

EXECUTIVE JOURNALS
OF THE
Council *of* Colonial Virginia
Vol. VI

(June 20, 1754 – May 3, 1775)



BENJAMIN J. HILLMAN
Editor

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PREFACE

THE COMPLETION of the publication of the *Executive Journals of the Council of Colonial Virginia* has been long delayed primarily because of the inability of the State Library to locate the full text. It is now issued, even though certain hiatuses still exist, because of an insistent demand by scholars that the extant portions be made available in print.

Volume I (1680-1699), Volume II (1699-1705), Volume III (1705-1721) and Volume IV (1721-1739) were issued under the editorship of H. R. McIlwaine between 1925 and 1930. Volume V (1739-1754) was edited by Wilmer L. Hall in 1945. The present Volume VI (1754-1775) was substantially completed by the latter editor before his retirement from the State Library in 1956. There remained, however a considerable amount of searching, verification, and collecting of fragmentary parts to be done, all of which has been ably accomplished by Benjamin J. Hillman of the Historical Publications Division, who has had the additional responsibility of seeing the volume through the press.

With the publication of Volume VI the executive actions of the colonial Council are as reasonably complete as may be anticipated. The Council, of course, acted in other capacities, namely as an upper legislative body and as a General Court. Its extant legislative actions were printed by the State Library in three volumes under the title *Legislative Journals of the Council of Colonial Virginia* (1680-1773), and a small body of its judicial actions, all now extant, were also published by the State Library under the title *Minutes of the Council and General Court of Colonial Virginia* (1622-1632, 1670-1676). The completion of the *Executive Journals* . . . now places in print all the currently known actions of the Council. These, together with the edited *Journals of the House of Burgesses*, published in thirteen volumes between 1905 and 1915, make generally available the known proceedings of these colonial bodies.

RANDOLPH W. CHURCH
State Librarian

INTRODUCTION

THE COUNCIL, acting in its executive capacity, dealt with a myriad of topics during the years 1754-1775. Among the more significant were the commencement and successful prosecution of the French and Indian War; the cooperation with the other English colonies which the war demanded; the tedious dealings with the Indians during and after the war; the continuing expansion to the west which was at times frustrated by both England and the savages; the Stamp Act disturbances which were one result of the war; the growing friction between the colony and the mother country over taxation; and the crisis leading to the eventual separation of the colony from the crown.

As in previous years, however, the Council devoted most of its time to the more mundane functionings of government, such as the issuing of official papers (proclamations, warrants and certain patents), the naming of local officials, and the consideration of fiscal matters (taxes, duties, levies, etc.).

Surviving papers of the Council for the period 1754-1775 consist of journals, extracts from journals, fragmentary entries from journals, minutes, proclamations, memorials, orders in Council and a report. At a Council meeting the clerk or one of his assistants kept rough, sketchy minutes or notes on the proceedings. Later, a formal journal was drawn up from these notes and other papers of the Council. It was a common practice to use the terms minutes and journal interchangeably for the formal journal, but for our purposes the rough notes will be referred to as minutes and the finished documents which were drawn up from the notes will be described as journals.

In accordance with royal instructions, the governors sent copies of the journal to the appropriate offices in England. It appears that the journals upon arrival were circulated for examination among the various departments having to do with colonial policy. They should then have been returned and filed with the papers of the

Board of Trade and Plantations, the predecessor of the Colonial Office.

In some instances the journals may never have been sent. James Abercromby, the Virginia agent in London, wrote to Peter Randolph on July 28, 1759 that the "Plantation Office" could not find the Council journals for April, May and June 1756, although Governor Dinwiddie assured him that they were shipped with other records.

Generally a covering letter from the governor or the president of the Council went to the secretary of state at the same time as the journals. Quite frequently the chief executive would include a portion of a journal in one of his other letters to illustrate a particular situation. It was also his custom to enclose various additional papers of the Council, such as proclamations, memorials, and reports.

It would seem then that the logical place for the deposit of the Council's records would be the Public Record Office. Unfortunately no complete journals have been found there or anywhere else for the following periods of colonial government in Virginia: May 7, 1754-June 10, 1756; September 15, 1763-September 8, 1767; and after June 17, 1774.

Numerous attempts have been made to find the missing journals in the United States and Great Britain. The latest search was conducted abroad in the past decade under the auspices of the Virginia Committee on Colonial Records. All of the state papers of colonial Virginia in the Public Record Office were examined, as well as the sessional papers of the other twelve mainland colonies. Letters of enquiry were sent to the Privy Council Office, the Board of Trade, the Law Office Department (Attorney-General and Solicitor General), the Treasury Solicitor, and the Colonial Office. No trace of the documents was found.

The present editor communicated with the major libraries and historical societies of the thirteen original states in the hope that some journals or parts of journals might have been sent to another colonial governor as a part of the transaction of official business. Again the results were for the most part negative. A few extracts were uncovered, but no complete journals. Since the journals could not be found in any of the depositories where one would logically expect them to be, the editor decided to use such minutes, extracts.

from journals and fragmentary entries from journals as exist, to fill in the gaps left by the missing journals.

The project of editing the journals for the last twenty years of the colonial period was begun by Wilmer L. Hall and almost completed before his retirement. He transcribed the journals, and the proclamations and miscellaneous papers of the Council which were available then, and edited the journals as far as the Council proceedings of March 4, 1773.

The editorial style employed here is basically that used by the original editor. The text has been reproduced just as it was in the manuscript, whenever possible or practicable. A few minor alterations of the text have been made for the sake of uniformity and appearance: superior letters have been lowered; a standard form has been fixed upon for the heading of each day's Council proceedings; the italicization and variation in type peculiar to printed proclamations has not been followed; the symbol for "per" has been replaced by the word for which it stands; a uniform method has been employed for representing pounds sterling; and the flourishes and dashes at the end of lines have been eliminated. Otherwise the arrangement and paragraphing is unaltered. Punctuation, spelling, and capitalization remain that of the original. In the minutes, though not elsewhere, all abbreviations have been expanded.

So as not to clutter the text, the editor has deliberately avoided the use of "[sic]." Footnotes have been used sparingly and then only for correlation and clarification, the consensus being that interpretive notes would be too numerous and of small value to the informed student. Editorial insertions have been indicated by square brackets.

Extracts and fragmentary entries from missing journals have been arranged in the proper chronological order in the journal text, regardless of their length or form. The extracts are easily identified by the heading and attestation. They may or may not represent a complete record of a day's Council proceedings. It is also difficult to ascertain whether the note on the Stamp Act deliberations (page 278) is a portion of a journal, minutes, or just a note.

All known proclamations of the colonial government from 1754 to 1775 have been included, although the phrase "by and with the

advice of his Majesty's Council" was not found in some, and others, such as those issued by Governor Dunmore while he was aboard the *Fowey*, obviously did not involve the Council. The bulk of the minutes, those which filled in gaps between extant journals, have been grouped together. When the minutes differed from or added to an existing journal, the pertinent passages have been placed in a note within the journal text. Minutes which simply duplicated portions of existing journals have been excluded entirely. Only those miscellaneous papers of the colonial government which directly concerned the Council have been included.

All texts of journals contained in this volume were taken from photographic copies of manuscripts in the Colonial Office papers of the Public Record Office, except for the journal extract of September 9th, 1754, which came from the "New York Colonial Manuscripts" series in the New York State Library, and the journal extracts of November 15th, 20th and 22nd, 1755, which were copied from a manuscript in the Archives Division of the Virginia State Library. The text of the minutes was transcribed from two manuscript volumes in the Archives Division of the Virginia State Library, while the text of most of the proclamations was obtained from the various issues of *The Virginia Gazette*.

Crown-copyright records in the Public Record Office appear by permission of the Controller of H. M. Stationery Office. The editor wishes to express his gratitude to the University of Virginia and the New York State Library for supplying the photographic copies from which the texts of the journals were taken. He is indebted to the staff of the Virginia State Library, both past and present, for their continuing interest in and assistance with the compilation and editing of this volume. The guidance and counsel of his colleagues in the Historical Publications Division have been especially helpful.

BENJAMIN J. HILLMAN

EXECUTIVE JOURNALS
OF THE
COUNCIL OF COLONIAL VIRGINIA

Executive Journals of the Council
of Colonial Virginia

At a Council Held June 20th 1754¹

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell Esqrs

Mr. Commissary Dawson

The Governor was pleased this Day to produce to the Board a Letter directed to the Members of His Majesty's Council from James Abercromby Esqr. dated March 25th 1754 advising of the Resignation of Peter Leheup Esqr. as Agent for this Country in England, and requesting that he may be appointed Agent in the Room of the said Peter Leheup, the Council do unanimously approve of the said James Abercromby to be Agent for this Country, being well perswaded that he is a Gentleman of Integrity and Ability for discharging that Trust, and the² desire His Honour will intreat the Right Honble. The Lords Commissioners for Trade & Plantations to give the said James Abercromby leave as Agent to Solicit the Affairs of this Country

(Signd) N. Walthoe Cl: Counl.

1. From a photographic copy of a manuscript in the Public Record Office, C.O.5/1329, f.157. This extract from the Journal has the following endorsement: "Appointment of Mr. Abercromby 20th June 1754. (2) Read Novr. 21, 1759. X. 77."

2. Probably an error on the part of the clerk and intended to be "they."

[At a Council] held Septem. 9th 1754.³

Present

The Governor

[William] Fairfax

[John] Blair

[William] Nelson

Thomas Nelson

Philip Ludwell Esqrs

Mr Commissary

His Honour was pleased to communicate to the Board a Letter from the Governor of New York dated the 30th of August last, advising that their Assembly had passed "An Act paying £5000. for and towards assisting the Colonies of Virginia and Pennsylvania to dispossess the French and Indians [who] have settled and erected Forts on his Majesty's Lands on [the] River Ohio and Parts adjacent thereto" to be paid by Order from the Governor of Virginia with the Advice of the Council and under the Great Seal, out of which Sum the Governor of New York is to retain in his Hands the Sum of £348.0.7 1/2. for Monies advanced by him for victualling and transporting two independent Companies of his Majesty's Regular Forces to Virginia; so that the Sum remaining will be £4651.19.4 1/2. Also a Letter from Julian Legge Esq Commander of his Majesty's Ship Shoreham, of the same Date from New York, offering to receive and land the Money here, if so desired, in his way to Carolina; clear of any Expence to either Colony: Whereupon it was the Advice of the Council that his Honour would desire the said Julian Legge Esq to receive of the Governor of New York the said Sum of £4651.19.4 1/2. and to give such sufficient Receipt or Discharge as shall be required.

Copy

N: Walthoe Cl. Con

3. From a photostat of a manuscript in the series "New York Colonial Manuscripts," Vol. 79, p. 28, New York State Library. Although there is no endorsement, this appears to be an extract.

At a Council held Febr 4th 1755.⁴

Present

The Governor

John Blair

Philip Grymes

William Nelson

Richard Corbin

Thomas Nelson

Philip Ludwell Esqrs

Mr. Commissary.

The Governor laid before the Board his Majesty's Warrant dated the 3d of July, authorizing and commanding him to issue his Warrant from Time to Time for paying over the Balance of the Money in the Receiver's Hands of the Duty of 2s. per Hhd upon Tobacco, and such other Sums as shall hereafter appear to be the Balance in his Hands thereof as far as the same will go to William Pitt Esqr Paymaster General of the King's Forces, or to the Paymaster General for the Time being, to reimburse the Twenty Thousand Pounds advanced by his Majesty for the publick Service.

Upon reading which, the Receiver General acquainting the Board that it was impossible for him before April to ascertain the Balance in his Hands of the Revenue of 2s. per Hhd as his Honour had order'd many Articles about Arms, Ammunition, and other necessaries from England, which are daily expected, and chargeable on that Revenue, besides several sums payable here for Exigencies of the Government by his Orders, which must greatly reduce the Balance: It was the Advice of the Board that his Honour would suspend issuing his Warrant until April, when the Receiver's Accounts are generally passed.

Copy

Teste

N. Walthoe Cl. Con.

4. This extract is from a photographic copy of a manuscript in the Public Record Office, C.O.5/15, f. 16r. It is endorsed: "Minutes of Council in Lt. Govr. Dinwiddies Letter of Febr. 12th 1755."

At a Council held Novemr. 15th 1755⁵

Present

The Governor

John Blair

Philip Ludwell

Philip Grymes

William Byrd Esqrs.

Mr. Commissary

His Honor communicated to the Board a Letter from the Governor of Nova Scotia dated from Halifax the 11th of August signifying that by advice of His Majesty's Council [it is jud]ged a necessary, and the only practicable measure, to rid themselves of the neutral French there, to divide them among the Colonies, where they may be of some use, and possibly in time, become faithful Subjects—with a Letter from Mr. Belfour at Hampton, advising of the arrival of two vessels with about 390 of the said French, and that four sail more a[re] hourly expected, who, it is presumed, will bring in upwar[ds of] six hundred more.

Upon which the Governor desiring the Opinion and [advice] of the Board, in what manner it would be most advisable t[o] dispose of, and divide them through the sev'ral Counties, and how they could be subsisted. It was the advice of the Board, that his Honor would defer the consideration of so important an Incident till a fuller Council could be assembled—Whereupon the Governor acquainted them he would order the Council to be summoned to meet on Thursday next to deliber[ate] upon, and determine an Affai[r] of such great Consequen[ce to this] country

Copy

Teste

N: Walthoe Cl. Con.

5. This extract from the Journal, and those of November 20 and 22 following, are from a manuscript in the Archives Division of the Virginia State Library. Some words and letters of the text are lacking entirely or partially because at the outer margins and at former folds parts of the manuscript have crumbled away. So far as possible these missing words and letters have been supplied in brackets.

At a Council held Novemr. 20th 1755

Present

The Governor

John Blair

Philip Grymes

Peter Randolph

Philip Ludwell

William Byrd Esqrs.

Mr. Commissary

The Letter from Governor Lawrence was again read; with an account of the number of French neutrals now arrived in Hampton Road [from the Bay of Fundy which] was produced by his Honor, who desired the Council maturely to deliberate on this momentous affair, and advise him what measures it would be most prudent for him to pursue—Upon which it was the Advice of the Council that his Honor would be pleased to postpone the [de]termination of this Affair, till some proper Persons were sent down to inquire particularly into the number of [fam]ilies these people consisted of, and into their circum[stan]ces, also to learn [whether] they were willing to take [the oat]h of Allegiance to His Majesty without any [re]servation, would conform themselves to the Laws of this Country, and not transgress the limits assign'd them [w]ithout the Governor's Permission.

Whereupon it was proposed to Philip Ludwell Esqr. and the Commissary to visit these French, to make such Inquiry and put such Proposals to them, who readily accepted thereof.

Copy

[Teste]

N: Walthoe Cl. Con.

At a Council held Novemr. 22d 1755

Present

The Governor

John Blair

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell

William Byrd Esqrs.

Mr. Commissary

Philip Ludwell Esqr. reported that he with Mr. Commissary, [appointed to visit the Vessels arrived from Nova Scoti]a with the neutral French, had been on bord of four Sloops, and one Schooner, and inquired particularly into the number and circumstances of the said neutral French, an account whereof he presented at the Board; with a Paper signed by the said French importing their submission and adherence to His Majesty, and promising fidelity to him.

Whereupon it was the opinion and advice of the Boa[rd] that the said People be landed, disposed of, and subsis[t]ed as follows, viz: That one of the said Vessels be ord[er]ed to Richmond at the Falls of James River; that the French on board two of the said Vessels be landed at Hampton; and that the other two be sent to Norfolk.

That Mr. Belfour at Hampton, and Mr. Steuart at Norfolk be appointed, and directed to provide Houses for them; that they be allow'd 4lb. of flour, and 2lb. of beef, or pork, per week, each person; that the said Mr. Belfour, and Mr. Steuar[t be orde]rd to supply them [regu]larly with that allowance and to see that they [. . .]⁶ orderly manner

Copy

Teste

N: Walthoe Cl. Con.⁷

6. Half a line or more is lost or illegible here.

7. The following note is written vertically at bottom in left margin: "Report concerning the Neutral Fr[ench] proceedings thereon, in Council 22 Novr. 1755."

Virginia to wit

At a Council held June 10th 1756⁸

Present

The Governor

John Blair

Peter Randolph

William Nelson

Richard Corbin

Philip Grymes

William Byrd Esqrs.

Mr. Commissary

The following Petitions for Land were granted.

To Thomas Williams Leave to include One hundred and fifty four Acres already patented and five hundred and ten already patented, and to take up the Waste Land amounting to about One hundred and fifty Acres between the Lines of the two Tracts and to have an Inclusive Patent for the whole.

To Thomas Finnie One thousand Acres in Halifax, beginning at William Powel's upper Corner on the River including the Land on which the said Finnie now lives.

To David Coldwell One thousand Acres in Lunenburg beginning upon James Little's Line on the Branches of Louse Creek including some of the Branches of Turnip Creek.

To Thomas Eggleton Leave to include in one Patent two Tracts of Land already surveyed in Lunenburg, the one of four hundred and forty six Acres, the other of four hundred and thirty four Acres, lying contiguous to each other, on Mine Creek, and the Branches of the South Fork of Allen's Creek.

To John Bressie One thousand Acres in Lunenburg on the South Side of Roanoke, lying between Wagstaff's, Field's, and Spiers's, and the County Line.

8. The text of the following Journal, June 10, 1756-December 22, 1757, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1429, ff. 93-119.

See pages 671-676 for the *Minutes* from an undetermined date in 1756 (probably March), through May 7, 1756.

To Francis Bressie One thousand Acres in Lunenburg on the South Side of Roanoke joining Jefferson's, Mitchel's, and Wheeler's Lines.

To William Allen One thousand Acres in Brunswick lying upon Hick's Branch.

To William Eckhols One thousand Acres in Halifax upon the Branches of Miry and Polecat Creeks, beginning on Satterwhite's Line, and bounded by the Lines of James Terry, Daniel Williams, and Anderson and Company.

To Charles Ellis Leave to include three Survey's of Land in Albemarle on the West Side of the Tobacco Row Mountain on the Branches of Horseley's Creek, one for three hundred and eighty seven Acres, one for three hundred and ninety three, and the other for One Hundred and ninety Acres.

The Governor was pleased to communicate to the Board, a Letter from Major Andrew Lewis dated at Roanoke the 1st of June, signifying, the Waggon's from Warwick with Provisions arrived there the Thursday preceeding, that he should be ready to march to the Cherokee Nation in two Days, that about Fifty Indians with the Chief will accompany him, adding, that fourteen of the Cherokees, who did not go to Augusta to receive the Presents, marched towards the Catawbas, and had committed, as he was informed, some Trespasses on the People in this Colony, which the Chief was much enraged to hear.

His Honor proposed that a Messenger should be sent to the Catawbas to learn why they had not in Compliance with their Engagement, sent forty of their Warriours to our Assistance; and that he proceed to the Cherokees to inquire into their Conduct, and know the Reason why their two Boys had deserted the College; which was approved of.

Ordered

That the Receiver General pay Mr. Abraham Smith Forty pounds, and Mr. McDaniel Carroll Thirty pounds, for their Services as Interpreters at the late Treaty with the Cherokees.

Ordered

That the Accounts of Expenses and Disbursements attending the late Treaties with the Catawbas and Cherokees be refer'd to Mr. Auditor for his Examination.

At a Council held June 28th 1756

Present
The Governor

John Blair

Philip Grymes

William Nelson

Peter Randolph

Thomas Nelson

William Byrd Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board two Letters from the Secretary of State dated the 13th of March, the one signifying His Majesty's Pleasure, that he should be ready to give the Earl of Loudoun, and the Troops from England all the Assistance in his Power on their Arrival in America, and to correspond with, and apply to his Lordship on all Occasions, in the same manner as he was directed to do with the late General Braddock, and Major General Shirley, and to discourage the harbouring, concealing or assisting such as shall desert the Service, and also use all means for discovering and apprehending such Deserters. The other signifying, His Majesty had directed Colonel Webb to imbark immediately for North America and to take upon him the Command of the Forces there, till the Arrival of Lord Loudoun, or Major General Abercrombie, inclosing a printed Copy of an Act of Parliament enabling His Majesty to grant Commissions to a certain Number of German, Swiss, and Dutch Protestants who have served as Officers or Engineers, requiring him to give any of the said Officers who may come into this Government all the Assistance in his Power.

His Honor likewise communicated the following Letters vizt.

A Letter from Governor Morris of the 12th of June acknowledging the Receipt of his Honor's Letter of the 30th of April, at Harris's

Ferry, where he then was endeavouring to get in Readiness a Regiment of Four hundred of the Provincial Forces, and to expedite their March to Shamokin, where they were destined in order to build a Fort.

A Letter from Governor Hardy of the 5th of June, signifying that Sir William Johnson had, he believed, left his House to attend a great Meeting of the Six Nations at Onondago, where many of the Delawares and Shawnese he hoped would attend, and that the Breach between them and us may be happily accommodated.

A Letter from Colonel Webb dated, New York the 9th of June, requesting his Honor that if, before the Arrival of Major General Abercrombie, or the Earl of Loudoun, he should have any Commands for the Commander in chief of His Majesty's Forces in North America, he would be pleased to direct them to him at Albany.

Also a Letter from James Cunninghame Esqr. of the same Date, signifying that Lord Loudoun having appointed him his Aid de Camp, and intrusted him with the Care of a Box, he had according to Directions forwarded the same to his Honor.

After reading which Letters, it was the Advice of the Board that his Honor would be pleased to command all Officers of the Militia, Justices and Sherifs diligently and strictly to put in Execution the Laws respecting Deserters.

Ordered

That the last Wednesday in next Month be religiously kept as a General Fast, and that a Proclamation forthwith issue for that purpose.

Ordered

That Notice be given in the Gazette, that no Caveats will be tried in Council before the Court of Oyer and Terminer in June, till which time the Appearance of all Persons concerned therein is dispensed with.

The Auditor reporting that he had examined the Accounts of Expences &c attending the late Treaties with the Catawbias and Cherokees and found them truly stated

Ordered

That the same be certified to the Right Honorable the Lords Commissioners of His Majesty's Treasury, and the Honble the Lieutenant Governor is desired to apply to their Lordships for a Warrant allowing and directing the Receiver General to charge the whole Sum amounting to One thousand three hundred and nineteen Pounds fifteen Shillings and eight pence Sterling, besides Seven hundred pounds sterling paid by his Honor out of the Money in his Hands for Presents to the said Indians, in the next Account of His Majesty's Revenue of Quit-Rents, together with such Allowance to the two Commissioners for their Trouble as to their Lordships shall seem reasonable, the said Commissioners having as yet received no Reward for their painful and hazardous Service in making the Treaties which this Board is unanimously of Opinion will prove highly beneficial not only to Virginia but to all His Majesty's Dominions in North America.

At a Council held August 7th 1756

Present

The Governor

John Blair

Philip Grymes

William Nelson

Peter Randolph

Thomas Nelson

Richard Corbin Esqrs.

Mr. Commissary

An Order of their Excellencies the Lords Justices in Council the 12th of August 1755 confirming enacting and ratifying an Act of Assembly intituled An Act for docking the Intail of a Tract of Land in the Parish of Abingdon in the County of Gloucester whereof Lawrence Smith Gent is seised and settling other Lands and Slaves of greater Value to the same Uses, was this Day produced and read, and ordered to be register'd in the Secretary's Office.

The Governor was pleased to communicate to the Board the following Letters,

A Letter from Major General Abercrombie dated at Albany July 13th signifying that Sir William Johnson has engaged a considerable Body of Indians to act offensively against the Enemy, and inclosing a Copy of a Letter from Sir William to him, informing that he had concluded all Matters with the Shawnese and Delawares, who are determined to take up the Hatchet against the French and all their Adherents.

A Letter from the Right Honorable the Earl of Halifax of the 11th of May, recommending it to his Honor to suppress and prevent any partial, Provincial Altercations, Jealousies, or Disputes which may impede and obstruct His Majestys Service, and to cooperate in every thing the Earl of Loudoun shall propose for advancing it.

A Letter from his Excellency the Earl of Loudoun dated at New York the 23d of July advising of his Arrival there that Morning, and the Necessity of his proceeding immediately to the Army, acknowledging the Favor of his Honor's Letter, and assuring him he shall give his best Attention to those Services in particular that are laid before him therein, as soon as he can be informed what the State of the general Service requires, and what the State of His Majesty's Arms will enable him to do.

A Letter from Philip Ludwell Esqr dated New York July 24th signifying he had that Day had the Honor of an Interview with the Earl of Loudoun, and presented his Honor's Address and the Packet, and fully set before his Excellency the State of the Colony; that his Lordship declared his Resolution of doing every thing he could for the Service of the Colony as Governor of it, and consistent with the general Regard he must have for the whole, as Commander in chief of all His Majesty's Forces in North America, concluding that he intended to wait a Week longer at New York for his Honor's further Commands.

A Letter from the Secretary of State, inclosing His Majesty's Declaration of War against the French King and signifying the King's Pleasure that it be proclaimed in this Colony, and that His Majesty had been pleased to order Letters of Marque or Commissions to Privateers to be granted in the usual manner.

At a Council held September 3d 1756

Present

The Governor

John Blair

Thomas Nelson

William Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor was pleased to communicate to, and desire the Advice of the Council, upon a Letter from his Excellency the Right Honble the Earl of Loudoun, dated at Albany the 20th of last Month, signifying he had received the Night before Accounts by which he apprehended Oswego with all it's Stores and Ammunition and the Train place there, was lost, the Garrison made Prisoners, and our naval Power on the Lake destroyed—cautioning his Honor to put the Frontiers in the best Posture of Defence—demanding his Assistance and that of the Province—informing him it is expected the Colonies will supply the Levies for the Royal American Regiment of four Battalions, which the State of the Service renders it necessary to have immediately compleated—and requiring him to lay a Prohibition on the Exportation of all manner of Provisions.

Upon due Consideration of which Letter, it was the Opinion and Advice of the Council and accordingly ordered,

That the General Assembly which stands prorogued to the second Thursday in October be summoned to meet the 20th of this Instant, and that a Proclamation⁹ forthwith issue for that Purpose.

Ordered

That a Proclamation¹⁰ issue for prohibiting the Exportation of all Kinds of Provision whatsoever, from this Day, until further Order made thereupon.

9. See p. 597 for the text of this proclamation.

10. See p. 597 for the text of this proclamation.

Ordered

That an Advertisement be inserted in the Gazette, commanding all Officers of the Militia, and all Justices of the Colony, diligently and strictly to put in Execution the Laws respecting Deserters.

Ordered

That an Advertisement be inserted in the Gazette, promising, as an Encouragement to Persons to enlist in the Royal American Regiment under the Command of Lord Loudoun, that they and each of them shall receive a Bounty of three pounds immediately upon their enlisting, shall be supplied with all Necessaries till they join the Regiment, be well clothed, and discharged the Service in two Years.

His Honor produced to the Board a Warrant from the Lords of the Admiralty to take Cognizance of and judicially to proceed upon all Captures of Ships and Goods that shall belong to France, and the Subjects of the French King; and desired the Opinion of the Council, who was the proper Person to make out Letters of Marque or Commissions to Privateers. Upon which it was the Opinion of the Council that the Attorney General was the proper Person to draw such Commissions by Virtue of a Warrant from his Honor.

The Governor also communicated to the Board a Letter from Governor Denny of the 23d of last Month, signifying his Arrival at Philadelphia, and his Desire of maintaining a constant Correspondence with his Honor towards promoting His Majesty's Service.

Philip Ludwell Esqr. acquainted his Honor and the Board that in Pursuance of their Appointment he had attended his Excellency the Right Honble the Earl of Loudoun on his Arrival at New York the 23d of July last, and presented their Honor's Address, which his Lordship was pleased to receive most favorably, and to return this Answer

Sir

I beg you to return my Thanks to his Honor the Lieutenant Governor and the Honble the Council, for their Congratulations on the Honor His Majesty has done me, and on my Arrival. The

Defence of His Majesty's Dominions in general is my indispensable Duty as His Majesty's General and Commander in chief; and his Dominion of Virginia shall always claim my particular Regard and Protection as Governor. The Spirit exerted by the Province and the Measures taken by the Lieutenant Governor and Council are very commendable, and, as far as appears to me, very proper; and they may depend on all the Assistance in my Power.

Sir, I am obliged to you for the Trouble you have taken in this long Journey

Loudoun,

To

The Honble Philip Ludwell Esqr.

One of His Majesty's Council of Virginia appointed by the Lieutenant Governor and Council to wait on the Earl of Loudoun with their Address.

At a Council held September 20th 1756

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

Upon reading this Day a Petition from many of the Merchants praying that the Prohibition against exporting Provisions may be discontinued, and upon considering that the intended good Effects of such a prohibition here will be frustrated by the free Exportation allowed from the Northern Colonies and the Continuance of it be only productive of the most injurious Consequences to the trading Part of this Government, it was the Advice of the Board and accordingly,

Ordered

That a Proclamation issue for taking off the Prohibition against the Exportation of Provisions, until further Order made thereupon, upon Bond and Security being given before putting any provisions on Board to return a Certificate in four Months of their being landed in some of the British Colonies, or in Lisbon, or Madeira, from the Consul in six Months.

His Honor was pleased to communicate to the Board a Letter from Major Lewis dated at Chote the 23d of July signifying, he had met with a kind Reception, that the erecting the Fort had been carried on with great Expedition, that he expects to finish it in twelve or fifteen Days, that the Indians are highly pleased with it, that they have engaged to send a hundred Men at least, but is of Opinion a far greater Number will march in, that they insist on his Honor's sending at least a Company to garrison the Fort, and inclosing Old Hop, the Governor of Chote, his Answer to his Honor.

At a Council held September 25th 1756

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

Upon reading and considering this Day a Representation from some of the Justices of Sussex County Court, and examining the Clerk of the said Court on the Subject Matter thereof, for Reasons appearing to the Board, it is

Ordered

That a new Commission of the Peace issue for the said County, and that the following Persons be left out of it, vizt. Howell Briggs James Wych James Chappel junr. William Eldridge Thomas Vines and Robert Nicolson; and his Honor was desired to supply the

Vacancies with such Persons as should be recommended to, and approved of by, him.¹¹

At a Council held October 11th 1756

Present
The Governor

William Fairfax
John Blair
William Nelson
Thomas Nelson

Philip Grymes
Richard Corbin
Philip Ludwell Esqrs.
Mr. Commissary

His Honor produced to the Board His Majesty's Commission constituting and appointing the Right Honble John Earl of Loudoun Captain General and Governor in chief of Virginia; also Commission constituting and deputing his Lordship Vice Admiral, Commissary and Deputy in the Vice Admiralty in Virginia and the Territories thereon depending.

His Honor was pleased to communicate to the Board a Letter from his Excellency the Right Honble the Earl of Loudoun, thanking him for the Calculations about the Number of Inhabitants &c in Virginia approving of the Measure taken of building a fortified Magazine at Winchester, and of securing so good a Post in the Cherokee Country; signifying, that, as to the Application from the several Governors for particular Assistance confined to the Frontiers of each respective Province, neither the State of the Service, nor the Number of Troops he could collect, rendered such Measure proper or possible; and pressing in the most earnest Manner for Recruits of Men, to enable him to act against the Body of the Enemy's Force where they are collected.

His Honor also communicated to the Board a Letter from Governor Denny dated the 24th of September giving an Account of Colonel Armstrong's Expedition and Success against an Indian Town on the Ohio, called Kittanin, about twenty five miles above Fort Du Quesne; and signifying his Assembly had passed an Act granting Thirty thousand pounds to His Majesty's Use.

11. The *Minutes* for September 25, 1756 show the additional entry: "Complaint against Mercer read, to be heard the 20th day of the Court."

At a Council held October 14th 1756

Present.

The Governor

William Fairfax	Philip Grymes
John Blair	Richard Corbin
William Nelson	Philip Ludwell Esqrs.
Thomas Nelson	Mr. Commissary

The Governor communicated to the Board a Letter from the County Lieutenant of Lunenburg signifying the distressed and dangerous Situation of the Inhabitants in Augusta and Bedford Counties, from Bodies of Indians in those Parts.

Ordered

That a new Commission of the Peace issue for Westmoreland, that Richard Henry Lee, John Storke and John Monroe Gent be reinstated in their former Places, and that William Flood be left out.

At a Council held November 1st 1756

Present.

The Governor

William Fairfax	Peter Randolph
John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	William Byrd Esqrs.
Philip Grymes	Mr. Commissary

The Account of Contingent Charges from the 25th of April 1756 to the 25th of October 1756, and for Work done to the Governor's House, being laid before the Board was allowed.

At a Council held November 3d 1756

Present

The Governor

William Fairfax
John Blair
Philip Grymes
Peter Randolph

Richard Corbin
Philip Ludwell
William Byrd Esqrs.
Mr. Commissary

Ordered

That new Commissions of the Peace issue for the following Counties vizt. for Amelia, and that Thomas Bowry Gent: be added. for Brunswick, that Henry Simmons be left out, and that the Commission consist of thirteen Members to be made up out of the following Gentlemen recommended by the Court vizt. Benjamin Warren, James Haley, Henry Nicholson, William Macklin junr. and William Chapman.

for King and Queen, and that the six last Members in it be placed in the following Order, vizt. William Lyne, Henry Lyne, Gregory Baylor, George Braxton, Philip Rootes, Obadiah Marriott.

At a Council held November 11th 1756

Present

The Governor

William Fairfax
John Blair
Thomas Nelson
Philip Grymes

Peter Randolph
Philip Ludwell
William Byrd Esqrs.
Mr. Commissary

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s per Hhd Port Duties &c. were signed by the Governor in Council.

For half a Year's Salary to the Governor	£1000.0.0
For Ditto to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0

For half a Year's Salary to the Auditor	50.0.0
For Ditto to the Sollicitor of Virginia Affairs	100.0.0
For Ditto to the Attorney General	35.0.0
For Ditto to the Clerk of the Council	50.0.0
For Ditto to the Adjutants	160.0.0
For Ditto to the Armourer	6.0.0
For Ditto to the Gunners of the Batteries	18.10.0
To Ministers attending one General Court and Assembly	12.0.0
For Repairs to the Governor's House	53.8.2
For Contingent Charges	2533.0.1
On the Revenue of Quit-Rents	
For half a Year's Salary to the Attorney General	35.0.0

The Account of His Majesty's Revenue of Quit-Rents for the Year 1755, also the Account of the Revenue of 2s. per Hhd Port Duties &c: from the 25th of April 1756 to the 25th of October 1756, being examined by the Deputy Auditor, and made Oath to by the Receiver General, were certified by the Governor as usual.

At a Council held November 15th 1756

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell

William Byrd Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from Colonel Washington dated at Winchester the 9th of November with his Observations on the Situation of our Frontiers, and inclosing a Copy of the Council of War held in Behalf of Fort Cumberland with his Sentiments on the Matter. Upon reading which the Governor desired the Opinion of the Council, whether it would be adviseable in our present Circumstances to demolish Fort Cumberland, or reinforce it with a Number, and what Number, of Men, from the other small Forts. The Council having

maturely considered the Affair, were unanimously of Opinion by no means to abandon that Fort, as it would be giving up a large Extent of Country, but to reinforce it with a hundred Men from Winchester; that Colonel Washington be directed by his Honor to reside at Fort Cumberland, and make it as tenable as possible, and frequently send out strong Detachments to reconoitre the Motions of the Enemy.

At a Council held December 9th 1756

Present

The Governor

John Blair

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board, and to desire their Advice upon, a Letter from Colo. Washington, dated from Fort Loudoun the 2d of this Instant, signifying his Apprehensions, that the Order of Council of the 15th of last Month will be productive of many Evils; and inclosing the Returns of their Strength at Winchester amounting to eighty one Effectives exclusive of the Drafts.—Also a Letter from his Excellency the Right Honble the Earl of Loudoun, dated from Fort Edward the 25th of October, signifying he should immediately write to Colo. Stanwix to send off directly proper Officers to Virginia for recruiting; that he concur'd in Opinion with his Honor for supporting Fort Cumberland this Winter—that he cannot agree with Colo. Washington, in not drawing in to him the Posts from the Stockade Forts in order to defend that advanced one—and imagines much more of the Frontier will be exposed by retiring the advanced Posts near Winchester.

Whereupon it was the Opinion of the Board that the former Order of Council for reinforcing Fort Cumberland with a hundred Men should be carried into Execution; but as that Number cannot be supplied from Winchester, where they think it necessary a hundred Men should remain with a proper Officer, that all the small Forts, except that on the South Branch commanded by Captain Waggoner should be evacuated for that purpose.

Ordered

That the General Assembly which stands prorogued to the fourth Thursday of this Month, be further prorogued to the second Thursday in February next, and that a Proclamation forthwith issue for that purpose.

At a Council held December 15th 1756

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

William Byrd Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from Colo. Read dated the 10th Instant, signifying that, in his Judgment, after due Consideration, taken thereon, the most convenient and eligible Spot whereon to erect a Place for keeping Arms, Ammunition and Provision in our present Circumstances, would be on a Ridge between Little Roanoke River, and Ward's fork in Lunenburg with his Reasons; and inclosing a Form of an Association, which the People in those Parts seem fond of, for taking up Arms against the Enemy—Whereupon it was the Opinion and Advice of the Council, that the Place recommended for the Uses above mentioned should be fixed on, and that his Honor would be pleased to direct Colo. Read, to procure Provisions for the Maintenance of two hundred Men for six Months, and to encourage as far as lies in his Power the Association the People seem so well disposed to engage in.

Upon reading a Letter from Major Lewis of the 8th Instant, signifying the Disobedience of the Officers as well as private Men to Orders; it was the Advice of the Council that his Honor would be pleased to send blank Commissions to Major Lewis, to be filled up according to his Discretion with the Names of such persons whom

he shall judge best qualified to act as Officers; and to require him to make the Drafts according to former Instructions; and to cause all such who shall be refractory or disobedient to Orders, to be prosecuted according to Law.

His Honor also communicated to the Board a Letter from Governor Lyttleton dated the 5th of November, signifying he had many of the Cherokees with him at Charles-Town the 14th¹² of October; that he hopes the Talk he had with them will produce good Effects, that he will renew his Sollicitations to them to join the People of Virginia, and will also send a Letter to the Catawbas to that End; that he had dispatched Captain Pepper into the Creek Nation six Weeks ago, as Agent for that Province, with Orders to spare no Expencc that may be necessary for the publick Service there; And that Captain Demerez will act as Agent in the Cherokee Nation.

At a Council held January 11th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor communicated to the Board a Letter from Colo. Read dated Lunenburg January 5th signifying that on Receipt of his Honor's Letter of the 15th of December with a Copy of the Order of Council inclosed, he had employed Persons to build the House proposed for keeping Arms, Ammunition and Provisions, and hopes to have it finished in a Month on reasonable Terms, and shall spare no pains to get the Quantity of Provisions ordered, that Capt. Voss, with one Morris Griffith, a Captive taken by the Shaw-nese assures him, that in Augusta, Bedford, and the bordering Parts of Carolina Two Hundred Men will be soon raised, and ready to march whenever required against that Nation, and is in no Doubt of three hundred Men being raised as Voluntiers for that Service.

12. This may be 11th.

and for further Particulars refers to them the Bearers of his Letter. The Board being informed that Morris Griffith was attending at the Door, he was called in, and being sworn and examined deposed, That he was taken Prisoner by the Shawnese near Voss's Fort the 14th of August 1755, that he was twenty Days in travelling to their Town, that not above three hundred capable of bearing Arms were in the great and little Town, and they generally out in small parties; that their Towns lie upon the Siotto which runs into the Alleghany; that he was well treated there, and employed in planting Corn, and assisting in building Cabins; that they had about a hundred English Prisoners, but not more than six or seven Men among them; that he was informed by one George Brown now called Gascothepe, who is become one of the chief Men among the Shawnese, that it was proposed in a Council to send a Messinger in here to treat of Peace; that they are supplied with Ammunition by the French, but it is very scarce with them; that one Pierot a French Trader dealt with them and furnished them with Goods at an extravagant Rate; that he saw five Cherokees there the 5th of November, and was informed they left the Town before his Escape, and were going to Fort Du Quesne.—Captain Voss being called in and examined, said he had known the said Griffith from his Childhood, and that he had always born a good Character, and produced a Certificate signed by several Justices that he had the Reputation of an honest Man and that Credit might be given to his Testimony. They were then ordered to withdraw.

Whereupon it was the Advice of the Board that, as there appears such a fair Prospect of Success, and there are Persons capable of serving as Guides to direct their March to the Shawnese Towns, his Honor would be pleased to direct Colo. Read to exert his utmost Power to encourage and confirm the good Disposition of the People to engage in and prosecute the intended Expedition, and not to fail procuring the Provisions ordered; that the Volunteers be supplied with about two pounds of powder a man, a proportionable Quantity of Lead and about sixty portable Kettles; that a few Waggons be hired for transporting the Provisions as far as necessary; and that Colo. Read be instructed to propose a convenient Place of

Rendezvous to consider and determine upon the most proper Persons to be appointed Officers and to consult on Measures most conducive to the Service.

Ordered

That a new Commission of the Peace issue for Hanover County, that Nathaniel West Dandridge Esqr. be reinstated in his former place, that John Pierce, Anthony Winston, Samuel Overton, Samuel Gist, and Henry Gilbert Gent be added, and that Robert Page, John Price, Reuben Skelton, David Anderson, and William Overton, who have refused to qualify themselves be left out.

Ordered

That the Receiver General do pay to the above mentioned Griffith the Sum of Twenty pounds.

The Governor acquainted the Board that Captain Prince sent here to receive the Men raised here for the Royal American Regiment, objected to several of them upon Account of their being under five feet four Inches, and desired their Advice whether he should consent to their being drafted; it was the Advice of the Council that his Honor would insist upon all the Recruits being transported without Exception

Ordered

That a Proclamation issue for proroguing the Assembly to the last Thursday in February next.

At a Council held January 28th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell Esqrs.

Mr. Commissary

The Governor laid several Letters and Papers before the Board which he received by the Return of the Messenger sent by him to the Cherokees, signifying the present doubtful Disposition of that

Nation in regard to the Interest of the English, and desired their Opinion and Advice how he should act in order to attach them firmly to us, and defeat the Designs of the French to corrupt them.— Whereupon it was the Opinion of the Council that Men should be sent from hence to garrison the Fort built by us in the Cherokee Country, agreeably to the Request of those Indians, but as there was no Money at present to carry on any effectual Measures to oppose the Intentions of the French in Relation to the Southern Indians, and the Assembly would meet soon, it was their Advice that his Honor would refer the Papers he had been pleased to lay before them to the Consideration of the Assembly, and in the mean Time desire the Advice and Directions of his Excellency the Right Honble the Earl of Loudoun how to act in this critical Juncture.

Ordered

That a new Commission of the Peace issue for York County, and that Armistead Lightfoot Esqr. be added, and placed last of the Quorum.

Ordered

That a new Commission of the Peace issue for Warwick County, and that Wilson Miles Cary Gent: be added.

At a Council held February 1st 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from his Excellency the Earl of Loudoun dated New York the 8th of January, signifying he proposed being at Philade[1]phia the 17th of February in order to meet the Governors of the Souther[n] Colonies to concert a proper Plan to be carried on there for their mutual Security and Defence, and such other things as may appear

necessary in the present Situation of Affairs, and expects to be favoured with his Honor's Company.

Also a Letter from Governor Sharpe of the 22^d of January, signifying he hopes to have the pleasure of seeing his Honor at Annapolis in his Way to Philadelphia, and of accompanying him there.

The Governor also produced to the Board an additional Instruction from His Majesty, for the Commanders of all such Ships and Vessels as may have Letters of Marque or Commissions for private Men of War against the French King not to molest the Persons or interrupt the Navigation of the Subjects of the Crown of Spain. Which Instruction was ordered to be notified in the Gazette

His Honor was pleased likewise to lay before the Board two Letters from Colo. Read dated the 24th of January, acknowledging in his first, the Receipt of his Honor's Letter by Capt. Voss, and signifying that he has writ to Mr. Calloway in Bedford to know what Arms and Ammunition he has, that he had not yet received any Account from him, and was apprehensive of a bad one in Regard to the powder and Ball, from the extravagant Use made of it by the several Companies.—that of the 100 Guns ordered him, he had supplied as directed Colo. Fontaine with 40, that Captain Hogg in behalf of Stalnaker had 11 so that only 49 remained, that he has the 200 which were last sent, about 600 lb of Powder, but few Musket Balls, and no Flints—desires a Supply of 1000 lb of Ball and 1000 Flints to be forwarded by Mr. James Deans Merchant in Chesterfield—he believes it will be some time in March before the Voluntiers can be ready to go out—He thinks every man should have a Wallet of Oznabrigs to carry his Provisions in when they leave their Horses at the Passes of the Mountains, and two Pair of Mockasheens.—that Blankets would be wanted and Clasp-Knives, Thread for the Linen, and Woolen Bags for transporting the Powder when taken from the Waggons.—that after the Meeting for the Choice of Officers, he shall instantly send to his Honor for Commissions—inclusing the Account of the Money he received by his Honor's Warrant from the Treasurer, and how it has been.

applied, with an Estimate of Cash wanting to pay the People employed by him to kill and cure the Provisions, also to pay the Men and Officers of Lunenburg who were out on Duty till discharged in November, and Accounts of the like Nature from Bedford—desiring his Honor's Orders with respect to a Guard at the Magazine—In his second Letter he desires that a sufficient Quantity of large Goose-Shot may be sent, which is judged preferable to Bullets—and proposes as an Encouragement to the People in Augusta, Bedford and Halifax, who are esteemed the best Woodsmen to engage as Volunteers in the Association, that two or three Companies of the Militia of some of the adjacent Counties be sent to garrison the three Forts in Augusta during the Time the Associators shall be out on the Expedition.

His Honor then proposed that some Gentlemen of the Council be appointed for giving Directions occasionally for conducting the Expedition during his Absence, and for taking Care that the Associators be supplied with all things necessary. Upon which John Blair, Philip Ludwell Esqrs. and Mr. Commissary were nominated and appointed as the most fit Persons for that Service.

The Governor desiring the Advice of the Council concerning the most proper Time for the Meeting of the Assembly, On Consideration thereof it is the Opinion of the Board, and accordingly

Ordered

That a Proclamation issue for the Meeting of the Assembly on the third Thursday in March next, for the Dispatch of publick Business.

At a Council held at the Capitol March 18th 1757

Present

The Honorable William Fairfax Esquire President

John Blair

Peter Randolph

William Nelson

Philip Ludwell Esqrs.

Thomas Nelson

Mr. Commissary

Mr. President this Day took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Suprem-

acy, the Oath of Abjuration, and subscribed the Test; was also sworn duly to observe the Acts of Trade and faithfully to discharge the Office of Commander in chief of this His Majesty's Dominion of Virginia, and then was pleased to express himself in the following Terms vizt.

Gentlemen of the Council

As there are some, and maybe more Acts of Government found necessary to be done and signed in the Absence of his Honor the Governor at Philadelphia and having now with your Advice and Consent taken the appointed and usual Oaths to qualify me for the Discharge of the executive Part of the important Trust, I do assure you, that I will faithfully endeavour to maintain the Dignity of the Office, and do every thing with your Advice and Concurrence for the publick Welfare and the Honor of this Board whilst I preside.

Upon reading a Letter from his Honor the Governor dated at Philadelphia the 5th Instant, signifying that Lord Loudoun having judged it indispensably necessary for His Majesty's Service to lay an Embargo for some time upon all Shipping, he had in Consequence thereof writ and sent inclosed Letters to the Collectors and naval Officers in this Government commanding them not to clear out any Vessel from their respective District, and directed that Notice thereof be given in the Gazette.

Whereupon it was the Opinion and Advice of the Board and accordingly

Ordered

That the said Letters be immediately dispatched as directed, and that a Proclamation issue for laying an Embargo upon all Shipping till further Orders given.

Ordered

That Simon Miller be appointed an Inspector at Layton and Occupatia Warehouse in Essex in the Room of Daniel Gaines, who by Age and Infirmities is become incapable of acting.

This Day Keeraruftikee one of the principal Warriours of the Cherokee Nation with five Men and three Women who came into

the Country in October last, and arrived in this City with Captain Paris a fortnight ago, were admitted into the Council Chamber, when, being seated, the Chief spoke thus

We are come back from a long and painful March, but unsuccessful in our Pursuit of the Enemy by Reason of the Severity of the Weather. We are now returning home in order to raise more Men to join us in assisting our good Brethren the English, to whom we shall forever continue firmly attached unless we meet the Swallow Warriour, whom we expect here with a great Number of our Nation, in which Case we determine to proceed with him immediately to War.

We shall be glad to carry with us a Letter from you to Wauhatchee the chief man of all the Southern Towns of our Nation, desiring him to encourage his People to march out and join heartily with us against our Enemies. The President answered, We were glad to see them returned in good Health and obliged to them for the Trouble they had undergone in our Service; that tho' they had not met with the desired Success in their first March against our Enemies, they were entitled to our Thanks and Acknowledgments for their laudable Efforts, and we did not in the least doubt of their firm Attachment to us; that we were pleased to hear many of their Nation were coming to join us, and hoped that in returning they would meet with and accompany them to War; he told them the Letter they desired should be prepared and ready for them by tomorrow; assured them our Promises and Engagements should be punctually fulfilled, and that they should be supplied with everything necessary. He then added, We now present you with this Hatchet as our Commission, trusting that you will hold it fast and make use of it against the Enemies of King George, your and our gracious Sovereign and Father.

After embracing all the Council in an affectionate manner they withdrew highly satisfied with the kind Reception they had met with.

An Audience was likewise given to another party of Cherokees being fifteen in Number who came to this Government in February last, had marched two Leagues above Fort Du Quesne and returned

on Monday last to this City with a French Prisoner and two Scalps. The Chief of them named the Second Yellow-Bird said, They were now returned from War, and being weak in Number, were impatient of going back to their Country to strengthen themselves with more Men, being resolved to exert their Abilities in using the Hatchet they had chearfully taken up to the Destruction of our Foes.

They desired to be furnished with Cloaths and a few other Necessaries, and promised to come in again to our Assistance as soon as possible.

The President gave them Thanks for the good Services they had already done, assured them all their Wants should be supplied, as far as was in our power; that we were thoroughly persuaded of their sincere and steady Adherence to our Interest, that we relied upon their Promise of returning soon to our Aid, and that they might securely depend upon being generously rewarded for their future as well as past Services.—After mutual Embraces, they went out with great Appearance of Content.

The Council being informed that the potent Warriour Hagler King of the Catawba Nation was arrived near Town with two of his great Men, Peter Randolph Esqr. by Desire of the Board withdrew and proceeded in a Coach to meet them, and having accompanied them to the Capitol, they were introduced into the Council Chamber with six and twenty more of the Catawbas, who came here the Wednesday before, and Robert Vaughan Interpreter; King Hagler, after he and his Attendants had taken all the Council by the Hand, and their Seats, expressed himself to the following Purpose

Tho I am grown old, my Heart is so affected by the Relation of the horrid Murders and Depredations committed upon my Brethren the English by their cruel Enemies that I have undertaken this Journey with a Resolution of doing every thing in my Power towards extirpating them from the face of the Earth. The many and substantial Tokens I have received of the Affection of the English for me and my People, I have the deepest and most grateful Sense of, and shall ever preserve them treasured up in my Mind. I have left between eighty and ninety of the Warriours who came

with me upon the Frontiers, and am come to this Town out of an ardent Zeal to see and serve you, to hear your Talk, and to learn if you have any thing to propose for our mutual Good. He then presented to the President a String of Wampum. The President answered, he heartily rejoiced to see him, was perfectly convinced of his Love for the English, intreated him to come to the Council-Chamber tomorrow when he should return a more full and particular Answer to his affectionate Speech. After shaking Hands again they departed well pleased.

At a Council held March 19th 1757

Present

The President

John Blair

Peter Randolph

Philip Ludwell Esqrs.

King Hagler appearing in the Council Chamber with the rest of the Catawbias, and Interpreter, and being seated, the President spoke as follows

Sachems and Warriours of the brave Catawbias,

We rejoice to see you and to hear your good Talk, and we are not a little pleased to hear that you have brought a great Number of Warriours to our Assistance. Your due Observance of the Treaty held with our Commissioners last Year, is a proof of your Fidelity to the great King your Father, and of your Regard for us his Children. And you may be assured, we shall on every Occasion endeavour to shew you the Respect due to great Warriours and faithful Friends

We very much lament the Loss of your brave Men who were killed this Winter near Fort Du Quesne; but the Chance of War is uncertain, and as our Friends fell in the Bed of Honor, nobly disdaining to be taken Prisoners, let us wipe away our Tears and think of nothing but Revenge. For that purpose we give you this Hatchet, and desire that you will hold it fast, never ceasing to use it till you have painted it with the Blood of our Enemies. You have

made us acquainted with your Wants, and we shall take Care to supply you with Guns and every thing necessary for war. Our Governor is now at Philadelphia attending Business of the greatest Importance both to you and us From him you may expect at your Return from War, a Reward equal to your Services. By the Governor's Absence we are quite destitute of Wampum, and therefore hope you will excuse our not giving you any at this Time.

King Hagler replied he was perfectly satisfied now he had heard our friendly Talk, and should proceed chearfully to War with strong Hopes of Success; that they were in no Expectation of receiving Wampum at this Time, they only desired to be furnished with Cloaths, Arms, and Ammunition, were in Haste to be dispatched, and should wait till their Return for Presents proportioned to their Services.—The President assuring them they should be delayed no longer than was absolutely necessary, and he, and the Council embracing them all, they marched orderly out of the Council-Chamber with a joyful Countenance.

At a Council held March 22d 1757

Present

The President

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

It having been represented to the Board by Mr. Charles Stuart that in Consequence of an Order for the Water Casks belonging to the Government now at Alexandria, he had been employed and directed to send Vessels for them, and cause them to be put on Board the *Mary* Transport lying at Norfolk, but apprehended he should find great Difficulty in hiring Craft for that Purpose, and desired the Assistance of this Board. It was the Advice of the Council that the President would grant his Warrant to the said Mr. Stuart empowering him to impress any Vessel or Vessels for that Service; and be pleased to write to the Mayor of Norfolk requiring him to be aiding and assisting therein.

His Majesty's Letter and Sign Manual dated the 19th of July 1756 appointing Philip Ludwell Lee Esquire one of His Majesty's Council of State for this Colony, having been read, he accordingly upon taking the Oaths to the Government, and the Oath of Office was admitted to his Place at the Board.

The President desired the Opinion of the Council in Regard to the French prisoner taken by the Cherokees, whether it would be adviseable to keep him here with the Consent of the Indians, or permit them to take him to their Country; it was the Opinion of the Council, that he should be retained, if they would agree to part with him upon reasonable Terms; and that Twenty pounds was a sufficient Consideration.

At a Council held at the Governor's House April 4th 1757

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

The Governor acquainted the Board that he had met the Earl of Loudoun at Philadelphia, with the Governors of North Carolina, Maryland, and Pennsylvania, in order to concert a Plan for the Defence of the Southern Provinces, whilst the other Operations were carrying on to the Northward agreeably to a plan approved of by His Majesty; that at the said Meeting several Particulars had been resolved and agreed on, the Minutes of which he thought it proper to communicate to them; and which are as follows vizt.

Minutes taken at a Meeting of the Governors of North Carolina, Virginia, Maryland and Pennsylvania with the Earl of Loudoun Commander in chief of His Majesty's Forces in North America, begun at Philadelphia March 15th and continued by several Adjournments to March [. . .]¹³ 1757.

13. Blank in the original.

The Meeting having been informed by the Earl of Loudoun that there was a Plan approved of by His Majesty of employing the greatest Part of the Troops this Campaign to the Northward, and that he had invited them to this Meeting in order to concert in Conjunction with them a Plan for the Defence of the Southern Provinces, whilst the other Operations were carrying on

His Lordship further acquainted them that he was willing to leave for the Defence of the Southern Provinces one Battalion, to be compleated to one thousand Men and the three Independent Companies in South Carolina of one hundred Men each, which may amount to two hundred effective Men. And that he thought it necessary for the Security of the whole that the several Provinces should furnish by the following Proportions

Pennsylvania	1400
Maryland	500
Virginia	1000
No. Carolina	400
So. Carolina	500
Which joined to the Kings Troops	1200
	—
Make in whole	5000, Men

And the several Governors do engage to use their best Endeavours with their several Provinces to raise and support the above Number to act in Conjunction with the Regular Forces, and under the Command of His Majesty's General, or the Officer properly authorized according to His Majesty's Regulation

The Meeting taking into Consideration the Situation of the several Provinces, and the Intelligence received from different Parts, it appears to them that there is Danger of the Enemy's making an Attack on the Province of South Carolina, either by Sea from St. Domingo, or from the Albama in the Creek Nation on the Head of the Mobile,—for which Reason they have agreed that there ought to be Two thousand Men employed in the Defence of that valuable

Province of South Carolina, and to secure Georgia, and that they should be composed as follows.

Five Companies of Regular Troops	500
Three independent Companies	200
Provincial Troops raised by the Province of South Carolina	} 500
Provincial Troops from North Carolina	
Provincial Troops from Virginia	400
Provincial Troops from Pennsylvania	200
<hr/>	
Making in whole	2000 Men

That the said Troops should be put under the Command of Lieutenant Colonel Bouquet and transported to Charles Town in South Carolina as soon as possible. The Regular Troops and the 200 Provincial Troops of Pennsylvania by Sea from hence. The 400 Provincial Troops of Virginia by Sea from [. . .]¹⁴

And the 200 Troops from North Carolina to March by Land

The Earl of Loudoun on the Part of the Crown, agrees that he will at the King's Expence supply the 200 Men from North Carolina the 400 Men from Virginia, and the 200 from Pennsylvania with the King's Provisions, from the Time they arrive in South Carolina, during the Time he keeps them there; but that he expects the several Provinces from whence they are detached should transport them there at the Expence of the Province from where they are sent.

And to prevent any Mistakes hereafter arising in Relation to any Demand that may be made; it is agreed that the several Provinces shall maintain the Remainder of the Troops raised by them for the Service in every Article, as on this Occasion they are entirely employed in the Defence and for the Security of their respective Provinces.

And it is further agreed that we the Governors shall in our respective Provinces take particular Care to form such Regulations and to see them properly executed, that in all time coming Carriages for transporting the Baggage of His Majestys Troops shall be prepared at stated reasonable Rates, and that all the Troops of whatever

¹⁴. Blank in the original.

Denomination either passing through our Provinces, or while in fixed Quarters therein, shall in time of Peace be properly quartered, and in Time of War, whatever Number of Troops the Commander in chief may judge necessary for Defence, or carrying on the General Service shall be quartered according to Custom or the Exigencies of Service.

The above Resolutions are agreed	Arthur Dobbs
to by the several Governors and signed	William Denny
by us in Presence of the Earl of Loudoun	Robt. Dinwiddie
His Majestys Commander in chief	Horo. Sharpe
Loudoun	

It is further agreed that the remaining 200 Men to be raised by North Carolina are to be employed, 100 in garrisoning the Catawba Fort and Fort Dobbs, on the back Parts of the Colony, and the other 100 Men in Fort Johnston, the Fort at Topsail Inlet, and the Fort at Beauford, for the Defence of their Coast.

That the remaining 600 of the Virginia Forces shall be employed in the following Manner, 100 Men to garrison Fort Loudoun by Winchester, 50 Men to be posted at Fort Enoch to be built to secure the Communication between Fort Loudoun and Fort Cumberland.

And the Remainder of those Troops to be posted for the Security of their West Frontiers, 100 Men at the Fort in the upper Tract, 150 Men at Fort Dickison and 100 Men at Voss Fort, and the remaining 100 Men to be sent to the Fort lately built in the Cherokee Country.

That the 500 Men raised by Maryland shall be posted, 300 of them to garrison Fort Cumberland, 150 at Fort Frederick, and 50 at Cressops to keep up the Communication between those two Posts.

His Honor likewise produced a Letter from his Excellency to the Gentlemen of the Council, Mr. Speaker, and the Gentlemen of the House of Burgesses signifying he expected from them such Supplies of Men and Money, as may evince to the whole World, with what Cheerfulness and Loyalty the Dominion of Virginia always has acted, and always will act, in the Discharge of their Duty to the best of Kings.

His Honor then desired the Advice of the Board in regard to the 400 Men to be supplied by this Government for the Defence of South Carolina—Upon which it was the Advice of the Council that his Honor would be pleased to issue his Proclamation for the meeting of the Assembly on Thursday the fourteenth of this Month; and that in the meantime he would direct Colo. Washington to order 200 Men to march immediately down to Fredericksburg under the Command of Lieutenant Colonel Stephen, two Captains and four Lieutenants and to be ready to imbark for the said Province: And also to send out the Indians now in their March to join him, in such parties and to such Places, as he shall judge most adviseable, to scalp, and acquire Intelligence, together with some of the Regiment as he can confide in

The Governor likewise communicated to the Board a Letter from the Lords of Trade dated the 1st of July last, signifying His Majesty had been pleased to appoint Edmond Atkin Esqr. one of the Council in the Province of South Carolina, to be Agent for and Superintendent of the Affairs of the several Nations or Tribes of Indians upon the Frontiers of Virginia, North and South Carolina and Georgia, under the Direction of the Earl of Loudoun, and recommending it to his Honor to give him all proper Assistance in the Execution of his Commission

The President acquainted the Board that, on the 29th of last Month, he with Mr. Auditor and Mr. Commissary gave an Audience to King Blunt and thirty three Tuscaroroes, seven Meherrins, two Saponies and thirteen Nottoways, who came in Company the Day before to Williamsburg; that after saluting them all and desiring them to sit, he addressed himself to them in these Words.—“I have given you this early Meeting, in order to hear what you have to propose, and to know your Wants that they may be speedily supplied.”—that Captain Jack the Chief of the Tusks¹⁵ next to the King who was old and feeble, produced and delivered to him a Letter from Colonel Washington inviting and encouraging them to come and join us against our Enemies and said what the Colonel had writ was very agreeable to them, and they had heartily accepted

15. Probably the Tuscaroras.

the Invitation, all they wanted was to be assisted with Arms, Ammunition, Cloathing, and Paint—they had concluded a firm Peace with the Catawbas, Cherokees, and Nottoways, which they persuaded themselves would be perpetual—they looked upon the English and themselves as Children of one Father, and as one and the same Blood, and should act as such while a Drop of it flowed in their Veins—they had buried deep under Ground their Guns, Tommawks, and Hatchets; but exasperated and inflamed by the shocking Cruelties exercised on their Brethren by the French and their base Indians, they had now concur'd in raising up their Arms ditermined not to lay them down till they had vanquished their barbarous Enemies, or proved their Fidelity by dying in the Attempt—To which Speech he returned the following Answer

Brethren

We are glad to see you and to know that you are come with willing and chearful Hearts to join and assist your Brethren the English in defending our and your Country against the unjust and wicked Attacks of the French and their deluded Indians.—We shall furnish you with Arms, Ammunition, and Cloathing, and what more you are now in Want of, going to War.—And as we hope your Bravery will make you successful, so you may depend on King George's further Favor, and of our giving you Rewards on your Return from War as each shall deserve.—We have recommended the Care of your March and Conduct to Captain Baker, and hope you will have good Weather and get in due Time to Winchester or Fort Cumberland, where Orders are or will be lodged from our Governor for your future Conduct with Colo. Washington.—We heartily shake Hands with you and bid you Farewell.

At a Council held April 11th 1757

Present

The Governor

William Fairfax
John Blair
William Nelson
Thomas Nelson

Philip Grymes
Richard Corbin
Philip Ludwell Esqrs.
Mr. Commissary

His Majesty's Letter and Sign Manual dated the 20th of October 1756 appointing John Tayloe Esquire one of His Majesty's Council of State for this Colony, having been read, he accordingly upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

The Governor communicated to the Board a Letter from Colo. Read dated at Lunenburg the 5th of this Instant, giving an Account of the bad Behaviour of the Cherokees in that Part of the Country, and the good Conduct of the Catawbas.

Also a Letter from Mr. Jacob Walker dated the 4th of April, submitting to his Honor's Consideration some Proposals for repairing the Fort at Point Comfort, and desiring to be appointed Gunner and Storekeeper of the King's Stores in the Magazine at Hampton in the Room of Captain Barron deceased.

At a Council held April 14th 1757

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph¹⁶

Richard Corbin

Philip Ludwell

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor communicated to the Board and desired their Advice upon a Letter from Colo. Read, informing him that the Squa of the Chicasaw Indian who had been murdered by the Cherokees, had made her Escape, and was then at his House, and requested his Honor's Instructions what to do with her.—Upon which it was the Advice of the Council that his Honor would be pleased to order Colonel Read to convey the said Squa to Williamsburg, in order that she may be sent to South Carolina, and would also write to Governor Lyttleton upon the Subject.

^{16.} *Minutes* for this date record that all members were present except Peter Randolph.

At a Council held April 21st 1757¹⁷

Present

The Governor

William Fairfax	Peter Randolph
John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	John Tayloe Esqrs.
Philip Grymes	Mr. Commissary

Upon reading this Day a Complaint made by the Vestry of Hamilton Parish in Prince William County against the Revd. Mr. John Brunskill for divers Immoralities, such as profane swearing, Drunkenness, and immodest Actions; it was the Advice of the Council and Accordingly

Ordered

That the said Complaint be heard the third Thursday in May next, and that the Clerk write and give Notice thereof to the said Brunskill, and require his Appearance before the Governor in Council at that Time, and send him blank Sumons for such Witnesses as he shall think necessary to testify in his Behalf, and also write to the Churchwardens, requiring their Attendance at the same time, and that they admit the said Brunskill to the full Exercise of his ministerial Function till the Complaint against him shall be determined; and inclose a blank Summons to them for Witnesses

17. A copy of the Council proceedings for April 21, May 19, and May 20, 1757 is found as an extract in the Lambeth Palace Library, Fulham Papers XIII, ff. 222-3. It is endorsed: "Virginia. Councils held in Relation to Brunskill. Copy of my letter &c of July the 9th. Brunskille." The identity of the endorser is uncertain; however, the Commissary, Thomas Dawson did write a letter to Thomas Sherlock, Bishop of London, on July 9, 1757 in which he enclosed a copy of the proceedings in question.

A second copy of these proceedings is found, also as an extract, in the Lambeth Palace Library, Fulham Papers XIII, ff.224-225. There is no endorsement. Following the text of the proceedings for May 20, 1757 is the attestation: "A true Copy. Thomas Dawson."

At a Council held May 3d 1757

Present

The Governor

William Fairfax	Peter Randolph
John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee
Philip Grymes	John Tayloe Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board two Letters from Capt. Mercer dated at Fort Loudoun the one of the 24th the other of the 26th of last Month directed to Colo. Washington, and communicated by him to his Honor, relating to the Conduct of the Cherokees, with the Speeches inclosed of their two Chiefs, and Capt. Mercer's Answers, which Papers he had shewn to Mr. Atkin and desired his Opinion upon. Upon reading which it was the Advice of the Council that his Honor would be pleased to lay the said Letters and Papers before the House of Burgesses; that our Promises of Presents to the Indians should be complied with, and Mr. Atkin thereupon requested to go up to Winchester, as the Superintendency of all Affairs relating to the Southern Indians is intrusted with him.

The Governor likewise communicated two Letters from Colo. Washington to his Honor containing such Matters as he judged merited the Assembly's Notice, and recommending an Ensign to each Company, an Adjutant, a Quarter-Master, and a Chaplain.

Whereupon it was the Advice of the Council, that his Honor would be pleased to lay the said Letters before the House of Burgesses.

The Account of contingent Charges from the 25th of October 1756, to the 25th of April 1757, and for Work done to the Governor's House being laid before the Board was allowed.

Upon reading a Complaint exhibited by Francis Thornton and William Fitzhugh Gentlemen, two of the Justices of Stafford

County, against John Mercer Gentleman Judge of the said Court, for acting as an Attorney in the said Court; and misbehaving himself as a Magistrate in other Respects, and upon hearing many Witnesses in Confirmation of the Complaint; the Defendant not having summoned any Person to invalidate their Testimony; it was the unanimous Opinion of the Board that the said Mercer had acted inconsistently with his Duty as a Justice, and ought to be turned out of the Commission of the Peace for the said County, and it was accordingly ordered that a new Commission of the Peace issue for Stafford County and that the said Mercer be left out of it.

At a Council held May 4th 1757

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell Lee

John Tayloe Esquires

Mr. Commissary

The Governor communicated to the Board a Letter from Lord Loudoun dated at New York the 24th of last Month, signifying that Captain Arbuthnot sails from thence the Tuesday following to the Delaware, from whence with the Detachment of the Troops, and the 200 Men from Pennsylvania, he calls for the Virginia Troops according to the Settlement, and that as to the Embargo, he hopes, he shall soon have no further Use for it.

Which Letter the Council advised his Honor to send a Copy of to the House of Burgesses and at the same Time desire them to pass a short Act for paying the Arrears due to the Officers and Soldiers of the Virginia Regiment, and enabling him to send 200 of them to South Carolina as soon as possible, as the Man of War is daily expected from the Northward.

The Governor acquainted the Board he had received an Address from the House of Burgesses requesting that the Embargo may be taken off, and desired their Advice upon it. Whereupon it was the

unanimous Opinion of the Council that the Circumstances of the Country required that the Embargo should be discontinued and their Advice, and accordingly ordered that the Clerk write to the naval Officers, and acquaint them they are at Liberty to clear out any Vessel from their respective District after the eighth of this Month.

At a Council held May 7th 1757

Present

The Governor

William Fairfax
John Blair
William Nelson
Thomas Nelson
Philip Grymes

Peter Randolph
Richard Corbin
Philip Ludwell
Philip Ludwell Lee Esqrs.
Mr. Commissary

The Governor acquainted the Board that he had communicated their Advice to Mr. Atkin, and requested him to be ready to proceed with the Presents to Winchester and had received a Letter from him in Answer thereto¹⁸ containing his Sentiments upon the Subject of Captain Mercers Letters and the other Papers; which Letter being read, it was the repeated Advice of the Council, that his Honor would be pleased to signify to Mr. Atkin, that the Board were unanimously¹⁹ of Opinion, that His Majesty's Service, and the Security and Interest of the Southern Colonies in general, as well as of this Dominion in particular, rendered it indispensably necessary for him to go up with the Presents to Winchester, (as we had received indubitable Intelligence of the unruly Behaviour of the Indians in the Frontier parts of this Colony,) to prevent any future Misconduct of the Indians, to pacify their discontented Minds, and confirm their wavering Dispositions.²⁰ It was also The

18. The words "in Answer thereto" are underscored as if the clerk intended to delete them.

19. After "unanimously" the words "adhered to" were written and struck out.

20. The *Minutes* for this date state that the Governor had "press'd in an earnest manner Mr. Atkin to proceed with all Expedition to Winchester to quiet the minds of the Cherokees, and secure them to our Interest."

Advice of the Council, that the Presents promised to the Indians should be forthwith got ready for Mr. Atkin to deliver and £100, or 150,²¹ advanced to him towards supporting his Expences in this Service, until he shall receive Money from the Earl of Loudoun to replace the same.

The Governor communicated to the Board two Letters²² from Colo. Read, signifying he had, according to his Honor's Orders, sent down the Chicasaw Squa, and inclosed the Depositions taken in Relation to the Rape committed by some of the Cherokees on Wallers Daughter, and had sent out Captain Thomas Boulden to Halifax in Search of the Indians said to be there, and transmitted a Journal of his Transactions.

Also a Letter from Colo. Fontain dated at Halifax the 26th of April, signifying he had received a Petition from the Southern Frontier Inhabitants of that County desiring immediate Assistance to enable them to withstand an Attack expected from the Indians, and acquainting his Honor with the Steps he had taken in Consequence thereof.

Upon which it was the Advice of the Council that his Honor would be pleased to give Orders for continuing the fifty Men raised in Halifax, as Rangers, and direct Colo. Fontaine to take Care that they do their Duty regularly for the Protection of those Parts, and that the Militia be kept duly disciplined.

The following Warrants on the Receiver General to be paid out of His Majesty's Revenue of 2s. per Hhd. Port Duties &c: were signed by the Governor in Council.

For half a Year's Salary to the Governor	£1000.0.0
For Ditto to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a Years Salary to the Auditor	50.0.0
For Ditto to the Sollicitor of Virginia Affairs	100.0.0
For Ditto to the Attorney General	35.0.0
For Ditto to the Clerk of the Council	50.0.0

21. According to the *Minutes*, Mr. Atkin was to have £200 for his expenses.

22. The *Minutes* give the dates of Colonel Read's two letters as April 2 and May 2 respectively.

For Ditto to the Adjutants	120.0.0
For Ditto to the Armourer	6.0.0
For half a Year's Salary to the Gunners of the Batteries	18.10.0
To Ministers attending one General Court and Assembly	8.0.0
For Repairs to the Governor's House	10.0.0
For Contingent Charges	668.18.5
On the Revenue of Quit Rents.	
For half a Years Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd Port Duties &c: from the 25th of October 1756 to the 25th of April 1757 being examined by the Deputy Auditor, and made Oath to by the Receiver General, were certified by the Governor as usual.

At a Council held May 17th 1757

Present

The Governor

William Fairfax	Peter Randolph
John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee Esqrs.
Philip Grymes	Mr. Commissary

The Governor communicated to the Board a Letter from the Right Honble William Pitt Esqr. one of His Majesty's principal Secretaries of State, also a Letter from his Excellency the Right Honble the Earl of Loudoun, signifying His Majesty's Command, and his Lordship's earnest Desire that his Honor would press the Council and Assembly to raise more Men than are barely necessary for the Defence of the Colony, that we may be in a Capacity to give immediate Assistance to any neighbouring Province that may be attacked.

Upon which the Council advised his Honor to send a Copy of the said Letters to the House of Burgesses, and desire them to pass a short Act to enable him to comply with the Royal Command.

The Governor also communicated to the Board a Letter from James Abercrombie Esquire, in which he signified the Reason we have to expect that the great Expences this Colony hath been subjected to in the present War will not remain disregarded by His Majesty and the Parliament of Great Britain.

A Copy of which Paragraph the Council advised his Honor to lay before the House of Burgesses.

At a Council held May 19th 1757²³

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Ludwell Lee Esqrs.

Mr. Commissary

Upon hearing this Day the Complaint of the Vestry and Churchwardens of the Parish of Hamilton against John Brunskill junr. Minister of the said Parish wherein he was accused of Drunkenness, profane swearing, immoral Practices, frequent Neglect of Duty, and indecent Behaviour in Church; And upon Examination of many Witnesses, as well on Behalf of the said Brunskill, as of the said Complainants, it was the unanimous Opinion of the Board, that every Fact he was charged with had been fully proved, that he was a Scandal to his Profession, and ought to be disqualified from ever exercising the Office of a Clergyman; but the Council desired to postpone giving any Advice to the Governor in what manner to proceed against the said Brunskill, till they were informed of his Honor's Instructions from His Majesty how he was directed to govern himself in such Cases, which his Honor promised to communicate to them.

²³. See p. 41 for note 17 regarding the Council proceedings of April 21, May 19 and May 20, 1757.

At a Council held May 20th 1757²⁴

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Ludwell Lee, Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board his 81st²⁵ Instruction, in which are these Words "If any Parson already preferred to a Benefice shall appear to you to give Scandal, either by his Doctrine or Manners, You are to use the best means for the Removal of him"; and desired their Opinion and Advice how he should conduct himself towards removing Mr. Brunskill in Consequence of the said Instruction, Mr. Commissary having acquainted the Board he had not received any Power from the Bishop of London to act in a Case of such Consequence.

Whereupon it was the Opinion of the Council that his Honor was impowered by his Instruction to remove any Minister of so scandalous a Life and Conversation as the said Brunskill; and their Advice, that his Honor would remove and deprive him the said Brunskill from officiating as a Minister in any Church within this Dominion, and give Orders to the Vestry and Churchwardens not to admit him to perform any divine Office in Hamilton Parish, and to levy the Salary for any other discreet Clergyman they can agree with to officiate, and to recommend such Person to his Honor and the Commissary for their Approbation.²⁶

24. See p. 41 for note 17 regarding the Council proceedings of April 21, May 19 and May 20, 1757.

25. The *Minutes* for this date note that the "Governor communicated to the Board 81st and 84th Instruction."

26. In the *Minutes*, the advice of the council on the Brunskill case includes the recommendation "and that Commissary would represent the case to Bishop of London, and to desire proper Powers to be transmitted to him;" these words were underlined, evidently as a sign that they should be deleted.

At a Council held May 24th 1757

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board, and desire their Opinion upon, a Letter from the Honble Edmond Atkin Esqr. dated Williamsburg the 23d of this Instant, proposing some particulars for obtaining a more effectual Assistance from the Southern Indians and desiring to know how many Passports he may issue for Parties of them not exceeding what Number of Men? What Rewards he may venture to promise? recommending Provision to be made for the Payment of Conductors, and a Commissary for receiving under his Charge in some safe, and most convenient Place, the Presents given for the Indian Service; and that the commanding Officer of Fort Loudoun certify to the Commissary at what time any Indians, who serve thereabouts, arrived, how they behaved and when they left that Place.

Also a Copy of what passed between Mr. Atkin and the Catawbas at James Town.

Upon which it was the Opinion of the Council, that one Passport be issued for each Party of Indians who shall come into the Country to our Assistance; that no Party exceed five and twenty Men, that they should be supplied with all Necessaries for War, and rewarded by Mr. Atkin according to their Services, besides the Rewards given by Law for every Scalp or Prisoner; that proper persons be appointed by Mr. Atkin for Conductors and allowed eight Shillings current Money per Day when on Duty, and they advised his Honor to appoint a Place most convenient for lodging the Presents; to recommend it to Mr. Atkin to appoint some fit person for a Commissary with proper Instructions; and to notify

in the Gazette, that the Indians, or their Conductor for them, when in Want of Provisions, shall apply to the first Justice of peace, Captain, or other superior Officer, who shall happen to live on or nigh the Road they pass; and to require such Justice or Officer, to supply them with sufficient Provisions to serve them to the next Justice or Officer, and to certify on the Back of their Passport the Time of their Arrival, and so on throughout their Journey, the said Indians making no unnecessary Delays, and behaving themselves orderly and peaceably like Brethren.²⁷

Ordered

That the Conference which Mr. Atkin held with the Catawbas at James Town, be entered in the Register of Indian Transactions.

Ordered

That a new Commission of the Peace issue for the following Counties, vizt.

For Stafford, that Thomas Ludwell Lee be at the Head of it, that John Mercer, Peter Daniel, and William Fitzhugh who lives in Maryland, be left out, and that William Brent be added.

For Augusta, that Robert McClanahan, David Steward, Humberston Lyon and William Wilson be left out, and that William Lewis, Francis Tyler, Daniel Smith, John Archer, and James Buchanan be added.

For Warwick, and that Francis Jones be added.²⁸

For Prince Edward, that George Walker, Charles Anderson, Joseph Morton and Abraham Venable junr. be left out; and that Robert Hastie, James Scott, Peter Legrand and John Leigh be added.

For Southampton, and that Samuel Blow, Nicholas Maggott, and William Haynes be added.

27. According to the *Minutes* for this date, the groups of Indians were to be "20, or not exceeding 25, in a Party," and they were to receive a bounty of £10 per scalp; they were to be supplied with provisions "upon order from Governor being produced."

28. The *Minutes* specify that, in the commission for Warwick, Francis Jones shall be "added and placed last, and his Father, who is dead left out."

For Fairfax, and that the following Gentlemen be in it vizt. George William Fairfax, John West, Daniel McCarty, John Carlyle, William Ramsay, Charles Broadwater, Thomas Colvill, of the Quorum, John West junr., Sampson Dorrell, Sampson Turley, John Dalton, Edward Washington, Henry Gunnel and Daniel Talbot

For Loudoun, and that the following Gentlemen be in it vizt. Anthony Russell, Fielding Turner, James Hamilton Aneas Campbell, Nicholas Minor, William West of the Quorum, Richard Coleman, Josias Clapham, George West, Charles Tyler, John Moss, Francis Peyton and John Mucklehany.

At a Council held June 8th 1757²⁹

Present

The Governor

William Fairfax

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

John Tayloe Esqrs.

Mr. Commissary

Ordered

That a new Commission of the Peace issue for Prince George County, and that James Murray and Alexander Bolling be added to the Quorum.

Ordered

That a new Commission of the Peace issue for Halifax, that Richard Bland be added and placed next to Peter Fontaine junr. and James Roberts junr. and John Gordon be added, and placed last

Ordered

That a new Commission of the Peace issue for Albemarle and that John Rose, James Lewis, William Cabbell junr., John Cannon and William Diuguid be added.

29. See page 676 for the *Minutes of May 31, 1757*.

On the Petition of John Bolling Gent Leave is granted him to add Four hundred Acres of Land joining to a Tract of Five thousand four hundred and fifty Acres on the Branches of Falling River in Bedford County, and to have an inclusive Patent for the whole.

On the Petition of Ambrose Bramlet Leave is granted him to have a Patent for eight hundred Acres including two Entries lying between Johnston's Mountain and the foot of No business joining Richard Callaway's Line on the Branches of Elk Creek beginning at a Corner white Oak of the said Line.

