved
That Assoon as ye house Can (in a Parliamentary way They
will 7½ceed upon ye bill for Regulateing ye Indian Trade
The house Adjournd Till Two a Clock in ye afternoon
The house mett according to Adjournment

¹Should have been July. The same also on pages 84 and 85.
A message from ye Govern'r. & Councell by Cap't. Evans—Concerning Cap't. Kimbers Acc't.
A message from ye Govern'r. & Councell Ditto Concerning m'r Trott
An Additionall Bill To an Act Entituled an Act for Settling ye Estate & Title of Cap't John Flavell &c
Read ye 2d Time and Past with amendments—
A Bill for Regulating a Watch in Charles Town—

was read a Second Time & Passd with amendments
A Bill To Continue ye Imposition on Liquors &c read a Second Time & past with Amendments—
Orderd That m'r. mackpherson & Mr. Bull Carry up ye above mentiond Bills to ye Upper house
A message from ye Govern'r. & Councell by Cap't. Geo: Evans Relateing To judge Trott Viz't

Gentlemen

Surely you never Read or Consider'd Our Answer to your Last Address Otherwise you would not again urge yo'r. Desire To have us Appoint another Judge before whome you might Prosecute m'r. Trott without Taking notice of or Endeavouring to Obviate ye. Reasons we then gane you
Wee Plainly Informd you That Such Proposalls were Irational & unpresidented & that no judge of Record by Commission may be Questiond before another Judge for misdemeaners done in his Office. This you Take no notice of. or rather by yo'r Silence Approve ye Same. but yet would Put us under ye Necessity of Doing what we have already told you is Irationall unpresidented & agst. Law

You Say we are but Such a Court, nor any way like to a house of Lords before Whome in ye Kingdom of England Appeals Usually Lye and before whome impeachm's. are brought in by ye house of Com'ons—

We answer you yo'r. we are a Part of ye Legislative Power of This Province so we have as much Right to hear Complaints as you have to Impeach & Think it is much more to ye Dignity
of ye house of Com'ons to bring an Impeachment before us. Then before an Inferiour Judge of Assize, who if his judgment happen not To be Approvd may be Questioned by Those who Submitted to it. You Seem carefull That There be not a failure of Justice but forget that you Endeavour ye Contrary by his Own-ing Our Power in ye Case of Impeachments Tho in a former message we Told you Our judgment Should not be Conclusine but That you might from Thence appeal To ye Proprietor or ye Queen In Councell As To What you Say That ye Aversion of ye People agst— Mr. Trott is Such, That they Will not Try their Causes before him nor Serve as Jurymen, we Cannot Tell What you mean by those Dangerous Expressions. & allowing ye— People a Liberty whether They Will Obey there majestrares or not ye Law Requires them To Serve as Jurymen, & ye Penalties of That Law will oblige Them to give Obedience to it.

And as to ye sons refusing to bring there Actions before him we would not Advise any One That is indebted to fancy that their Credittor will rather Loose There money Then Sue for it before him—

That is What we Think fitt To say in answer To yo. Last Address. Since ye Receipt of Which Mr. Trott has produced before us a Comission for cheife Justice from ye Proprietors who are so Care full of keeping up his power and not To Subject him to be Tried by inferiour Courts not Even by us There representatives, that in There Said Commission They Expressly Ord— that he Shall hold & Continue as Cheife Justice untill Such Time as upon a hearing before Them in England he Shall be judged unworthy of That Place—

Soe That now if you intend to make any Complaint agst. Mr. Trott you must Lay it before ye Lords Proprietors in England, who have given him his Comission, & to Whome hes Accountable & to no one Else, so That would you now admitt it we Cannot ajudge ye Premisses for by this New Commission from ye Lords ye Power is absolutely Taken from us & Reserved to Themselves, as Was formerly in There Commission to judge Bohun

N Johnson

A Bill for ye Better Regulating ye Watch in Charles Town was Read & Orderd To be Ingrossd—

A Bill to Continue ye Imposition of Liquors &c. was read &
Ordered To be Ingrossed.
A Bill for Settling ye Estate of Cap't. Jn°. flavell was read ye Second Time and Passd into a Law—
The house Adjournd till to morrow morning Eight a Clock

Saturday July ye. 12th:

The house mett According To Adjournment
Ordered
That ye Publick Receivr. Do Pay out of ye Publick treasury To Cap't. Tho Walker Every Three months ye Sum of Twenty Pounds as a Sallary for his being Comand'r. of ye fortifications at Charles Town & Providing Two months fees for his Assistance and This Ord'r. be Sent to ye Govern'r. & Councell for There Concurrence
Tho Cary Speak'r
Assented To in ye upper house. X. Johnson
Ordered That Mr. William Gibbon & Mr. Mackpherson Carry ye abone Ord'r. to ye Govern'r. & Councill
Ordered—
That ye Cap't's. of Each Company Make Search in There Several Companies, for ye Arms belonging to ye Publick Lost in ye Allaram and Shall Return ye Same when found to Said Walker Cap't. of ye fort./
A Bill for ye better Regulateing ye Watch in Charles Town was Read ye Third Time & Past into a Law—
A Bill To Continue ye Impositions of Liquors &c. was read ye Third Time & Passd into a Law—
A Bill for Settling ye Estate of Cap't. Jn°. Flavell &c. was Read ye Third time & Passd into a Law—
Ordered—
That Mr. Wm. Gibbon & Mr. Grange Carry ye abone Bills to ye Govern'r. & Councill—
Ordered
That The Publick Receivr. giue Landg'. Tho: Smith a Receipt for his Tax being Thirty Seaven Pounds Sixteen Shill & nine pence he having already giuen Credit for ye Same in his Acc't. To This house Tho: Cary Speak'r—
Ordered
That Mr. Speak'r. Sign To ye Two Scheduls of Debts— amounting to ye Sum $8621.6.6½—
The house adjourned Till Two a Clock in ye afternoon
The house mett According To Adjournment
Orderd
That Mr. Robert fenwick & Mr. Jones Carry ye following Orders to ye Gouernr. & Councell for There Concurrence

July 12th: 1707—

Orderd That Capt. George Smith Publick Receiver Do Pay unto Thomas Hepworth Clerk of This house ye Sum of £43..12.,6 for his Attendance Pen Ink Paper filling Cutting Sealing and Wax for Country Bills and ingrossing Acts & Journall and That This Ord'r be sent to ye Gouern'r. & Councell for There Concurrence Assented to by ye upper house Tho: Cary Speak't—

X Johnson

July 12th 1707—

Orderd—
That ye Publick Receiver pay unto Robert Ellis messeng'r of This house ye Sum of Thirteen Pounds Eighteen Shill & nine pence for his Attendance and Sending for Members and that it be Sent to ye Gouern'r. & Councell for There Concurrence

Tho Cary Speak't.

Assented to by ye Upper house

X Johnson July 12 1707—

Orderd
That Capt. George Smith Publick Receiv'r. Do Pay unto Mr. John Woodward upon ye Acc't. of John Cocket Indian Trader ye Sum of fine Pounds for his Attendance on ye Late house of Com'tons w'ch Said Sum was by Them Order'd to be Paid to ye Said Cocket but Omitted to be brought in to ye List of Debts Due from ye Publick & y't This Ord'r— be sent to ye Gouern'r. & Councell for There Concurrence

Assented to by ye Upper house

Tho Cary Speak't

X Johnson—

The house was Prorogued till Munday Next

Munday July 14: 1707

The house mett According To Prorogation./

Orderd—
That Capt. Tho: Neirn & Mr. Robert fenwick wait on ye Gouern'r. & Councell & Informe them That This house are mett
According to Prorogation

Ordered
That a Committee be appointed to bring in a bill for making and mending high ways & That Mr. Robert Fenwick & Mr. John Woodward & Mr. Will Bull be a Committee Accordingly & bring in ye Same to morrow morning

Ordered
That Cap. Neirm & Mr. Jones do bring in a bill for regulating ye e milicia & a bill for Regulating Elections in ye e after noon Two a Clock