A Petition of Thomas Walker Gent. and Company, praying for further time to compleat the Surveys of Eight hundred thousand Acres of Land beginning on the Bounds between this Colony and North Carolina and running to the Westward and to the North so as to include that Quantity which was granted to them in July 1749 was read and the Consideration thereof postponed.

At a Council held June 15th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Ludwell Lee

John Tayloe Esqrs.

Peter Jones having entered a Caveat against Charles Lewis and Benjamin Bullington for Four hundred Acres of Land in Amelia on both Sides of Little Nottoway, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land

Lewis Hansford having entered a Caveat against John Holt for Four hundred Acres of Land in Albemarle formerly Goochland on the North Branch of Ivy Creek for Reasons appearing to the Board, it is ordered that the Plaintiff, paying all Fees have a Patent for the said Land.

Matthew Hubbard having entered a Caveat against Henry Morris for Two hundred Acres more or less in Brunswick on Jemmy's

Branch joining the Lines of the said Hubbard, William Morris, and Cuddy Smith, it is ordered that the Plaintiff have a patent for the said Land

Kemp Whiting having entered a Caveat against Nicholas Davies for Twenty two thousand two hundred and twenty seven Acres, being part of an Order of Council granted the said Davies to take up Twenty five thousand Acres lying in Albemarle on both Sides the Fluvanna River, the Plaintiff appearing by his Council, and the Defendant having been summoned and not appearing Ordered That the Plaintiff have a Patent for the said Land.

Bryan Lister having entered a Caveat against George Walton for Three hundred and nineteen Acres in Lunenburg on the Branches of Juniper, beginning at Winningham's Corner pine in Blagrove's Line, for Reasons appearing to the Board it is ordered that the Plaintiff have a Patent for the said Land

Bryan Lister having entered a Caveat against George Walton for Three hundred and fourteen Acres in Lunenburg on the Branches of Meherrin River beginning at his own Corner red Oak thence along his own Line, it is ordered that the Plaintiff have a Patent for the said Land

Patrick Duffey having entered a Caveat against James Taylor for Four hundred Acres in Lunenburg on the Head of Crooked Creek joining the Lines of Thomas Tabb and Henry Cottilo, for Reasons appearing to the Board it is ordered That the Plaintiff upon paying the Defendant four Pistoles, all Fees, and the Charges of the Survey have a Patent for the said Land.

John McKennie having entered a Caveat against John Bezley and William Fuqua for Three Hundred and eighty Acres in Albemarle, on a Branch of Slate River called Glover's Creek joining the Lines of Bryan Doram and Robert Tomson, the Plaintiff appearing and the Defendants having been summoned and not appearing, it is ordered that the Plaintiff have a Patent for the said Land

William Abbot having entered a Caveat against Sherwood Bugg for any Quantity of Land in Lunenburg on Cotton Creek recovered lately by the said Bugg from the said Abbot, it is ordered that the Plaintiff have a patent for the said Land.

Tucker Woodson having entered a Caveat against George Walton and Richard Callaway for Two thousand four hundred and fifty Acres on both Sides of the North Fork of Otter River, otherwise called Mamucan Creek begining upon Tucker Woodson's Line across the Hurricane Fork of the said Creek in Bedford County formerly Lunenburg, it is ordered that the Plaintiff have a Patent for the said Land.

Tucker Woodson having entered a Caveat against John Hall and George Walton for four hundred Acres on the South Fork of Otter River in Bedford, Ordered that the Plaintiff have a Patent for the said Land

Tucker Woodson having entered a Caveat against John Hall and George Walton for Four hundred and ninety seven Acres on both Sides of Molly Day's Run on the North Branch of Staunton River begining at Walton's and Mead's great Chestnut Oak in Bedford Ordered that the Plaintiff have a patent for the said Land

The same having entered a Caveat against George Walton and William Mead for two hundred and ninety Acres on the North Side of Staunton River in Bedford it is ordered that the Plaintiff have a patent for the said Land.

The same having entered a Caveat against John Hall and George Walton for Three thousand one hundred and ninety Acres on both the Heads of the North Branch of Staunton River and the South Branch of Goose Creek in Bedford it is ordered that the Plaintiff have a Patent for the said Land.

The same having entered a Caveat against George Walton and Richard Callaway for Six hundred Acres on the North Side of Otter River, begining at Williams's Corner Walnut on the said River in Bedford. Ordered That the Plaintiff have a Patent for the said Land.

The same having entered a Caveat against George Walton for Two thousand seven hundred and thirty Acres on both sides of the Fork of the Beaver Dam Creek in Bedford; also for Three hundred and four Acres on the North Side of Staunton River in Bedford; also for one thousand one hundred and twenty Acres on both Sides of the lower Fork of Stith's Creek in Bedford

Ordered that the Plaintiff have a Patent for the said three Tracts of Land.

Joseph Walton having entered a Caveat against the Heirs of Thomas Williamson deceased for Six thousand Acres on both Sides of the middle Fork of the Maherrin in Lunenburg for Reasons appearing to the Board it is Ordered that the said Caveat be dismiss, and that the Defendants have Six Months from this Day to survey the said Land.

Robert Wooding having entered a Caveat against Nowel Burton and William Robertson for eight hundred Acres in Halifax on Littlebury Stone Creek, it is ordered that the Plaintiff have a Patent for the said Land.

Archibald Robertson having entered a Caveat against John Whittington for One hundred and seventy five Acres more or less lying in Sussex, upon hearing Council on both sides, it is ordered that the said Caveat be dismiss upon the Defendant's paying to the Plaintiff the Remainder of Money due to him, within six Months from this time, and Costs.

John Morgan having entered a Caveat against Samuel Bass for any Quantity of Land between the two Plowmen Swamps, between the said Bass's two old Plantations, it is ordered that the Plaintiff have a Patent for the said Land.

Joseph Williams having entered a Caveat against Sherwood Walton for Eight hundred and fifty Acres on the South Side of Otter River joining William Callaway in Bedford County, it is ordered that the Plaintiff have a Patent for the said Land.

Tully Choice having entered a Caveat against Sherwood Walton for Six hundred and forty Acres in Halifax, upon Goard Creek a Branch of Snow Creek near Turkey-Cock Mountain, it is ordered that the Plaintiff have a Patent for the said Land.

Richard Womack having entered a Caveat against the Heirs Executors or Administrators of Thomas Williamson deceased for Four thousand five Hundred Acres more or less on Goose Creek in Bedford County recovered from the said Womack in June 1755, Upon hearing Council on both Sides, it is ordered that the Plaintiff

have a Patent for one Half of the said Land, to be divided according to Quality and Quantity.

Francis Bressie having entered a Caveat against William Walton and John Owen for Two hundred and thirty Acres in Lunenburg on the lower Side of Grassey Creek, Upon hearing Council on both Sides, it is ordered that the Plaintiff have a Patent for the Half of the said Land upon which Improvements have been made.

Henry Wilson having entered a Caveat against Hugh Williams for Three Hundred Acres of Land in Brunswick, it is ordered that the Plaintiff have a Patent for the said Land.

John Smith having entered a Caveat against Richard Womack for Two hundred Acres in Lunenburg on Spencer's lower Line, it is ordered that the Plaintiff have a Patent for the said Land.

Paul Carrington having entered a Caveat against George Carrington for Two thousand three hundred and thirty five Acres in Albemarle on the Western Side of Willis's Mountain recovered by the said George Carrington of Gideon Marr; also for Four thousand five hundred Acres in Albemarle on the Branches of Slate River recovered by the said George of Gideon Marr, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said two Tracts of Land.

James Dillard having entered a Caveat against Joshua Jones for Seventy five Acres in James City lying upon the South Swamp, it is ordered that the said Caveat be continued till the Land shall be surveyed and the Bounds determined by a Jury.

Robert Hatcher having entered a Caveat against Jeremiah Hatcher for Two thousand and four Acres in Lunenburg on Buckhorn Creek and joining the Lines of Buckner Stith and John Thomson, it is ordered that the Plaintiff have a Patent for the said Land.

Pinkethman Hawkins having entered a Caveat against John Blanton for One hundred and eighty two Acres in Lunenburg on Finney Wood Creek recovered from John Twitty and John Matthews junr. by the said Blanton in June 1755, it is ordered that the Plaintiff have a patent for the said Land.

Joseph Ragsdale having entered a Caveat against Richard Witton for Two thousand seven hundred and fifty Acres in Lunenburg upon the Branches of Allen's and Blackstone's Creek, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Joseph Williams having entered a Caveat against Robert Haslop for Four hundred and thirty Acres in Lunenburg on both Sides of the South Fork of Mehimin,³⁰ for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for Two hundred Acres part of the said Tract.

William Cabbell having entered a Caveat against Anne Neal Widow of Nicholas Neal deceased and Julian Neal Heir at Law of the said Nicholas for One hundred and eighty eight Acres lying in the Dutch Thoroughfare in the County of Albemarle; and Two hundred and forty seven Acres on the Mountain Run in the said County, both Tracts surveyed for the said Nicholas in 1753, it is ordered that the Plaintiff have a Patent for the said Lands.

Thomas Hawkins having entered a Caveat against Thomas Satterwhite for Four thousand nine hundred and fifty Acres of Land or thereabouts in Lunenburg on the South Side of Roanoke River, the Plaintiff appearing and the Defendant having been summoned and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

Burwell Bassett having entered a Caveat against Ambrose Dudley for two tracts of Land of Four hundred Acres each in New Kent upon Chickahominy Swamp, it is ordered that the said Caveat be continued till the Bounds are determined by a Jury.

At a Council held June 20th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson Esqrs.

Mr. Commissary

The Governor communicated to the Board a Letter from Colonel Washington of the 16th Instant, inclosing a Letter from Captain

30. May be intended for Meherrin.

Dagworthy and another which he received from Major James Livingston dated at Fort Cumberland the 14th instant, signifying they had just received Intelligence by Six Cherokee Indians who went out upon a Scout with Captain Spotswood towards Fort Du Quesne, that a large Body of French and Indians with a Train of Artillery were actually marched from Fort Du Quesne with a Design as they conceived to make an Attempt upon Fort Cumberland.—Also a Copy of a Council of War held on that Occasion; together with a List of the Men fit for Duty in the Virginia Regiment, exclusive of the Detachment gone to South Carolina where stationed; and the Distance of each Garrison from Fort Loudoun.— Upon which the Council advised his Honor to order the commanding Officers of the Militia in Frederick, Fairfax, Prince William, Culpeper, Orange, Stafford, and Spotsylvania Counties, to march one third part of their Militia to Fort Loudoun immediately

The Governor communicated also a Letter from Edmond Atkin Esqr. dated at Winchester the 16th of this Instant, signifying that the Day before in the Forenoon he made his publick Speech at parting with the Cherokees of Wauhatchee's Party, that nothing could be more submissive than his Behaviour, nor was it possible for him to make greater Professions, or discover more Zeal than he did: That in the Afternoon he and his people being thirty eight in Number, set off, leaving five behind to go out to War again: That the Cherokees remaining there discover great Eagerness to go and meet the French. He desires to be enabled to perform his Engagements for fresh parties; that he wants to send for more Cherokees, and that Captain Bullen waits to carry his Passports for Catawbias.

The Governor was pleased likewise to communicate to the Board a Letter from Colonel Washington of the 12th Instant dated at Fort Loudoun, signifying he had received by Express from Fort Cumberland the agreeable News of Lieutenant Baker's Return there with five Scalps and one French Officer Prisoner, that two other Officers were also made Prisoners, but one being wounded and unable to march, the Indians killed him as they did the second in Revenge for the Death of the brave Swallow Warriour who was killed in the Skirmish

At a Council held August 2d 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

The Governor was pleased to communicate to the Council and to desire their Advice upon several Letters from the commanding Officers of Bedford, Halifax, and Lunenburg Counties, giving an Account of the distressed Circumstances and Situation of those Parts, and of several Murders committed lately by the Enemy, desiring his Honor's Orders and Directions for the better Security and Protection of the Frontiers. Whereupon it was the Advice of the Council that his Honor would signify to Colo. Read that two hundred Men of the Virginia Regiment had been already ordered up to Augusta, and direct him to write to the commanding Officer of Halifax to order out two Companies of the Militia in his County upon the Advice received of the Number of the Enemy in those Parts being confirmed

The Governor acquainting the Board that Captain Arbuthnot Commander of His Majesty's Ship Garland had fixed upon the 15th of September next for his Departure with the said Ship for London, it was the Advice of the Board and accordingly Ordered That an Embargo be laid on all Ships loaded with Tobacco

Ordered

That a Proclamation issue appointing the first Wednesday in next Month to be religiously observed as a general Fast, for obtaining Pardon of our Sins and imploring the divine Blessing on His Majesty's Arms.

Ordered

That a new Commission of the Peace issue for the County of Gloucester, and that the following Gentlemen be added vizt. Thomas Todd, John Peyton, John Wiat junr. and Matthew Whiting

Ordered

That a new Commission of the Peace issue for New Kent, and that Burwell Bassett, Edward Pye Chamberlayne, Lewis Webb, Francis Foster, William Armistead, and William Richardson Gentlemen be added, so that the Number of Justices do not exceed fourteen in all.

On the Petition of Rice Curtis Gent: Leave is granted him to include in one Patent two Tracts of Land already patented and adjoining, of Four hundred Acres each in Lunenburg near the Falls of Nottoway and the Falls Creek.

At a Council held September 22d 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from the Earl of Loudoun dated from New York September 9th signifying that His Majesty having ordered one of the Highland Battalions of a Thousand Men to South Carolina, he had given Orders to send back the Two hundred Men belonging to the Virginia Regiment now there, as soon as they can be spared, and had provided a Convoy for them to see them safe within the Capes of Virginia.

Also a Letter from Admiral Holburne dated Newark in Halifax Harbour the 10th of July, advising of his Arrival there with a Squadron of His Majesty's Ships to protect the Colonies, and Trade of his Subjects; desiring to be informed when he can be of Service, and praying his Honor's Assistance in procuring Men for the Ships which are deficient

Also a Letter from Governor Lyttleton, dated the 25th of August, signifying that one of the Companies of the Virginia Regiment is going to Georgia for the Protection of that Province.

The Governor likewise communicated to the Board a Letter of the 23d of August subscribed by the Emperor of the Cherokees and

four of the chief Warriours, complaining of not having their Fort garrisoned, and a Trade established according to Promise, upon which it was the Advice of the Council, that his Honor would assure them that a considerable Quantity of Goods has been sent for and is expected soon from England, and that they may depend upon having them shortly, with a proper Number of Men to garrison their Fort.

Also a Representation from the Inhabitants on the South Branch of Potomack of their distressed and dangerous Situation, and a Request of immediate Aid; Upon which the Council advised his Honor to direct Colo. Washington to give Orders for raising with all Expedition a hundred Men to serve as Rangers, and to be properly stationed for the better Protection of those Parts.

The Governor produced to the Board His Majesty's Licence and Pirmission to quit the Colony of Virginia, and return to Great Britain, upon Account of his bad State of Health.

Ordered

That new Commissions of the Peace issue for the following Counties vizt.

Spotsylvania, that Charles Dick be reinstated in his former Place, that Beverly Stannard, Lewis Willis, John Scandland Crane, William Smith, and Erasmus Wethers Allen, be added, and that John Thornton be, according to his Desire, left out.

Charles City, that Peter Royster, William Edloe, George Minge, and Philip Par Edmondson be added; and that John Hardyman, and John Edloe, who refuse to act, be left out.

Surry, That John Hutchings, William Short, Benjamin Beard, and Thomas Wilson be added; and that William Allen, and William Seward junr., who refuse to act, be left out.

At a Council held October 11th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell

Philip Ludwell Lee Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from the Lords of Trade, dated June 3d 1757 in the Words following

My Lord,

I am directed by the Lords Commissioners for Trade and Plantations to send you the enclosed Copy of the Resolutions of the House of Commons of the 23d of May last upon certain Resolutions of the Assembly of the Island of Jamaica on the 29th of October 1753, to the End that His Majesty's Subjects in the Colony under your Government may be fully apprized of the Sense of that House upon such extraordinary Claims

I am

My Lord,

Right Honble Earl of Loudoun
Governor of Virginia

}
}
}

Your Lordship's
most obedient and
most humble Servant
John Pownal

In Consequence of which Letter it was ordered that the following Resolutions of the House of Commons be inserted in the Virginia Gazette.

Copy of Resolutions of the House of Commons of the 23d of May 1757 upon certain Resolutions of the Assembly of the Island of Jamaica on the 29th of October 1753.

The Order of the Day being read for receiving the Report from the Committee of the whole House, to whom it was referred to consider further of the several papers which were presented to the House upon the 18th and 24th Days of February and the 17th Day of March in the last Session of Parliament, relating to the then Governor, Council, and Assembly of Jamaica, and of other papers referred to the said Committee.

Mr. Thomas Gore accordingly reported from the said Committee the Resolutions which the Committee had directed him to report to the House, which he read in his place, and afterwards delivered in at the Table, where the same were read, and are as followeth vizt.

“Resolved

That is the Opinion of this Committee that the Resolution of the Assembly of the Island of Jamaica contained in the Minutes of the said Assembly of the 29th Day of October 1753 in the Words following vizt.

Resolved

That it is the inherent and undoubted Right of the Representatives of the People to raise and apply Monies for the Service and Exigencies of Government and to appoint such person or persons for the receiving and issuing thereof as they shall think proper; which Rights this House hath exerted and will always exert, in such Manner as they shall judge most conducive to the Service of His Majesty and the Interest of his People, so far as the same imports a Claim of Right in the said Assembly to raise and apply publick Money without the Consent of the Governor and Council, is illegal, unconstitutional, and derogatory of the Rights of the Crown and People of Great Britain.

Resolved

That it is the Opinion of this Committee, That the Claim in the said Resolution of a Right in the Assembly, to appoint such Person or Persons for the receiving and issuing of publick Money as the said Assembly shall think proper, is illegal, unconstitutional, and derogatory of the Rights of the Crown of Great Britain

Resolved

That it is the Opinion of this Committee that the six last Resolutions of the Assembly of Jamaica of the 29th Day of October 1753, proceed from a manifest Misapprehension of His Majesty's Instruction to his Governor, requiring him not to give his Assent to any Bill of an unusual or extraordinary Nature and Importance, wherein His Majestys Prerogative or Property of his Subjects may be prejudiced, or the Trade or Shipping of this Kingdom anywise affected, unless there be a Clause inserted, suspending the Execution of such Bill, until His Majestys Pleasure shall be known; and that such Instruction is just and necessary; and no Alteration of the Constitu-

tion of that Island, nor any way derogatory to the Rights of his Subjects there."

The first Resolution of the Committee being read a second time, was, with an Amendment thereto, agreed to by the House and is as followeth vizt.

"Resolved

That the Resolution of the Assembly of the Island of Jamaica contained in the Minutes of the said Assembly of the 29th Day of October 1753 in the Words following vizt. 'Resolved, That it is the inherent and undoubted Right of the Representatives of the People to raise and apply Monies for the Service and Exigencies of Government, and to appoint such person or persons for the receiving and issuing thereof, as they shall think proper, which Rights this House hath exerted and will always exert in such Manner as they shall judge most conducive to the Service of His Majesty and the Interest of his People' so far as the same imports a Claim of Right in the said Assembly to raise and apply publick Money without the Consent of the Governor and Council, is illegal, repugnant to the Terms of His Majesty's Commission to his Governor of the said Island, and derogatory of the Rights of the Crown and People of Great Britain."

The second Resolution of the Committee being read a second time, an Amendment was made thereunto by the House.

The House was moved that the Entries in the Journal of the House of the 21st and 23d Days of December 1678, of the Proceedings of the House, in Relation to the Bill for granting a Supply to His Majesty for paying off and disbanding the Forces, might be read:

And the same were read accordingly

Then the said Resolution so amended was agreed to by the House, and is as followeth vizt.

"Resolved

That the Claim in the said Resolution of a Right in the Assembly to appoint such person or persons for receiving and issuing of publick Money as the said Assembly shall think proper, is illegal, repugnant to the Terms of His Majesty's Commission to his Governor of the

said Island, and derogatory of the Rights of the Crown of Great Britain.”

The last Resolution of the Committee, being read a second time, was agreed to by the House.

The Governor was pleased to communicate to the Board a Letter from their Lordships of the 9th of June, desiring him to take the proper and most effectual Method for obtaining an Account of the Quantity of Iron made in this Colony from Christmas 1749 to the 5th of January 1756, distinguishing each Year, and transmit the same to them with all possible Expedition. Whereupon it was Ordered

That the Clerk write to the Collectors and naval Officers requiring them to send forthwith to his Honor two exact Accounts of the Quantity of Iron which has been exported from their respective District during the Time abovementioned, and as directed, that he may be enabled to comply with the Request of their Lordships

His Honor also communicated to the Board a Letter from Colonel Washington dated Fort Loudoun October 3d inclosing a Return of their effective Strength, and how disposed of.—Also a Return of Provisions specifying the Time they will serve.—signifying that the recruiting a hundred Men will be a difficult Task.—that the Enemy continue their Devastations in those parts—that he is apprehensive the Cherokees will be influenced by the pressing Sollicitations of the French, who, by Accounts lately received and inclosed, are making them great Offers; and recommending Mr. Kennedy in the Room of Hamilton Quarter-Master who was run off.

At a Council held October 14th 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Richard Corbin

Philip Ludwell

Philip Ludwell Lee Esqrs.

Mr. Commissary

The Governor communicated to the Board a Letter dated this Day from the Honble Edmond Atkin Esqr. informing of his Trans-

actions in the Frontier parts, and the State of Affairs with the Indians; of his establishing the same Regulation with the Cherokees, as he had done before with the Catawbas at James Town; of his appointing on the 10th of June, Richard Smith, Interpreter and chief Conductor of the Cherokees at ten Shillings Currency per Diem; on the 25th of June, John Watts, Interpreter and Conductor of the same at eight Shillings; on the 11th of July, Thomas Rutherford, Conductor of the Catawbas, at five Shillings; and the 25th of July, Christopher Gist Esqr. Deputy to manage and transact whatever relates to the Parties of Indians that come to the Assistance of Virginia, at ten Shillings sterling, or twelve Shillings and six pence Currency per Diem; that he had deferred appointing a Commissary to take Charge of the Indian Presents, thinking it proper, upon the System of keeping the Indians out of the Settlements; that the same Persons should also provide Provisions for them; and inclosing a List of the Presents remaining and left in the Hands of Mr. Gist, together with his own Accounts stated with the Colony.

Ordered

That the said Accounts be referred to John Blair, William Nelson, and Philip Grymes Esqrs. to examine

The Governor acquainted the Board that a Negro Man, named Francois, had made his Escape from Fort Du Quesne, was now in Williamsburg, and had given some useful Intelligence in Regard to the Circumstances and Designs of the Enemy, and desired their Opinion if he was intitled to his Freedom; Upon which it was the Opinion of the Council and accordingly ordered, that the said Negro be manumitted and set free, and that the Clerk give him a Certificate thereof.

At a Council held October 18th 1757

Present

The Governor

John Blair
William Nelson
Philip Grymes
Peter Randolph

Richard Corbin
Philip Ludwell
Philip Ludwell Lee Esqrs.
Mr. Commissary

John Blair Esqr. reported that the Members appointed to examine the Accounts of the Honble Edmond Atkin Esqr. had examined the same, and were of Opinion that his Disbursements on Account of the Indians, and for Major Finnie's Expences, who attended him to Winchester, amounting to Three hundred and nine pounds, fifteen Shillings, and seven pence farthing, out to be paid by his Honor's Warrant on the Treasury; but that the Article of his own travelling Charges, and that of his Secretary with his Pay, amounting to Two hundred and ninety eight Pounds two shillings and three pence, tho' reasonable in themselves, he ought to apply to Lord Loudoun for the Payment of, as they are informed his Lordship has defrayed such Expences incurred in the like Service by Sir William Johnson; they find that of the above, he has had One hundred and fifty pounds.

Which Opinion was agreed to by the Board

The several Appointments made by Mr. Atkin were approved of, to be continued for one Year from the Time of their Appointment; the Appointment of a Commissary solely to take Charge of the Indian Presents, was judged unnecessary, the Board being of Opinion that the Deputy was sufficient for that Service, and might very well undertake it in Consideration of his present Allowance.

Mr. William Ramsay this Day in the Council Chamber agreed to find and provide for the Virginia Forces stationed in Frederick and Hampshire, and for six Women to be allowed to each Company, the following Provisions, at six pence per Day, for every Officer, Soldier and Woman, vizt. For every Man and Woman each one pound of Flour or Bread and one pound of Pork, or one pound and a half of Beef per Day; to furnish the Garrisons with Candles at six pence per pound; to take the Provisions remaining at Winchester and the Forts within the said Counties to his own Account and give the Government Credit for the same after the Rates following vizt. For every Bushel of Salt that shall be delivered to him at Winchester six Shillings; and at any of the out Forts, ten Shillings; for every Hundred pounds of Flour nine Shillings; for every pound of Bacon, three pence; for every pound of dried or pickled Beef, two pence half penny; for every hundred pounds

of Biscuit, twelve Shillings and six pence; to provide a sufficient Quantity of fresh Provisions for any Indians in Alliance with this Colony who shall come into either of the said Counties, upon Receipt of an Order from Christopher Gist for that purpose, at eight pence per Day for every such Indian; the said Ramsay to be at the Charge of transporting the Provisions to the different Forts or places in the said Counties as shall be appointed by Colonel Washington or the commanding Officer for the Time being; and of providing a Person at the different Fortifications to deliver out the Provisions at such time, and to such Person as shall be appointed by the commanding Officers: if the Provisions should fall into the hands of the Enemy as they are transporting, or if the Fort or Forts to which such Provisions shall be by the said Ramsay transported be taken by the Enemy, the Government is to pay for the same and the Carriage thereof; and if any of the Forts shall be evacuated to which he shall have transported any Provisions, in that Case such Provisions shall be from thence transported to such place as the commanding Officer shall appoint at the Charge of the Government: And it is further agreed that all the Provisions that shall be provided by the said Ramsay, shall, before they are received from him be inspected by any two Persons as shall be appointed by Colo. Washington or the commanding Officer for the time being; He is to have £1500 advanced to him, and the Contract to commence the first Day of November next, and to continue till the first Day of August 1758.

At a Council held October 20th 1757

Present

The Governor

John Blair

William Nelson.

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell Lee Esqrs.

Mr. Commissary

Upon reconsidering the Report of the Committee appointed to examine Mr. Atkins Accounts which was agreed to by the Board

the 18th Instant, the Council advised his Honor to give his Warrant for paying him the full Sum of Three hundred and nine Pounds, fifteen Shillings, and seven pence, farthing, without deducting one hundred and fifty Pounds advanced to him towards supporting the Expences of his Journey to Winchester.

The Governor desired the Opinion and Advice of the Council in regard to the People called Dunkers living in the most remote and uninhabited Part of the Frontiers, who are suspected of being in the Interest of the French. Upon which it was the Opinion of the Council that they ought to be obliged to come and reside among the Inhabitants in Frederick; and their Advice, that his Honor would direct Colonel Washington to order a sufficient Party of Men to conduct them in with their Cattle and Stock, and that it be signified to them, they will be reinstated in their Land upon a Peace concluded between us and the French.

At a Council held November 1st 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

Ordered

That new Commissions of the Peace issue for the following Counties vizt.

Gloucester, and that the four Persons added to the last Commission be left out, they having been recommended by a then Court, and it appearing upon a Representation made since, that the Business of the Court was carried on very duly before, and that such an Addition of Justices was unnecessary.

Isle of Wight, that Daniel Herring and Michael Eley be added, and John Applewate and Samuel Wentworth, who refuse to act, be left out.

Chesterfield, that John Markham, and William Watkins be added, and that two more than in the last Commission be of the Quorum.

Upon reading a Report of the Gentlemen appointed to examine the most convenient Place for holding Courts in the County of Loudoun, it is Ordered that the Clerk write to the Sheriff of the said County to signify to those Gentlemen, and all others concerned, that the same will be considered on Wednesday immediately following the next Court of Oyer and Terminer, and require their Appearance then in the Council Chamber at the Capitol.

On the Petition of Roger Atkinson Leave is granted him to take out an inclusive Patent for One thousand one hundred and ninety Acres of Land which have been long ago cultivated and improved, lying on the South Side of Appamattox River in Dinwiddie County.

The Account of Contingent Charges from the 25th of April 1757 to the 25th of October 1757, and for Work done to the Governor's House, being laid before the Board was allowed.

Upon reading this Day a Complaint made by Colo. John Thornton against Colo. John Spotswood for giving Military Commissions to Persons undeserving of them, and other Irregularities committed by him as County Lieutenant of Spotsylvania, it is ordered that the Clerk give Notice to the said Gentlemen to appear before the Governor in Council at the next Court of Oyer and Terminer, at which time the said Complaint will be inquired into.

The Governor acquainting the Board that Mr. Thomas Walker was willing and ready to enter into a Contract for supplying the Virginia Forces in Augusta with Provisions, the Council advised his Honor to contract with him upon the like Terms as Mr. Ramsay had engaged the 18th of last Month in the Council Chamber to supply the Forces in Frederick and Hampshire.

At a Council held November 5th 1757

Present

The Governor

John Blair

William Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

His Majesty's Letter dated the 18th of June last and countersigned by the Right Honble the Lords Commissioners of the Treasury, to the Governor acquainting him with Robert Cholmondeley Esqr. being appointed Surveyor and Auditor General of his Majesty's Revenues in America was communicated by his Honor to the Board, and read, and ordered to be register'd in the Council Office. A Copy of the Letters Patent was also produced, together with His Majesty's Warrant to the Receiver General for allowing to the said Robert Cholmondeley £150 per Annum for Incidents in the said Office of Auditor out of the Virginia Quit-Rents to commence from the 5th of February 1757.

Ordered

That the Assembly be prorogued to the third Thursday in February next, and that a Proclamation forthwith issue for that Purpose.

Ordered

That a new Commission of the Peace issue for Bedford, and that Richard Stith, John Talbot, and Joseph Renfro Gentlemen be added.

Ordered

That a new Commission of the Peace issue for Henrico, that Ryland Randolph, Isaac Younghusband, and Joseph Lewis Gentlemen, be added, and that Isaac Winston junr. and John Williams be left out.

On the Application of Augustine Washington Gentleman in Behalf of himself and other Adventurers in Iron Works, praying Leave to import from Maryland Bar and Pig Iron of that Province,

without being obliged to pay the Port Duties or other Fees chargeable on Vessels importing Goods and Merchandize, It is accordingly ordered that the Naval Officers of the several Districts into which any Iron shall be imported do not require the Port Duties or other Fees, except for a Permit only, for any Vessels importing Iron from Maryland here, so as such Vessel do not carry any other Goods and Merchandize

The following Warrants on the Receiver General to be paid out of His Majesty's Revenue of 2s. per Hhd Port Duties &c: were signed by the Governor in Council.

For Half a Year's Salary to the Governor	£1000.0.0
For Ditto to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Ditto to the Sollicitor of Virginia Affairs	100.0.0
For Ditto to the Attorney General	35.0.0
For Ditto to the Clerk of the Council	50.0.0
For Ditto to the Adjutants	120.0.0
For Ditto to the Armourer	6.0.0
For Ditto to the Gunners of the Batteries	18.10.0
To Ministers attending one General Court	8.0.0
For Repairs to the Governor's House	10.0.0
For Contingent Charges	656.12.5
On the Revenue of Quit Rents	
For Half a Years Salary to the Attorney General	35.0.0

The Account of His Majesty's Revenue of 2s. per Hhd Port Duties &c: from April 25th to October 25th 1757 being examined by the Deputy Auditor and made Oath to by the Receiver General, was certified by the Governor as usual.

The Governor observing to the Board that His Majesty had been impowered by Parliament to grant Fifty Thousand pounds as a pecuniary Aid to the two Carolinas and Virginia to be distributed according to the Earl of Loudoun's Approbation in Proportion to the Services of the several Provinces interested therein, proposed that a Committee be appointed to draw up a Representation to his

Lordship setting forth the many large Supplies raised by this Government since the Commencement of the War with France towards promoting His Majesty's Service, whereby his Lordship may be better enabled to judge what Part of the said Aid this Government is justly intitled to. Which was approved of by the Council, and it was referred to William Nelson, Richard Corbin and Philip Ludwell Lee to prepare the same.

At a Council held November 12th 1757

Present

The Governor

John Blair

Peter Randolph

William Nelson

Philip Ludwell

Philip Grymes

Philip Ludwell Lee

John Tayloe Esqrs.

The Account of His Majesty's Revenue of Quit Rents for the Year 1756, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor as usual.

The Governor communicated to the Board a Letter from Colo. Washington dated Fort Loudoun November 5th signifying that the Cherokees demonstrated the sincerest Disposition to espouse our Cause, which if duly rewarded would probably effect a favorable Change in the Situation of our Affairs in those Parts, and the bad Consequences which would arise from the Indian Service being obstructed by the Want of Goods and Money.

Also a Letter from Mr. Gist dated from Winchester November 4th informing that Thirty Cherokees from Chota and Tellico were then there, that a Party of them had been in Pursuit of the Enemy, that they overtook three, two of them they scalped and wounded the third, and signifying his being without an Interpreter, and in Want of Supplies for transacting the Service; adding, that the Catawba Indians are determined to be here early in February next, and purpose to come and settle on the Frontiers of this Colony, and invite him to live with them.

Upon which it was the Advice of the Council that his Honor would be pleased to send £100 to Mr. Gist for purchasing Liquor and other incidental Necessaries for the Indians.

William Nelson Esqr. reported that the Gentlemen appointed had prepared a Letter to Lord Loudoun, representing the Supplies granted by this Government for His Majestys Service; which was read and approved of and ordered to be fairly transcribed.

The Governor proposed that a Committee be appointed to prepare a Letter of Thanks from this Board, to Mr. Secretary Pitt, and Mr. Legge, Chancellor of the Exchequer, for the Zeal with which they have exerted themselves in serving the American Colonies in general, and Virginia in particular; which being approved of was referred to John Blair, Philip Ludwell Esqrs. and Mr. Commissary.

At a Council held December 14th 1757

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee
Philip Grymes	John Tayloe Esqrs.
Peter Randolph	Mr. Commissary

The Governor produced to the Board a Letter from Colo. John Spotswood dated the 5th Instant signifying that according to his Honor's Orders he had taken away the Commissions of Benjamin Pendleton and Charles Lewis, which he inclosed with his own, and desiring Leave to resign all public Posts, and adding in a Postscript that Aaron Bledsoe was moved out of the County, and that Thomas Estis refused to give up his Commission. Upon which the Governor desired the Opinion of the Council whom he should appoint County Lieutenant in the Room of Mr. Spotswood, and they recommended Mr. Fielding Lewis.

The Letter to Lord Loudoun which was read and approved of last Council, was produced fairly transcribed, and again read, and subscribed by all the Members present.

His Honor laid before the Board an Account of sundry Things in the Governor's House, which he recommended to the Council to purchase, that they might remain on the Premises, which was consented to.

Upon reading a Petition of the Society for managing the Missions and Schools among the Indians, supported by the Societies of London and Edinburgh, setting forth, that they being impowered to support two Missionaries and two English Schools among the Cherokees, or other Indian Tribes to the Southward, had accepted of the Offer of the Reverend Mr. John Martin, who was regularly ordained as a Pesbyterian Minister, and qualified according to Law in the General Court, and had expressed his Willingness to undertake that Service; and praying his Honor's Recommendation to introduce him and to promote an Undertaking of such Importance. Upon which his Honor, by the Advice of the Council, promised to write a recommendatory Letter in Favor of Mr. Martin to Governor Lyttleton, and desire him to favor with his Encouragement a Work, which if duly managed, cannot fail of being productive of the greatest Good.

The Governor acquainting the Board that he had taken his Passage with Captain Crookshanks, who, for his better Accommodation had agreed to leave out fifty Hogsheads of Tobacco, the Council on Consideration thereof, were pleased to order the Receiver General to pay his Honor Three hundred pounds sterling to satisfy the Captain for the Loss of so much Freight.

At a Council held at the Governors December 15th 1757

Present

The Governor

John Blair

Richard Corbin

Philip Ludwell

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

The Journals were thus far read in Council, and approved, and the Clerk was ordered to make out a fair Transcript of them in time for the Governor to take Home with him.

At a Council held December 22d 1757

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell Esqrs.

Mr. Commissary

The Letters of Thanks from this Board to Mr. Secretary Pitt and Mr. Legge, for their Services to the American Colonies, were this Day produced, and read and approved of.

Ordered

That the Clerk prepare fair Copies of them for the President to sign. The President then addressed the Governor in the following Words

Sir.

We, His Majesty's loyal and faithful Subjects, the Council of Virginia, from a just Sense of the many Obligations you have laid upon us, beg Leave to present you with this Address; and to express the real Concern we feel that your Health does not permit us longer to enjoy the happy Effects of your governing this Colony. As our Station has made us most intimately acquainted with your Conduct, we think it our Duty on this Occasion, to acknowledge with all Thankfulness, your constant and unwearied Application in the most arduous Concerns of your King and Country. The Interest of Great Britain, and the Safety and Prosperity of the Colonies, have been the great Objects of your Attention, during the whole of your Administration.

We cannot part with your Honor without wishing you a safe and prosperous Voyage; the Re-establishment of your Health; the Approbation of our gracious Sovereign, and the just Reward of your long and faithful Services.

To which his Honor was pleased to return this Answer
Gentlemen of the Council,

I return you my sincere Thanks for your kind and affectionate Address. Your friendly Observation of the Fatigues I have under-

gone in the Discharge of my Duty gives me a sensible Pleasure, and at the same time makes me reflect on your constant Attendance in Council, and your very cordial Advices on the different parts of my duty, which made me the more easy and regular therein, for which I acknowledge my Obligations to you. I return you my hearty Thanks for your good Wishes for my Passage Home, and your other kind Desires and Expressions for my Reception there. With great Sincerity I wish this Colony much Happiness, and you Gentlemen, in particular, Health and Felicity, assuring you, that I shall always be ready to do you any Service in my Power.

A true Copy

N: Walthoe Cl. Con.

At a Council held at York, January 2d 1758³¹

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from Lord Colville dated Northumberland at Halifax the 14th of Novemr. advising of his being appointed Commander in Chief of His Majesty's Ships and Vessels in North America, subjoining a List of the Ships in that Harbour, and requesting a Supply of Seamen to recruit the Ships under his Command.

Also a Letter from Admiral Holburne dated Newark, Halifax Harbour Octor. 1757. Signifying it is not in his Power to oblige his Honor by ordering one of the King's Ships to accommodate him and his Family with a Passage to England, and is in no Condition at present to spare any Ships for the Protection of the Colonies, but that before he leaves America he shall endeavour to contrive Matters so as to send some armed Vessel that may protect the Coast of Virginia from the Depredations of Privateers.

31. The text of this Journal, January 2, 1758-May 8, 1760, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1429, ff. 165-203.

Also a Letter from James Abercrombie Esqr. dated the 9th of August, informing of his Intention to make an Application to Parliament next Session for the free Importation of Salt; that if this Government approves thereof, they must send him timely Instructions to support the Application, also a proper Credit to defray the Expence thereof; that the Merchants complain of a Money-Bill passed lately without bearing Interest, at the same Time making it a Tender in Law; which he fears will be repealed, and desiring his Honor to communicate those Matters to the Gentlemen of the Council and Assembly, for their Instructions thereon.

At a Council held Jany. 12th 1758

Present

The Honble John Blair Esqr. President

William Nelson

Philip Ludwell Esqrs.

Thomas Nelson

Mr. Commissary

Mr. President this Day took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Supremacy, the Oath of Abjuration, and subscribed the Test; was also sworn duly to observe the Acts of Trade, and faithfully to discharge the Office of Commander in Chief of this His Majesty's Dominion of Virginia, and then was pleased to express himself in the Words following

Gentlemen of the Council,

As by the Departure of our truly worthy Lt. Governor, the Honble Robert Dinwiddie Esqr. before the Arrival of the Honourable Colonel Young (whom we may soon expect to succeed him) the Administration of the Government for that Interval is, by the Death of our late worthy President in Septemr. last, devolved on me, I comfort myself that under this new and arduous Task, I shall be well assisted by your wise and prudent Counsels in all difficult Emergencies, which I must therefore call for, as Occasion offers, and shall make the Rule of my Conduct. But as this is like to be but short, and in a Season of less Activity, I hope I shall not have

frequent Occasions to call you from Home, during the Rigour of Winter; but that His Majesty's Interests in this Colony may, under the Influence of my Lord Loudoun, go quietly on, during my short Intromission.

Order'd That a Proclamation immediately issue for continuing all publick Officers in their respective Places.

The President acquainting the Board it was signified by a Letter from Col Read that the Forces stationed at the Forts in Augusta were in Want of Powder and Lead, and that he would send to the Glebe on James River, for any Quantity which should be ordered there; the Council advised his Honor to give Orders for sending to the said Place Six Barrels of Powder, and One Ton of Lead.

The President informing the Board that great Arrears were due to the two Companies of the Virginia Regiment now in South Carolina that Transports had been order'd to bring back, and desiring their Opinion what would be the best Method to take to discharge them; it was the Opinion of the Council that as Bills were difficult to be purchased, at this time of the Year, the most adviseable Way was to send a sufficient Quantity of Flour and Bread to So. Carolina, in the Transports to raise Money for that Purpose, which had been before practised.

At a Council held January 24th 1758

Present

The President

William Nelson
Thomas Nelson
Philip Grymes
Richard Corbin

Philip Ludwell
Phil: Lud: Lee
John Tayloe Esqrs.
Mr. Commissary

The President was pleas'd to communicate to the Board a Letter from Edward Clarke Esqr. Commander of the Ludlow Castle, dated January 10th advising of his having received Orders from Vice Admiral Holbourne to repair to Halifax early in the Spring.

The President desired the Advice of the Council in regard to

garrisoning the Fort in the Cherokee Country. Upon which the Council advised his Honor to signify to Lord Loudoun the Engagements we were under to that Nation, and the Money which had been granted by the Assembly to enable us to fulfil them; and that if his Lordship approved of garrisoning that Fort, we would pay the £3000 appropriated to that Use towards it; if not, we would garrison it with Sixty Men in the Spring, when we expect to send out a Cargoe to the Value of £5000 Sterling, to carry on a Trade with them agreeably to their Desire, and in order to encourage their steady Adherence to us, and that on such easy Terns, that no more than the Expence of replacing the Principal in London is proposed.

His Honor communicated to the Board a Letter from Mr. Benjamin Stead, dated South Carolina Novemr. 30th 1757, informing he had paid the Virginia Troops May, June, and July, and that he had not in Hand wherewithal to make any further Payment, and inclosing a State of the Account with him, by which this Government stands indebted to him £1060 that Currency—Also his Letter in answer to Mr. Stead, assuring him if our Remittance now, should fall short, the Deficiency should be made up to him by Bills of Exchange in April or May next to his Order in London.

Upon reading a Paragraph of a Letter from Mr. Read of Lunenburg, wherein he desired some Person to be appointed to lay in Provisions for the Use of the Indians who march backwards and forwards, and will make that Place their Stage; it was the Advice of the Council that his Honor would recommend that Service to Mr. Read upon the same Terms as Mr. Walker had contracted to supply the Forces in Augusta.

Order'd

That the General Assembly which stands prorogued to the Third Thursday in February, be further prorogued to the last Thursday in April, and that a Proclamation forthwith issue for that Purpose.

At a Council held February 17th 1758

Present

The President

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The President communicated to the Board two Letters from Lord Loudoun, dated, New York, the first of the 25th of December, informing he had received Letters from the Marquis de Vaudreuil, proposing to settle a Cartel for exchanging Prisoners, and desiring a List to be made up of such as are now in Virginia, and transmitted to him; adding he doubts not his Honor's using his best Endeavours to keep up the Force we had last Year: The Second, of the 17th of January in answer to the Address of the Council the 14th of December in Relation to £50,000 granted by Parliament, signifying he had not received any Account from the King's Ministers, either of the granting of that Money, or his being to have any Share in the disposing of it, and assuring that if the Division of that Money is intrusted to him, he shall make the Rule of Equity his Guide in it.

Also a Letter from the Secretary of State, dated the 16th of Septemr. 1757, signifying His Majesty's Pleasure, upon divers Complaints from the King of Spain, of Violences and Depredations committed by His Majesty's Subjects against those of Spain; that the Observance of the additional Instruction to all Privateers, given October 1756, be enforced with the utmost Vigor, and that the Commanders of all such Ships and Vessels as may have Letters of Marque, or Commissions for private Men of War against France, be strictly forbid to disturb or molest, in their Navigation, any spanish Ship bound to a Port of Spain in America, under Pretence of Contraband, which cannot exist, as no Effects of any Kind carried by a Nation to its own Ports can in any Case, fall under that Description.

Order'd

That a Proclamation immediately issue agreeably thereto.

His Honor was pleased also to communicate to the Board, a Letter from Mr. Christopher Gist, dated, Winchester, January the 31st inclosing a Return of the Indian Service from the Time that Business came into his Hands till the 31st of Decemr. last; also his Account against the Government to the 14th of January, with the Accounts of many of the Country People for Goods and Provisions supplied the Indians; and desiring that proper Supplies of Goods may be order'd and Cash sent to defray the necessary Charges.

Upon which the Council advised his Honor to issue his Warrant upon the Treasurer for the Payment of the said Accounts, and for Three Hundred Pounds to purchase Goods and defray incidental Charges.

Order'd

That Mr. Boyd the Paymaster have an additional Allowance, of Two Shillings and six Pence per Diem, for his extraordinary Trouble in paying the Companies of Rangers.

At a Council held March 7th 1758

Present

The President

William Nelson

Philip Grymes

Thomas Nelson

Peter Randolph

Richard Corbin Esqrs.

The President communicated to the Council, and desired their Opinion and Advice upon a Letter from the Earl of Loudoun, dated February 13th requesting Eight Hundred of the best Troops we have, over and above what is necessary to be left for the Defence of the Dominion, to act in Conjunction with His Majesty's Forces for the immediate Benefit and Security of this Province, proposing that the new Recruits it may be necessary to raise should be dismiss'd by the End of the Campaign: Also signifying he is endeavouring to collect a large Body of the Cherokees for this Service, and to assist in bringing them out, has sent Mr. Byrd to So. Carolina, who will probably come along with them to Winchester where he has appointed their Rendezvous; desiring the President to send off Interpreters to the upper Cherokee Towns to warn the Chiefs to go to the Meeting to be held as soon as possible at Keowee, and that they should go prepared for an Expedition—That he has writ to Governor Dobbs to furnish Provisions for them in their March thro' that Province; and desires his Honor to take Measures with the Council and Assembly towards providing live Cattle, or other Provisions for them in their March, thro' this Dominion, till they

arrive at Winchester, where they will be supplied with the King's Provisions.—Upon which it was the Opinion of the Council that convening the Assembly on this Occasion was unnecessary, and would only subject the Country to a fruitless Expence, as they judged his Lordship's Request might be complied with by the present Laws, and that proper Measures had been already taken for supplying any Body of Indians, who should come to our Assistance, with Provisions: And it was their Advice that the President would direct Col Washington to have the Regiment under his Command in Readiness to join His Majesty's Forces for the intended Service, and to order the Captains whose Companies are defective, to compleat them as expeditiously as possible: They also advised his Honor to cause the several Forts to be garrisoned by the Militia; and to dispatch Abraham Smith Interpreter, as desired, to the upper Cherokee Towns; and to issue a Proclamation requiring all Officers civil and military to put the Laws strictly in Execution against Deserters, and promising a Pardon to all such as shall return to their Duty, and join the Regiment by the Tenth Day of April next.

At a Council held March 21st 1758

Present

The President

William Nelson
Thomas Nelson
Philip Grymes

Peter Randolph
Philip Ludwell Esqrs.
Mr. Commissary

The President communicated to the Board two Letters from Mr. Secretary Pitt, both dated the 30th of December, the one advising that His Majesty had thought proper the Earl of Loudoun should return to England, and had been pleas'd to appoint Major General Abercrombie to succeed his Lordship as Commander in Chief of the King's Forces in North America; also signifying His Majesty's Pleasure that in Case the Commander in Chief of the said Forces shall at any Time apply to lay an Embargo on all Ships within this Colony, his Honor strictly comply with the said Request. The other signifying the King's Pleasure, that his Honor forthwith use his

utmost Endeavours and Influence with the Council and Assembly, to induce them to raise with all possible Dispatch, as large a Body of Men within the Government as the Number and Situation of Its Inhabitants may allow, to be in Readiness as early as may be to march to the Rendezvous at such Place as shall be named, in order to proceed from thence in Conjunction with a Body of His Majesty's British Forces, under the supreme Command of Brigadier General Forbes.

Whereupon it was the Advice of the Council, and accordingly Order'd

That the Assembly meet the 30th of this Instant, and that Proclamations forthwith issue for that Purpose.

At a Council held March 30th 1758

Present

The President

William Nelson

Peter Randolph

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The President communicated to the Board a Letter from Major-General Abercrombie, dated New York March 15th notifying his being appointed by His Majesty to succeed the Earl of Loudoun as Commander in Chief of the King's Forces in North America with the same Powers and Authorities. Also fixing the Number of Provincial Troops that may be wanted for His Majesty's Service in these Quarters to Six Thousand, to be furnished by Virginia,³² Maryland, and Pennsylvania, in such Proportions, and upon the Terms set forth in Mr. Secretary Pitt's Letter of the 30th of Decemr. And acquainting that it is absolutely necessary for His Majesty's Service that an immediate Embargo should be laid on all Ships in the Different Ports of the respective Provinces in North America, not doubting but upon Receipt of his Letter, his Honor will forth-

32. The *Minutes* for this date describe General Abercromby's letter as "recommending to his Honor to use his Endeavours with the Council and Assembly to induce them to raise men."

with publish the said Embargo, which is to hold good, until such Time as he receives Notice from him to take off the same, which he may depend on being transmitted to him as soon as His Majesty's Service will allow of it; and desiring the earliest Notice of the Success of his Application to the Assembly.

Upon which it was the Advice of the Council, and accordingly Order'd That a Proclamation immediately issue for laying an Embargo upon all Shipping till further Orders given.

At a Council held April 5th 1758

Present

The President

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

John Tayloe Esqrs.

Mr. Commissary

The President communicated to the Board a Letter from Major General Abercrombie, dated New York, March 22d requiring him to take proper Measures for impressing and securing all Kinds of Provisions for the Army under his Command, and to have them valued, and to permit Vessels to go with the same to New York,³³ the Masters giving Bond and Security to return a Certificate of their being landed in that Port.

Also a Letter from Brigadier General Forbes, dated New York March 1758, signifying his being appointed to the Command of the King's Regular Forces and Provincial Troops who are to be employed this ensuing Campaign to the South of Pennsylvania included, requesting that the Officers and Soldiers employed for the Service, be able bodied good Men—that a Number of Carpenters and Axemen be sent; and Fifty Men mounted upon tight serviceable Horses³⁴ and every Way accoutred to serve in Conjunction with

33. The *Minutes* for this date record that General Abercromby's letter required that vessels be allowed to carry provisions to New York "notwithstanding the Embargo."

34. The *Minutes* include the brief entry "Forrage and Oats or Corn for the Horses," which seems to refer to feed for the mounts of the Virginia men desired by General Forbes.

those to be furnished by the other Provinces as a Body of Light-Horse—expecting that the Virginia Officers and Men will be in Readiness at Winchester by the 20th of April—Each effective Man to be allow'd at the Rate of 4d. st. per Day, in Lieu of Provisions until such Time as Provisions shall be deliver'd, which he will pay.

Upon which it was the Advice of the Council that his Honor would send down the said Letters to the House of Burgesses, and desire them to enable him to comply with the Requests therein mention'd.

At a Council held April 11th 1758.

Present

The President

William Nelson
Thomas Nelson
Philip Grymes
Peter Randolph

Philip Ludwell
Philip Ludwell Lee
John Tayloe Esqrs.
Mr. Commissary

The President communicated to the Board a Letter from Col. Read,³⁵ dated April 10th giving an Account of many Robberies and Murders committed lately in Bedford and Hallifax, upon which it was the Advice of the Council, and accordingly order'd, that Captain Hog's, and Captain Rutherford's Companies of Rangers be divided into four Bodies, to range on the So. Western Frontiers, as the Service shall require, and as shall be directed by the Commanding Officers of those Counties.

At a Council held April 28th 1758.³⁶

Present

The President

William Nelson
Thomas Nelson
Philip Grymes
Peter Randolph

Richard Corbin
Philip Ludwell
Phil: Lud: Lee
John Tayloe Esqrs.

Mr. Commissary

35. The *Minutes* for this date identify Read as Colonel Clement Read.
36. See page 677 for the *Minutes* of April 12, 1758.

Upon the Petition of James Johnson, Hugh Miller, and Thomas Yuille Merchants, setting forth that their Ship Nancy of Three Hundred Tonns Burthen, with Eighteen Guns and Thirty Men, William Dickson, Master, being loaded for the West Indies, with Pork, Corn, and other perishable Commodities, and having fallen down as low as the Naval Office of the upper District on James River, the said Master two Days before any Notice of the present Embargo had reach'd the said Office, applied with a true Manifest of the said Ship's Lading, in order to obtain a proper Clearance, but the Clerk of the Naval Officer, who happen'd at that Time to be from Home, refused, for Reasons unknown to the Petitioners, to clear the said Ship, and Cargo, altho' Bond for returning a Certificate in due Time had been before given, and all other Requisites complied with, and praying the Directions of the Board to the Officers, to clear out the said Ship. The Board being satisfied of the Truth of Allegations in the said Petition, it is order'd that the Officers be required to grant a Clearance for the said Ship and her Lading, agreeable to the Manifest presented at the Time of making the above mention'd Application.

On the Petition of John Wayles Gent. Leave is granted him to include several Tracts of Land, lying contiguous in the County of Cumberland, amounting in the Whole, as appears by the several Patents, to Three Thousand Seven Hundred and Fifteen Acres, in one Survey, and to have an inclusive Patent for the Whole.

At a Council held May 1st 1758

Present

The President

William Nelson
Thomas Nelson
Philip Grymes
Richard Corbin

Philip Ludwell
Phil: Lud: Lee
John Tayloe Esqrs.
Mr. Commissary

The President communicated to the Board a Letter from Sir John St. Clair, dated Philadelphia April 24th signifying General Forbes will do what he can, to procure Arms for our Thousand

Men, but recommends to his Honor to give some small Gratuity to those Men who can furnish their own Arms, which Expenche he will see made Good to this Province—desires what Arms are in our Store may be given out as far as they will go—that Stages for Horses be laid—and that if we should not be able to appropriate a Fund for that Service, the Expenche of these Horses will be settled after the Campaign.

Also a Letter from Colonel Washington, dated, Fort Loudoun, April 24th signifying he can by no Means think of executing willingly the discretionary Power his Honor was pleas'd to invest him with of ordering out the Militia—that there is not a Subaltern there but would rather quit the Service than accept of a Company in the new raised Regiment; and that he has neither Inclination or Power to force their Compliance—that Captain Rutherford's Company of Rangers can do more useful Service where they are posted than any other Men whatever, being well acquainted with the Woods on those Frontiers, and believes they will rather desert than go to the So.ward—that he shall use his best Endeavours to compleat the Regiment with what Officers can be spared—And that he shall be under a Necessity of sending down for Money to carry on that Service, which he desires may be got ready immediately.

At a Council held May 2d 1758

Present

The President

William Nelson

Richard Corbin

Thomas Nelson

Philip Ludwell

Philip Grymes

Phil: Lud: Lee

Peter Randolph

John Tayloe Esqrs.

Mr. Commissary

The Board considering the Difficulties raised about Captain Rutherford's marching with his Company of Rangers to the So.ward, according to the President's Orders and that the said Company was not raised in a Manner conformable to Law, it was the Advice of the Council that his Honor would discharge the said Company,

but employ the Men notwithstanding, as Part of the Militia, in garrisoning some of the Forts.

It was also their Advice that his Honor would order out half the Number of the Militia from the adjacent Counties to garrison the Forts, which the Virginia Forces there station'd consisted of.

The Account of Contingent Charges from the 25th of Octor. 1757, to the 25th of April 1758; and for Work done to the Governor's House being laid before the Board, was allowed.

At a Council held May 3d 1758

Present

The President

William Nelson

Richard Corbin

Thomas Nelson

Philip Ludwell

Philip Grymes

Phil: Lud: Lee

Peter Randolph

John Tayloe Esqrs.

Mr. Commissary

Upon a Motion made and agreed to for Reasons appearing to the Board, it is Order'd that the Consideration of establishing the Court-House for Loudoun County, be postponed to the Day after the next Court of Oyer and Terminer, and that the Clerk write to the Sheriff requiring him to give Notice to the Parties concerned to attend.

The Board considering the extraordinary Charges of maintaining Six Men at Fort George, and the small Service they were of, it is order'd that hereafter only two Men be employ'd at that Fort, and that the same be signified to Capt. Walker, and that he be at the same Time informed, even those Men, unless they can be hired on easier Terms than they have been hitherto, will be discontinued.

At a Council held May 6th 1758

Present

The President

William Nelson
Thomas Nelson
Philip Grymes
Peter Randolph

Richard Corbin
Philip Ludwell
Phil: Lud: Lee
John Tayloe Esqrs.

Mr. Commissary

Order'd

That a Proclamation issue for appointing the first Wednesday in June to be religiously observed as a general Fast, for imploring the Blessing of God on His Majesty's Arms.

The following Warrants on the Receiver General, to be paid out of His Majesty's Revenue of 2s. per Hhd Port Duties &c. were sign'd by the President in Council.

For Half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Do. to Solicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	35.0.0
For Do. to Clerk of the Council	50.0.0
For Do. to the Adjutants	120.0.0
For Do. to the Armourer	6.0.0
For Do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court and Assembly	22.0.0
For Repairs to the Governor's House	10.0.0
For Contingent Charges	658.16.1 B
On the Revenue of Quit-Rents	
For Half a Year's Salary to the Attorney General	35.0.0

The Account of His Majesty's Revenue of 2s. per Hhd Port Duties &c. from the 25th of October 1757, to the 25th of April 1758, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the President.

At a Council held May 19th 1758

Present

The President

William Nelson

Philip Ludwell Esqrs.

Thomas Nelson

Mr. Commissary

The President communicated to the Board Minutes of a Council of War held by the Officers of Halifax, representing the distressed State of the County, and that the greater Part of the Inhabitants will quit their Plantations unless speedily and effectually defended; inclosing a List of the Number and Names of the People killed and captivated there since the 25th of March, amounting to forty seven; with Proposals to settle several Families on the Frontier Part of the County, in four Townships, if so be they shall be properly protected.

The Council considering the Circumstances of the said County, and approving of the Proposals for the People associating in Townships, advised his Honor to give Orders for drafting Eighty Men out of Lunenburg to guard the Four Townships, provided the said Scheme be carried into Execution, and not less than Ten Families settled together, and that Eighty Men be raised by Halifax, and divided into two Bodies to be commanded by Captain Robert Wade and his Lieutenant, to range above them; and that they be continued in the Service as long as it shall be judged necessary.

Upon reading two Letters from Capt. Hog in Augusta, the one of the 7th of April, giving an Account of two Forts in that County being destroyed by the Enemy, and the third Part of his Company cut off; the other signifying that the Inhabitants were with Difficulty prevailed on to continue on their Farms near the Gap where his Company is posted, and had declared their Intentions to move off, if the Company was withdrawn: Also a Petition of the Inhabitants under the North Mountain, and of Shenando, between the said Mountain and the Blue Ridge, setting forth the imminent Danger they are exposed to, and praying immediate Aid and Protection. The Council having taken under their Consideration the present un-

happy Situation of the People in those Parts of the Country, advised the President to order Capt. Hog to augment his Company to a Hundred Men, to be station'd at Brock's Gap, Dry-River Gap, or such other Places, as he with the Approbation of the Commanding Officer in the County shall judge most convenient; that the Forts destroy'd, if thought necessary by them, be constructed again, in the Manner proposed by Mr. Maddison; and that his Honor would require the Captains of the Rangers, and of the Militia on Duty to transmit to him regular Returns, and a particular Account of their Proceedings.

The President was pleas'd to lay before the Board a Letter from General Forbes, dated Philadelphia, May 2d signifying he believes a Proposal will be made to his Honor by Governor Sharpe, to make the Maryland Troops now on Foot, about Three Hundred Men, enter into the Pay of this Government, as he is afraid they will do Nothing, either as to Men, or Money; which Proposal he thinks will be agreed to, being of Opinion it will be next to impossible to raise the Men that have been order'd here, at least in Time to be of any Service: Adding what Match-Coats are wanted, he will endeavour to provide, and has order'd Three Hundred to be got ready. Upon which the Council were of Opinion, it would be proper for his Honor to inform General Forbes, that there is no Doubt of raising our Complement of Men, and of their being at Winchester in due Time, and consequently that we shall not be under any Necessity of taking the Maryland Troops into our Pay.

Also a Letter from Col Byrd, dated Keawee, April 30th informing when he came to Keawee, he found upwards of Four Hundred Men were gone off to Virginia—that he has been over great Part of the Nation and met with many Disappointments—that he shall march the next Day from Keawee with Sixty Warriors only; some of his Party which consisted of a Hundred and are the Flower of the Nation chusing to join the Overhills People—that he has great Reason to expect Two Hundred Men from above, and has sent a Gentleman, Mr. George Turner, to conduct them to Winchester, where he hopes to be himself by the last of May—that to induce those Indians to go with him, he was obliged to promise them a

Reward of Goods to the amount of 40Wt. of Leather to each Man at Winchester, to make them Amends for the Loss of the Summer-Hunt—and intreating his Honor to order proper Stores there for that Purpose that they may not be disappointed; recommending the like Reward to all the Savages who are serviceable to the Army—adding that he took this Step in Consequence of Lord Loudoun's desiring him to use his utmost Endeavours to carry as many as possible to the Assistance of His Majesty's Forces.

Which Letter being read, it was the Advice of the Council that the President would acquaint Sir John St. Clair with the Contents thereof, that he may be prepared for the Reception of the said Indians.

The President was likewise pleas'd to communicate a Letter from Mr. Charles Turnbull dated the 14th of May, signifying Col. Byrd recommended to him to give his Honor a Scheme for such Goods as will be proper for the Indians, which he shall be ready to do when required—that as few of the most material Articles are to be got at Petersburg or Williamsburg, he is willing, if it shall be approved of, to go to Suffolk or Norfolk to buy them and send them by Water—that he has already procured Blankets, laced Cloaths, and some Hats, according to Mr. Byrd's Request, which with what else he can provide there, he shall send in a Waggon.

Upon which the Council were of Opinion that as considerable Quantities of Goods had already been sent to Winchester for the Indians who came off before Col Byrd got to their Nation, and large Sums of Money sent to Mr. Gist to buy Guns, Silver Plates, Wampum, Matchcoats, and what else might be wanting for them from Pennsylvania, there was no Occasion for Mr. Turnbull, to proceed to Suffolk or Norfolk to purchase Goods for the Indians—that what he has already procured by Mr. Byrd's Order, he may send to Winchester, and must be paid for; but it was their Advice that his Honor would refer him for Payment to General Forbes, as Lord Loudoun sent for these Indians, and required no more of us than to supply them with Provisions in their March to Winchester, when they enter'd Virginia.

At a Council held May 20th 1758

Present

The President

William Nelson

Philip Ludwell Esqrs.

Thomas Nelson

Mr. Commissary

The President laid before the Board several Letters from Col. Read, Col. Talbot and others informing that some of the Cherokees in their Return Homewards had robb'd and plunder'd many People in Bedford, and thereby provoked some of the Militia to pursue them in order to recover Part of what they had forcibly taken away; that in Consequence thereof, and on their refusing to deliver up some Horses, and firing at, and killing one of our People, several Engagements ensued, in which some on both Sides were killed; and that it is fear'd by Runners sent off large Numbers of the Indians may come back from Winchester to take Revenge.

Upon which the Council advised his Honor to give immediate Intelligence thereof to Sir John St. Clair, Col. Washington, and Mr. Gist, and desire them to prevent the Return of any more of the Cherokees, till the Matter can be clear'd up and accommodated; that if they should insist upon returning, they be not permitted to go without an Interpreter and a proper Escort; they also advised his Honor to order Col. Read and Col. Talbot, to make a strict Enquiry into this unhappy Affair and report the same to him; and to be prepared for any future bad Consequencies that may arise, and to guard against any further Mischief that may be meditated by the Indians in Resentment of what is past, they advise that Orders be immediately sent to the Commanding Officers of Brunswick, Amelia, Prince-Edward, and Lunenburg, to send Three Hundred in the Whole, of the Militia in those Counties, for the Protection of the People, against any Insults of the Indians in their marching, with Directions to avoid all Hostilities as long as possible, and to endeavour at a Reconciliation; they likewise think it proper that Governor Lyttelton should be acquainted with this Incident, and requested to send a fit Person to the Cherokees to obviate any bad Impressions a Misrepresentation of it may make upon their Dispositions.

At a Council held May 23d 1758

Present

The President

William Nelson

Philip Ludwell Esqrs.

Thomas Nelson

Mr. Commissary

Upon reading a Petition of the Inhabitants of Augusta, and the upper Parts of Albemarle, setting forth their Distresses and requesting such Assistance as may enable them to maintain their Ground against the common Enemy, without which they must either abandon their Habitations or fall Victims to the Cruelty of the Savages; and upon hearing several Gentlemen who came down to solicit in their Behalf, who represented, that if Capt. Hog's Company was continued among them, and compleated to a Hundred Men from some other Part, as it was impracticable to raise Men in Augusta, the Inhabitants would be tollerably easy, and in a Capacity of defending themselves. It was the Advice of the Council that the Order made the 19th of this Instant in respect to Capt. Hog be enforced, and that he be strictly required to comply therewith; but they advised his Honor to order Sixty Men from Louisa and Orange to serve till the said Company can be compleated.

At a Council held at the Governor's House, May 25th 1758

Present

The President

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The President communicated to the Board a Letter from Colonel Byrd, dated May 21st informing of his Arrival at Bedford Court House with Fifty-seven Warriors, and that he expects the Little Carpenter with Two Hundred in a Fortnight; and confirming the Relation given of the outrageous Behaviour of some of the Cherokees in their returning Homewards; and signifying that the Party with him threaten to take Revenge on our People for resenting the

Injuries done them, when they return from Winchester, which they were with Difficulty restrained from at that Time.

Also a Letter from Peter Randolph Esqr. dated May 23d intimating he is under dreadful Apprehensions for the Frontier Inhabitants in Bedford and Halifax, and hoping they may have a large Body of the Militia to protect them on the Return of the Cherokees from Winchester.

The President likewise communicated a Letter from Sir John St. Clair, dated Winchester May 19th signifying that both the Virginia Regiments wanted Blankets, and that the second was without Arms, which he desired they might be supplied with out of the Governor's House, as the Arms there can never be put to a better Use.

Upon which it was the Advice of the Council that the Consideration of the said Letters be deferr'd till a full Council could be called; and it was proposed and order'd that the Clerk write to all the Members to meet on Friday Sennight; and they advised that his Honor would in the meantime employ proper Persons to look out for Arms, and purchase them for the Service, and send as expeditiously as possible what could be collected to Winchester.

At a Council held June 2d 1758

Present

The President

William Nelson

Peter Randolph

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The President laid before the Board Sir John St. Clair's Letter of the 19th of May, communicated last Council, and also a Letter from him of the 23d of the said Month, signifying Col. Washington was obliged to come to Williamsburg to consult his Honor on many Things that the two Regiments must have, before they take the Field, and which it falls on this Colony to furnish—that he has sent Mr. Walker to Philadelphia to get Tents made for Two Thousand private Men, and Camp-Kettles for the second Regiment, which he expects his Honor to engage paying for, or else the Troops must

be in the Field without Cover—that he is greatly distressed for Want of Arms for the second Regiment—that it will be of great Service to leave 12 or 18 Men of the Virginia Forces at Fort Loudoun to take Care of the Stores, and a proper Officer with them, as the Fort may be compleated by those Men and the Militia who garrison it, and recommending Lieutenant Charles Smith for that Service, and that a Commission be sent him as Fort-Major, which will give him the Command of the Militia Captains—desiring his Honor to direct the Manner in which Col. Washington's Regiment is to be compleated, and that forty Men may be chosen from that Regiment for Captain Stewart's Troop, and be replaced from the 2d Regiment, which Men may be discharged after the Campaign.

Also a Letter from Col Washington dated Williamsburg May 28th representing that the Officers will be entirely unprovided with the Means for taking the Field till they have an Allowance made them, of Baggage, Forage, and Bat-Money—that the different Pay of the two Regiments will be productive of great Discontent—that it will be expedient to send for fresh Regimental Cloathing against the Winter—that he has sent to Phil[*a*]delphia for 1000 Pair of Indian Legings the better to equip his Men for the Woods—that as probably, the greatest Part of the Ammunition will be drawn from Fort Loudoun when they march, it will be necessary to have more laid in for supplying the Frontier Garrisons.

Also a Letter from Lieutenant Col. Mercer of the 26th of May, informing of the Necessities of the 2d Regiment—requesting Bat Money and Medicines, and that Money be sent to Major Peachy to pay the 2d Regiment after their March—signifying he is under Difficulties of making out the Commissions for the Officers, and forming the Regiment and inclosing a Return of the Number and Quality of Men received from each Commanding Officer.

Which Letters being read, the President acquainted the Board that considering the pressing Exigencies of the Service, he had sent away all the Arms in the Magazine, and all those in the Governor's House, being near 700, to York, to be transported from thence to Falmouth, with 25 Barrels of Powder, a Quantity of Shot and Flints, and 8 Drums, being all we had, with a Chest of Medicines and

Instruments, and what Blankets could be got here, and had given Orders to Gentlemen in Fredericksburg and Falmouth to provide Waggons to be in Readiness on the Arrival of the Vessel to carry the Cargo immediately to Winchester: And desired the Advice of the Council upon other Particulars contained in the said Letters, which remain'd unsatisfied.

Whereupon the Council approving of the Measures the President had taken, and upon hearing the said Letters again read, advis'd that the Tents Mr. Walker was sent to Philadelphia to purchase, for 2000 Men, and Kettles for the second Regiment, be accepted, and that his Honor would engage for paying for them—but desired him to write in the strongest Terms to General Abercrombie to reimburse this Government the Cost of them, and all other extraordinary Expences—that as the finishing Fort Loudoun must be postponed for Want of Money, they can't approve of appointing Lieutenant Smith to have the Command there—that they know of no other Way to compleat Col. Washington's Regiment than by recruiting—they don't think it would be just, to order any of the Men of the 2d Regiment into the 1st, as many were induced to enter into the Service by their Attachment to the Captain who inlisted them—they agree to an Allowance of Baggage, Forage, and Bat Money for the Officers—and advise that the Pay of the Officers and Men in the 2d Regiment be the same as in the 1st—that the Leggings sent for by Col. Washington be paid for by the Country, as Regimental Cloathing can't be sent for before the Meeting of the Assembly, no Money being provided for it—that the Contingent Expences of their March, be paid as usual till they join the King's Troops, an Account being kept of those Expences, that we may have a proper Demand for Repayment—that if Sir John desires Part of the Tools laid in at Fort Loudoun, for carrying on the Works there, they may be deliver'd, taking an Account of them, that they may be made good to us again—they also advised that 1s. 3d. be allowed for the Subsistence of the new raised Regiment from the Time of inlisting till their Arrival at the Place of the Rendezvous—that the Pay of the Officers commence from the Date of their Warrant for recruiting—that the Captain Lieutenant of Lt. Col. Mercer's Company in

the 1st Regiment have the Captain's Pay while he does the Duty—that Major Peachy, Paymaster for the 2d Regiment for the Time to come be directed to send down a Person he can be accountable for, to receive the Pay—and that the Officers in the 2d Regiment be ranked in the following Manner.

Rank of Officers in the second Virginia Regiment.

John Fields	1st Captain
John Possey	2d
Hancock Eustace	3
Thomas Fleming	4
John Rootes	5
Samuel Meredith	6
John Scott	7
Thomas Cocke	Captain Lieutenant
John Lightfoot	Do.
Robert Munford	Do.
William Temple	1st Lieutenant
Charles Tomkies	2
Charles Thruston	3
James Gunn	4
Gabriel Throgmorton	5
Abner Nash	6
LeRoy Griffin	7
John Hickman	8
John Ware	9
Griffin Peart	10
Richard Johnson	11
Thomas Elliot	12
Holt Richardson	13
John Waller	14
Edward Cary	15
[. . .] Chew	16
[. . .] Debnam	17

The Council advised leaving the Appointment of the Ensigns to the Colonel of the Regiment.

At a Council held June 5th 1758

Present

The Honble Francis Fauquier Esqr. His Majesty's
Lieutenant-Governor and Commander in Chief of
the Colony and Dominion of Virginia

John Blair

Thomas Nelson

William Nelson

Peter Randolph Esqrs.

Mr. Commissary

A Commission under His Majesty's Signet and Sign-Manual bearing Date the tenth Day of February 1758, constituting and appointing the Honble Francis Fauquier Esqr. Lieutenant-Governor of Virginia, and in Case of the Death or Absence of the Governor in Chief authorizing and empowering him to execute and perform all and singular the Powers and Directions contained in the Commission to the Governor in Chief, being read, his Honor took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Supremacy, the Abjuration Oath, and subscribed the Test, and took the Oath for the faithful Discharge of the Office of Governor, and due Observation of the Acts of Trade; which said Oaths were administered to him by John Blair, William Nelson, and Thomas Nelson, three of the Members of His Majesty's Council.

Order'd

That a Proclamation immediately issue for continuing all Public Officers in their respective Places.

George William Fairfax Esqr. producing a Letter from the Commissioners of the Customs, dated Feby. 11th 1758, signifying their having issued their Deputation to him to be Collector of the Customs at South-Potowmack, this Day took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Supremacy, the Abjuration Oath, and subscribed the Test, and the same was certified by the Governor.

His Honor was pleas'd to communicate to the Board a Letter from the Sollicitor of Virginia Affairs to his Excellency General

Abercrombie, relative to the £50,000, granted by Parliament to Virginia and the two Carolinas—Upon which it was proposed, and order'd that a Letter be prepared to his Excellency informing him of the several Sums of Money raised by this Colony since the Encroachments of the French, that he may be enabled to judge, what Proportion of the said Grant this Province is intitled to.

At a Council held June 6th 1758

Present

The Governor

John Blair

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

A Letter from Sir John St. Clair dated Winchester, June 1st being produced and read, the Governor was pleas'd to desire that the President would take upon himself the Trouble of answering it, as it was directed to him, and he was best acquainted with the Proceedings which occasioned it.

A Letter from Col. Byrd dated Winchester June 1st was read, signifying that the Indians he brought in, are in good Humour, and will, he is convinced, behave well—that it will be necessary to send up suitable Things for those who go with him, against their Return, especially Wampum and Silver Ornaments.

Also a Letter from Mr. Christopher Gist of the same Date from Winchester, signifying he is in Want of Strouds—that many Indians will and do return Home, but all promise to behave well; that he has order'd Conductors with them, except when they run away.

At a Council held June 15th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor communicated to the Board a Letter from Colonel Read, dated Lunenburg June 8th signifying he shall obey the Orders given him with respect to sending the Men directed to be drafted from that County, for the Townships in Halifax, when he shall have Notice of their Erection—inclusing the State, Cause, and Process of three Engagements had between several Parties of the Militia of Halifax and Bedford Counties, with several Parties of Indians in their March thro' those Counties, and the Substance of the Depositions of many Persons, examin'd on Oath, and taken by him and Col. Talbot at May's Ferry on Staunton River in Halifax the 1st of June relating thereto. Upon reading which, the Council advised his Honor to send the said Report to Governor Lyttelton, and to request his Influence and Power over the Cherokees towards obtaining a Reconciliation.

A Letter from General Forbes dated Philadelphia May 31st was read, signifying he had sent from thence Tents, Camp Kettles, and Canteens for the new rais'd Regiment, and bought, and sent up a large Assortment of Goods for the Indians, and shall provide Silver Arm-Plates and Breast-Plates.

Also a Letter from the Honble Robert Dinwiddie Esqr. signifying his safe Arrival at London; that he has not Time to apply for an Aid to the 2s per Hhd from the Quit-Rents, but has provided Mr. Abercrombie with Arguments on that Head—that he hopes he shall have Influence enough to get Virginia such Proportion of the £50,000, granted by Parliament, as he thinks they deserve—that what he did by Advice of the Council in Brunskill's Affair, meets with the Approbation of the Bishop.

The Governor laid before the Board, a Letter to him from Mr. Abercrombie, dated March 15th inclusing the Letter to his Excellency General Abercrombie, produced in Council the 5th Instant, with a Copy of his Memorial to the Lords of the Treasury, for Aid to the Revenue of 2s per Hhd from the Quit Rents; and of the Petition of Robert Hunter Morris Esqr. to the House of Commons for an inclusive Right to make Salt in No. America; and a Copy of the Establishment granted to Mr. Blachiston³⁷ formerly Agent for

37. More frequently spelled Blackiston.

Virginia; and desiring Leave to make an annual Charge of £50 for Contingent Expenses, when the Establishment on the Quit-Rents takes Place—and requesting an annual Salary from the Assembly for his Services, or that he may charge occasionally for Business done for them.

The Governor desiring the Advice of the Council concerning the most proper Time for issuing Writs for calling a new Assembly, On Consideration thereof, it is the Advice of the Council, and accordingly

Order'd

That a Proclamation forthwith issue for dissolving the present Assembly, and that the Writs for electing the Burgesses bear Teste this Day, and be made returnable the 27th of July next.

The Council having this Day taken under Consideration the most proper Place for establishing the Court House of Loudoun County, it appearing to them that the Plantation of Captain Nicholas Minor, was the most convenient Place, and agreeable to the Generality of the People in that County, it was their Opinion, and accordingly

Order'd

That the Court-House for the said County be fixed on the Land of the said Minor.

The following Caveats for Land, were this Day tried.

Thomas Williams having enter'd a Caveat against James Petillo, for Six Hundred Acres, being two Tracts recovered by the said Petillo's Father against the said Williams, upon hearing Council on both Sides it is order'd that the said Caveat be dismiss.

William Johns having enter'd a Caveat against Gideon Marr, for Three Hundred and Eighty Five Acres in Cumberland, on both Sides of Tar Wallet Run, which the said Marr, recover'd of Bartholomew Austin, it appearing that the Parties consented, it is order'd that Benjamin Sims have a Patent for the said Land.

John Dawson having enter'd a Caveat against David Bell, for Two Thousand Eight Hundred and Sixteen Acres of Land, on Tarrarat River in the County of Halifax formerly survey'd for the said John Dawson and others, upon hearing Council on both Sides, it is order'd that the Plaintiff have a Patent for the said Land.

James Dillard having enter'd a Caveat against Joshua Jones, for Seventy-Five Acres, in James City, lying upon the South Swamp, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

William Hobson having enter'd a Caveat against Henry Hatcher, for One Thousand Nine Hundred and Forty Acres, more or less, in Lunenburg, joining the Land of Nicholas Hobson, being the Land which the said Hatcher recover'd of Charles Weatherford, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Walter Douglas having enter'd a Caveat against Nicholas Loyd and Zachary Burnley, for Two Hundred and Twenty Acres in Halifax on both Sides of Banister River, recover'd by the said Loyd and Burnley of Hugh Miller, in April Court 1755, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

David Haley having enter'd a Caveat against Richard Elkins, for Two Hundred Acres in Halifax, on the North Side of Irwin River, it is order'd that the Plaintiff have a Patent for the said Land, as it appears the Defendant has agreed thereto.

Solomon Peasley having enter'd a Caveat against Moses Matthis, John Ward, and Valentine Allen, for Three Hundred Acres, or thereabouts on Pocoson, in Albemarle, it is order'd that the Plaintiff have a Patent for the said Land.

Henry Prewit having enter'd a Caveat against Isaac Cloud, his Heirs, Executors or Assigns, for Three Hundred Acres more or less, lying on Banister River at the Mouth of Middle³⁸ Creek in Halifax County, it is order'd that the Plaintiff have a Patent for the said Land.

Lettice Owen for her Son John Owen having enter'd a Caveat against Francis Bressie for a Moiety of Two Hundred and Thirty Acres lying upon the lower Side of Grassy Creek, in Lunenburg, Upon hearing Council on both Sides, it is order'd that the Plaintiff have a Patent for that Moiety on which Improvements have been made, and that the Defendant have a Patent for the other.

38. This may be Middle Creek.

Noel Waddill having enter'd a Caveat against Thomas Snelson, for Four Hundred Acres in Albemarle, on the South Branch of Cary's Creek in the Fork of James River, the Plaintiff appearing, and the Defendant having been summon'd, and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Jeremiah Hatcher having enter'd a Caveat against Robert Hatcher, for Two Thousand and Four Acres in Lunenburg, on Buck-horn Creek, and joining the Lines of Buckner Stith and John Thomson, it is order'd that the Plaintiff have a Patent for the said Land, as the Defendant has agreed thereto.

Seth More having enter'd a Caveat against Augustine Rolin, for Three Thousand Six Hundred Acres in Lunenburg, lying on the Branches of Allen's Creek, the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

John Elmore and Edward Slaughter having enter'd a Caveat against George Walton and Samuel Jordan, for Two Thousand Three Hundred and Seventy-Five Acres in Lunenburg, on the Branches of Meherrin, it is order'd that the Plaintiffs have a Patent for the said Land, they appearing, and the Defendants having been summon'd and not appearing.