The house Adjournd till two a Clock in ye e afternoon

The house mett According To Adjournment

Cap. Neirm According To Ord. Brought in a bill for Regulating ye e Indian Trade a bill for Regulating Elections & a Bill for Settling ye e militia—
A Bill for Regulateing ye e Indian Trade—
A Bill for Regulating Elections—
A Bill for ye e Better Settling ye e millitia
All 3 Read ye e first time and Passed with Amendment—

Ordered

That William Smith Esq. & Mr. Chicken Carry ye e above Bills & following message to ye e Govern'r. & Counsell—
May it Please your hon'—

After haueing Seriously Considered ye e matter of ye e Indian Trade, we are apprehens'ne That Succeeding govern'rs., will Pretend not to be bound by This Act unless it be Ratified by there Lords 's for Which reason we hereby Acquaint your hon'rs. That in Consideration of ye e Equivolent we Expect That your hon. Shall 'eure ye e Same to be Ratified in England, & That yo'. honr— Shall give bond to Refund ye e money if The Lord 'sriest Refuse To Ratify ye e Same This house is Verry Desirous to Exclude yo'. honr. Wholy from all 's Sents & Would Willingly Know What annuall recompence you Expect for ye e Same

Tho Cary

The house Adjourned till to morrow morning Eight a Clock

Tuesday July ye 15— 1707—

The house mett According To Adjournment

Read ye e Petition of Richard Nixon & Dorothy his wife Pray—
ing Leave to bring in a bill to sell ye Town Lott No. fifty four Lately belonging To Richd Low deceased for Payment of his Debts—

Orderd That William Smith merch. mr. Evan Mackpherson & mr. Hugh Grange do inquire into ye Matters in ye Said Petition Sett forth, & Report there Opinion thereof to This house in ye afternoon
The Committe aforesaid Reported ye Petition aforesd. and The Allegacons therein Contained were apprond & appear to Them Very Reasonable—
Orderd That Leave be Given to Said Petitioners. to bring in a bill According to ye prayer of the Said Petition
Orderd That Coll Rhetts books be Delivered To mr. Jacob Sature & mr. Richd Parke to be Examind & stated with a particular Accut. of What has been Expended in hoes Spades Axes &ca. & Lay ye Same before This house agst. ye next Setting—
The house Adjournd till halfe an hour after 2 a Clock
The house mett According To Adjournment
A Bill to Enable Richd Nixon &ca. To Sell a Town Lot No. 54—
Read ye first Time & Passd with amendmt—
A message from ye Govern'r. & Counsell by Capt. Evans with a bill for ye better Regulating ye Indian Trade
A Bill to keep Inviolate freedom of Elections with ye following message.—
Gentlemen
Wee were in hopes that ye Prelinaries to ye Indian Trade were already Settled between us; but Least of all Expected Such New overtures considering ye unreasonablest of Them & The hardships you Would impose on yo'. Govern'r. That he Should give Security to refund ye money if ye Lords Propriators refuse To ratifie ye act

You Know that all ye Terms and Proposalls relating to This affair are your own & not Ours. who on ye score of ye Necessity that you Informd us ye Indian Trade was und'r. of a Regulation agreed To ye Same
And now we haue Consented to yo'. own Terms you Trump up new matters Soe inconsistent w'th Our Power That we begin to Doubt yo'. Sincerity in ye Verry Designe & intent of ye Bill— for w'th. what colour of Reason Can you Expect That we should
Answer for There Lordships Resolution who best Knows ye Extent of There Owne Privildges all that you Can in Reason Expect from us therein is Our Concurrence we ch we haue frankly Offered you in ye way & manner already as wee Thought Agreed on

But Though we Doubt not, but That their Lordships Accordin to There Wanted regard to ye Prosperity of This Province will Readily Confirm So Necessary An Act as This Regulation & That wee Our Selues will Promote ye Same by Letters to Their Lordships to That Purpose yet we Will be Under no Obligation that it Shall be Effectd because it is Promiseing a Consequence not in Our Power, as well as an Extreem hardship On ye Governr, who (if it Should so happen that There Lordships Should refuse ye Confirmation (not Only must refund yo", £400 but be Deprived of all his Indian Presents During ye Pleasure of There Lordships is unknown