The Letter which was order'd to be prepared the 5th of this Month, to his Excellency General Abercrombie, was this Day produced, read, and approved of, and order'd to be fairly transcribed.

At a Council held June 19th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor communicated to the Board, a Letter from Col. Byrd, dated Winchester, June 14th, signifying the second Virginia Regiment is in great Confusion, the Officers being nettled at their recruiting Accounts being refused, and the Men complaining of

being naked; the Gentlemen unanimously agreeing, not to accept of their Commissions, unless the necessary Expences charged by them, are allowed;—that Captain Posey was sent recruiting about twenty four Days since, with Orders to return to the Rendezvous in ten Days; that no other Advice has been received of him, than that he has been to Williamsburg, tho' he had positive Orders not to go there—that he shall put him under an Arrest when he returns, and that probably he will be broke, in which Case he shall appoint Mr. Thomas Cocke to his Company till his Honor's Pleasure be known.

Upon considering which Letter, it was the Advice of the Council, that Col. Byrd and the Field-Officers examine into, and audit the recruiting Accounts of the Officers, and that they be allow'd what shall be found reasonable, and that, as there is not Money at present in the Treasury, his Honor would recommend it to the Next Session of Assembly—they also advised that the French-Prize Cloaths be bought of Col. Hunter, and sent away immediately to Fredericksburg, to be distributed as the Colonel shall see necessary; that those who receive Cloaths, have two Pence per Day deducted from their Pay, till the Cost is satisfied; and that those who are not in Want of Cloaths, receive their full Pay; they further advised his Honor to send up the Officers Bonds, to be delivered by the Colonel, when the Conditions of them shall be complied with; also a blank Commission for Mr. Lightfoot, or Munford, to be Captain Lieutenant, as it shall appear to the Colonel upon Inquiry, who is best intitled to it, by bringing his Complement of Men first to Winchester, which was the Rule originally laid down—In Case of Posey's being broke, the Council approve of Mr. Cocke's being appointed Captain of his Company.

The Letter to his Excellency General Abercrombie, which was order'd at the last Council to be fairly transcribed, was this Day produced, and subscribed by the President in Behalf of the Council.

At a Council held July 20th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Philip Ludwell Esqrs.

Mr. Commissary

The Governor desired the Opinion of the Council in regard to the most convenient Time for the Meeting of the Assembly; upon which it was the Advice of the Council that the Assembly be prorogued to the second Thursday in September, and it was accordingly order'd that a Proclamation issue for that Purpose, requiring them to meet then for the Dispatch of public Business.

His Honor was pleased to communicate to the Board, a Copy of the Order from Major General Abercrombie, dated June 25th declaring the Capitulation of Fort William Henry to be void: Also an Extract of a Letter from the General to the Governor General of Canada, dated June 26th signifying the same.

At a Council held August 17th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Ludwell Esqrs.

Mr. Commissary

The Governor communicated to the Board two Letters from Colo. Byrd at Fort Cumberland, the one dated July 21st informing, that General Forbes had thought proper to divide his Army into three Brigades, the British, Pensylvanian, and Virginian; that the two first have their Majors appointed at 10s per Day, and recommending Captain Abraham Bosomworth of His Majesty's 60th Regiment as a proper Person to do that Duty in their Brigade, they being at present without that necessary Officer: Upon which the Council were of Opinion that the said Request could not at present be com-

plied with as no Provision had been made by the Assembly for such an Officer.

The other Letter dated August 3d advising that the Road they are to march is not yet determin'd; that he fears a new Road is intended to be cut over the Laurel-Mountains, in which Case no Benefit can be expected from the Forces this Year; inclosing a Copy of the Forage and Bat-Money Account, and a Return of the 2d Regiment.

Also a Letter from Colo. Washington at Fort Cumberland, Augt. 5th signifying he was just return'd from a Conference held with Colo. Bouquet upon the Subject of opening a new Road from Ray's Town to Fort Du Quesne; that he had since drawn up a Representation to be presented to the General, in which he has endeavour'd to demonstrate the Advantages of pursuing the old Road, and the moral Certainty of failing in the new; subjoining a Postscript, that he that Instant received a Letter from Col. Bouquet telling him the General has directed the other Road to be open'd: inclosing a Return of the 1st Virginia Regiment.

Which Letters being read, the Council advised the Governor, to acquaint Colo. Washington and Colo. Byrd, that the Representation proposed to be made to the General in regard to opening a new Road at this advanced Season, is approved of by this Board; and desired that his Honor would be pleased to corroborate the same, with such Arguments as his Judgment shall suggest.

His Honor likewise communicated a Letter from Governor Lyttelton, informing he had dispatched a Messenger to the Cherokees with Letters to the Commandants of the Forts there, relating to the late Engagements of the Militia of Halifax and Bedford with several Parties of Indians, belonging to that Nation, in their March thro' those Counties; and wishes they may be productive of good Effects; inclosing a Copy thereof, and Col. Read's Report.

The Board taking under Consideration the great Danger the Trade here will be exposed to after the Departure of His Majesty's Ship the Chesterfield, the Governor promised to write to Lord Anson upon the Subject, and request a proper Protection of our Coast.

At a Council held Septemr. 11th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Richard Corbin

John Tayloe Esqrs.

The Governor was pleased to communicate to the Board a Letter from Governor Denny, dated Philadelphia August 30th advising he had received a Letter from Mr. Croghan, the Deputy of Sir William Johnson, then at Easton, acquainting him that about Twenty Indian Messengers, who left Wyomink at different Times, informed him, that the upper Nations were gathering there, in order to proceed to hold a Treaty in that Province; that at the Request of General Forbes, who had been instrumental in bringing about this Meeting, he had writ to the Governors of the Middle Provinces, and also to Sir William Johnson, desiring their Assistance at the Conferences proposed to be held the middle of September, and hoped for the Pleasure of seeing his Honor there: The Governor told the Council he had answer'd Mr. Denny's Letter, and excused himself from attending the said Treaty, on Account of the General Assembly meeting here the 14th of this Instant, and should be glad of their Opinion if any Step could be taken by him to promote that Service. Upon which it was the Opinion of the Council that Nothing could be done by his Honor at this Juncture, unless to represent to Mr. Denny the base Conduct of the Indians in marching thro' this Country, and request him to press in the strongest Terms the Indian Chiefs to use the most effectual Measures towards restraining their young Men from committing hereafter any Violencies on our Inhabitants, and to prevent as far as possible the fatal Consequences of their extravagant Behaviour.

Upon reading a Letter from Mr. Christopher Smith, inclosing one from Colo. Vanmeter, signifying that the Prince William Militia stationed on the Branch, are without Ammunition; it was the Advice of the Council, that his Honor would be pleas'd to order Mr. Smith to send them a further Supply, but that the Commanding

Officer of the said Militia be directed to take proper Care that a more frugal Use be made of the Ammunition for the Time to come, or the Expence thereof will be deducted from their Pay.

At a Council held Octor. 4th 1758

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee Esqrs.
Philip Grymes	Mr. Commissary

Upon reading a Petition of the Society in Virginia for managing the Missions and Schools among the Indians, setting forth, that, upon hearing from Mr. Martin who was sent out last Decemr. with the Approbation of this Board as a Christian Missionary to the Cherokee Tribe of Indians, that those Indians had given him a friendly Reception, and that he was of Opinion there was sufficient Encouragement to employ another Missionary there, they have received into that Service the Revd. Mr. William Richardson, who has proper Credentials of his Ordination, and of being qualified according to Law in the General Court, and given him Instructions for this Conduct in this Affair; praying the Sanction of this Board's Approbation thereto, and their Recommendation of Mr. Richardson and his Mission:

It was the Advice of the Council, that his Honor would be pleased to give Mr. Richardson recommendatory Letters to Govr. Lyttelton, and the Commanding Officers of the Forts in the Cherokee Towns, and that the Clerk certify that the Instructions above mentioned, were read this Day in Council, and approved of.

At a Council held Octor. 6th 1758

Present

The Governor

John Blair	Philip Ludwell
Philip Grymes	Phil: Lud: Lee Esqrs.
Richard Corbin	Mr. Commissary

On the Petition of Edward Edwards, setting forth that he was formerly reputed a Slave, to one Merritt Sweney of the County of Elizabeth City deceased of whom he was purchased about Twelve Years ago by one Anne Ellston, a free Mulatto Woman, to whom he was soon after lawfully married, and hath ever since cohabited with her, and by her hath two Children, now alive; And praying that he may be set free from his Slavery, having the Consent of his Wife for that Purpose.

The Board being satisfied of the Truth of the Allegations in the said Petition, by the Testimony of Witnesses appearing, it was thereupon

Order'd

That the said Edward Edwards be henceforth manumitted and set free from his said Slavery, and that he be hereafter deemed and taken to be a free Man, and intitled to all the Rights and Privileges appertaining to such Freedom.

Order'd

That all County-Court-Clerks do for the future, in certifying any Recommendation of Justices, signify the Names of the Members then present, the Place where Gentlemen recommended to be added to the Commission reside, and at the same Time transmit a perfect List of all the Justices, distinguishing those who really act, and those who refuse to qualify themselves, with the Reasons for such Refusal, and also those who are dead or removed out of the County; and that this Order be notified in the Gazette.³⁹

At a Council held Octor. 12th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Phil: Lud: Lee Esqrs.

Mr. Commissary

39. The *Minutes* for October 6, 1758 have the additional entry: "New Commission for King George William Robinson, William Cunningham, John Knox, Horatio Dade to be added."

The Governor communicated some Letters, advising him that several Parties of Indians belonging to the middle and lower Settlements of the Cherokee Nation had resolved upon taking up the Hatchet against Virginia to revenge the Loss of some of their People in the late Engagements here. Also a Letter from Governor Lyttelton to the Head Men and Warriors dated the 26th of Septemr. pressing them to make up the Matter in an amicable Manner, and pointing out to them the fatal Consequencies of a Rupture.

Upon which it was the Advice of the Council that his Honor would send for Richard Smith now at Winchester in the Service of this Government, and dispatch him as soon as possible with a Letter to the Chiefs of that Nation, expressing our Concern for the unhappy Effects of the late Disturbances, assuring them that upon repeated Complaints received of Robberies and Murders committed on our Inhabitants, he had order'd out Parties of the Militia to their Protection, with positive Commands to act upon the Defensive only, and to avoid as far as possible doing any Injury to the Cherokees whom we esteemed our Friends; that what has been done against them, was in Violation of those Commands, and ought to be imputed to the Rashness of a few disorderly Men, but by no Means to be considered as an Act of the Government, or regarded as a just Cause of War, between the two Nations; that Endeavours have been used in vain to apprehend and punish the Offenders—promising them all possible Satisfaction if they will call back their Parties already gone out, and prevent the Effusion of more Blood; that the greatest Care will be taken to guard against any such Disorders for the Time to come; and that we are determin'd to do every Thing to recover and preserve a mutual good Understanding and inviolable Friendship. His Honor was also advised to write to Governor Lyttelton by the Return of the Express, thanking him for the Trouble he has already had in this Affair, to request he will still exert his Influence, and Power to effect a Reconciliation, and to acquaint him what Steps we propose to pursue towards that End.

At a Council held Octor. 18th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

John Tayloe Esqrs.

Mr. Commissary

His Majesty's Letter and Sign Manual dated the 7th Day of April, 1758, appointing Robert Carter Esqr. one of His Majesty's Council of State for this Colony having been read, he accordingly, upon taking the Oaths to the Government and the Oath of Office, was admitted to his Place at the Board.

The Governor communicated to the Board a Letter from General Forbes dated Camp at Ray's Town Octor. 1st recommending that the Virginia Light Troop should be put upon the same Footing with that they raised and supported in Campaign 1755, inclosing a Copy of its Establishment, and hoping his Honor will have no Difficulty in getting his Assembly to defray all their necessary Charges, an Account whereof he has order'd Captain Stuart to transmit to him. Upon which, it was the Advice of the Council that his Honor would acquaint the General that his Letter of March last respecting a Troop of Light Horse, was refer'd to the Consideration of the Assembly then sitting, and that as the last Session was prorogued before the Receipt of this Letter, Nothing at present could be done in the Affair.

Also a Letter dated the 9th Instant from the same Place, requesting his Honor's Advice in Case of Success against Fort Du Quesne, whether it ought to be preserved or destroy'd; and desiring to know what Part Virginia will act in supporting His Majesty's Rights to those Parts.

Whereupon it was the Opinion of the Council, that the Question proposed by General Forbes in regard to Fort Du Quesne, was more proper to be answer'd by the Commander in Chief of His Majesty's Forces, than by his Honor; and it was their Advice he would

inform the General that the Assembly has continued the Virginia Regiments to the 1st of Decemr.; and that it is not in his Power to promise what a future Assembly may be prevailed upon to do.

At a Council held Octor. 24th 1758

Present

The Governor

William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.
Richard Corbin	Mr. Commissary

The Governor communicated to the Board, and desired their Advice upon, a Letter he received this Morning from Captain Winn, signifying that some of Capt. Talbot's Company, who were of the Party that put the Cherokees to Flight, by which a large Booty of Goods and Horses were left behind, had opposed him in the Execution of the Orders he received from his Honor, to deposit the Goods in Mr. Mackey's Store at Warwick; and inclosing a Paper containing the Names of the principal Persons concerned—It was the Advice of the Council that his Honor would issue his Warrant to the Sheriff for apprehending the said Persons, so that they may be proceeded against according to Law; that he'd repeat his Orders to Capt. Winn, safely to conduct the Goods to Warwick, and to apply to the County Lieutenant for more Force, if he apprehends his Men, and Capt. Anderson with his Company will not be sufficient to protect him; and that he would be pleas'd also to write to Col. Calloway, the County-Lieutenant to be aiding and assisting to Capt. Winn in that Service by all Means in his Power.

At a Council held Octor. 26th 1758

Present

The Governor

John Blair	Philip Ludwell
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.
Richard Corbin	Mr. Commissary

Upon reading this Day a Petition from some of the Inhabitants of Middlesex County for removing the Court House, and a Petition from others for continuing it in Urbanna, and upon hearing Parties thereon,

It was the Opinion of the Board, that the Court-House of the said County be removed to the old Place, unless the Gentlemen in the upper District shall within one Year compleat the Court House agreeably to Mr. Christopher Robinson's former Proposals to this Board.

Order'd

That a new Commission of the Peace issue for Goochland, that William Meriwether, Robert Burton, and John Smith junr. Gent. be added; and that Arthur Hopkins, William Burton, and John Carlyle, who are removed out of the County, and Henry Wood who is dead be left out of it.

At a Council held Novemr. 1st 1758

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board, a Letter from Col. Byrd dated Ray's Town Octor, 21st signifying they are at a Loss to know what is to be done with the Men after the 1st of Decemr.—that the last Division of the Army marches from thence with the General on the 23d and imagines they must sit down before Fort Du Quesne between the 20th and 30th of Novemr.—that he has laid out near £200 for under Waistcoats for his Men, the Weather being extremely cold, which he hopes the Assembly will allow.

Upon considering which Letter, and the Circumstances of the Virginia Forces, it was the Advice of the Council, and accordingly Order'd

That the General Assembly be summon'd to meet on Thursday the 9th of this Month, and that a Proclamation forthwith issue for that Purpose.

At a Council held Novemr. 2d 1758

Present

The Governor

John Blair
William Nelson
Thomas Nelson
Philip Grymes
Peter Randolph

Richard Corbin
Philip Ludwell
John Tayloe
Robert Carter Esqrs.
Mr. Commissary

Order'd

That a Proclamation be issued immediately for apprehending William Ball of Lancaster County, who has been presented in the General Court by the Grand Jury for uttering Counterfiet Treasury Notes, knowing them to be forged, and that a Reward of £50 be offer'd therein to any Person who shall take, and conduct him to Williamsburg, so that he may be prosecuted according to Law.

Order'd

That a new Commission of the Peace issue for Lancaster, and that William Ball be left out of it.

Order'd

That a new Commission of the Peace issue for Goochland, and that Joseph Pollard Gent. be added and placed next after Willm. Miller, the said Pollard having been an acting Justice in King & Queen County, ever since 1748.

The Account of Contingent Charges from the 25th of April 1758, to the 25th of Octor. last, and for Work done to the Governor's House, being laid before the Board, was allowed.

At a Council held Novemr. 4th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Philip Lud: Lee

John Tayloe

Robert Carter Esqrs.

Mr. Commissary

The Governor communicated to the Board a Letter from General Forbes, dated Ray's Town Camp Octor. 22d signifying that the last Division was to march from thence the next Day—that whether they are successful or not, it is necessary to leave as large and extensive a Barrier as possible to cover the Dominion of Virginia—that the Number of King's Troops under his Command, does not exceed 1200 Men, the greatest Part of which he must send to the inhabited Parts of the Country to recruit, and fit themselves out for the ensuing Campaign—that he has writ to Mr. Denny to learn what Assistance he may receive from Pensylvania—that he has Nothing to expect from Maryland, being inform'd that they have abandon'd Fort-Cumberland and Frederick, the former of which, he thinks it will be necessary, for the Virginia Troops to garrison—subjoining a List of the Posts that are proposed to be kept up, with the Number of Men to each, leaving it to his Honor and the Assembly to judge of their Importance, and desiring to know how far they will con-

tribute in Men and Expences for the supporting those Posts, and making the Soldiers Life comfortable in that severe Climate.

His Honor was then pleas'd to read a Letter he had prepared to send by the Return of the Messenger to General Forbes, which was approved of by the Council

The Governor also produced a Letter from Mr. Ramsay, signifying that ever since his Contract with the late Governor expired, he has continued to furnish the Militia in Garrison, Captain Rutherford's Company of Rangers, and the few Soldiers that are left in Frederick and Hampshire—that as he understands Part of the first Regiment or some Militia would be stationed there, he should be glad of his Honor's Instructions what Number of Men to provide for, and how long Provision may be made for them before 'tis too late—proposing to act as in his former Contract, with this Difference that he pay no Carriage that may be unforeseen, and have a further Allowance for Indians supported in Winchester, who can't be maintain'd for less than 10d. per Day.

Whereupon the Council were of Opinion that Mr. Ramsay's Proposals were reasonable, and advised his Honor to accept of them, and give him such Instructions as he should think proper for laying in Provisions at the most material Garrisons, and as the Circumstances of the Service should require.

At a Council held Novemr. 6th 1758

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.

Mr. Commissary

The following Warrants on the Receiver General to be paid out of His Majesty's Revenue of 2s. per Hhd Port Duties &c. were signed by the Governor in Council.

For Half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Do. to Sollicitor of Virginia Affairs	100.0.0
For Do. to the Attorney General	35.0.0
For Do. to the Clerk of the Council	50.0.0
For Do. to the Adjutants	120.0.0
For Do. to the Armourer	6.0.0
For Do. to Gunners of the Batteries	12.10.0
To Ministers attending one Genl. Court & Assemy.	18.0.0
For Repairs to the Governor's House	162.15.2
For Contingent Charges	1707.7.3
On the Revenue of Quit-Rents.	
For Half a Year's Salary to the Attorney General	35.0.0

⁴⁰The Account of His Majesty's Revenue of 2s. per Hhd Port Duties &c. from April 25th to Octor. 25th 1758, being examin'd by the Deputy Auditor and made Oath to by the Receiver General, was certified by the Governor.

Order'd

That a new Commission of the Peace issue for King and Queen County, and that it consist of the following Gentlemen viz:

John Robinson, Richard Tunstall, William Byrd Richards, Thomas Thorpe, Robert Baylor, Richard Todd, John Smith, William Lyne, Henry Lyne, George Braxton, George Brooke, Richard Shakelford, John Richards, John Pendleton, Robert Brooking, and John Whiting.

On the Petition of Charles Williamson, Leave is granted him to take up Two Hundred and Fifty Acres of Land in Dinwiddie County, lying upon Rocky Run, and contiguous to Seven Hundred Acres already patented, and to have an inclusive Patent for the Whole.

⁴⁰. At this point is a caret, apparently meant to indicate insertion of the sentence following, which was added in the manuscript at the end of the day's proceedings.

On the Petition of William Blunt, Leave is granted him to have an inclusive Survey of all his old Lands, together with Six Hundred Acres of new Land adjoining, lying on the North Side of Meherrin River in Southampton, the Whole not exceeding One Thousand Acres.

At a Council held Novemr. 11th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

Phil: Lud: Lee

John Tayloe

Robert Carter Esqrs.

Mr. Commissary

Upon reading an Information made on Oath against Robert Wade, Captain of a Company of Rangers concerning the late Murder of some Cherokees in Consequence of his Orders, it is order'd that the Clerk write a Letter summoning him to appear before the Governor in Council on Wednesday immediately following the Court of Oyer and Terminer in Decemr. to answer the same.

The Account of His Majesty's Revenue of Quit-Rents for the Year 1757, being examin'd by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor as usual.

Upon a Motion made, and for good Reasons appearing to the Board, it is order'd that a new Commission of the Peace issue for Stafford County, that John Mercer Gent. be reinstated in the Chair, and Peter Daniel Gent. restored to his former Place.

Order'd

That a new Commission issue for Essex, and that James Garnett, Thomas Roane, William Mountague, John Upshaw, and Samuel Peachy, be added.

Order'd

That a new Commission issue for Middlesex, and that Henry Whiting be left out of it.

At a Council held Decemr. 13th 1758

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Philip Ludwell

Phil: Lud: Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor desired the Advice of the Council concerning the most convenient Time for the Meeting of the Assembly—Upon Consideration whereof, it was the Advice of the Council, and accordingly

Order'd

That the Assembly which stands prorogued to the third Thursday of this Month, be further prorogued to the last Thursday in February next, and that a Proclamation forthwith issue requiring them to meet at that Time for the Dispatch of public Business.

The Governor was pleas'd to communicate to the Board, the following Letters, viz:

A Letter from General Forbes, dated Loyal-Hannon, Novemr. 5th excusing himself from paying the Expences of the Appointment of a light Troop out of the Virginia Forces, and the 4d. extraordinary a Day for their Pay, and desiring his Honor to recommend that Matter to the Assembly; adding he is, with all the Army he can expect, and all his Artillery, ready to move to the Enemy directly.

A Letter from Col. Washington, dated Loyal-Hannon, Octor. 30th inclosing a Return of Necessaries wanting for the 1st Virga. Regiment.

A Letter from General Forbes, dated Fort Du Quesne, now Pittsburgh, the 26th of Novemr. signifying the signal Success of His Majesty's Troops over all his Enemies on the Ohio, by having obliged them to burn and abandon their Fort Du Quesne, which they effectuated on the 24th of that Month, and of which he took Possession with his Army the next Day; the Enemy having made their Escape down the River, Part in Boats, and Part by Land, to their Forts and Settlements on the Mississippi, being abandon'd, or at least not seconded by their Friends the Indians, whom he had previously engaged to act a neutral Part, and who now seem all willing and ready to embrace His Majesty's most gracious Protection—that he shall send off the Virginia Troops as soon as he can give them four Days Provisions, to set them on their March, and take Care that they want for Nothing till they come to our Frontiers—hoping the Colony of Virginia will contribute, with other adjoining Provinces to enable him to fix a proper Fort, and maintain a suitable Garrison for the Defence of the Country, to establish an equitable and just Traffick with the Indians, and to allow them proper hunting Boundaries—giving an Account of the infamous Behaviour of the Little Carpenter, who had deserted with nine or ten Followers; that he had order'd an Express to Ray's Town to disarm him and his Companions—that the rest of his Nation leave him the next Day, all well satisfied—that he shall be obliged to keep about Two Hundred of Col. Washington's Battalion, as a Part of the Troops necessary there this Winter—that he shall leave that Place in four or five Days after settling with the Head People of the Indians—adding a Postscript proposing that the Colony should build a Blockhouse and Saw-Mill upon Redstone Creek.

Also a Letter from Col. Washington, and another from Col. Byrd, dated Fort Du Quesne, the 28th of Novemr. informing of the above Success of his Majesty's Troops against Fort Du Quesne.

Also another Letter from Col. Washington, dated Loyal-Hannon, Decemr. 2d signifying that the Want of Provisions render it impossible to leave at Pittsburgh more than Two Hundred Men, and those, he fear'd must abandon the Place, or perish; to prevent which, he had writ a general Letter to the back Inhabitants of Virginia,

setting forth the great Advantages of keeping that Place, the improbability of doing it without their immediate Assistance, and assuring them they may travel safely out, and will be allow'd good Prices for such Provisions as they shall carry there—proposing such Measures as he judged necessary to be taken for securing the infinite Advantages that may be derived from our regaining Possession of that important Country; and representing the miserable Situation of his Men, who are left there, having hardly Rags to cover them.

Upon which it was the Advice of the Council, that the Men should be furnish'd with every Thing mention'd in the Return inclosed in Colo. Washington's Letter of the 30th of October, deducting the usual Stoppage from their Pay for the common Cloathing; and that his Honor would be pleas'd to direct Mr. Gist to supply them with any Thing suitable out of the Indian Goods, remaining in his Hands, and desire Colo. Washington to give Orders for providing the Rest out of the adjacent Stores.

Orderd

That a Proclamation issue for a general Thanksgiving for the Success of His Majesty's Arms, on Thursday the 11th of January next.

His Honor likewise communicated to the Board a Letter from Governor Lyttelton, dated August 28th and another dated Novemr. 1st inclosing the Answers of the upper and lower Cherokees to the Talks he sent them in Consequence of his Honor's Letter, and the Depositions concerning the Depredations in Virginia, and an Extract of a Letter from Ensign McIntosh, at Fort Prince-George, dated the 9th of Octor. by which he learns that he may soon expect a Deputation from the middle and lower Towns of the Cherokees, to consist of six of the most considerable Men; that when they arrive, he shall not fail to inform them of all those Matters, it is desired may be represented to them.

Also a Letter from Governor Denny dated Novemr. 22d inclosing the Minutes of the late Conferences at Easton.

The Governor acquainted the Board that a Complaint had been to him by the Clerk of Goochland, against John Moseley, under Sherif of the said County, for endeavouring to influence several of

the Justices to absent themselves from Court; that a Cause in which he was concern'd as a Party, might be postpon'd till he could get a Lawyer to his Mind; and a Letter of his to one of the Justices to that Purpose having been read, and it appearing that Mr. Starke one of the Justices, attended at the Court House on the Day which Mr. Moseley requested the Justices to be absent, and withdrew, by which, there was no Court, and had endeavour'd to get one of those Letters into his Hands, that it might not appear against Moseley: Whereupon it was the Advice of the Council, that his Honor would order the Sherrif of the said County to appoint another Person to act as his Deputy, in the Room of the said Moseley, and direct the Clerk to signify to Mr. Starke, that he is required to wait on the Governor in a reasonable Time to answer for his Conduct, which if he shall neglect doing, a new Commission of the Peace will issue for the said County, and he left out of it.

Captain Wade appear'd this Day in the Council-Chamber, according to the Order of Novemr. 11th to answer the Accusation made against him, who having been fully heard in his Defence, and three Witnesses on his Behalf examin'd on Oath; it was the Opinion of the Council that not any Thing material was proved, which could be a sufficient Foundation for a Prosecution against him.

At a Council held January 19th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Esqrs.

Mr. Commissary

The Governor acquainted the Council, that the Little Carpenter accompanied by Fourteen of the Cherokees, and Smith, the Interpreter, was come here, and desired a Conference, which he thought it necessary to summon them to attend and assist at; and communicated a Letter from Mr. Christopher Gist, Deputy Agent for Indian Affairs, dated Winchester Decemr. 27th signifying he could

not put off the said Indians from going by Williamsburg, the Little Carpenter being unwilling to return Home, till he had settled all the Differences between his Nation and this Colony—that tho' he had not behaved well, and according to his Promise to the General, yet he is allowed by every Body to be a Man of Power in his own Nation—was of Opinion he should wait on his Honor, and had therefore sent Smith the Interpreter with him—that he should have come down himself, but had the General's Orders to meet him at Carlisle in Pennsylvania, as soon as he had sent all the Indians from that Place, to receive his Directions respecting Indian Service for the ensuing Year.

The Board being inform'd that the Indians were attending, they were immediately admitted into the Council-Chamber, and the Governor and Council having taken them all by the Hand, his Honor by the Interpreter, told them he understood they had given themselves the Trouble of coming to visit him, having Something of Consequence to say, that they were now at Liberty to speak, he and his Council being ready to hear their Talk. The Little Carpenter answer'd, he was sent in here by the Head-Man of Choto, to enquire into the Cause of the Quarrel between some of his People, and the Inhabitants of this Colony, and endeavour to heal all Wounds—was sensible Irregularities had been committed by those of his Nation in their Return Home, and that they had acted in an unjustifiable Manner—believed there had been Faults on both Sides, and hoped their falling out would be buried in Oblivion—that being come into the Country, he was desirous of seeing the General, and accordingly visited him, signifying at the same Time the Business that brought him into the Country, and that it was not in his Power to go to War, being obliged to return Home as soon as he could. That he came now to see the Governor to desire that all Animosities might be forgot; that a Path might be kept open and clear; that a Trade which had been promis'd them, and they had long expected, might be established; and that their Fort might be properly garrison'd; and requested a satisfactory Answer to take with him. The Governor then directed the Interpreter to tell him, that what he had said, should be consider'd, and an Answer given him To-morrow Morning at Twelve o'Clock in the Council-

Chamber. They then withdrew, expressing Joy in their Countenances at the favourable Reception they had met with.

His Honor communicated two Letters from Colo. Byrd, signifying he had order'd Lieutt. Colo. Mercer to wait on him with an Account of every Particular relating to the Regiment he commanded; and informing of his Intention of going to England in the Spring, unless his Country has a further Call for him, and that he shall wait in New York till the last of March for his Honor's Commands.

Upon reading which Letters, the Governor was pleas'd to tell the Council, that if the first Virginia Regiment was reestablish'd by the Assembly, and put upon the old Footing, which he judg'd necessary, and expected, he propos'd, with their Approbation, to give the Command of it to Colo. Byrd, if he should be willing to accept of it, which was unanimously approved of.

His Honor communicated a Letter from Mr. Secretary Pitt, dated Septembr. 18th signifying His Majesty had been pleas'd to appoint Major General Amherst Commander in Chief of his Forces in North-America, in the Room of General Abercrombie, whom he had thought proper to call Home.

Also a Letter from General Amherst, dated New York Decembr. 13th informing of his Appointment to the supreme Command of the King's Forces here: And further signifying that tho' he has not as yet any particular Orders relative to the Operations of the ensuing Campaign, he imagines they will require the same Number of Provincial Troops, that were voted by the respective Provinces this Year; and that it will be necessary for those Troops to be at the Place of Rendezvous as early in the Spring as possible; desiring his Honor to use his Influence with the Assembly, to continue the Troops raised by the Colony for the Service of last Campaign in their Pay during the Winter, if not disbanded before the Receipt of his Letter; and in Case they should be disbanded, to move them to order new Levies, and cause them to be provided with the usual Necessaries.

At a Council held January 20th 1759

Present

The Governor

John Blair

Philip Grymes

Peter Randolph Esqrs.

Mr. Commissary

The Little Carpenter with all his Men who were present Yesterday being introduced, after the Ceremony of taking them by the Hand, his Honor was pleased to make the following Speech

Friends and Brothers,

Governor Lyttelton on the first Notice he had of your Complaints against some of our People, communicated them to me, and I rejoice that you have given me this Opportunity of expressing my Concern for the Loss you have sustain'd, and at the same Time of assuring you, that none of the Injuries you have received have been done under my Authority. The frequent Murders committed on our Frontier Inhabitants, laid me under the Necessity of sending out several Parties of the Militia for their Protection, who had my positive Commands not to molest our Friends and Allies the Cherokees; but rather to cultivate and improve that Friendship which had ever subsisted between us. I have made the strictest Inquiry into the Cause of these Disturbances, resolving to punish the Offenders with the utmost Severity, but to my great Surprize was inform'd, that Several Parties of your Indians had given Rise to them, by forcibly taking away the Horses and Goods of our People; and when Restitution was demanded of them, they, in open Violation of the most solemn Treaties, had Recourse to their Arms. The King of Great-Britain allows his People to defend their Properties, and by his Law, every Person guilty of Murther or Theft, is punish'd with Death. And if you had paid a due Regard to the Treaties subsisting between us, you would without Hesitation, have deliver'd up the Aggressors, to have received the Punishment due to their Crimes. But, as that Step was not taken, I dare venture to refer it to your own Sachems, whether your Warriors did not justly deserve their Fate, who, under Colour of Friendship came to our Assistance, and

having received large Presents without meriting them, on their Return Home, not only took by Violence every Thing in their Way, but also shed the Blood of some of our defenceless Inhabitants. Our Warriors alarm'd with, and enraged at this cruel and unmanly Treatment, may perhaps have gone too great Lengths. Therefore I am pleas'd to hear that you are disposed to accommodate these unhappy Differences. And I now give you the strongest Assurances of my Readiness to join with you, in brightening and strengthening the Chain of Friendship, sullied and stained with the Blood of our respective Friends. But I must at the same Time acquaint you, that if hereafter we should have Occasion for your Assistance, your Warriors must not expect to receive the Reward of their Services, till their Return from War, when they will be paid according to their Deserts. I cannot avoid expressing my Concern to hear that Culloughculla,⁴¹ so remarkable for his Courage and Attachment to the Interest of the English, should, when the Army approached near the Fort, so shamefully desert them. That was the Time for him to have given Proofs of the Integrity of his Intentions, and to have convinced his Friends, that he was not afraid to face the Enemy. However I hope, that by his future Conduct, he will endeavour to wipe off this Blemish upon his Character.

I have examin'd the Treaty you sign'd on Broad River, and find that our Commissioners only engaged to join your Brethren of South Carolina in building a Fort. If hereafter you should stand in Need, we shall not be backward in contributing every Thing in our Power for your Safety; but I am inclined to hope, from the late Success of His Majesty's Arms, that the American Colonies will soon be restored to their former Peace and Tranquility. Your Brethren of Virginia ever mindful, even of their most distant Promises, have provided a large Parcel of Goods to open a Trade with you, which would have been long since done, had not the late Conduct of your Warriors given us Room to doubt of the Sincerity of your Friendship; but as that Objection is removed, and you seem to be convinced of their Folly, the Goods shall be sent out early in the Spring, and the Managers of the Trade shall have my Directions

⁴¹. The Little Carpenter's name is most commonly spelled Attacullaculla or Attakullakulla.

to put it upon such a Footing, that we may receive a mutual Advantage thereby.

The great King on the other Side of the Water, commands that we should live together as the Children of one Father, which has made such an Impression on my Heart, that I wish for Nothing more. And I now repeat my Assurances, that we on our Part, shall on every Occasion endeavour to preserve the Chain of Friendship unviolated, as long as the Sun shines, or the Waters run.

The Clerk was afterwards order'd to read the said Speech slowly and distinctly, making a proper Rest after each Sentence for Mr. Smith to interpret; which being done, the Interpreter was bid to tell the Little Carpenter that the Governor would give him a Copy of his Talk, under his Hand and Seal, to carry to the Head-Man of his Nation, next Tuesday, at 12 o'Clock in the Council-Chamber.

After which, the Indians went away, appearing well pleas'd and satisfied.

At a Council held January 23d 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson Esqrs.

Mr. Commissary

The Indians appearing again this Day in the Council-Chamber the Governor signed a Copy of his Speech, directed to the Sachems and Warriors of the middle and lower Settlements of the Cherokee Nation, his own Seal being affixed, and deliver'd it to the Little Carpenter; and at the same Time gave a Letter to Mr. Smith for Governor Lyttelton, in which was inclosed another Copy, which Particulars were explain'd to the Little Carpenter; who being ask'd if he had any Thing more to say, answer'd that he and his Company expected to receive some Presents for the Trouble they had undergone, and hoped they should not be dismiss'd without them. The Governor told him by the Mouth of the Interpreter, that all the Indians who accompanied the General to War, had proper Presents made to them; that those who declin'd assisting us against the Enemy, had no Title to any. The Little Carpenter repeated, that

his Business here, was not to go to War; adding that he had notwithstanding given his Promise, at the Solicitations of the General, to attend him, which he should have perform'd, had he not been dissuaded by their Conjurer, who judged the Consequencies of their proceeding with the Army, would prove fatal to them. The Governor replied, that if such an Excuse was to be admitted as a Justification of their Conduct, we could never depend on any future Promise of Aid from them; and that our Success, the Enemy not daring to face us, might convince them, what little Confidence they ought to put in the Predictions of their Conjurer; that however he should be indulged with a Horse to carry him Home, and that his People might always depend upon being well rewarded, if hereafter they did us any real Service; his Honor concluded with assuring them, the Goods promis'd, should be sent early in the Spring, and wishing them their Health, and a good Journey.

At a Council held February 23d 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell

Robert Carter Esqrs.

Mr. Commissary

The Governor communicated to the Board, a Letter from General Forbes, dated Taasses⁴² Ferry, Jany. 11th signifying he had received Intelligence⁴³ that the french Commanders at Presqu' Isle, and Venango, in Conjunction with the French who retreated down the River, in all amounting to about Four Hundred Men, were preparing to attack Pittsburg; that to prevent Accidents, he was obliged to strengthen that Garrison, as likewise Fort Ligonier, to the

42. The same spelling is found in the *Minutes*. This should probably be Taffe's Ferry (also called Teaffe's, Teave's Ferry), which crossed the Susquehanna at what is now Harrisburg.

43. The *Minutes* for this date note that General Forbes's intelligence was "the last Intelligencies before he left Fort Ligonier of the French, and Indians their Followers."

Amount of Eight Hundred Men betwixt them both; and that he was reduced to the Necessity of sending for the Highlanders, and Royal Americans, who are absolutely naked, the Virginia Troops being all gone, and most of the Pennsylvanians—desiring this Province may contribute their proper Share of Men to the Maintenance of His Majesty's Conquest—and informing that the Pennsylvanians have sent their Commissaries with Indian Stores, to the Amount of £800, st. to traffick with the Indians.

His Honor was also pleas'd to communicate a Letter from Governor Lyttelton, dated the 7th of Decemr. inclosing a Copy of the Minutes of the Conferencies he had with the Cherokee Deputies who arrived at Charles Town the 7th of Novemr. and signifying he shall write to the Commanding Officers of the Forts, in the Cherokee Nation, that they may give all the Countenance in their Power to Mr. Richardson agreeably to his Honor's Request.

A Petition of John Lane Serjeant of the Court of Hustings for the City of Williamsburg, praying Relief of the Board on Account of his having discharged one James Bird, upon whom he had served an Execution at the Suit of one Emery Hughes for £32-7-9 by Order of the late Governor, who had employ'd him to go Express to New York, the Petitioner being now without Hopes of recovering the Debt, the said Bird having absconded in low Circumstances, by which he was become liable himself for the Debt, was read, and upon due Consideration, rejected.⁴⁴

At a Council held March 5th 1759

Present

The Governor

John Blair
William Nelson
Thomas Nelson

Peter Randolph
Philip Ludwell Esqrs.
Mr. Commissary

The Governor communicated a Letter from Mr. Secretary Pitt dated Decemr. 9th signifying his Majesty's Pleasure in Relation to

44. The *Minutes* for February 23, 1759 show the additional entry: "New Commission for Hampshire, and Elizabeth City."

this Colony's raising for the ensuing Campaign as large a Number of Men as possible, to act in Conjunction with the British Forces, in offensive Operations against our Enemies; likewise a Letter from Major-General Amherst, recommending and enforcing the same.

The Governor was pleas'd also to communicate to the Council, and desire their Opinion and Advice upon another Letter from General Amherst, inviting his Honor to meet him and the Governors of the neighbouring Colonies at Philadelphia, in order to treat of, and fall upon Ways and Means of attaching the Indians more firmly to his Majesty, and of promoting the common Interest. Upon which it was the Opinion of the Council, that his Honor's leaving the Colony at this critical Time, must necessarily retard the important Business of this Session of Assembly (which ought to be expedited as soon as possible) and be productive of many great Inconveniencies, and that his continuing here, would tend more to advance the Service of his Majesty, and the common Good of the Colony: And they advis'd his Honor to excuse himself to the General for not complying with his Request by assisting at the Meeting proposed, as the weighty Affairs of this Government will not admit of his Absence from it.

On the Petition of Ambrose Bramlett, Leave is granted him to survey two Entries lately made by him in Bedford, both lying contiguous, and to have an inclusive Patent for the same.

At a Council held April 4th 1759⁴⁵

Present

The Governor

John Blair	Philip Ludwell
Philip Grymes	Philip Ludwell Lee
Peter Randolph	John Tayloe Esqrs.
Richard Corbin	Mr. Commissary

The Governor was pleas'd to consult the Council in regard to the Disposal of the Commissions⁴⁶ for the five Companies to be

45. See page 677 for the *Minutes* of March 19 and April 3, 1759.

46. The *Minutes* for this date speak of the commissions as "Commissions to be Captains etcetera."

raised for the Protection of the Frontiers Upon which, it was the Opinion of the Council, that the Gentlemen who served last Campaign in the 2d Regiment deserved to be preferred to the Officers of the Ranging Companies, and advised his Honor to give the Preference to such of them as should make Application in a reasonable Time, according to their former Rank.⁴⁷

At a Council held April 7th 1759⁴⁸

Present

The Governor

John Blair

Peter Randolph

Philip Grymes

Philip Ludwell

Phil: Lud: Lee Esqrs.

The Governor communicated to the Board a Letter from General Amherst, dated New York, the 22d of March, signifying he laid aside all Thoughts of going to Philadelphia—that he had sent Brigadier-General Stanwix, who set out the Monday preceeding, to Philadelphia, to take upon him the Command of the Troops to the Southward, and to do every Thing that may be requisite, either to act on the Offensive or Defensive, as he shall judge best for the Good of the Public, and desired him to correspond and cooperate with the Southern Governors, and furnish'd him with a circular Letter to them, requesting they would do the like with him—adding that he had sent Col. Byrd to forward the raising and equipping the Men that shall have been voted by Virginia, that they may be at the Place of Rendezvous without any Delay.

On the Petition of William Randolph Gent. Leave is granted him to include in one Patent the following Tracts of Land on the North and South Sides of Staunton River in Bedford, viz. One of Six Hun-

47. The *Minutes* for April 4, 1759 have the additional entries: "Approved of a List produced by Governor—were of Opinion it would be better to leave a Vacancy of a Field Officer in new Battalion, than in 1st Regiment—Approv'd of Major Lewis having the Command of it—and of Mr. Peachy acting as major, during his Absence, in 1st Regiment."

48. See page 678 for the *Minutes* of April 6, 1759.

dred Acres, one of Two Hundred and Four, another of Three Hundred and Seventy Eight; also Two Hundred Acres purchased of David Harris, with Three Hundred and Fifty Four, on both Sides of Hancock's Run, a Branch of Staunton River, and Five Hundred and Fifty one, on the South Side of Staunton River in Halifax, all being survey'd and the Works returned into the Secretary's Office.⁴⁹

At a Council held April 9th 1759

Present

The Governor

John Blair

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell

Phil: Lud: Lee Esqrs.

Mr. Commissary

The Governor communicated a Letter from Mr. Pownall⁵⁰ dated Whitehall Jany. 5th signifying he was directed by the Lords Commissioners for Trade and Plantations to send him inclosed Copies of their Lordships Letters of the 3d of July 1754, and the 18th of April 1755, to Mr. Dinwiddie late Lieut Governor of Virginia, containing their Lordships Directions and Instructions with Respect to the Fee to be taken upon passing Patents for Lands in this Colony. Which Letters being read, it was the Advice of the Council, and accordingly order'd, that it be notified in the Virginia Gazette what Patents are subject to the Fee of a Pistole; and that if Patents lying in the Secretary's Office, for which such Fee is due, are not sued out within six Months from this Time, the said Lands shall be liable to be caveated; and that hereafter, no Certificates for Lands will be received into the Secretary's Office without such Fee, where the same is due.

49. The *Minutes* for April 7, 1759 show the additional entries: "Ordered That a new Commission of the Peace issue for Caroline etcetera. Ditto for Lunenburg, and that Matthew Marrable be reinstated."

50. The *Minutes* for this date identify Pownall as "Mr. John Pownall." The Council advised "that the said Letters be entered in the Council Register." Of the lands which the Journal describes as "liable to be caveated," the *Minutes* say "the same will be forfeited, and esteemd King's Lands."

At a Council held April 10th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell

Phil: Lud: Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor acquainted the Council he had received an Address from the House of Burgesses, requesting him to lay an Embargo on Corn, upon which he desired their Opinion and Advice. On Consideration whereof, the Council were unanimously of Opinion, that such Embargo at this Time was unnecessary, and accordingly advised his Honor against it.⁵¹

At a Council held April 17th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

John Tayloe Esqrs.

Mr. Commissary

The Governor communicated to the Board the Talk he had just received from Ottocullocullo,⁵² or the Little Carpenter, dated Fort Prince George, March 15th signifying his People are well pleased to hear that all Quarrels were amicably made up, between them

51. The *Minutes* for April 10, 1759 have the additional entries: "Governor communicated two letters from Mr. Secretary Pitt, 5th of February and 23d January, two letters from General Amherst, dated 18th and 28th of March, New York. A Letter from Brigadier General Stanwix, Philadelphia April 2d. Also a Letter from Colonel Byrd dated March 25th. And a Letter from Mr. Pownal dated January 19th with a Copy of the Proceedings of the Council in Relation to the merchant's memorial, which was dated January 11th 59."

52. The Little Carpenter's name is most commonly spelled Attacullaculla or Attakullakulla.

and Virginia—promising they shall do no more Mischief on the Frontiers—inclosing a String of white Wampum, to remind his Honor of the Trade promised to them—and desiring that Mr. Smith may be sent to let him know what Time the Goods may be expected.

Whereupon it was the Advice of the Council to send Smith the Interpreter to acquaint the Cherokees that the Goods would be sent out as soon as Horses could be purchased, which it was expected, would be about the latter End of June.

At a Council held April 21st 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell

John Tayloe Esqrs.

Mr. Commissary

The Governor was pleas'd to communicate the following Letters.

A Letter from General Amherst dated New York, March 30th signifying he is glad to find that the Command of the Virginia Forces is offer'd to Col. Byrd; that upon a strong Presumption it would, and a Certainty of his accepting the same, he sent him to us about a Fortnight before, to be assisting in expediting the Levies, also immediately to order a Detachment of his Regiment to Fort Ligonier—renewing his Request to his Honor to correspond and cooperate with Brigr.-General Stanwix in every Measure that can tend to the Good of the Service.

Also another Letter from his Excellency dated the 31st of March, informing that La Force is now upon Long Island, where he was sent by Governor De Lancey, after having taken his Parole—that what his Honor recommends in Relation to him and the two Gentlemen of Virginia, shall be punctually observed upon the first Occasion which shall offer in treating for an Exchange of Prisoners.

Also a Letter from Mr. Beverley Robinson dated New York April 6th signifying that no Fund being there for maintaining the french Prisoners, that La Force might not be sent back to Virginia, which he thought would not be agreeable to his Honor, he had become answerable for his Maintenance, which will be about two Dollars per Week.

Also a Letter from Col. Byrd, dated Philadelphia, March 26th signifying he had employ'd Mr. David Franks to provide the Cloathing for his Regiment according to his Honor's Order—that as he was obliged to advance a Great Deal of Money for that Purpose, he had taken the Liberty of drawing a Bill on him in his Favor for £5000 Pennsylvania Currency.

At a Council held April 25th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell

John Tayloe Esqrs.

Mr. Commissary

Order'd

That a new Commission of the Peace issue for Charles-City County, and that William Kennon junr. Gent. be added.

Order'd

That Thomas Davis a Mullatto Slave lately belonging to James Wood of King and Queen County be manumitted and set free, he having obtained the Permission of his said Master, and produced a ⁵³ Certificate of his good Behaviour and Merit.

53. Thus in the original.

At a Council held May 3d 1759

Present

The Governor

John Blair	Richard Corbin
Philip Grymes	Philip Ludwell
Peter Randolph	John Tayloe Esqrs.

Mr. Commissary

The Account of Contingent Charges from the 25th of October 1758, to the 25th of April 1759, and for Work done to the Governor's House, being laid before the Board, was allowed.

On the Petition of Richard Repley, Leave is granted him to take up One Thousand Acres of Land in Augusta County, lying in the Fork between Holson's⁵⁴ and New River extending up both Rivers.

At a Council held May 5th 1759

Present

The Governor

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Philip Ludwell
Philip Grymes	Phil: Lud: Lee Esqrs.

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2s. per Hhd Port Duties &c. were sign'd by the Governor in Council.

For Half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Do. to Solicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	35.0.0
For Do. to Clerk of the Council	50.0.0
For Do. to the Adjutants	120.0.0
For Do. to the Armourer	6.0.0

⁵⁴. Probably the Holston River.

For Do. to Gunners of the Batteries	12.10.0
To Ministers attending one Genl. Court and Assembly	24.0.0
For Repairs to the Governor's House	164.9.5
For Contingent Charges	441.0.6

On the Revenue of Quit-Rents.

For Half a Year's Salary to the Attorney General	35.0.0
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The Account of his Majesty's Revenue of 2s. per Hhd. Port Duties &c. from the 25th of October 1758, to the 25th of April 1759, being examin'd by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor.

At a Council held June 13th 1759

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	Robert Carter Esqrs.
Peter Randolph	Mr. Commissary

The Governor was pleas'd to communicate to the Board, the following Letters viz:

A Letter from General Amherst dated New York, April 22d signifying his Concern to find that all the Augmentation the Burgesses have made is only two Companies of 100 Men each to be added to the Regiment as Artificers, which tho' he cannot but commend, yet this falls very short of his Expectations—that he shall recommend to Brigadier Stanwix to furnish what Number of Arms he shall judge necessary to compleat the Virginia Troops—that as it is probable at the Close of the Campaign the Service will require him to call a Meeting of the Governors, he will endeavour to have it take Place at such a Time, as may not interfere with the Business of the Colony, of which he shall give timely Notice.

Two Letters from Brigadier General Stanwix, dated Philadelphia April 28th and May 30th expressing his Approbation of the Addition of two Companies of Artificers, and his Hopes that some Expedient will be found to compleat the Regiment.

A Letter from Col. Byrd, dated Winchester June 4th informing that Fort Cumberland is in Danger, the Indians appearing before it every Day—that he had sent Captain McKenzie there with Fifty Men—that several of Capt. Waggoner's Men have been killed at Pittsburg lately—that the Posts are in a miserable Situation above, for Want both of Men and Provisions—that the Regiment is at a low Ebb from the Losses they have sustained, the Small-Pox and Meazles amongst them, and great Desertion—desiring a Commission to hold a General Court-Martial, some blank military Commissions, and a Sum of Money for Contingent Charges.

A Letter from Governor Lyttelton, dated Charles-Town April 27th referring his Honor to Mr. Martin, the Bearer, who was appointed Missionary to the Cherokees, for the latest Occurrences there of any Moment.

Also two Letters from Mr. Davies, dated Hanover May 30th and June 9th, the one signifying that the Society for managing the Indian Missions and Schools, have lately received Mr. Richardson's Journal; and communicating according to their Order to his Honor some Particulars of Consequence therein contained, respecting the Temper and Disposition of the Cherokees; adding if his Honor pleases to see the said Journal, his Commands shall be obey'd.

The other signifying he had desired Mr. Martin, in the Name of the Society, to request his Honor, to order the Interpreter who is in the Pay of Virginia, to assist the Missionary occasionally when he is not engaged in the public Service.

The Governor acquainted the Council with what he had learnt from Mr. Martin, concerning the Cherokees, and desired their Advice thereon,

Upon which it was the Advice of the Council, that the Goods now in the Country for carrying on a Trade with the said Indians, be forthwith sent away to their Nation; and that a Present out of them of £25, Value, be given to Hop, and the Little Carpenter, the two Chiefs of that Nation.

The Board this Day having taken under Consideration the most commodious Place for fixing the Court House for Prince William

County, it was the Opinion of the Council, and accordingly order'd, that the Court-House for the said County be established in the Town of Dumfries, and that in the mean-time the Courts be held in the old Place.

Upon considering the most proper Place for establishing the Court-House of Fauquier County, for Reasons appearing to the Board it is

Order'd

That the Court-House of the said County, be fixed on the Land appertaining to Richard Henry Lee Esqr.

At a Council held June 14th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Philip Ludwell

Phil: Lud: Lee

Robert Carter Esqrs.

Mr. Commissary

Samuel Goode having enter'd a Caveat against Charles Spradling for Four Hundred Acres formerly in Amelia, now Prince Edward it being the Piece of Land that the said Spradling recover'd from Daniel Farley, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Joseph Walton having enter'd a Caveat against Joseph Williams and the Heirs and Executors of Thomas Williamson deceased for Six Thousand Acres in Lunenburg, on the middle, or Robinson Fork of Meherrin; upon hearing Council on both Sides, it is order'd that the said Caveat be dismiss.

Joseph Williams Executor of Thomas Williamson deceased, having enter'd a Caveat against George Walton for any Land on the Robinson Fork of Meherrin in Lunenburg, upon hearing Council on both Sides it is order'd that the Plaintiff as Executor have a Patent for the Land claimed by the Defendant, on the said Fork.

John Night having enter'd a Caveat against William Pennington for Three Hundred and Fifty Acres in Brunswick, lying near Me-

herin on the South Side, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

William Daniel having enter'd a Caveat against William Dabbs, for Four Hundred Acres, on the Head of Tarwallet on each Side of Buckingham Road in Cumberland, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Gideon Moss having enter'd a Caveat against John Moss for Five Hundred Acres in Goochland, upon Little Byrd Creek, one of the Branches of James River, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Gideon Moss having enter'd a Caveat against Gideon Massey for Four Hundred Acres in Goochland upon the Branch of the Little Byrd aforesaid, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Zachariah Baker having enter'd a Caveat against William Cornish for Two Hundred Acres more or less in Lunenburg, joining Butcher's Creek, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

William Hawkins having enter'd a Caveat against John Bannister for One Thousand Acres on Bannister River in the County of Halifax, for Reasons appearing to the Board, it is order'd that the said Caveat be dismiss and that the said Hawkins pay all the Costs thereof.

Josiah Leak having enter'd a Caveat against William Leak, for One Hundred and Seventy two Acres, lying in Albemarle on Rock-Island Creek, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Albrington Jones having enter'd a Caveat against Jesse Johnson, for Eighty Acres in Southampton, on the North Side of Nottoway River, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Hampton Wade having enter'd a Caveat against Edward Slaughter, for Two Thousand Three Hundred and Seventy Five Acres in Lunenburg, on the Branches of Meherin River, for Reasons appearing to the Board, it is

Order'd

That the Plaintiff have a Patent for the said Land.

Samuel Smith and Henry Trippe having enter'd a Caveat against Lawrence Dawley and Sarah Cumming for a Tract of Four Hundred and Forty Eight Acres in Princess Anne, for reasons appearing to the Board, it is order'd that the Plaintiffs have a Patent for the said Land.

John Leak having enter'd a Caveat against James Stuart for two Tracts of Land, about Four Hundred Acres each on Elk Horn Creek in Halifax, for Reasons appearing to the Board, it is order'd that the said Caveat be dismiss'd, and that the Plaintiff pay all the Costs thereon.

Paul Carrington having enter'd a Caveat against Josias Randle, for Three Hundred and Seventy Four Acres in Lunenburg, on the upper Side, and joining little Roanoke, between Read's and Collins's Lines, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

John Philips having enter'd a Caveat against George Cavernesse, Son and Heir of George Cavernesse deceased, for Fifty Four Acres in Lunenburg formerly Brunswick on Staunton River, for Reasons appearing to the Board, it is

Order'd

That the Surveyor make a new Survey of the said Land, and that the Plaintiff have a Patent for the same.

Richard Bandy having enter'd a Caveat against John Hughes, Heir at Law of Ashford Hughes deceased, for Forty Eight Acres in Cumberland, the Plaintiff appearing, and the Defendant having

been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Joseph Larke having enter'd a Caveat against James Westbrook for Four Hundred Acres in Southampton, on the South Side of the Three Creeks, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

At a Council held Septemr. 3d 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson Esqrs.

Mr. Commissary

The Governor was pleas'd to communicate to the Board, the following Letters,

A Letter from Governor Lyttelton dated Charles Town June 7th signifying he had received Advices that Nineteen Persons had been scalped on the Yadkin and Catawba Rivers by a Party of the Cherokee Indians; that he had sent Remonstrances thereon to the Head-Men of that Nation, but has not yet received their Answer.

Also a Letter from Lieutenant Coytmore, Commanding Officer at Fort Prince George in the lower Cherokee Nation, informing that two Days after Rd. Smith's Arrival there with his Honor's Talk to those Indians, which was on the 2d of that Month, there was a Meeting of all the lower Towns, when, at Mr. Smith's desire, he read the above Talk to them; that they did not plead being innocent of the Murders they were charg'd with, or mention giving any Satisfaction; that fair Promises of future Amendment, was all he could get from them; but that from their daily Behaviour, and the Informations he has privately received, he is far from thinking they intend to pay the least Regard to those Promises.

Also another Letter from Governor Lyttelton, dated Augt. 15th acquainting his Honor with the Measures he had taken in Consequence of a Letter from Lieutt. Coytmore, dated Augt. 3d (an

Extract whereof he inclosed, advising, "that at a late Meeting between the Heads of the Cherokees, and four Creeks, two of which were Headmen, but of different Towns, who came on the 28th of July, with a Messenger sent to renew their Friendship and Alliance, the Cherokees being persuaded by the Creeks that the French had a Regard for them, and could amply supply them with every Necessary, came to a Resolution to join with them against the English,") and recommending it to him to stop the Trade intended from hence with the Cherokees, until it appears what Turn our Affairs will take with those People.

Whereupon it was the Advice of the Council that his Honor would direct Mr. Charles Turnbull who is intrusted with the Care of the Goods intended for the Cherokees, not to forward them till further Orders; And to require Major Peachy to fortify the Posts on the South Western Frontiers, and to keep the Rest of his Men ready to join them, if it should be judged necessary to give him Orders for that Purpose; as the Disposition of the Southern Indians is very doubtful, and there is Reason to suspect their Fidelity; enjoining him at the same time to be cautious of alarming the Inhabitants in those Parts.

The Governor communicated an Instruction from His Majesty, dated the 9th of Febry., requiring him to recommend to the Assembly to pass an Act for amending the Act declaring the Law concerning Executions, and for the Relief of insolvent Debtors: Also the Act for granting an Aid to his Majesty for the better Protection of this Colony and for other Purposes therein mentioned: And that they do thereby provide, that all debts contracted in sterling Money, and become due before the Commencement of the said Acts respectively, shall be dischargeable in sterling Money only; and that Debts since contracted, or hereafter to be contracted, between the Subjects of Great-Britain and the Inhabitants of this Colony be made payable in the said Bills of Credit (if the Creditor shall be willing to receive the same and not otherwise) not according to their nominal Value, but according to the real Difference of Exchange between such Paper Bills and sterling Money, at the Time of discharging such Debts.

Upon which it was the Opinion of the Council, that what was required by the royal Instruction, had already been fully provided for, and that it was not necessary to call the Assembly thereupon; but they advised his Honor to lay the same before them at their next Meeting.

The Governor produced to the Board, an Order of His Majesty in Council, dated the 2d of Feby. 1759, repealing an Act passed in Virginia 1752, for erecting a Lighthouse at Cape-Henry; with the Representation from the Lords Commissioners for Trade and Plantations, proposing that His Majesty would be pleas'd to declare his royal Disallowance of the said Act.

His Honor was also pleas'd to communicate the following Letters, viz:

A Letter from General Amherst dated from the Camp at Ticonderoga, 27th of July, signifying that the Enemy the Evening before, blew up a great Part of the Fort, and made their Escape all to about twenty Deserters.

A Letter from Col. Bouquet, dated Fort-Bedford 25th of August, informing that General Stanwix was gone to Pittsburg—that the Communication between Virginia and the Ohio being now open'd by Braddock's Road, it would be advantageous for this Province to share in the Trade with the Indians, and send, as soon as possible Goods to Pittsburg, where the Concourse of Indians is very great, and where they bring a large Quantity of Skins to trade with us.

Two Letters from Col. Byrd, dated Fort Ligonier, the 15th and 23d of August, the first advising that the Enemy had burnt and abandon'd the Forts at Venango, Presqu' Isle, and Le Boeuf—that by the Ohio Indians they learn that the Cherokees have declar'd War against the English, and been solliciting them to join them—that the remaining Part of the Campaign will be employed in establishing strong Posts on the Ohio. The second Letter signifying he shall proceed to Pittsburg, as soon as a sufficient Quantity of Provisions can be got up, and recommending Mr. Finnie to his Honor's Notice for his good Conduct in opening the Communication to Pittsburg by General Braddock's Road, in which Service he was at great Expence.

At a Council held Novemr. 1st 1759

Present

The Governor

John Blair	Richard Corbin
William Nelson	Philip Ludwell
Thomas Nelson	Philip Ludwell Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.

Mr. Commissary

The Account of Contingent Charges from the 25th of April 1759, to the 25th of Octor. 1759, and for Work done to the Governor's House, being laid before the Board was allowed.

At a Council held Novemr. 6th 1759

Present

The Governor

John Blair	Philip Grymes
William Nelson	Peter Randolph
Thomas Nelson	Phil: Lud: Lee

Robert Carter Esqrs.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. Port Duties &c. were signed by the Governor in Council.

For Half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Do. to Sollicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	35.0.0
For Do. to Clerk of the Council	50.0.0
For Do. to the Adjutants	120.0.0
For Do. to the Armourer	6.0.0
For Do. to Gunners of the Batteries	12.10.0

To Ministers attending one General Court	12.0.0
For Repairs to the Governor's House	69.10.0
For Contingent Charges	342.1.0
On the Revenue of Quit Rents.	
For Half a Year's Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c. arising within the Colony of Virginia from the 25th of April 1759, to the 25th of Octor. 1759, being examin'd by the Deputy Auditor and made Oath to by the Receiver General, was certified by the Governor.

On the Petition of David Wilson, Leave is granted him to take up and survey One Thousand Acres of Land in Augusta County, lying on the South Side of Wood's, otherwise called New River, beginning at a Cedar Tree mark'd with four Notches on a small Branch of the said River, and so runing up and down for Quantity.

On the Petition of William Baugh Leave is granted him to take up and survey Fifty Acres of Land adjoining his old Land, containing Six Hundred and Twelve Acres, already survey'd and patented, and the Land of John Livsey, William Edwards, John Philips, and Daniel Sturdivant, on the South Side of Second Swamp in Prince-George County, and to have an inclusive Patent for the Whole.

At a Council held Novemr. 19th 1759

Present

The Governor

John Blair	Peter Randolph
William Nelson	Philip Ludwell
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	John Tayloe Esqrs.

The Account of his Majesty's Revenue of Quit-Rents for the Year 1758, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor as usual.

At a Council held Novemr. 20th 1759.

Present

The Governor, and as Yesterday.

The Governor desired the Opinion and Advice of the Council if he could consistently with his Instructions, which he produced a Copy of, give his Assent to a Bill intituled "An Act to oblige the Persons bringing Slaves into this Colony from Maryland, Carolina, and the West Indies for their own Use, to pay a Duty." Upon which it was the Opinion of the Council that his Honor might consistently with the Spirit of his Instructions give his Assent to the said Bill, and they advised him to do it for the following Reasons.

The Council observe that in the Year 1723, an Act of Assembly passed, intituled "An Act for laying a Duty on Liquors and Slaves." This Duty on Slaves being high, and directed to be paid by the Importer was immediately taken Notice of by the Merchants trading from Great-Britain to the Coast of Africa, as a burthen upon them, and destructive of that Trade; and upon their Application to his late Majesty, the said Act was repealed the very next Year, by the Royal Proclamation, and in Consequence, the Instruction now under Consideration was sent in. From that Period there was no Duty paid on Slaves imported into this Colony, till the Year 1732, at which Time the Legislature finding that the Duty laid upon Liquors was not sufficient to defray the necessary Expences of the Government, passed an Act intituled, "An Act for laying a Duty on Slaves to be paid by the Buyers," which they say, in the Preamble of the Act is agreeable to his Majesty's Instruction to his Lieut.-Governor, and therefore beseech his Majesty that it may be enacted &c. Now, several Acts have since been pass'd upon the same Plan of making the Duties payable by the Buyer; some of them for continuing, altering, amending, and revising the said Act, others for encreasing the Duty from five to ten per Cent; and as the Exigencies of the Colony for its Defence in the present War have encreased, it hath been raised to twenty per Cent, yet always to be paid by the Buyer: And as all these Acts have been regularly transmitted to the Right Honble

the Lords for Trade and Plantations, and no Objections have been made to them by their Lordships, or any of his Majesty's Ministers, the Council therefore reasonably conclude, that the said Acts are look'd upon to be no way inconsistent with the royal Instruction, inasmuch as that forbids the passing any Act for laying a Duty on Slaves to be paid by the Importer; whereas these several Acts direct the Duty to be paid by the Buyer.

Secondly, the Acts now in Force, on this Subject, lay the Duty on such Slaves only as are imported into this Colony for Sale. This hath open'd a Door to the Inhabitants to defeat the Intention of them by passing the River Potowmack into Maryland, and others by travelling into North Carolina, where they buy their Slaves and bring them into this Colony, not for Sale they say, but for their own Use, and therefore no Duty is to be paid; by which Practice the Treasury hath been deprived of very considerable Sums of Money this Summer, which were intended and appropriated to the sinking a Part of the large Emmissions of Paper Money: And as the sole Object of the Bill now under Consideration is to put a Stop to so pernicious an Evasion, of these necessary Laws, made to support the Credit, and supply the Exigencies of the Colony; and to enforce a fair and equal Observance of those Laws, the Council cannot hesitate to advise his Honor to pass the Bill; especially as the said Duty is no more, or other than what is imposed by the former Acts, and not contrary to the Instruction, which apparently and only intends to prevent any Duty being imposed and to be paid by the Merchants of Great-Britain, trading to and from the Coast of Africa.

At a Council held Decemr. 12th 1759

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Philip Ludwell

Phil: Lud: Lee

Robert Carter Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board, two Letters from Col. Byrd, dated Pittsburg the 29th of Octor. Also a Letter from Lt. Col. Stephen dated the same Day and Place, informing of the Situation of Affairs in those Parts, and the Circumstances of the Regiment. Also two Letters from Lt. Col. Peachey, dated Augusta Court-House, the one Novemr. 28th, the other, Decemr. 4th signifying he apprehends no Danger or Disturbance from the Enemy at present on the Frontiers; and recommending, when the Men under his Command shall be discharged, to allow them to draw Six or Eight Days Provision to carry them Home, and to pay them as long. Upon which it was the Opinion of the Council, that it would be more eligible to discharge that Battalion, six Days before the Time prescribed by Act of Assembly.

His Honor also communicated a Letter from Governor Lyttelton, dated Charles-Town the 25th of Octor, promising, if Matters are brought to a successful Issue, in the Cherokee Nation, to take the first Opportunity of acquainting those who remain with the Goods at Salisbury therewith.

Mr. President produced to the Board several Letters he had received from Mr. Abercrombie, viz: a Letter of the 20th of May, and one of the 25th of June last, signifying the Pains he had taken in forming the Claim of Virginia, as set forth in his Petition to the Lords of the Treasury, a Copy whereof was inclosed relative to the Distribution of the £50,000; also the Claim for Virginia on the £200,000, which he had given in for the Services of the Year 1758, a Copy of which likewise came inclosed. Another Letter dated the 25th of July, informing that the Claims for the Dividend on the £50,000, rest before Lord Loudoun on the Reference from the Treasury; that as soon as his Lordship's Approbation of the Virginia Claim can be got, he shall lose no Time in applying to the Treasury to have it issued accordingly: And hopes the Governor and Council will not put the Negative to his having the like Emoluments in this Case, with the Agents for the other Colonies.

Also a Letter of the 30th of June, and another of the 3d of August, signifying his having attended on the Lords for Trade, in Behalf of the Legislature, and in Support of the Act passed here

last Octor. to enable the Inhabitants to discharge their public Dues and other Tobacco Duties in Money for the ensuing Year, against which Mr. Camm had exhibited a Remonstrance, which he sent inclosed. That he expected this Case had rested on the Report of that Board for repealing the Act, but on a new Remonstrance presented by Mr. Camm, to the King in Council, a Copy of which he inclosed, he was summoned to appear and be heard by Council; that the Case came on that Day; and the Point was determined to go no further than the Repeal as it stands on the Report of the Board for Trade—Hopes what he has done will be approved of, and the Expences made good. That he has procured a Reference to the Auditor-General of his Memorial to the Treasury for an Aid on the Quit-Rents—And desires to know in what Shape he is henceforth to conduct himself in the Service of this Board, there being in Fact two Agents, and (if the Law lately passed shall stand its Ground) acting under different Authorities and Establishments.

Upon reading all which Letters and Papers, it was the Advice of the Council, that the President acquaint Mr. Abercrombie they are willing he should have the same Advantages with the other Agents, on remitting their Portion of the Parliamentary Grants—that they approve of his Conduct in supporting the Act of Assembly remonstrated against by Mr. Camm, and shall readily allow the extraordinary Expences he has incurred in that Service—that the President send him an exact Account of all the different Sums which have been raised here for the Defence of the Colony, and the public Service, that he may be enabled to ascertain their Claim on the £200,000—They further advised that a Memorial be drawn to the Lords of the Treasury, praying them to direct that the Sum which shall be apportioned to Virginia may be paid to Mr. Abercrombie, upon his giving Security to remit the same to such Person, and in such Manner as his Majesty shall be pleased to order—And that the President would signify their Pleasure that he ensure the same, and transmit it in a Man of War—and also acquaint him it is expected he will on all Occasions conform himself to the Directions he shall receive from this Board, and that, in any Emergency when

he can't wait for their Instructions, he regulate his Conduct, and act according to his own Discretion.

Upon a Motion made, it is order'd, that for the time to come, the Minutes of every Council be read at the next subsequent Meeting.

A Complaint by some of the Justices of Augusta, against Mr. Patrick Martin a Justice of the said County, charging him with having committed sundry Breaches of his Duty, and been guilty of some Things in his private Capacity for which they thought he was not fit to be continued as a Magistrate, and praying he may be left out of the Commission of the Peace for that County, was this Day heard; and after reading several Depositions in Support of the Complaint, and hearing Witnesses in Behalf of Mr. Martin, it was the Opinion of the Board, that the Complainants had not made good their Charges against him the said Martin, and that it did not appear he had done any Thing, for which he ought to be disqualified from serving in their Commission.

At a Council held February 21st 1760

Present

The Governor

John Blair

Thomas Nelson

William Nelson

Philip Ludwell Esqrs.

Mr. Commissary

His Honor was pleased to communicate to the Board a Letter from Governor Lyttleton, dated Fort Prince George Decemr. 27th 1759, transmitting a Copy of the Treaty which he concluded the Day before with the Cherokees—Also another Letter from him, dated Charles-Town Feby. 2d informing that since the Treaty of Peace concluded with those Indians, they have renewed their Hostilities, and slain a considerable Number of his Majesty's Subjects trading in their Towns, and that he has strong grounds to apprehend they will very speedily make Incursions in that, and the neighbouring Provinces—inclosing a Copy of a Letter to him from Lieutenant Coytmore, dated Fort Prince George giving a

particular Relation of the late Behaviour of the said Indians—in-treating his Honor to send a Reinforcement of Men and Provisions to Fort Loudoun as soon as possible, to secure that Post from falling into the Hands of the Indians—adding that he had dispatched an Express to Salisbury in No. Carolina with a Letter to the Store keeper of the Indian-trading-Goods lodged there, belonging to this Province, a Copy of which was inclosed.

Upon which it was the Advice of the Council that his Honor would postpone the Consideration of Governor Lyttelton's Letter and Request till the Meeting of the Assembly.

His Honor was likewise pleas'd to communicate two Letters from his Excellency General Amherst dated New York the 21st and 27th of Decemr. last: The first, signifying it gave him great Pleasure to learn that the Assembly had resolved to keep up the Regiment in the Pay of this Colony till May next, which he esteems as an Earnest of their further Zeal for the Good of the common Cause, if their Service should be any longer requisite.

The 2d. thanking his Honor for his kind Congratulations on the distinguishing Mark of his Majesty's Approbation of his Endeavors to discharge the Trust reposed in him—that he had defer'd acquainting his Honor therewith till the Arrival of his Patent, which, so soon as it comes to his Hands, he shall transmit to him.

Also a Letter of General Stanwix dated Pittsburg the 6th of Jany., signifying how absolutely necessary it will be to keep up the Virginia Regiment to a Thousand Men, during the War, for protecting our own Frontiers, to assist in carrying on the Works at Pittsburg, and for keeping open the Communication from Redstone-Creek to Fort Cumberland.

Also a Letter from Sir John St. Clair, dated Trenton, Decemr. 8th promising as soon as he is able to send the Account stated between this Government and the Crown, in the meantime sending his Honor the Order for the Ballance due to the Colony, which Colo. Hunter will pay at Sight, amounting to £912.4d. Sterling, after deducting Major Stewart's Demand.

At a Council held March 4th 1760

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Philip Ludwell Lee

Robert Carter Esqrs.

Mr. Commissary

The Governor produced to the Board his Majesty's Commission, dated Septemr. 25th 1759, constituting and appointing his Excellency General Amherst Captain General and Governor in Chief of Virginia.

His Honor was pleased also to communicate the following Letters;

A Letter from the Lords of Trade signifying his Majesty's Pleasure that a public Thanksgiving should be solemnized for the signal Success of his Arms both by Sea and Land, particularly by the Defeat of the French Army in Canada, and the taking of Quebec. Whereupon Tuesday the 8th Day of April next was proposed and appointed, and a Proclamation order'd to issue immediately for that Purpose.

A Letter from his Excellency General Amherst, dated New York Feby. 21st inclosing and enforcing a Letter from Mr. Secretary Pitt dated Jany. 7th signifying his Majesty's Commands to his Honor to recommend in the strongest Terms to the General Assembly, the exerting themselves by the most vigourous Measures during this Campaign.

A Letter from Col. Byrd dated New York Feby. 11th recommending the Continuance of the Virginia Regiment till Christmass next.

Also a Letter from Lord Colvill, dated Hallifax Harbour Decemr. 9th informing that he had writ an Order for Capt. Faulknor of the Mercury, then at Boston, to repair without Loss of Time to Virginia, to take under Convoy all the homeward bound Trade, and see them safe to the Downs.

Order'd

That the same be notified in the Virginia Gazette.⁵⁵

55. The *Minutes* for March 4, 1760 have the additional entry: "Ordered That a Proclamation issue for apprehending Thomas Baber, offering £20 Reward for taking him."

At a Council, held April 10th 1760

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Phil: Lud: Lee

Robert Carter Esqrs.

Mr. Commissary

The Governor communicated a Letter he received last Week from Col. Maury dated Halifax County March 28th signifying that on the 26th of the said Month he was advised by an Express from Capt. William Satterwhite, living on Smith River, that the Indians had fallen upon the People settled at and near the Confluence of the Dan and Mayo, and taken and killed many Persons; informing what he had done and intended to do thereupon, till he received his Honor's Instructions.

His Honor acquainted the Council, that upon Receipt of the said Letter, he dispatched his Orders to Major Lewis to send Eighty Men immediately with proper Officers into Halifax to be stationed in the most advantageous Manner for protecting the Inhabitants there; which he judged more eligible than raising the Militia of the adjacent Counties; that he at the same time signified this to Col. Maury, telling him he might provide for the Subsistence of these Men upon the terms of his former Contract; and desired their Opinion if any more effectual Aid should be sent to the People in those Parts.

Upon which the Council were of Opinion that Nothing more at present was necessary to be done upon the Occasion, and intirely approved of the Measures his Honor had thought proper to take.

The Governor also communicated a Letter from Col. Byrd, dated Philadelphia March 30th signifying he proposes being at Winchester on the 6th of April, and that he has Orders from General Amherst, to hold the Regiment in Readiness to march on the earliest Notice from him.

Also a Letter from Capt. Bullett, informing that several Soldiers belonging to the Virginia Regiment had overstaid their Furloughs,

and may probably not return from an Apprehension of Punishment for such a Breach of Duty.

Whereupon it was the Advice of the Council, and accordingly order'd that a Proclamation forthwith issue, promising a Pardon to all such Soldiers who shall join the Regiment at Winchester by the tenth of May next.

At a Council held May 6th 1760

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Philip Ludwell Lee

John Tayloe Esqrs.

Mr. Commissary

The Governor was pleased to communicate to the Board a Letter from Governor Pownal dated March 24th requesting his Assistance towards relieving the Sufferers by the late dreadful Fire at Boston.

Upon which it was the Advice of the Council that the Commissary prepare a Brief suitable to the Occasion to be read in all the Churches of this Colony.

His Honor also communicated a Letter from Mr. Commissary Walker, dated April 29th signifying it is not in his Power to victual Troops in the Manner they have been victualed for 6d. per Day during the Months of May, June, and July:

Whereupon the Council advised that 8d. per Day be allow'd him for those Months.

On the Petition of John Chiswell Esqr. Leave is granted him to take up and survey One Thousand Acres of Land lying on both Sides of the New River, beginning on the South Side, at Humberstone Lyons's lower Corner, and running down the said River so as to include that Quantity.

On the Petition of John Robinson Esqr. Leave is granted him to take up and survey One Thousand Acres of Land, on both Sides of the New-River, beginning on the South Side, joining the Lines of

John Chiswell's Grant, and runing down the said River, so as to include that Quantity.

The Account of Contingent Charges from the 25th of October 1759, to the 25th of April 1760, and for Work done to the Governor's House, being laid before the Board, was allowed.

At a Council held May 7th 1760

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Lee Esqrs.

Mr. Commissary

His Honor communicated to the Board a Letter from the Hon'ble William Bull Esqr. Lieutenant-Governor of South-Carolina, dated April 12th advising that the War is certainly become general with all the Cherokees on this Side of the Mountains—acquainting what their Assembly had done—and what Numbers the Army to be employed under Col. Montgomery against the Cherokees will consist of.

Also a Letter from Governor Dobbs dated April 24th signifying that their Assembly met that Day, he hopes, with a Disposition of raising what Troops they can, to act against the Cherokees.

The following Warrants on the Receiver General to be paid out of His Majesty's Revenue of 2s. per Hhd Port Duties &c. were signed by the Governor in Council.

For half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a Year's Salary to the Auditor	50.0.0
For Do. to Sollicitor of Virginia Affairs	100.0.0
For Do. to Attorney-General	35.0.0
For Do. to Clerk of the Council	50.0.0
For Do. to Adjutants	120.0.0
For Do. to Armourer	6.0.0

For Do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court and Assembly	14.0.0
For Repairs to the Governor's House	45.13.5
For Contingent Charges	280.12.7
On the Revenue of Quit-Rents	
For half a Year's Salary to the Attorney-General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd, &c. arising within the Colony of Virginia, from the 25th of October 1759, to the 25th of April 1760, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor.

At a Council held May 8th 1760

Present

The Governor

John Blair

Peter Randolph

Philip Grymes

Philip Ludwell Lee Esqrs.

Mr. Commissary

His Honor was pleased to communicate a Letter from Governor Bull, dated Charles Town Aprll 28th signifying the Necessity of an immediate Relief from this Government to the Garrison at Fort Loudoun in the Cherokee Country, all Communication being cut off with South-Carolina; and desiring to know by Express what he proposes to do on the approaching Extremity.

Upon which it was the Advice of the Council and accordingly Order'd

That a Proclamation forthwith issue for the Meeting of the General Assembly on the 19th of this present Month.

A true Copy

N. Walthoe Cl. Con.

At a Council held May 24th 1760⁵⁶

Present

The Governour

John Blair	Philip Grymes
William Nelson	Peter Randolph Esqrs.
Thomas Nelson	Mr. Commissary

The Governour was pleased to consult the Council in regard to the disposal of the Commissions for the seven Companies to be raised for the relief of the Garrison at Fort Loudoun in the Cherokee Country. Upon which it was the opinion of the Council that it would be most eligible to give the Preference to those Gentlemen who should raise the greatest number of Men in the shortest time; yet that such who had served before, and should intitle themselves to Commissions by raising Men for this Service, ought to take rank and Precedence of those who had not.⁵⁷

At a Council held June 11th 1760

Present

The Governour

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Philip Ludwell Lee
Philip Grymes	John Tayloe Esqrs.
	M'r Commissary

The Governour was pleased to communicate to the Board two Letters from General Moncton dated Philadelphia May 18th and 19th signifying he shall send an Order to Colo. Byrd to March to

56. The text of the following Journal, May 24, 1760-September 15, 1763, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1435, ff. 1-61.

57. The *Minutes* for May 24, 1760 show the additional entries: "His Honor also produced to the Board a Letter to Governor Bull informing him what the Assembly had done, and what he proposed in Consequence thereof. Also a Copy of his Instructions to the County Lieutenants of Both which were approved of."

Pittsburg with that part of the Virginia Regiment destin'd to serve under him; that he is sorry the Incursions of the Indians should require the keeping three hundred of that Regiment on our southern Frontiers; that he is of opinion no Lands West of the Allegany Mountain should as yet be granted to any Person.

Also a Letter from Governour Hamilton, dated Philadelphia May 27th signifying that the Proprietors of Pensylvania have no thoughts of granting the Lands promised by M'r Dinwiddie's Proclamation to the Officers and Men who served on the Ohio, until his Majesty's pleasure respecting it shall be known.

Also a Letter from Governour Dobbs dated the 28th of May, informing that their Assembly have had two Sessions without giving any supply to the Crown.

The Governour was likewise pleased to communicate, a Letter from Colo. Byrd dated Winchester May the 29th—requesting that he may be excused from taking the Command of the Troops raised for the Cherokee Expedition, and to desire the Opinion and Advice of the Council thereupon. The Council were of Opinion that Colo. Byrd was indispensably obliged, while in the Government to pay obedience to the Governours Commands; and advised his Honour to give him peremptory Orders to return, if he has not joined the Regulars, and in case he has, that his Honour would write to General Moncton, acquainting him how necessary Mr. Byrd's presence here will be at this juncture, and desiring he would order him back; they further advised his Honour to signify to Colo. Byrd that this Board was surpris'd and concern'd to learn that the three hundred Men appointed for the Protection of the Southern Frontiers were not yet compleated according to the directions of the Act of Assembly.

The Governour acquainting the Council that having great reason to believe the whole body of Men to be rais'd for the Cherokee expedition was already compleat, he propos'd, with their Approbation, to issue a Proclamation directing the Gentlemen on the recruiting Service not to proceed to inlist more Men, until the returns of those at present inlisted are made to him; and requiring them to make such returns immediately, and to march their Men

with all speed to the places of Rendezvous: And that he intended, if there should be a surplus of Recruits, to transfer Sixty to the Virginia Regiment to supply the deficiencies of that Corps if the Men should be willing to serve in it, for the time they inlisted.

And the same was approved of by the Council.

On the Petition of Charles Taliaferro, setting forth, that about the year 1744, his late Father Richard Taliaferro made three Entries with the Surveyor of Goochland County for Lands on Puppy's Creek in that part of the said County now called Albemarle, two of which were in his own name for four hundred Acres, and three hundred and eighty, and the other in the name of the Petitioner for four hundred Acres all of which joined together: That he surveyed the Lands and returned the Certificates with Rights and Patent Fees to the Secretary's Office, and obtained the two Patents for the seven hundred and eighty Acres of Land in his own name, but by some mistake no Patent ever issued for that surveyed for the Petitioner, notwithstanding which the quit-rents for the whole have been ever since regularly paid: For Reasons appearing to the Board, it is ordered that the Petitioner have leave to take out an inclusive Patent for the whole One thousand one hundred and eighty Acres.

Burwell Bassett having entered a Caveat against Ambrose Dudley, for two Tracts of Land of four hundred Acres each in New-Kent upon Chickahominy Swamp; Upon hearing Council on both sides, it is ordered that the said Caveat be dismissed, and that the Defendant have a Patent for the said Lands.

Memucan Hunt having entered a Caveat against William Roberts Son and Heir of Bartholomew Roberts deceased for two hundred and twenty seven Acres in Halifax formerly Brunswick lying upon the South side of Staunton River and joining the same; Upon hearing Council on both sides, it is ordered that the said Caveat be dismissed, the Defendant paying in Six Months four Pounds costs, and the remainder of Rights and Patent Fees.

John Wildrek Bender having entered a Caveat against Jonathan Woodson and Richard Welch for one hundred and fifty Acres in Halifax on Stone's Creek at the branch of Mayo, for Reasons

appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Robinson having entered a Caveat against William Wiltshire and Mathew Marks for two hundred and ninety Acres in Cumberland on the head of Deep Creek joining William May, William Taylor and James Daniel, for Reasons appearing to the Board, it is Ordered that the Plaintiff have a Patent for the said Land.

Joseph Larke having entered a Caveat against Travis Pate for three hundred Acres more or less in Southampton joining Reedy Branch, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Richard Burns having entered a Caveat against Robert Haslip for two hundred and twenty Acres in Lunenburg on both sides of South Meherrin, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

William Rawlings having entered a Caveat against John Hall, Robert Starke, and Thomas Singleton for three hundred and ninety six Acres lying on Hall's Creek in Brunswick; the Plaintiff appearing, and the Defendants having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

John Nicholas having entered a Caveat against Paul Carrington for two thousand three hundred and thirty five Acres in Albemarle recovered by the said Paul of George Carrington; the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

George Carrington having entered a Caveat against Paul Carrington for four thousand five hundred Acres in Albemarle recovered by the said Paul of the said George; the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is Ordered that the Plaintiff have a Patent for the said Land.

Richard Ricks having entered a Caveat against the Vestry of Nottoway Parish in the County of Southampton for one Hundred and thirty five Acres joining the Glebe of the said Parish the Plaintiff appearing and the Defendants having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

John Cox having entered a Caveat against Daniel Hawkins for four hundred Acres on the South Fork of Sandy River in Halifax surveyed for Samuel Harris, the Plaintiff appearing and the Defendant having been summoned and not appearing, it is Ordered that the Plaintiff have a Patent for the said Land.

Joseph Mountfort having entered a Caveat against Seymour Powell for two hundred and ninety Six Acres in Warwick upon hearing Council on both sides, it is ordered that the said Land be divided between Thomas and Wade Mountfort according to the Will of Thomas the Father.

At a Council held June 25th 1760

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Philip Grymes Esqrs.

M^r Commissary

His Honour communicated to the Board a Letter from Governour Bull dated Charles Town May the 31st—informing of the hostile Comotions and Outrages of the Upper Creeks—that he shall leave nothing unattempted to effect an accomodation, which if not soon done, the lower Creeks will undoubtedly fall into the same Conduct of acting against us—Of the number of Indians to the West under the influence of the French at Missisippi—that he has ordered the Militia to be in readiness to take the Field on the first Orders—that he expects the Army will reach Keowee by the 4th of June at farthest—that by advices from Fort Loudoun of the 16th and 17th of May he learns Captain Demeri⁵⁸ could hold out no longer than a Month.

Also a Letter from Governour Dobbs dated Brunswick June the 8th—signifying that upon advice that the upper Creeks have by the instigation of the French broke into open War with Georgia and South Carolina, he has summon'd the Council to meet him there, and believes they will advise him upon that Emergency to summon the Assembly to meet at Wilmington as soon as possible, to see if

58. The most general spelling of the Captain's name is Deméré.

the present danger will not induce them to raise Men and assist the neighbouring Provinces, and that he shall cooperate with this Government or South Carolina, if any force can be raised in time to be of Service.

The Governour acquainted the Council that the Gentlemen in the recruiting service for the Cherokee Expedition having not yet made their returns to him of the Men inlisted by them, he could not settle the rank of the Officers which he propos'd to do this Day with their Advice; and that being unwilling to give them the trouble of meeting again upon that Business, he desired they would now reconsider the rule they had before advised him to pursue in regard to the Disposal of those Commissions, as he was apprehensive it would prove detrimental to the service. The Minutes of the Council held the 24th of last Month relative to that subject having been read, and the same taken under consideration by the Council, they adhered to their Opinion then given, and advis'd his honour to follow the Method then recommended.

The Governour was likewise pleas'd to communicate to the Board a Letter dated the 19th of March from Mr. Martin Secretary to the Board of Treasury signifying it was their Lordships pleasure to issue the proportion of the £50,000 allotted to Virginia to the person acting as Agent for the Colony, tho' he does not appear to be authorised to receive the same, on his giving proper security for the payment thereof to such person or Persons as shall be empowered to receive the same for the Use of the Colony: And that they desire his Honour will use his endeavours that proper persons may be empowered to receive such Monies, as the Parliament may hereafter think fit to grant for the service of this Colony.

Also a Letter from M'r Abercrombie dated the 20th of March, signifying the necessity of his having proper Powers from this Province for receiving the proportion of the £200,000 heretofore allotted for Virginia.

Upon which the Council advised that another Copy of the Memorial of this Board to the Lords of the Treasury agreed upon at a Council held the 12th of December last be transmitted to their Lordships; also a Copy of the Minutes of that Council respecting

the same subject be sent to M^r Abercrombie with a full power of Attorney from this Board authorising and enabling him to receive the said Proportions of the two Parliamentary Grants above mentioned.

At a Council held July 8th 1760

Present

The Governour

John Blair

Thomas Nelson Esq^{rs}

William Nelson

M^r Commissary

The Governour was pleas'd to communicate to the Board a Letter from Colonel Byrd signifying that the recruits for the Cherokee Expedition were compleat, but that the Men were in want of Arms.

Also a letter from Colonel Chiswell informing that many stands of Arms had been lately imported for the Militia of King and Queen, Gloucester and James City; Upon which it was the advice of the Council that his Honour would write to the commanding Officers of those Counties requesting them to purchase and Collect the said Arms for the abovementioned service.

His Honour was also pleased to communicate a Letter he had received from Governour Bull acquainting him with Colonel Montgomery's Progress and success in the Cherokee Country.

At a Council held July the 23d 1760

Present

The Governour

John Blair

Philip Grymes

William Nelson

Richard Corbin Esqrs.

M^r Commissary

The Governour was pleas'd to communicate to the Council, and to desire their Opinion and Advice upon, two Letters from Colo. Byrd, the first dated Augusta Court House July 4th signifying his arrival there the day before, and that he shall proceed on Sunday, to the Army—that upon examining the Commissary's Returns of what was provided for the expedition, he finds every Article, except

Provisions, vastly deficient—inclosing a List of every thing they now have in readiness, and also of such Articles as they can't move without, which he has ordered to be provided forthwith; and that he shall get every thing forwarded according to the best of his ability. the 2d dated Camp at Bryan's July the 11th signifying he thinks it will be necessary to have small Posts all the way out to the Big-Island on Holton's⁵⁹ River at 25 Miles distance, sending the distances inclosed and the proper places for such Posts—is of opinion a respectable Fort should be built at the Big-Island, from whence the Cherokees might easily be humbled in the Spring—desires his Honour's Instructions, should the Cherokees intimidated at the preparations carried on against them sue for Peace, whether he is to grant it them, and on what Terms? If he finds by any means the Garrison at Fort Loudoun holds out when he gets to Holston's River, and should think they might be brought off by a strong scouting Party, and a forced March when the whole Army could not be marched to their relief with Provisions to support them for any considerable Time, whether he may attempt to bring off his Majesty's Troops, and abandon the Fort? adding he shall be at a loss for an Interpreter should he take any Prisoners, or any Flags of Truce should come in—inclosing a Return of his Strength—also a return of the Men recruited by the different Officers.

Upon which it was the advice of the Council that his Honour would Order Colo. Byrd to proceed with all possible Expedition to the relief of Fort Loudoun, with what is already provided for his March without any View to a future Campaign—and signifie to him there is no necessity of erecting any more Forts than one at Big Island, and that a Stockaded Fort to secure the Provisions will be sufficient, unless it should be likewise necessary to establish some small Post near Stalnaker's—In relation to any Offers of Peace from the Cherokee's, they are of Opinion that, as we act only in the Capacity of Auxiliaries, all such Proposals, and the Deputy's who bring them, should be referred to Governour Bull, and M'r Montgomery, but that M'r Byrd may Act in concert with them.

As to bringing off the Garrison they advise that his Honour would direct him to take all possible methods to inform Captain Demeri

59. Probably the Holston River.

of his Approach, and endeavour to learn from him in what manner he can be most serviceable to him, to acquaint him he comes to his relief, to assist him to maintain the Fort to the last Extremity; or in case he should by a superior Force, or by a scarcity of Provision be obliged to abandon it to secure his retreat—they also advised that his Honour would order one of the Smith's to attend M'r Byrd as Interpreter.

The Rank of Officers for the Cherokee Expedition was this Day settled.

Samuel Meredith	1st Captain
John Posey	2d
James Gunn	3d
James Walker	4th
Charles Scott	5th
John Smith	6th
William Christian	7th

The Council approved of the Lieutenants being rank'd agreeably to a list produced by the Governour.

His Honour was pleas'd to desire the advice of the Council, when would be the most convenient time for the meeting of the Assembly.

Upon which it was their advice, and accordingly Ordered That the Assembly which stands prorouged to the first Tuesday in August next, be further prorouged to the sixth Day of October and that a Proclamation immediately issue for that purpose, and for requiring their Attendance at that time for the dispatch of Business.

At a Council held September 16th 1760

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph Esqrs.

M'r Commissary

A Commission under the Great Seal of the High Court of Admiralty of Great Britain, dated October the 6th 1759, constituting his Excellency Governour Amherst Vice Admiral of this Dominion, was produced to the Board.

His Honour communicated to the Council, and desired their advice upon, several Letters from Colo. Byrd of last Month, the first dated from Camp at Campbells the last at Sayer's Mill informing of his present situation, the Disposition of the Troops under his Command, and the steps he had taken towards the relieving Fort Loudoun; inclosing a letter he had just received from Governor Bull, and a Copy of Captain Demeri's letter, with the resolution of the Officers, and the Capitulation for the surrender of Fort Loudoun to the Cherokees. Upon which the Council advised his Honour to order Colo. Byrd to Continue where he is, until he shall learn the consequences of the said Treaty, or proceed to take a more advanced Post, if he can do it with security, to construct a Fort on the most commodious spot thereabouts, and act upon the whole as he shall judge most conducive to the service in General and the protection of this Colony in particular. During the sitting of the Council the Governour received another Letter from Colo. Byrd at Sayer's Mill dated September 10th inclosing a Letter to him from Majr. Lewis dated Spring Hill the 9th informing that the Garrison of Fort Loudoun had not march'd above 15 Miles before they were fir'd upon by a large Party of Indians; all the Officers kill'd (except Captain Stewart) and about 25 of the Privates, the others made Prisoners and disposed thro' the Nation. The Council having considered this unhappy Incident, advised his Honour to send the above Orders to Colo. Byrd, and write to Governour Bull requesting that he would as soon as possible acquaint him what Resolutions South Carolina shall come to in this dangerous Emergency, that he may communicate the same to our Assembly; and that he and Governour Dobbs would concur with him in representing to General Amherst the perilous Situation of the Southern Provinces, and intreating in the most pressing Terms an effectual and speedy Aid against an Enemy too Powerful for their united Strength.

The Governour communicated to the Board Letters from Mr. Abercrombie of the 1st of June and the 3d of July, informing of the Payment to him of £32,268.19 being the Proportion to Virginia of the £50,000. Also that he has received payment at the Exchequer of the sum of £20,546, being the Proportion due to Virginia of the 200,000; for which purpose he was obliged to obtain the King's special sign Manual, as the memorial of the Governour and Council

to the Lords of the Treasury in that Case, not being authenticated under the provincial seal was not held sufficient authority; signifying the joint Concurrence of Governor Council and Assembly is necessary in their Directions to him concerning the Disposition of the Money, to get his Bond properly discharged; inclosing a Copy of the Bond given to the Crown by the respective Agents; also his Account with Virginia for their Proportions out of the said Grants. The Consideration whereof was by advice of the Council postpon'd to the meeting of the Assembly.

His Majesty's Orders in Council for disallowing several Acts of Assembly pass'd in the Year's 1758 and 1759, viz: An Act for vesting certain Lands therein mentioned in Philip Johnson Gentleman adding the same to the City of Williamsburg, and for other purposes therein mentioned. An Act for vesting certain Lands in the County of Hanover in Philip Whitehead Claiborne, Gentleman, in Fee simple and for other Purposes therein mentioned. An Act to enable the Executors of the Will of John Spotswood Esquire to pay the Debts and Legacies due from the Estate of Major General Alexander Spotswood, and for other purposes therein mentioned were this Day produced by the Governour and read.

His Honour was pleased also to communicate a Letter from Major General Moncton dated Fort Pitt August 21st signifying it will be absolutely necessary that at least three hundred of the Virginia Troops now there should be continued for the Winter.

At a Council held October the 6th 1760

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Robert Carter Esqrs.

M'r Commissary

The Governour communicated a Letter from his Excellency General Amherst dated Camp at Montreal September 9th informing of the Surrender of Montreal and of the Articles of Capitulation, by which the French Troops are all to lay down their Arms; are not to serve during the continuance of the present War and are to be sent back to Old France; as are also the Governours and Principal

Officers of the Legislature of the whole Country, which is entirely yielded to the Dominion of his Majesty.

His Honour also communicated a Letter from Colonel Byrd, dated Camp at Sayer's September the 19th signifying that Major Lewis return'd the Sunday before and brought in the little Carpenter and three more Indians, Captain Steuart and three more Prisoners, besides two Squaws—that he is convinced by the conferences he has had with the Carpenter, that he is well inclined—informing of the designs which he learnt from him, the Enemy had against Fort Prince George—also that the Cherokees are in General desirous of Peace, in consequence of which he has sent a Letter (of which a copy was inclosed) to the Warriours by one of the Indians, and the Carpenter has sent to summon all the Chiefs to meet him at Chotte at the New Moon of October—that by him, who goes in a few Days, he shall send them his Terms of Peace, a Copy whereof was inclosed, that the Carpenter was to be back at all Events by th' full Moon of October, and promises, if they accept the offers of Peace, to bring in the Heads of each Town, all our Prisoners, and the Offenders; if not, to bring in his own Friends, and as many of our People as he can—desiring to know his Honour's pleasure on what he has done, and proposes further to do herein—if he is to proceed in his scheme, requests that Indian Goods, mention'd in an Invoice, may be sent forthwith.

Likewise a Letter from him of the 24th requesting to know if the regiment is to be completed, and how the Detachment is to be disposed of this Winter, and recommending M'r Christian to have the Cloathing of the Regiment. The Consideration of which Letters, was by Advice of the Council postponed.⁶⁰

At a Council held Octobr. the 10th 1760

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Philip Ludwell Lee

Robert Carter Esqrs.

M'r Commissary

^{60.} The *Minutes* for this date record that consideration of the letters was "postponed to a fuller Council."

The Governour was pleas'd to communicate two Letters from Governour Bull dated Charles Town South Carolina, the first being a Duplicate of the 26th of July signifying the Answer he received from Colonel Montgomery to his Letter desiring him to continue there for the Protection of that Province, till the Storm that threatens it, is blown over, or at least delay his Embarkation.

The second dated September the 21st informing of the State of Fort Prince George—that his first Endeavour's shall be to give that Fort a temporary Relief—that the Assembly has provided pay for a Regiment of one thousand Men for six Months—that this Corps with the rangers and royals will form a Body of about two Thousand Men—requesting that his Honour would join with him in recommending some vigorous Steps to the Government of North Carolina, and acquaint him as soon as possible with the result of our Determinations.

Upon which the Council advised his Honour to send down the said Letters to the House of Burgesses.

At a Council held Octobr. 16th 1760

Present

The Governour

John Blair

Peter Randolph

Thomas Nelson

Richard Corbin

Philip Grymes

Philip Lud: Lee Esqrs.

M^r Commissary

The Governour was pleased to produce an Answer he had prepar'd to Colonel Byrd's last Letters communicated the 6th instant, and to ask the Council if they thought it necessary to make any alteration therein, or could recollect any thing proper to be added thereto. The Council were of Opinion that his Honour had writ very fully, they approved of the Instructions given to Colo. Byrd and had nothing further to advise thereon.

On the Petition of George Cornett, Leave is granted him to include 170 Acres of Land granted to his Father George about thirty years ago, 217, 288 and 95 Acres granted the Petitioner in

1750, and three hundred Acres of Waste Land adjoining and mostly included within the bounds of the aforesaid four Tracts of Land lying in the Counties of Sussex and Southampton, in one Patent.

At a Council held November the 6th 1760

Present

The Governour

John Blair

Philip Grymes

William Nelson

Peter Randolph

Thomas Nelson

Philip Ludwell Lee

John Tayloe Esqrs.

The Account of contingent Charges from the 25th of April 1760, to the 25th of October 1760 and for work done to the Governor's House, being laid before the Board, was allowed.

Upon reading a representation from the Keeper of the Public Magazine that there are now remaining in the Magazine about 212 Barrels and 225 half Barrels of Powder, and that by reason of the smallness of the powder room, the Barrels have been mostly stowed three Tier deep, which renders it difficult to shift them, so that if timely care be not taken to dispose of the greatest part, a considerable Loss may ensue; it was the Advice of the Council that all the Old Powder, and such part of the whole which is in danger of spoiling, be put into a Condition of being Transported to Norfolk and there sold at public Vendue, and the Money arising from such sale transmitted to the receiver General.

A Complaint having been produced to the Board this Day against the Inspectors of Mattox and Machodick Warehouses in Westmorland for Mal-practices in their Office, it is Ordered that the Clerk of the Council give Notice to the said Inspectors to attend in the Council Chamber on the Day immediately following the next Court of Oyer and Terminer, and write to the Clerk of the County for him to signifie the same to the Parties complaining.

At a Council held November the 12th 1760

Present

The Governour

John Blair

Thomas Nelson

Philip Grymes Esqrs.

M^r Commissary

The Governour Communicated a Letter from Brigadier General Moncton dated Fort Bedford October the 30th signifying he is under a necessity of sending Orders to the Commanding Officer at Fort Pitt and to Lieutenant Colo. Stephen for the Virginia Troops to remain where they now are until he can hear from General Amherst, as the Garrisons can't be kept without them. Upon which the Council advised his Honour to acquaint General Moncton that if he will take upon himself to detain the Virginia Troops, they must be put on British Pay; but in that case it is expected he will apply to General Amherst that they may be remanded back to us by February next as it is probable we shall want their Aid towards repelling Hostilities which the southern Indians may renew against us.

His Honour also communicated a Letter from Colo. Byrd dated Camp at Sayer's November the 3d signifying the little Carpenter returned to that place on Saturday with thirty two Cherokees, and delivered up to him ten more of Captain Demeri's Company—that the Indians have agreed to suspend all Hostilities till the New Moon in March when they promise to come in to that Post on his Terms, provided the Army proceeds no further this Fall, and their Party returns safe—that he shall dismiss the savages as soon as the Goods come up—that he shall endeavour to station the Troops in such a manner as will best protect the Frontier.

The following Warrants on the Receiver General to be paid out of his Majesty's revenue of 2s. per Hogshead Port Duties &c were signed by the Governour.

For half a year's salary to the Governour	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a year's salary to the Auditor	50.0.0

For Do. to Solicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	35.0.0
For Do. to the Clerk of the Council	50.0.0
For Do. to Adjutants	120.0.0
For Do. to Armourer	6.0.0
For Do. to Gunners of the Batteries	12.10.0
To Minister's Attending one General Court & Assembly	10.0.0
For repairs to the Governour's House	114.0.11
For Contingent Charges	645.12.5
On the revenue of Quit Rents	
For half years Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of April 1760, to the 25th of October 1760;

Also the Account of his Majesty's Revenue of Quit Rents for the year 1759, being examined by the Deputy-Auditor, and made Oath to by the receiver General, were certified by the Governour as Usual.

At a Council held Decembr. 11th 1760

Present

The Governour

John Blair

Phil: Grymes

William Nelson

Peter Randolph

Thomas Nelson

Richard Corbin

Philip Lud: Lee Esqrs.

The Governour communicated two Letters from Colo. Byrd, the first dated Camp at Bryan's Novr. 22d signifying his having that Day paid and discharged the new Levies, and the manner in which he had disposed of the five Companies of the Old Regiment—that they have had little success in recruiting in Camp—that he has ordered out several Officers on that service—that the Indians are gone home well satisfied—that he shall proceed to Winchester next Day; and hopes his Honour will have no objection to his going from thence to New York, where his private Business calls him this Winter, as he begs to be excused from serving the Colony any longer in a mili-

tary Capacity. The second, dated Winchester Decembr. the 3d signifying that he shall make all the despatch he can to attend in Williamsburg at the next sessions of Assembly—is sorry he has given so little satisfaction in his Command, and therefore resigns his Commission. Upon which the Governour acquainted the Council that he proposed to continue the Detachment of the Virginia Troops on the Ohio, under the command of Lieutenant Colo. Stephen⁶¹ and the Detachment on the South West Frontier under the command of Major Lewis, till the meeting of the Assembly, which they approved of.

His Honour was likewise pleased to communicate a Letter from Governour Dobbs dated the 25th of November informing he cannot yet give any assurance of a supply from his province, that as soon as the fate of a Bill for that purpose depending is determined, he shall give him Notice of it—and desiring his Honour to forward a Letter to General Amherst, wherein he has pressed him to send an immediate Aid to quell the Cherokees.

Also a Letter from Governour Bull dated November the 16th signifying they do not proceed with the Levies for their Provincial Regiment with the success he expected, that the latter end of August he sent to General Amherst a representation of the state of their Affairs relative to the Cherokees, and requested earnestly some Assistance, to which he received an Answer the 14th of October promising, if those Barbarians should break out into fresh Hostilities all the Assistance he could give, and for that purpose should have some Reinforcement at Hand to send him upon the first certain Intelligence of the necessity they may have for them, that on the 19th of October he again acquainted the General of their Perilous situation, and that they must rely on his Excellency for Succours—that as soon as he receives an Account from the General of the number of Troops he shall destine for their service he will immediately inform his Honour thereof by Express.

Upon reading which Letter the Council advised his Honour to make the General truly sensible of the imminent Dangers Virginia

61. The *Minutes* for this date record also the Governor's communication of a letter from Lieutenant Colonel Stephen, but no particulars at all are given.

must in a more especial manner be exposed to, should the Cherokees recommence Hostilities against us; to intimate to him the Expediency, if he should find it necessary to send a reinforcement to South Carolina, of ordering part of the Troops here; as such a supply will, it is to be presumed strongly influence the Assembly to continue our Regiment; and that unless assisted by him, we shall be in no capacity of cooperating in any Plan against the Enemy.

Upon reading this Day Depositions taken in support of the Complaint exhibited against the Inspectors of Mattox and Machodick Warehouses in Westmorland; it was the Opinion of the Council that the said Complaint was frivolous, and it was thereupon Ordered that the same be dismissed.

On the Petition of Littlebury Robinson Leave is granted him to take up 700 Acres in Brunswick upon the North Side of Fountain's Creek, joining the lines of Henry Wyche and George Mosely.

At a Council held February the 11th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin Esqrs.

The Governour communicated to the Council a Letter from the Lords of Trade dated October 31, 1760 inclosing an Order from the Lords of his Majesty's most Honorable Privy Council notifying to him the Death of our late Gracious sovereign Lord King George of ever blessed Memory, and directing him to proclaim the High and Mighty Prince George, Prince of Wales, King of Great Britain, France and Ireland, and of all the Dominions thereunto belonging &c according to the following Form

Whereas it hath pleased Almighty God to call to his Mercy our late sovereign Lord King George the second of Blessed and Glorious Memory, by whose Decease the Imperial Crown of Great Britain France and Ireland, as also the supreme Dominion and sovereign right of the Colony and Dominion of Virginia, and all other his late Majesty's Dominions in America, are solely and rightfully come

to the High and Mighty Prince George Prince of Wales: We therefore, the Lieutenant Governour and Council with numbers of the Principal Inhabitants and Planters of this Colony and Dominion, do now hereby with one full voice and consent of Tongue and Heart, publish and proclaim that the High and mighty Prince George Prince of Wales is now by the Death of our late Sovereign, of happy and Glorious Memory become our only lawful and rightful liege Lord, George the 3d by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, Supreme Lord of the said Colony and Dominion of Virginia, and all other his late Majesty's Territories and Dominions in America, to whom we do acknowledge all Faith and constant obedience, with all humble and hearty submission, beseeching God by whom Kings and Queens do reign, to bless the royal King George the third with long and happy Years to reign over us.

And recommending to his Honour, that he proceed without loss of Time to the Execution of these Orders, and to return to their Lordships a speedy account of his proceedings herein.

Also his Majesty's Warrant authorising him to make use of the old seal of the Province until a new one can be prepared.

Also his Majesty's Proclamation dated the 27th of October last continuing all Officers in the Plantations civil and Military in their respective Employments till his Majesty's Pleasure shall be further signified.

Also his Majesty's Order in Council of the 31st of October directing that in all the Prayers for the Royal Family instead of the words (their Royal Highnesses George Prince of Wales, the Princess Dowager of Wales, the Duke, the Princesses, and all the Royal Family) there should be inserted (Her Royal Highness the Princess Dowager of Wales, and all the Royal Family.)

These being severally read, the Governour took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and sup[r]ernacy and the abjuration Oath, subscribed the Test, and took the Oath for the Faithful discharge of the Office of Governour, and due observation of the Acts of Trade; which said Oaths were administred to him by John Blair, William Nelson, and

Thomas Nelson Esqrs. three of the Members of his Majesty's Council.

Then his Honour administred to the Members of the Council present the Oaths appointed to be taken instead of the Oaths of Allegiance and sup[r]emacy, the abjuration Oath, and the Test, with the Oath of a Counsellor.

John Blair Esqr. Deputy-Auditor took the Oath for the due Execution of the said Office.

Thomas Nelson Esqr. Secretary of this his Majesty's Colony and Dominion took the Oath for the faithful Execution of that Office.

Nathaniel Walthoe Esqr. Clerk of the Council took the Oaths of Allegiance and sup[r]emacy, the abjuration Oath, subscribed the Test, and took the Oath for the faithful discharge of his Office, which Oaths were administred to him by Thomas Nelson and Richard Corbin Esqrs.

It is ordered that his Majesty King George the third be publicly and solemnly proclaimed tomorrow at the Capitol, the Market Place, and the College; that the Militia of the City appear under Arms, and that the Mayor and Corporation thereof, and the Masters and Students of the College be required to attend the solemnity.

Ordered, That a proclamation issue commanding the High Sheriffs, Justices of the Peace and other Officers to cause his present Majesty to be proclaimed in the Respective Counties within this Colony with all convenient speed.

Ordered, That his Majesty's Proclamation continuing all Officers in their respective employments be published in the Virginia Gazette.

Ordered, That his Majestys Order in Council for an alteration in the Prayers for the Royal Family be signified to all the Clergy in this Colony.

The Governour was pleased to lay before the Board a Letter from Colo. Hunter dated little England January the 31st informing that Captain Edward Blake of the Boston Provincials from Louisibourg bound to Boston with 120 Troops on Board had arrived in that Port, having met with very bad weather, been two Months at Sea and expended all their Provisions, and desired to know his pleasure in regard to assisting them. His Honour acquainted the Council that

upon receipt of this Letter he had given Orders to Colo. Hunter to supply these men with Provisions and what is absolutely necessary to enable them to proceed to Boston, and to subsist them in the most frugal manner till the Captain shall judge it adviseable for them to set sail; and that he had writ to General Amherst and Governour Bernard to be instructed how this Colony is to be reimbursed the Expenses they shall incurr on this incident.

At a Council held February the 12th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin Esqrs.

Peyton Randolph Esqr. his Majesty's Attorney General took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and supremacy, the abjuration Oath, subscribed the Test, and took the Oath for the due Execution of that Office.

The Governour this Day signed the Proclamation of his Majesty's Right to the Crown of Great Britain &c the Council present also sign'd the same.

Ordered That the Clerk notify to all persons attending at the Capitoll that they will be admitted into the Council Chamber to hear the said Proclamation read, and to subscribe their Names thereto as a Testimony of their Loyalty.

Numbers accordingly appearing the said Proclamation was openly read and cordially subscribed by every Person, who immediately after withdrew.

Then the Governour and Council proceeded according to the Order of Yesterday, to the public and solemn proclaiming of his Majesty at the several places specified, in the manner directed, and agreeably to the form prescribed.

At a Council held March the 5th 1761

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Peter Randolph

Richard Corbin Esqrs.

The Governour communicated the following Letters viz:

A Letter from Lieutenant Colo. Stephen dated Winchester January the 30th desiring his Honours Orders how he would have the different Garrisons disposed of—informing that he has the General's Command for leaving three Hundred Men of his Detachment at the different Posts—that many of the old soldiers and recruits want Blankets—adding he should be glad to learn whether they are to be supplied at their own or the Country's Expense.

A Letter from Governour Dobbs dated January the 29th advising that it will be impracticable to give his Honour any Assistance from his province in the present situation of Affairs.

Two Letters from Governour Bull dated January the 21st signifying what was determined in regard to the motion of the Troops against the Enemy and the number of the Forces to be employed—that it is proposed they should reach Fort Prince George by the first of May—expressing his hopes that the motions of the army from this Province will be contrived so as to arrive at Chotee about the same time their Army shall get to Keowee⁶²—and communicating some advices he had received concerning the late behaviour of the Cherokees.

A Letter from Colo. Byrd dated Philadelphia, February the 6th signifying that General Amherst had been pleased to insist he should serve the next Campaign, provided Colo. Grant does not prevail on the Cherokees to comply with the Terms of Peace propos'd—that the General intends to form a little Army to march to the over Hills Cherokee,⁶³ which he is to command—that as soon as the General

62. The *Minutes* for this date include the statement that Governor Bull "sends the Express to acquaint him with the time that their army will reach Keowee."

63. The *Minutes* covering Colonel Byrd's letter call the proposed terms "the hard terms of peace," and describe the route of March against the Overhill Cherokees as "the Rout his Honor intended last summer."

has determin'd on his plan, and Honoured him with his Instructions he shall make the best of his way to Williamsburg.

A Letter from Brigr. General Moncton dated Philadelphia December the 18th informing he has sent Orders for such of the Virginians as can be immediately spared to March to Winchester and that the remainder will follow as soon as he can get a part of Colo. Vaughan's regiment up to relieve them.

A Letter from General Amherst dated New York January the 1st signifying that the Services which still remain to be put into Execution for compleating the great object of the War in America will demand the further aid and assistance of his Majesty's American Subjects—desiring his Honour would be prepared for a Compliance with the Kings requisitions for such a number of Men from this Colony as shall be thought necessary to answer the proposed end of procuring a Good and lasting Peace.

Also a Letter from his Excellency dated New York Decr. the 28th signifying he had been occupied in Assembling and embarking for South Carolina, a Body of Troops intended, and he trusts every way capable, in conjunction with the Provincial Forces furnished by the two Carolinas and Virginia to chastise the Cherokees.⁶⁴

A Letter from Captain Bullit, with a Copy of one to him from Lieutenant William Flemming, dated Fort Chiswell February 7th desiring his Honours Instructions respecting many Cherokees soon expected at their Camp with Prisoners, and inclosing the Talks of several Chiefs of those Indians, purporting their disposition to Peace, and resolution to refrain from further Hostilities.

Which Letters being read, the Governour was pleased to lay before the Council his Answers thereto, which they approved of.

His Honour likewise communicated two other Letters from General Amherst dated New York January the 19th and 21st; that of the 19th assuring him that his application in behalf of the Inhabi-

64. The *Minutes* give this abstract of Amherst's letter of 28 December: "Also a Letter from his Excellency dated New York December 28th signifying he has been occupied in assembling and embarking for South Carolina a Body of Troops intended, and (in Conjunction with the Provincial Forces which Lieutenant Governor Bull informd him were to be furnished by the two Carolinas and Virginia) he trusts ev'ry way capable to chastize the Cherokee Indians—and acquainting what Troops that Body consists of."

tants of the Colony for Debts due to them from the Crown, has all the weight with him that it possibly can have, and that he shall write to Sir John St. Clair to know his reasons for deferring the settlement of their Accompts, and when he receives his Answer he will transmit the same to his Honour.

That of the 21st signifying he is firmly persuaded, if Virginia continues the old Regiment of a thousand Men by acting agreeably to the plan laid down of attacking the upper Cherokee Towns whilst Lieutenant Colonel Grant with the Body of Regulars and the Provincial Troops of South Carolina attack the lower ones, that the Indians must soon be reduced to the greatest Extremity's and be incapacitated from renewing Hostilities and that it is not in his Power from the present Disposition of his Majesty's Forces to send any more powerful succour than what he has already assisted them with. All which he intreats his Honour to lay before the Assembly and back with all his Influence.

Peter Randolph Esqr. took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy and the Abjuration Oath, subscribed the Test, took the Oath of a Counsellor and the Oath for the due Execution of his Office as Surveyor General of his Majesty's Customs.

At a Council held April the 11th 1761⁶⁵

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

William Byrd

John Tayloe

Robert Carter Esqrs.

The Governour was pleas'd to lay before the Board an Address to him from the House of Burgesses, in consequence of his written Message to them the 9th of this instant acquainting them with General Amherst's special request that this Government should raise

65. See page 678 for the *Minutes* of March 26, 1761.

Seven hundred Men more for the expedition against the Cherokees, signifying their inability to comply with the Generals Requisition; and to desire their advice what measures it would be most prudent for him to pursue under the present circumstances of Affairs to promote the General service. Whereupon the Council advised his Honour to issue his Warrants immediately for recruiting the Regiment to a Thousand effective Men, to discharge all the invalids, to Order the Regiment to be in readiness to March as soon as the Waggons with Tents and other necessaries should arrive from Pennsylvania, and then to proceed as far as the Great Island and to Garrison the Forts left by the Regiment on the south West Frontiers with the Militia.

They further advised his Honour to inform the General of what had been resolv'd on, and intimate to him, that all the hopes we entertain of any good resulting from our most vigorous Efforts depend solely upon Colonel Grant's success, the Council being unanimously of Opinion that our Forces are quite unequal to so arduous and Perilous an undertaking.

At a Council held April 13th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Philip Grymes

Peter Randolph

Richard Corbin

Phil: Lud. Lee

John Tayloe

Robert Carter Esqrs.

The Governour this Day produced the following Instructions for the Commissioners appointed to purchase the Prisoners brought in by the Cherokee Indians, which were approved of by the Council.

Immediately on the receipt hereof you are to repair to Fort Chiswell to meet the Indians now there. You are to inform them that you are appointed by me to let them know the sense of this Colony, and to redeem all the Prisoners they have brought in with them. You are to agree with them for all such Prisoners and to pay them for

them in any Goods they shall choose, excepting Ammunition or Arms of any Kind, which are to be refused them. And you are to tell them, they are not to be supplied with Arms, till a General Peace takes place between all his Majesty's White Subjects and all the Cherokee Nation.

After the Affair of the Prisoners is finished, You are to inquire of them on what Terms they are come, whether deputed by the rest of the Nation, or only to shew their Friendship for the White People.

In all conferences about Peace, You are to inform them that this Colony cannot enter into any Terms of seperate Peace with them, but must Act in conjunction with the Governours of North and South Carolina; therefore if they are really desirous of Peace, they must endeavour to persuade their Brethren of the middle and lower Towns, to submit themselves, and sue for Peace to the Governours of those Provinces, and so, if possible, prevent the Armies of the Great King from chastising them for their late perfidious Behaviour: That for this Purpose they shall have liberty to return into their Country with safety, unmolested on their road.

You are further to assure them, that they will be supplied with no necessaries from us, till such a General Peace is effected; but that when all Things are adjusted between the Carolinas, ourselves, and, the Whole Cherokee Nation, our Traders will frequent their Paths, and exchange our Goods for their skins, as long as the Paths shall continue open and unstained with Blood.

After these Points are fully discuss'd, and they are made sensible of the Intentions and Resolutions of this Colony, You are to Order them to return home forthwith, that they may communicate all this to their Countrymen.

If they desire it, or you think it expedient, You are at Liberty to give them a Talk in my Name, and from me, to carry into their own Country; Provided that such Talk is in all respects, agreeable to the true meaning and Intention of these Instructions.

On their Departure you may give them a Blanket, or such Things as you shall Think are absolutely necessary for them on their Journey, as they came with a peaceable Intention, but this is to be done very sparingly, which is left to your Discretion.

You are to Act throughout this whole Transaction, according to the best of your Skill and Judgment in all Points not Particularized in these Instructions, as they shall arise, taking care always that nothing is contradictory to the General Tenour thereof.

At a Council held April the 29th 1761

Present

The Governour

John Blair	Richard Corbin
William Nelson	William Byrd
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	John Tayloe
Peter Randolph	Robert Carter Esqrs.

The Governour desired the Opinion of the Council, whether by the Act of Assembly he had Power to inlist Men to serve this ensuing Campaign only. Upon which it was the Opinion of the Council that the Act did not give him such Power and that the Men raised must serve during the continuance of the Regiment.

His Honour was pleased to lay before the Council a Letter he thought proper to write to General Amherst signifying he had restored Colo. Byrd to his Commission which he had resign'd the begining of December,—that he had given him Orders to put himself under his Excellency's Command, and to act conformably to all Orders he shall receive from his Excellency in Relation to any Military Operations during the Expedition, and the time for which the Men are raised and provided for by the Colony.

And the same was approved of by the Council.

At a Council held May the 6th 1761

Present

The Governour

John Blair	Phil. Lud. Lee
Philip Grymes	John Tayloe
Robert Carter Esqrs.	

His Honour communicated to the Board a Letter from Governor Bull dated Charles Town April the 18th informing that Colo. Grant

marched with the Regulars from Monk's Corner on the 13th; that he will move from the Congarees the end of that Month, and reach Keowee, about the 10th of May—and signifying he hopes his Honour will think it expedient, to give, if not a Blow, at least an Alarm to the upper Cherokees by a movement of the Virginia Regiment that Way.

Also a Letter from Governour Dobbs dated Brunswick April the 26th advising that his Assembly have pass'd an Aid of £20,000 that currency to raise pay and Cloath a Regiment of five hundred effective Men, besides Officers to be sent abroad wherever commanded by General Amherst; and continue a Company to defend their Frontiers, and Fort Johnston; adding he expects the Regiment to be raised by the end of May.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. Port Duties &c were signed by the Governour.

For half a Years salary to the Governour	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For do. to solicitor of Virginia Affairs	100.0.0
For do. to the Atto General	35.0.0
For do. to Clerk of the Council	50.0.0
For do. to Adjutants	120.0.0
For do. to Armourer	6.0.0
For do. to Gunner's of the Batteries	12.10.0
To Ministers Attending one General Court and Assembly	22.0.0
For Repairs done to the Governours House	32.9.6
For Contingent Charges	594.0.8
On the Revenue of Quit Rents	
For half a Year's salary to the Atto General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of October 1760, to the 25th of April 1761, being examined by the Deputy Auditor and made Oath to by the Receiver General was certified by the Governour.

It is ordered that Afra a Negro Man formerly belonging to James Wilson deceas'd of Norfolk County and also his Wife Nell, be manumitted and set free; it appearing to the satisfaction of the Board, that it was the Will of the said Wilson that they both should be made free, for their Fidelity and long services, particularly for preserving his dwelling House by their extraordinary Diligence and activity in extinguishing a Fire which broke out there last November in the Night.

The following Petitions for Land were granted.

To William Duiguid⁶⁶ Leave to take up a thousand Acres beginning above the Mouth of Wrach⁶⁷ Island Creek, runing up the Fluvanah River, to include the Waste Land below Coleman's Road, to where it crosses the said Creek.

To Major Tillers leave to take up a thousand Acres in Brunswick beginning on his own land, thence to Thomas Moseley's Line, thence to Benjamin Moseley's line, thence to William Smith's line, thence to Walker's line, thence to his own at the begining, including all the Waste Land adjoining the lines abovementioned.

At a Council held May the 7th 1761

Present

The Governour

John Blair

John Tayloe

Phil: Lud: Lee

Robert Carter Esqrs.

The Governour was pleased to desire the Opinion of the Council respecting the most convenient Time for the meeting of the Assembly, Whereupon it was the advice of the Council that the Assembly be prorogued to the first Tuesday in November next, and it was accordingly Ordered that a Proclamation forthwith issue for that purpose, requiring them to meet on that Day for the Despatch of public Business.

66. May be spelled Diuguid.

67. Also found as Wrack Island Creek.

At a Council held June 10th 1761

Present

The Governour

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Phil. Lud: Lee
Philip Grymes	John Tayloe

Robert Carter Esqrs.

His Majesty's Warrant dated March the 2d authorizing and requiring the Governour forthwith to cause Letters Patent to be pass'd under the seal of the Colony for constituting and appointing James Robert Gentleman Naval Officer of the Upper District of James River, was produced and read.

His Honour was pleased to lay before the Board a Letter from John Chiswell and Thomas Walker Gentlemen appointed Commissioners to purchase the Prisoners brought in by the Cherokee Indians together with a Copy of their Proceedings.

Also the following Letters—A Letter from his Excellency General Amherst dated New York May the 11th signifying the Orders he had given for supplying the Virginia Troops with Provisions, and that he trusts no failure will happen in regard thereto, that he has writ fully his Intentions to Colo. Byrd, and left the Letter under a flying Seal for his Honours perusal, and begs he will forward it.

Two Letters from Colo. Byrd dated Staunton May the 25th and 29th; the first signifying his arrival there that Evening—that he is informed the Detachment from Winchester will be in next Day—that he fears the Want of Provisions will retard the Execution of his Orders—that as soon as he can support the Men at Fort-Chiswell, he shall March them there: The second informing of his situation and that it is out of his power at present to proceed in executing his Instructions—that the Troops from Winchester came in on Wednesday, and were thirty Days on their March—that the Commissaries trusting to the Contractors, who did not seem to give themselves any Trouble about the Matter, had neglected to lay in any Provision. He is of Opinion Colo. Grant's Fate must be deter-

mined before the Troops can leave that place—that it will be time enough for the Recruiting Officers to join at Fort-Chiswell by the 20th of July and therefore thinks it will be proper to continue them in that Service.

A Letter from Lieutenant Colo. Stephen dated Winchester May 31st signifying the last of the Regimental stores arrived from Philadelphia the other Day, and are on the Way to Augusta under the care of Captain Woodward's Company detained on purpose to escort them. That the Virginians at Redstone and Fort Cumberland are expected to join them as soon as Colo. Bouquet can dispense with their service, but that the Pennsylvanians, who are to relieve them, recruit very slowly.

A Letter from the Lords of Trade dated February the 17th signifying it is impossible for them for want of sufficient Information upon several Points, to give any explicit Opinion upon the Doubt which has occur'd as to the Propriety of making further Grants upon Carraway and Green Brier River, and desiring his Honour will take no steps towards making Grants of those Lands, until he can inform their Lordships, whether this part of the Country is, or is not, claimed by the Indians as their Property, and shall receive their further directions thereupon. Upon which it was the advice of the Council that the consideration of the said Letter be postponed till his Honour can procure Copies of the Treaties made by General Forbes and General Monkton with the Indians, and all other Engagements lately entered into with them.

The following Caveats for Land were this Day tried.

William Cabbell having entered a Caveat against Drury Spurlock for one hundred and fifty Acres in Albemarle upon the Branch of Tye River Call'd Cuffies Creek, the Plaintiff appearing, and two summons's having issued and the Sheriff returning that the Defendant is no Inhabitant, It is ordered that the Plaintiff have a Patent for the said Land.

Valentine Hatcher having entered a Caveat against Penkethman Hawkins, Henry Morris and Henry Hatcher for two thousand three hundred Acres on the south side of Roanoke River on the Branches of Grassey Creek joining the Country line, upon hearing

Council on both sides, it is ordered that the said Caveat be dismissed, and that Henry Hatcher pay all the Costs, or else that the other Defendants Hawkins and Morris have the whole Land.

Peter Legrand having entered a Caveat against Henry Jones for three hundred and thirty two Acres in Bedford on both sides of Naked Creek and on the North side of Moreton's Creek; the Plaintiff appearing, and a second summons having issued, and it appearing by the return of the sheriff that the Defendant is no Inhabitant of the Colony, it is ordered that the Plaintiff have a Patent for the said Land.

Archibald Cary having entered a Caveat against James Smith junior and John Ferguson or any other person for two hundred and thirty eight Acres in Chesterfield on the Branches of swift Creek; the Plaintiff appearing, and the Defendants having been summoned and not appearing, it is Ordered that the Plaintiff have a Patent for the said Land.

Charles Smith having entered a Caveat against John Burns for one Hundred and Fifty Acres in Albemarle, the Plaintiff appearing and the sheriff returning upon a second summons that the Defendant is no Inhabitant, it is ordered that the Plaintiff have a Patent for the said Land.

Joseph Goode having entered a Caveat against Joseph Walton for a hundred and eighty Acres in Albemarle upon Great Brimmer Creek on both sides, for reasons appearing to the board it is ordered that the Plaintiff have a patent for the said Land.

Wright Bonde having entered a Caveat against John Fry for four hundred Acres on both sides of Briery Creek in Albemarle, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Plaintiff⁶⁸ have a Patent for the said Land.

John Drummond having entered a Caveat against Hugh Williams for four hundred Acres in Brunswick lying on the South side of the South Branch of Ceder Creek joining Austin Hightour's Land, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

68. Thus in original.

Hannah Austin having entered a Caveat against Daniel Prewit for three Hundred and three Acres in Halifax on the Head Branches of Sandy River, for Reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Pigg having entered a Caveat against John Hughes for three Hundred and ninety Acres in Halifax, lying on both sides of Bear-skin Creek, for Reasons appearing to the Board it is ordered that the Plaintiff have a patent for the said Land.

Richard Ripley having entered a Caveat against John Ripley senr. for one Hundred and fifteen Acres in Albemarle on Walton's Fork a Branch of Slate River, the Plaintiff appearing, and it appearing by the return of the Sheriff that the Defendant is not an Inhabitant of the Colony; it is ordered that the Plaintiff have a patent for the said Land.

Robert Wooding having entered a Caveat against Zachary Wood for four hundred Acres on the North Fork of Streight Stone Creek in Halifax, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

Peter Perkins having enter'd a Caveat against Richard Elkins for two hundred Acres in Halifax at the Mouth of Stone Creek, the Plaintiff appearing; and the Defendant having been summoned and not appearing, it is ordered that the Plaintiff have a patent for the said Land.

David Mason having entered a Caveat against Thomas Huson for five hundred Acres in Lunenburg on Laton's Creek, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Blair Esqr. having entered a Caveat in Behalf of his Grand children Lewis and John Burwell Infants against Thomas Everard Gentleman for a lot in Williamsburg with a dwelling House and Improvements thereon supposed to Escheat from George Charlton deceased, upon hearing Council on both sides it is ordered that a Patent be made out to John Blair junr. Esqr. Executor of the Will of Lydia Charlton deceased Widow of the said George, in Trust to be hereafter conveyed to which of the two sons abovenamed Mrs.

Christian Burwell their Mother shall think proper to prefer in pursuance of the Will of the said Lidia, and that the Rents of the said House be subjected, in case of any deficiency of the personal Estate of the said Lidia, to the payment of her Debts and Legacies, and that the cost of the Escheat be paid by the Plaintiff.

On a Petition of Peter Fontain late surveyor of the County of Halifax he is permitted to alter into the Names of such persons who shall be willing to take up Certifycates for surveys by him made which lie upon his Hands the sheriff having returned the persons who took up the same Insolvent.

Leave also is granted to the said Peter Fontaine to include eight hundred Acres of Patented Land with one thousand nine hundred and forty Acres surveyed adjoining the same, the works being lodged and a valuable improvement made thereon more than sufficient to save both Tracts.

At a Council held June 29th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Robt. Carter Esqrs.

Peter Randolph Esqr. producing a New Commission dated the 10th of April last appointing him Surveyor General on the Southern Part of the Continent of America took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and supremacy and the abjuration Oath; and repeated and subscribed the Teste; also took the Oath of Office; and executed a Bond in the Penalty of a Thousand Pounds for the faithful discharge of his Duty in the said Office.

The Governour acquainted the Board that Captain Norton of his Majesty's Ship Assistance lately arrived with the Trade from London had been with him and produced his Instructions by which he is ordered to take the Advice of his Honour and the Council, as to the most proper Latitudes he is to cruize in, and with the Postillion

Man of War, the most effectually to protect the Trade from the insults of the Enemy's Privateers. Whereupon it is the Opinion of the Council that the postillion should cruize within four or five leagues North and South, and not above eight or Ten leagues to the Eastward of the Capes, so as to make the Entrance into the Bay once every twenty four Hours. That as soon as Captain Norton has been with his ship to New York to deliver the Money he has on Board, he should return to the latitude of the Capes and cruize from fifteen to thirty Leagues to the Eastward and between the Lattitudes of Cape Hatteras, and Cape Henlopen.

His Honour was pleas'd to communicate two Letters from his Excellency General Amherst dated Albany May the 28th and June the 3d signifying if the Virginia Regiment is compleat he can't deviate in his Opinion but that they are equal to the service they are order'd upon; and hopes the whole of the North Carolina Troops will arrive in Time to join and Act with the Virginia Regiment as he had writ to Governour Dobbs to desire that what where not march'd might immediately follow.

Also a Letter from Governour Bull dated Charles Town May the 25th signifying that their Army Regulars and Provincials amounts to about 2250 and two hundred and eighty one Waggons and believes will reach Keowee by next Night—with regard to negotiating a Peace with the Indians, when the occasion presents itself, he shall act in a manner General Amherst has pointed out in finally concluding the Peace at Charles Town in the most solemn manner, and on such Terms as shall be thought most consistent with the Honour of his Majesty's Arms employed in that service; such as shall procure satisfaction for past, and are most likely to secure our provinces from suffering the like outrages for the future, in the mean Time desires his Honour's opinion of such Terms as he shall think proper and practicable to obtain the desired ends.

Also 2 Letters from Colo. Byrd dated Camp at Fort Lewis June 23d signifying he has all the Provision and Carriages collected that he could in Augusta—that he has a Month's Provision, shall proceed from thence as soon as possible and hopes to have the whole Regiment at Fort Chiswell by the first of July—thinks it will be

necessary to order the County Lieutenants of Augusta, Bedford and Halifax to warn proper Detachments of their Militia to be in readiness to March on the first Notice from him to Garrison the Posts as he shall leave them—desires his Honour would give Lieutenant Colo. Stephen a Breviat as Colonel of the 2d Regiment raised in 1759; and Major Lewis another as Colonel of the New Levies last Campaign; and that he will order the Payment of Mr. David Franks's Account for stores he supplied the Regiment with—adding he learns by two Men arrived in Camp in seven Days from the Cherokee Nation who made their Escape the 16th instant that there is not the least appearance of a Peace, they say the savage Army amounts to two thousand two hundred Men, and that Colonel Grant was obliged to intrench at Nowoko eight miles below Etchowe.

Upon which it was the Advice of the Council that his Honour would give such Orders as he should judge necessary for garrisoning the Posts with the Militia; that he would grant the Commissions requested for Colo. Stephen, and Major Lewis; and issue his Warrant for the Payment of M'r Franks's Account.

The Governour laid before the Board a Letter from the Justices of Amherst County recommending the Land of M'r Lunsford Lomax about a Mile and a half above Jacob Brown's on the Main Road through the County as the most Central and convenient Place for erecting their Court House; and the same was approved of by the Council, provided the said House be built at the Expense of the County.

At a Council held September the 11th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Robert Carter Esqrs.

The Governour produced to the Board a Commission under his Majesty's signet and sign Manuel bearing date the 13th Day of March 1761, constituting and appointing him Lieutenant Governour of Virginia, and in case of Death or Absence of the

Governour in Chief authorizing and empowering him to execute and perform all and singular the Powers and Directions contained in the Commission to the Governour in Chief, which being read, his Honour took the Oaths appointed to be taken by Act of Parliament instead of the Oaths of Allegiance and Supremacy, the Abjuration Oath, subscribed the Test and took the Oath for the faithful Discharge of the Office of Governour, and due observation of the Acts of Trade, which said Oaths were administred to him by John Blair, William Nelson and Thomas Nelson Esqrs. three of the Members of his Majesty's Council.

The Governour communicated an Order of the King in Council dated May the 15th 1761 signifying his Majesty's Pleasure for revoking and repealing in every Part an Order made by his late Majesty in Council bearing Date the 11th of March 1752 containing several Rules and Regulations relating to his Majesty's Colonies and Plantations in America, particularly with respect to the Nomination of Governours, Lieutenant Governours, and other Officers and Magistrates by the Lords Commissioners of Trade and Plantations except that which relates to the Correspondence to be carried on between the said Lords Commissioners and the Governours of the said Colonies and Plantations respectively.

His Honour acquainted the Council that he proposed setting off next Week for New York to visit Sir Jeffrey Amherst, to represent to him in the clearest light the present Circumstances of this Colony, and more especially its situation in respect to the southern Indians.

The Governour was pleased to lay before the Board several Letters he had received from Colo Byrd, signifying the Many Difficulties and Disappointments he had laboured under, and the impracticability of his proceeding to the Cherokee Country, and that, as the Campaign was over he was determined to wait on General Amherst, to remove any Blame that can be thrown on the Colony or himself.

At a Council held October the 17th 1761

Present

The Governour

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	Robt. Carter Esqrs.

His Majesty's Letter and sign Manuel dated March the 13th 1761 appointing Presley Thornton Esqr. one of his Majesty's Council of State for this Colony having been read; he accordingly upon taking the Oaths to the Government, and the Oath of Office was admitted to his place at the Board.

The Governour acquainted the Council that he had a conference with Sir Jeffery Amherst at New York, and that his Excellency was pleased to say he was extremely well satisfied with the conduct of this Colony during the whole progress of this War.

His Honour communicated a Letter from General Amherst dated the 6th of September advising the keeping up the Virginia Regiment, not only til a solid Peace is established and concluded with the Cherokees, but even till such times as the Province of Virginia may be free from all grounded Apprehensions of disturbance from any Tribe or Nation of Indians, and expressing his solicitude for his Honour's enforcing those sentements at the ensuing session of Assembly.

Also a Letter from Colo. Stephen dated Fort Chiswell September the 7th informing he had received a Letter from Colo. Waddell directed to Colo. Byrd dated Salisbury the 26th of August advising he had just arrived there with 374 Men and 52 Indians that he had not above 50 Stands of Arms for the whole, but would use his endeavours to collect a sufficient Number thro' the Province, and was ready to obey his Orders; that thereupon he had dispatched an Express to Colo. Waddell informing him of the General's Intentions and requesting him to hurry off his Men by Detachment to join him, as fast as he could get them arm'd and appointed—that he shall immediately advance as far as the main River of

Houlston and there act according to circumstances—that he shall order all the Cherokees to leave the Camp, and never to return but with the certain News of a Peace, or with all the Chiefs of the Nation on their Way to Williamsburg to confirm it.

An Order of his Majesty in Council dated the first of April 1758 confirming enacting and Ratifying An Act of Assembly intituled “An Act for settling the Titles and Bounds of Lands, and for preventing unlawful Hunting and ranging,” was this Day produced and read, and ordered to be registred in the secretary’s Office.

Ordered That the General Assembly be summon’d to meet on the first Tuesday in November next, and that a proclamation forthwith issue for that purpose.

At a Council held October the 19th 1761

Present

The Governour

John Blair

Peter Randolph

William Nelson

Richard Corbin

Thomas Nelson

Phil: Lud: Lee

Philip Grymes

Robert Carter

Presley Thornton Esqrs.

A Petition from several of the justices of Albemarle for a Writ to adjourn their Court to a House of Stephen Hughes near the Fork of the Roads call’d the three notch’d Road leading to Addam’s Ferry as the properest place for a Court House to be establish’d, was produced and read, and the consideration thereof postpon’d to the Wednesday immediately following the next Court of Oyer and Terminer.

Order’d That notice be given to the Parties concern’d to attend at that time.

The Board took into consideration a Petition of the Justices of Amelia for removing their Court House; the Parties on both sides attending and being heard, it was the Opinion of the Board that no sufficient Reason had been offered for a removal of the Court, and it was accordingly ordered that the same continue where it is at present fixed.

At a Council held October the 26th 1761

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Phil: Grymes

Peter Randolph

Richard Corbin

Phil: Lud: Lee

Robert Carter Esqrs.

The Governour communicated to the Board two Letters from Colo. Stephen the first dated Camp at the Great Island October the 4th signifying he had opened a Waggon Road to the Big Island and taken Post on the main River of Holston—that he had received a Letter from Conocotocho Emperor of the Cherokees, expressing great sorrow for the War that had between him and us; assuring they are tired of fighting, with their elder Brothers the English, and promising to live hereafter as Brothers; informing that he had sent the little Carpenter and ten of their Head Men to Charles Town to make a firm Peace, that they had a good Talk from the Governour there, that the Path is now streight, their Hearts clean and the Chain bright; also a Letter from the great Warriour and Messages from several other leading Men to the same purpose which Letters together with his Answers he sent inclosed: adding he proposes to erect a respectable Port on that River which will answer all Purposes better than a Post in the Nation, that the Expenses of maintaining about three hundred Men there will be but small, could the Commander in Chief in America be prevail'd on to Victual them at the expence of the Crown.

Upon which it was the advice of the Council that his Honour would refer the consideration of the said Letters to the House of Burgesses.

The other Letter from Colo. Stephen was dated October 8th signifying he had received advice that Colo. Waddell was arrived at Fort Chiswell with about three hundred Men and some Tuscarora Indians.

A Complaint of Yelverton Peyton Gent. against Benjamin Strother one of the Inspectors at Aquia Warehouse in Stafford

County for a breach of his Duty and misbehaviour in his office, was this Day produced together with the Depositions of several Evidences on both sides upon Oath

Ordered, That the hearing of the same be postponed to the Wednesday immediately following the next Court of Oyer and Terminer and that the Clerk give notice to the said M^r Strother to attend at that Day.

At a Council held Novr. 3d 1761

Present

The Governour

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Philip Lud: Lee
Philip Grymes	Robert Carter

Presley Thornton Esqrs.

The Account of Contingent Charges from the 25th of April 1761 to the 25th of October 1761, and for work done to the Governor's House, being laid before the Board was allowed.

On the Petition of Talbot Thompson a Slave of Alexander McKensie Gentleman⁶⁹ now residing in Great Britain, setting forth his long, faithful and extraordinary services; that his Master directed Benjamin Waller Gentleman whom he empower'd to transact his business in this Colony, to sell him according to his the Petitioners own liking, that encouraged by Gentlemen who knew his services and promis'd to assist him to bargain for his freedom, he applied in 1758 to the said Benjamin Waller who agreed to set him free upon his paying Sixty Pounds in five years, and that he has paid the Money, and praying a License from this Board for his Freedom: and the said Benj: Waller having certified on the back of the Petition that he believes the Allegations thereof to be true, and has no objections to it; It is order'd that he be permitted and authorized to manumit and set free the Petitioner according to his prayer.

69. The *Minutes* for this date refer to "Colonel McKenzie," and describe Talbott Thompson as a Negro.

At a Council held Novr. 6th 1761

Present

The Governour

John Blair	Peter Randolph
William Nelson	Richard Corbin
Thomas Nelson	Phil: Lud: Lee
Philip Grymes	Robert Carter

Presley Thornton Esqrs.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. &c were signed by the Governour

For half a years salary to the Governour	£1000.0.0
For do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
To half a year's Salary to the Auditor	50.0.0
For Do. to Solicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	35.0.0
For Do. to the Clerk of the Council	50.0.0
For do. to Adjutants	120.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Battaries	12.10.0
To Ministers attending one General Court	10.0.0
For repairs to the Governour's House	77.11.11
For Contingent Charges	252.19.1
On the Revenue of Quit Rents	
For half a year's Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of April 1761 to the 25th of October 1761 being examined by the Deputy Auditor, and made Oath to by the receiver General was certified by the Governour.

Upon viewing a Plan of Amherst County it is ordered that the Court House of the said County be established on the Land of Lunsford Lomax Esqr.

It is also Order'd That the Court House for Buckingham County be established at Richard Taylor's on the Land of Samuel Glover, the Board being satisfied by a Certifycate from the surveyor who had measur'd the County by order of the Court, that the said Place was the most central and Commodious.

At a Council held Novr. 7th 1761⁷⁰

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Phil: Lud: Lee

Robert Carter

Presley Thornton Esqrs.

The Governour having produced to the Board the substance of the several Treaties and Engagements lately entered into with the Indians and the same having been read, and the Letter from the Lords of Trade dated the 17th of February and communicated the 10th of June last duly considered, It was the advice of the Council that his Honour would transmit to their Lordships a Copy of the Minutes of the said Treaties, and also of the Release of the Indians of the Six Nations made at the Treaty of Lancaster in 1744 with a Copy of the consent of the Ohio Indians thereto at Logs-Town in 1752, and signify to their Lordships that in consequence thereof many Grants have been made of Lands, and Settlements thereon, and the settlers never molested before the Encroachments of the French.⁷¹

70. The Council proceedings of November 7, 1761, with slight variation, are also found, together with the text of the "Release of the Indians of the Six Nations," in the Public Record Office, C.O.5/1330, ff. 97-98. They are endorsed: "Virginia. Release from the Indians of the six Nations, of all the Lands in Virginia, made at the Treaty at Lancaster in 1744. Read April 1. 1762. Y. 40."

71. The *Minutes* give the following abstract of the Council's advice on papers regarding Indian relations:

Advice that Governor would send home a Copy of the Substance of the minutes of Treaties communicated by Governor Hamilton, also a Copy of the Indians of the six nations their Release of Virginia to the King at the Treaty of Lancaster 1744. P. 240--also the consent of the Ohio Indians to the above-mentioned Deed, in 52. p. 288. In consequence of which Grants have been made, and the Settlers unmolested before they were disturbd by the French.

At a Council held Decr. the 9th 1761⁷²

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Robert Carter Esqrs.

The Petition from the Justices of Albemarle for a Writ to adjourn their Court to a House of Stephen Hughes near the Fork of the Roads called the three notch'd Road leading to Adams's Ferry was this Day considered, and no person appearing to oppose it, and the Council being satisfied that the place recommended is the most proper, it is ordered that a Writ of Adjournment issue according to the Prayer of the Petitioners.

Upon reading many Depositions on a Complaint of Yelverton Peyton against Benjamin Strother one of the Inspectors at Aquia Warehouse in Stafford County, and also the defence of the said Strother inclosed in a Letter desiring to be excused for not attending in Person on account of a Disorder which rendered him incapable of Travelling, it was the opinion of the Council that the said Strother had committed some Errors, and not observ'd the Law so strictly as he ought, but that he had not committed any Breach of his Duty for which he deserved to be deprived of his Office; and it was order'd that the Clerk inform him thereof by a Letter and signify to him further that he is requir'd by this Board to be more exact and circumspect hereafter in the Execution of his Office.

The Account of his Majesty's Revenue of Quit-Rents for the Year 1760 being Examined by the Deputy Auditor and made Oath to by the Receiver General was certified by the Governour as usual.

On the Petition of the Inhabitants of Hampshire, for reasons appearing to the Board, it is ordered that the Court House of the said County be established on a place call'd Pearsall's Level, and that a Writ issue for adjourning all Pleas depending in their Court to the said Place.

72. See page 678 for the *Minutes* of November 9, 1761.

At a Council held Decr. 10th 1761

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Richard Corbin

Robert Carter Esqrs.

The Governour was pleas'd to communicate to the Board a Letter from Colo. Stephen dated Camp at the Great Island of Holston November the 25th informing of the arrival of the King and Governour of the Cherokee Nation in Camp on the 17th, with the Articles of Peace which he sent inclos'd, together with the Speeches of the King and Head Warrior, confirm'd with the Belts of Wampum.

Whereupon the Council were of Opinion that this is sufficient Authority for the Governour to disband the Regiment immediately, tho' he has not heard from Lieutenant Governour Bull in Confirmation of the Peace.

His Honour also communicated a Letter from General Parslow Governour of Gibraltar dated the 9th of October signifying he had embarked on Board the sloop Nancy, Robert Robertson Master four Soldiers of that Garrison who had been a considerable time in confinement there on Account of some Mutinous Intentions, as he judg'd it necessary to remove them from that place tho' no positive Proof had appeared against them: Also another soldier who being confin'd for attempting to desert, had Petitioned for leave to serve his Majesty in another Place which he had consented to, and desiring his Honour to dispose of them among the Troops under his Command: And inform'd the Council that Captain Adams of his Majesty's Ship Diana was desirous of having the Men therein mention'd as Marines, the Council were of Opinion that his Honour might deliver them to Captain Adams, and advis'd him to issue Orders for that purpose.

At a Council held January 16th 1762

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Richard Corbin

Robert Carter Esqrs.

The Governour was pleas'd to Communicate a Letter from Lieutenant Colo. Stephen dated fort Chiswell December the 22d signifying Lieutenant Woodford comes to conduct Scalelosky, with other Cherokee Indians specially deputed by the King and Governour of their Nation to confirm the Peace, and give a proof of their sincerity, that he has desired Mr. Woodford to send for Abram Smith to interpret what they have to say to his Honour, as Maclemore whom he was obliged to employ for want of another was not to be depended on, when not under Military Discipline, and signified to the Council he proposed to give them an Audience when Smith came.

His Honour also produced to the Board a Copy of a Proclamation published by Henry Bouquett Esqr. Colo. of Foot and Commander at Fort Pitt and Dependences, prohibiting any of his Majesty's Subjects to settle and Hunt to the West of the Allegany Mountains on any pretence whatever without leave in Writing from the General or the Governour's of the Respective Provinces, and producing the same to the Commanding Officer at Fort Pitt.

Whereupon it was the advice of the Council that his Honour would write to General Amherst on the subject, and represent the same to the Lords of Trade, and also acquaint Colo. Bouquett that the said Proclamation has given great uneasiness here, and desire to know what were the Motives which induced him to publish it.

At a Council held Janry. 21st 1762

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Richard Corbin

Robert Carter Esqrs.

Order'd, That an Advertizement be inserted in the Gazette prohibiting Surveyor's from admitting any Entries to be made with them for Lands lying to the West of the Allegany Mountains till further Orders shall be made thereon.

The Governour this Day gave an Audience in the Council Chamber to Scaelosky and the Raven accompanied with two more of the Cherokee's, who came with a Message from the King of their Nation; Abram Smith and Maclemore attending as Interpreters.

His Honour gave them to understand that the Letter they brought from the Standing Turkey afforded him great pleasure that he considered it as an Evidence of Tranquility being happily reestablish'd between us, and accepted of the Belts of Wampum delivered to the Commanding Officer at the Great Island as a confirmation thereof, which he should preserve as Monuments of their profess'd Fidelity—that tho' Governour Bull had not transmitted to him an authenticated copy of the Treaty, yet he entertain'd no doubt of the reality and solidity of it, and received them as true Brethren—he assured them the Peace would be inviolably adhered to on our part, and persuaded himself they were equally determined never to infringe any Article of it—he hoped they were fully convinced of the perfidy and insincerity of the French and of their being reduced to an absolute inability of assisting them in any respect; and that they had now a just sense of the important advantages which would accrue to their Nation from their firm attachment to the English, who were alone able and willing to supply them with Goods and all necessary's they would stand in need of—He observed to them that our gracious sovereign was as fond of cherishing and protecting his Allies, as he was capable of chastising and punishing his Enemies; that it was expected the former would

learn to esteem the Clemency and affection of so good a Father, as the latter had been taught to dread the Power and strength of so great a Monarch—he assur'd them they might rely upon travelling unmolested and with the greatest security to their Nation, and being well accommodated on the road thro' out their Journey—and signified he intended to make them a small present, before they left Town as a Token of Amity—that he had not any Wampum now to give them but would send some after them as soon as it could be procured. Scalelosky answer'd he was a young Man and not us'd to speak in Public—that they were only deputed to deliver the Message from their King—that they were highly pleas'd with the Governour's Talk, and thankful for the kind reception they had met with, that they rejoiced to find the Path now Streight, and heartily wish'd it might be for ever kept so; and gave a string of Wampum. The Raven spoke to the same effect, adding they should be glad to be despatch'd, as they were ordered to return as speedily as they could, and requested an Answer in Writing to carry back with them.⁷³

The Governour replied they should be detain'd no longer than till the Cloaths &c could be got ready which he propos'd to give them and that he would prepare a Letter in the meantime for them to take to the standing Turkey in Answer to that they brought from him. His Honour and the Council then took the Indians in a friendly manner by the Hand, after which they withdrew extremely well satisfied.

73. The *Minutes* for this date give a version of the Governor's audience with the Indians which differs in various ways from the Journal account. Note particularly the references to proposed trade, and the mention of "Willonowa" as a source of the gift of wampum:

The Governor this Day gave an Audience to Scalelosky and three more Cherokees accompanying him sent by the Standing Turkey to confirm the Peace etcetera The Governor told them that by the Letter from the King informing him of the Peace he now look'd on them as Brethren, believd they were satisfied the English were the best qualified to supply them with Trade, and enabled to resent any Insults, hoped they repented having committed the past Outrages, and that we should live hereafter as Brothers ought to do, that a Trade would be carried on for a mutual advantage, that an authentic Information had not been yet received from Governor Bull, and that they must be satisfied for the present with a few Presents as a Token of Amity, and that he received them as Brethren and friends and that they should be conducted back

At a Council held March 11th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Robert Carter Esqrs.

The Governour communicated a Letter from the Earl of Egremont one of his Majesty's Principal Secretaries of State, dated Decemr. 12th 1761 signifying the King's Pleasure that his Honour do forthwith use his Utmost Endeavours with the Assembly to induce them to raise with all possible dispatch as large a Body of Men as the number and situation of its Inhabitants may allow.

Also a Letter from Major General Sir Jeffery Amherst dated New York the 9th of February intreating his Honour to lose no time in convening the Assembly and laying before them the said Letter of the secretary of State.

Upon which it was the Advice of the Council that the Assembly be summoned to meet on Tuesday the 30th of this Month, and it was accordingly ordered that a Proclamation immediately issue for that purpose.

The Governour was pleas'd also to lay before the Board a Representation from the Lords Commissioners for Trade and Plantations to his Majesty dated November the 11th 1761 in respect to granting Lands upon the Mohawk River and in the Country

with safety—accepts the Wampum as Evidence of Peace, which came from Willonowa and the standing Turkey, and that they should be kept as such—that he has no wampum now, but would send some etcetera.

He answered, he was a young man, not used to talk, he only came to deliver the King's speech, they were all glad, to find the white men and they were in one mind, and that the path which is now streight, would be kept to for ever—that they had nothing to desire now, but a Trade, which they hoped they should be soon favord with that they have abundance of skins they should be glad to exchange for goods. Governor told them he should use all possible Dispatch to accommodate them for their Return, that he has given orders for their being supplied with all necessaries—they expressed great satisfaction in the Entertainment they had found, were thankful for it—they were desirous of going back as soon as they could—the Governor told them he should detain 'em no longer in town, than till the Things could be got which he proposed to make them a present of.

They desird something in writing from his Honor to carry to the Standing Turk. which the Governor promis'd them.

adjacent to lake George, with his Majesty's Instruction in consequence thereof.

Ordered That the said Instruction be published in the Virginia Gazette.

Also a Letter from Colonel Bouquett dated Fort Pitt the 8th of February concerning the Orders issued by him to prevent people Hunting or settling to the Westward of the Allegany Hills in Answer to his Honour's Letter of the 17th January upon that subject.

Also a Letter from his Excellency Sir Jeffery Amherst dated the 12th of February signifying what his Honour had done in regard to the disposal of the Men sent by General Parslow is perfectly agreeable to him and that he shall write to General Parslow acquainting him how those Men have been disposed of, and of his approving thereof.

Also a Letter from Governour Boone dated South Carolina Janry. the 4th informing of his Arrival in that Province.

Also a Letter from Colo. Stephen dated Fort Lewis January 30th signifying he had march'd down the Regiment to that Post in obedience to his Honour's Commands leaving about a hundred Men at the advanced Post and small Parties on the Communication to take care of what Stores could not be removed for want of Carriages.

Likewise another Letter from Colo. Stephen dated Fort Amherst the 20th Febry. signifying that agreeably to his Honour's Orders he will disband the Virginia Regiment as soon as the Officers can possibly settle with the Men and pay them off.

With a letter from the Head Men and Warriours in behalf of the whole Nation of Cherokees dated Settico⁷⁴ Decemr. 25th declaring their intire satisfaction in what pass'd at the Big Island, accompanied with a Belt and a Mixt string of Wampum and a string of Beads, which they desire may be accepted as the strongest Pledges they can give of Truth and Friendship; also a string of small white Beads from the Women to testify their regard for the English.

The Board taking under consideration the fatal consequences which a fresh Rupture with the Cherokees must be productive of,

74. Probably Sitiku.

it was order'd that a Proclamation issue strictly requiring all people in this Government to behave with the most perfect amity towards the said Indians, and promising, in case any Cherokee shall be murdered by a subject of this Colony a reward of two hundred pounds to any person who shall make Information thereof on conviction of the Offender.

At a Council held March 30th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin

John Tayloe

Robert Carter Esqrs.

The Governour was pleas'd to communicate to the Council a Letter from the Earl of Egremont dated December the 12th signifying his Majesty's Pleasure that the regular Regiments serving in North America be recruited to their full Complement of Effectives and that his Honour exert his utmost Influence to induce this Colony to carry into Execution that important object by complying with any Requisition which Sir Jeffery Amherst shall make of Recruits from hence.

Also a Letter from Sir Jeffery Amherst dated New York Feby 21st signifying the number of Men he expects from this Colony for that service, and laying before his Honour the method proposed for raising them; the Terms on which they are to be inlisted, and the encouragement they will receive.

Also a Letter from Governour Boone dated Charles Town South Carolina February 16th observing on the state of matters between that Colony and the Cherokees, inclosing a Copy of the ratified Treaty executed on the 18th December; and adding that he has recommended to the assembly then sitting the framing of an Indian Trade Act which when pass'd he shall send his Honour a Copy of.

At a Council held March the 31st 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin

John Tayloe

Robert Carter Esqrs.

William Mainwaring Esqr. Commander of his Majesty's Ship Arundel, stationed on this Coast communicated this Day to the Governour in Council his Instructions from the Lords of the Admiralty.⁷⁵

Upon a representation made by Captain Mainwaring that several of the seamen belonging to his Ship have deserted since his Arrival in this Colony, it is ordered that a Proclamation issue strictly prohibiting all Masters of Merchant ships, and all other Persons whatsoever from harbouring concealing or enticing the said seamen from their Duty on Board the said ship, and offering a reward of Twenty Pounds to any person who shall inform against any offender herein so that he be convicted of the offence.

At a Council held April the 3d 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

John Tayloe

Robert Carter Esqrs.

The Governour produced to the Board his Majesty's Commission bearing date the 4th April 1761, constituting and appointing Major General Sir Jeffery Amher[s]t Captain General and Governour in Chief of Virginia.

⁷⁵ The *Minutes* for this date refer to "Instructions from the Commissioners for executing the Office of Lord High Admiral of Great Britain and Ireland etcetera which they thought should be employd for the Security and protection of this Province and the Ships and vessels of his Majesty's Subjects trading to and from the same."

Also a Com[missi]on under the Great seal of the High Court of Admiralty of Great Britain bearing date the 18th of May 1761 constituting and appointing his Excellency Vice Admiral of this Dominion.

His Honour was pleas'd to communicate the following Copy of a Letter which he thought proper to write to Peter Randolph Philip Ludwell Lee and Presley Thornton Esqrs.

Sir,

As there is a diversity of Opinion prevailing among Gentlemen of the two different Branches of the Legislature as to the clause of an Emission of Paper Money contained in the Bill now before the General Assembly, for granting a supply to his Majesty to raise a Regiment: I think it adviseable that an affair of this Importance and consequence should be duly considered by all the Gentlemen of his Majesty's Council who are in the Colony and can attend; I therefore desire your presence at the Capitol on Tuesday next, that you may have an opportunity of giving your Opinion on so weighty a matter.⁷⁶

At a Council held April the 17th 1762

Present

The Governour

John Blair

Richard Corbin

William Nelson

Phil: Lud: Lee

Thomas Nelson

John Tayloe

Robert Carter Esqrs.

The Governour was pleas'd to communicate to the Council a Letter from Sir Jeffery Amherst dated New York the 2d of March signifying he approv'd of Colo. Bouquett's detaining the Detachments of the Virginia Troops stationed at Red stone Creek, the Crossings and Fort Cumberland as it was impossible for him to

76. The *Minutes* for April 3, 1762 have the additional entry: "Governor communicated the Treaty with the Cherokees—which was ordered to be registered—Also a Copy of a Letter which he thought proper to write to the Gentlemen of the Council who were absent, to attend the 6th of this month."

spare any of his Garrison for those Posts; and doubts not but the Assembly here will make provision for those Men as well as shew a becoming Spirit in complying with every part of his Majesty's Commands.

Also another Letter from his Excellency dated the 28th of the said Month informing his Honour of the signal success of his Majesty's Arms under the command of Major General Monckton, in the intire Reduction of the Island of Martinique.

At a Council held April 21st 1762

Present

The Governour

John Blair

Richard Corbin

William Nelson

Phil. Lud. Lee

Thomas Nelson

John Tayloe

Robert Carter Esqrs.

The Governour acquainted the Council that Judd's Friend, alias Skiagusta, or the great Warriour among the over hill Cherokees was arrived here with about Seventy Men of that Nation attended by Ensign Timberlake, and William Shorie Interpreter, and that he desired their Opinion what reception he should give the said Indians, after they learnt from Colo. Stephen and Mr. Timberlake, whom he had ordered to appear this Morning in the Council Chamber, what motives induced the said Indians to take this Journey: The said Gentlemen were call'd in, and having answer'd several Questions on the subject withdrew.

After which it was the Advice of the Council that his Honour would give an Audience to Skiagusta and a few of his principal Men to morrow in the Council Chamber.

At a Council held April 22d 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

Phil: Lud: Lee

John Tayloe

Robert Carter Esqrs.