Wee See Plainly Gentlemen, That in This as Well as Other affairs you seek Occasions to Differ with us and Know not how to Limitt yo". Own Demands retreating when we Come up to you & Cloying one Concession With Another — — — Therefore if it be true ye in good Earnest you would have a regulation of ye Indian Trade & That all you haue Done hitherto be not to Amuse us with Causless fears of ye Sent inconveniences, if it be not your Own Private Interest That you would Sattisfy but ye fears & desirs of ye People Accept it Then on ye terms already agreed on & if you must needs Exclude ye Governr, wholly from all his syus from ye Voluntary Indians. Let us Know What Annuall Consideration you Would make him for them who is fully Disposed to part with Any Thing To Sattisfy ye Reasonable dem of your house, & we ye Rest of ye Deputies with him are also Resolved ye Indian Trade Shall Either Now be Regulated or at Least all ye ill Consequences of ye Neglect remoued from Our Doors & Therefore haue Sent Down ye Bill read & past ye first time in Our house with Amendm’s—

N Johnson

A Bill to make Good ye Last will of Jos Croskeys &c was read ye first Time & past with. Amendm’s—

The house Adjournd till to morrow morning Eight a Clock
Wednesday July ye 16: 1707—

The house mett According To Adjournment—
The Queston being put whether ye house will take in any more Acc'ts. Due from ye Publick this Sessions—

Carried in ye Affirmative

Orderd

That ye Publick Receiv'r pay no money to any y^e son as ye Schedull Sign'd by ye Speake'r. of This house unless at ye Same Time Such y^e son do giv'e ye receiv'r a generall receipt in full of all Acc'ts. Due from ye Publick—

Orderd That Mr. Speake'r. Sign ye y^e &yticulars of debts due to Several y^e sons Remaining unpaid in ye Last Schedule Amounting to £868,15,8½—

Orderd—

That Mr. Hugh Grange & Mr. Will Bull wait on ye Governor & Councell and desire his hon'r. Would Approv'e a Com'tite of There house to meet a Com'itte of This house in a Conference Relating to ye Indian Trade which was Done Accordingly—

A Bill for Regulating ye Indian Trade was read ye Second Time & Past with Amendments—

Orderd

That Mr. Rich'd Berrisford Carry ye Said bill to ye Governor & Councill—

Motion being made & ye Question being put Wheter mr. Edward Marston Should be Allowed his Sallary from ye Time of ye Ordinance of a former Assembly to ye Decree Past for his removal from ye Church of St. Phillips in Charles Town by ye Comissioners Appointed by a former Act of Assembly—

Carried in the Affirmative

The house Adjournd till Three a Clock in ye Afternoon—

The house mett According To Adjournment—

Orderd

That Lt. Coll Wm. Rhett attend this house to Morrow morning nine a Clock & ye Mr. Speake'r. Sign ye Same

Tho Cary Speake'r

A Bill for Regulating ye milicia was Read ye Second Time & Past with Amendments—

A Bill for ye better Regulating of ye Elections of members of Assembly—
was Read ye Second time & Past with Amendments
Orderd
That Mr. Jno. Raven & m:r. John Woodward Carry ye above
bills To ye Gouernr. & Councill—
The house Adjourned till to morrow morning Eight a Clock

Thursday July 17th: 1707—
The house mett According To Adjournm't
A message from ye Gouernr. & Councill 7th Cap't. Geo: Evans
with ye following Bills Viz—
A Bill to make good ye Last will of Joseph Croskeys—
A Bill to anable Rich'd Nixon &c. To Sell a town Lot no. 54
A Bill To keep Inviolat, freedom of Elections—
A Bill Bill for ye Better Settling & Regulating ye militia
a Bill for Regulating ye Indian Trade was Read & ord'r. To be
Ingressd
The house Adjourned to 2 in ye Afternoon
The house mett According To adjournment
A Bill to Enable Rich'd Nixon to Sell a Town Lott No. 54. was
read ye Second Time & past with Amendments—
Orderd That Cap't. David Davis & m:r. John Raven carry ye
Said Bill To ye Gouernr. & Counsell—
A Bill to Regulate ye militia was Ord'r. to be Ingressd
A Bill for Repairing ye high ways Creeks &c, was read the
first Time & Passd with Amendments—
A Bill to make good ye Last Will of m:r. Jos: Croskeys was
read ye Second Time and Past with amendments—
Orderd That Mr. Geo: Chicken & m:r. John Woodward cary ye
Two forgoing bills To ye Gouernr. & Counsell—
The house Adjourned Till to Morrow Morning Eight a Clock