The Governour communicated to the Board a Letter from the Earl of Egremont bearing date the 7th of January, inclosing his Majesty's Declaration of War against the King of Spain sign'd in Council the 2d January, and signifying his Majesty's Pleasure that the same be proclaimed in this Colony and that his Majesty had been pleas'd to order Letters of Marque, or Commissions to Privateers to be granted in the usual manner, and desired the opinion of the Council what Day would be most proper for proclaiming the War; the Council were of Opinion that Thursday the 29th of this Instant would be as proper a Day as any when the greatest number of People would probably be in Town, and it was accordingly ordered that War be on that Day proclaim'd in the usual places and with the accustomed Formalities.

Skiagusta with four more of the Chief Warriour's accompanied by the Interpreter were received this Day in the Council Chamber, his Honour and the Council took them by the Hand, Chairs were placed for them, and after they were seated the Governor told them he had given them his hand under a persuasion they were again become true Friends to the English, by acceding to the Treaty of Peace concluded at Charles Town, and were determined to adhere to it—That the Belts and strings of Wampum which hung up in the Council Chamber were certain Proofs of his Intention to preserve the Peace inviolable—that he had promis'd a reward of £200 to any one who informed against a Murderer of a Cherokee he desired to know what induced them to undertake so fatiguing a Journey and what they expected from this Government. Skiagusta intreated to be indulged till tomorrow to deliver his Talk; the Governour answered he would receive the same tomorrow at two o'Clock in the Council-Chamber. The Indians then withdrew.

At a Council held April 23d 1762

Present

The Governour
And as Yesterday

The Governour gave the audience desired to Skiagusta attended by the same Indians as Yesterday, and the Interpreter, his Honour signified he was ready to hear what they had to say. Skiagusta fill'd a Pipe with Tobacco which he lighted and presented to the Governour and Council, who all smoked, he afterwards smoked himself, laid down the Pipe on the Table, and then express'd himself to the following Effect—He said he came here to talk in behalf of the whole Nation, that he should speak from a streight Heart nothing but Truth; and what might be depended on—that Con-nagatucho or the standing Turkey, their King and Governour had sent that Pipe of Peace as an indisputable token of their having sincerely join'd in the Treaty, and of their inflexible Resolution to maintain it, and delivered a Letter from him, dated Chote March 9th confirming the same, also a Letter from Cheulah Headman of Settico with a Belt of Wampum signifying their Joy upon the reestablishment of Friendship between us He proceeded in saying that the Power above had ordered that the English and they should be Friends—that all Quarrels are now ceased so as never to revive, and the Hatchet buried, never to be raised again—that it had been dark a great while but was now light—that they were perfectly convinced of their Errors and truly repented of their Follies—that if any of his people kill'd a White Man they should certainly die for it—he hoped now all obstacles are removed they should enjoy a Trade from hence; that they shall be satisfied if Traders go as far as Fort Chiswell—They are now fully persuaded that only their elder Brothers the English could supply them with necessaries—In confirmation of the Truth of every part of his Talk he gave several Strings and Belts of Wampum. The Governour replied he was well pleased to find their Eyes at length opened, and to learn that they were determined to keep the Peace for ever inviolated assured them they would be regarded as the Children of one Father so

long as they continued in that resolution—he promised to give all due encouragement to the People here who should incline to Trade with them—he intimated to them that the consideration of the distance they lived from hence, and the hardships they must labour under in Travelling here, induced him to hope he should have no more visits from their Nation unless by his particular invitation—he told Skiagusta he would prepare an Answer in writing for him to take to the standing Turkey with a large Belt of Wampum.

The Indians then withdrew. The Governour signified to the Council that he presum'd the Indians would expect some small presents, and desir'd their Opinion upon it; the Council were of Opinion, that twelve Pounds laid out in Presents to the Standing Turkey, and the same sum to Skyagusta and about a Hundred Pounds among the Men who came with him, would be sufficient.

At a Council held April the 27th 1762

Present

The Governour

John Blair	Richard Corbin
William Nelson	Phil: Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter Esqrs.

The Governour acquainted the Council he had been informed that Skiagusta intended to apply to him for a permission to go to England, and desired their Opinion upon it whereupon the Council advised his Honour not to make any mention of it first himself, and that if such a request was made, he would represent the Dangers of the Sea, of falling into the Hands of the Enemy and of the small Pox, also, if any such misfortune happened, the ill consequences which might perhaps ensue by a wrong Interpretation that might possibly be put upon it by the Headmen of the Cherokee Nation, but if Skiagusta afterwards persisted in it they shall have no objection thereto provided he would be contented with one or two of his Nation and the Interpreter to go with him.

The Board being inform'd that Skiagusta was attending with his Company he with seven more Indians were admitted after they were seated, The Governour produced his Letter to the Standing Turkey under the Great seal of the Colony, which was read, and interpreted, and then delivered to Skiagusta. His Honour afterwards told him he had ordered such presents for them as our Circumstances would admit of, which he doubted not they would be satisfied with, when they reflected on the great Expense the Government had incurred, thro' their means, and ask'd him if he had any thing more to say. He answer'd he had been long impatient of seeing once more his elder Brother and his beloved Men, that he had now seen them and was happy, and was highly pleas'd with the Friendly Talk he had received. After some pause he added, there was one thing which he had greatly at Heart, and hoped what he was going to ask would be granted him, which was that he might be permitted to Visit the Great King his Father on the other side of the Water.

The Governour agreeably to the advice of the Council intimated to him, the fatal consequences which such a Voyage at this time might be productive of; he replied he neither feared the danger's of the Water, or any distemper, and that if any unhappy accident befel him, it could only be imputed to himself, as it would be soon known to his Nation, that it was at his own Solicitation he was allow'd to depart; his Honour desir'd he would consider seriously upon so important a subject and then come and talk to him at his own House to morrow, told him he regarded him now as a Friend, and therefore could not hastily consent to his rashly subjecting himself to any imminent danger. Skiagusta and all the Indians then rose, took the Governour and Council by the Hand in a most friendly manner, and with perfect satisfaction express'd in their Eyes, left the Council Chamber.

At a Council held April the 29th 1762

Present

The Governour

John Blair	Richard Corbin
William Nelson	Philip Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter Esqrs.

The Governour acquainted the Council that Skiagusta had been with him and firmly persevered in his fond desire of going to England, after having very maturely considered every particular which had been represented to him and that he propos'd to take with him only two of his Men with the Interpreter and the same was approv'd of by the Council.

At a Council held May 1st 1762

Present

The Governour

John Blair	Richard Corbin
William Nelson	Philip Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter Esqrs.

The Account of Contingent Charges from the 25th of October 1761 to the 25th April 1762, and for work done at the Governour's House being laid before the Board was allow'd.

At a Council held May 7th 1762

Present

The Governour

John Blair	Peter Randolph
William Nelson	Phil: Lud: Lee
Thomas Nelson	Robert Carter Esqrs.

The following Warrants on the Executors of Philip Grymes Esqr. his Majesty's late Receiver General to be paid out of his Majesty's

Revenue of two shillings per Hogshead &c were signed by the Governour.

For half a year's Salary to the Governour	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
For do. to Solicitor of Virginia Affairs	100.0.0
For do. to Atto: General	35.0.0
For do. to Clerk of the Council	50.0.0
For do. to Adjutants	120.0.0
For do. to Armourer	6.0.0
For do. to Gunner's of the Battaries	12.10.0
To Ministers attending one General Court	10.0.0
For repairs done to the Governour's House	49.14.4
For Contingent Charges	359.9.11
On the Revenue of Quit Rents	
For half a year's Salary to the Atto: General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hogshd. &c arising within the Colony of Virginia from the 25th of October 1761 to the 25th of April 1762 being examined by the Deputy Auditor and made Oath to by Peyton Randolph Esqr. one of the Executors of Philip Grymes Esqr. his Majesty's late Receiver General was certified by the Governour.

The Governour communicated several letters from M^r Abercrombie inclosing his Account; the Council having made some observations on the Letters and objections to the Account particularly in respect to the Article of 2 per Cent which he presumed to Charge for his Trouble about the Proportion allotted to Virginia out of the Money granted by Parliament, they being of Opinion that he ought to be satisfied with one and a half per Cent for that Service; The Governour was pleas'd to say he would take proper Notice thereof in his Answer which he would lay before the Board at the Court of Oyer and Terminer.

On the Petition of William Johnston in behalf of himself and his Sons Robert, Benjamin, Richard, James, William, Philip and Thomas Johnston, and his Sons in Law Francis Coleman and John

Benger, Leave is granted to each to survey one thousand Acres of Land above and below Jennings's Gap on the North Mountain in the County of Albemarle, and to take out a separate Patent for the same.

Upon a representation made to the Board that a Negro Man had been taken up at Norfolk about eighteen Months ago as a runaway, and brought to Williamsburg, and committed to the Public Goal by the name of John Taylor, and there confin'd to this time, and that no person had appear'd to claim any right to, or Property in him; it was the opinion of the Council that the said Negro ought to be discharged and have his Freedom, and it was accordingly ordered that he the said John Taylor be manumitted and set free.

At a Council held May 18th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Robert Carter Esqrs.

The Governour communicated to the Council and desir'd their Opinion and Advice on a Letter from Sir Jeffery Amherst dated New York April the 15th signifying that he had undoubted Proofs of the Enemy's being supplied with Provisions from almost every Port on the Continent of North America, representing the absolute necessity of putting an effectual Stop to such Infamous Practises, particularly at a time when there is the greatest demand for Provisions to supply the Kings Troops and requesting his Honour to take such Steps as he shall judge best toward prohibiting any kind of Provisions from being shipp'd at any of the Ports within this Colony except for the King's Service, Whereupon it was the advice of the Council that the consideration of the Letter be postpon'd for a fuller Council, and that the Clerk should immediately write to all the Naval Officers requiring them to transmit forthwith to his Honour an Exact List of all Ships which have been cleared out from their respective district since the first of December last loaden

with Provisions, and to inform him if the Masters have punctually fulfill'd the Condition of their Bond; they further advis'd that his Honour would be pleas'd to write to his Excellency, informing him of what it was judg'd expedient to do at present in the case, intimating that they could not easily be persuaded the Scandalous Trade complain'd of was justly imputable to Virginia, and assuring him that if he shall think proper to send a Commissary to Purchase Provisions all possible Assistance will be given him, and every legal measure taken in his Favour to promote the King's Service in so important an Article.

Also a Letter from his Excellency dated the 27th of April signifying it was with pleasure he learnt the Assembly of Virginia had fully complied with his Majesty's Requisitions—that M'r Walker having presented an Account of the Charges incurred by this Government for Provision &c for the Expedition in 1760, as settled by the Virginia Commissioners; together with a Certificate under his Honour's Hand of the Money having been paid, he thought proper to grant a Warrant, which he sent inclosed, for £10,000 Sterling on Account, particularly mentioning that the Remainder is to be paid when the Account is settled which can't be done till the Vouchers, which M'r Walker left in the Hands of the Virginia Commissioners are produced, which he desires his Honor will transmit—that he had ordered M'r Mortier the Deputy-Paymaster General to send Directions to Colo. Hunter to pay the same when presented to him.

Also another Letter from his Excellency dated May 4th signifying he had sent Lieut. Donald Campbell of the royal Americans in a Vessel to Virginia with Directions to review the Recruits that this Colony has made provision for to fill up the regular Corps that as one Vessel will not be sufficient to bring away the whole, he shall send another in time to wait for Lieut. Campbell and the Remainder—that he is furnished with a Credit to procure Money for paying the additional Bounty to the Recruits, and the Rewards promis'd to the provincial Officers who raise the Men.

His Honour was also pleas'd to communicate the following Letters,

A Letter from Governour Dobbs dated May 1st informing that his Assembly had denied giving any Aid, and that he had dissolved

them—and desiring his Honour to forward by Express his Dispatches with Letters from Captain Arbuthnot in the Oxford, to General Amherst, which came inclos'd to him in a Letter from Governor Boone.

A Letter from Governor Boone dated April the 25th mentioning a Letter of his for Sir Jeffery Amherst inclosed to Governor Dobbs to be forwarded by him to his Honour, that it might safely reach the General, relating the Contents of a Letter from Captain Arbuthnot, a Copy of which he inclos'd—adding that the Cherokees have been perfectly Quiet, impatient for Trade and busy in collecting all the Prisoners and Negroes both which the Commanding Officer of Fort Prince George expected to be delivered up every Day.

Captain Arbuthnot's Letter was dated the 15th of March signifying his Letter contained intelligence of the sailing of five Transports from France with a Regiment for Louisiana and a great many Officers, one of which was taken by him the third of that Month, besides a Squadron and two Regiments with Officers of Rank which may be destined likewise for the same place.

A Letter from Lord Colville dated Northumberland at Halifax April the 17th signifying that in consequence of Orders from the Lords Commissioners of the Admiralty the Chesterfield with the Intrepid and Porcupine, which are all the Ships with him except the Northumberland are hastening to New York to be employed on a Service of great Moment that he has desir'd Captain Hale of the Intrepid, who commands those Ships to direct Captain Scaiffe to pursue his former Order's as Convoy to the Virginia Trade in case any Ship should arrive before his Departure from New York, that might take the Chesterfield's place, and has wrote to Sir Jeffery Amherst on the same Subject—that if by the junction of Ships from England or elsewhere he may be enabled to provide a Convoy in due time for the Trade of this Colony, he will not fail to do it.

His Honour likewise produced a Letter from the Clerk of Frederick County dated May the 6th on which he desired the Advice of the Council informing that at the last Court held for that County the leading Men in it refused to Qualify and the greatest part of the other's followed their Example and seem'd determin'd not to Act

while the present Commission is in force, and that it is probable they shall continue without a Court and be subjected to all the Evils attending the failure of a Due Administration of Justice, unless his Honour can fall on some expedient to relieve them.

Whereupon it was the Advice of the Council that his Honour would be pleased to write to the Clerk of Frederick requiring him to collect as well as he can from the Gentlemen who have been appointed Justices for that County, and refused to qualify, their reason for such refusal, and signify to him that if a sufficient number will not serve to do the Business of the Court, he shall take the best method to procure a list of such Gentlemen in the County who are capable of acting as Justices, and that if a proper number can't be obtain'd by that means, he shall recommend it to the Assembly at the next session to reunite Frederick to the County it was separated from.

At a Council held June 9th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

William Byrd

Robert Carter

Presley Thornton Esqrs.

The following Caveats for Land were tried and determin'd.

Thomas Twitty having entered a Caveat against William Twitty Son and Heir of John Twitty deceased for two thousand six hundred and twenty Acres in Lunenburg lying upon the Branches of Taylor's Creek Stith's Creek and other's, the Plaintiff appearing and the Defendant having been summoned and not appearing it was

Ordered, That the Plaintiff have a Patent for the said Land.

Thomas Cottoral having entered a Caveat against John Pattison for seven hundred Acres upon Franklin and Moll's Creeks in Albemarle, the Plaintiff appearing and the Defendant having been summoned and not appearing; It is order'd that the Plaintiff have a Patent for the said Land.

William Dangerfield by Hannah Dangerfield his next Friend having entered a Caveat against Edmund Bacon for four hundred Acres in New Kent adjoining Gooch, Pullom, and Bassett, also against Jonathan Patterson for four hundred Acres in New Kent adjoining the Land entered for by Edmund Bacon, and the Land of Gooch and Pullom; also against Venason for four hundred Acres adjoining the Land entered for by Jonathan Patterson, or Dangerfield, upon hearing Council it is ordered that neither of the said Defendants shall have a Patent for any part of the said Lands

Abraham Cocke having entered a Caveat against Robert Leveret for one thousand two hundred Acres in Lunenburg on the Branches of Flat Rock Creek and Crooked run, the Plaintiff appearing and the Defendant having been summoned, and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

Abraham Cocke having entered a Caveat against John Tabor for four hundred Acres upon the Branches of Reed's Branch and Hound's Creek in Lunenburg, the Plaintiff appearing and two summons's having issued against the Defendant, and the Sheriff having made a return on both that he is no Inhabitant, it is

Ordered, That the Plaintiff have a patent for the said Land

Robert Innes Clerk having enter'd a Caveat against John Savory for two hundred and forty four Acres on Panther Creek in Halifax formerly survey'd for Richard Booker, upon hearing Council on both sides it is ordered that the Plaintiff have a Patent for the said Land.

Thomas Singleton having enter'd a Caveat against Robert Harrison for one thousand five hundred Acres in Brunswick lying on Great Creek and joining the Old Indian line, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

James Pedin having enter'd a Caveat against John Brantley for one hundred and fifty four Acres in Southampton on the North side of Nottoway River, the Plaintiff appearing and the Defendant having been summon'd, and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

James Pedin having enter'd a Caveat against David Edwards for one hundred and sixty nine Acres in Southampton on the North side of Nottoway River, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Daniel Williams having enter'd a Caveat against John Williams for one hundred and fifty Seven Acres in King William, for reasons appearing to the Board it is ordered that the Plaintiff have a Patent for the said Land.

Thomas Adams and George Walton having enter'd a Caveat against William Gray and John Hughes Heir at Law to Ashford Hughes deceas'd for ten thousand Acres on both sides of Pig River in Halifax the Plaintiffs appearing and Hughes having been summon'd and not appearing, and the Sheriff returning that Gray is no Inhabitant, it is order'd that the Plaintiffs have a Patent for the said Land.

Moses Cockeram having enter'd a Caveat against Richard Witton and Drury Stith for eight hundred Acres more or less on the Head Branches of Allen's Creek, Cattail Creek and the Dry Creek in Lunenburg the Plaintiff appearing and the Sheriff returning that Witton has no defence to make and Stith having been summon'd and not appearing, it is order'd, that the Plaintiff have a Patent for the said Land.

John Grisell having enter'd a Caveat against Samuel Harris for one hundred and twelve Acres in Halifax on Bannister River joining William Russell's line and on both sides of Pole Cat Creek, the Plaintiff appearing and the Defendt. having been summon'd and not appearing it is order'd that the Plaintiff have a Patent for the said Land.

Majer Tiller having enter'd a Caveat against Gideon Combo for two hundred and twenty two Acres in Brunswick on the south side of Meherrin River, for reasons appearing to the Board it is order'd that the Plaintiff have a patent for the said Land.

Nathaniel Terry having enter'd a Caveat against James Terry for seven thousand three hundred and eighty four Acres in Halifax on both sides of Elkhorn and Shocko Creeks it appearing by the return of the Sheriff that the Defendant consents, it is

Order'd, that the Plaintiff have a patent for the said Land.

Pleasant Terrel having entered a Caveat against David Terrel for four hundred Acres in Halifax on Catawba Creek for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land

Giles Randolph having enter'd a Caveat against John Mercer junior for forty six Acres more or less in Norfolk near the Head of New Mill Creek, upon hearing Council on both sides, it is Ordered That the Plaintiff have a patent for the said Land.

George Woodroof having enter'd a Caveat against Arthur Harris for a tract of Land in Brunswick in Meherin Parish, the Plaintiff appearing, and the Defendant having been summon'd and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

Stephen Cocke having enter'd a Caveat against Peter Smith for three hundred and thirty six Acres in Halifax formerly Lunenburg on both sides of Fall Creek the Plaintiff appearing and the Defendant having been summon'd and not appearing it is order'd that the Plaintiff have a patent for the said Land.

William Cocke having enter'd a Caveat against Nathaniel Bacon for seven Acres on the lower side of Butcher's Creek in Lunenburg formerly known by the name of Butcher's Lane Break the Plaintiff appearing and the Defendant having been summon'd and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

John Westbrook having enter'd a Caveat against Joseph Lloyd for four hundred Acres in Lunenburg between Great Creek and Miles's Creek, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Charles Wilkins Executor of Robert Wilkins deccas'd having enter'd a Caveat against William Tucker for one hundred and fifty seven Acres joining to John Herbert and John Fereby in Norfolk; also a Caveat against John Herbert for one hundred and seventy one Acres in Norfolk up Deep Creek joining the Land that belonged to the late Robert Wilkins, upon hearing Council on both sides, it is order'd that the said Caveats be dismiss.

At a Council held June 10th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

William Byrd

Robert Carter Esqrs.

The Governour was pleas'd this Day in the Council Chamber with the approbation of the Council to endorse Sir Jeffery Amherst's Warrant for £10,000, Sterl. produced in Council the 18th of May last, and to sign receipts for the Money.

His Honour produced a list from the Naval Officers of Vessels laden with Provisions which had been clear'd out since the 1st of December last, with an Account of Certificates that had been return'd, and of what were standing out, and desir'd the advice of the Council what other Measures he could take to comply with General Amherst's request in his Letter of the 15th of April, upon which the Council advised his Honor to postpone doing any thing further therein, till he received an Answer from his Excellency to his last Letter.

His Honour was pleas'd to lay before the Board an Answer he had prepar'd to M^r Abercromby's Letters which were produced and Animadverted upon the 7th of May last, and the same was read and approv'd of.

Order'd That the Assembly which stands proroug'd to the last Tuesday in June, be further proroug'd to the first Tuesday in November next, and that a Proclamation forthwith issue for that purpose.

The Board this Day took into consideration several Petitions for removing the Court House of Goochland, and upon viewing a Plan of the County, and hearing the Parties on both sides, it was the Opinion of the Council, and accordingly order'd that the Court House of the said County be establish'd on the Land of M^r Alexander Baine, as near to the Spring as can conveniently be done.

At a Council held July 8th 1762

Present

The Governour

John Blair

Thos. Nelson

William Nelson

Robert Carter Esqrs.

The Governour acquainted the Council that he had received certain advice that his Majesty's Ship the Chesterfield would soon come in here to take care of the Trade and desir'd their Opinion in regard to the Expediency of laying an Embargo upon Tobacco Ships, whereupon it was the advice of the Council and accordingly order'd, that a Proclamation forthwith issue for laying an Embargo on all Tobacco Ships bound for Great Britain, until further order shall be made thereon.

It was also order'd, that the Clerk write to the Naval Officers requiring them to inform the Masters of Ships who have clear'd out that if they presume to sail during the continuance of the Embargo, they will be prosecuted upon their return to this Colony, and likewise to take Bond from all Masters of Ships and Vessels as directed by an Act of Assembly made the 4th Year of Queen Anne intituled, An Act to prevent Ships sailing in contempt of Embargos.

The Board having taken under consideration the Scarcity of Indian Corn, it was Order'd, that a Proclamation issue to prohibit the Exportation thereof until further order made.

At a Council held July the 30th 1762

Present

The Governour

John Blair

Richard Corbin

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Presley Thornton Esqrs.

His Majesty's Letter and Sign Manual dated the 19th of April 1762 appointing Robert Burwell Esqr. one of his Majesty's Council of State for this Colony having been read, he accordingly upon

taking the Oaths to the Government and the Oath of Office, was admitted to his place at the Board.

The Governour was pleas'd to lay before the Council a Letter which he thought necessary to write to the Lords of Trade, and which he propos'd to transmit forthwith, if they had no objection to it upon the late appointment of Robert Burwell Esqr. to be one of the Council of State representing the important Trusts reposed in the Council, and that Gentleman's incapacity to discharge any one of them; which Letter being read was approved of by the Council as very proper and expedient to be sent immediately.

Thomas Nelson Esqr. then produced a Representation which he had prepar'd in the name of the Council, to his Majesty upon the same subject requesting that he would be graciously pleas'd to appoint some other more able and discreet person in the room of M'r Burwell and the same being read, the consideration thereof was postpon'd to October Court for a fuller Council.

Richard Corbin Esqr. with John Tayloe and Presley Thornton Esqrs. this day gave Bond to the King in the Penalty of Six thousand Pounds Sterling with condition for the due and faithful Execution of the Office of Receiver General as Deputy to John Robert's Esqr. his Majesty's Receiver General for this Colony; and also took the Oaths to the Government, and the Oath of Office.

His Majesty's confirmation of an Act to empower the Executors of the Will of Gawin Corbin Gentleman deceased to sell certain intailed Lands and Slaves for the payment of his Debts and for settling other Lands of greater value to the same uses; And also of an Act to dock the entail of certain Lands therein mention'd and to vest the same in Lewis Burwell Esqr. in Fee-Simple and for settling other Lands of greater value in lieu thereof to the same Uses; were produced and read, and ordered to be recorded in the secretary's Office.

The Receiver General propos'd and submitted to the consideration of the Board, the apparant loss of his Majesty's Revenue of Quit-Rents sustains by the present height of Exchange, and deficiency of Specie, as he is now oblig'd, in lieu of 2s. Sterling or 2s. 6 1/2 d. in Silver, which ought to be paid for every hundred Acres of Land,

to receive paper Currency at that rate, whereby that Revenue loses 25 per Centum.

The Council having considered the matter were of Opinion that his Majesty was undoubtedly intitled to be in as good a situation as any other Sterling Creditor; but that this Board had no Power to make any Order thereupon; and that the Officers here of his Majesty's Revenue should represent the Case to their Principals, that they may be enabled to apply properly for a Redress of the Grievance.

The Governour communicated two Letters from Governour Boone dated June 15th and 25th the first signifying he had pass'd an Indian Trade Act, a Copy of which he sent inclosed, the second informing he had received intelligence that our Prisoners are deliver'd to the Commandant of Fort-Prince George, that in consequence thereof he shall send up their Prisoners and some Goods very soon; and intimating the necessity of a concurrence of the contiguous Provinces in Indian Transactions.⁷⁷

At a Council held August 20th 1762

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governour acquainted the Council that Captain Mainwaring would soon be oblig'd to have his Majesty's Ship, the Arundel under his Command, carreen'd; and propos'd to their consideration the expediency of hiring an arm'd Vessel for the better protection of the Colony against the enemy's Privateer's and the same having been consider'd was approv'd of by the Council provided Captain Mainwaring will furnish her with a sufficient number of Hands Proper Officers and Provision and supply her

77. The Council proceedings for July 30, 1762 are also found *in extenso* in the Public Record Office, C.O.5/1330, ff. 222-223. They bear the following endorsement: "Virginia Copy of a Minute of Council of the 30th July 1762 Reced with Lieut. Govrs Letter of 28. May 1763 Y.94."

with what quantity of Arms he can spare out of the Kings Ship; they also recommended, if Captain Mainwaring consented to those Terms M'r William Bradley one of the representatives in Assembly for the County of Norfolk, and Mr. Joseph Hutchings Member for the Borough to be appointed Commissioners to hire a proper Vessel; and they requested his Honour to Communicate this to Captain Mainwaring.

William Nelson Esqr. inform'd the Board that there were some carriage Guns lying at York, which might prove of use, if remounted; whereupon it was recommended to him to signify to the County Lieutenant, that he was requir'd by this Board to put the Town of York in as defensible a State as possible and to keep the Militia of the County on the most respectable Footing.

At a Council held September 1st 1762

Present

The Governour

John Blair

Thomas Nelson

Robert Carter Esqrs.

The Governour acquainted the Board he had communicated the result of the last Council to Captain Mainwaring and that he was willing to comply with the Terms propos'd, His Honour also produced proposals of M'r Cornelius Calvert to hire his Sloop, which might be got ready in a Fortnight but she had no Guns and those belonging to the Man of War were too heavy; his Honour likewise signified he had been informed there were two Bermuda Sloops in the Harbour of Norfolk fit for the Service, but he doubted his Power to press them; upon which the Council advis'd his honour to take the opinion of the Attorney General, who being immediatly sent for, and attending, gave it as his opinion, that in case of necessity, the Government, had a power to press any Vessel in the Country for the Public Service. The Council thereupon advis'd the Governour to request Captain Mainwaring to send an Officer on Board the Vessels in the Harbour of Norfolk to make choice of one most

fit for the Service; also to issue his Warrant to the Mayor of Norfolk to press and take into his custody such Vessel and afterwards apply to such Person whom his Honour shall appoint to value the Vessel on the behalf of the Government, and to the Master and others concerned for the owners of the said Vessel to appoint any Person they shall think proper, jointly to value and settle in current Money what the said Vessel is worth per Month, and what the Owners ought to receive in case of loss.

At a Council held September 8th 1762

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governour communicated a Letter from Captain Mainwaring dated September the 3d in Answer to his Honour's Letter relative to the hiring a Vessel, signifying he will at all events spare the Lieutenant of the Arundel and forty Men, that he could not furnish Provisions for more than actually belonged to the Kings Ship, that he expected the Government would assist him with some hands when the Arundel shall be hove keel out, and recommending a Master and ten more hands to be procured for the Sloop taken into the Service.

Also a Letter from the Commissioners informing they had waited on Captain Manwaring with his Honour's request to send his Officer on Board the Vessels in the Harbour of Norfolk, which he readily complied with by sending Lieutenant Hindman with them in the Boat, who had made choice of the sloop Sally as the best sailing Vessel and fittest for the service; and desiring Instructions how they are to proceed for furnishing Cannon, getting more Men and Victualling them.

Also a return from M^r Paul Loyal Mayor of Norfolk that agreeably to his Honour's Warrant he had taken into his custody the Sloop Sally belonging to Captain Cornelius Calvert and had

acquainted Colo. John Hutchings, appointed by the Governour to value, of the same. To which was annexed the report from John Hutchings and John Tucker that Captain Calvert agrees to fit his Sloop to receive twelve carriage and twelve Swivel Guns with proper Gun-Room, all to be done fitting for a Vessel of War, to the satisfaction of Lieutenant Hindman—that they value the said Sloop at £750 in case of loss, and for the time she shall be employed at the rate of £100 current Money per Month.

Whereupon the Council advis'd the Governour to write to Captain Mainwaring promising him the assistance he shall require; and to empower and direct the Commissioners to procure a Master and ten more hands for the Sloop Sally and as an encouragement for men to engage, to assure them they will be discharg'd and protected from being press'd after the service they enter for shall be over, and be intitled to a just share of Prize Money besides their Pay; to victual the additional Men, press Guns, and fit proper Carriages to them; to write to Philadelphia to insure the Sloop; to hire what Hands Captain Mainwaring shall occasionally request; and to take such Measures in providing every thing necessary for the said Sloop tho' not expressly particulariz'd, as they shall judge expedient for promoting the Service.

The Governour communicated a Letter from his Excellency Sir Jeffery Amherst dated New York July 25th inclosing a Warrant for the ballance that appear'd to be due to this Government on Account of Charges incurr'd for Provision &c for the Expedition in 1760 amounting to £4893.15.3 Sterling, and repeating his request that the Virginia Regiment may be ready to move at a Moment's warning.

Also a Letter from Captain Jervis Commander of his Majesty's Ship Gosport dated in Halifax Harbour August the 3d signifying that the exigency of Service is such that he can't ascertain the time of his Sailing; upon reading which Letter the Council advis'd his Honour to order the naval Officers to clear out any Ship laden with Tobacco and bound for Great Britain the first of October next; to write in pressing Terms to his Excellency General Amherst, intreating

him, if possible, to send here a Man of War to Convoy the Trade of this Colony, which shall be then ready; and to notify the same in the Virginia Gazette.

At a Council held October the 7th 1762

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governour was pleas'd to communicate to the Council a Letter from his Excellency Sir Jeffery Amherst dated New York September 24th signifying that the ready compliance of the Assembly in making the necessary Provision for both the Requisitions of his Majesty, and the Zeal and Spirit particularly exerted in completing the Quota of Men demanded for the regular Corps, are strong Proofs of the Loyalty of the Colony in General and of the great Regard they pay to his Majesty's Commands; and that in his royal name he now signified his Gracious acceptance of the Zeal of the Colony and Dominion of Virginia, and his approbation of their conduct, which he desir'd his Honour to make known to the Council and Assembly on the first occasion.

Also a letter from his Excellency dated September the 26th signifying that on receipt of his Honour's Letter requesting a convoy for the homeward bound Trade of Virginia he repeated his request to Lord Colvill and forwarded it by the Porcupine Sloop, desiring a Ship of War might be ordered for the above Service as soon as one could be spared, and that he makes no doubt his Lordship will send a Vessel so soon as the service will permit him. That as there is the greatest reason to think the Virginia Troops may daily be wanted, it will be requisite the Regiment is continued for the Prosecution of the War, and requesting his Honour to represent to the Assembly the necessity of making the necessary provision for continuing the full Number of Men. Which Letter being read, the Council advis'd that that part of it relating to the expected convoy be publish'd for the satisfaction of the Public in the Gazette.

His Honour also produced a Letter from Mr. Bradley dated Norfolk September 22d giving the state of the Sloop Sally, that he had got her ready for Captain Mainwaring's People on thursday last—that the Powder and small Arms they were oblig'd to the Man of War for by way of Loan—adding an Account of the value ensur'd amounting to £1098, Premium at 5 per Ct. per Month, that he had ordered to have £1100, ensur'd—and desir'd £200 to be remitted to enable him to pay the Premium and the Tradesmens Bills.

Upon reading a representation from many Merchants shewing that the continuance of the Prohibition against the exportation of Indian Corn will be productive of injurious consequences to the trading part of this Colony and the Board finding that the embargo has had its effect, and considering that a New Crop is near at hand, it is order'd that a Proclamation issue for taking off the said Prohibition on the 18th of this Month, upon Bond and security being given to return Certifycates according to Law.

At a Council held Octor. 19th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

The Governour was pleas'd to communicate to the Council and desire their Advice upon, a Letter from Don Pedro Bermudes dated Norfolk Octor. 15th informing that the Transport Vessel, call'd the Amitié, on Board which the spanish Troops were put by order of Admiral Pocock, proving very leaky, the Captain was oblig'd to come into that river to refit her, and that there was a necessity for disembarking all the People, and requesting his Honour's orders for that purpose and for lodging and victualling the spanish Troops till such time as the Vessel shall be ready to proceed on her Voyage to Cadiz. Upon which it was the Advice of the Council,

that his Honour would order the Mayor of Norfolk to permit Don Pedro to disembark his Men—and also to direct the Mayor to procure Lodgings for them, and contract for their provision on the best Terms he can—to indulge them in the liberty of walking about the Town while they behave peaceably and orderly, but not suffer them to go any distance out of the Town or be absent from their lodgings later than such Hour as he shall prescribe—and likewise to provide private lodgings, and a decent Table for the Officers, if they shall require it—and to signify to Don Pedro or any other Officer of distinction that he may come to Williamsburg by Water, if he has any desire to visit the City.

The Board taking into Consideration the uncertainty of any Man of War coming to convoy the homeward Bound trade, it was the advice of the Council that his Honour, if he received no Letter from Lord Colvill in consequence of the Express sent to him on that subject by Sir Jeffery Amherst, before the first of November would be pleased to recommend it to Captain Mainwaring to go home with the said Trade.

At a Council held Octor. 29th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

The Account of contingent Charges from the 25th of April 1762 to the 25th Octor. 1762, and for work done at the Governour's House being laid before the Board was allowed.

At a Council held Novemr. 5th 1762

Present

The Governour

John Blair	Richard Corbin
William Nelson	William Byrd
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter

Robert Burwell Esqrs.

The following Warrants on the receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. Port Duties &c were sign'd by the Governour.

For half a Year's Salary to the Governour	£1000.0.0
For do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For half a Year's salary to the Auditor	50.0.0
For do. to solicitor of Virginia Affairs	100.0.0
For do. to Attoy. General	35.0.0
For do. to the Clerk of the Council	50.0.0
For do. to Adjutants	120.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
For Ministers attending one General Court	14.0.0
For Repairs done to the Governour's House	92.17.2
For Contingent Charges	417.16.6
On the Revenue of Quit Rents.	
For half a Year's salary to the Attoy. General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of April 1762 to the 25th of October 1762 being examined by the Deputy Auditor, and made Oath to by the Receiver General was certified by the Governour.

An Order of his Majesty in Council dated the 15th of February 1762, confirming, enacting, and ratifying An Act of Assembly intituled "An Act to dock the Entaile of certain Lands whereof Charles

Lewis Gentleman is seised and for settling other Lands of greater value to the same Uses, was this Day produced and read ordered to be registered in the secretaries Office.

At a Council held Novemr. 22d 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

William Byrd

John Tayloe

Robert Carter Esqrs.

The Governour was pleas'd to communicate to the Board a Letter from his Excellency Sir Jeffery Amherst dated New York the 6th of Novemr. signifying that tho' there is reason to expect the War is drawing towards a Close it is right to be as much prepar'd until we have it from Authority, as if there was not the least appearance of Peace; adding he will give immediate notice to his Honour, on receiving the Kings Commands in regard to the further Assistance his Majesty may think necessary to demand from the several Provinces: And further signifying that there appear to be some mistakes in the recruiting and Provision accomps transmitted to him which must be rectified; that he had paid Dr. Walker the subsistence Money amounting to £422.19 Sterling and granted an Order on Mr. Mortier in favour of Doctor Walker for £500, Sterling on the Provision Accompt, and desiring a proper Accompt made out agreeably to an inclosed form, sign'd by some public Officer, and then the whole shall be settled.

His Honour likewise produced a Letter from Mr. Charles Steuart Merchant dated Portsmouth November the 9th proposing to Victual the Spaniards at Norfolk being 117, in Number, and supply them with Firewood, at 9d. a man per Day—that Don Pedro expects a sufficient Quantity of Good Provisions for his Men for 70 Days to be put on Board the Transport for their Passage to Cadiz, and objects to those now on Board—that Captain Longbottom apprehends it will be necessary for his Justification that his Honour Grant

a Warrant for a survey of his Provisions, and after the report he will have a right to indent with the Agent Victualler for what shall be deficient. The Council approved of Mr. Steuarts Proposals and advis'd his Honour to issue a Warrant to such Persons he should think proper to inspect the Provisions, and make a report to him thereon.⁷⁸

At a Council held Novemr. the 30th 1762

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

William Byrd

John Tayloe

Robert Carter Esqrs.

The Governour was pleas'd to communicate to the Board the following Letters, viz: a Letter from Captain Mainwaring dated Elizabeth River the 21st of Novemr. signifying that a scarcity of Artificers and other unavoidable delays in refitting the Arundel prevented his being ready to receive the People out of the Sloop on the Expiration of the time she was hir'd for but hopes to Transport her to cranny Island in two or three Days, when he shall immediately take them on Board.

A Letter from Mr. Montague dated Portsmouth the 24th of August signifying he was then at that place with the Indians, to whom he has given all the attention in his power; that he fancies they return fully convinced of the Wealth and Power of that Country—that Lord Egremont had thought proper to take them out of the care of M'r Timberlake, and substituted M'r Sumter in his place.

A Letter from M'r Abercrombie dated Alloa July 1st signifying he had left London a few days before the arrival of the Indians for

78. The *Minutes* for November 22, 1762 show the additional entries: "A Letter from General Amherst dated New York 6th of November recommending continuance of Virginia Regiment, and taking notice of some difficulties in passing Doctor Walker's Accounts. New Commissions of the peace ordered for King George, Princess Ann, and Fairfax."

the recovery of his Health, that all he could do in consequence of his Honour's Instructions was by Letters to Mr. Wood recommending M'r Timberlake, in return to which he leart for answer that Lord Egremont had taken the proper Measures for their Accomodation that he shall cooperate with M'r Montague in the case of the Merchants application against Paper Money—that the King had been pleas'd to grant him £200 Sterling per Ann out of the Quit Rents of Virginia by way of additional Salary, and that he shall transmit the warrant to his Honour when properly pass'd thro' the Offices.

A Letter from Mr. Charles Steuart dated Portsmouth Novemr. 23d informing of a violent assault committed the 21st instant on the Spaniards there by a number of Seamen most of them belonging to the Arundel, occasioned by a quarrel between them and some of the Spanish Soldiers or Sailors, that they drove the Spaniards to the House where they lodged, fir'd into it, kill'd two and wounded several others; that they burst into the Commandant's House, beat him, and one of the Captains, wounded most of his Domestics, plunder'd and robb'd the House of Money and other things of value that there rage would have been attended with more fatal consequences, if Captain Mainwaring had not come and dispersed his people, on which the rest went off, that some of the Militia of Norfolk, when the alarm was given there came over and a strong guard and watch was kept all night—that at the request of Don Pedro, Houses had been hir'd at Norfolk by the Mayor for him and his People, and that on the 22d they remov'd with their Baggage—that several of the Riotters are in Goal—that he shall continue to victual the Spaniards and pay some little Charges attending their removal—that the Owner of the Houses at Portsmouth which Don Pedro and his people possess'd, hopes to receive satisfaction for the damage he has received in them and his furniture—that in compliance with Don Pedro's desire, he shall provide some Stock for his Voyage, and necessaries for him the Sick and wounded.

Also a letter from Don Pedro dated Norfolk Novemr. 23d giving a relation of the above Melancholy accident, inclosing a Copy of a representation thereof in Spanish, which he purpos'd to send to the

Court of Spain—adding there were some sailors belonging to the Transport among the Rioters, and that he hopes his Honour will give Orders for taking them from the Vessel.

The Governour acquainted the Council he had writ to Don Pedro a Letter condoling him upon the unhappy Incident, and assuring him every thing should be done in his power to apprehend and prosecute the offenders to the utmost rigour of the Law—the steps he had taken for that purpose—that he had writ to Lord Egremont upon the subject, and sent a Copy of the Letters, and of the Representation to the Lords of Trade, that the Ministry might be prepar'd, and enabled to Answer any Complaint from the Court of Spain. The Council approved of the Measures his Honour had pursued and had nothing more to advice therein.

At a Council held Decemr. 4th 1762

Present

The Governour

John Blair	Robert Carter
Peter Randolph	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The Account of his Majesty's Revenue of Quit Rents for the Year 1761 being examined by the Deputy-Auditor, and made Oath to by the Receiver General, was certified by the Governour as usual.

At a Council held Decemr. the 7th 1762

Present

The Governour

John Blair	William Byrd
William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The Governour communicated a Letter from Mr. Charles Steuart dated December 2d signifying that the Examination of the Rioters

was over, and four of them order'd up to Williamsburg for their Trials—that the greatest Criminals are not yet discover'd—that Captain Longbottom had promis'd to discharge three of his Men who were concern'd in the Riot, and agreed to every other proposal made by Don Pedro, and that all differences are seemingly made up.

Upon reading which Letter it was the advice of the Council that a proclamation forthwith issue promising a pardon to any person concerned in the said Riot and Robbery and not instrumental in the effusion of Blood, who shall make a full discovery of the principal actors therein, so that they may be brought to Justice, to the end that the Perpetrators of such enormous and flagitious villainy may not escape with impunity for want of Evidence to convict them, and that the Honour of the Country may be vindicated and asserted, by inflicting the severest Punishment on such atrocious Violaters of the Laws.

Also a Letter from Colo. Adam Stephens dated Fredericksburg Decemr. 4th signifying the Regiment well be paid off and disbanded in a few Days—that there are some Men in the Hospital who must be taken care of, till they recover,⁷⁹ or his Honour's orders are received about them—that he shall send an Officer to Cumberland with the Pay of the Men, and should be glad to receive his last Order's about the Payment of those who remain at Redstone, and desire his Honour will be pleas'd to present his applying to the Assembly concerning the Ballance of M'r Fraser's Rations; that the Country must have paid a shilling till a Commissary was appointed.

Which Letter by the advice of the Council, the Clerk was order'd to carry down to the House of Burgesses.

Mr. William Bradley's Account for the sloop Sally impressed in the Colony's service was this Day produced, and referr'd to Mr President⁸⁰ to examine.

79. According to the *Minutes*, the men in the hospital were to be cared for till they recovered "a little."

80. The *Minutes* for this date noted that Mr. Bradley's account should be referred to "Mr. Auditor," replacing "President," which is deleted.

At a Council held Decemr. 9th 1762

Present

The Governour

John Blair

Richard Corbin

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Peter Randolph

Presley Thornton

Robert Burwell Esqrs.

M^r President acquainted the Board that he had examined Mr. Bradley's Account's⁸¹ found them truly stated and that there remain'd due to him a Ballance of £116.12.7. Whereupon the Council advis'd his Honour to give his Warrant on the Receiver General for the payment of that Sum.

The Board took into consideration Mr. Israel Christian's demand for conducting the Indians and providing them with necessaries, amounting to £182.15.6, which being found just the Governour was advis'd by the Council to grant him his Warrant on the Receiver General for the same.⁸²

An Account of £65, against the Government was produced by Captain Richard Parris,⁸³ for his services respecting the Indians, which being judg'd reasonable by the Council they advis'd his Honour to give Captain Parris his Warrant for it on the receiver General.

On the Petition of William Johnson⁸⁴ leave is granted him to renew an Order of Council of the 7th of May last made in behalf of himself and his Sons Robert, Benjamin, Richard, James, William Philip, and Thomas Johnston and his Sons in Law, Francis Coleman and John Benger, permitting each to survey one thousand Acres of Land above and below Jennings's Gap on the North Moun-

81. The *Minutes* at first noted that the President had examined Mr. Bradley's accounts, but "President" was deleted and replaced by "Auditor."

82. The *Minutes* describe the sum of £182.15.6 as "disallowed by House of Burgesses." The Journals of the House of Burgesses for November 19, 1762, record that the House of Burgesses did reject claims for that sum.

83. The *Minutes* give the name as "Pearis."

84. The *Minutes* give the name as "William Johnston."

tain in the County of Albemarle, and to take out a separate Patent for the same.

At a Council held Decr. 13th 1762⁸⁵

Present

The Governour

John Blair	William Byrd
William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The Account of his Majesty's Revenue of Quit-Rents due from the Executors of Philip Grymes Esqr. late Receiver General with an Account of Arrears received since his last Account, being examined by the Deputy Auditor and made Oath to by Peyton Randolph Esqr. one of his said Executors was certified by the Governour.

At a Council held Decr. 17th 1762

Present

The Governour

John Blair	William Byrd
William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The Governour communicated a Letter from Mr. Charles Stuart dated⁸⁶ the 12th of this Instant inclosing a Certifycate of the Survey taken by Thomas Taylor, Paul Loyall and Maximilian Calvert of the Provisions complain'd of belonging to his Majesty's hir'd Transport or Cartel Ship, Amity's Addition William Longbottom Master which Provisions being condemned as bad and unwholesome the Council disapprov'd of their being sold, and

85. See page 679 for the Minutes of December 11, 1762.

86. The *Minutes* note that Stuart's letter was dated from Portsmouth.

advis'd his Honour to order Mr. John Hunter the Agent Victualler to supply the said Transport with Provisions necessary for her voyage.

Upon reading a Petition of Mr. Francis Miller Merchant in Portsmouth praying that a satisfaction be made him for the Damage done to his House, and the Destruction of his furniture by the late Rioters it was order'd that the Clerk write to Mr. Paul Loyall requesting him in Conjunction with Mr. William Bradley, and Mr. Joseph Hutchings to take a view of the said House, and report to the Governour the condition in which they shall find it, and what loss in their Judgment Mr. Miller has actually sustained.

The Board on a Motion made by William Byrd Esqr. were pleas'd to take under consideration the Diminution of their Clerk's Perquisites by the Infrequency of Petitions for Land, and the abatement of his Fees for a summons on Caveats and a Certifycate of their Dismissions; besides the Extraordinary Expenses he is subjected to by a constant and necessary Residence in Williamsburg, and judging his present Salary inadequate to his services, unanimously agreed that an addition thereto of Fifty Pounds Sterling per Annum be hereafter allow'd him.

At a Council held Decemr. 21st 1762

Present

The Governour

John Blair
William Nelson
Thomas Nelson
Peter Randolph

William Byrd
Robert Carter
Presley Thornton
Robert Burwell Esqrs.

The Governour acquainting the Board that an application had been made to him for the reward of £20 promis'd by proclamation for apprehending a deserter from his Majesty's Ship Arundel, the Council advis'd his Honor, being satisfied of the Truth of the Fact to issue his Warrant for paying the same, and further advis'd which was accordingly order'd, that a proclamation revoking the former issue immediately upon the Arundels going on a Cruize.

The Governour acquainted the Council that upon his speaking to, and requiring Mr. Hunter to supply the Transport that brought in the spaniards with Provisions, he had excused himself from complying with the request, as he did not think himself oblig'd to it by his contract. The Council were of Opinion that it was Mr. Hunter's indispensable Duty as Agent Victualler, and advis'd his Honour to give him a Peremptory Order, and if he should make any difficulty in paying obedience to it, to insist on his refusal in Writing, and and⁸⁷ transmit it to the Commissioners of the Victualling Office

At a Council held Decr. 23d 1762

Present

The Governour

John Blair

William Nelson

Thos. Nelson

Peter Randolph

William Byrd

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

The Governour inform'd the Council that having peremptorily requir'd Mr. Hunter to supply the spanish Transport with Provisions, he desir'd time to look over his Contract, would immediately afterwards return an answer, and, if he could not comply with the requisition, give his reasons in Writing. Whereupon the Council advised that if Mr. Hunter persisted in his refusal, his Honour would give orders to such Persons whom he should judge proper to furnish the said Provisions and demand Captain Longbottom's Bills for the same, and if he should decline giving his Bills, that his Honour would draw on the Commissioner's of the Victualling Office for the Cost of them.

87. Thus in original,

At a Council held Febry 8th 1763

Present

The Governour

John Blair
William Nelson

Thomas Nelson
Robert Burwell Esqrs.

The Governour communicated a Letter from the Earl of Egremont dated Novemr. 27th inclosing a Proclamation declaring a Cessation of Arms as well by Sea as Land between Great Britain, France and Spain, and signifying his Majesty's Pleasure that it be published in this Government: Whereupon it was ordered that the same be forthwith proclaim'd in the Usual Places and with the accustom'd Forms.

Also two Letters from Sir Jeffery Amherst dated New York the 8th & 12th of December signifying he had granted a Beating-Order to Captain Clements of the 72d Regiment, and also to Captain Stobo of the 15th Regiment and requesting his Honour to give those Gentlemen all the assistance in his Power for executing their Orders.

Also a Letter from Sir William Johnson dated Decemr. 30th signifying that since the receipt of his Honour's Favor of the 16th of October, Lieutenant Johnson, his Deputy, having occasion to attend a meeting at Onandago, among other Things communicated his Letter to the Indians there assembled, and gave them a Belt of Wampum thereon in his Name, that they return'd his Honour many Thanks for his friendly Answer, and should take the same into consideration.

Also a Letter from Colonel Hunter signifying he would furnish the Cartel Ship with Provisions necessary for her Voyage, but found it impracticable to include those supplied by Mr. Steuart under his contract. That Captain Longbottom would readily draw the Bills requir'd, if he could obtain an Order to Victual the Spaniards with fresh Provisions; and his Honour acquainted the Council that he had accordingly given such an Order.

Also a letter from Don Pedro of the 31st of January, hoping his Honour will give necessary Orders for their departing without

delay and inclosing a Protest against Captain Longbottom for detaining them long since his ship was fit to go to Sea.

The Governour informed the Council that Mr. Sprowle Merchant at Portsmouth had a considerable demand against Captain Longbottom on Account of Materials supplied by him for repairing his Ship, and insisted on a Bottomry-Bond, which the Captain refused, or upon his Bills with a good indorser; that the Captain had sent an Express for that Purpose to Mr. White Agent Victualer at New York, whose return he waited for; that he had writ to Don Pedro, promising him all the Assistance in his Power, and in case of an Extremity to endorse himself, with the approbation of the Council the Captain's Bills on the Commissioners of the Navy, The Council considering the long detention of the Spaniards, the present obstacle to their getting away, the Expediency of removing the same, and facilitating their departure approved of the means propos'd by his Honour as the most conducive to that end.

The following Petitions for Land were read and granted.

To William Garland one thousand Acres of Land in Buckingham upon the Branches of Willis's River lying between the lines of John Hughes, John Hog, Thomas Trueman Murphy, and John Hunter.

To Griffin Garland one Thousand Acres in Buckingham on the Branches of Willis's River joining the Lines of John Hog, William Garland, and John Hunter.

To Jerimiah Garland one thousand Acres on the Branches of Willis's River, joining the Lines of Griffin Garland, and John Hunter.

At a Council held March 28th 1763

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governour communicated a Letter from Mr. Charles Steuart dated Portsmouth February the 15th advising that the Person to

whom Captain Longbottom wrote for a Credit in New York was gone to Albany, and the Express return'd without any Answer; that therefore he found it necessary to make use of the power given him to take the Captains Bills on the Navy Office payable to his Honour: The Governour acquainted the Council he had indors'd the said Bills for £901.1 and advised the Commissioners of the Navy thereof, and laid before the Board Mr. Steuarts Accounts with the Vouchers.

His Honour also produced the report of the Gentlemen appointed to view M'r Francis Miller's Houses, estimating the Damage he had sustained at £50 for the Payment of which he had granted his Warrant, and the same was approv'd of by the Council.

The Governour likewise communicated the following Letters from Sir Jeffery Amherst dated New York the 15th & 20th of January and 5th of February the 1st acknowledging the receipt of his Honour's Letter of the 15th of December inclosing the Accompts for the Monies advanced to the recruits, which he promises to have settled as soon as possible and expressing his concern that the Assembly could not be prevail'd on to keep up the regiment till the Kings Pleasure was known. The 2d signifying he had given orders for settling the several Charges in the above-mention'd Accompts, enclosing a state of the whole; adding that the Monies still due on that Accompt will be paid agreeably to his Orders, to whatever Person his Honour shall please to appoint to receive the same. The other signifying he had received by Mr. Hawkins his Honour's Letter of the 22d of December inclosing the Provision Accompts for the Year 1762, which were laid before the Commissioners; and that he has granted a Warrant for the Sum of £5095.16.3 Virginia Currency, in full, and that Mr. Hawkins also receives the Money due on Account of the Recruits, according to the State enclos'd with his last Letter, that he has also finally settled Doctor Walker's Accompts, the Ballance due to him being paid to Mr. Hawkins.

Also a Letter from M'r Thomas Walker signifying that several of his acquaintance are desirous of making a Trip down New River to the Ohio, thence down that River to its Confluence with

the Cherokee⁸⁸ River, and thence up the Cherokee River to the Great Island, provided it were safe, and the sanction of Public Authority could be obtained. On which the Governour acquainted the Council that he propos'd to send a Belt of Wampum, which had been long ago promis'd to the Cherokees, by Mr. Walker, which he was of Opinion would be a sufficient Protection to him, and the said Measure was approv'd of by the Council.

At a Council held April 16th 1763

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

William Byrd

Phil: Lud: Lee

John Tayloe

Robert Carter

Robert Burwell Esqrs.

The Governour this Day gave an audience to Captain Dick alias the Raven, a Cherokee accompanied by four more of that Nation, and Abraham Smith Interpreter, who being told that his Honour was ready to hear their talk Captain Dick spoke to the following Purpose that he was sent here by Skiagusta to inform the Governor of his safe return home; and to embrace his Arm now as a certain Proof of their unalterable resolution to adhere with Constancy and fidelity to the English, whereas they had only before taken him by the Hand to indicate their friendly disposition; also to signify their Grief on hearing of the Mischief laterly done to the White People near the Big Island to declare their Innocence thereof and remove any suspicion that might be entertain'd of their being in any manner instrumental therein; he then presented a String and Belt of Wampum, adding they were desirous of going back as soon as possible, and of some Answer from his Honour to carry with them. The Governour replied he would prepare an Answer by Monday, at which time he shall expect them at his House to receive it. After which they withdrew.

⁸⁸. Probably the Tennessee River.

At a Council held April 21st 1763

Present

The Governour

John Blair	William Byrd
William Nelson	Phil: Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter
Richard Corbin	Presley Thornton

Robert Burwell Esqrs.

The Governour propos'd to the consideration of the Council the important services to his Majesty and the southern Provinces perform'd by Peter Randolph and William Byrd Esqrs. in the faithful and laborious Execution of the Trust repos'd in them by concluding a firm Treaty of Peace with the Cherokees and Catawba's in the Year 1756, and desir'd their Opinion in respect to the recompense they merited for the same, an Application for that purpose to the Lords of the Treasury having prov'd unsuccessful.

The Council having maturely deliberated upon the great fatigue those Gentlemen underwent in the said services, the expenses they incurred, and the danger they were expos'd to, and likewise consider'd the signal and extensive benefits resulting therefrom, were unanimously of Opinion, that each of them highly deserv'd £500, Sterling; and it was accordingly order'd that the Receiver General pay the same out of the Revenue of 2s. per Hhd. It was also their opinion that it be recommended to the Committee of Correspondence to write to the Agent to inquire into the cause of such application miscarrying, and to use his endeavours to obtain an Order for replacing the said thousand Pounds out of the revenue of Quit-Rents.

At a Council held April 28th 1763

Present

The Governour

John Blair	William Byrd
William Nelson	Phil: Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter
Richard Corbin	Presley Thornton

Robert Burwell Esqrs.

The Governour communicated a Copy of the Minutes of Proceedings of the Lords Commissioners for Trade and Plantations on the first and second of February last relating to the Memorial of the Merchants trading to Virginia complaining of the ill Effect of the large Quantities of Paper Bills of Credit issued in this Colony; and also of the Act pass'd in Virginia in the 28th year of his late Majesty's Reign "for amending an Act, intituled, an Act declaring the Law concerning Executions and for the Relief of Insolvent Debtors and for other purposes," and their Resolutions thereupon. Also a Letter from Mr. Abercrombie dated the 4th of February containing his sentiments upon them, which being read and the Governour judging it indispensibly necessary for the Assembly to meet, desired the opinion of the Council as to the Day: whereupon it was the Opinion of the Council that the 3d Thursday in May next would be the most convenient time, and it was accordingly order'd that a Proclamation forthwith issue for that purpose. The Governour then signified to the Council that he would prepare what he thought it incumbent on him to recommend to the Assembly, and submit it to their consideration the last Day of the General Court.

His Honour was also pleas'd to communicate Letters from Mr. Abercrombie of the 15th of August, the 13th of Septemr. and the 10th of November last, signifying he should cooperate with Mr. Montague in supporting the Paper Currency Bill—his acquiescence under the one and a half per Cent, Commission, which he hopes he shall be allow'd intire and without throwing upon him the Fees of Office for passing his Accounts, which paid in the several Offices

in order to his final discharge in the Exchequer amount to £140.— Also inclosing his Majesty's Warrant to the Receiver General dated June the 21st 1762 for allowing him £200, Sterling per Annum as an additional salary out of the Quit-Rents to commence from that Day.

At a Council held May 3th 1763

Present

The Governour

John Blair	William Byrd
William Nelson	Phil: Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter
Richard Corbin	Presley Thornton

Robert Burwell Esqrs.

The Account of contingent Charges from the 25th of October 1762 to the 25th of April 1763 and for work done at the Governour's House being laid before the board was allow'd.

His Majesty's Royal Order in Council the 17th of November 1762 confirming enacting and ratifying an Act of Assembly pass'd in Novemr. 1761, intituled, an Act to dock the Intail of certain Lands whereof Mann Page Esqr. is seized and for settling other Lands and Slaves of greater value to the same uses, was this day produced and read, and ordered to be recorded in the secretary's Office.

At a Council held May 5th 1763

Present

The Governour

John Blair	William Byrd
William Nelson	Phil: Lud: Lee
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. Port Duties &c were sign'd by the Governour.

For half a Year's Salary to the Governour	£1000.0.0
For do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a Year's Salary to the Auditor	50.0.0
For do. to Solicitor of Virginia affairs	100.0.0
For do. to the Atto: General	35.0.0
For do. to Clerk of the Council	75.0.0
For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court and Assem.	22.0.0
For Repairs done to the Governour's House	43.10.2
For Contingent Charges	2050.5.9
On the Revenue of Quit Rents	
For half a year's salary to the Atto General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of October 1762 to the 25th of April 1763, being examined by the Deputy Auditor and made Oath to by the Receiver General was certified by the Governour.

Order'd That a new Commission of the Peace issue for Prince William and that Mr. James Scott be placed as he stood in the Commission which issued in July 1762.

At a Council held May 7th 1763

Present

The Governour

John Blair	William Byrd
William Nelson	Phil: Lud: Lee
Thomas Nelson	John Tayloe
Peter Randolph	Robert Carter
Richard Corbin	Presley Thornton

Robert Burwell Esqrs.

The Governour was pleas'd this Day to communicate the speech he propos'd to deliver the ensuing Session of Assembly, which being

read and duly consider'd was unanimously approv'd of by the Council.

On a motion made by the Officers of his Majesty's Revenue it was order'd that an Advertisement be inserted in the Gazette requiring the several County Courts-Clerks to transmit regularly every half year to the Auditor a true Account of all Fines and Forfeitures due to the King with a Receipt from the sheriff for such Fines and Forfeitures as they shall put into his Hands to Collect.

At a Council held May 25th 1763⁸⁹

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

The Governour was pleased to communicate three Letters from the Earl of Egremont, the first dated Feby 18th acquainting his Honour that the definitive Treaty of Peace between his Majesty, and the most Christian and Catholick Kings were sign'd at Paris on the 10th of that Month, to which the Portuguese Ambassador acceded the same Day with a Postscript of the 16th of March advising that the ratifications of the definitive Treaty were exchanged on the 10th of the said Month between all the four Powers; and requesting him to make the proper communication of that happy Event within his Government; whereupon it was order'd that the same be notified in the Gazette.

The second dated the 12th of March signifying his Majesty's abhorrence of the shocking violence committed on Don Pedro de Bermuda, and his approbation of his Honour's conduct on that occasion; and desiring him to transmit an Account of what has further pass'd relative to that matter.

89. See page 679 for the *Minutes* of May 19 and May 21, 1763.

The 3d dated March 16th signifying his Majesty's Pleasure that his Honour in concert with the Governour's of the two Carolina's and Georgia should immediately invite the Chiefs of the Creeks, Chactaws, Cherokees and Catawbas to a meeting with them and the Indian Agent for that department at Augusta in the Province of Georgia, or any other place equally convenient for the several parties, at which meeting these Chiefs are to be appris'd in the most prudent and delicate manner of the Change which is going to take place, and containing his Majesty's Directions to use every means of quieting their Apprehensions and gaining their good Opinion by a candid explanation of the Treaty of Peace concluded with the French and Spaniards, and of his Majesty's equitable Intentions towards all the Indian Nations: Adding that his Majesty has thought proper to direct a certain Quantity of Goods to the amount of £4000, or £5000, to be purchas'd and sent to Charles Town, to be distributed in such Proportion, and manner among the Indians, as shall be judg'd proper at the said meeting.

Also a Letter from Sir Jeffery Amherst signifying he had received a Letter from Lord Egremont, enclosing him a Copy of the said circular Letter; and that, the Kings intentions regarding that matter being so fully stated, it is unnecessary for him to add any thing thereto; but that he can't help observing, that the Indians will always be best Neighbour's, when they see that they are in a State to defend ourselves, should they be inclin'd to mischief.

Which Letters being read, the Governour acquainted the Council that he propos'd to dispatch an Express as far as Charles Town with a Letter to the several Governour's, advising them that he shall be ready to meet them at any time and place they shall agree on; intimating at the same time the inconvenience of his leaving Williamsburg before the end of the next General Court; and also to Mr. Steuart, who, he presumes will take upon himself the care of inviting and prevailing on the Indians to be present at the said meeting; and desir'd to know of the Council, if they had any thing further to recommend; upon which they advis'd his Honour to propose Charles Town as the most eligible and convenient place to meet at, being the most central. The Governour was also pleas'd

to communicate two Letters from the Lords for Trade, dated the 9th and 11th of March; the first acquainting his Honour that his Majesty had thought proper to appoint the Right Honourable Charles Townshend Esqr. first Commissioner at their Board.

The second signifying, that they had lain before his Majesty the Memorial of Colo. Washington and the rest of the Officers of the Regiment rais'd in Virginia in 1753; explaining the part of his Majesty's Instruction dated May 27th 1761, requiring his Honour to transmit the names of such persons as are proper and qualified to be of the Council; and subjoining that Mr. Burwell was recommended to his Majesty by that Board, upon the representation of many very respectable Persons, and that therefore they judg'd it proper, and in some degree necessary from the sense put upon the Instruction, to support the recommendation.

Upon reading a Petition⁹⁰ of Thomas Walker Gentleman in behalf of himself and other Members of a Company of Adventurers call'd the loyal Company, praying for a renewal of a Grant made to them of eight hundred thousand Acres of Land to begin on the line between this Colony and North Carolina and to extend Northward and Westward to compleat the said Quantity on condition that they should return their Surveys into the Secretaries Office with Rights within four Years thereafter; and setting forth that in consequence of the said Order they actually made several Surveys of Land within the said Bounds but were render'd unable to fulfill the conditions by the commencement of hostilities with the French and the continuance of the War; the Board were of Opinion that they were restrain'd by his Majesty's Instructions from confirming or renewing the said Grant.

A Petition of William Nelson Esqr. in behalf of himself and many others, setting forth that a considerable Quantity of Land lying in the Counties of Norfolk and Nansemond and bounded by the North Carolina Line, known by the name of the Great Dismal has lain entirely waste and unpatented hitherto, and praying that they may have leave to survey and obtain Patents for the said

90. Regarding Thomas Walker's petition, the *Minutes* note "Petition of the Loyal Company read—and postpond."

Land, upon the Terms of being allow'd seven years to return their surveys with Rights to the Secretary's Office, was this Day read, and the consideration thereof postpon'd.

The following Accounts were produced and consider'd,

Christopher Gist for his pay as deputy Agent for Indian Affairs from the 14th of June 1758 to 14th June 1759 at 12/6 per Day—allow'd—£228.2.6

The said Gist for his Expenses attending to settle his Accounts at Philadelphia and New York from the 14 January to 14th June 151 Days at 12/6 £94.7.6,—disallow'd. The said Gist for Cash paid Terence McDonald as a Conductor to the Cherokees—allow'd. £6.10

William Cromwell for his pay as conductor and sundry Expenses per Account £96.15—was allow'd only—£16

The subsequent Accounts were considered and disallowed.

Richard Smith for his pay as Interpreter &c £206.18.6

John Watts for Do. £2146.

Samuel Welder for his pay as Clerk to Mr. Gist from 14th June 1758, to the 14th June 1759 at 6/3 per Day £114.1.3

The said Welder for a Horse—£6.

John Craig for his pay as a Conductor £41.

Mathew Toole Do. and Interpreter £143.5.11

Henry Enocks Jun. Do. £13.15.

John Greenfield for a Horse and hire per Account £13.10.

Peter Ruggle for a Horse per Account £3

John Miller for Do. £9.10

At a Council held May 30th 1763

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

John Tayloe

Robert Carter

Presley Thornton Esqrs.

The Governour was pleas'd to communicate to the Council his Answer to an Address of the House of Burgesses presented to him

on Saturday last; and also his Proroguing speech, both which were approv'd of.⁹¹

At a Council held June 15th 1763

Present

The Governour

John Blair	Richard Corbin
William Nelson	William Byrd
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton,
Robert Burwell Esqrs.	

The Governour communicated a Letter from Colo. John Hite dated June 4th at Winchester, inclosing two Letters received by Lord Fairfax from James Livingston, Fort Major dated the 31st of May and 3d June at Fort Cumberland signifying he had received an Account from Fort Bedford that the Indians have broke out and on the 28th of May kill'd Captain Clapham and several of his Family at his plantation near Fort Pitt and kill'd and scalp'd two royal American Soldiers at the saw Mill near Fort Pitt, and that Detroit was attack'd, of which he thought proper to acquaint his Lordship, that he might advise the Governour of Virginia thereof, which Letters having been read and consider'd, it was the Opinion of the Council that his Honour could do nothing more therein, then signify by a Letter to Major Livingston his concern for the unhappy Incident, and his inability to send from this Government any Aid or relief.

The Governor was pleased to communicate two Letters he had thought proper to write to the Lords of Trade on the proceedings of the last session of Assembly and the Laws then pass'd; and the same were approv'd of by the Council.

91. The *Minutes* for May 30, 1763 have the additional entry: "The Receiver General was requested to write for the following Books, viz

Hayne's State Papers	Hume's History of England
Robertson's History of Scotland	Guthrie's New British Peerage
Anchitel Grey's Parliamentary Proceedings	Continuation of Acts of Parliament."

A petition from some of the Inhabitants of Spotsylvania County, praying a removal of their Court House was read, and rejected.

Order'd That a new Commission of the Peace issue for Sussex, that James Jones senr., William Eldridge, John Cargill, John Mason junr. William Parham, and Richard Parker be added, and that William Lightfoot who desires it, Richard Avery, and David Jones who refuse to qualify, and James Wych who is dead, be left out.

Ordered That the Clerk write to James Keith and Charles Smith to inquire into the Damages sustain'd by Isaac Parkins on account of his House in Winchester having been us'd for an Hospital and report the same to the Governour.

At a Council held June 16th 1763

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

William Byrd

Presley Thornton

Robt. Burwell Esqrs.

A Memorial of George Mercer Esqr. setting forth that he hath been long engag'd in the service and defence of this and is now determin'd on going to Europe to sollicite his Majesty for some employment and requesting such recommendation from this Board as they shall think him deserving of, was produced and read; whereupon it was proposed and unanimously agreed to, that a Testimonial of the long and faithful services and the brave and gallant Behaviour of the said George Mercer be drawn and sign'd by the Governour and the Council.

A Memorial⁹² also of John McNeill Esqr. to the same purpose was read and the like order made in his behalf.

The said Testimonials were accordingly this Day prepar'd and approv'd of and sign'd by the Governour and all the Council present.

Order'd That a New Commission of the Peace issue for Culpeper and that Thomas Slaughter be put in his former place.

⁹². See p. 686 for text of this memorial.

The following Caveats for Land were tried and determin'd.

Burwell Basset having enter'd a Caveat against James Vaughan for four hundred Acres in New Kent adjoining the Land of Ambrose Dudley on Chickahominy Swamp, upon hearing Council on both sides, it is order'd that the Plaintiff have a patent for the said Land.

John Holland having enter'd a Caveat against John Baker for one hundred Acres on Shirley's Creek in Albemarle; also for three hundred and forty three Acres on the Branches of Shirley's, Bishop's, and Meredith's Creek in the said County; also for two hundred and fifty Acres on the south side and joining the fluvanna River, and on Shirleys Creek; Also for four hundred Acres on the Branches of the Great Bird in Albemarle; also for four hundred Acres among the Branches of the Bird Creek in Goochland; and the Plaintiff appearing and the the⁹³ Defendant having been summon'd and not appearing it is order'd that the Plaintiff have a Patent for each of the said Tracts of Land.

William Wright having entered a Caveat against Daniel Dean for four hundred Acres on Sandy Creek and the Branches thereof joining the Lands of Clement Read, Griffith Dickenson and Benjamin Dickson, the Plaintiff appearing and the Defendant having been summon'd, and not appearing, it is Ordered that the Plaintiff have a patent for the said Land.

Thomas Moore having entered a Caveat against Thomas Claiborne for three hundred Acres more or less upon the three Creeks in Southampton, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is

Ordered, That the Plaintiff have a Patent for the said Land.

Hugh Innes having enter'd a Caveat against William Owen for four hundred Acres on Snow Creek in Halifax, the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is order'd That the Plaintiff have a Patent for the said Land.

Hugh Innes having enter'd a Caveat against Edmund Gray for four hundred Acres on White thorn Creek in Hallifax, for reasons appearing to the Board it is order'd that the Plaintiff have a Patent for the said Land.

93. Thus in original.

Thomas Singleton having enter'd a Caveat against Henry Bates for three hundred and Sixty six Acres on the North side of Aven's Creek, the Plaintiff appearing, and the board being satisfied that the Defendant is no Inhabitant of the Colony, it is ordered, that the Plaintiff have a Patent for the said Land.

William Williams having enter'd a Caveat against Richard Kennon, Son and Heir of William Kennon deceased for two hundred and sixty Six Acres on the South side of Banister River joining Isaac Cloud's line for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Tatum having entered a Caveat against Nathaniel Tatum Son and Heir of Peter Tatum deceas'd, for one hundred and fifty Acres on Doby's branch in Prince George, the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Christopher Christian having enter'd a Caveat against John Jennings for three hundred Acres or thereabouts on the Branches of Fish pond Creek in Buckingham joining Thomas Lee's back line, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

James Bridger having enter'd a Caveat against Andrew Griffin Heir at Law of Mathew Griffin and Catherine Griffin for ninety five Acres survey'd for Mathew Griffin on the South side of Seacock Swamp in isle of Wight County now Southampton, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a patent for the said Land.

Hugh Innes having entered a Caveat against William Ditto for eight hundred Acres in Halifax upon Ditto's Creek the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a patent for the said Land.

Hugh Innes having enter'd a Caveat against John McFarlin or any other person for four hundred Acres upon Pig River in Halifax, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Tully Choice having enter'd a Caveat against John McCarty for one hundred and ninety Acres more or less upon the Branches of Snow Creek in Halifax formerly surveyed for Michael Boyle deceas'd, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

Tully Choice having enter'd a Caveat against Robert Hedges for four hundred Acres on both sides of Chesnut Creek in Halifax formerly survey'd for William Hall, the Plaintiff appearing and the Defendant having been summon'd and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

John Mercer junr. having enter'd a Caveat against Giles Randolph for forty Six Acres or thereabouts of Juniper Swamp near the Head of New Mill Creek in Norfolk, upon hearing Council on both sides, it is order'd that the Caveat be dismiss on the Defendants producing a Certificate to the Secretary's Office from the County Court Clerk of Norfolk of his having dismiss his suit depending in that Court concerning their controversy in question, otherwise that the Plaintiff have a Patent for the said Land

John Butler having enter'd a Caveat against George Currie for one thousand and fourteen Acres on Sandy Creek of Dann River in Halifax, six hundred and fourteen of which were survey'd for Abel Lee and assign'd by him to the said Currie, and the residue surveyed for the said Currie; the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is Ordered, That the Plaintiff have a Patent for the said Land

Richard Witton having enter'd a Caveat against Sherwood Walton, Robert Weekley or any other person for one hundred and forty and one hundred and fifty Acres more or less lying on Doe Creek in Halifax being two Surveys, for reasons appearing to the Board it is order'd that the Plaintiff have a Patent for the said Land.

Garret Lynn having enter'd a Caveat against John Smith for four hundred Acres in Augusta on Woods⁹⁴ River, upon hearing Council on both sides, it is order'd, That the Plaintiff have a Patent for the said Land.

94. New River.

Upon a motion made by Mr. Wythe in behalf of William Holt, Executor of the last Will and Testament of John Thompson deceas'd, it appearing that by virtue of an Order of Council and an Entry the Surveyor of Albemarle County survey'd the 31st of October and the 12th of December 1754, for the said John Thompson, and Charles Lynch, two Tracts of two thousand six hundred and thirty two and four hundred Acres of Land lying in that part of the County of Albemarle now call'd Bedford County; and that Certificates of such Surveys were made out in both their names, but were not return'd to the secretary's Office till after the Death of the said Linch, and that before Patents for the said Lands were seal'd the said Thompson also died, having devis'd by his Will to sundry persons therein nam'd one Moiety of the said Lands; it is order'd that the said Lands be granted to the said William Holt, and his Heirs, in trust, as to one moiety thereof, for the use of the persons claiming under the last Will and Testament of the said Thompson & as to the other moiety thereof, for the use of the persons claiming under the said Lynch.

At a Council held July 19th 1763

Present

The Governour

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governour communicated a Letter from his Excellency Sir Jeffery Amherst dated New York the 20th of June signifying that immediately on the first intelligence of the perfidious behaviour of the Indians he took the necessary steps for collecting together all the small Force of Regulars at that place that he might be ready to push them forwards for the protection of the upper Posts; and that since he learnt the Savages seem determin'd to follow their Blow, he has order'd every Man he could collect, either to Fort Pitt, or Niagara; that he gives his Honour this Notice, as the Indians in General appear to be concern'd more or less in the Plott,

that he may make such application as he shall judge best to the Council and Assembly, for raising with the utmost dispatch, such a body of Men, as may be sufficient for protecting the Frontiers of this Colony.

Also Letters from Colo. Hite, Mr. Rutherford, and Mr. Keith, dated July 11th giving an Account that the Inhabitants of Hampshire had abandon'd their Houses and Plantations, having been terrified by the Indians who had murder'd sev'ral Families thereabouts; and that many people in Frederick have follow'd their Example: His Honour was pleas'd also to lay before the Council his Answers to the said Letters, and to acquaint them with the Orders he had sent to the commanding Officers of the adjacent Counties, and the measures he had taken for the better security of the Frontiers; The Council unanimously approv'd of what his Honour had done, and had nothing more at present to recommend, but advis'd, in case he receiv'd information of the Indians prosecuting their destructive Schemes, and committing more outrages and devastations, that a full Council be call'd to deliberate and determine upon more effectual means for the defence of the Country.

His Honour likewise communicated a Letter from Governour Boone dated Charles Town May 30th signifying he propos'd the 15th of September to be the Day of rendezvouzing at Augusta, especially as Governor Dobbs seem'd to leave the time to him, with his reasons for deferring it to that time; adding he writes to that Effect to the several Gentlemen who have received the King's Commands; but if they concur in fixing on any other time or place it will be equally agreeable to him; that he shall write to Sir Jeffery Amherst requesting him to order the Kings Commissary to issue Provisions for such Indians as may come to the Meeting, but if he should not consent, this Expense, that of Expresses, Interpreters, and other unavoidable ones, must be borne jointly, he supposes, by the several Provinces; that he leaves the invitation of the upper Cherokees to his Honour.

Also a Letter from John Steuart Esqr. dated Charles Town May 31st signifying his attendance may be depended on at any

Time or place that shall be agreed on by his Honour and the other Governours, and that he shall write circular Letters to the Head men of the different Nations of Indians in his District inviting them to the intended congress as soon as he can judge of the proper time.

Upon the Petition of Robert Carter Nicholas Esqr. setting forth that he had lately purchas'd of the Honourable William Byrd Esqr. a Tract of Land in the County of Henrico containing by estimation five thousand Acres which was formerly held by the Honourable William Randolph Esqr. under several Patents of very old Dates, that it is difficult to trace the several Titles, and from the Grants and Deeds to make the Patents join without and actual survey, tho' the reputed Bounds, and the Land therein contain'd is known to have been in the Possession of the Honorable William Byrd and those under whom he claims for sixty years at least, who have constantly paid his Majesty's Quit Rents for the same; that since his purchase a doubt has been rais'd that there may be some unpatented Land within the reputed Bounds thereof Leave is granted him to take up and survey all the unpatented Land on the North side of James River near or adjoining to Westham between the lines of a Patent bearing Date the 20th of October 1689 granted to Edmund Jennings Esqr. for Six thousand five hundred and thirteen Acres, and another Patent of the same Date granted to M'r Robert Beverley for nine hundred and eighty eight Acres and for all unpatented Land near or adjoining to Westham which has been reputed to be within the Bounds of a large Tract formerly held by the late honourable William Randolph Esqr. which by divers mesne conveyances is become vested in the Petitioner; and six Months is allow'd him to deliver this Order into the Hands of the surveyor, and after the Completion of the survey to pay rights for all such Land as may be found not to have been heretofore patented; and if it shall appear that a greater number of acres are contain'd within the Petitioners true Bounds than Quit-Rents have hitherto been paid for, he is permitted to sue out a Patent for the whole.

At a Council held August the 1st 1763

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

William Byrd

Phil: Lud: Lee

John Tayloe

Robert Carter

Presley Thornton.

Robert Burwell Esqrs.

The Governour communicated to the Council many Letters he receiv'd since the last Council held giving a Relation of the further Incursions of the Indians and more Depredations and Murders committed by them, and was pleas'd to acquaint them with every step he had hitherto taken, and to lay before them sev'ral Letters he had writ on the subject, particularly to Lord Egremont, and the Lords of Trade, and desir'd their Opinion and advice in respect to calling the Assembly, or other more speedy and efficacious Measures for the better Protection of the Frontiers. The Council upon mature Deliberation were of Opinion that calling the Assembly at this Juncture would be of no use, in as much as could they be prevail'd on to Levy Troops, they could not be rais'd in time to be of service this Year: They therefore advis'd his Honour to order Colo. Stephen to draught five hundred Men which they judged would be sufficient to protect the Frontier from Potowmack to Lord Fairfax's line, out of Hampshire and Frederick and the adjacent Counties of Culpeper, Fauquier and Loudoun, in proportion to the number of Militia in each County and to appoint Colo. Andrew Lewis County Lieutenant of Augusta, with directions to draught out of the Militia in that County as many Men as can well be spared, and then apply to the Counties of Hallifax, Bedford, Amherst, Albemarle, Louisa, and Orange for such a proportion of their Militia as he shall think will enable him to defend the Frontiers from Lord Fairfax's to Carolina line, to send blank Commissions to both to be given by them to Men of most merit, Spirit and activity, enjoining them to regard the General protection of the whole

Frontier; and in case of any extraordinary Exigency the one to call upon the other for assistance; They further advis'd, and it was accordingly order'd that a Proclamation issue for the more effectual putting in Execution the Laws concerning the Militia.

The Governour communicated a Letter from the Earl of Egremont inclosing the Proclamation of Peace, with his Majesty's Commands for publishing it in this Colony; it was the advice of the Council that the same be published in this City tomorrow, at the usual places, and with the accustom'd Formalities; and that a General Muster be appointed in September or October and that the same be then published in every County at the head of the Troops.

Also a Letter from the Lords for Trade signifying his Majesty's Pleasure that a public Thanksgiving be observed here on the happy conclusion of the Peace, and that a proper and early Day be appointed for that purpose: Whereupon it was order'd that a Proclamation issue appointing Thursday the 25th of this Month to be religiously observed as a Day of Public Thanksgiving.

Order'd, That a Proclamation issue for proroguing the General Assembly to the first Thursday in November next.