friday July 18th—
The house mett According To Adjournm't—
A Bill for making & mending highways was Read ye Second
Time & Past w't. Amendmt's—
A Bill To Enable Rich'd Nixon &c. to Sell a Town Lott was
Read & Ord'r. To be Ingressd—
A Bill to make good ye Last Will of Jos: Croskeys &c was
Read & Orderd To be Ingressd—
Orderd—
Mr. Rich'd Berrisford & m'. Chicken Carry aboue bills To ye Gouern'r. & Councill—
A Bill for making & mending highways &c was read & Orderd To be Ingross'd—
The house Adjourn'd Till Two a Clock in ye afternoon
The house mett According To Adjournment
Upon Motion—
Orderd
That m'. Rich'd Berrisford Repaire ye house being The Look-out on Swillivands Island—
Orderd
That Captain Kimber be Paid wt. is allowd by ye Schedull & his further Allegacon be Left to ye Considiration of ye Next Sessions—
A Bill for Regulatin ye Indian Trade was read ye Third Time & Passd into a Law—
Orderd—
That Mr. Woodward Carry ye Said Bill To The Gouern'r & Councill
A Bill for Regulating ye militia was read ye Third time & Past into a Law—
Orderd
That Landgr. Smith & m'. Will Bull Carry ye aboue Bill To ye Gouern'r. & Councill— & ye following Ord'rs Viz—
A message from ye Gouern'r. & Councill by Capt. Evans yt This house would Send ye Schedule of Debts to be Signd by ye Gouern'r—
Orderd
That Landgr. Smith & m'. Bull Carry ye following message to ye Gouern'r. & Councill Viz—
May it Please yo'. honn'r. 

The Act for Raising ye Sume of Eight Thousand pounds So Lately Ratified by yo'. honn'r. Sufficiently impowring ye Receiv— To Pay of & Discharge all Such Debts as Shall be Certified in a Schedule Signd by ye Speak'r. of ye house of Com'ons Sufficiently Convinces ye house That it no ways necessary or Expedient To haue yo'. honn'r. Concurrence & Therefore have not Sent up ye Schedull for That Purpose
Tho: Cary Speak'r—
Upon Reading ye Petition of Dr. Williamson praying to be Paid—

Orderd

That ye Publick Receiver do Pay out of ye Publick Treasury unto Atkin Williamson ye Sume of fifty Pounds as a Deed of Charity but not Owing his Right as minister of Charles Town and That This Ord: be Sent To ye Governr. & Councill for there Concurrence

The house Adjourned Till to to morrow morning Eight a Clock

Saturday July 19th. 1707—

The house mett According To Adjournment

A Bill To Enable Richd Nixon &c to Sell Land was Read ye Third Time & Passd into a Law

A Bill to make good ye Last Will & Testament of Jos Cros-keys &c. was read ye Third time & Past into a Law

A Bill for making & mending high ways was read ye third Time & Passd into a Law—

Orderd

That Landgr. Tho: Smith & Mr. Wm. Bull Carry ye above bills to ye Governr. & Councill—

A Bill for Regulating ye Election of members of Assembly was Read ye Third time & Past into a Law

Orderd

That Cap't. Neirne & Mr. Will Elliot Carry ye above Bill to ye Governr. & Councell

Orderd

That Cap't. Neirne Lay before This house ye Letter wrote by him to ye Lords y's wch was read in this house Yesterdy