Order'd, That a new Commission of the Peace issue for Warwick, and that the following Gentlemen be added, viz: Francis Leigh, Servant Jones, Thomas Haynes, James Dowsing, Hinde Russell and Robert Lucas.

Also a New Commission for Dinwiddie, and that Charles Turnball, Thomas Jones, William Withers, David Walker, and Peter Jones junr. Gent be added.

On the Petition of William Garland Leave is granted him to take up and survey one Thousand Acres of Land in Buckingham joining the Lines of John Jones and Mr. Eazely on the Branches of Slate River.

At a Council held Septemr. 15th 1763

Present

The Governour

John Blair

William Nelson

Thomas Nelson

Peter Randolph

William Byrd

Robert Carter

Robert Burwell Esqrs.

His Honour was pleas'd to communicate to the Board the following Letters, A Letter from Governour Wright dated Savanah in Georgia 22d June, objecting to the Congress with the Indians being held in Carolina; One from Governour Boone dated Charles Town South Carolina 29th June fixing the said Congress at Augusta the 15th of October: Another from Governour Dobbs dated Brunswick the 17th agreeing to meet at the Place and time appointed: Also a letter from Mr. Lynch the superintendant signifying that in compliance with the desire of the Governour's Boone and Wright he has writ Letters of Invitation to the several Nations of Indians in his district to be at Augusta on that Day. His Honour then acquainted the Council that he propos'd to take his departure for Georgia on Saturday se'nnight. And was pleas'd to lay before the Board several Letters from Colo. Stephen, A Lre from Colo. Lewis, and another from Colo. Riston, which he had received since the last Council informing of the present State of the Frontiers; and to desire the Opinion of the Council in regard to continuing the Militia which have been draughted for the protection of the Inhabitants in those remote parts of the Country. The said Letters having been read duly consider'd, the Council were of Opinion, that, as there had been no advice from Colo. Lewis of any Mischief having been done in the South West by the Enemy since he was appointed County Lieutenant of Augusta, the Militia draughted and under his Command might safely be reduced to 250 Men, and they advis'd his Honour to give directions to him accordingly, and require him to employ those Men towards defending those parts which he shall judge expos'd to the greatest danger; In respect to the Militia under the Command of Colo.

Stephen, they thought it adviseable to continue them some time longer upon their present footing as it is possible the Indians may dare to attempt seeking some satisfaction for the losses they sustain'd in their engagement with Colo. Bouquet and they advis'd his Honour to enjoin Colo. Stephen and Colo. Lewis to return to him an exact Muster Roll, to inform him what duty and services the Men are put upon, and of every material and important incident, and to save the Country what expence they possibly can.

The Governour likewise communicated a Letter from his Excellency Sir Jeffery Amherst dated New York 21st August, approving of his raising the Militia, and promising that he will indeavour to furnish his Honour with what Arms may be judg'd absolutely requisite in any disposition which shall be made hereafter, tho' it was too late for the present service before he could send any.

Whereupon the Council advis'd his Honour to request of Sir Jeffery Amherst one thousand stand of Arms.

The Governour also produced a letter from Richard Corbin Esqr. excusing himself on Account of a long sickness from attending the Council this Day, signifying he had sent all the Gold he had by him, and that his Honour's Order's for what may be further necessary will be duly comply'd with.

Upon which the Council advis'd that his Honour would be pleas'd to draw on Mr. Corbin's Agent in London for whatever Money he may have occasion for, while absent on his Majesty's service, and that Mr. Corbin be acquainted therewith, that he may give proper advice thereof to his Agent.

The Governour acquainting the Council there was a large quantity of old Gun powder in the Magazine which was in danger of spoiling, they advis'd that the same be sold at public Auction next General Court.

The Board being inform'd that the present Sher[i]ff of York has serv'd two Years, and that if another is not appointed in time to qualify himself at the County Court which will be held next Monday there will be no sheriff to attend the ensuing Gen. Court in Octobr. as the Justices of York never sit in that Month or April; it was the Opinion of the Council that the rule which had been

laid down for appointing Sheriffs between the 10th and 20th of October ought in this case to be receded from and they advis'd his Honour to give a Commission immediately appointing Mr. Robt. Smith Sheriff for York, it appearing by the recommendation which was produc'd that he is the first Gentleman nam'd therein.

A true Copy

N. Walthoe Cl. Con.

At a Council held October the 12th 1764⁹⁵

Present

The Governor

John Blair	Philip Ludwell Lee
William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Presley Thornton

Robert Burwell Esqrs.

The Governor communicated to the Board a Letter from the Lords of Trade dated July 13th requiring him to transmit to them an abstract of all grants which have hitherto been made of Lands within this Government, and also one every six months hereafter, of all future Grants which shall be made by him: And it was referred to John Blair Thomas Nelson and Richard Corbin Esqrs. to have such abstracts made out.

95. This extract from the Journal, and that of November 6 following, are from a photographic copy of a manuscript in the Public Record Office, C.O.5/1331, ff.109-110, and have the following endorsement: "Virginia. Extracts from the Journals of the Council of Octr. 12 & Novr. 6, 1764. In the Lt. Govr.'s Letter of 27 Decr. 1764. Read August 9, 1766. L63. 8."

See page 680 for the *Minutes* from January 12, 1764 through January 21, 1764.

At a Council held October the 27th 1764⁹⁶

Present

The Governor

William Nelson

Thomas Nelson

Peter Randolph

Richard Corbin

William Byrd

Philip Ludwell Lee

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

Peter Randolph Esqr. Surveyor General of his Majesty's Customs acquainted the Board, that by his Instructions he is ordered in case of any difficulty in the execution of his Office, to apply to the Governor for advice and directions. That the Ship Sharp, Andrew Kellie Master is lately arrived from London at the Port of Hampton with sundry European Goods and Merchandizes subject to duties, that the Collector of his Majesty's Customs at that port has refused to admit the said Master to an Entry of his Ship until the several Duties imposed by an Act made in the fourth year of his present Majesty Cap: 15, be first satisfied and paid agreeable to the said Act, and the directions of the Act passed in the Sixth year of the reign of his late Majesty King George 2d Cap: 13. That the Master of the said Ship thinks it extremely hard to be compelled to pay those Duties, as the persons to whom the said Goods belong and are consigned, are entire Strangers to him, and live dispersed on the several Rivers and in various parts, of the Colony. That it would be equally hard and inconvenient for the Collectors to be obliged to collect the said Duties from the several Importers thus remotely situated, before the Ship can be entered. That it would be a great loss to the Owners and Masters of Ships to be obliged to wait for an Entry till the several persons concerned in the Cargo can be acquainted with the arrival of the Ship, and have time to

96. This extract from the Journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1331, ff.105-106, and has the following endorsement: "Virginia. Extract from the Journal of the Council of Virginia, Octr. 27, 1764, relative to the Collection of Duties imposed by an Act of parliament passed in the last Session. In the Lt. Govr.'s Letter of 21 Decr. 1764. Read Augst. 9, 1766. L. 61.7."

send the Duties to the Collector, or to employ an Agent to transact the business for them. Upon which the Governor was pleased to ask the advice and Opinion of the Council; on consideration whereof, and on reading the first mentioned Act, as well as the said Act of the 6th of George 2d in which last Act the method of paying the Duties imposed by the other is prescribed, the Council are of Opinion, and do accordingly advise his Honour that (as the payment of the said Duties is attended with so great difficulty and inconvenience on Account of the delay of the Ship before an actual receipt of the said Duties can be procured from the several Importers living so dispersedly in the Country) the said Ship may be admitted to an entry immediately upon the said Master's giving bond with sufficient Security—that the said Duties shall be paid agreeably to the said Acts before the Ship departs from the Colony: The Council are also of opinion that the Surveyor General do by the first Ships write to the Commissioners of his Majesty's Customs setting forth this whole matter, and praying their directions in so difficult a point, in which the Trade and Shipping of Great Britain are so much concerned: They likewise desire the Governor that he will be pleased to lay the affair before his Majesty's Ministers, who, if they should see the difficulties and inconveniences in the execution of the said first mentioned Act in the same light the Council do, may, if they shall think proper, apply to Parliament for an alteration in the mode of Collection, more suitable to the situation and circumstances of this Colony, and less burthensome to the trade and Shipping of his Majesty's Subjects residing in Great Britain.

At a Council held November the 6th 1764⁹⁷

Present

The Governor

John Blair	Richard Corbin
William Nelson	William Byrd
Thomas Nelson	Robert Carter
Peter Randolph	Presley Thornton

Robert Burwell Esqrs.

Mr. Secretary represented to the Board the insuperable difficulties which must necessarily attend an attempt to comply with the requisitions of the Lords for Trade, in respect to the abstract demanded of all Grants of Land that have hitherto been made within this Government; the principal Clerk in his Office also appearing according to order, pointed out a variety of obstacles, and manifold embarrassments that would empede the Execution of such a perplexed and endless work, and the imperfect satisfaction it would, if ever finished, afford their Lordships: Whereupon it was the advice of the Council that the Secretary should draw up a Memorial upon the subject for the Governor to transmit to their Lordships: they further advised that Mr. Auditor prepare a Copy of the Rent-Roll to be sent at the same time, which they are of opinion will satisfy their Lordships, and fully Answer the end proposed.⁹⁸

97. See p. 271, note 95 regarding the extract of Oct. 12, 1764 and p. 681 for the *Minutes* of October 30 and November 1, 1764.

98. The *Minutes* of November 6, 1764 show the additional entries:

Warrants signd	
Ministers attending one General Court	£ 10
Repairs to Governor's House	274.3.5
Contingent Charges	322.2.6

Account of Revenue of 2 s per hd from 25. April 64 to 25th of October 64
—passd.

Secretary represented the insuperable difficulties attending the attempting to comply with the requisitions of the Lords of Trade in respect to an Abstract demanded of all Grants of Land, the principal Clerk in the office pointed the sevral embarrassments, and the imperfect satisfaction, was such a work to be executed, it would afford—Whereupon it was the opinion of the Council that the Secretary would draw up his observations, with a Specimen of the manner he proposed to make out such Abstract, if it should be insisted upon—They

At a Council held July 16th 1765⁹⁹

Present

The Governor

John Blair

William Byrd

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

Presley Thornton

Robert Burwell Esqrs.

The Governor communicated a letter from Mr. Alexander Cameron Deputy-Superintendent of Indian Affairs dated Toguch June 6th informing that the Headman and Warriors of the Overhill Cherokees, tho' dejected for the loss of their people in Augusta, receiv'd the advices thereof with calmness and judgment; that the Carpenter is deputed by the Nation to accomodate matters, and that he should send Watts, the Interpreter, with him.

His Honor acquainted the Council that the Carpenter arriv'd here the 8th instant, with one Indian only, and Watts; that eleven Cherokees were left behind at Chiswell's mines, to wait his return; that in a private conference he had inform'd him of every particular relative to the murders committed, and the consequent measures taken thereupon; that he had promis'd him a public audience in the Council-Chamber this day, and had sent for Mr. Smith to be present

further advis'd that a Copy of the Rent Roll be prepared by Deputy Auditor to be sent to their Lordships.

The Complaint against Colonel Stephen for obstructing his Majesty's Service, in respect to the Expedition carried on by Colonel Bouquet against the Shawnese and Delawares, was this day inquir'd into—as in the course of the trial Colonel Stephen was accus'd of some other things—Opinion of the Board that the Cause be postpond till April—that Mr. Rutherford deliver in writing to Colonel Stephen ev'ry particular he has to charge him with before Sunday next—and that proper notice be givn to take Depositions in presence of both.

The 3d Monday in March next appointed to take Depositions at Winchester. Mr. Martin, Nevil, and Harrison agreed to be the Justices.

To be heard the last day of April Court

99. This extract from the Journal and that of July 29, 1765, following, are from a photographic copy of a manuscript in the Public Record Office, C.O.5/1331, ff.23-24. These extracts have the following endorsement: "Virginia. Copy of the Minutes of Council of July 16 & 29, 1765. In Lt. Govr.'s Letter of 1 August 1765. Read Sept. 24. L.20."

See pages 681-683 for the *Minutes* from November 22, 1764 through May 13, 1765.

at it: The said Indians, and Interpreters, attending without, being call'd in, the Governor, addressing himself to the Carpenter, told him, he had related what pass'd in conversation between them to the Council, and communicated to them Mr. Cameron's letter; that he had only to add, that the kind treatment their people had receiv'd in England, and the late Act of Assembly for establishing a trade in favor of their Nation, demonstrated the friendly disposition of the English towards them; and that the steps he had taken, and was determin'd to pursue, to give them all possible satisfaction for what they had suffer'd, ought to convince them how unjust it would be to impute to the Government the outrageous actions of a profligate and abandon'd mob; that he propos'd sending some presents to the relations of the men who had been kill'd, to dry their eyes, and mitigate their grief; and persuaded himself he would make such a report of what he had heard, to his Nation, as would fully exculpate this Government, and prove satisfactory to them; that the Council were now met to receive his message, and ready to pay due attention for every thing he had to say.

The Carpenter spoke, in substance, as follows; that he was sent here by his Nation, to make what was crooked, strait; what was sullied, bright; and all things, easy—that he brought from the Great Warrior, a string with some black beads, which he presented, denoting their concern for the misfortune befallen on them; also a string of white beads, which he deliver'd, signifying their hopes that the Governor will do all in his power to wipe the blood clean which had been spilt, and return them a good talk—that he was pleas'd with the talk he had heard, and believ'd his Nation would be satisfied with it—that they wish'd to be at peace with all men, especially the northern Indians, and that the Governor would use his best endeavours to effect it—that he was desirous of seeing once more the Great King, their common Father—requested, that they might be furnish'd with two horses, to render their journey back less fatiguing; a rifle, and a pair of pistols for himself, and a gun for six of his company, whom he had left at Chiswell's—hoped to be dispatch'd soon, as he had promis'd to return to his nation in three months from the day he left it; and presented the Governor with

a pipe to smoke out of, with any of his people, who might hereafter be sent here.

The Governor replied, he had no correspondence with the northern Indians, but would write to Sir William Johnson, who was their Superintendent, to use his good offices to bring about the desir'd peace—that Mr. Stuart was the only proper person for him to apply to, for a passage to Great-Britain—that all his other requests should be granted—that he would prepare a letter for him to take to the Great Warrior, and another to Mr. Cameron, and would detain him no longer than till the intended presents could be procur'd—that he accepted, and should preserve, the Strings, and pipe, as tokens of friendship, after which they withdrew well pleas'd.

At a Council held July 29th 1765¹⁰⁰

Present

The Governor

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governor communicated to the Board a letter he had receiv'd the day before from Colo. Archibald Cary, giving him information that forty pick'd men, well arm'd, were set out from the hot springs in Augusta County, with an intent to cut off the Little Carpenter, and his Party, on their return into their own Nation, and to destroy the presents they had receiv'd in Williamsburg; and that Colo. Chiswell, with the Carpenter, were to halt at New London till his Honor should be pleas'd to send them orders how to proceed. Upon maturely considering the letter, the Council were of opinion that the sending out Militia to escort them, if they should do their duty, might be attended with very fatal consequences, as it would set one part of the Colony against the other, and sow the seeds of a Civil War; therefore it was their advice to his Honor that he should send after the Little Carpenter, to advise him to go home by the way of North Carolina, and the lower Cherokee towns: And

100. See p. 275 for note 99 regarding the extract of July 16, 1765.

that Colo. Andrew Lewis should be desir'd to enquire very particularly into the truth of the report, and upon depositions, or any other method in his power, to send down to his Honor, an impartial account of the whole affair, with the names of the persons concern'd, if the story should be found to be true. They also advis'd his Honor to give notice to the Carpenter of some Shawanese preparing to attack some of their towns, which information was lately receiv'd by the way of Fort Pitt.

N: Walthoe Cl. Con.

[October 1765]¹⁰¹

The Gov. submitted to the Considn. of the Council the following Points

- 1d. Whether the Stamp Act is to take Effect on the first Day of Novr. next or not till the Day after
- 2d. Wher. In case the Stamps do not come in the Gen. Court can sit & continue to do Business
- 3d. Wher. if nothing else can be done the Judges can meet & adjourn de Die in Diem, & the Clerk make an Entry of such Order without being subject to the penalty in the Act

The Council advised that all the lawyers at the Genl. Court be required to give their Opinion thereon in writing to be produced in Council next Thursday

L Govr's lr. to naval-offrs.
Surveyor's to collectors

101. From an undated manuscript in Colonial Papers [1765], Virginia State Library. Endorsed "Relatg. to the Stamp Act.," and "Obr. 1765," probably by two different hands. The annotation in the lower left corner of the paper (regarding the Lieutenant Governor's letter etc.) may be in the same hand as the endorsed date.

This is evidently a record of Council proceedings for some date in 1765. The first point which the Governor submitted indicates a date earlier than November 1, while the advice of the Council, by its reference to the lawyers at the General Court, suggests either that those lawyers had gathered in Williamsburg for the opening of the Court on October 10, or that the Court was already in session.

The notation concerning the Lieutenant Governor's letter probably is connected with Fauquier's letter of November 7, 1765 to the Naval Officers, instructing them how to deal with the clearance of vessels which lacked stamped papers.

At a Council held at the Governor's House September 8th 1767¹⁰²

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Robert Carter Esqrs.

The Governor was pleased to communicate two letters from Mr. Stuart, the Superintendant of Indian Affairs, dated Charles Town April 11th and July 21st the first signifying he had received orders from the Earl of Shelburne to proceed immediately in running a Boundary Line between Virginia and the lands reserved by the Cherokees for hunting grounds, and to request his Honor to cooperate with him in the accomplishment of that Service: And that he was directed by his Lordship to apply to him for Satisfaction to the Relations of the Cherokees murdered in Augusta County of Virginia in May 1765; and recommending, as the Offenders can't be brought to justice, that the said Relations be satisfied with presents; and informing that the compensation usually made by Indians for the death of a Relation is 500 weight of half-dressed Deer Skins, or the value in goods. Upon which it was the opinion of the Council that his Honor could do nothing more in respect to the Boundary Line until he should receive Powers and Instructions from his Majesty; in respect to the Compensations desired for the murder of the Indians, they judged it reasonable, but advised that the determination of an affair so expensive and momentous be deferred for a fuller Board.

The second letter signifying, that having it in charge to give all possible satisfaction to the Indians relative to the prices of Goods, he summoned all the Traders to the Creek and Cherokee Nations, to meet him in May and June last on the frontiers of Georgia and South Carolina with Indians deputed by the respective Nations, at which meetings Tariffs were settled with the mutual consent of the

102. The text of the following Journal, September 8, 1767-November 17, 1768, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1435, ff.187-202. There is the following endorsement: "Recd. from the Secry of State's Office Janry 13.17 [. . .]."

See pages 683-684 for the *Minutes* from November 6, 1766 through April 3, 1767.

Indians and Traders, which he sent inclosed; and advising of the mode of licensing Traders adopted in So. Carolina and Georgia; and informing that the Cherokees had met Governor Tryon, according to his appointment, in May in order to ascertain and mark a Boundary behind his Province, and that the said business was finished to the satisfaction of both Parties.

At a Council held October 20th 1767

Present

The Governor

John Blair

William Nelson

Thomas Nelson

Richard Corbin

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell Esqrs.

The Governor was pleased to communicate a letter from Lord Shelburne dated July 11th 1767, transmitting a new Seal for this Colony, with his Majesty's Warrant for using it, and returning the old one to be defaced, which new Seal was delivered by his Honor to the Secretary.

Also a letter from Mr. Thomas Crisap dated September 11th accompanied with Belts of Wampum, which he was desired to send by some Chiefs of the Dellawaws, Shawnese, and Waindots, as tokens of their friendship, and inclosing a talk from them, expressing their wishes to brighten the chain, and requesting an opportunity of treating towards establishing a firm peace. Upon which the Council advised his Honor to communicate the same to Sir William Johnson, and to write a letter to Mr. Crisap, disapproving his officious interfering in a business with which he had nothing to do; and telling him that he should have acquainted the said Indians that they must on all such occasions apply to Sir William Johnson, who has the Superintendance of their affairs.

The following Persons were appointed Sherifs for,

Amherst	George Stoval junr.
Brunswick	John Jones
Charlotte	James Taylor
Caroline	William Tyler
Culpeper	Nathaniel Pendleton
Dinwiddie	George Smith junr.
Fauquier	Thomas Marshall
Halifax	William Hoskins
Henrico	Benjamin Duval
James City	William Norvell
King William	John Quarles
Lunenburg	Daniel Claiborne
Mecklenburg	John Speed Senr.
Northampton	John Wilkins
Orange	Richard Thomas
Prince Edward	James Scott
Prince George	Alexander Morrison
Stafford	Robert Washington
Southampton	Charles Cosby
Sussex	Michael Blow
Warwick	William Langhorne
York	Thomas Cheasman

At a Council held October 29th 1767

Present

The Governor

John Blair	Philip Ludwell Lee
William Nelson	John Tayloe
Thomas Nelson	Robert Carter

Presley Thornton Esqrs.

Captain Gell, Commander of his Majesty's Ship Launceston, appeared in the Council-Chamber and laid before the Board Instructions he had received from the Admiralty dated 23d of May 1767.

The Governor communicated an Order of His Majesty in Council held 26th of June confirming five Acts of Assembly passed in 1765, vizt.

An Act for amending and declaring the law concerning the escape of debtors out of the prison rules, and for other purposes therein mentioned.

An Act to prevent the practice of selling persons as Slaves that are not so, and for other purposes therein mentioned.

An Act to amend the Act for the better government of Servants and Slaves.

An Act for amending the Act intituled, An Act directing the trial of Slaves committing capital crimes, and for the more effectual punishing conspiracies and insurrections of them; and for the better government of Negroes Mulattoes, and Indians bond and free.

An Act for enlarging the jurisdiction of the Court of Hustings in the borough of Norfolk: And disallowing of three Acts passed in the same year, vizt.

An Act to revive and Amend an Act intituled, An Act for establishing a Trade with the Indians, in alliance with his Majesty; and also to amend one other Act for directing the trustees of the Indian factory of Virginia to sell the goods imported by them, and to pay the money arising by such Sale into the Treasury for the use of the Public.

An Act for exempting the exporters of dressed hides or Skins from the Payment of duties for such as had been before imported.

An Act for the Sale of the useless stores in the magazine in Williamsburg.

Whereupon it was ordered that a Proclamation forthwith issue notifying the same.

His Majesty's confirmation of An Act of Assembly, passed in 1765, intituled An Act to vest certain lands therein mentioned in James Hubard and settling other lands and Slaves in lieu thereof, was produced, and ordered to be recorded in the Secretary's office.

At a Council held November 3d 1767

Present

The Governor

John Blair	Philip Ludwell Lee
William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Presley Thornton
Robert Burwell Esqrs.	

The Account of Contingent Charges from the 25th of April 1767, to the 25th of October following; and for work done at the Governor's house, being laid before the Board was allowed.

At a Council held November 6th 1767

Present

The Governor

John Blair	John Tayloe
William Nelson	Robert Carter
Thomas Nelson	Presley Thornton
Richard Corbin	Robert Burwell Esqrs.

The Governor submitting to the Consideration of the Board the Compensation recommended by Mr. Stuart in a letter communicated the 8th of last Month towards satisfying the Cherokees for the murder of some of their Nation in Augusta in May 1765, the same was unanimously approved of.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. were signed by the Governor.

For half a year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
For Do. to Sollicitor of Virginia Affairs	100.0.0
For do. to the Attorney General	35.0.0
For do. to Clerk of the Council	75.0.0

For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court	12.0.0
For Repairs to Governor's house	57.10.1
For Contingent Charges	193.3.5
On the Revenue of Quit-Rents	
For half a year's Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. arising within the Colony of Virginia from the 25th of April 1767, to the 25th of October following, being examined by the Deputy Auditor, and made oath to by the Receiver General, was certified by the Governor.

Ordered, That the General Assembly which stands prorogued to the last Thursday of this month, be further prorogued to the first Thursday in May next, and that a Proclamation forthwith issue for that purpose, and to require their Attendance at that time.

In consequence of his Majesty's approbation of the Act of Assembly, directing the trial of Slaves committing capital Crimes &c the Secretary was desired to give orders to the Clerks in his Office, to issue Commissions of Oyer and Terminer directed to the Justices of each County respectively.

Archibald Cary and Thomas Walker, two of the Trustees appointed for the better managing and carrying on a trade with the Cherokees, having made proposals to the Governor towards disposing of a Cargoe of Goods lately imported for the Cherokee trade, agreeably to An Act of Assembly passed in 1765, and since repealed by Proclamation, and appearing in the Council Chamber on that Subject it was the advice of the Council, that his Honor would take such Articles as Mr. Prentis of Williamsburg, and Mr. Ross of Goochland Merchants, should think proper for the said Indians, at 60 per Cent. on the foot of the Invoice.

On the Petition of Philip Johnson, Thomas Stanley, and William Johnson, setting forth that there is on the Waters of the East side of Blue Stone Creek in the County of Mecklenburg on the North Side of Roanoke River three thousand Acres of his Majesty's

land joining the lands of John Flenn, and John Lidderdale, and praying that they may be permitted to take up the same; it is ordered that each of the Petitioners have leave to survey and take out a Patent for one thousand acres of the said land.

At a Council held December 9th 1767

Present

The Governor

John Blair

Richard Corbin

William Nelson

William Byrd

Thomas Nelson

Robert Burwell Esqrs.

The Account of his Majesty's Revenue of Quitrents for the year 1766, being examined by the Deputy-Auditor, and made oath to by the Receiver General, was certified by the Governor.

At a Council held January 22d 1768

Present

The Governor

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

The Governor was pleased to communicate a letter from Major General Gage dated New York December 7th 1767, signifying the dissatisfaction of the Indians, and their ill disposition towards us, occasioned by the insults they have received from the frontier People, especially those of Virginia, and the obstinacy of those who persist to settle on their Lands; and recommending the most active measures for the redress of the grievances the Indians complain of, and removing forcibly, and bringing to punishment these disturbers of the public tranquility, and thereby averting the calamities of a savage war.

The Governor was also pleased to lay before the Board a true state of the Treasury; and to propose to their consideration the expediency

of convening the General-Assembly before the day they stand prorogued to, and to desire their opinion when it would be most convenient for their meeting: Whereupon the Council advised that the said Assembly be summoned to meet on the last day of March next; and it was accordingly ordered that a Proclamation¹⁰³ forthwith issue for that purpose.

His Honor acquainted the Board that since the last Council on a petition of Gordon Butler, master of the Brig: John and Charles, of Lisbon; and of Nicholas Murphy, Master of the Ship Neptune, from Cadiz, both with a Cargo of Salt, bound to Philadelphia, and put into this Colony in great distress, he had, upon a Survey ordered and taken of the said Brig and Ship, and a report made of the condition they were in, and of the Expense of repairs, directed the Officers of the Customs, to permit the Petitioners to sell so much of their Salt, as will enable them to proceed on their intended Voyage: And the same was approved of by the Council.

At a Council held March 4th 1768

Present

The honorable John Blair Esqr. President

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell Esqrs.

Mr. President this day, the Administration of the Government, devolving upon him, by the death of the honorable Francis Fauquier Esqr. his Majesty's late Lieutenant Governor, took the oaths appointed to be taken by Act of Parliament instead of the oaths of Allegiance and Supremacy, the oath of Abjuration, and subscribed the Test; was also sworn duly to observe the Acts of Trade, and faithfully to discharge the Office of Commander in Chief of this his Majesty's Dominion of Virginia.

Ordered, That a Proclamation¹⁰⁴ immediately issue for continuing all public Officers in their respective places.

103. See p. 608 for the text of this proclamation.

104. See p. 609 for the text of this proclamation.

The Council having by the President's desire, considered the expediency of calling the Assembly, were of opinion, that the general good of the Country required their meeting on the last day of this present month, agreeably to the Proclamation issued by the late Lieutenant Governor bearing date the 22d of January last, and it was accordingly ordered that a Proclamation¹⁰⁵ forthwith issue for that purpose.

His Majesty's Confirmation of An Act of Assembly passed in December 1766, intituled An Act to empower Nathaniel Lyttleton Savage Gent. to sell and dispose of certain intailed Lands and for settling other lands and Slaves to the same Uses, was produced and ordered to be recorded in the Secretary's Office.

At a Council held March 10th 1768

Present

The President

William Nelson

Thomas Nelson

Robert Carter Esqrs.

The President was pleased to communicate two letters from the Earl of Shelburne, the first dated October 8th 1767, requiring an exact account, to be transmitted to him, of the nature of the claim made by the Ohio Company, what circumstances gave rise to their formation, and what Sums they have expended in consequence of the first cession of lands made to the Company by the Indians, or his Majesty's instructions to his Lieutenant Governor of Virginia in 1748, directing him to grant them five hundred thousand Acres.

The Second dated November 14th, 1767, signifying that the boundary line having been compleated between the Indians and the Provinces of South and North Carolina, as also between them and the Provinces of Pennsylvania and Maryland, it was necessary that the same should be continued along the back of Virginia, taking it up Southward at Col: Chiswell's mines, where it was dropt by North Carolina, and running it behind our Settlements till it falls

¹⁰⁵. See p. 610 for the text of this proclamation.

in with that point from whence the Northern Provinces set out; and his Majesty's pleasure that he fix a time with Sir William Johnson, and Mr. Stuart for the completion of that essential Service.

Also a letter from Sir William Johnson dated January 8th 1768, signifying that a general Congress is to take place next summer at which all the Indians are to be present; and that it would be proper he should favour him with something under his hand, with a Seal affixed to it referring the Indians to him on the Subjects of their grievances, and assuring them of his inclination to hold fast by the chain, and afford them all possible redress touching any matters of complaint which regard Virginia.

At a Council held March 31st 1768

Present

The President

William Nelson

William Byrd

Thomas Nelson

Robert Carter

Robert Burwell, Esqrs.

His Majesty's Letter and Sign Manual dated May 22d 1767, appointing George William Fairfax Esqr. one of his Majesty's Council of State for this Colony, having been read, he accordingly, upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

At a Council held April 20th 1768

Present

The President

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd

George William Fairfax Esqrs.

William Nelson Esqr. acquainted the Board that the late Governor desired in his Will that two parcels of land which he bought of Mr. Ferguson, and Mr. Moody, adjoining a tract belonging to the Gov-

ernment, might be offered to the Council at the price of £250 Sterling and also his household furniture at the like price, for the use of succeeding Governors:

The Council having taken the proposals under consideration, disapproved of buying the furniture; but unanimously agreed to purchase the lands at the price mentioned; and it was ordered that deeds of conveyance of the same be made to the Receiver-General in trust for the use of the Government.

Ordered, That a new Commission of the Peace issue for Northampton, that the following Gentlemen be added, Thomas Dolby, John Respass, John Wilkins, Littleton Savage, John Robins junr. Joachim Michael, William Christian, and Henry Guy; and that Edward Robins, John Kendall, Patrick Harmanson, Azeb Benthall, Nathaniel Littleton Savage, Preeson Bowdoin, and Thomas John Marshall, be left out.

At a Council held April 28th 1768

Present

The President

William Nelson

William Byrd

Thomas Nelson

John Tayloe

Richard Corbin

Robert Carter

George William Fairfax Esqrs.

The Account of Contingent Charges from the 25th of October 1767, to the 25th of April 1768 and for work done at the Governor's House, being laid before the Board was allowed.

At a Council held May 7th 1768

Present

The President

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Presley Thornton
Robert Burwell Esqrs.	

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. &c were signed by the President.

For half a Year's Salary to the Governor	£1000.0.0
For do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a year's Salary, to the Auditor	50.0.0
For do. to Solicitor of Virginia Affairs	100.0.0
For do. to Attorney General	35.0.0
For do. to Clerk of the Council	75.0.0
For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court & Assembly	12.0.0
For Repairs to the Governor's House	382.11.0
For Contingent Charges	566.11.10
On the Revenues of Quit Rents	
For half a years Salary to Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. Hhd. &c arising within the Colony of Virginia from the 25th of October 1767, to the 25th of April 1768, being examined by the Deputy Auditor, and made oath to by the Receiver General, was certified by the President.

On the petition of Thomas Housson setting forth the extraordinary Services of a Mulatto Boy named Will, belonging to him, par-

ticularly his having been principally instrumental in saving his life; the Board being satisfied therein, were of opinion that the said Mulatto was deserving of his freedom, and it was ordered that the said Housson have leave to manumit and set him free.

At a Council held June 15th 1768

Present

The President

William Nelson

William Byrd

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell Esqrs.

The President communicated two letters from the Earl of Hillsborough dated January 23d 1768, the one signifying his being appointed by his Majesty Secretary of State for the Southern Department; the other requiring a complete Collection of the Laws of the Colony down to the present time to be transmitted to him.

Also another Letter dated March 5th transmitting the Opinion of his Majesty's Attorney and Solicitor General upon the Act of the 12th of Queen Anne Stat. 2d cap. 18, and the Act of George 1st cap. 12. Upon which it was the Advice of the Council, that the said Acts, and opinion be published, to the end that all Persons concerned may govern themselves accordingly.

His Honor was pleased also to communicate several Orders of his Majesty in Council held 26th of February 1768, confirming One Act of Assembly, entituled, "An Act to impower the Corporation of the City of Williamsburg to assess taxes on the Inhabitants thereof for the purposes therein mentioned and for repealing a certain Act of Assembly therein also mentioned."

And disallowing of three Acts of Assembly, passed in the Years 1764, and 1766, vizt.

"An Act to vest certain lands therein mentioned in John Syme Esqr. and others in fee Simple, and for settling other lands and Slaves in lieu thereof.

"An Act to impower the Executors of Charles Carter late of King-George to sell part of his lands and Slaves for payment of his debts and legacies.

"An Act for giving a Salary to the Speaker of the House of Burgesses."

But in regard the only objection to the last Act lay against the mode prescribed for payment of the Salary, his Majesty has been pleased to signify his royal permission and allowance for providing for the same service in the constitutional way.

Whereupon it was ordered that a Proclamation¹⁰⁶ issue notifying the same.

The President was likewise pleased to communicate a letter from Sir William Johnson dated April 23d Signifying he has received directions from the Ministry to compleat the Boundary without loss of time, and that the Indians shall be immediately advised to come to the Treaty: And desiring a Map, or Survey, at least of the frontiers from North Carolina to Pensylvania.

Also two letters from General Gage, the 1st dated New York April 27th Signifying that any representation his Honor may think proper to make of any thing that may in the adjustment of matters, relative to completing the Boundary Line between the several Provinces and the Indians, particularly affect Virginia, will be duly attended to.

The 2d dated May 16th Signifying that Sir William Johnson hopes to assemble all the Nations concerned in the settlement of the Boundaries, about the middle of July and shall expect the Commissioners from the Provinces interested therein, to attend the Congress; and doubts not but that every thing will be so clearly stated as to leave no room for future disputes.

Also a letter from Mr. Stuart dated Charles Town April 4th signifying he shall dispatch an Express to the Commissary in the Cherokee Nation, concerning what is proposed towards continuing the Indian Boundary Line to the Westward of Virginia, and direct him to communicate the same to the Indians, that they may fix upon a time, and appoint Deputies to meet the Commissioners

¹⁰⁶. See p. 611 for the text of this proclamation.

from Virginia for the Completion of that service; and that it is his opinion it will be the month of September before the Indians can be prevailed on to set out upon that Business.

Colonel Andrew Lewis, and Colo. Thomas Walker were this day nominated Commissioners in behalf of Virginia for continuing the Boundary Line; and the Council advised the President, to order their Commissions to be prepared, and that they be instructed to proceed on that Service as soon as they conveniently can, and that they meet Sir William Johnson and the Indians of the several Nations concerned the 25th of July, at Shamokin on the East Branch of Susquehannah in Pennsylvania.

The Board took into Consideration a Petition for removing the Court House of Charlotte; and, upon hearing Parties on both Sides, it was the Opinion of the Council, that there was no good reason for a removal.

A Petition for removing the Court-House of Halifax was also considered; and, after hearing Parties concerned on both Sides, the Council were of Opinion, and it was accordingly ordered, that the Court-House remain where it at present Stands.

Ordered, That the General Assembly which stands prorogued to the third Thursday of July next, be further prorogued to the last Thursday in October next, and that a Proclamation¹⁰⁷ forthwith issue for that purpose.

At a Council held June 16th 1768

Present
as Yesterday

The following Caveats for Land were this day heard and determined.

Lodowick Oneal having entered a Caveat against Mordecai Hord for Two Hundred and fifty Acres in Albemarle escheated from Charles Brooks Carr, upon hearing Council on both sides, it is ordered that a Patent issue for the said Land to Susanna the Wife of Oneal.

107. See p. 611 for the text of this proclamation.

George Jones having entered a Caveat against Robert Boyd for two hundred and thirty Acres in Halifax on Miry Creek, the Plaintiff appearing, and the Sherif having returned on a second summons, that the Defendant is no Inhabitant, it is ordered that the Plaintiff have a Patent for the said Land.

Obediah Smith having entered a Caveat against William Stroude for one hundred and eighty seven Acres or thereabouts in Lunenburg on Teawayhominy or Aaron's Creek; the Plaintiff appearing, and the Sherif having returned on a second Summons, that the Defendant is no Inhabitant, it is ordered, that the Plaintiff have a Patent for the said Land.

Richard Claiborne having entered a Caveat against Francis Eppes and Leonard Claiborne junr. for one hundred and thirty Acres in Southampton on the South Side of Nottoway River, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Fisher having entered a Caveat against Daniel Brown for four hundred Acres formerly in Amelia, now Prince Edward on the upper Side of Bryer River, the Plaintiff appearing, and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

John Fisher having entered a Caveat against William Jones for four hundred Acres on the upper Side of Bryer River, formerly in Amelia, now Prince Edward, the Plaintiff appearing, and the Sherif having returned on a second Summons, that the Defendant is not to be found, it is ordered that the Plaintiff have a Patent for the said Land.

Robert Breckenridge having entered a Caveat against Thomas Wilson, Thomas Ingles, William Ingles, Thomas Evans, or William Preston for forty one Acres in Augusta on the South fork of Roanoke, the Plaintiff appearing, and the Defendants having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

David Mason having entered a Caveat against Richard, Elizabeth, and Judith Stewart Devises of Charles Stewart for three hundred and ninety five Acres in Sussex on the South Side of Nottoway

River, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

James Roberts having entered a Caveat against David Bell for thirteen thousand five hundred and twenty Acres in Halifax on Little Dan and the Waters of Arraratt, the Plaintiff appearing and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

Swinfil Hill having entered a Caveat against Elias Wattraven for two hundred and thirty Acres on the North Side of Pig River in Halifax for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

William Person having entered a Caveat against John Thorpe for one hundred and fifty Acres or thereabouts in Southampton lying on the North Side of Meherrin River and the South Side of the three Creeks, the Plaintiff appearing, and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

James Hardaway having entered a Caveat against William Twitty Son and Heir of John Twitty deceased, Marmaduke Stanfield, Alexander Walker, or Clement Reade, or Thomas Reade, or any other Person for four thousand four hundred and fifty Acres in Halifax on the branches of Sandy River and Turkey Cock Creek; for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Robert Breedlove having entered a Caveat against William Tomlinson, James Tomlinson, and [Jane] Tomlinson Heir of Henry Tomlinson deceased, and Godfrey Jones for four hundred Acres in Charlotte formerly Lunenburg on the head branches of Twitty's Creek; for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

John Cox having entered a Caveat against Tidance Lane for three hundred and fifteen Acres in Halifax upon both sides of Sandy Creek, the Plaintiff appearing, and the Defendant having been summoned and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

Benjamin Hawkins having entered a Caveat against James Scott for two hundred and forty five Acres in Augusta on Catawba a branch of James River, the Plaintiff appearing, and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

William Young having entered a Caveat against William Roberts or the Heir of Joseph Morton deceased for two hundred and ninety six Acres in Halifax on Sandy River, the Plaintiff appearing and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

William Young having entered a Caveat against John Morton for three hundred and seventy Acres in Halifax on Sandy River, the Plaintiff appearing and the Defendant having been summoned, and not appearing it is ordered that the Plaintiff have a Patent for the said Land.

Richard Elliott having entered a Caveat against William Merriett for seventy six Acres in Brunswick joining Charles Golster, Thomas Everard, and William Tabb, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Manus Burgur having entered a Caveat against David Glenn for Seventy five Acres on the blew Ridge near Rock-fish gap in Augusta, the Plaintiff appearing, and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

William Kennon having entered a Caveat against James, John, and George Christian or any other Person for four thousand eight hundred and fifty Acres in Buckingham on both sides of Wreck Island Creek joining Jeremiah Whitney, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land:

William Watterson having entered a Caveat against Robert Patterson junr. for one hundred and fifty Acres in Augusta above the head of falling Springs, the Plaintiff appearing, and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

Charles Patterson having entered a Caveat against James Phelps for one thousand Acres in Buckingham on Elk-Creek a branch of Rack Island Creek, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

At a Council held June 30th 1768

Present

The President

William Nelson

Thomas Nelson

Robert Carter Esqrs.

His Majesty's Letter and Sign Manual dated December 29th, 1767, appointing John Page Esqr one of his Majesty's Council of State for this Colony, having been read, he accordingly, upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

The President was pleased to communicate a letter from the Earl of Hillsborough dated April 15th 1768, signifying that his Majesty has thought fit, that the Plan for the management of Indian Affairs adopted by the Superintendants shall be laid aside; that the regulation of the trade shall be left to the Colonies; that the Office of Superintendants shall however be continued for such matters as are of immediate negotiation between his Majesty and the Savages, and can't therefore be regulated by provincial Authority; And that the boundary line between the Indians and the Settlements of his Majesty's Subjects, shall be finally ratified and confirmed.

His Honor also communicated a letter from Mr. Alexander Cameron dated Fort Prince George June 9th 1768, signifying, he had, in consequence of advice from Mr. Stuart, assembled the Cherokee Chiefs, who have determined to depute some of their people to attend the running of a boundary line between Virginia and their hunting grounds; and have fixed the 25th of October to meet the Commissioners from hence at Col. Chiswell's mines.

Upon which the Council advised the President to instruct the Commissioners to meet the Deputies of the Cherokees at the said place and time.

At a Council held July 29th 1768

Present

The President

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell Esqrs.

The President was pleased to communicate a letter from Mr. John Stuart Superintendant of Indian Affairs dated Charles Town the 7th of July, informing of the Agreement between him and the Cherokees respecting the Boundary line: And adding, that, "he doubts not but the necessary Provision will be made for the reception of the Cherokee Deputies at Chiswell's Mine the 25th of October, at which time they had agreed to meet the Commissioners from Virginia."

Upon which it was the advice of the Council, that his Honor would write to Mr. Stuart, desiring him to explain that part of his letter, and signifying, by whom he expects such provision to be made; that no obstacle may intervne, by any misunderstanding, to obstruct that important Service.

Ordered, That a new Commission of the Peace issue for Fairfax County, that George Washington, Daniel French, and Edward Payne Gentlemen, be added, and that Edward Blackburne be left out.

At a Council held September 7th 1768

Present

The President

William Nelson

Robert Carter

Thomas Nelson

John Page Esqrs.

The President communicated a letter from the Earl of Hillsborough, dated the 30th of April, informing that William Odgers, late a Custom House Officer at the Port of Penzance, in the County of Cornwall, was barbarously murdered by Melchisedeck Kinsman, who sailed about three weeks before the date of the said letter from Falmouth, in one of the New York Packets; and signifying his

Majesty's pleasure that he take all legal methods for the apprehending the said Kinsman: Whereupon it was ordered that a Proclamation issue,¹⁰⁸ promising a reward of One Hundred Pounds for the apprehending and securing the said Kinsman, if found within this Government, so that he may be brought to justice.

Also another letter from his Lordship dated May 14th, signifying his Majesty's pleasure that he give all the assistance in his power to the Commissioners of his Majesty's Customs in America in discharge of their respective Offices, and in carrying the laws of Trade and Revenue into due execution.

His Honor was also pleased to communicate a letter from the Board of Admiralty, signifying that, difficulties having been found to attend the condemning Vessels seized in the Provinces, owing to the same person acting in the double capacity of Judge of the Vice-Admiralty and Attorney-General, the Lords Commissioners desire him to recommend a Person properly qualified to act as Judge of the said Court.

Likewise a letter from Mr. John Stuart dated August 19th signifying it is expected that the necessary Provisions will be furnished by this Government for the Indian Deputies; and that he shall change the time of their meeting at Chiswell's mine, to the 10th of November next.

Upon a representation of many of the Principal Inhabitants of Norfolk, setting forth that the House of Doctor Archibald Campbell on Tanner's Creek in the said County, was, on the 29th of August between the hours of nine and twelve in the Evening, burnt down to the ground, by some malicious person, or persons as yet undiscovered: It is ordered that a Proclamation¹⁰⁸ issue promising a reward of forty pounds for the apprehending and securing the person or persons concerned in the said atrocious crime; and a Pardon to any person concerned in the same, who did not actually set fire to the said House, who shall make a full discovery of the principal Actors therein, so that they may be brought to justice.

108. See pages 612-614 for the proclamations ordered on September 7, 1768.

At a Council held October 19th 1768

Present

The President

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

John Taylor

Robert Carter

Robert Burwell

George William Fairfax

John Page Esqrs.

The President was pleased to consult the Council, who would be the most proper Person for him to apply to, to furnish the necessary Provisions and Presents for the Indians, who are to meet the 10th of November next at Chiswell's mine; what presents would be sufficient on this occasion, and to whose care the same should be conveyed and intrusted, together with the Goods, it had been agreed to give the Cherokees, as a Compensation for the Murder of their relations: Whereupon it was the Advice of the Council, that his Honor direct Mr. Israel Christian in Augusta to supply the Provisions, and have them sent as soon as possible to Chiswell's mine; as to the presents, they were of opinion, that a Shirt, a blanket, and laced hat for each of the Deputies, with a small quantity of Powder and Shot, and some paint, and rum would be sufficient; and advised his Honor to desire Mr. Archibald Cary to purchase the same, and send them with the Goods abovementioned to Mr. Calloway in Bedford for him to take care of till the arrival of our Commissioners; they further advised that the Commissioners be directed to consult with Mr. Cameron, at what time and place, and in what manner, it would be most eligible to dispose of, and distribute the said Goods.

Ordered, That the General Assembly which stands Prorogued to the last Thursday of this Month, be further prorogued to the last Thursday in January next, and that a Proclamation issue for that purpose.

Ordered, that a new Commission of the Peace issue for Nansemond, that David Meade, John Drew, and Miles King Gentlemen, be added.

At a Council held October 26th 1768

Present

His Excellency the Right Honorable Norborne Baron de Botetourt
his Majesty's Lieutenant and Governor General of the Colony
and Dominion of Virginia, and Vice-Admiral of the same.

John Blair

Philip Ludwell Lee

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd

George William Fairfax

John Page Esqrs.

His Majesty's Royal Commission, bearing date at Westminster the 12th day of August, in the 8th Year of his reign, constituting and appointing Norborne Baron de Botetourt his Lieutenant and Governor General of this his Colony and Dominion &c. thereby giving and granting unto him full power to exercise all and all manner of jurisdictions, powers and authorities to the same belonging, his Excellency took the Oaths appointed to be taken by Act of Parliament, repeated and subscribed the Test and took the Oath for the faithful discharge of the Office of Governor General, and due observation of the Acts of Trade; which said Oaths were administred to him by John Blair, William Nelson, and Thomas Nelson, three of the Members of his Majesty's Council.

His Excellency afterwards administred to all the Members of the Council present, the Oaths appointed by Act of Parliament to be taken, and they repeated and subscribed the Test, and also took the Oath of their Office.

Ordered, That a Proclamation¹⁰⁹ immediately issue for continuing all public Officers in their respective Places.

¹⁰⁹. See p. 615 for the text of this proclamation.

At a Council held October 27th 1768

Present

His Excellency
and as Yesterday

The President in behalf of the Council delivered the following Address

My Lord,

We his Majesty's dutiful and faithful Subjects, the Council of Virginia, beg leave to congratulate your Excellency upon your appointment to this Government, and to express our joy at the pleasing event of your safe arrival in the Colony. Permit us at the same time to acknowledge the wisdom and goodness of our most gracious Sovereign, which have determined him to make choice of a Nobleman of your Excellency's many eminent virtues and distinguished abilities to rule over, and to reside among us, and, as an earnest of the Sincerity of these Professions, we desire to assure your Excellency, that, as it is our duty, it shall be also our Study, within our department, to render your administration acceptable to the best of Kings; honorable, agreeable, and easy to yourself, and productive of the happiness and prosperity of his Majesty's loyal People of this dominion: Of this disposition we shall be solicitous to give Proofs on all occasions, in full confidence, that, while we keep in view these important objects, and steadily pursue them, we may humbly hope for some small share of the Royal favour and good opinion; the highest mark of honour to which our endeavours shall be invariably directed.

To which his Excellency was pleased to return the following Answer

Gentlemen of the Council,

Your expressions of loyalty and duty to our gracious Sovereign give me the greatest satisfaction, and I can with truth aver, that every thing I have seen and heard since I landed in Virginia, has been pleasing in the highest degree. Your stile of acceptance of me

for your Governor is most flattering. From myself I have nothing to offer but good intentions, but on this you may depend, that if I have the good fortune to answer the Purposes of my Royal Master, You will be happy indeed.

His Majesty's confirmation of An Act of Assembly intituled An Act to dock the Intail of certain lands whereof Harry Beverley is seized and for settling Slaves to be purchased in lieu thereof, was produced, and ordered to be recorded in the Secretary's Office.

Ordered, That a Proclamation¹¹⁰ forthwith issue for dissolving the present General Assembly.

At a Council held October 28th 1768

Present
His Excellency
and as Yesterday

His Excellency was Pleased to communicate an Order of his Majesty in Council held 12th of August 1768, confirming An Act of Assembly intituled An Act to confirm the titles to lands claimed by descent or purchase from Aliens. Whereupon it was ordered that a Proclamation issue notifying the same.

The Account of Contingent Charges from the 25th of April 1768, to the 25th of October 1768, and for work done at the Governor's house being laid before the Board was allowed.

At a Council held November 1st 1768

Present
His Excellency

William Nelson
Thomas Nelson
Richard Corbin

William Byrd
John Tayloe
George William Fairfax
John Page Esqrs.

His Excellency was pleased to communicate an Order of his Majesty in Council the 12th day of August 1768, disallowing of five Acts of Assembly passed in April 1767, vizt.

110. See p. 616 for text of this proclamation.

An Act for the Punishment of persons who shall aid or assist Prisoners for debt to escape, or attempt to escape out of prison.

An Act for establishing Fairs in the town of Mecklenburg, in the County of Frederick.

An Act to compel Ships importing Convicts or Servants, infected with the gaol fever, or small pox, to perform quarantine.

An Act to repeal an Act passed in the 30th year of the reign of his late Majesty George the 2d, intituled An Act to empower the Justices of the County of Norfolk to agree with persons to keep certain ferries, and to levy the expence thereof upon the Inhabitants of the said County, and for other purposes therein mentioned.

An Act for laying an additional duty upon Slaves imported into this Colony.

Whereupon it was ordered that a Proclamation¹¹¹ issue immediately notifying the same.

His Excellency desiring the advice of the Council concerning the most proper time for issuing Writs for calling a New Assembly.

On Consideration thereof, it is the advice of the Council and accordingly

Ordered, That the Writs for electing the Burgesses bear Teste the 3d of this month, and be made returnable the 15th of December next.

Upon reading a letter from Col. Andrew Lewis dated Augusta the 26th of October signifying that he remained at Fort Stanwix till the 12th of that month, when finding that the Western Indians could not be there before the 20th, it was thought advisable by Sir William Johnson, as well as Mr. Walker, and himself, that he should proceed with all possible expedition to meet the Cherokees, and leave Mr. Walker to wait the conclusion of that Treaty; that in consequence thereof, he immediately set off, and performed a journey of 700 miles in 13 days; that he purposes next morning to set out for Chiswell's Mine, where he expects to be in four days, and desires to know if it shall be judged necessary for any other person to be appointed in the room of Mr. Walker.

It was the Opinion of the Council, that the Service did not require anyone to be joined with Mr. Lewis.

111. See p. 617 for the text of this proclamation.

At a Council held November 4th 1768

Present

His Excellency

John Blair	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
Philip Ludwell Lee	George William Fairfax

John Page Esqrs.

His Majesty's Confirmation of An Act of Assembly, intituled, An Act to dock the Intail of certain Lands whereof Kendall Lee is seized and for settling other lands and Slaves to the same Uses was produced, and ordered to be recorded in the Secretary's Office.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. &c were signed by the President.

For half a Year's Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
For do. to Sollicitors of Virginia Affairs	100.0.0
For do. to Attorney General	35.0.0
For do. to Clerk of the Council	75.0.0
For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court	8.0.0
For repairs to the Governor's House	91.12.0
For Contingent Charges	979.17.5

On the Revenue of Quit-Rents

For half a year's Salary to Attorney General	35.0.0
----------------------------------------------	--------

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of April 1768, to the 25th of October 1768, being examined by the Deputy-Auditor, and made oath to by the Receiver General, was certified by his Excellency.

At a Council held November 5th 1768

Present

His Excellency

John Blair	John Tayloe
William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
Richard Corbin	George William Fairfax
Philip Ludwell Lee	John Page Esqrs.

His Excellency was pleased to communicate a letter directed to the President from Mr. Stuart dated Hard Labour October 17th informing that on the 13th current he met at that place all the principal Chiefs of the upper and lower Cherokee Nation, and on the 17th¹¹² concluded a treaty with the said Indians, ratifying the cessions of lands lying within the Provinces of South Carolina, North Carolina, and Virginia by them to his Majesty and his Heirs, and confirming the Boundary line marked by the Lords Commissioners of Trade according to the several agreements entered into with the said Indians, and signifying how the line ultimately confirmed runs—promising as soon as possible to send him Extracts of his Conferences, and a Copy of the said treaty advising that the Chiefs have appointed the 10th of May next for meeting the Commissioners from Virginia at Chiswell's mine, with their reasons for altering the time—intimating their discontent in not having received the compensation promised them for the murder of their people here in 1765, and further informing that he is to meet the Chiefs of the upper and lower Creek Nations at Silver Bluff on Savanah River the 1st of November to ratify the Cessions to his Majesty in the two Floridas and Georgia.

Whereupon it was the advice of the Council that an Express be sent immediately with a letter to Col. Andrew Lewis acquainting him with the postponing of the meeting with the Cherokees at Chiswell's Mine, and directing him to proceed to Bedford, and desire Mr. Calloway to take due care of the Goods and Presents he is intrusted with till the arrival of the Commissioners in May. And that Mr. Israel Christian be ordered to dispose of the Provisions

¹¹². The second digit of the date is indistinct.

he has procured, which are perishable, to the best advantage he can, and to supply a sufficient quantity of fresh provisions, and have them at Chiswell's mine before the 10th of May.

They also advised that Mr. Stuart be informed by a letter, that the Goods intended for the Cherokees, as a compensation for the murder of their relations, are actually sent as far as Bedford; and that our Commissioners are instructed to consult Mr. Cameron, in regard to the most proper time, and place, and best manner of distributing them.

The following Persons were appointed Sherifs for

Spotsylvania	John Carter
Essex	William Montague
Cumberland	Carter Henry Harrison
Bedford	Richard Stith
Princess Anne	Anthony Lawson
Norfolk	William Godfrey
Accomack	Isaac Smith
Northumberland	Joseph McAdam
Charles City	Philip Par Edmundson
New Kent	George Webb
Hamshire	Felix Seymour
Frederick	Isaac Hite
Lancaster	Dale Carter
Hanover	Samuel Overton
Middlesex	Charles Neilson
King and Queen	George Brooke
Albemarle	Nicholas Lewis
Elizabeth City	James Westwood
Augusta	John Bower
Chesterfield	Abraham Sallee
Nansemond	Jeremiah Godwin
King George	John Champe
Westmoreland	Isaac Blair
Richmond	Leroy Griffin
Fairfax	William Adams
Loudon	John McAlhaney

At a Council held November 17th 1768

Present

His Excellency

John Blair

William Byrd

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell Esqrs.

His Excellency was pleased to desire the Opinion of the Council, when would be the most convenient time for the Assembly to meet: Upon due consideration whereof the Council were of Opinion that the best time for their meeting would be immediately after next April General Court; and it was their advice, and accordingly ordered, that a Proclamation¹¹³ issue the 24th of this month for proroguing the Assembly to the second Monday in May next, and requiring their attendance on that day at the Capitol for dispatch of publick Business.

A true Copy

N: Walthoe Cl. Con.

At a Council held Decr. 16th 1768¹¹⁴

Present

His Excellency

John Blair

Robert Carter

Richard Corbin

Robert Burwell

John Tayloe

John Page Esqrs.

The Account of his Majesty's Revenue of Quit Rents for the year 1767, being examin'd by the Deputy Auditor, and made oath to by the Receiver General, was certified by the Governor.

Andrew Lewis and Thomas Walker Esqrs. Commissioners appointed in behalf of this Government to meet Sir William Johnson and the Northern Indians, this day made a report of their proceed-

113. See p. 618 for the text of this proclamation.

114. The text of the following Journal, December 16, 1768-May 20, 1769, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1347, ff.98-104. There is the following endorsement: "Minutes of Council of Virginia from 16th Decr. 1768 to 20th May 1769. In Lord Botetourt's (No.) of"

ings, and produced a certified copy of the deed executed for the lands ceded to the Crown of Great Britain, with a talk of the Sachems on the Subject; also an Account of their expences and disbursements in the said service

Order'd

That the said Account be refer'd to the Auditor for his examination.

The Commissioners having made some remarks, which they committed to writing and deliver'd to the Board, upon the treaty concluded with the six nations, and on the ensuing Congress with the Cherokees, the Council, having maturely consider'd the same, were of opinion, that prosecuting that Service in the manner directed by Mr. Stuart, and runing a Boundary line as proposed by him, would be highly injurious to this Colony, and to the Crown of Great Britain, by giving to the Indians, an extensive tract of Land, a great part of which they never had, or pretended a right to, but actually disclaimed; and advis'd that the said Commissioners should proceed with all possible expedition to So. Carolina, and represent to Mr. Stuart the important object of a just boundary to be ascertained with the Cherokees in a true and proper light, and signify to him, that if he adheres to the opinion he has hitherto entertained thereof this Government cannot cooperate in that Service, until more explicit and precise instructions shall be obtained from his Majesty.¹¹⁵

It appearing by a letter from Mr. Archibald Cary that great part of the goods des[tined] for the Cherokees are damaged and some destroyed, it was the advice of the Council that fresh and proper goods be purchased in lieu of them to that value, and that the Commissioners accept of Mr. Camerons proposal signified to the President in his letter of the 9th of June, to have them bought of the Gentleman who trades in the nation who has offer'd to deliver them at Toquch at an advance which Mr. Cameron thought reasonable and that they dispose of the damaged goods to the best advantage.

115. The preceding paragraph with only minor differences is also found as a separate manuscript in the Public Record Office, C.O.5/1332, ff.56-57. It is endorsed: "Virginia. Extract from the Minutes of Council Decr.16.1768. In Lord Botetourt's (No 6) of 20 Decr.1768. Read March 7:1769."

At a Council held Decemr. 19th 1768

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

His Excellency acquainted the Council that in Consequence of the resolutions of last Council, he had got instructions prepared for the Commissioners; and the same were read and approved of.

The Commissioners having signified that they had an immediate occasion for money to discharge some accounts incurr'd in the late service, and to defray their expences on the present expedition, it was the advice of the Council, that his Lordship would be pleas'd to give his Warrants on the Receiver General to pay Mr. Walker £300 on account of public services in Indian affairs, and £200, to Mr. Lewis on do. and the further sum of £200 towards defraying their expences in their journey to and from South Carolina.

The Governor was pleas'd to communicate to the Board a letter from Col. Byrd dated Decemr. 15th in behalf of the Virginia officers who served under him in the last War, recommending their claims to lands lately purchased of the six nations, agreeably to their respective rank, in consequence of his Majesty's Proclamation, upon reading which letter, it was the opinion of the Council that their claims were well founded, but advis'd that the consideration thereof should be postponed till the ensuing treaty with the Cherokees was concluded, and a true boundary fix'd and ascertained.

At a Council held Jany. 13th 1769

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esqrs.

A Petition of Patrick McKinly, master of the Ship Rae Gally of Glasgow from St. Ubes¹¹⁶ in Portugal bound to New York with

¹¹⁶. Setúbal.

5000 bushels of salt, or thereabouts, on board, and forced into this Colony in great distress, having been consider'd, after a survey taken, and report made, it was the advice of the Council, and accordingly order'd, that the officers of the Customs permit the said master to sell so much of his Salt as will enable him to proceed on his intended Voyage.

Order'd

That a new Commission of the Peace issue for Isle of Wight County that Thomas Day, and Timothy Tynes Gent. be added, and that James Easson, who is dead, and William Davis, who intends never to serve, be left out.

His Excellency was pleas'd to acquaint the Board, that he had been lately visited by some Catawba Indians, their Company consisting of nine men, and two Women, that, they appearing in a miserable and ragged condition, he had given orders for their being furnished, with a few necessary cloaths, and granted them a Pass, that they might return to their nation unmolested, and free from ferriages, and that they had taken their leave of him, apparently well pleased with the reception they met with; of which the Council express'd their approbation.

At a Council held Febry. 3rd 1769

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

William Byrd

Robert Carter

Robert Burwell Esqrs.

His Excellency communicated a letter from Mr. Stuart Superintendant dated Charles Town Jany. 19th 1769, signifying he had conferr'd with Col. Lewis and Doctor Walker on his Lordship's proposal of agreeing upon a fresh plan for a new Boundary line behind Virginia. that having in obedience to his Majesty's commands ratified and confirmed a Boundary line by a treaty in october last signed by all the Chiefs of the Cherokee Nation, a Copy of which he inclosed, and being precluded from entering into

any new negotiation for lands with the said Indians, without orders for that purpose, he had nothing more in his power at present than to assure his Lordship, that he shall with chearfulness resume a negotiation for a new line, when his Majesty shall please to signify his pleasure thereup[on] and in the meantime take the proper steps to facilitate that business with the Indians, in which he is not without hopes of success; and shall by the first opportunity submit the matter to the Earl of Hillsborough, and think himself happy, if he can be instrumental in getting such a line, as may satisfy both parties.

Also a Report made by the Commissioners of their proceedings to the following effect, that—happily at Fort Johnson they were joined by two Cherokee Chiefs and an Interpreter, who, being informed they were going to Mr. Stuart on affairs relative to the interest of their nation, readily agreed to accompany them. that on the 11th Jany. they, the Commissioners waited on Mr. Stuart with his Lordship's letter, and acquainted him circumstantialy with their business, who consented they might propose it to the Indians—that accordingly on the 13th day they represented the whole matter in the fullest manner to the said Warriors, and deliver'd their Speech in writing, to be by them communicated to their nation—after which the said Indians agreed to attend on Mr. Stuart with them, and in his presence Juds Friend, one of the Chiefs, express'd himself, in substance, as follows, that they were highly pleas'd with the good talk they had received, and should not fail to communicate it, on their return home, to the Chiefs, as soon as they could be assembled, that, understanding the people of Virginia would, contrary to their intentions, be greatly injured by runing the line lately settled as a Boundary between them, they were heartily willing to join in such negotiations as may be judged most expedient for fixing a new Boundary, they testified a real concern for the late unhappy differences which had subsisted between the people of Virginia and their Nation—profess'd a perfect reconciliation on their parts, with assurances of their present amicable disposition, and a firm resolution to live in peace and concord together for the time to come.

His Lordship also informed the Council that he had directed the Commissioners to acquaint Mr. Israel Christian that there would

be no meeting of the Cherokees at Chiswell's mines in May next, and that he need not give himself any further concern about that matter, it having been thought more convenient that they should employ whom they judged fit to supply provisions on any future similar occasion; and likewise directed them to sell, as before ordered, the goods intended for the Cherokees as a Compensation for their murder'd friends, (Mr. Stuart having declared to the Commissioners, that no presents ought to be given on the said account, they having since taken their own satisfaction) and to reserve the goods which were designed as presents for Chiefs who should attend at the said Congress; all which the Commissioners had undertaken to perform; and of this the Council signified their entire approbation.

The Governor also acquainted the Council, that he had given a Commission to Mr. John Earnshaw, appointing him Collector of the Duties on Skins and furs; which appointment their Honors approved of.

His Excellency informed the Council that application had been made to him for the remission of a fine of ten Pounds imposed by the General Court some time ago on William Johnson for an assault and Battery of which he was found guilty and desired their advice thereon.

The Council having taken the same under consideration, and recollected the circumstances of the case, advis'd his Lordship to remit the said fine.

The Governor was pleas'd to desire the opinion of the Council in regard to the expediency of issuing a Proclamation prohibiting all persons from making any settlement on the lands ceded to the Crown of great Britain by the Six Nations at the Treaty of Fort Stanwix; upon which it was the advice of the Council that no act should be done in consequence of the said treaty, until the whole line shall be compleatly settled, and agreed to by his Majesty.

At a Council held April 25th 1769

Present

His Excellency

John Blair	John Tayloe
William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
Richard Corbin	Geo. Wm. Fairfax
William Byrd	John Page Esqrs.

His Excellency the Governor acquainted the Board that Mr. Thomas Lewis Surveyor of the County of Augusta had applied to him, and laid before him the many difficulties he hath lately met with in the execution of his office, from the importunity of the people, to be permitted to make Entries for large quantities of land on the branches of those Rivers which lead into the Mississippi; which is a demand quite repugnant to the late orders of Government, publish'd in consequence of his Majesty's instructions forbidding the Settlement of those lands; and his Excellency was pleas'd to ask the opinion of the Board upon this Subject.

On consideration whereof, it is the advice and opinion of the Council, that, as the Boundary between this Colony and the Cherokee Indians remains still unsettled, and as his Excellency expects to receive very shortly his Majesty's further instructions relative to those lands, Mr. Lewis should be enjoined not to receive any Entries for land, or to make any Surveys within his County, until his Majestys Pleasure shall be kn[own]

His Excellency was also pleas'd to acquaint the Board, that Mr. Lewis had desired that some consideration might be taken of the Case of those unhappy people, who formerly had grants of lands in those parts, and had been driven from their possessions by the French and Indians, and to know whether, in the resettlement of those lands, some preference was not due to such as had hazarded their lives, lost their labour, and exhausted their little substance in those uncertain adventures: Upon which his Excellency was also pleas'd to ask the advice of the Council, who are unanimously of opinion, that nothing can be done at present for the Relief of those People, that it is necessary to wait for his Majesty's deter-

mination as to the Boundary, and his instructions as to the disposition of those lands; and that as soon as these can be obtained, his Majesty's subjects may be assured, that justice and Equity shall be the leading principles of this Government in liquidating and settling the Claims of all former Grantees. With respect to all Entries, or pretended Entries with the Surveyor of Augusta County, his Excellency was pleas'd with the advice of the Council to declare them all to be void, and to forbid any such to be received till further Orders

It having been represented to the Board that some of the justices of Spotsylvania being in doubt whether they have a right to qualify under their old Commission, were desirous of another Commission, it was order'd that a new Commiss[ion] of the Peace issue accordingly for the said County.

At a Council held April 28th 1769

Present

His Excellency

John Blair	John Tayloe
William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
Richard Corbin	Geo. Wm. Fairfax
William Byrd	John Page Esqrs.

The Account of Contingent Charges from the 25th of Octr. 1768 to the 25th Apl. 1769, and for work done at the Governor's House, being laid before the Board was allowed.

Order'd

That a new Commission of the Peace issue for Gloucester County that Robert Throckmorton, Warner Lewis, and Peter Beverly Whiting, who have not acted since the last Commission dated Apl. 1765, and the honble. John Page Esqrs. who is appointed one of his Majesty's Council, and John Thruston, who is dead, be left out: That Mann Page Junr. William Hayes, Warner Lewis Junr. John Cook Junr., Francis Willis Junr., and George Booth Junr. who are recommended, be added, and that the said Mann Page be placed next to William Armistead, and the last of the Quorum.

At a Council held May 3rd 1769

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Phil: Lud. Lee

John Tayloe

Robert Carter

Robert Burwell

Geo: Wm. Fairfax

John Page Esqrs.

The Board having considered a Recommendation from Chesterfield Court of Gentlemen fit to be added to the Commission of the Peace of that County, and the Clerk having certified the names of such Justices who have not qualified under the last, it is order'd that a new Commission issue, that Christopher Branch, Branch Tanner, Benjamin Branch, and Bernard Markham, who are recommended, be added; and that Edward Osborne, Claiborne Anderson, John Markham, William Walthall, Edward Friend, and Francis Osborne, who have not qualified be left out.

At a Council held May 10th 1769

Present

His Excellency

and as before

The Governor was pleas'd to acquaint the Board that the adjutancy of the Middle District becoming vacant by the death of Major Finnie, Captain Bullett, and Captain Price, officers in the late Virginia Regiment, had applied to him for the place, and that Lt. Colonel Peachey had signified his desire to be Adjutant thereof, instead of the Frontier District, which he at present holds, and desired the advice of the Council therein, upon which the Council advis'd, that Mr. Peachey be appointed Adjutant of the middle district, and that Mr. Bullett have the Adjutancy of the Frontier, they being of opinion that he, as senior officer, was entitled to the preference.

Order'd

That a new Commission of the Peace issue for Frederick, that William Miller, John Greenfield, John Neavile, Danl. Sturges Thomas Wadlington, the Revd. Mr. Sebastian, and John McDonald be left out, and that the following Gentlemen be added. Ralph Wormeley Senr., Charles Dick, Saml. Washington, the Revd. Mr. Thruston (to be placed according to the date of the Commission by which they were first appointed Justices) Warner Washington and William Miller Junr.

Order'd

That John Bott Gent. be added to the Commission of the Peace for Chesterfield.

At a Council held May 11th 1769

Present

His Excellency

John Blair	Robert Carter
William Nelson	Robert Burwell
Richard Corbin	Geo. Wm. Fairfax
John Tayloe	John Page Esqrs.

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. Per Hhd. &c. were signed by the Governor.

For half a years Salary to the Governor	£1000.0.0
For Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and terminer	100.0.0
For half a years Salary to the auditor	50.0.0
For do. to Sollicitor of Virginia affairs	100.0.0
For do. to Attorney General	35.0.0
For do. to Clerk of the Council	75.0.0
For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one Genl. Court	8.0.0
For Repairs to the Governor's House	324.4.11
For Contingent Charges	1053.18.11
On the Revenue of Quit Rents	
For half a years Salary to Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. Per Hhd. &c. arising within the Colony of Virginia from the 25th of October 1768 to the 25th of April following, being examin'd by the Deputy Auditor, and made oath to by the Receiver General, was certified by the Governor.

It having been represented to the Board by Benjamin Grymes Esqr. one of the Justices of Spotsylvania, in behalf of many people of that County that the situation of their Court House is extremely inconvenient and grievous to a majority of the Inhabitants, and praying that a day may be appointed for having the same consider'd in Council, it is ordered that the consideration thereof be postponed to the Thursday immediately following the next Court of Oyer and terminer, and that the Parties concern'd have due notice to attend.

At a Council held May 17th 1769

Present

His Excellency

John Blair

William Nelson

Robert Carter Esqrs.

An Order of His Majesty in Council dated July 20th 1764, confirming, finally enacting and ratifying An Act of Assembly intituld "an Act to confirm and establish an agreement made between James Scott the Elder Clerk and James Scott the younger his Son," was this day produced and read, and order'd to be register'd in the Secretary's office.

A Petition of the Inhabitants of Albemarle praying that Fairs may be establish'd in the Town of Charlottesville in the said County, being this day presented and read, it was order'd that the Attorney General prepare a proper instrument for that purpose for his Excellency to sign.

At a Council held May 20th 1769

Present

His Excellency

John Blair	Robert Carter
William Nelson	Robert Burwell
Richard Corbin	Geo. Wm. Fairfax
William Byrd	John Page Esqrs.

His Excellency was pleas'd to communicate to the Council, and to desire their opinion and advice on letters and papers he this morning received from the Commissioners of the Customs at Boston, informing of frauds carried on by the Scotch merchants in Shipping Tobacco, and inclosing a Plan for putting a Stop to them for the future. Upon which it was the opinion of the Council that it clearly appear'd the frauds complained of had been frequently committed, but that the Plan proposed for preventing such practices would prove ineffectual, that it was an Object of great importance, and required mature deliberation—that at present they could recommend no measures, or prescribe any remedy adequate to the Evil. But that they would severally take the matter under their consideration, and report their opinion thereon to his Lordship at the Oyer Court in June.

A true Copy

N: Walthoe Cl. Con.

At a Council held June 14th 1769¹¹⁷

Present

His Excellency

John Blair	John Tayloe
William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
William Byrd	John Page Esquires

117. The text of the following journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1440, ff.5-17,32. For some unknown reason the Council proceedings for December 21, 1769 (folio 32) are not bound in the proper chronological order. There is a separate title-page which reads: "No. 1. Virginia. Journal of the Council from the 14th of June 1769 to the 21st of December following inclusive. Recd. from the Secr'y of State's Office March 20, 1770."

An Order of his Majesty in Council dated the 13th of March 1769, confirming, finally enacting and ratifying An Act of Assembly intituled "An Act to dock the Intail of eight hundred Acres of land in the County of Amelia whereof Anne Hall Wife of John Hall is seised in Fee tail and for vesting the same in Trustees in Fee-Simple and for other purposes therein mentioned," was this day produced and read, and order'd to be register'd in the Secretary's Office.

On the Petition of Talbot Thompson a free Negro, setting forth that for many years last past he has lived with Jenny a Negro Woman Slave, formerly belonging to Col: Robert Tucker of Norfolk deceas'd, as Man and Wife, that he purchas'd his said Wife at the sale of the said Tucker's Estate, and is desirous of releasing her from Slavery in consideration of her affectionate and faithful behaviour to him; and a Certificate annexed of Robert Tucker the Son confirming the truth of the said Allegations, and her fidelity, extraordinary Services, and constant Obedience; the Board being satisfied therein, were of opinion, that She was deserving of her freedom, and it was accordingly order'd, that the said Thompson be permitted to manumit and set her free.

The following Caveats for Land were this day heard and determin'd

Samuel Whitworth having enter'd a Caveat against James Murray for six thousand Acres in Bedford on Staunton River and whipping Creek, upon hearing Council on both Sides, it is order'd that the said Caveat be dismiss.

Daniel Wynn having enter'd a Caveat against Samuel Wynn for nine hundred and thirty Acres on both Sides of Hound Creek in Lunenburg, the Plaintiff appearing, and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for said Land.

William Macutchin having entered a Caveat against Francis Beaty and Andrew Duncan for two hundred and thirty three Acres on Piny Run in Augusta, the Plaintiff appearing, and the Sheriff having made a return upon a second Summons, that the Defendant lives in North Carolina, it is order'd that the Plaintiff have a Patent for the said Land.

Henry Beckham having enter'd a Caveat against Josephus Philips and Nicholas Porter junr. for four hundred Acres on Long Branch, a branch of Black Water in Orange survey'd for Philips and assign'd to Porter for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Charles Smith having enter'd a Caveat against Anthony Street and William Hawkins junr. for five thousand Acres recover'd by them in April 1765 of Joseph Walton, the Plaintiff appearing, and the Defendants having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

John Buchanan and William Thompson having enter'd a Caveat against John Harger for two hundred and twenty five Acres in Augusta, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

William Watterson having enter'd a Caveat against James Allen junr. for one hundred and eighty four Acres in Augusta joining his other lands survey'd the first of November 1760, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Benjamin Boxley having enter'd a Caveat against Thomas Comer for four hundred Acres in Halifax on Middle Creek, joining the lands of William Waters, and enter'd for by John Wade, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Stephen Senter having enter'd a Caveat against William Pike for one hundred and sixty two Acres on Gills Creek in Bedford, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

David Frame having enter'd a Caveat against William Warwick for five hundred Acres on a branch of Jackson's river in Augusta, the Plaintiff appearing, and the Defendant having been summon'd and not appearing it is order'd that the Plaintiff have a Patent for the said Land.

Clement Read having entered a Caveat against James Tayloe and Thomas Read for two hundred Acres or thereabouts on the branches

of Ward's fork in Charlotte, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Henry Rollins having enter'd a Caveat against John Clack for four hundred Acres in Brunswick on the head of the great Reeds, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

John Jackson having enter'd a Caveat against Michael Havre and George Mountain for Ninety Acres in Augusta survey'd for James Thomas, the Plaintiff appearing, and the Defendants having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Thomas Trueman Murphy having enter'd a Caveat against Sacheveral Whitebread for four hundred Acres in Buckingham lying on the branches of Willis's Creek call'd Buck and Doe, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

At a Council held June 15th 1769

Present

His Excellency

and as Yesterday

William McBride having enter'd a Caveat against John Noble for two hundred Acres or thereabouts in Augusta in the forks of James River, for Reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Robert Bird having enter'd a Caveat against Philip Preston for three hundred Acres on Falling Creek and its branches in Bedford, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Robert Bird having enter'd a Caveat against Mesheck Hale for two hundred and ninety five Acres on Falling Creek in Bedford, the Plaintiff appearing and the Defendant having being summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Thomas Tunstall having enter'd a Caveat against Robert Robinson Hunt for three hundred and eighty four Acres on Ellis's Creek in Halifax, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

James McCarty having enter'd a Caveat against John Buchanan and Margaret his Wife, and William Thompson and Mary his Wife for four hundred Acres in Augusta on Short Hill in the forks of James River, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Samuel Williams having enter'd a Caveat against Hugh Williams and Reuben Matthews Son and Heir of Matthew Matthews for three hundred and ninety six Acres in Brunswick on the lower side of Cedar Creek joining the land of Augustine Hightower, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Moses Fairley having enter'd a Caveat against Peter Fontain for four hundred Acres in Halifax on Blue Wing, the Plaintiff appearing and the Defendant having been summon'd and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

Roger Scott having enter'd a Caveat against Peter Fontaine for one thousand two hundred and thirteen Acres in Halifax on Hico and Blue Wing, the Plaintiff appearing and the Defendant having been summon'd and not appearing it order'd that the Plaintiff have a Patent for the said Land.

John Buchanan having enter'd a Caveat against John and Alexander Smiley for one hundred and fifty Acres on the North branch of James River in Augusta, the Plaintiff appearing and the Defendant having been summoned and not appearing, it is order'd that the Plaintiff have a Patent for the said Land.

John Crawford having enter'd a Caveat against John Byrd junr. for one hundred and ninety-eight Acres upon Buckhorn in Southampton Upon hearing Council on both Sides, it is order'd that the Plaintiff have a Patent for the said Land.

Alexander White having enter'd a Caveat against James Wood, Heir at law and Mary Wood, Widow and Devisee of James Wood, deceas'd for two hundred and twenty Acres on the North Side of the North fork of Shenando in Augusta, for reasons appearing to

the Board, it is order'd that the Plaintiff have a Patent for the said Land.

Abner Witt having enter'd a Caveat against John Biby for three hundred and twenty three Acres in Albemarle on Horseley's Creek, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

George Barrett having enter'd a Caveat against Knotley Gordon for four hundred Acres in Buckingham formerly Albemarle on both sides the Bear Branch of the Bent Creek, for reasons appearing to the Board, it is order'd that the Plaintiff have a Patent for the said Land.

William Cutchin having enter'd a Caveat against Samuel Cutchin for four hundred Acres in Augusta on James River joining Andrew Haye's line and on Patterson's Creek: Also for another tract of four hundred Acres in Augusta on James River and Patterson's Creek and joining Andrew Hay's line, for reasons appearing to the Board, it is order'd, that the Plaintiff have a Patent for the said two tracts of Land.

Ordered, That Notice be publish'd in the Gazette; that all Caveats, wherein a new Summons is, or shall be order'd to be taken out, and the Petitioner shall neglect doing it in due time, will be dismiss.

The Board having this day taken under Consideration the Potition for removing the Court House of Spotsylvania County, and heard the parties on both sides, were of Opinion that no good reason had been assign'd for such removal, and it was order'd that the said Court House continue where it is at present established:

And it was further order'd that a new Commission of the Peace issue for the said County, and that Benjamin Grymes and John Beverley Roy Gentlemen be left out.

William Nelson Esquire reported that he had maturely consider'd the Letters and Papers from the Commissioners of the Customs at Boston communicated to the Board the 20th of May last, and was of Opinion that no better method could be taken to prevent the frauds complain'd of, than to have the Law amended in such a manner, as to oblige the Inspectors, whenever they send Tobacco from the Warehouses to be put on board any Ship with

the Mark, number and Weight of each Hogshead, to send at the same time a duplicate of the Manifest to the Officer of the Customs at the Port where the Ship lies, and is to clear for Sea; and in this Opinion the Council unanimously concurr'd.

At a Council held July 11th 1769

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esquires

His Excellency was pleased to lay before the Board a List of a few Articles which he thought were wanting in and about the Capitol, in which Opinion the Council concurr'd; and it was refer'd to Robert Carter Esquire to treat with proper Persons for those Services.

His Lordship communicated to the Board two Letters from Mr. Benjamin Grymes dated the 22nd and 27th of June, complaining of an Order of Council made the 15th of the said Month, whereby he was left out of the Commission of the Peace for Spotsylvania, and desiring he may be granted a hearing thereon; with the Answers he had writ to them, which the Council approved of: And it was order'd that the Clerk write to Mr. Grymes, and acquaint him that the Board are well satisfied with their Resolutions of the 15th of last Month, and that it was their intention by them to restore peace and harmony to that County, and that whatever be their effect, they will have the Satisfaction of having done what they thought, and still continue to think, most conducive to that desirable end.

His Lordship was pleas'd also to communicate a Letter from Colo. Andrew Lewis dated Augusta July 4th requesting an Order on the Receiver General for one hundred Pounds in part of what may be allow'd him for his Last Year's Service in Indian Affairs; Upon which the Council advised his Lordship to issue his Warrant accordingly for that sum,

At a Council held August 8th 1769

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Robert Carter Esquires

His Excellency was pleas'd to communicate Contents of a Letter from the Earl of Hillsborough dated May 13th signifying his Majesty's directions to Mr. Stuart in respect to an alteration of the Boundary Line with the Cherokees.

Upon which the Council Advis'd his Excellency to have a New Assembly summon'd, and that the Writs for electing Burgesses bear Teste the 14th of this month, and be made returnable the 28th of September. The Council were of Opinion that the most convenient time for the Assembly to meet, would be immediately after October General Court, and advis'd his Lordship to issue a Proclamation¹¹⁸ the first Week in September, proroguing them to, and requiring their Attendance at the Capitol on, the seventh of November for dispatch of public Business.

His Excellency also communicated a Letter from Col. Adam Stephen informing of the late hostile behaviour of some Indians about Fort Pitt, and of several of the Settlers beyond the Allegany Mountains having thereupon left their habitations.

Upon which the Council express'd their surprize that the Indians should so soon discover an hostile disposition after the solemn Treaty lately confirm'd at Fort Stanwix with Sir William Johnson his Majesty's Superintendant for Indian Affairs in the Northern District: They cannot however help observing that Col. Stephen's information was merely from report, unsupported by any Affidavit, and they incline to think that the mischief done to the Cattle and Horses, if any, was committed by some of the young Indians, who, in their first Sallies out to War, are not always to be kept within bounds.

They therefore advise his Excellency to give strict charge, agreeably to the conduct his Majesty and his Ministers have directed

¹¹⁸. See p. 621 for the text of this proclamation.

should be observed towards those People; that no injury or violence be offer'd to the Indians; and if hereafter it should become a serious business, proper measures may be taken for the defence of the Inhabitants, who should be caution'd that if they wantonly draw on a quarrel with the Indians, they will not be supported by Government.

The Council likewise observe that though his Excellency's attention ought to be extended to the remotest parts of his Government, yet those people who have settled beyond the Allegany Mountains, not only without any legal Authority, but in opposition to all authority, depending entirely on the friendship and good humour of the Indians, have very little reason to expect protection, as they have already had notice by Proclamation they should have none.

An Order of his Majesty in Council dated the 13th of March 1769 confirming two Acts of Assembly, vizt. "An Act to dock the Intail of certain lands therein mention'd and to vest the same in Francis West in fee simple, and to settle other lands of greater value to the same Uses."

Also, "An Act to vest certain Lands whereof Thomas Moore is seis'd in fee tail in Trustees to be sold and the money laid out in the purchase of other lands and Slaves." was this day produced and read, and order'd to be register'd in the Secretary's Office.

At a Council held October 3d 1769

Present

His Excellency

John Blair

Thomas Nelson

Robert Carter Esquires

His Excellency was pleas'd to communicate a letter from Col. Adam Stephen dated September 27th signifying the Murder of two Indians; that the Indians highly resent the conduct of our people, and threaten immediate revenge; advising a Person of Weight being sent to assure the Indians that the behaviour of those men is repugnant to the sentiments of Government; and that orders issue for apprehending and bringing to justice, the Malefactors; and referring

for further particulars to Col. Wilson of Hampshire, the bearer of his letter.

Also a letter from Col. Felix Seymour of Hampshire dated September 22d signifying his apprehension that they are at the verge of a War with the Indians, enraged by a sett of fellows denominated Black Boys, residing he believes, chiefly in Pennsylvania and Maryland—and informing of the late murder of several Indians—that one John Ryan had left his family at Green Bryar, gone out, and kill'd two Indians that three Indians were also kill'd up that River some time ago and that the poor people are daily running in from that back Country.

Col. Wilson appearing before the Board confirm'd the substance of the two letters above mention'd, and affirm'd that three Indians had been lately murder'd within six miles of his house.

Col. Wilson was requir'd by the Board to reduce his information into writing, and make oath to it.

The Council advis'd, they being but three present, that the consideration of these letters, and information be pospon'd to the beginning of the ensuing General Court for a fuller Board: And that his Lordship would be pleas'd in his answer to Col. Stephen, and Col. Seymour, to signify his detestation and abhorrence of the late outrages committed against the Indians, and his desire, that they would make the same known to them, upon any occasion that may offer, and assure them that all possible and legal Measures shall be taken to bring the present Offenders to Justice, and to prevent any violences of the kind hereafter.

At a Council held October 17th 1769

Present

His Excellency

John Blair

William Nelson

Richard Corbin

William Byrd

John Tayloe

Robert Carter

Presley Thornton

Robert Burwell

George William Fairfax

John Page Esquires

The Board this day having maturely consider'd the information communicated the 3d of this instant, it was the advice of the

Council, and accordingly order'd that a Proclamation¹¹⁹ immediately issue, offering a reward of One hundred Pounds, for the apprehending and bringing to justice, each of the following persons, to wit, Henry Judey, and John Ryan, otherwise called Crow Ryan, charged with being principally concern'd in the late murders of Indians; and fifty pounds for every one who shall be convicted of having been aiding or assisting therein.

At a Council held October 21st 1769.

Present

His Excellency

John Blair	John Tayloe
William Nelson	Robert Carter
Richard Corbin	Presley Thornton
William Byrd	Robert Burwell
Philip Ludwell Lee	George William Fairfax

John Page Esquires

A Representation from the Justices of Frederick concerning a late Commission of the peace for that County, with a letter from the Clerk of that Court inclosing a Copy of their Proceedings upon it, was laid before the Board, and read; and the same having been duly consider'd, it was by advice of the Council order'd that a new Commission of the peace issue for the said County, and that John Neavill, and John McDonald be reinstated in their former place.

Order'd, That a new Commission of the peace issue for Mecklenburg, that Sir Peyton Skipwith, Tignal Jones, and Jacob Royster, who are recommended by the Court, be added, and that Sir Peyton be placed last of the Quorem; and that Richard Witton, Thomas Anderson, and Samuel Marshall junr., who refuse to qualify, and George Jefferson, who is remov'd to Pittsylvania, be left out.

On the Petition of Thomas Levesay, leave is granted him to take up one thousand Acres of land in Pittsylvania, beginning at a corner

119. See p. 621 for the text of this proclamation.

white Oak on Arthur Duff's line upon Black Water River, extending Eastwardly down the said Duff's line, and from thence Northerly for quantity.

At a Council held October 27th 1769

Present

His Excellency

John Blair	Philip Ludwell Lee
William Nelson	Robert Carter
Thomas Nelson	Presley Thornton
Richard Corbin	Robert Burwell
William Byrd	George William Fairfax

John Page Esquires

His Majesty's Confirmation of An Act of Assembly pass'd in December 1766, intituled An Act to vest certain intailed lands in Ralph Wormeley Esquire in fee simple and for settling other lands in lieu thereof, was produced and ordered to be recorded in the Secretary's Office.

A Complaint exhibited by William Linton against William Baily one of the Inspectors of Tobacco at Colchester Warehouse in Fairfax, for having inspected Tobacco in the absence of his Fellow, was this day heard, and the several Depositions taken in support of the said Complaint having been read, and the said Baily heard in his defence, and Witnesses on his behalf; and they being order'd to withdraw—It was the opinion of the Council that the said Baily had been guilty of a breach of duty and ought to pay the costs of the prosecution and be reprimanded for his misconduct; but, in consideration of the good character given of him by the witnesses, they advis'd that he should be continued in his Office.

The said Baily being call'd into the Council Chamber, his Excellency acquainted him with the opinion of the Board, and gave him a reprimand, with an admonition to be more circumspect in the discharge of his duty for the time to come.

At a Council held October 31st 1769

Present

His Excellency

John Blair	Philip Ludwell Lee
William Nelson	Robert Carter
Thomas Nelson	Presley Thornton
Richard Corbin	Robert Burwell
William Byrd	Geo. Wm. Fairfax Esquires

The Account of Contingent Charges from the 25th of April 1769, to the 25th of October 1769, and for Work done at the Governor's House being laid before the Board, was allow'd.

His Excellency communicated a letter from Col: Adam Stephen dated Winchester October 22d informing that one White, and a Convict Servant of Capt. Crawford, who had some time before kill'd an Indian nam'd Stephen had been apprehended, and committed to jail in Winchester, and been since rescued—that Abraham Fry at the head of about Seventy men, with three of his brothers Jacob, Joseph, and Benjamin Fry, and one Joseph Black were the most active in the said rescue.

Upon which the Council advis'd that the Attorney General be directed to take such measures as he should judge most proper for bringing the Offenders to justice.

Order'd, That a Proclamation¹²⁰ issue for apprehending Rawleigh Bryant late of the parish of St. Stephen in the County of Northumberland, it appearing by an inquisition taken upon a view of the body of William Wilkins late of the said County deceas'd, that the death of the said Wilkins was occasion'd by the severe correction and cruel treatment received from the said Bryant, who since the death of the said Wilkins is fled, so that the process of law can't be serv'd upon him.

Lists of Sherifs appointed for 1769

Amherst	Francis Meriwether
Brunswick	Sylvanus Stokes
Caroline	James Taylor
Charlotte	Thomas Bedford

¹²⁰. See p. 622 for the text of this proclamation.

Culpeper	Daniel Brown
Dinwiddie	Robert Walker
Goochland	Thomas Fleming
Gloucester	Thomas Smith
Halifax	James Bates
Henrico	George Cox
James City	William Spratley
King William	Philip Whitehead Claiborne
Lunenburg	Thomas Tabb
Mecklenburg	Henry Delony
Northampton	John Harmanson
Orange	Reuben Daniel
Prince Edward	Peter Legrand
Prince George	William Starke
Prince William	James Nisbett
Stafford	John Brown
Southampton	James Jones
Surry	John Watkins
Sussex	Henry Gee
Warwick	Francis Leigh

At a Council held November 7th 1769

Present

His Excellency

John Blair	Philip Ludwell Lee
William Nelson	Robert Carter
Thomas Nelson	Presley Thornton
Richard Corbin	Robert Burwell
William Byrd	George William Fairfax

John Page Esquires

The following Warrants on the Receiver General to be paid out of his Majesty's Revenue of 2s. per Hhd. &c were sign'd by the Governor.

For half a Year's Salary to the Governor	£1000.0.0
For do. to the Council	600.0.0

To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a Year's Salary to the Auditor	50.0.0
For do. to Sollicitor of Virginia Affairs	100.0.0
For do. to Attorney General	35.0.0
For do. to Clerk of the Council	75.0.0
For do. to Adjutants	160.0.0
For do. to Armourer	6.0.0
For do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court and Assembly	10.0.0
For Repairs to the Governor's House	505.2.7
For Contingent Charges	391.11.1
On the Revenue of Quit Rents	
For half a Year's Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per hhd. &c arising within the Colony of Virginia from the 25th of April 1769, to the 25th of October 1769, being examined by the Deputy Auditor, and made oath to by the Receiver General, was certified by the Governor.

Order'd, That new Commissions of the Peace issue for the following Counties.

For Goochland, agreeably to the request of the Court, and that Thomas Bolling Gent be put in his proper place

For Fauquier, that the Gentlemen recommended be added, and that those who are removed, and those who have not qualified be left out.

For Dinwiddie, that John Banister Gentleman, who is recommended be added, and those who are removed, and those who have not qualified, be left out.

At a Council held November 9th 1769

Present

His Excellency

John Blair	Philip Ludwell Lee
William Nelson	Robert Carter
Thomas Nelson	Presley Thornton
Richard Corbin	Robert Burwell
William Byrd	George William Fairfax

John Page Esquires

Upon considering this day a Petition of William Nelson Esquire in behalf of himself and Partners, setting forth that having obtain'd leave of this Board the first of November 1763, to take up a considerable quantity of land lying in the Counties of Norfolk and Nansemond, known by the name of the Great Dismal, and being allow'd seven Years to return their Surveys, free of Rights to the Secretary's Office, they have prosecuted that great and useful work, with the utmost vigour and attention, in which they have already expended several thousand pounds, and have at present a large number of hands employ'd therein, but find it impossible to compleat the work within the time limited; and they conceiving it unjust that others should receive a benefit from their labour and expence by taking advantage of their lapse, and praying an indulgence of such longer time as to the Board shall be judged reasonable; his Excellency and the Council being fully satisfied that the execution of so arduous and expensive an undertaking, as that of draining and rendering fit for cultivation such a large body of land, hitherto esteemed of little value, or rather a nuisance to its neighbourhood, will be productive of general utility, it is order'd that the Petitioners be allow'd a further time of seven Years to perfect their work, and return their Surveys to the Office.

At a Council held November 27th 1769

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter

George William Fairfax Esquires

On the Petition of Matthew Ashby, a free Mulatto setting forth that he had two Children by his present Wife Ann Ashby, while she was a Slave to Samuel Spurr, that he bought her and the two Children of the said Spurr for one hundred and fifty pounds, that he has now two Children alive by her John and Mary, that she has been a faithful and diligent Wife ever since marriage, and praying that he may be permitted to set her and his Children free; the Board being satisfied therein, were of opinion, that the said

Ann, John and Mary were deserving of their freedom, and it was order'd that the said Matthew Ashby have leave to Manumit and set them free:

Order'd, That a new Commission of the Peace issue for Amherst County, that Rodorick Macculloch, David Crawford, and William Horsley Gentlemen be added, and that John Howard, being no Inhabitant, be left out.

It having been represented to the Board, that some Gentlemen named in the last Commission of the Peace for Sussex, were in doubt whether they could qualify and act under it, it was order'd that a new Commission issue for that County without any alteration.

At a Council held December 13th 1769

Present

His Excellency

John Blair	Philip Ludwell Lee
William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
Richard Corbin	George William Fairfax
William Byrd	John Page Esquires

The Account of his Majesty's Revenue of Quit Rents for the Year 1768, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the Governor.

The following Address of the Council was this day presented to his Excellency.

My Lord

As Your Excellency hath now resided above a twelve month among us, during all which time You have given an unwearied attention to the business of the Country, You are enabled to form a good judgment of the propriety and reasonableness of our present application. By a law of this Colony we are constituted Judges of the supreme or [Ge]neral Court, without any fees, perquisites, or other appointment for [our] Services, than what his Majesty, and his royal Predecessors have from time to time been pleased to direct should be paid to us. At first, in the infancy of the

Country, the allowance was very small but it has at different times upon application been enlarged to £1200 Sterling per annum, which is distributed in proportion to the attendance of the several Judges, and may be reckon'd £100 to each. But from the increase of Business, and the advanced price of every necessary of life, this sum hath been found not only an inadequate compensation for our Services, but really insufficient to defray the necessary expences of our travelling to and from the Seat of Government, from which many of us live very remote, and of our attendance there. We therefore entreat your Excellency would be pleas'd to recommend it to our gracious Sovereign to make us such further allowance for our trouble and expences as he in his great wisdom shall think reasonable; and humbly propose that the sum of £1200 sterling should be added. But as our former allowance hath been paid out of the impost of two shillings per Hogshead on Tobacco and fifteen pence per Ton on Shipping we fear that Fund will not admit of any addition to our Salaries; and indeed, so sensible are we of the necessity that a ballance should always remain in the hands of the Receiver General to defray unavoidable contingent expences, that we would rather wave our pretensions, than draw from thence more than can conveniently be spared. We cannot therefore point out any other Fund except his Majesty's Quitrents of two shillings Sterling per hundred Acres, which by the wise regulations of the Officers in that department, are become very considerable, and which by a late acquisition of an extensive territory from the Indians must soon be very greatly increased.

Which Address, his Excellency, was pleas'd to express his approbation of, as highly reasonable, and to assure the Council he would transmit it by the first opportunity, and do all in his power to promote its success.

His Excellency was pleas'd to communicate a letter from Charles Edmonstone Commanding Officer at Fort Pitt dated November 6th

Also a letter from Colo. George Wilson dated November 12th respecting the disposition of the Indians on the Subject of the late Murders of their people, and signify the expediency of making some presents to pacify them: Whereupon it was the opinion of

the Council, that every step should be taken to bring the Offenders to justice, but they disapproved of giving any presents.

Richard Corbin, and Robert Carter Esquires were appointed to examine into the State of the Council Office, and report their Opinion thereon next April Court.

At a Council held December 15th 1769

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Philip Ludwell Lee

Robert Carter

Robert Burwell

John Page Esquires

A Petition of George Washington Esquire in behalf of himself and the Officers and Soldiers who first embarked in the service of this Colony, was this day presented, praying that the Two Hundred Thousand Acres of land which was given to them by Governor Dinwiddie's Proclamation, bearing date the 19th day of February 1754, may be allotted to them, in one or more Surveys, on the Monongahela and its waters from the long narrows to or above a place commonly called and known by the name of Nicholas Knotts on the new River otherwise called the great Canhawa from the great Falls thereof to the mouth—And on Sandy Creek, otherwise great Tattaroy, from the mouth of the same to the mountains; provided the same shall be included within the boundary line of this Government, if otherwise, then on the lower side of the little Canhawa; and that they may be allow'd to hold and enjoy the same under the privileges and immunities granted by the said Proclamation, and that they may be indulged in the appointment of a particular Surveyor.

The Board having taken under consideration the said Petition; it was the Opinion of the Council that the Petitioners were justly entitled to the said Two Hundred Thousand Acres, and their advice that they have leave to take up the said quantity in one or

more Surveys, not exceeding twenty, on the great Canhawa and the other places particularized in their Petition so as not to interfere with prior Settlements or surveys actually and legally made, and that they hold the same under the privileges and immunities specified in the said Proclamation.

The Council also advised that Col. Washington should apply to the President and Masters of the College requesting them to nominate and appoint a Person properly qualified to survey the said land with all possible expedition, signifying to them that their compliance herein will be agreeable to this Board; and that he give public notice in the Gazette requiring every Officer and Soldier, or their Representatives to exhibit their respective claims properly attested to him before the tenth day of October, that the whole may be laid before the Board for their final determination.

They further advis'd him to notify that no Person who enter'd into the Service after the battle of the Meadows in 1754, is entitled to any part of the said 200,000 Acres. It was likewise their Advice that the Petitioners be allow'd five years time to survey their Grant.

Order'd, That the following Advertisement be inserted in the next Gazette.

It having been represented to the Board; that notwithstanding the increase of Inhabitants in this Colony, there is a great diminution of the fees due by law to his Excellency the Governor on Ordinary Licences, owing to some of the Ordinary keepers neglecting to renew their licences yearly, and others refusing to take out a licence, after having obtain'd [an] Order of Court for that purpose, and given bond in Court:

It is the opinion of this Board, and accordingly order'd, that for the future no County Court Clerk shall take such Bond, until the Governor's fee shall be first paid down, as the law requires: And if any Ordinary keeper shall presume to keep Ordinary without having first obtain'd his licence, or renew'd his former licence, and paid down the fee thereon, the King's Attorney in that County is hereby directed to prosecute the person, so offending, for retailing of liquors, not being properly qualified; and he is desir'd to be particularly attentive to prevent frauds of this kind.

His Majesty's confirmation of An Act of Assembly pass'd in 1759, intituled An Act to dock the Intail of certain lands whereof Tunstal Banks is seis'd and for settling other lands and certain Slaves therein mention'd of greater Value to the same uses was produced, and order'd to be recorded in the Secretary's Office.

Order'd, That a new Commission of the Peace issue for King and Queen, and that Nathaniel Carpenter and John Lyne Gentlemen be added and placed next to John Tayloe Corbin Esquire.

On the Petition of Agnes May and Stephen May leave is granted them to take up one thousand acres of land in Lunenburg joining the land of the said Stephen and Thomas Tabb

Order'd, That the Commission of the Peace for Botetourt County consist of all the Gentlemen residing therein who were Justices on the last Commission for Augusta.

At a Council held December 21st 1769

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Robert Carter

Robert Burwell

John Page Esquires

Order'd, That a new Commission of the Peace issue for Princess Anne, that William Nimmo Junr., Lemuel Cornick, Samuel Tenant, William Woodhouse senr. Charles Gasking, William Moseley, and Jacob Ellegood be added; and that Nathaniel Newton, and Nathaniel McClenahan, who are dead, and Anthony Moseley who refuses to qualify, and William Keeling, who hath been absent near two years, and is suppos'd to be dead, be left out.

Order'd, That a new Commission of the Peace issue for Pittsylvania, that Crispin Shelton, George Carter, John Owen, Richard Walding, Robert Payne, William Thomas, William Witcher, Archilus Hughes, and John Rowland, be added; and that Thomas Dillard senr. and John Smith who refuse to qualify, and John Vanbebber, who is removed, and John Hanby who is dead, be left out.

N: Walthoe. Cl. Con.

At a Council held February 20th 1770¹²¹

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter

Robert Burwell Esquires

His Excellency communicated to the Board an information he had received of the murder of Indian Stephen lately committed on the frontiers by one Ingham, otherwise called Ingman, who was now in the public goal in Williamsburg.

Also a letter from Col. Adam Stephen, acquainting him that the said Indian was killed on Irishman's Run, but by his manner of describing the place, he was in doubt, whether it was within the limits of Virginia, and consequently whether the said Ingham could be legally tried here, and desired the advice of the Council thereon.

The Council upon inspecting the Maps were inclined to think that Irishman's Run was within the Province of Pennsylvania; but for the greater certainty advised that the Attorney General should be desired to write to Mr. Keith the King's Attorney in Hampshire, and endeavour to learn from him, if any process of law has been ever served by an Officer of Virginia in the parts where the said Run lies, to what Government the people there pay taxes, and whether the Governor of Pennsylvania has granted lands there.

They further advised his Lordship, that if it should appear by Mr. Keith's answer that the said place is within this Government, that the Attorney General be directed to take the most proper, and speedy measures, for having the said Ingham brought to his trial; but if the place aforesaid should be in Pennsylvania, they advised his Excellency to write to the Governor of that Province, informing him of the circumstances of the Case, and that the

¹²¹. The text of the following journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1440, ff.18-31. For some unknown reason the Council proceedings for June 21, 1770 (folio 18) are not bound in proper chronological order. There is a separate title page which reads: "No. 2. Virginia. Minutes of Council from the 20th of Febr'y 1770 to the 21 of June following. Recd. Septr. 21. 1770."

Criminal be conveyed as soon as possible to Philadelphia, that he may be tried there according to law.

They also advised his Lordship to write to the Ministry, respecting the Boundary line between Virginia and Pensylvania, as it is presumed no person attended on behalf of the Crown, when the Commissioners for Pensylvania extended their line.

At a Council held at the Palace March 2d 1770

Present

His Excellency

John Blair
William Nelson

Thomas Nelson
Robert Carter Esquires

His Excellency communicated to the Board a letter from Colo. Andrew Lewis.

Also one from Mr. Bowyer, which having been read, and duly considered, the Council advised that Botetourt Court House should be fixed on the South Side of Millar's Mill; that a Commission of the Peace issue agreeably to a Recommendation, which was laid before them; and that Col. Andrew Lewis be appointed County Lieutenant of Botetourt County.

At a Council held April 20th 1770

Present

His Excellency

John Blair
William Nelson
Thomas Nelson
Richard Corbin
William Byrd

Philip Ludwell Lee
John Tayloe
Robert Carter
Robert Burwell
George William Fairfax

John Page Esquires

His Excellency informing the Board that he had reason to expect an Application would be made to him by David Ferguson, late Commander of the Snow Betty, who is now in the public gaol upon a charge of Murther committed on the High Sea, in order to his being admitted to bail, and desiring their advice on that Subject;

the Council, after mature deliberation thereupon, were of opinion, that inasmuch as there is not any Commission at this time for trial of such offences in this Colony, the said David Ferguson is intitled to bail; and they accordingly advised, that upon his application for that purpose, he should be discharged from his confinement, giving bail to appear, and take his trial for the offence aforesaid on the eighth day of October next, before such Commissioners as may be then authorized thereto.

At a Council held April 25th 1770

Present

His Excellency

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd

George William Fairfax

John Page Esquires

The Account of Contingent Charges from the 25th of October 1769, to the 25th of April 1770, and for work done at the Governor's house, being laid before the Board was allowed; except the two last articles thereof, amounting to the Sum of £22.13.4 being demanded by the Clerks of Amelia and Sussex Courts respectively, for making up and transmitting to the Auditor's Office, memorials of such Deeds recorded in their Offices, as were not to be found in the Secretary's Office; which Articles are postponed for the future consideration of the Board.

At a Council held May the 4th 1770

Present

His Excellency

John Blair

Philip Ludwell Lee

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

Richard Corbin

George William Fairfax

William Byrd

John Page Esquires

The following Warrants on the Receiver General to be paid out of his Majestys Revenue of 2s. per Hhd. &c were signed by the Governor.

For half a year's Salary to the Governor	£1000.0.0
For ditto to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
For ditto to Sollicitor of Virginia Affairs	100.0.0
For ditto to Attorney General, including £200 additional Salary from last April	235.0.0
For ditto to Clerk of the Council	75.0.0
For ditto to the Adjutants	160.0.0
For ditto to the Armourer	6.0.0
For ditto to Gunners of the Batteries	12.10.0
To Ministers attending one General Court and Assembly	20.0.0
For Repairs at the Governor's House	312.17.9
For Contingent Charges	539.16.7
On the Revenue of Quit-Rents	
For half a year's Salary to the Attorney General	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd. &c arising within the Colony of Virginia from the 25th of October 1769 to the 25th of April 1770, being examined by the Deputy-Auditor, and made oath to by the Receiver General was certified by the Governor.

A Complaint of sundry Magistrates in the Commission of the Peace for the County of King William against Roger Gregory, charging him as an unworthy Member of that Court, and praying that he may be turned out of the said Commission, being this day read, and considered, it appeared to the Board to be a Charge too general to be proceeded upon.

Whereupon Carter Braxton, one of the said Complainants, being called in, and informed, that no notice would be taken of the Complaint, unless some certain fact should be particularized, he withdrew the same for that purpose.

At a Council held May 7th 1770

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

Robert Carter

Robert Burwell

George William Fairfax

John Page Esquires

His Majesty's Letter and Sign Manual dated February 14th 1770 appointing James Horrocks, Clerk, one of his Majesty's Council of State for this Colony having been read, he accordingly, upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

Ordered, That a new Commission of the Peace issue for the County of Surry, that William Simmons, who has not acted as a Justice for several years, and Etheldred Gray, and William Hart, who for two years past have acted as sub-Sherifs of the said County, be left out; and that William Allen, Nathaniel Harrison, Allen Cocke, and Charles Harrison be added.

Ditto for the County of Southampton, that Howell Edmunds, John Person, Samuel Blow, Benjamin Jarrett, and William Person being dead; also Benjamin Simmons, William Taylor, John Wilkinson, David Edmunds, Benjamin Clements junr., who have refused to qualify; also Henry Taylor, who being Sheriff in 1765, has not qualified since that time; also Charles Cosby, who has not qualified since November 1767, when he was sworn Sheriff of the said County; and Samuel Brown, who has removed out of the said County, be left out; and that Nathaniel Ridley, William Blunt, Charles Taylor, Thomas Edmunds, and William Thomas be added.

Ditto for the County of Richmond, that John Woodbridge, Travers Tarpley, and Robert Downman, who are dead; and John Gordon, William Foard, William Fauntleroy, and Robert Tomlin, who have refused to qualify; also John Plummer who is a practising Attorney in the said Court; and Thomas Beale, who has qualified, but refuses to act, be left out; and that Francis Lightfoot Lee, William Miskill, Charles McCarty, Richard Barnes, William Colt-

son, John Sydnor, John Suggett, Christopher Lawson, and George Fauntleroy be added.

Ditto for the County of King George, that Joseph Murdock, John Knox, Decker Thompson, and John Triplett, who are dead; George Washington, Thomas Skinker, and William Cunningham, who do not reside in the said County; and Austin Brockenbrough, who refused to qualify, be left out; and that John Skinker, John Carter, George Thornton, John Taliaferro, Burket Davenport, Lawrence Ashton, Hancock Lee, and William Allison be added.

The Sherif of York having represented that the ground whereon the present public Gallows stands is inclosed by the Proprietor, it is ordered that he immediately cause another to be erected as near as conveniently may be to Queen's Road, leading to Queen Mary's Port, commonly called the Capitol Landing.

At a Council held May 23d 1770

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Robert Burwell

John Page Esquires

Mr. Commissary

The Complaint made to this Board by sundry Justices of the Court of King William County against Mr. Roger Gregory, a Justice of the said Court, charging him with several misdemeanors, and praying that a day may be fixed for hearing the said Charges, being this day produced and read; it is ordered that the 14th of June next be appointed for hearing the same; that Humphrey Hill, Baylor Walker, George Webb, and Lewis Webb Gentlemen, or any two of them be appointed Commissioners to examine Witnesses, and take depositions between the Parties to the Complaint, and the said Gregory, he having reasonable notice of the time and place, also a Copy of the Complaint, and order of Council.

At a Council held May 30th 1770

Present

His Excellency

John Blair

Robert Burwell

William Nelson

John Page Esquires

Thomas Nelson

Mr. Commissary

Ordered, That a new Commission of the Peace issue for the County of Southampton, and that Henry Taylor and Charles Cosby Gentlemen, be reinstated in their former place.

Ordered, That a new Commission of the Peace issue for the County of Surry, and that Etheldred Gray, Gentleman, be added thereto, and placed in his former rank.

At a Council held June 1st 1770

Present

His Excellency

John Blair

Robert Burwell

William Nelson

John Page Esquires

Thomas Nelson

Mr. Commissary

A Petition of Richard Randolph, Gentleman, complaining against Mr. Samuel DuVal, a Justice of the Peace for the County of Richmond for a Misdemeanor in his office, and praying that the Board would make inquiry into the same, being this day produced and read; it is ordered that the 15th of this month be appointed for hearing the said Complaint, and that the said DuVal be summoned to attend the Council at the Capitol on that day.

At a Council held at the Palace June 4th 1770

Present

His Excellency

John Blair

William Byrd

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

Richard Corbin

John Page Esquires

Mr. Commissary

On reading a Petition of Mr. Roger Gregory of the County of King William relative to the Complaint lodged against him by Carter Braxton, Gentlemen, and others, setting forth, that Mr. Humphry Hill, and Mr. Baylor Walker, two of the Commissioners appointed to take depositions at King William Court House, touching the said Complaint, are nearly related to one of the Complainants; that the 9th of June, the time fixed for taking the depositions, and the 14th of June, for the hearing and determining of the said Charge, are so very short, that he can't by any means be furnished with proofs and testimonies, to acquit himself of the accusations brought against him, without further time; some of his material Witnesses living at a very great distance, in the County of Albemarle, and praying that Mr. Richard Tunstall, and Mr. Robert Ruffin, two Gentlemen indifferent to each Party may be appointed Commissioners in the room of the two above mentioned Gentlemen for taking depositions at King William Court House, that Commissioners be appointed to take depositions in Albemarle; and that a further day be allowed him for the final determination of the charge.

Upon consideration whereof it is the advice of the Council, and accordingly ordered, that Richard Tunstall and Robert Ruffin Gentlemen be appointed Commissioners in the room of Mr. Humphry Hill, and Mr. Baylor Walker, for taking depositions in the County of King William, that each Party shall proceed to take such depositions, as shall be necessary on the 9th of June at King William Court house; that Thomas Jefferson, Thomas Walker, Henry Fry, and Nicholas Meriwether, Gentlemen, or any two of them, be appointed Commissioners in the County of Albemarle, for taking depositions there, each Party giving the other fifteen days notice of the time and place of taking the same; and that the 29th of June be appointed for hearing the said Complaint at the Capitol in Williamsburg.

At a Council held June 13th 1770

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Philip Ludwell Lee

John Tayloe

Robert Carter

Robert Burwell

John Page Esquires

Mr. Commissary

Ordered, That a new Commission of the Peace issue for the County of Fairfax, that the honble George William Fairfax Esquire who is appointed one of his Majesty's Council and Mr. Elsey, and all others who have refused to qualify, or are dead, be left out.

On reading a letter from Mr. Samuel Bush of the Borough of Norfolk, setting forth that several Persons intended to make Entries with the Surveyor of Princess Ann for the Cape Point and adjacent shores, which have always been a Common, and should so continue for the mutual Advantage of all the Inhabitants, and praying that the Board would not suffer any Patent to issue for the same; it is ordered that the Clerk of the Secretary's Office issue no Patent for the same; and that the Clerk of the Council write to the Surveyor of Princess Ann, to receive no Entries for the same.

The following Caveats for Land were heard and determined

Robert Cunningham having entered a Caveat against John Taylor Duke for four hundred Acres between Dockery Creek and Flat Creek adjoining Dennis Lark, and William Poole in Mecklenburg, the Plaintiff appearing, and the Sherif having made a return on the second Summons, that the Defendant is no Inhabitant, it is ordered that the Plt. have a Patent for the said Land.

Gabriel Jones having entered a Caveat against Andrew Lewis for a hundred Acres in Augusta at the foot of the warm Spring Mountain on the north side about two miles North East from the Spring, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Charles Patteson having entered a Caveat against John Webster for a hundred and twenty Acres in Buckingham on a branch of Elk Creek, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said Land.

Roger Scott having entered a Caveat against Jacob Colston for three hundred and forty seven Acres in Mecklenburg on the South Side of Roanoke recovered by petition of said Colston against the said Scott in 1765, on hearing Council, it is ordered that the Plaintiff have a Patent for the said Land.

John Handcock having entered a Caveat against Philip Walker and David Staples for three hundred acres on the South branches of Cunningham's Creek in Albemarle, it is ordered that the Plaintiff have a Patent for the said land.

Thomas Carr having entered a Caveat against Joseph Smith for ninety Acres or thereabouts on the South West side of the Rivanna in Albemarle, the Sherif having made a return on the second Summons that the Defendant is no Inhabitant, it is ordered that the Plaintiff have a Patent for the said Land.

Sampson and George Matthews having entered a Caveat against Patrick Riley for forty five Acres in Augusta in the north Mountain on the head branches of Teas Creek, it is ordered that the Plaintiff have a Patent for the said Land.

Drury Murphy having entered a Caveat against Michael Wicks for two hundred and sixty five Acres near Roanoke River and joining the land of James Blanton in Mecklenburg, the Plaintiff appearing, and the Sherif having made return on a second Summons that the Defendant is no Inhabitant, it is ordered that the Plaintiff have a Patent for the said land.

Joshua Mabry having entered a Caveat against Amos Tims and John Westbrooke for four hundred Acres on the branches of Great Creek in Mecklenburg, the Plaintiff appearing, and the Sherif having made return on a second summons, that the Defendant is no Inhabitant, it is ordered that the Plaintiff have a Patent for the said land.

John McCue having entered a Caveat against Alexander Patten and David Kincaid for seventy one Acres on a branch of Rockfish

near the Blew Mountains joining the lands of William Simson and Michael Craft in Amherst, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

Allen Cocke having entered a Caveat against Jacob Cornwell for four hundred and twenty seven Acres in Surry, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

Thomas Napier having entered a Caveat against Charles Hulsey for one hundred and fifty Acres in Albemarle on both sides of Racoon Creek, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

Francis McBride having entered a Caveat against William Shaw for one hundred and ninety Acres on a branch of Linwell's Creek called McCay's Draft in Augusta, it is ordered that the Plaintiff have a Patent for the said land.

John Cook having entered a Caveat against Benjamin Arnold for two hundred and forty Acres more or less in Cumberland, joining the lines of John Cook John Fry James Gray and Stephen Sanders, the Plaintiff appearing and the Defendant having been summoned, and not appearing, it is ordered that the Plaintiff have a Patent for the said land.

Edmund Waller having entered a Caveat against Samuel Willson for a hundred Acres in Augusta on the head Springs of Jackson's river, the Plaintiff appearing, and the Defendant having been summoned and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

The same having entered a Caveat against William McClelen for a hundred Acres in Augusta on a branch of the Bull pasture, it is ordered that the Plaintiff have a Patent for the said land, the Defendant having been summoned and not appearing.

The same having entered a Caveat against Wallace Aston for four hundred Acres more or less in Augusta on the upper fork of Jackson's river, it is ordered, for the same reason, that the Plaintiff have a Patent for the said land.

John Pigg having entered a Caveat against John Hughes Son and Heir of Stephen Hughes deceased, and George Walton for two

surveys of four hundred Acres each surveyed the fifteenth day of March 1750 in Pittsylvania now Lunenburg on Bear Skin Creek, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

Charles Gates having entered a Caveat against Peter Bondurant, Shelton Railey, Josiah Hatcher, and Thomas Hatcher, for four hundred Acres in Buckingham formerly Albemarle on the waters of Slate river bounded by John Bondurant, James Gates, and William Walton's lines, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

Francis Eppes having entered a Caveat against Wood Jones and Thomas Williams for four thousand three hundred and Eighty Acres in Charlotte and Bedford, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land

John Armour Fendley having entered a Caveat against James Fendley for four hundred Acres in Bedford on Goose Creek, the Plaintiff appearing and the Defendant having been summoned and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

The same having entered a Caveat against James Fendley and Patrick Evans for two hundred and fifteen Acres in Bedford on the North branch of Bever dam, it is ordered for the same reason that the Plaintiff have a Patent for the said land.

Andrew Shanklin having entered a Caveat against John Gordon for three hundred and eighteen Acres on a branch of Muddy Creek a branch of the North river of Shenandoah joining the lands of Thomas Gordon Thomas Shanklin, and Archibald Hopkins in Augusta, the Plaintiff appearing and the Defendant having been summoned and not appearing, it is ordered that the Plaintiff have a Patent for the said land.

Samuel Whitworth having entered a Caveat against William Easley for four hundred Acres in Mecklenburg recovered from Edward Colbreath, for reasons appearing to the Board, it is ordered that a Patent issue for the said land in the names of the said Colbreath's Children.

Thomas Patteson and James Phelps having entered a Caveat against Thomas Phelps for two hundred Acres on both sides of

the North fork of Wreck Island Creek in Buckingham, for reasons appearing to the Board it is ordered that the Plaintiffs have a Patent for the said land.

Rachel Morrison having entered a Caveat against James Brady for three hundred Acres on the branches of Rockfish river in Amherst, the Plaintiff appearing and the Defendant having been summoned and not appearing, it is ordered that the Plaintiff have a Patent for the said Land.

Thomas Patteson having entered a Caveat against Charles Patteson for one thousand Acres on Elk Creek in Buckingham, it is ordered that the Plaintiff have a Patent for the said land.

Richard Dudgen having entered a Caveat against John Phelps for one thousand nine hundred Acres on Terrible Creek in Halifax it is ordered that the Plaintiff have a Patent for four hundred Acres only conveyed to him by William Jones.

John McCure having entered a Caveat against Arthur McCure for seventy Acres in Augusta on Buffalo Creek joining Hugh Mayer's land, for reasons appearing to the Board, it is ordered that the Plaintiff have a Patent for the said land.

At a Council held June 15th 1770

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Philip Ludwell Lee

John Tayloe

Robert Carter

Robert Burwell

John Page Esquires

Mr. Commissary

Upon reading and considering a Petition of Col. Peachey in behalf of himself and others, praying that they may be admitted to a distribution of the two hundred thousand Acres of land granted by a Proclamation of Governor Dinwiddie in the year 1754, as an encouragement for persons to enter into the service of the Colony against the French in the said year, it is the Opinion of the Board

that the Petitioners are not intitled to any share of the said two hundred thousand Acres of land; but that the same is appropriated and limited to the first Adventurers only.

Upon hearing the Complaint of Richard Randolph Gentleman, against Mr. Samuel DuVal a Magistrate for the County of Henrico, it is ordered that the same be dismissed as trifling.

On the petition of Sir Marmaduke Beckwith, praying leave to set free a Negroe Slave, named Sarah, for her faithful and meritorious services, it is ordered that he be permitted to manumit and set free the said Slave.

Information having been made on oath, that one John Lafever, who was committed by the examining Court of Frederick, upon a suspicion of having robbed Joseph Mitchell on the highway, had made his escape out of Prison, it is ordered that a Proclamation¹²² issue for apprehending and securing the said Lefever, and that there be a reward offered of twenty five pounds current money to any person or persons who shall apprehend and secure him.

At a Council held June 18th 1770

Present

His Excellency

John Blair
William Nelson
Thomas Nelson
Richard Corbin
William Byrd

Philip Ludwell Lee
John Tayloe
Robert Carter
Robert Burwell
John Page Esquires

His Excellency was pleased to communicate to the Council, and desire their Advice, upon an Address from the House of Burgesses, requesting that he will immediately take such Steps as are necessary for entering upon a treaty with the Cherokees for the lands lying within a line to be run from the place where the North Carolina line terminates, in a due western direction till it intersects Holstein river, and from thence to the mouth of the Great Kanhawa, and

¹²². See p. 623 for the text of this proclamation.

that he will be pleased, when a Cession of those lands shall be obtained, to proceed to mark and establish that Boundary.

Whereupon the Council advised that his Lordship should proceed to take such steps as he judged necessary and conducive to the end proposed.

His Lordship also laid before the Board a Letter from Mr. Stuart Superintendant of Indian Affairs, dated Charles Town April 27th sitting forth the great uneasiness of the Cherokees on account of the delay in marking out the boundary line, and of his having in consequence thereof had a meeting with their principal chiefs to acquaint them with the reason of it and to quiet their minds.

Also his observations on the Memorial of the House of Burgesses of Virginia, which he had submitted to his Majesty's Ministers' with an extract of a letter from General Gage, shewing his opinion of Indian Affairs in general, and the effect of accepting such extensive cessions of land from the Indians. That Sir William Johnson in purchasing all the Cherokee lands from the Six nations, acted directly contrary to the sense of Government, fully expressed in the Report of the Board of Trade, and his Majesty's orders upon it; and thinking himself the proper Person to negotiate a purchase of lands from the Indians within his District; and submitting how far such a purchase can convey any right to the said Lands, or how far it may be proper for us to enter into a discussion of the justice of claims set up by different tribes to each of their hunting grounds; and assuring his Lordship that he will cheerfully assist the Dominion in obtaining from the Indians, such further Cession of these lands, as shall be deemed expedient by his Majesty's Ministers, after being honoured with their directions, tho' convinced of the impossibility of obtaining a Cession to the extent of their wishes. That he must not omit acquainting his Lordship, that Doctor Walker of Virginia had lately sent a letter with presents to the young Warrior of Estatoe, called Saluy, acquainting him that the line agreed on by treaty of the fourteenth of November 1768 was to be set aside, and a new one to be fixed; that he intended to go and reside at the foot of the great Mountain on Enemy's river, where he should have it in

his power to give them information of any parties of Enemies going that way against their Towns, and also near enough to assist them in other respects; which letter was interpreted to the Indians by Mr. Cameron his Deputy, and had greatly alarmed the Indians: That the place mentioned by Doctor Walker, was said not to be above thirty miles from Chote, and delivers it as his opinion that the Doctor was premature in his declaration, and would venture to assure him that whenever he made his habitation at the place above mentioned, he would find very uncomfortable lodgings: And that the Assurance given him by his Lordship that Adventurers from Virginia should be restrained by all means in his power from settling beyond the line agreed upon, until his Majesty's ultimate orders shall be received, he would communicate to the Indians, and was assured it would please them greatly And that he had the honour to acquaint his Lordship, that his Majesty had been graciously pleased by his Mandamus of the fifteenth of January last to appoint him a Councillor extraordinary of the Dominion of Virginia

Also Mr. Stuart's observations on the Memorial of the House of Burgesses of Virginia.

1. He humbly conceives the Objection there started to be of little weight that it will not be necessary to mark the line thro' the mountains, as people will not be fond of leaving the flat Country to settle amongst them—that the line may be marked to the mountains from Holstein's river, which will prevent the encroachments the Cherokees complain of—and it will be sufficient for the direction of the Government of the Dominion of Virginia to know the course of the line thro' the mountains to the mouth of the Great Kanhawa.

2. That it was not necessary for him to observe on the claim derived from the purchase of Sir William Johnson of the Cherokee lands from the Six Nations, but humbly conceives it to be his Majesty's intention by ordering the line from Holstein's river to the mouth of the Great Kanhawa to be run and marked to prevent the settlement of lands to the Westward of it; which, tho' a fine Country, is absolutely necessary for the Cherokees and Chickasaws hunting—that individuals would reap great advantages by the estab-

lishment of the line proposed by the House of Burgesses, but that the Cherokees and Chickasaws would be distressed, and all the Indian Nations alarmed by such a cession of territory; and humbly submits it as his opinion, that the commerce of the Mother Country would not be increased by the settlement of the Cherokee hunting grounds, for those Indians would lose their deer with their lands.

That the Tribes on Oubache,¹²³ and lying between the Ohio and Mississippi carry all their Skins to the Illinois, where his Majesty's Subjects have Warehouses for the peltry trade, with the Western tribes, which is at present in a more natural channel by the navigation of the Illinois river, the Ohio, the Oubache, the Mississippi and the lakes, than that of a land Carriage from the Ohio to the Ports of Virginia on the Atlantic.

3 He humbly confesses that he cannot see how the incursions of the Western or Northern tribes can be prevented by settling the lands on the lower parts of the Ohio and Cherokee rivers, their road to the interior parts of Virginia, and other settlements on the upper part of the Ohio cannot be thro' that Country. That it is already observed in this memorial that they frequently take their routs thro' another part of the Country.

That there is nothing more certain than that the Cherokees have and still do claim the lands between the Kanhawa and the Cherokee river, and that he is convinced they never will relinquish their claims to the extent of the wishes of the House of Burgesses of Virginia; and humbly conceives that it does not follow as a certain consequence that his Majesty's true interests are to suffer by the total loss of this Country, because adventurers from Virginia are not put immediately in possession of it. That he can with some degree of certainty affirm that none of his Majesty's Subjects were settled to the westward of the point, where the division line between Virginia and North Carolina intersects Holsteins river in 1763, when his Majesty's Proclamation was published; and that whatever Warrants have been obtained since that time are irregular, and expressly contrary to the said Proclamation; and that he would further venture to affirm that all the settlements to the westward

123. Probably the Wabash River.

of Samuel Stamacres,¹²⁴ which is fifty miles to the Westward of the said point, have been made since Sir William Johnson's purchase at Fort Stanwix; and, altho' during his late Majesty's reign, Patents may have been obtained, and lands located Westward of the line last ordered to be run, yet as no cession of the said Country had ever been obtained, he humbly submits how far such Patents can give a claim to the said lands.

Also the proceedings of a congress of the principal Chiefs and Warriors of the Cherokee nation held at the Congarees in the province of South Carolina on the tenth day of April 1770 by John Stuart Esquire [h]is Majesty's sole Agent for, and Superintendant of Indian Affairs in the Southern District of North America.

At a Council held June 20th 1770

Present

His Excellency

John Blair

William Nelson

Thomas Nelson

Richard Corbin

William Byrd

Philip Ludwell Lee

John Tayloe

Robert Carter

Robert Burwell

John Page Esquires

Mr. Commissary

Ordered, That Mr. Benjamin Powell be appointed to take care of, and clean the Capitol that he keep the Keys, and that nobody except the Clerks of the several Offices, be permitted to see the Capitol, but by application to him, and that he be allowed the sum of Twenty Pounds per annum for that purpose.

Ordered, That the hearing of the Complaint exhibited by Mr. Braxton and others against Mr. Roger Gregory be postponed to the ninth day of October next.

Ordered, That a new Commission of the Peace issue for the County of Henrico, that Mr. William Randolph be added thereto and put last of the Quorum, also that Peter Winston, Turner

124. Probably a misspelling of Stalnaker.

Southall, James Powell Cocke, and John Hailes Gentlemen, be added; that Philip Mayo, Philip Watson, and Benjamin DuVal, who are dead; and John Ellis Benjamin Johnson, and Thomas Watkins, who refuse to qualify; and John Randolph who is removed from the County be left out.

His Excellency was pleased to communicate a letter from Mr. William DeGrey his Majesty's Attorney General to the Right Honble the Earl of Hillsborough, one of his Majesty's principal Secretaries of State, dated April 5th 1770.

May it please your Lordship,

In humble obedience to his Majesty's Commands signified to me by your Lordship's letter of the 31st of March last, inclosing a Copy of a letter from Lord Botetourt his Majesty's Governor of Virginia, and also a Copy of a letter to his Lordship from the Attorney General of that Colony, on the subject of a Charge brought against the Master of a Vessel belonging to the said Colony, of his having killed on the high Seas in a cruel and undeserved manner, three of his Mariners; and that your Lordship did not find upon the fullest inquiry that any Commission grounded on the Statute of the 28th of Henry 8th Cap 15. was ever issued to the Governors of any of the Colonies, for the trial in the said Colonies of Persons charged with murder committed on the high Seas, but such offences were for many years supposed to be comprized within the descriptive words of the Statute of King William for the more effectual suppression of Piracy, and were accordingly tried and adjudged in the Colonies under the Authority of the Commission grounded on that Statute; but that his Majesty's law Servants, did some time ago give an Opinion, that the said Statute did not comprehend the crime of Murder committed on the high Seas; and therefore desiring me to report to your Lordship for his Majesty's information my opinion, what steps may be legally and properly taken for bringing the Master of the Vessel abovementioned to trial in due course of law, for the murder of the three said Mariners on the high Seas, in case he should be acquitted in the supreme Court of Virginia of the other crime of which he stands charged.

I am of Opinion that if the said Master should be acquitted of Murder for which he is to be tried in Virginia, he may be tried in England for the murder which he is suspected to have committed on the high Seas, by the Commissioners appointed by virtue of the Statute of the 28th of Henry 8th for trying offences committed on the high Seas, within this realm; and that his Majesty's Governor of Virginia may cause the said Master to be sent in Custody to England in order to be brought to such trial, in obedience to his Majesty's commands signified for that purpose: All which is humbly submitted to your Lordship's consideration.

At a Council held June 21st 1770

Present

His Excellency

And as Yesterday

Ordered, That a new Commission of the Peace issue for the County of Hanover, that Peter Fontaine, Benjamin Anderson, John Smith, John Lawrence, and John Robinson, be added; and that William Thomson, and John Webb, who have refused to qualify, and Anthony Winston, who has removed from the County, be left out of it.

A true Copy

N. Walthoe Cl. Con.

At a Council held at the Palace, August 6th 1770¹²⁵

Present

His Excellency

John Blair

Thomas Nelson

William Nelson

Robert Carter, Esquires

James Horrocks, Clerk

His Excellency communicated to the Board a Letter from John Stuart Esquire, Superintendant of Indian Affairs for the Southern District, dated the 12th July last; and the same being read, appeared to be in Substance as follows:

That he (Mr. Stuart) in Consequence of a Letter from his Excellency had the Day before sent an Express to Mr. Cameron, his Deputy, with Directions for convening the Cherokee Chiefs on the 5th Day of October next at Lochaber, to treat about the Cession of a certain Part of their Land on the Frontiers of this Government.

That he had purchased in Charles Town such Goods as he thought would be necessary, as Presents to the Indians, amounting to £16111.12.6, South Carolina Money, as by an Estimate inclosed; and that the other necessary Charges (exclusive of marking the Line) would be £4082.10 more, making together the Sum of £20194.2.6, Carolina Money, or £2884.17.6, Sterling; which exceeds his former Estimate by £384.17.6, Sterling; occasioned by a Change of Temper in the Cherokees, partly from the Sollicitations of the Southern and Northern Tribes to enter into Confederacies against our Encroachments, and partly from the Delay of this Colony to treat about the Boundary.

That it would be convenient to remit him in Part about £300, Sterling, in Gold, if to be had; as Bills could not procure Cash, without allowing a Discount of 5 to 3 per Cent.

125. The text of the following Journal, August 6-November 8, 1770, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1349, ff.28-37. There is the following endorsement: "Journals of the Govr. and Council of Virginia. In Mr. Presidt. Nelson's (No. 9) of 15th Decr. 1770. (2) dr." The title page reads: "Journals of the Governor and Council of Virginia, from the 21st June (to which time the last Copy extended) to the 8 Novr. 1770." Although the title page and Mr. Nelson's letter both give these dates, the first meeting actually recorded is that of August 6, 1770.

And lastly, that it would be necessary to postpone the marking the Line, till next April; at which Time, his Deputy and Interpreter, together with the Deputies from the Indians, would meet his Excellency's Surveyor and Commissioners, at any appointed Place.

His Excellency was then pleased to signify, that as the House of Burgesses were induced to limit their Grant of Money for that Service, not to exceed the Sum of £2500, Sterling, from an Estimate he had laid before them, made by Mr. Stuart, an Officer under the Crown, he would with the Approbation of the Board, draw on the Receiver General of his Majesty's Quitrents for the said Sum of £384.17.6, Sterling, to be charged to the Account of that Revenue.

Whereupon, the Board for the Reason above mentioned, and also because the Seating of those Lands by British Subjects would greatly improve the said Revenue, and inasmuch as the Revenue of 2s. per Hhd is not in a Condition to bear that Charge, approved of the Measure proposed.

They also advised his Excellency to remit to Mr. Stuart all the Money in Bills, and rather sustain a Loss of 5 per Cent' on £300 Sterling, than run the Risque of a total Loss of that Sum, by remitting it in Specie.

The Board was also of Opinion, that one Commissioner, to be appointed by his Excellency on the Part of this Government, to manage the intended Treaty with the Indians, would be sufficient; and that Col. John Donelson, of Pittsylvania County, is a proper Person for that Appointment, and also to be the Surveyor to run and mark such Line as may be established by the said Treaty.

At a Council held at the Palace, August 17th 1770

Present

His Excellency

and as before

His Excellency laid before the Board a Letter from the Indian Chief Oconostota, dated the 14th of June last; which being read, appeared to be in Substance, as follows.—

That the Young Warrior of Estado waited on his Excellen[cy] with that his Talk, which had been agreed to, in Council with the rest of the Warri[iors] of his Nation

That they thought themselves hardly dealt by, & much cramped in the Trade, which at present is only with Carolina; their Path to which Country the Creek[s] had threatened to stop up, which would deprive them of all Benefit of Trade, unless they could establish one with Virginia.

That Richard Pearis havin[g] been many Years known to them, both as a Trader & Warrior, & having often successfully led them against their Enemies, & done much Good for their Nation, the[y] loved him, and were desirous of settling him, his Son, & Jacob Hite his Friend, some of their Land, as a Reward for those his Services; and with a View also of further Trade with them, which they believed would be honestly carried on by th[em]

That they had already given Land to Mr. Cameron & a Son [of] his, being strongly solicited thereto both by Mr. Stuart and the said Cameron. Notwithsta[nd]ing which, Mr. Cameron & many others in Carolina were much disturbed at their Kindness to the said Pearis &c. alledging that they had no Right to sell their Land to any but the King. That they did not sell, but freely gave it, & hoped the King would giv[e] a Patent of Confirmation. And, that if it could not be done otherwise, they desired a Letter to his Majesty, which the Young Warrior would carry.

That altho Mr. Stuart, & the People of Carolina opposed it, they were very willing, & always had been, to sell Part of their Land on Holston's River, but that they suspected their Talks had not been fairly delivered.

That they were desirous of meeting the Virginia People at Samuel Stalnaker's on Holston's River, to hold their Talk at relati[ve] to the said Sale, rather than in Carolina; as they might there be better supplied with Provisions, & should be on the Spot where the Business was to be done. That besid[es] it seemed strange that they should go to Carolina, to do Business with the white Peopl[e] of Virginia; and that for these Reasons, they were resolved to hear of no other Place

And that in Token that what he had writ came from his Heart, he had caused a String of Beads to be inclosed.

His Excellency also laid before the Board a Letter from Col. Andrew Lewis, dated the 6th July last, which was also read, "complaining of Mr. Stuart's Misrepresentations, & referring his Excellency to the Talk which the Young Warrior would hold with him, for a Confirmation of the Report made by Doctor Walker & himself on their Return from Charles Town; and lastly, submitting it as his Opinion, that if Matters were negotiated thro another Channe[1] than that of Mr. Stuart, a very advantageous Boundary might be obtained."

Then, the Indian Chief, Salloue, or the Young Warrior of Estatoe was introduced, & delivered his Talk, to the following Effect

The Great Warrior wonders why the intended Line is delayed so long to be run; since the Cherokees are very willing to let the Virginians have their Land; & they desire to know, when they will attend to have that Business done.

We have never had any Talk but with Mr. Stuart at Charles Town, and are very desirous of treating now with the Virginians at the Great Island in Holston's River.

Mr. Stuart has often appointed us a Day to meet him, engaging that the Virginians should then attend; but we were always disappointed, so that we began to think, the People of Virginia were not in earnest about purchasing our Land.

Mr. Stuart told us, that the Line was to be run at Chiswell's Mines; but we could not approve of that, as our Claim does not extend so far; but we are willing to give up as far as to the Great Island in Holston's River, on proper Terms.

Mr. Stuart has told us, he believes the Virginians intend to delay paying for our Land, to give their People Time to settle themselves on it, & then they would have it in their Power to do as they pleased.

Notwithstanding we have had frequent Talks with Mr. Stuart, our Trade suffers much. The Creeks have threatened to stop our Path to Carolina & Georgia, which would give the finishing Stroke to it. And then, Goods are grown so dear at Charles Town, that we are no longer able to buy them; & upon these Accounts are become

very anxious to open a Trade with the Virginians, & to have no more Talks with the People of Carolina.

With this View, it is an Object with us, to have the Virginians come & settle near us, as Brethren; the proper Dispositions for which we are determined to cultivate to our utmost Ability.

All I have to add is, that we should be glad you would confirm a Grant we have made & laid off, of 12 Miles Square, adjoining South Carolina & the lower Town of the Cherokees, to Richard Pearis, his Son, & Jacob Hite. These Men we love, & are anxious to settle them and their Families on the said Land. The Carolina People, & Mr. Cameron in particular, make a great Noise about it, & say we have no Right to make a Grant to them; but as the Land is our own, we conceive we have a Right to dispose of it, as we please.

What I have said is our steady Purpose, & we can listen to Nothing else.

He then delivered a String of white Wampum.

In Answer to which, his Excellency, with the Advice of the Board, delivered the following Talk.

Brother,

You are heartily welcome here; I am very glad to see you, & to learn by you from the Great Warrior, that the Friendship & good Disposition of our Brothers, the Cherokees, continue so favourable. And I can venture to assure you, that your Brothers of Virginia are equally desirous, on their Part, to cultivate strict Harmony, & Brotherly Friendship with the Cherokees.

In Answer to your Inquiry, for what Reason the Line has been so long delayed to be run, I must tell you candidly, the Delay arose from us; for as the Boundary agreed to at Hard Labour in October 1768, was so limited as to exclude a great Number of our People, who had been long settled in those Parts, I therefore made Application to his Majesty, at the Request of his Subjects of this Colony, to have that Matter reconsidered; in Consequence of which Reconsideration Mr. Stuart has been directed to treat with your Nation, and informs me that he has given Orders to his Agen[t] Mr. Cameron, to hold a Congress with the Chiefs of your Nation at Lochaber the 5th Day of next October.

I have farther to acquaint you, that in Prosecution of this Plan, Goods have been purchased, & Carriages hired to transport them to Lochaber, so that you see it is out of my Power to make the Alteration You desire, with Regard to the Place of meeting; and, his Majesty having appoin[t]ed Mr. Stuart to super-intend all Treaties with Indian Nations in the Southern District of America, & having positively directed, that with him & him only, all Cessions of Land shall be negotiated, betwixt the Crown of Great Britain, and any Nation of Indians living within his Department, it is equally out of my Pow[er] to appoint any other Person to transact this Business with you.

With Respect to the Establishing a Trade between your Nation & your Brothers of Virginia, which you so much desire, they would be as glad as you possibly can be, to encourage [it,] and with this View, a Cargo of Goods suitable for your Trade, was some Time since imported at the Public Expence & Risque, & was intended to be sent into your Country & sold, with the Expectation of no higher Profit, or other Advantage, than would barely pay the Expences of sending them; but the Path between us at that Time, and for a long while after, was so difficult & dangerous, that we were forced to dispose of them here at a great Loss, for Fear they should be spoiled, & rendered quite useless.

Trade is not to be forced any where; but must ever depend upon the mutual Profits arising to both Parties concerned therein. When our People can go to & return from you, with Safety to themselves & their Goods, they will be able to sell them to You at a cheap Rate; but if they are exposed to great Dangers, & Hazard of being plundered of their Property, they will be forced to sell their Goods much dearer, in Order to make good their Losses upon such Occasions.

When the Boundary-Line shall be happily finished, to the Satisfaction of your People and ours, we shall some of us be settled so near you, as to have frequent Opportunities of giving Proofs of our Affection for our Brothers, the Cherokees; & the most natural Chanel for those Proofs to flow thro, will be that of Trade between your People & ours, to our mutual Benefit & Advantage. And when

such a Trade shall be once begun, You may depend that it shall have every Encouragement that I can possibly give it.

The Patent you ask for, to confirm the Grant you have made to Richard Pearis, his Son, & Jacob Hite, is so contrary to his Majesty's Instructions (which must ever be a Law to me in all Cases of that Sort) that I cannot gratify you in that Request; and I am surprized that those, for whom you intend this Favour, should not know, that his Majesty will not suffer any Cession of Land to be made by any Nation of Indians, to any of his Majesty's Subjects in the first Instance.

I thankfully accept this String of Wampum, you have been pleased to present; & desire to assure You, that as it is designed to express a friendly Disposition on the Part of your Nation, towards his Majesty's Subjects, & a Resolution to continue in the good Sentiments contained in your Talk of this Day, I value it much, & shall take Care to preserve it as a most sacred Pledge.

And, as a Token that what I now say to you is the Sentiment of my Heart, I deliver you this String of white Wampum.

[The above Talk was inclosed in a Letter to the Great Warrior, the Seal of the Colony being first appended thereto; & signed, Botetourt—]

At a Council held October 15th 1770¹²⁶

Present

The Honble. John Blair Esqr. President

William Nelson

Philip Ludwell Lee

Thomas Nelson

Robert Carter

Richard Corbin

George William Fairfax

William Byrd

John Page Esquires

James Horrocks, Clerk

His Excellency, the Right Honourable Norborne, Baron de Botetourt, our late worthy Governor, having this Morning departed

¹²⁶ The proceedings of this date are also found, with minor differences, as a separate manuscript in the Public Record Office, C.O.5/1333, ff.73-74, endorsed "In Mr. Nelson's Letter No. 1."

this Life, whereby the Administration of the Government devolved upon the President, agreeable to his Majesty's Commission to the said late Governor; he the said President, in Consideration of his great Age, and that he may be more at Leisure to attend to the Duties of his Office of Deputy Auditor, which furnishes sufficient Employment for one of his advanced Years; & more especially from a tender Concern that his Majesty's Interest & the Welfare of this Colony may not under such Circumstances be at the least Hazard of sustaining any Detriment, was pleased to make a free & voluntary Resignation of the Office of Commander in Chief of this Colony; which, therefore, is of Course devolved upon the Honourable William Nelson Esquire, as being the next in his Majesty's Council; who accordingly took the Oaths appointed to be taken by Act of Parliament, repeated & subscribed the Test, and took the Oath for the faithful Discharge of the said Office of Commander in Chief, & the due Observance of the Acts of Trade; which said Oaths were administered to him by Thomas Nelson, Richard Corbin, & William Byrd, Esquires, three of the Members aforesaid of his Majesty's Council.

Ordered, that a Proclamation¹²⁷ immediately issue, for continuing all Public Officers in their respective Places.

Complaint having been made on Oath, That Thomas Samson, who was committed the 28th Day of last September to the Gaol of Gloucester County, on Suspicion of his having murdered John Chavery, Mariner, on Board the Schooner Polly, John Corrie Commander, did on the 30th of the same Month break the said Gaol, & make his Escape;

Ordered, that a Proclamation¹²⁸ issue, offering a Reward of £25 Current Money, for the Apprehending of the said Thomas Samson, to be paid on his Conviction.

His Excellency the late Governor having been pleased to grant a Commission unto John Blair junr. to b[e] Clerk of the Council, in the Room of Nathaniel Walthoe Esquire decd., and he producing a Certificate from the Clerk of York Court of his having taken th[e]

127. See p. 626 for the text of this proclamation.

128. See p. 627 for the text of this proclamation.

Oaths appointed by Act of Parliament to be taken, instead of the Oaths of Allegian[ce] & Supremacy, and the Abjuration Oath, & of his having repeated & subscribed the Test, was accordingly admitted, & the Oath of his Office administered to him.

At a Council held October 16th 1770

Present

The Honourable William Nelson, Esquire, President	
Philip Ludwell Lee	George William Fairfax
Robert Carter	John Page, Esquires
James Horrocks, Clerk	

The Petition of Don Manuel Estrada, Master of the Spanish Snow La Signiora De Los Remedios, was this Day presented to the Board & read, setting forth, That the Petitioner having sailed from the Bay of Campeachy, bound to the Northward, was by Reason of the Sickness of his Crew, & Want of Provisions, occasion[ed] by the Length of the Voyage, & the Damage sustained in the Rigging & Hull of the said Vessel, obliged to put into the Port of Norfolk in this Colony, & is unable to depart from thence, until his said Vessel shall be repaired & re-victualled, & his Men recover their Health, & praying therefore, that he may be licenced to purchase the Provisions necessary for his Voyage, & if possible, to repair his said Vessel, and to remain here until his Men shall have recovered their Health again, he having Money to defray such Expences, but no Goods on Board.

Ordered, that the Clerk immediately write to the Mayor of Norfolk, desiring him to appoint proper Persons to view & examine, on Oath, the Condition of the said Snow & of her Crew, & make Report thereof to the Council-Office.

At a Council held October 17th 1770

Present

The President

Richard Corbin

Robert Carter

William Byrd

John Page, Esquires

James Horrocks, Clerk

A Letter to the late Lord Botetourt from Henry Colins Colins¹²⁹ Esqr. Commander of his Majesty's Schooner the Magdalen, in Relation to the Spanish Vessel, concerning which a Petition was Yesterday read; mentioning that it appears to him, that the Reasons assigned by the Captain of the said Spanish Vessel for putting in here, were only Pretence, was this Day communicated by the President to the Board; whereupon it is their Advice, that the President write for Answer, that the Board had, before the Receipt of that Letter, according to the settled Practice in such Cases, directed a Letter to be writ to the Mayor of the Borough of Norfolk, desiring him to appoint fit Persons to examine the Condition of the said Spanish Vessel, & of her Crew, & make immediate Report thereof to the Council Office.

But that it might be depended on, that if it was any Part of the Scheme of the said Spanish Captain, to carry on any Kind of Trade here, he should not receive the most distant Encouragement from this Government.

John Mayo, William Smith, & Richard James, Gentn. having been recommended by the Court of Cumberland County, as Persons proper for the Office of Sheriff of that County for the ensuing Year, & divers Certificates being produced of the said John Mayo's having declared he would not accept of the said Office;

Ordered, that a Commission immediately issue, appointing the said William Smith Sheriff of the said County.

Also Tully Robinson Wise, being the first named in the Recommendation of Accomack Court, is appointed Sheriff, for the ensuing Year, of the said County of Accomack.

Ordered, that a Commission issue accordingly.

¹²⁹. Thus in original.

said Snow, agreeable to the Usage in such Cases, to sell the said Vessel, & purchase another.

And it is farther ordered, that the Clerk write to the Custom-House Officers of Port-Hampton, acquainting them with the Substance of the above Order, & desiring that they will be particularly vigilant to prevent the said Spanish Captain, & all others acting in his Behalf, from perverting this Instance of Humanity, to the Purposes of an illicit Trade.

The Petition of Carter Braxton, Philip Whitehead Claiborne, Richard Squire Taylor, Owen Gwathney, [. . .]¹³⁰ Hill, Robert Brooke, & William Aylett, Gent, was this Day read, setting forth, That their Complaint, preferred to the Board against Mr. Roger Gregory, is by mutual Consent between them & the said Gregory, agreed to be no farther prosecuted, & praying Leave to withdraw the same, & that all Depositions taken, & returned to the Council Office, may be delivered up by the Clerk to both the said Parties or their Attornies.

Whereupon, for Reasons appearing to the Board, the entire Prayer of the said Petition is granted.

At a Council held October 23d 1770

Present

The President

Thomas Nelson
Robert Carter

Geo. Wm. Fairfax, Esquires
James Horrocks, Clerk

A Letter of the 16th Instt. from Israel Christian to the late Governor was communicated by his Honour the President to the Board, inclosing a Recommendation from Botetourt Court of Persons fit to execute the Office of Sherif for the said County, & desiring the Commission for himself, he being the first named in that List; mentioning also that the Reason why the Court had left out Mr. Woods (who had received a Commission from the Governor on the Erection of that County, appointing him to the said Office) was, that they thought it right, to begin with those who

¹³⁰. Blank in original.

next would have been entitled to the Office, had the County of Augusta not been divided; & adding, that they looked upon the Governor's Authority in that Case, to be no more than it would have been on the Death of a Sherif; that is, to appoint till a Recommendation should be made by the Court: Whereupon, it was the Opinion of the Council, that the Governor had, in such a Case, an undoubted Right to appoint as he did; & that the said Mr. Israel Christian has been highly blameable, in not shewing a proper Respect to that Appointment, & in stirring up this Opposition thereto; & it is ordered, that the Clerk write him a Letter conveying the Sense of the Board on his Conduct; and acquainting him also, that no Alteration will be made in the Commission aforesaid, granted to Mr. Woods.

Thomas Glascock Gent' is appointed Sherif of the County of Richmond; & it is ordered that a Commission issue accordingly.

At a Council held the 25th October, 1770

Present

The President

Thomas Nelson

Robert Burwell

Richard Corbin

George William Fairfax

Philip Ludwell Lee

John Page, Esquires

James Horrocks, Clerk

A List of Sherifs appointed for the ensuing Year, for the following Counties respectively, viz.

For Amelia

William Crawley

Augusta

George Matthews

Chesterfield

John Archer junr.

Elizabeth City

Joseph Selden

Essex

John Upshaw

Hampshire

Garret Vanmeter

Hanover

Henry Gilbert

King & Queen

John Ware

Loudoun

James Lane

Northumberland

Rodham Kenner

Westmoreland

Benjamin Weeks;

All the foresaid Persons being the first named in the respective Recommendations from the Courts of the said Counties; except the said Rodham Kenner appointed for Northumberland, who was the second in that List, & who was appointed upon Spencer Mottrom Ball (who was the first named) his declining to accept the said Office, as signified in a Letter to the said Rodham Kenner.

Ordered, that Commissions issue accordingly.

Ordered, that a new Commission of the Peace issue for Warwick County; and that, for Reasons appearing to the Board, Edward Harwood Gentn. only, being one of the Persons recommended by the Court of that County, be added.

Ordered, that a new Commission of the Peace issue for Augusta County; & that William Lewis, James Ewing, John Frogg, Josiah Davidson, William Tees & John Skidmore Gent^r be added; & that Andrew Lewis, John Bowyer, & John Stewart Gent^r—being Inhabitants of Botetourt County, & also Matthew Patton Gent^r—who has refused to qualify under the last Commission, be left out, agreeably to the Recommendation of the Court of the said County of Augusta.

Also a new Commission of the Peace for the County of Westmoreland; and that William Bernard, Philip Smith, George Turberville, Daniel McCarty, William Pierce, Joseph Pierce, Joseph Lane, & Fleet Cox, Gentlemen, be added; & that Willoughby Newton, Augustine Washington, Richard Jackson, Lawrence Butler, John Newton, & John Monroe, who are all dead, be left out; agreeably to the Recommendation of the Court of that County.

The Petition of Samuel Hopkins (this Day read in Council) setting forth, that he had surveyed, pursuant to three Entries made with the Surveyor of Mecklenburg, one thousand Acres of Land in that County adjoining together, being all the vacant Land lying on the reedy Branch between Field's Line, William Davis's Lines, & the North Carolina Line, & praying that the said Surveyor might be permitted to give him an inclusive Certificate for the said one thousand Acres of Land, & that he might include the same in one Patent, was postponed for the farther Consideration of the Board, when they shall be informed of the Reasons the Petitioner can urge in Support thereof.

On reading the Petition of Thomas Turk, setting forth, that about ten or twelve Years ago he made some Entries for Land with the Surveyor of Augusta County, who delivered him Copies of eight Entries & received his Fees for the same, but neglected so long to survey the Lands, that the Petitioner growing uneasie, caused about five Years ago, a Demand to be made on the said Surveyor, for the Plots of all the said Land, there being at that Time no other Entry made for any of them. But that the Surveyor still put it off, & then received Entries of other Persons for the same, except a poor Part thereof which the Petitioner got the Assistant-Surveyor to run out for him, & for which he then paid him his Fee; but that the Surveyor, having lately received another Entry for that Tract also, has refused to sign the Plot made by the said Assistant Surveyor; and referring it to the Consideration of the Board, whether if the above Charges can be proved, the Petitioner or the Surveyor ought to be the Sufferer; it was the Opinion of the Council, that the said Petition, relating to the Caveat-Business, could not be properly taken Notice of, at this Time.

At a Council held October 31st 1770

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

Robert Carter

Robert Burwell

George William Fairfax

John Page, Esquires

James Horrocks, Clerk

The Account of contingent Charges from April 25th 1770 to October 25th 1770, & of Work done at the Governor's House, being laid before the Board was allowed; except the two Articles which were postponed the 25th of April last, for the further Consideration of the Board; & which, being Demands made by the Clerks of Sussex & Amelia Counties, for Services which the Council think are in the Course of their ordinary Duty, are rejected.

Ordered, that a new Commission of the Peace issue for the County of Prince William, & that William Alexander, Jesse Ewell,

William Cocke, & Thomas Montgomer[y] Gentlemen, be added, agreeable to the Recommendation of the Court of the said County; & that the following Persons who were in the last Commission, to wit, Cuthbert Harrison, John Baylis, Allan Macrae, James Douglass, & George Skinker, who appear by the Clerk's Certificate to be dead, be left out; as also Archibald Henderson, who it is certified resides in Great Britain.

The President communicated to the Board the three following Letters from Lord Hillsborough to Lord Botetourt, viz. No. 33, dated July 6th 1770, acknowledging the Receipt of his Lordship's Letter No. 32, which had been laid before the King; and expressing his Gladness that the Appointment of Mr. Horrocks had given Satisfaction, & his Hopes that the next half-yearly State of the Revenue of 2s. per Hhd would be more favourable;

No. 34, dated July 31, 1770, informing that the Address of the House of Burgesses, relative to the Circulation of British Copper Coin, had been laid, by his Majesty's Order, before the Council; & desiring to have his Lordship's Sentiments & those of the Council of this Colony, whether a Coinage like that for Ireland would be agreeable to the Colony, in Case his Majesty should approve of it;

No. 35, of the same Date with the last; relative to what had passed on the Petition of Mr. Walpole & others, for a Grant of Lands beyond the Allegany Mountains, & for which his Lordship refers to Papers from the Board of Trade; and signifying the King's Pleasure, that the Governor & Council desist from making any further Grants of Lands beyond the Limits described in the Proclamation of the 7th of October 1763, till further Orders.

To which Letters his Honour had prepared an Answer, which he read to the Board, & the same was approved.

The Memorial of Thomas Bullitt was this Day read, relating to the Partition of the 200000 Acres promised by the Government to the Officers & Soldiers, as an Encouragement to engage in the Service; & preferring his own Claim, as one of those who were in the Army before the Action of the Meadows, but whose Commissions were not made out till afterwards;

Also Part of a private Letter from Col. John Carlyle to George William Fairfax Esqr. desiring him to prefer to the Board his Pretensions to a Share of those Lands, as having been appointed a Commissary, & to rank as a Major; the Consideration of both which the Board thought proper to put off to a future Day.

The Petition of Robert Latham & eleven others for 12000 Acres of Land on the Frontiers of Pittsylvania County, for Reasons appearing to the Board, was rejected.

At a Council held Novr. 6th 1770

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

Philip Ludwell Lee

Robert Carter

Robert Burwell

George William Fairfax

John Page, Esquires

James Horrocks, Clerk

Richard Corbin Esquire produced the following Memorial.

To the King's most Excellent Majesty,

The Memorial of the President & Council of Virginia, Humbly sheweth, that on the Death of the great & good Lord Botetourt (which happened on the Morning of the 15th of October in the tenth Year of your Majesty's Reign) the Administration of this Government devolved upon John Blair Esquire, then President of the Council; but he, in Consideration of his great Age, & that he might be less interrupted in his Attention to the Duties of his Office of Deputy-Auditor of your Majesty's Revenues arising within this Colony, was pleased to decline the Government, & take his Leave of the Board; by which, besides the Emoluments of the Administration, he has also given up his Share of the £1200 Sterling, allowed by your Majesty to your Council of this Colony, as Judges of the General Court.

Your Memorialists with Pleasure recollect, that to the Time of his Resignation he had been twenty five years one of the Council,

thirteen Years President thereof, and in this latter Capacity four Times the Commander in Chief of this Dominion; in which Station he has given such general Satisfaction, that your Memorialists cannot but be greatly affected at the Occasion of his retiring from this more dignified & profitable Situation, to such Comforts a very moderate Estate can supply him with, in his old Age, & burdened too with the Maintenance of a large Family. They should be very happy to see this faithful old Servant of the Crown become the Object of your Majesty's Care, for the short Remainder of his Days; which he seems to have no less a Claim to in quitting your Majesty's Service at this Time, than before in exerting his best Abilities in promoting it. Indeed, he was actuated by the same Principle in both; a Fear, lest your Majesty's Interest, and that of the Colony might suffer thro his Infirmities, which render him unequal, perhaps, to such an increased Duty, being one principal Motive to the Resolution he took, upon the late melancholly Occasion.

So much your Memorialists thought it their Duty to say, in Justice to the Public Virtues of this their late Brother and Fellow-Labourer; nor can they be quite silent on those which adorn his private Life, & endear him to all his Acquaintance. By his steady Practice of whatever is amiable & praise-worthy, he will be sure to have the Approbation of your most gracious Majesty, so eminent for the good Example you constantly hold out to your Subjects, of Religion & Virtue; and therefore, they humbly recommend the Gentleman who is the Subject of this Representation, for such a Pension, as your Majesty in your great Wisdom & Goodness, may think reasonable.

Which being read, was unanimously approved, & signed by the President & all the Members present; and then his Honour was requested to transmit the same to Lord Hillsborough, & to intreat his Lordship to employ his good Offices for the Success thereof.

Two of the Malefactors now under Sentence of Death, viz. William Gray, for Horse-Stealing, & James Shaughness, for a Rape, were recommended by the Board to his Honour, as fit Objects of Mercy.

John Minge, Gentleman, is appointed Sherif of Charles City County for the ensuing Year;

Ordered, that a Commission issue accordingly.

Ordered, that a new Commission of the Peace issue for the County of Lunenburg, to consist of all the Members of the last Commission, except John Jennings, William Gordon, & Jeremiah Glenn, who have refused to qualify, & Daniel Claiborne, who has removed out of that County; and that Lodowick Farmer, Thomas Pettus, Elisha Bettes, & Samuel Garland, Gentlemen, being recommended by the said County Court as proper Persons, be added thereto.

On reading a Recommendation for Justices of the Peace, for the County of Elizabeth City, & the Clerk's Certificate of the present acting Magistrates, the Board was of Opinion, that no new Commission was necessary; & ought the rather to be denied, for that the Multiplying the Number of those in Commission would serve only to extend unreasonably an Exemption from the Militia-Law, & which is the sole End for which some People seem desirous of becoming Magistrates.

The Petition of Michael Klug in Behalf of himself & others, praying a Renewal of a Grant made November 2d 1752, to the Revd. George Samuel Klug (the Petitioner's Father) & seventeen others, of 30000 Acres of Land, lying between Green Briars to the South, & Youghyoughanie to the North, was read & postponed.

Ordered, that the General Assembly, which stands prorogued to the 4th Thursday in this Month, be further prorogued to the 3d Thursday in May next, & that a Proclamation¹³¹ forthwith issue for that Purpose.

At a Council held Novr. 8th 1770

Present

The President

Thomas Nelson

Richard Corbin

William Byrd, Esquires

James Horrocks, Clerk

Complaint being made to his Honour, the President, by the Receiver General, that he has Reason to think, that the Law relating

¹³¹. See p. 628 for the text of this proclamation.

to the Privilege of Virginia Owners of Vessels is not strictly observed by the several Naval Officers, & that after Proof has been once made of the Property, so as to intitle the Owners to an Exemption from the Duties imposed by the Act of Assembly, passed in the 9th of Queen Anne, Chap: 1st the like Immunity is continued to the succeeding Owners, who are not intituled to the same to the great Diminution of the Revenues granted to his Majesty by the said Act, the Clerk is therefore ordered to write to the several Naval Officers, requiring them for the future to conform to the Letter of that Act, by demanding the Proof thereby required, upon every Occasion when the said Exemption shall be demanded.

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2s. per Hhd &c were signed by the President.