A message from ye Governr. & Councell by Cap't— Evans & is as follows—

Gentlemen

The Day before yesterday Mr. Marston had ye Confidence to Come to ye face of ye Governr. & abuse him in Such manner That no y's Son but himselfe could have forbor Punishing him for it & in ye Evening of ye Same Day you Sent us an Ord. of £150 to Pass for him

You might not Possibly have heard of his behaviour to ye Governr. ye Other Day. but you Cant forget his rude Scuvey Letter Sent To him Some Time ago wch. we laid before you
& Desir'd yo'. Advice thereon but you Declined it Telling us
Such Things did not Lye before you Therefore w'ever your
Designes are we will never Concent To Oblige Those who fly
in ye face of ye Gouernmt. & w' ch you may remarke from more
instances Thereon—
It was his Own ill behaviour That Caused a former house of
Comons To Suspend him w' ch. hes so farr from Amending,
That he Continues To This Day, railing both at That house
& Ours So That to give him any Thing would be To Confess
a fault in us & a fear of him w' ch we cannot Either be Capable
of or Consent To, untill he make ye Pretended Justice of his
Cause appear befor Those with whome he has Threatned ye
Gouern'm—
But we See Gentlemen you are So farr from Discourageing
This Carriage of his That you Would reward him for it by
Giuing him £150 to w' ch he has no manner of Right but from
his own Confident Pretences—
Therefore When at any Time you would not be Disappointed
of Our Concurrence, you must direct Such Ord'rs. to us as Con-
sist with hon' r. & justice & not Such as This of Marstons, who
by his Preference in a Violent temper & Carriage has Rendered
him selfe Worthy of Nothing from This Gouern'm— but There
utmost Resentments
N Johnson
A message from ye Gouern'r. & Councill by Cap'. George Evans
with four Bills Sealed for Ratification—
Cap'. Neirm According To Ord'. Laid ye Letter he Drew To
ye Lords ?9 79's—
Orderd
That a Committe be Appointed to ?9 sue & mend ye Said Letter
& That m r. Henry Wigington m r. — fenwick & m r. Berresford
be a Committe Accordingly
The house Adjournd Till Two a Clock in ye Afternoon
The house mett According To Adjournment
Orderd—
That Mr'. Speak'. Sign ye following Schedule of Debts Viz'—
The Rt. Hon' ble. ye Gouern'r. Sr. Nath Johnson for Concenting
to ye Indian Trading Act ... £400,— „ ,—
To Mr. John Wilkins for Carrying & mount'. great guns £2,10,—
Mr. John Woodward for Ditto ... —£8,— „ ,—
Mr. Atkin Williamson ........ £50,— „ ,—
<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Edwd. Marston</td>
<td>£150.00</td>
</tr>
<tr>
<td>Mr. Tho: Hepworth Clerk</td>
<td>£15.12.6</td>
</tr>
<tr>
<td>Mr. Ellis</td>
<td>£2.5.00</td>
</tr>
<tr>
<td>Cap't. Benj'a Schenckingh</td>
<td>£23.00</td>
</tr>
<tr>
<td>Mr. Weekley</td>
<td>£8.00</td>
</tr>
</tbody>
</table>

The honble: ye Speaker, Decented agst. Signing ye Said Schedull he having Signed One Schedule of Debts ye Session before According To an Act for ye Raising of 8000 pounds And Severall Ord's, now having ye Concurrance of both house, Lying On ye board & one in This Schedule mencioned being Rejected by ye Governor and Councill.

Ordered
That Rich'd Berrisford Esq'. & Mr. fenwick debate with the Govern' & Councill about Doctor Burnham Declaring ye Com'ons had out Run themselves In Severall Things particular in making themselves a Court in having a great Seale & in Appointing a Secretary in the Bill for Regulating the Indian Trade and for Which Reasons he believed the Lords had not Ratify—

Resolved
That The Debts Mencioned in ye Schedule & Deliverd To ye Receiver be first paid./

[The journal abruptly breaks off here. The general assembly was prorogued about this time and possibly the clerk of the House neglected to make his last entries. The House met again in October.]
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