For Half a Year's Salary to the Governor	£1000.0.0
For do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For Half a Year's Salary to the Auditor	50.0.0
For Do. to Sollicitor of Virginia Affairs	100.0.0
For Do. to Attorney General	135.0.0
For Do. to Clerk of the Council	75.0.0
For Do. to Adjutants	160.0.0
For Do. to Armourer	6.0.0
For Do. to Gunners of the Batteries	12.10.0
To Ministers attending one General Court & Assembly	22.0.0
For Repairs to the Governor's House	205.12.0
For contingent Charges	770.7.5
Also, to be paid out of his Majesty's Revenue of Quitrents,	
For Half a Year's Salary to the Attorney General	35.0.0

Ordered, that a new Commission of the Peace issue for the County of Bedford, to consist of all the Members of the last Commission, except Hugh Challis (who has removed to Pittsylvania) Joel Meador (who has refused to qualify) & John Pate (who is dead)—And that the following Persons (who have been recommended by the Court

His Honour communicated to the Board certain Advice he has received from Lord Dunmore, Governor of New York, of the raging of the Plague at this Time in the Island of Hispaniola, and was pleased to desire their Advice, as to the Steps proper to be taken on the Occasion.

Whereupon, they recommended it to his Honour, to write to the Several Naval Officers within this Colony to employ some discreet Pilot to keep a good Look-out for the Several Vessels arriving in their respective Rivers, and to order such of them as shall come from Hispaniola, or any other Place infected with the Plague, to fall down to old Point Comfort (otherwise called Mother Hawkins's Hole) there to perform Quarantine, in such Manner, and for such Time, as shall hereafter be directed by his Honour, or the Commander in Chief for the Time being, with the Consent of the Council, according to the Act of Assembly passed in the 7th Year of the Reign of King George the first, intituled, "An Act to oblige Ships coming from Places infected with the Plague, to perform their Quarantine"; which Act, together with a Short Account of the proceedings of this Day on that Subject they advised Should be published; and it is accordingly ordered that the Publick Printer insert the same in the Virginia Gazette.

They also advised the President, in Case it should be found Necessary, to appoint proper Persons, to see that the Several Vessels, falling under the above Description, do regularly perform their Quarantine, also, that he Should write a Letter to Henry Colins Esqr. Commander of his Majesty's Schooner, the Magdalen, desiring that he would also have an Eye to all Vessels arriving within this Colony, and lend his Assistance for enforcing a due Observance of his Honours Orders relating thereto.

Colo: John Donelson, who was appointed by his late Excellency the Commissioner on the Part of this Colony, to treat jointly with John Stuart Esqr. the Superintendant of Indian Affairs for the Southern District with the Cherokees, for a Cession of Some Part of their Lands, being returned with the Minutes of the Proceedings at the Congress held at Lochaber in South Carolina, and also the Treaty concluded there on the 18th Day of October last (which is

to be in Force as soon as his Majesty shall have approved thereof) the same were read, and ordered to be registered.

Also a Letter was read from the said John Stuart Esqr. to the late Governor, on the Subject of the said Treaty; and mentioning particularly, that the Cherokees were willing to have ceded a large Country, beyond the Line pointed out by Lord Hillsborough, in Lieu of a Small Triangle which they have reserved out of the Tract included within that Line, which he did not think himself authorized to accept; but that there would yet be Time enough to receive his Majesty's Orders thereupon, before the final Ratification of the Treaty; also complaining of the Injustice done him in the Letter sent to his Excellency from Oucconnastotah, and the Talk of the Young Warrior, the whole of which, the Indians (he says) disavow and declare to be a Forgery; and, that being confronted with Mr. Richard Pearis, they protested that the said Letter, as well as the Grant of Land obtained of them, were at the Time of their Signing them represented, as containing no more than an Application to his Lordship for a Trade; mentioning also, that the Number of Indians that attended far exceeded what he expected; which misled him in making an Estimate of the Expence; a State of which, except some small Accounts he was not then furnished with was inclosed, Amounting to £21116.4.5 South Carolina Currency.

Col: Donelson being introduced into the Council Chamber informed the Board, that in Justice to Mr. Stuart he thought himself obliged to declare, that in his Opinion he exerted his best Abilities in the Service of this Colony, and has acted a very disinterested Part in the whole Conduct of the Treaty.

The President asked the Advice of the Board, what Sum of Money 'twas proper to allow Col: Donelson for his Services as Commissioner; and they were of Opinion that £100 Current Money, which was the Sum claimed by him, was not unreasonable.

His Honour then desired to know of Col: Donelson, whether he was willing to Act as the Surveyor, to run and Mark the Line agreed upon, and in that Case what Satisfaction he would expect for that Service; to which he answered, that he was willing to undertake that Business, and had agreed with his late Excellency to

perform it for Twenty Shillings Current Money a Day; but that he was now convinced it would be necessary for him to have an Assistant, and proposed to carry with him the Deputy-Surveyor of Pittsylvania County, for which he expected to be paid the farther Sum of Ten Shillings Current Money a Day; which was accordingly, with the Advice of the Board, agreed to.

Information being received that Thomas Samson, for the apprehending of whom a Proclamation was lately issued offering a Reward of £25 for the same, to be paid on his Conviction, has escaped into some other Colony, it is ordered that another Proclamation¹³³ issue offering a Reward of £50, in Lieu of the former, to be paid on his being delivered up to the Public Gaoler in this City.

Moses Riggs, now under Sentence of Death for Murder, appearing to be of insane Mind, upon which Account the Verdict against him was disapproved of by the Court, is recommended to his Honour as a fit Object of Mercy; and he is requested to reprieve him till his Majesty's Pleasure can be known.

Ordered, that a New Commission of the Peace issue for Culpeper County, to consist of all the Members of the last, except Nathaniel Pendleton, who desires to be left out, and Richard Pollard, who is dead; and that the following Gentlemen, being recommended by the Court of that County Viz. Henry Fry, Francis Thornton, William Knox, French Strother, and John Gray, be added:

Robert Carter, Esqr. and James Horrocks, Clerk, are appointed a Committee for hearing the Journals read, and examining the same, as far back as they are yet unexamined.

At a Council held Decr. 14th 1770

Present

The President

Thomas Nelson
Richard Corbin

Robert Carter
John Page, Esquires

His Honour acquainted the Board, that Col: Donelson had applied to him to know how the Necessary Provisions were to be

¹³³. See p. 628 for the text of this proclamation.

furnished against the Time of running and Marking the Line lately agreed upon with the Cherokees; and they advised that Col: Donelson Should purchase the Same, and draw on the President for the Amount; who is desired to issue his Warrant to the Receiver General for the Payment of the same.

The Account of his Majesty's Revenue of Quit-Rents to the present Time, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the President.

At a Council held Jany. 8 1771

Present

The President

Thomas Nelson

Robert Carter

John Page, Esquires

James Horrocks Clerk

The Depositions of Capt. Henry Brown, William Grymes, Master, and Samuel Eastwood, Mate of the Schooner *Kitty*; James Conyard, Master and Henry Denadery, Mate of the Schooner *Betsy*, taken before the Mayor of Norfolk, as also a Certificate from sundry Persons touching their Credibility, were read; and Mr. Hugh McMekin, of Norfolk, Merchant, was examined by the Board in Person; the Substance of which was a concurrent Refutation of the late Report of the Plague raging in Hispaniola; whereupon, the Board unanimously advised that the Quarantine, which they considered as a Severe Restriction upon Trade, be discontinued And it is accordingly ordered, that the immediate Discontinuance thereof be publicly notified in the Virginia Gazette.

Also it was recommended to his Honour, to write to the different Naval Officers on the Occasion, requiring them to put an End to all farther Proceedings under the late Instructions.

His Honour laid before the Board two Letters from the Earl of Hillsborough to the late Lord Botetourt; Viz. No. 36 dated Whitehall 28th Sept. 1770 (called in the Margin, circular, most secret and confidential, upon which Account his Honour said he had never communicated it, till now that he observed the Governor of New York had taken Notice of it, in his Speech to the General

Assembly of that Colony) relating to the violent Proceedings of the Governor of Buenos Ayres at Port Egmont in Falkland's Islands, and to the Naval Armament equipped upon the Occasion, in Order to Act as the Honour and Dignity of the Crown should, under future Events, require; and which would entirely depend upon the Answer which the Court of Spain should give to what has been demanded; which his Majesty has good Reason to hope will correspond with his Wishes for the Preservation of the public Peace; recommending to his Lordship to be as attentive as possible to the Security of the Colony, in Case Matters should, contrary to his Majesty's just Expectations, come to Extremities; and, assuring his Lordship that in that Event, the Security of the American Colonies would be a principal Object of his Majesty's Care and Attention. And a Post-Script mentions that Advices received from France Since the Letter was writ, confirm the Hopes, that the Peace may still be preserved.

No. 37; dated Whitehall October 3d 1770; Acknowledging the Receipt of his Lordship's Dispatches No. 34, 35, 36, & 37, and of the Journals of the Council, and House of Burgesses, together with the Acts passed in the last Session of Assembly; which by the King's Command had been transmitted to the Board of Trade; and expressing his Persuasion, that their Lordships would not fail to take every Step that should be proper in Consequence thereof, and to lay before his Majesty Such of the Laws as Should appear to require the Royal Confirmation, either from their having Clauses suspending their Execution, or from any other Circumstance that should make such Confirmation necessary; and lamenting that the Assemblies in America should be so greatly influenced in their Deliberations by private Correspondence of Persons there in England who seemed to have no other View but to promote Distress to the Mother-Country, by all possible Means; an Influence, which his Lordship thinks plainly discovered itself, both in the Association for Non-Importation, and in the Petition of the House of Burgesses on the Subject of Revenue Laws, and the Regulation of the Courts of Admiralty; but that he was at a Loss to guess, by what Specis of reasoning it is, that the House of Burgesses can, in these Cases,

reconcile an implicit Submission to the Dictates of turbulent Individuals, with their own Dignity, and a Conduct that Seems, in every other Respect, to have no other Object than the public Welfare.

His Lordship also declares his Opinion, that the Boundary Line proposed by the House of Burgesses to the Governor in Decr. 1769, would not have been consented to by the Cherokees; and besides that a Settlement so far to the Westward would not only have been inconsistent with the true Principles of Policy, but would also have been the Ground of continual Jealousy and Dispute; for which Reason he was glad to find, the House had closed with the Proposal contained in his Letter to the Governor of the 13th of May 1769.

That the Governor's drawing upon the Quit-Rents for the Sum of £400 which Mr. Stuart had thought fit to add to his Estimate for compleating that Service, was a very unusual Measure; but that the King acquiesced in the Motives which induced his Lordship to take that Step; fully confiding, that proper Care would be taken that it Should not be drawn into Precedent.

His Lordship adds that he was glad the Answer he had given to General Mackay on the Subject of his Recommendation of Mr. Wormly, was approved by the Governor; and that he agreed with his Lordship in Opinion that that Gentleman's distant Residence from the Seat of Government is a good Objection to his being of the Council; and that he would communicate to the Board what his Lordship had proposed in Regard to Mr. Digges; but that he did not apprehend any Appointment could take Place, till a Vacancy Should happen; when, he did not doubt his Lordships Recommendation would have it's due Weight.

His Honour then informed the Board, what he had writ to his Lordship in Answer to the said Letters, which was approved of.

At a Council held February 1st 1771

Present

The President

Thomas Nelson

John Page, Esquires

Robert Carter

James Horrocks, Clerk

The Petition of John Wadman on Behalf of himself and others, praying for a Grant of 5000 or more Acres of Land, on Cape Henry and Lands adjoining, in the Desert, Princess Ann County, and also a Letter to his Honour from John Tayloe Esqr. on the same Subject, were read:

Whereupon it was ordered, that the Clerk write a Letter to Mr. Samuel Boush, upon whose Representation a former Petition for the same Lands was rejected the 13th Day of last June, to inform him of the present Petition, that he may acquaint the Board with his Objections thereto, either by Letter, or in Person, some Time in the ensuing General Court; to which Time the Consideration thereof is postponed, that it may receive it's Determination at a fuller Board than the present.

The following Papers were communicated by the President and read Viz. An Extract from Conoquieson's Talk to Sir William Johnson, at a Congress with the Several Nations of Indians, on the 22d Day of July last; from Sir William's Letter of the 14th of August last to the Earl of Hillsborough; and also his Lordships Letter of the 15th of November last, to Lord Botetourt, on the same Subject, and inclosing the other Papers; which, in Substance, contain the Complaints of the Indians, of Murders and other violent Proceedings against them, particularly on the Southern Frontiers; and also of the Want of a proper Regulation of the Indian Trade; which, his Lordship observes, the King had thought fit, from a Regard to the Claims and Opinions of the Colonies, to leave to them.

Also two Letters from the Earl of Hillsborough, of the same Date with the former; one, inclosing his Majesty's Speech to both Houses of Parliament on the 13th of that Month; the other, informing that the Person mentioned in Lord Botetourt's Letter of the 28th of

August (No. 38) had been delivered to him, and that he would take proper Steps thereupon.

With Respect to the Indian Complaints, the Board recommended to his Honour to transmit to the Earl of Hillsborough Copies of the whole Proceedings in Council upon the Murder of Indian Stephen, by one Ingham, or Ingman; and, in the House of Burgesses upon Lord Botetourt's Message, and the Letters and Papers received from the Governor of Pensylvania, therein mentioned, relative to the appointing of Commissioners on the Part of the several Colonies concerned therein, to meet at New York in Order to agree upon such Regulations of the Indian Commerce, as should seem expedient; from which it will appear to his Lordship, that this Government is free from all Blame, upon either Subject of Complaint.

His Honour communicated to the Board a Letter he had received from the Officers of his Majesty's Revenues arising in the Port of Accomack, complaining of an illicit Trade which they have great Reason to Suspect is there carried on extensively, but at the Same Time so cautiously, as not to be within the Reach of Evidence, or a Possibility of Detection; and desiring to have the Assistance of his Majesty's Schooner on this Station; and the same being read, the Council advised his Honour to write to Henry Colins Esqr. Commander of his Majesty's Schooner, the Magdalen, desiring him to put a Stop to the Practices complained of, as far as he is able, and may be consistent with the other Parts of his Duty.

And whereas it appears to the Board, that it may be of Service to his Majesty's Revenues there by rendering the Officers more respected, if they were put into the Commission of the Peace, it is therefore ordered, That a New Commission of the Peace issue for the County of Accomack, and that to the Several Gentlemen mentioned in the last Commission, be added the following, to wit Walter Hatton, Collector, and Andrew Newton, Comptroller of his Majesty's Customs at Port Accomack, and David Bowman the Naval Officer there.

The Petition of Thomas Sampson, now confined in the Public Gaol, on an Accusation of Murder, complaining of his Sufferings thro Cold, and praying that he might be removed to a Room where

he might have a Fire, was laid before the Board by the President, who was pleased to ask their Advice thereupon; and Edward Westmore, the Gaoler, being sent for, & informing the Board that the said Sampson was in good Health, and had generally behaved ill since his Confinement there; upon these Accounts, and also in Consideration of his having lately broke the Gaol of Gloucester County, to which he had been committed for the Same Offence, and made his Escape from thence, his Honour was advised to refuse the Indulgence prayed for.

At a Council held March 4th 1771

Present

The President

Thomas Nelson
Robert Carter

Robert Burwell, Esquires
James Horrocks, Clerk

His Honour communicated to the Board a Petition preferred to him by Peter Barlamont a Subject of his most Christian Majesty, Setting forth, That having sailed from Cape St. Nichola Mole, intending to go to St. Eustatia, he was by adverse Winds, Currents and unforeseen Accidents prevented of his Purpose, and detained at Sea until his Vessel (The Morning Star) was exhausted of Water and Provisions, and wrecked and Shattered in so dangerous a Degree, that his Crew thro excessive Fatigue, Famine, and Severity of Weather were reduced to the utmost Danger and Distress, as well on Account of their Miserable State of Health, as their total want of every Necessary; that under such Circumstances, there was a Necessity for his taking Shelter in the first Harbour he could make, which proved a Road within this his Britanic Majesty's Colony.

That being loaded with nothing but Sugar and Molasses, he has it not in his Power to procure the necessary Assistance, without disposing of Some Part thereof, to get Money for that Purpose; and that having, pursuant to the Suggestions of Necessity applied to the Neighbouring Officers of the Customs, for such Advice and Remedy as he promised himself from a humane and civilized People,

he was informed that his Application must be to his Honour; from whom he humbly hoped and prayed such Remedy for his present Distress, as would afford, at least, a temporary Relief, and be worthy of his Honour's Humanity;

And the same being read, it was advised, and accordingly ordered that the Clerk write to the Mayor of Norfolk (where the Vessel now is) desiring him to appoint proper Persons to examine into, upon Oath, and make Report to the Council Office of the true State and Condition of the said Vessel and her Crew. And if upon such Report it shall appear necessary, it is recommended to his Honour to give Permission to the said Peter Barlamont to sell so much of his Cargo as would defray the Expense of repairing his Vessel, and purchasing the Provisions necessary to enable him to proceed on his Voyage, and no more.

And the Clerk was also ordered to write to the Officers of the Customs at Port Hampton, warning them to apply their utmost Vigilance and Circumspection for preventing all Such Attempts to trade in the present Instance, as were lately made in that of the Spanish Vessel.

His Honour was also pleased to desire the Advice of the Board upon the Petition of Gavin Lawson, John Ashby and Thomas Thraillheld, praying a Pardon for three Negro Men Slaves under Sentence of Death in King George County, for a Burglary by them committed on the Store-House of the said Gavin, at Falmouth in that County; that is to say, for James, belonging to the said Gavin, George to the said John, and Roger, the Property of the said Thomas; urging in their Behalf their general good Behaviour, the Temptation of a favourable Opportunity, and their Candour in confessing their Guilt, when otherwise there could have been no sufficient Evidence against them; and the several Allegations of the said Petition being confirmed by a Letter to the Attorney General, from Mr. Andrew Buchanan, who prosecuted the said Slaves on Behalf of the Crown, in the Absence of the King's Attorney for that County, the Council advised his Honour to grant the Prayer of the Petition.

The Petition of John Wadman relative to another of his, which was read the first Day of last Month, praying that a particular Day

might be Set, for considering the Merits of the Same, being read, the tenth Day of the ensuing General Court was appointed for that Purpose; And the Clerk was ordered to give Notice thereof to Mr. Samuel Boush, and to desire him to furnish the Board with a general Plan of all the Vacant Land in Princess Ann County on the Bay and Sea Shores, describing as well the Quality as the Quantity thereof.

Ordered that a new Commission of the Peace issue for New Kent County, to consist of all the Members named in the last, except Richard Allen, who has not qualified under the Same, and desires now to be left out; and that the following Gentlemen to wit, John Armistead, Richmond Allen, Robert Bowis, and Richard Allen junr. be added.

The President laid before the Board a Letter he had received from John Stuart Esqr. Superintendent of Indian Affairs for the Southern District of America, dated Charles Town, 3d Decr. 1770, mentioning that there is a Balance due to him by this Colony of £183.19.4 Sterling, on Account of the Expense attending the late Treaty with the Cherokees at Lochaber, for which he desires a Bill upon London as Soon as convenient; and that the whole Expenses amounted to £3083.19.4 Sterling; which is about £67.7.3 more than his last Account of the Same, which was read the 12th Day of last December, extended to; there being, at the Time of his making up that State, some Accounts with which he had not been furnished.

Whereupon the Council advised his Honour to draw on the Receiver General for the said Balance of £183.19.4 Sterling, to be charged upon his Majesty's Revenue of two Shillings per Hogshead &c.

At a Council held March 12th 1771

Present

The President

Thomas Nelson

Robert Carter

Robert Burwell, Esquires

James Horrocks Clerk

A report having been made by the Persons appointed by the Mayor of Norfolk to make enquiry therein, of the Condition of

the French Schooner, (The Morning Star) and another relating to the Health of her Crew, the same were this day read; whereby it appears that some of the Crew were a little frost-bitten in their Toes; and that the Sum of £47.14.7 ½ will be Sufficient to repair the said Vessel and make her fit to proceed on her Voyage.

Then His Honour desired the advice of the Board, upon the Petition of Peter Barlamont, Master of the said Schooner, to him presented; suggesting, that the persons Appointed, either thro' mistake, or Misapprehension of the of the¹³⁴ Order of Council of the 4th Instant, refused to examine that part of her Hull which was under Water, where he Supposes She had Sustained the greatest Injury; and had confined themselves in their Estimate, meerly to Such repairs as her upper Works and Rigging might require; overlooking also the expense of recovering the Crew from their present Infirmities and the Petitioners necessary Expenses and Port Charges, and praying his Honour would give some farther Order for his relief, without which he should be obliged to abandon his Vessel and Cargo.

Whereupon the Council, unwilling to run the least hazard of Severity towards such as may be in real Distress, and thinking it necessary at the same time to Guard against every possible Imposition, were pleased to advise and it was accordingly Order'd, that the Clerk write a Letter to the Collector of his Majesty's Customs at Port Hampton, to acquaint him that leave is given to unlade the said French Schooner, and to desire that he would give Orders to the Searcher in that Port, to have the Cargo Stored in a proper Warehouse, and to keep the Key thereof himself; giving nevertheless, to the said Captain daily access thereto, that he may have an Opportunity of preventing any damage from happening to the Goods in Storing, by Leakage, or any other accident; and to let him know that some provision would be made hereafter for Satisfying the Officer for his trouble herein.

Also, that the Clerk should write again to the Mayor of Norfolk, desiring that he would give directions for examining into the Condition of the said Schooner's lower works, after the Cargo shall

¹³⁴. Thus in original.

have been taken out; and that he would have the Value of the repairs which may be found necessary to be made in that part of the Vessel added to the Estimate already made by the Gentlemen he had appointed.

At a Council held April 3d 1771

Present

The President

Robert Burwell

John Page, Esquires

James Horrocks, Clerk

His Honour Communicated to the Board three Letters he lately received, Viz one from the Lords of Trade dated Whitehall Novr. 14th 1770; relating to the Act for dividing the Parish of Hamilton in the Counties of Fauquier and Prince William; observing, that no direction is given as to the application of the Money to arise by the Sale of the Glebe Lands therein Mentioned, and desiring to know whether the omission, which appears to be so contrary to the usual exactness of the Legislature of this Colony, arose from inadvertence or from any particular reason which might render a more strict Appropriation unnecessary; The other two from the Earl of Hillsborough, dated Whitehall Decr. the 11th 1770. the one, acknowledging the receipt of His Honour's Letter of the 15th of October, containing an Account of Lord Botetourt's Death, and of the Devolution of the Government upon him, in consequence of Mr. Blair's declining the same;

And mentioning, that his Majesty, upon receiving the Account of his Lordship's death (an Event which he joined his faithful Subjects of Virginia in lamenting) had been pleased to appoint the Earl of Dunmore to be his Majesty's Lieutenant and Governor General of this Colony; And that his Lordship would be Ordered to repair hither so soon as he should receive his Commission and Instructions, which were preparing with all possible Dispatch; that in the mean time, his Majesty had no doubt that the Affairs in Virginia would be administered in such a Manner as to Merit his Royal approbation; and that presuming the Steps taken in consequence of Lord

Botetourt's Death correspond with the directions contain'd in his Majesty's Commission with respect to the devolution of Government, his Lordship hoped by the Next packet to send the Name of the person his Majesty should think fit to appoint of the Council, in the room of Mr. Blair.

Also inclosing, and referring to, five Orders of his Majesty in Council, upon Several Laws passed in this Colony in 1769, and an additional Instruction, which his Honour is enjoined to pay the Strictest obedience to, and to cause the same to be entered upon the Council Books, as a rule for the Conduct of those who may succeed him in the Administration of the Government of this Colony.

The other Letter relates to the great preparations for War, Signifying his Majesty's pleasure, that as the House of Commons had Voted an Augmentation to the King's Forces, consisting (among other particulars) of an additional light Company to every Battalion, and of Twenty Men to every Company on the British Establishment, and it being of great Importance in the present Situation that the several Battalions now serving in America Should be compleated as soon as possible, his Honour Should exert his utmost endeavours to give Efficacy and Dispatch to this plan of Augmentation, by assisting his Majesty's Officers to raise such a Number of recruits as shall be Sufficient for that purpose, giving every encouragement in his power that may induce his Majesty's faithful Subjects to engage in a Service, so essential to their Security and defence.

The Acts of Assembly, to which the said Orders of his Majesty in Council relate, are as follow; Viz.

An Act, to amend an Act intituled an Act declaring the Law concerning Executions, and for relief of Insolvent Debtors.

An Act, to regulate the practice of Suing out and prosecuting Writs of Replevin in cases of distress for Rents

An Act, for exempting Free Negroes, Mulatto and Indian Women from the payment of Levies.

An Act, for laying an additional Duty upon Slaves imported into this Colony.

An Act, for the ease and relief of the People, by paying the Burgesses in Money for the last Convention, and present Session of Assembly.

The three first of which Acts are by the said Orders confirmed, finally Enacted, and ratified; and the two last are disallowed, declared Void, and of none Effect.

Whereupon it was Ordered that a Proclamation¹³⁵ issue immediately, notifying the Same.

To the Several Letters above mentioned the President prepared Answers, and also observations on certain Strictures made by the Lords of Trade upon the several Acts aforesaid, which he was pleased to read to the Board, and the same were approved of.

The said Instruction is as follows:

George R:

Additional Instruction to our Lieutenant and Governor General of our Colony and Dominion of Virginia in America, or our Commander in Chief of our said Colony for the time being. Given at our Court at St. James's the tenth Day of December 1770. in the Eleventh year of our Reign.

Whereas at a General Assembly begun and held in our City of Williamsburg in our Colony and Dominion of Virginia on the Seventh Day of November in the tenth year of our Reign, two Laws were framed and enacted by our Governor, Council, and House of Burgesses of our said Colony and Dominion of Virginia, the one intitled "An Act, for laying an additional Duty upon Slaves Imported into this Colony" the other "An Act for the better Support of the Contingent Charges of Government"; by which said Laws Additional Duties, amounting to fifteen per Cent were imposed upon every purchase of Slaves imported or brought into that Colony, over and above alike Duty of Ten per Cent payable by former Laws then in force; and whereas it hath been represented to us, that so considerable an Increase upon the Duties of Slaves imported into our Colony of Virginia will have the Effect to prejudice and obstruct as well the Commerce of this Kingdom,

¹³⁵. See p.630 for the text of this proclamation.

as the Cultivation and improvement of the said Colony; Whereupon we have thought fit to disallow the first mentioned of the Laws, leaving the other, which is of Short duration, to expire by it's own limitation: It is therefore our will and pleasure, that you do not upon pain of our highest displeasure, give your Assent for the future without our Royal permission first obtained, to any Law or Laws, by which the additional Duty of five per Cent, upon Slaves imported, imposed by the last mentioned Law, Shall be further continued; or to any Law or Laws whatever, by which the Duties of ten per Cent upon Slaves imported into our said Colony, payable by Laws past Antecedent to the Seventh day of November 1769, Shall upon any Pretence be increased, or by which the Importation of Slaves shall be in any respect prohibited or obstructed.

G:R.

The following Act of Assembly, intituled, "An Act, to Dock the intail of two thousand eight hundred acres of Land in the County of Brunswick, whereof Armistead Lightfoot is Seized in Fee Tail, and vesting the Same in trustees to be Sold for certain purposes therein Mentioned," together with his Majesty's approbation thereof, Confirming, finally enacting and ratifying the Same were this day read, and the same Ordered to be recorded in the Secretary's Office.

A Report of Sundry persons appointed by the Mayor of Norfolk having been made to the Council office, touching the Condition of the French Schooner called, the Morning Star, pursuant to the Order of the 12th of last Month, the same was now read; importing that the said Vessel's Decks, Several principal Beams, her top Timbers, Transom, Sheathing, Bottom, Stern-port, Futtocks, Several Knees, her Rudder and cieling are rotten and require to be all New, and that therefore the repairing of the said Vessel would cost more than She would Sell for, or be worth, after She had received Such repairs.

His Honour then was pleased to communicate a further Petition he had received from Peter Barlamont, founded on the said Report, and representing moreover that he is reduced to a difficult delemma with respect to his Effects, being unable by any means he can devise

to get them away without considerable Loss, even if transporting them be practicable; and praying therefore for permission to make Sale thereof, and return to his own Country with as much Speed as his unhappy Circumstances will permit;

Upon mature Consideration of all which the Council were of Opinion, and it was accordingly Ordered, that the said Peter be allowed to Sell his Vessel at publick Vendue under the Direction of the Searcher of that Port, and Charter another to transport himself, his Crew and Cargo to his intended Port; or at his option, to purchase another Vessel; and that he also be Suffered to dispose of so much of his Cargo, as Shall be necessary for defraying his Expences in the Country and furnishing Such provisions as the said Officer shall in his discretion think Sufficient, and in case of the purchase of another Vessel, for paying the difference between the Cost of Such Vessel and the Nett Sales of The Morning Star; and the Collector of his Majesty's Customs arising within the Port aforesaid is required to demand the Foreign Duty on Such part of the said Morning Star's Cargo as shall be Sold in pursuance of this Order; and also to hasten, as much as he can, the finishing of this business, and Captain Barlamont's departure; with all which the Clerk is ordered to acquaint the said Collector by Letter.

The President was pleased to ask the Advice of the Council upon a Letter dated the 9th Ult: which he had received from William Smith, Sheriff of the County of Cumberland, informing him that on the fourth of the Same Month at about 10 O'Clock at Night the Prison belonging to that County was set on fire & Consumed;

Whereupon the Board advised, and it was accordingly Ordered, that a Proclamation¹³⁶ immediately issue offering a reward of Fifty Pounds for apprehending and bringing to Justice, the perpetrators of the said Crime, to be paid on Conviction; and also his Majesty's most Gracious Pardon to any person concerned therein (except him or her who actually set fire to the said Prison) that should discover his or her accomplices:

¹³⁶. See p. 629 for the text of this proclamation.

At a Council held April 12th 1771

Present

The President

Thomas Nelson

Richard Corbin

Phillip L. Lee

John Tayloe

Robert Burwell

George Wm. Fairfax

John Page Esquires

James Horrocks Clerk

His Honour was pleased to Communicate the Duke of Beaufort's Letter of the 2d of January last, directed to the Gentlemen who were appointed by the Honourable the General Court to take care of Lord Botetourt's Effects; in which is the following paragraph Viz.

As I wish as nearly as possible to fulfil Lord Botetourt's intentions, and as I know it was one of them, at his departure to present the Pictures of the King and Queen and the State-Coach with the furniture thereto belonging, to the Colony, for the use of the Succeeding Governors, I must trouble you therefore Gentlemen, to desire the Council on behalf of the Colony to accept of them, and to receive them of me as a Small return for the many distinguished marks of Honour and esteem they Shew'd my Dear Friend when alive, the care and attention they bestowed on him when ill, and the respect and affectionate regard they paid to his Memory in his funeral

Whereupon the Council requested the President would be pleased to write to the Duke of Beaufort in their behalf, and inform him in Such respectful terms as his Honour should think best of their thankful acceptance of his Grace's Genteel Present.

The President then laid before the Board the Petition of James Webb of Richmond County addressed to his Honour and the rest of his Majesty's Council; Setting forth that a fine had been lately imposed on him for Gaming at a Publick race, which he was prevailed upon to do for the first time; and praying, that as he was determined it should be also the last, and in Consideration of his being in low Circumstances, and having a large Family to Maintain, he might be indulged with a remission of the fine.

But the Board observed, that the penalty imposed in cases of that Sort being appropriated to the use of the Poor of the Parish wherein the Offence is committed, his Honour had no right to remit the same.

Whereupon the Petition was rejected.

The President was also pleased to communicate to the Board the Earl of Hillsborough's Letter dated Whitehall January the 2d 1771. Acknowledging the receipt of his dispatch No. 2 and duplicates of Numbers 5 & 6; and mentioning that as the first related to a Matter under the Consideration of the Lords of Trade, his Majesty had ordered Copies thereof and of it's inclosures to be sent to that Board, and that his Lordship had no doubt but, in the consideration of them, Attention would be given to the equitable claims of those Bona Fide Settlers, whose possessions are derived from the grants made to the Ohio Company in 1754, or such as were passed in consequence of Instructions from his late Majesty, or Lieutenant Governor Dinwiddie's Proclamation at the commencement of the last War.

Also that the Letter No. 5 and the Memorial of the President and Council inclosed in it, had been laid before the King, whose commands thereupon were not then received;

That on his present Majesty's Accession, Commissions for Tryal of Pirates grounded on the Act of the 11th and 12th of William the third were renewed for all the Colonies, and that his Lordship did not doubt that the Commission for Virginia was then transmitted with those for the other Colonies, but would however acquaint the Agent with what his Honour said on that Subject, that he might take out an Authenticated Duplicate of that Commission and transmit it here; but that the same does not extend to cases of Murder Committed upon the high Seas, the Supplying of which defect was then under Consideration; and that, in the Mean time, persons arrested for that Offence Should be sent to England to be tried in Such Manner as is directed by the Act of the 28th of Henry the Eighth, agreeably to the Opinion of his Majesty's Law Servants, a Copy of whose report was inclosed by his Lordship.

Lastly, that his Lordship would take the proper Steps, that the Doubts which have arisen here, concerning the Cognizance of Neglect of Duty, Immorality, or Heterodoxy of the Clergy may have the fullest Consideration; but Suggesting at the same time that as Doctr. Gibson was the only instance of a Bishop of London's taking out a Commission for exercising episcopal Authority in the Colonies, and both his predecessors and Successors in that See have invariably exercised such Authority, it has not been understood to depend upon any Commission from the Crown, but to have been established upon antient usage and practice ever since The first Settlement of Colonies in America.

At a Council held April 17th 1771

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

John Tayloe

Robert Carter

Robert Burwell

George Wm. Fairfax

John Page, Esquires

James Horrocks, Clerk

His Honour was pleased to ask the opinion of the Board upon a Letter he had just received from Colo: Donelson dated the 6th Instant; desiring that as he was in immediate want of Money to purchase Sundry Necessary Articles for the Approaching business of Surveying and Marking the line lately agreed upon with the Cherokees as a Common boundary, and Should find new demands arise while on that expedition, the President would be pleased to Send him the Sum of £400.

Whereupon the Council, tho' they thought the advancing Such a Sum of Money liable to objection, yet in consideration of the Steps formerly taken at the Board, were of opinion that Consistency required that the Money Should be Sent; and accordingly advised his Honour to draw on the Receiver General for £400 to be sent to Colo. Donelson, out of the Revenue of 2s. per Hogshead &c. and to inform him that an Account would be required

of the Expenditure thereof. They also requested, that his Honour would be pleased to represent to his Majesty the reasonableness of replacing from the Quit-Rents the Monies expended in this Service.

The President also communicated to the Board a Letter he had received from David Bowman Esqr. Naval Officer of Port Accomack, relative to an intended attack against himself and the Collector and Comptroller of that Port, as unfit persons to be in the Commission of the Peace; and hoping, that no Steps would be taken to their prejudice, till they Should have an opportunity of knowing, and being heard upon, the several matters which might be laid to their charge—Also two Certificates were read from the Clerk of Accomack Court by which it appeared that the People in General and the Magistrates in particular, were much dissatisfied at the adding of those Officers in the last Commission of the Peace for that County, and that the said Magistrates refused to qualify under the same.

His Honour then informed the Board, that Mr. Southy Simpson was attending upon this business; Whereupon he and two other Gentlemen with him, were introduced into the Council-Chamber, and were called upon to make their objections, precisely & determinately; as no general Charge would be attended to.

They said, that there was no want of Magistrates in that particular part of the County where those Officers resided—That they were not men of Sufficient property—That they would generally hang together—And that the manner of their coming in, to wit, without the recommendation of the Court, was displeasing: For that, altho' they did not pretend to deny the right of Appointing Justices without the Nomination of the Court, yet as the Convenience of a Recommendation had caused it to become a general practice, it was hoped that no part of the conduct of that Court had been such as to forfeit that Indulgence.

They also laid before their Honours Sundry Letters from the Justices of that County, to the Same purpose, and then withdrew.

The Board upon Mature Consideration of all that had passed being inclined to think that the opposition took its rise from nothing

more than that the Gentlemen complained against were Revenue-Officers, advised his Honour not to displace them; but as it appeared by the Clerk's certificate, that John Wise and Daniel Gore, two of the persons named in the present Commission, are dead; and that William Bagge, and Littleton Scarborough Major have both refused to qualify on Account of their age and infirmities, they advised, and it was accordingly Ordered, that a New Commission of the Peace issue for the said County, Comprehending all those who were in the former, except the Gentlemen so refusing and those who are dead.

Ordered that a New Commission of the Peace issue for Prince George County, and that Theodorick Bland Junr. and Richard Bland Junr. be added thereto, and in the places they respectively held under a former Commission: And that Sir Peyton Skipwith, who is removed to another County, and James Murray, who is dead, be left out.

Ordered that a New Commission of the Peace issue for the County of Albemarle and that John Cole be added thereto.

At a Council held April 19th 1771

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

John Tayloe

Robert Carter

Robert Burwell

George Wm. Fairfax

John Page, Esquires

James Horrocks, Clerk

Samuel Allyne Esqr. produced a Commission from the Honourable The Commissioners of his Majesty's Customs, residing at Boston; appointing him Comptroller for the lower District of James River; and also a Letter from the said Board of Commissioners, directed to the Collector and Comptroller of the said District; which were both read; and also a Bond for the due Discharge of the said Office, entered into by the said Samuel, together with Andrew Sprowle, John Hutchings, and Samuel

Boush his Securities, which was approved of, And then the said Samuel Allyne took the usual Oath of Office.

At a Council held April 25th 1771

Present

The President

Thomas Nelson

John Tayloe

Richard Corbin

George Wm. Fairfax

William Byrd

John Page, Esquires

James Horrocks, Clerk

His Honour was pleased to lay before the Board, and ask their advice upon, a Letter from his Excellency William Tryon Esqr. Governor of North Carolina, dated Newbern April 7th 1771. mentioning that the forces in that Neighbourhood were to move the 23d Instant and to be joined by detachments of different Counties on their March up the Country to quell the Insurgents against that Government, and expressing his apprehensions, that in case they Should be reduced, many of them might take Shelter in the frontier Counties of this Government, particularly in Lunenburg, Halifax, and Charlotte; in which case, any Steps which might be taken to have them Apprehended and Sent back to North Carolina, would be an acceptable assistance to his Majesty's Service:

Also a Proclamation was inclosed in the said Letter against divers persons Indicted for Riots &c. and a Note Subjoined thereto, by which it appears that William Butler, John Gappen, Samuel Deviney, James Hunter, Matthew Hamilton, James Few, Ridnap Howell and Peter Craven, mentioned in the said Proclamation, were likewise indicted for Felony.

(Present Robert Carter Esquire)

Whereupon the Board were of opinion, and it was Ordered accordingly, that a Proclamation¹³⁷ should immediately issue requiring all Sheriffs, Justices of the Peace, and other Officers civil

137. See p. 631 for the text of this proclamation.

and Military, to be diligent and active in their endeavours to apprehend and bring to Justice any of the said eight persons indicted for Felony, and then give notice thereof to the Sheriff or other Officer of the Peace, of the County next adjoining in the said Province of North Carolina: And Strictly forbidding all his Majesty's Subjects within this Dominion to abett, harbour or entertain any of the persons above mentioned.

At a Council held April 30th 1771

Present

The President

Thomas Nelson

Richard Corbin

John Tayloe

Robert Carter

Robert Burwell

Geo. Wm. Fairfax Esquires

James Horrocks, Clerk

The account of Contingent Charges from the 25th of October 1770. to the 25th of April 1771, and for work done at the Governor's House, being laid before the Board, was allowed.

His Honour laid before the Board two accounts Stated against this Government by Alexander Camoron, Deputy to John Stuart Esqr. Superintendent of Indian Affairs for the Southern District; the one amounting to £19 Sterling for his Travelling expenses to Charles Town, by the Superintendant's order, for calling a Congress of the Cherokees, for the purpose of extending the boundary of this Colony; the other amounting to £12.1.5 $\frac{1}{4}$ Sterling for provisions by him furnished the Indians at the said Congress from the 25th of October to the 5th of November 1770, when the great Warrior and the Over-hill Indians left Lochaber, which Accounts the Board refused to allow, as tho' they were not very considerable in themselves, the payment of them might become a precedent for future demands of the like kind.

The President informed the Board, that on the recommendation of the County Court of Loudoun, he had Ordered a New Commission of the Peace for that County, in which were added, Thomson Mason Esquire, and James Coleman, Charles Brent,

and Lemuel Love, Gentlemen, Mr. Mason being the first named in the said Commission; of all which the Board Approved.

Ordered that a New Commission of the Peace issue for the following Counties Viz. for

Northumberland; to consist of all the persons named in the last; except George Ball, Newton Keene, Samuel Blackwell, George Payne, and John Williams, who are dead, and William Ball, who is removed to Fauquier County; and of the following Gentlemen to be added, Viz. Joseph Ball, William Davenport, James Ball, Peter Presly Thornton, Thomas Gaskins Junior, William Taylor, and Griffin Fauntleroy; and it is farther Ordered, that the said Peter Presly Thornton, be named the last of the Quorum.

Brunswick; to consist of the Several Gentlemen named in the last Commission, except Francis Willis who is about to remove out of the County, and Simon Turner and John Turner, who have refused to qualify; and also of the following new Members, Viz: Thomas Simmons (who is to be replaced where he stood in a former Commission). John Flood Edmunds, Richard Elliott, Augustine Willis, and John Powell, Gentlemen.

Lancaster; to consist of all the Members of the last, except George Heale, who desires to be left out, William Dymmer and Martin Shearman, who are dead, and Thomas B. Griffin, who is appointed Clerk of that Court; and also of the following persons to be added, Viz. Hugh Brent, John Taylor, Burges Smith, and Thomas Lawson Gentlemen. And at the request of Dale Carter, one of the former Justices, it is Ordered that James Ball be placed next before himself and after Thomas Pinckard.

At a Council held May 1st 1771

Present

The President

Thomas Nelson

John Tayloe

Richard Corbin

Robert Burwell

Phillip L. Lee

Geo. Wm. Fairfax, Esquires

James Horrocks, Clerk

Ordered, That the General Assembly, which Stands prorogued to the third Thursday of this Month, be further prorogued to the

third Thursday in October Next; and that a Proclamation¹³⁸ forthwith issue for that Purpose.

On a farther Consideration of the Recommendation for Justices for Northumberland County and of the Commission of the Peace Yesterday directed in Consequence thereof; for Reasons appearing to the Board it is Ordered, that Kenner Cralle, instead of William Davenport, be added to the New Commission; and that Charles Fallen, and Joseph McAdam, who were in the former Commission, be left out.

At a Council held May 3d 1771

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

Philip L: Lee

John Tayloe

Robert Carter

Robert Burwell

Geo. Wm. Fairfax, Esquires

Upon the Receiver General's representation of the inconveniences attending the delay of a Settlement with the several Naval Officers, it is Ordered that the Clerk write to and inform those Officers, that they are Strictly charged and required for the future to Settle their Accounts on or before the first day of May, and the first day of November in every Year.

(Present James Horrocks, Clerk)

The Petition of John Wadman which was presented the 1st day of February last; praying a Grant of 5000 or more Acres of Land on Cape Henry and the Lands adjoining in the desert, Princess Anne County, was now again read and considered, as were also several Counter Petitions presented by the Inhabitants of Norfolk and Princess Anne; and after a full hearing of both parties, the Council being of Opinion, that the said Shore and Lands adjoining were extremely useful to the said Inhabitants for carrying on a Fishery, and also very proper for erecting and

¹³⁸. See p. 632 for the text of this proclamation.

Supporting a Light-House and Fort, for the Safety of Navigation and protection of the Coast, advised and it was accordingly Ordered that the whole of the said Lands, as well the desert, as the Sea and Bay Shores, be reserved for his Majesty's use; and the Clerk is to transmit a Copy of this Order to the Surveyor of the said County of Princess Anne, to be entered in his Survey-Book.

And it is further Ordered, that the Clerk acquaint Mr. Samuel Boush, that upon his sending another plot of the said Lands, expressing the quantity thereof, he will have an Order on the Receiver General, for the £5 he paid to the Surveyor of Princess Anne.

At a Council held May 4th 1771

Present

The President

Thomas Nelson

Richard Corbin

William Byrd

Philip L: Lee

John Tayloe

Robert Carter

Robert Burwell

Geo. Wm. Fairfax, Esquires

His Majesty's Confirmation of two Acts of Assembly the one passed in June 1770 Intituled "An Act to Dock the Intail of certain Lands whereof John Wormeley Gent: is Seized, and for Settling other Lands and Slaves to the same uses"; The other passed in the year 1765 and intituled, "An Act to Dock the Intail of 1500 Acres of Land, whereof Thomas Mann Randolph Gent: is Seized, and for Settling other Lands in lieu thereof to the same uses" was produced and ordered to be recorded in the Secretary's Office.

Ordered, that a New Commission of the Peace issue for the County of Sussex, to consist of all the Gentlemen named in the last, except the following who have never qualified under the Same, to wit, Laurence Gibbons, John Cargill, John Mason, Junr., Ephraim Parham, Solomon Graves, Jesse Williamson, George Booth, John Hunt, and George Reives and also except James Bell, who has lately become an Anabaptist and of the following Gentlemen to be added Viz. Robert Pettway, Nathaniel Harrison,

Richard Blunt, Robert Jones, Thomas Peele, John Peters, Laurence Gibbons the younger, and Isham Smith.

Also, that a new Commission of the Peace issue for the County of Henrico, with no other alteration of the present Commission, but that William Randolph, Gent: be placed the last of the Quorum.

At a Council held May 7th 1771

Present

The President

Thomas Nelson
Richard Corbin
William Byrd
Robert Carter

Robert Burwell
George Wm. Fairfax
John Page, Esquires
James Horrocks, Clerk

The Receiver General produced an Account stated by the Attorney General of fees due to him for Motions against Several Sheriffs, for the Balance of Quit-Rents in their hands, and desired the direction of the Board, whether he ought to pay the Same now, or postpone it 'til the money due on the Several Judgments Should be received of the Sheriffs, respectively:

Whereupon, it was the Opinion of the Board, that as Mr. Attorney enjoyed a Salary under the Crown, which had received a Considerable Augmentation lately, he ought to wait for his fees, especially as the Service was so easy, 'til they Should come into the hands of the Receiver General.

On the Petition of Edmund Jordan, of the County of Nansmond, Setting forth the extraordinary fidelity and Meritorious Services of Francis a Negro Man Slave about forty years of Age, by trade a Shoemaker, and the property of the Petitioner, that he considered himself bound in Conscience to do his utmost to make him free, and praying that he might be permitted to do so; the Board being Satisfied therein, were of opinion, that the said Francis was deserving of his freedom; and it was Ordered, that the said Edmund Jordan have leave to Manumit and Set free the said Francis Accordingly.

At the unanimous recommendation of the Board his Honour the President was pleased to deprive Christopher Ayscough, Tipstaff, and also Door-Keeper to the Council, of both those Offices, on Account of his Drunkenness, and to confer the same on Mr. William Rose; to whom the Clerk is to give Notice thereof, and desire his Attendance as Door-Keeper, to Morrow at 10 O'Clock.

At a Council held May 8th 1771

Present

The President

Thomas Nelson	Robert Burwell
Richard Corbin	George Wm. Fairfax
William Byrd	John Page, Esquires
Robert Carter	James Horrocks, Clerk

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2s per Hhd. &c. were Signed by the President

For half a years Salary to the President	£1000.0.0
Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer & Terminer	100.0.0
For half a years Salary to the Auditor	50.0.0
Do. to Sollicitor of Virginia Affairs	100.0.0
Do. to Attorney General	135.0.0
Do. to Clerk of the Council	75.0.0
Do. to Adjutants	160.0.0
Do. to Armouror	6.0.0
Do. to Gunners of the Batteries	12.10.0
To Ministers Attending one General Court	8.0.0
For repairs to the Governor's House	34.9.6
For Contingent Charges	1075.3.4

Also [be] paid out of his Majesty's Revenue of Quitrents,
For half a years Salary to the Attorney Genl. 35.0.0

The Account of his Majesty's Revenue of 2s per Hhd. arising within this Colony from the 25th of October 1770 to the 25th

day of April 1771. being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by the President.

His Honour laid before the Board Sundry papers relating to a Complaint exhibited by Thomas Parramore and others, Justices of the Peace for the County of Accomack, against Walter Hatton, Collector, Andrew Newton, Comptroller, and David Bowman, Naval Officer, at Port Accomack in the County aforesaid, as Men not fit to be in the Commission of the Peace for the same; and also relating to a cross complaint exhibited by the said Custom-House Officers against some of those Justices; for considering of which the Thursday immediately following the Court of Oyer and Terminer in Next Month is appointed; And the Clerk is directed to give notice thereof to each party, and also furnish them mutually with the charges of the opposite party, and a Subpoena for their Witnesses.

Ordered, that notice be given in the Gazettes, that the Causes on the Council-Docket, will be proceeded on the day immediately following the Court of Oyer and Terminer in next Month.

Ordered, that a New Commission of the Peace issue for the County of Halifax, to include all the persons Mentioned in the last except the following, to wit, Radford Maxey, who is Dead, George Muter, who is removed to Henrico County, and William Stokes, William Hoskins, John Lewis; Evan Ragland, and Henry Hopson, who have refused to qualify; and the following Gentlemen are to be added, viz. William Sims, Micajah Watkins and Nathaniel Hunt.

Also a New Commission of the Peace for the County of Charlotte, which is to consist of all the Gentlemen named in the last, except, Clement Read and John Fuqua, who are dead, Matthew Marable, who is removed to the County of Mecklinburg, Henry Isbell, who resigns, and James Watkins and Stephen Bedford who have refused to qualify; And also of the following Gentlemen to be added, viz. John Brent, Sion Spencer, Joel Watkins, Silvanus Stokes, Joseph Friend, Matthew Watson, Mackness Goode Junr., Joseph Moore and John Pettus.

Also, a New Commission of the Peace for the County of Mecklenburg, which is to include the Several Gentlemen mentioned in the last, except Benjamin Baird, who has not qualified and is also removed to North Carolina, Samuel Hopkins, who tho' qualified, refuses to Act now on Account of Sir Peyton Skipwith's being put higher in the said Commission than himself, and Tignal Jones, who refuses to qualify; and the Gentlemen following are to be added, viz. Lewis Burwell Junior, Samuel Bugg, Reuben Vaughan, Samuel Young and Anselmn Bugg.

At a Council held May 11th 1771

Present

The President

Thomas Nelson

Robert Carter

Robert Burwell, Esquires

Ordered, that a new Commission of the Peace issue for the County of Louisa, to consist of all the Justices Mentioned in the last, except John Carr, Clevears Duke, and Robert Armistead, who refuse to qualify, and Charles Barrette, John Pettus, Charles Smith, and Nicholas Johnson, who are dead; And also of the following Gentlemen, to be added; Viz. William Meriwether, Charles Smith, Nathaniel Garland, Benjamin Lewis, William Garrett Samuel Temple, William White, William Anderson, Nathaniel Anderson, James Dabney, John Daniel, & John Poindexter.

At a Council held May 22nd 1771

Present

The President

Thomas Nelson

Robert Burwell

Robert Carter

John Page, Esquires

James Horrocks, Clerk

The President laid before the Board a Letter from Robert Keeler Esqr. Commander of his Majesty's Ship Mercury, informing him

of his being Stationed by Commodore Gambier on the Coast of Virginia and Maryland, for the Protection of the Trade; and offering his Service to the President and Council; which Letter the President informed the Board he had Answered, assuring Captain Keeler, that if at any time it Should be necessary, they would apply for his Services.

The President also Communicated to the Board a Letter from the Right Honble. the Earl of Hillsborough (No. 41) covering some documents pointing out the method of Supplying Ireland with Copper Money, and proposed by his Lordship to be adopted in Supplying this Colony with Copper Money; which were read and approved by the Board; and the Opinion of the Speaker of the House of Burgesses and Treasurer of the Colony being taken thereupon, the former concurred with the Board and the latter informed them, that in compliance with, and the better to fulfil the directions of the Act of Assembly for the Importation of Copper Money, he thought it expedient, and would appoint an Agent in England to procure a Warrant, and take necessary Steps for the Coinage of Such Copper Money agreeable to the mode proposed, and would direct that the same Should be Shipped and here delivered to himself according to the trust of the said Act of Assembly.

At a Council held June 11th 1771

Present

The President

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd

John Page, Esquires

James Horrocks, Clerk

His Majesty's Letter and Sign Manual, dated February the 7th 1771, appointing Ralph Wormeley Junr. Esqr. one of his Majesty's Council of State for this Colony, having been read, he accordingly, upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

At a Council held June 12th 1771¹³⁹

Present

The President

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd.

John Page, Esquires

James Horrocks, Clerk

Ordered, that a New Commission of the Peace issue for the County of Southampton, without any variance, from the last, Signed by his late Excellency, Lord Botetourt, under which, some of the Gentlemen therein named, entertain doubts whether they can now properly qualify.

(Present Ralph Wormeley Esqr.)

Ordered, that a New Commission of the Peace issue for the County of Albemarle, to include all the Gentlemen named in the last, except Henry Martin, Nicholas Lewis, Nicholas Meriwether, Charles Lewis, John Scott, Thomas Jefferson, Charles Lewis Junr., Edward Carter, and Isaac Coles Gentlemen who refuse to act, And the following Gentlemen are to be added Viz. Matthew Maury, Charles Clay, George Gilmer, James Quarles, Thomas Carr, William Henry, James Adams, Charles Wingfield, and William Tandy.

Also a New Commission of the Peace for the County of King William, containing the Several Gentlemen named in the last, except Harry Gaines, and William Spiller, who are dead, and also except James Quarles, and William Cowne; and the following Gentlemen are to be added, Viz. Bernard Moore in the same Rank as formerly, John Roan (who is to take Rank according to the date of the Essex Commission in which he was first included) and William Burnett Brown.

139. The fifth, sixth and seventh paragraphs of the Council proceedings for June 12, 1771 and the first, second and third paragraphs of the Council proceedings for June 13, 1771 are also found as a separate manuscript in the Public Record Office, C.O.5/1333, ff.99-100. It is endorsed: "Virginia. Minutes of Council on the 12 & 13 of June 1771. In Mr. Nelson's Letter of 14 June 1771."

The President was pleased to ask the Advice of the Board, with respect to Richard Sowerbutts, one of the Malefactors under Sentence of Death; and they were of opinion that he was too atrocious an offender to be recommended for a Pardon. But Matthew Thorpe, and James McDowell, alias James Benson, two other Condemned Criminals were thought proper objects of Mercy and recommended accordingly.

A Memorial was this day presented to the President and Council by the Merchants and others on James River, relating to the damage by them Sustained in Consequence of the late remarkable rising of the Waters; and praying leave to lay before their Honours, at such time as they Should be pleased to appoint, as particular a State of their Losses as can now be procured, with a full expectation, that when their Situation shall be thoroughly known, their Honours would be pleased to grant them such assistance as the Nature of their case may require, and is in their power to afford them.

Which having been read, some of the Memorialists who attended, were called into the Council Chamber, and asked what particular mode of relief they expected, and whether it was their Meaning, that the President Should call the General Assembly; to which they replied, that they should be very well satisfied with that Measure, or any other which Should be approved of by the Board; and then retired.

His Honour was then pleased to Communicate to the Board his Majesty's 88th Instruction, restraining any President who should have the Administration of the Government in his hands, from passing any Act but Such as Should be necessary to the Welfare of the Community in General; upon which it was the Opinion of a Majority of the Council, that tho' the calling of the Assembly was the only means in his Honour's power of giving redress to the unfortunate Sufferers, yet the said Instruction must operate in this case to prevent it; in as much as the Calamity, however deplorable, seemed to be confined to a few Individuals, compared to the Country at large: And that there was the less Necessity of convening the Assembly now, as there was Some room to expect the Arrival of a Governor in a Short time, which would put an end to

every difficulty. But, as they observed that the Memorialists desired another Opportunity of laying before them the more particular Consequences of this disaster, they advised they should be informed, that his Honour would give them a hearing in Council to-Morrow; and it was Ordered accordingly.

John Ford having entered a Caveat against James Miller for 200 Acres on Carrol's Creek in Albemarle, entered by Anthony Pouncey and by him transferred to John Miller Father of the defendant; the plaintiff appearing, and the defendant tho' Solemnly called not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Alexander White having entered a Caveat against Mary Wood, and Matthew Harrison, for 400 Acres on the South Side of the North River of Shenadoe, including the Ducking ponds and adjoining the great plains in Augusta, the plaintiff appearing and the defendants, having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Joseph Luney having entered a Caveat against Charles Meets and Adam Luney for 127 Acres on Stony Run a branch of Craig's Creek in Augusta; the plaintiff appearing, & the defendants tho' Solemnly called not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

William Spiers having entered a Caveat against John Langford Junr. for 144 Acres on one of the ragged Mountains, joining the Lands of Micajah and Benjamin Wheeler, in Albemarle; the plaintiff appearing, and the defendant having been Solemnly called, and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

John Strange having entered a Caveat against James Woodie and John Brooks and Mary his Wife for 400 Acres on Ballenger's Creek in Albemarle; the plaintiff appearing, and the defendants having been Solemnly called and not appearing it is Ordered that the plaintiff have a Patent for the said Land.

David Wilson having entered a Caveat against Hannah Hoss, for 140 Acres on a branch of the South fork of Potowmack between Swedeland hill and the Mountain in Augusta; the plaintiff appear-

ing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Alexander White having entered a Caveat against Matthew Harrison, for 1000 Acres more or less, joining the great plains, and lying on the North River of Shenandoah in Augusta, by consent of the parties it is Ordered, that Mary Anne Harrison, Elizabeth Harrison, and Mary Harrison, the defendant's daughters, have a Patent for the said Land.

John Madison having entered a Caveat against Edward McGarry, for 60 Acres, or thereabouts, joining the Lands of Joseph Cravens, William Cravens, and John Madison in Augusta, the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

William Shannon and Andrew Johnston having entered a Caveat against James Green, Robert Calwell, and Benjamin Kinley, for 300 Acres, or thereabouts, on Jack Oneal's Run near Muddy Creek in Augusta; the plaintiffs appearing, and the defendants having been Solemnly called and not appearing, it is Ordered that the plaintiffs have a Patent for the said Land.

Robert Hamilton having entered a Caveat against Charles Wilson for 100 Acres, joining the Lands of Robert Erwin in Augusta; the plaintiff appearing, and the defendant, having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

John Gratton having entered a Caveat against Hugh Donahue, for 400 Acres, in the fork of Naked Creek and the North River of Shenandor in Augusta; the plaintiff appearing, and the defendant, having been Solemnly called and not appearing it is Ordered that the plaintiff have a Patent for the said Land.

John Cox having entered a Caveat against Edmund Gray, for 404 Acres, in Pittsylvania on both sides of Mill Creek; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Gabriel Shelton having entered a Caveat against Henry Wade, for 870 Acres, on the branches of Stinking River in Pittsylvania; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

John Wilkinson, having entered a Caveat against Joseph Fitzpatrick for 226 Acres in Albemarle; in the Coves and ridges of the ragged Mountains; on hearing the parties it is Ordered, that the plaintiff have a Patent for the said Land.

Abner Witt having entered a Caveat against Paul Abney for 76 Acres in Amherst on the South branches of the South Fork of Rockfish; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

David Frame having entered a Caveat against John Dinwiddie, for about 140 Acres on the head of Jackson's River joining the Lands of the said David, [in] Augusta; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Thomas Evans having entered a Caveat against David Kincaid, for 150 Acres on Mechum's River joining the Lands of William Shelton and William Neeley in Albemarle; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Joseph Waggamon having entered a Caveat against Robert Pitt for 300 Acres in Accomack on Weymouth's branch; on hearing the parties it is Ordered that the plaintiff have a Patent for the said Land.

Henry Bell having entered a Caveat against James Roberts, for 13020 Acres, more or less in Pittsylvania, formerly Halifax, on the Waters of Little Dan; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Daniel Shelton having entered a Caveat against William Amey, for 400 Acres on the branches of White Thorn Creek in Pittsylvania; the plaintiff appearing, and the defendant having been Solemnly

called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Rachel Morrison having entered a Caveat against Robert Ayres for 150 Acres on the branches of Stony Creek of Rockfish River, in Amherst; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

John Wilkinson having entered a Caveat against Henry Dawson for 190 Acres joining the Lands of William Thompson and Thomas Stewart on the Waters of the South River of Shanandoah, in Augusta; the plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

John Wilkinson having entered a Caveat against Samuel Black, for 400 acres joining the Lands of William Thompson and Edward Hall, on the Waters of the South River of Shanandoah, in Augusta; the plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

Robert Sharpe having entered a Caveat against John Sorrel, for 400 Acres of Land on plumbtree branch, in Albemarle; joining the Lands of Ford, Lewis, and of the said Robert Sharpe; the plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

William Young having entered a Caveat against Gersham Allen or his Assigns, for 75 Acres in Pittsylvania County on Pigg River; the Plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

James Belsches having entered a Caveat against William Kennon, for 1200 Acres, or thereabouts, on Sandy Creek in Pittsylvania; the plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is ordered that the plaintiff have a Patent for the said Land.

Peter Manson having entered a Caveat against Newman Hardaway, Son and heir at Law of James Hardaway deced. for 4450 Acres on the branches of Sandy River and Turkey Cock Creek, which the said James recovered, in a Caveat against Twitty and others by an Order of Council of the 16th of June 1768, then being in Halifax, but now Supposed to be in Pittsylvania; the plaintiff appearing, and the defendant having been Solemnly Called and not appearing, it is Ordered that the plaintiff have a Patent for the said Land.

James Jenkins having entered a Caveat against Joseph Jenkins for 300 Acres on Appamattox River, in Cumberland County; the plaintiff appearing, and the defendant having been Solemnly called and not appearing, it is Ordered that the plaintiff have a Patent for the Said Land.

Lewis Dudley having entered a Caveat against Elizabeth Reade and John Reade, for 18 Acres of Land, more or less, in Middlesex County on the Head of Wormeley's Creek, adjoining the Lands of James Gregorie and the said Lewis Dudley; on hearing the Parties it is Ordered, that the Plaintiff have a Patent for the said Land.

George Heard having entered a Caveat against William Heard, for 400 Acres of Land, more or less, Surveyed for Amos Richardson on Buck-Branch, a Branch of Snow-Creek in Pittsylvania County, the plaintiff appearing, and also the defendant by John Tazewell his Attorney, it is Ordered by Consent of the said Defendant's Attorney¹⁴⁰ that the plaintiff have a Patent for the said Land.

Eleazar Clay having entered a Caveat against Charles Clay, for 5836 Acres of Land in Pittsylvania on the Branches of the South Fork of Sandy River, and the West Branch of Cascade Creek; the Plaintiff appearing, and the Defendant having been Solemnly Called and not appearing, it is Ordered that the Plaintiff have a Patent for the said Land.

The Caveat of Andrew Johnston against John Wamesley, for 300 Acres joining the Lands of Daniel Harrison near the Cook's-Creek Meeting House in Augusta, was on hearing the Parties by

140. The final letters of this word are crowded together at the inner edge of the page and the spelling is uncertain.

their Council dismissed; and it is farther Ordered, that the Plaintiff pay unto the defendant his Costs in this Behalf expended.

On hearing the Parties by their Counsel in the Caveat entered by Alexander Reid junr, against Lilly Bowin for 250 Acres in Augusta lying on James River joining her own Lands, it is Ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant her Costs in this Behalf expended.

On hearing the Parties by their Counsel in the Caveat entered by Richard Shelton junr. against Nicholas Davis; for 3 Acres of Land in Bedford on Fluvanna River; it is Ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs in this Behalf expended.

Matthew Harrison having entered a Caveat against Alexander White for 185 Acres of Land in Augusta joining Wood's Land in Lord Fairfax's Boundary; the Defendant appearing by Thomas Jefferson, his Attorney and the Plaintiff having been Solemnly Called and not appearing, it is Ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs, in this Behalf expended.

On hearing the Parties by their Counsel in the Caveat entered by William Clinch against the Vestry of the Parish of [Southwark] in the County of Surry, for 800 Acres of Land in the said County; it is Ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs in this Behalf expended.

On hearing the Parties by their Counsel in the Caveat entered by John Jones, Executor &c. of Francis Griffin against William Gill and Thomas Loftus, for 400 Acres of Land in Halifax County, upon Aaron's Creek; it is Ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs in this Behalf expended.

Edward McCraw having entered a Caveat against David Wilson, Henry Haines Senr. and John Haines, for 400 Acres of Land in Halifax, on the East Fork of Bull Run; on hearing the Parties, it is Ordered, that the said Caveat be dismissed, and that the Surveyor of the County in which the Lands lie, deliver a Copy of the Plot to the said Henry Haines.

Aaron Hughes having entered a Caveat against Mary Wood for 200 Acres of Land in Augusta County on the North River of Shanando, joining Francis Hughes; the Defendant appearing by Attorney and the Plaintiff having been Solemnly Called and not appearing, it is Ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant her Costs in this Behalf expended.

In the Caveat entered by John Gordon against Andrew Shanklin, for 318 Acres on a Branch of Muddy Creek, a Branch of the North River of Shanandoah joining the Lands of Thomas Gordon, Thomas Shanklin, and Archibald Hopkins in Augusta; on hearing the Parties by their Counsel, it is Ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs in this Behalf expended.

In the Caveat entered by Archelaus Hughes against Peter Fontaine, for 400 Acres of Land in Pittsylvania, on Crooked Creek, a Branch of South Mayo River, joining on the Country Line, on hearing the Parties by their Counsel, it is Ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Cost in this Behalf expended.

In the Caveat entered by Archelaus Hughes against Peter Fontaine, for 400 Acres of Land in Pittsylvania, on Crooked Creek a Branch of South Mayo River, adjoining the Land Mentioned in the last Caveat; on hearing the Parties by their Council, it is Ordered, that the said Caveat be dismissed, and that the plaintiff pay unto the Defendant his Costs in this Behalf expended.

The following Caveats were dismissed generally, Viz—

Joseph Williams v. Hugh Ennis, for 800 Acres in Halifax on the Mountain Fork of Snow Creek, Surveyed for William Ditto and Son.

Michael Bowyer v. Thomas Moore; for 200 Acres on the North Side of Smith's Creek, between Davison, Philips, and Rambo's Land.

Isaiah Shipman v. Thomas Langdon; for 250 Acres, more or less, on the Branches of the North River of Shenandoah joining the Lands of the said Shipman, in Augusta County.

William Preston v. Margaret Buchanan and Mary Boyd; for 283 Acres in Augusta, the North Side of James River, where John Buchanan lately dwelt.

William Blackwell v. Matthew Moody, entered in the Council Office October 7th 1769.

Peter Randolph Bland v. Peter Copland and others, entered Octr 28th 1769.

William Preston v. William Thompson and others entered Novr. 23d 1769.

John Henry v. Edmund Gray, entered Feby. 10th 1770.

Andrew Johnston v. Andrew Boyd, entered Feby. 12, 1770.

The Same v. Reuben Daniel, entered Do. Do.

Edmund Graves v. John Talbot, entered April 12, 1770.

The Same v. William Hurd and others, entd. Do. Do.

John Smith v. John Shelton entered April 24, 1770.

George Walker junr. v. George Walker, entd. May 2, 1770.

William Hunt Allen v. Jeremiah Hardwick entd. June 2d 1770.

William Dillingham v. John Cox, entered June 13, 1770.

Hugh Innes v. James Parbery, 2 Caveats, entd. Do. Do.

The Same v. Francis Buckner entd. Do. Do.

Josias Grigg v. James Grigg, entered June 14, 1770

Peter Copeland v. John Simmons, entd. Do. Do.

William Nelson v. Peter Copeland &c. entd. June 15, 1770.

Peter Randolph Bland v. Do. &c. entd. June 14th 1770.

John Bailey v. Archibald Gordon, entered in the Council Office June 16th 177[o]

William Thurman v. Guy Smith, entered August 9th 1770.

Benjamin Baker v. John Lawrence, entd. Sept. 5th 1770.

Thomas Levisse v. George Barret, entd. October 5th 1770.

Branch Tucker v. James Tucker, entd. Novr. 8th 1770.

Daniel Lovell v. Peter Polly &c. entd. Novr. 14th 1770.

John Crammond v. [. . .]¹⁴¹ Jones, entd. Decr. 22d 1770.

James Lankin v. Valentine Mullen, entd. Jany. 8th 1771.

William Young v. Coatney Broyles &c entd. Jany. 12th 1771.

¹⁴¹. Blank in the original.

John Hobday v. Daniel Rine	}	entered Jany. 30th 1771.
v. John Greer		
v. John Hylton		
v. Adam Steedham		
v. John Greer		
v. James Standiford, 2		

John Johnson v. Robert Adams, entered March 30th 1771.

Stephen Mize v. Joshua Hix, entered April 20th 1771.

The Caveat of Margaret Brown against William Tullah abates by the Death of the Plaintiff.

On a Motion made, it is Ordered, that the Caveats formerly entered, Viz. George Jefferson v. Jacob Colson; and Roger Scott against the Same Defendant, the former of which was dismissed last June, and in the latter the said Roger then obtained an Order for a Patent, be re-instated, in the Same Order as before, and continued.

On a Motion made, it is Ordered that William Waterson do give Security before the End of the Next April Court, for Payment of their Costs to the Several Persons against whom he has Caveats now depending, in Case he Shall be Cast in the Same.

Peter Copeland having entered a Caveat against William Mac-lain &c; it is Ordered that the said Caveat be continued; and further with the Consent of the Parties it is Ordered, that the Same shall not abate by the Death of either of the Parties.

Charles Patteson &c. having entered a Caveat against Jeremiah Whitney &c. on a Motion made it is Ordered that the said Caveat be continued, and that the Surveyors of the Several Counties of Buckingham, Bedford, and Amherst do Survey and lay off the Land in Dispute according to Ogilby's Entry made in Col: Jeffersons Book in the year 1755; agreeably to the former Order of the Board.

Matthew Harrison having entered a Caveat against John Benson, it is Ordered that the said Caveat be continued at the Plaintiff's Cost

N. B. Jacob Woodley attended as a Witness for the Defendant	
from the distance of 200 Miles, in Augusta	600 lb. Tobo.
1 Day	60 lb. Tobo.

660

John Bowden &c. having entered a Caveat against Joseph Gartwright, it is Ordered that the said Caveat be continued at the Plaintiff's Cost.

The Several Caveats of Douglas v. Mousley—Johnston v. Millar—Stegoe v. Stegoe—Jordan v. Randolph and others—Jordan v. Randolph and others—Jordan v. Randolph and others—Copeland v. Wilson &c.—Gottee v. Stegar—Christian v. Christians—Mead v. Taylor &c.—Phelps v. Whitney &c.—Hugh & Peter Rose v. Lively—Turner v. Rand—Young v. Pusey—Threewitts v. Maclin—and Lanier v. Maclin, were Ordered to be continued generally.

In the Several Caveats of Craven v. Rollstone—Cabbel v. Lee &c.—Mead v. Williamson &c.—Pleasants v. May—Pleasants v Joshua May—Gordon v. Broyls—Booker v. Paine—Alston v. Isaac, Clement, and Thomas Dillard—Hughes v. Jennings—Strange v. Murril—Tunstall v Cox &c.—Hopkins v. Cook—Donelson v. Yarrington &c.—May v. Hunter—Hickman v. Roialty—Taylor v. Binum—Kennon v. James, John & George Christian—Mabry v. Hardin—Munford v. Jones—Eppes v. Jones &c.—Taylor v. Plunket—Smith v. Preston &c. 2 Caveats—Jefferson v. Scott—Levisee v. Duff—Levisee v. Griffiths—Levisee v. Bates—Jefferson v. Jones—Thompson v. Smith—Choice v. Maccarty—Maclanahan and Wife v. Hartsough—Pusey v. Barton—Galaspy v. Wilson &c.—Donelson v. Paine—Smith v. Summerfields—Cosbey v. Morris & C.—Lucan v. Graves—Cooke v. Logue—Cooke v. Beller—Griffin v. Emerly, als. Catt—Bishop v. Pryor &c.—Black v. Kinkead—Black v. John Kinkead—Huson v. Maclin &c.—Phelps v. Daniel—Freeman v. Freeman—Mitchell v. Cox—Mitchell v King—Ballard v. Cunningham—Ruffin v. Ruffin—Munford v. Anna and Margaret Currie—Shanklin v. Shanklin—And Dunn v. Blevins &c.—there not being Such Returns of the Several former Processes, as the Rules of Government require, New Process is awarded the Parties aforesaid.

At a Council held June 13th 1771¹⁴²

Present

The President

Thomas Nelson
Richard Corbin
William Byrd
Robert Carter

Robert Burwell
John Page
Ralph Wormely junr. Esqrs.
James Horrocks, Clerk

The Consideration of the Memorial of the Merchants and others, which was Yesterday read and postponed, was now resumed; and the Memorialists, being again introduced into the Council-Chamber, informed the Board, among other Things that without a Speedy Interposition in their Favour, the Credit of the Merchants would be entirely Sunk; which could not fail to affect that of all others connected with them, and must have a very baneful Influence on the Trade of this Country; That in the Course of their Dealings, it has been usual for them to pay the Tobacco Dues imposed for raising the Salaries of the Clergy, and other Levies, for their Customers, who are taught to depend upon them with Security, and provide no other Means; but by this fatal Stroke they are disabled not only from making that Use of the Tobacco they had provided but also from purchasing other Tobacco, and consequently from complying with the Expectations of their Numerous Customers; who must of Course, be left a Pray to the Exaction of the Collectors, who may demand what they will, for Such Dues as are by Law payable in Tobacco.

And that for themselves, altho they have every Security which the Public Faith can give them, that they shall, at least, receive Satisfaction for the Value of their Tobacco at the Public Ware houses, yet if that Redress Should be delayed till the usual Time of the Assembly's meeting, it would come too late to be of any effectual Service, or in other Words, to preserve their Credit, which trading Persons must ever estimate above all other Considerations.

The Gentlemen, Memorialists, then Withdrew; when the Board, maturely Weighing what had been urged, declared their Conviction,

¹⁴². See p. 413 for note 139 regarding the Council proceedings of June 12, 1771.

that it was absolutely Necessary, for the Welfare of the Country in general, that the Assembly Should meet as Soon as Conveniently may be; and that under the present Circumstances of the Colony, it would be imprudent to wait for the uncertain Arrival of a Governor; And they accordingly advised his Honour to convene the General Assembly, on Thursday the eleventh Day of Next Month.

Ordered that a Proclamation¹⁴³ immediately issue for that Purpose.

The Several Papers relating to the Complaint of Thomas Parramore and others, and the Cross Complaint of the Officers of his Majesty's Customs, at Port Accomack, which were read the 8th Day of last Month, being according to the Order then made, now again read and considered, and Several Witnesses having been examined before the Board, it is Ordered that a New Commission of the Peace issue for the County of Accomack, in every Respect the same with the last, except that William Bagge Gentleman, who was left out by Mistake, be now restored to his former Place in the Commission.

The Clerk is appointed to tax the Costs accruing on the Several Caveats which were Yesterday heard and determined, are now depending before the Board, or which may hereafter be brought, agreeable to the Act passed the last Sessions of the General Assembly; and he is directed to allow the Same for Witnesses, as is allowed in Causes before the General Court; also five shillings and Nine Pence for each Summons taken out by the Several Defendants, and ten Shillings and Nine Pence for a Copy of each Order of Council made in Favour of the said Defendants, being the Fees due to the Clerk himself; and fifty Shillings, for a Lawyer's Fee, in Such Cases where the Defendant employed one.

[. . .]¹⁴⁴ Armistead having been fined £10 by the Court of Gloucester County, for retailing Liquors without a Licence, one Moiety whereof is to the King, for the better Support of this Government and the Contingent Charges thereof, the other to the Informer, the Board recommended to his Honour the remitting

143. See p. 633 for the text of this proclamation.

144. The first name is not given.

of five Pounds, being the Moiety over which he has a dispensing Power.

A Recommendation for a New Commission of the Peace for the County of Northumberland, having been read and considered, together with the present Commission, it appeared to the Board that a New Commission was unnecessary, and therefore the Recommendation was rejected.

At a Council held July 13th 1771

Present

The President

Thomas Nelson
William Byrd

Robert Burwell
John Page, Esquires

His Honour Communicated to the Board a Letter from John Stuart Esqr. dated Charles Town 17th of April last, inclosing an Extract of a Letter from Mr. Cameron, relating to the Discontents of the Young Men among the Cherokees about the Treaty of Lochaber, and their Expectations of further Presents to induce them to confirm it; but which Mr. Stuart thinks, they ought not to be indulged in. He also acknowledges the Receipt of the Balance demanded by him in his last Letter.

Ordered, that a New Commission of the Peace issue for the County of Sussex, and that George Booth, Gentleman, be added immediately after William Blunt, Gent:

His Majesty's Confirmation of an Act of Assembly pass'd in the year 1764 intituled, "An Act to dock the Intail of certain Lands whereof Richard Todd is Seized, and for Settling other Lands and Slaves in Lieu thereof";

Also, of an Act passed in 1770, intituled, "An Act to vest certain intailed Lands whereof Charles Lewis, Gentleman, is Seized, in John Lewis, Gentlemen, in Fee Simple, and Settle other Lands to the same Uses," was produced, and Ordered to be recorded in the Secretary's Office.

John Blair junr. }
Cl. Conc. }

At a Council held July 17th 1771¹⁴⁵

Present

The President

Thomas Nelson

John Tayloe

Richard Corbin

Robert Burwell

William Byrd

John Page

Ralph Wormeley junr. Esquires

The President communicated to the Board a Letter from Col. Andrew Lewis, dated Botetourt July 5th 1771, relating to the Murder of seven Persons at one Adam Stroud's, who resides on a River called, The Elk Waters; in Consequence of which he tells his Honour, he had ordered the Militia of that County to hold themselves in Readiness, and had also sent out Scouts to guard against farther Irruptions; which had been the rather expected, from a prevailing Opinion, that those Murders were perpetrated by some of the Ohio Indians, with an Intent to bring on a general War; but that as all hostile Appearances were then at an End, those Families which had left their Settlements on the first Alarm, were returned to them in Peace. Whereupon, the Council advised his Honour to write to Col. Lewis to procure as particular an Account as possible, and as certain an one with Respect to the Nation the said Murderers belonged to; and also to the Superintendant of the Northern District, whose Knowledge of what Parties of Indians were gone out at that Time, might perhaps enable him to throw some Light on the Inquiry.

Ordered, that a new Commission of the Peace issue for the County of King William, and that James Quarles be added next after Francis West, and that John Roan and William Burnet Brown (both in the present Commission) exchange Places.

145. The text of the following Journal, July 7, 1771-February 8, 1772, is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1350, ff.28-37. On the title page is written: "Copy of the Journals of the Council in Virginia since the 13th Day of July 1771." and perpendicular to this: "Journals of the Council. In the Earl of Dunmores of the March No. 7." Below this was written "(6)" changed to "(7)."

Also a new Commission of the Peace for the County of Dinwiddie, to contain all the Gentlemen in the present Commission, & Daniel Claiborne, Gentleman, is to be added thereto.

Also, a new Commission of the Peace for the County of Botetourt; to consist of all the Gentlemen named in the present, and moreover of the following, viz. James Thompson, John Stewart, John Robinson, John Vanbebber, and Matthew Arbuckle.

His Majesty's Confirmation of an Act of Assembly passed in 1770, intituled "An Act to vest certain Lands whereof John Robinson Esquire died seized in Trust for Philip Johnson, Gentleman, and his Children, in Trustees for the Purposes therein mentioned" was produced, read, & ordered to be recorded in the Secretary's Office.

At a Council held July 18th 1771

Present
As Yesterday

Ordered,

That a new Commission of the Peace issue for the County of Northumberland, to consist of the following Persons, viz. Richard Hull, Thomas Gaskins, John Eustace, Joseph McAdam, Spencer Mottrom Ball, Rodham Kenner, Winder Kenner, Charles Fallen, David Ball junr., Charles Bell, John Smith junr. Lindsey Opie, Peter Presly Thornto[n]¹⁴⁶ (the foregoing to be of the Quorum) Joseph Ball, William Davenport, James Ball, Thomas Gaskins junr., William Taylor, Griffin Fauntleroy, Charles Lee, Kenner Cralle, and William Eskridge, Gentlemen.

On the Motion of the Clerk, for Instructions how he is to proceed, when applied to for Commissions to examine Witnesses who cannot attend the Board in Person, it is ordered, that he make out such Commissions upon Affidavit made of the Disability, in the same Manner as is required by Law in Causes depending in the County Courts.

146. The final letter does not appear at the edge of the page.

At a Council held July 20th 1771

Present

As at the last Council
except Richard Corbin Esquire

His Honour mentioned to the Board the Case of an unfortunate young Man, named John [. . .],¹⁴⁷ who being deprived of his Reason is frequently making Attempts upon his own Life; to prevent which Designs he is at present confined in the Nansemond Goal, which is represented to be so small and hot, that the young Man suffers greatly there; whereupon, the Council advised the President to give Orders for his Removal to the Public Goal.

At a Council held at the Palace, September 25th 1771

Present

His Excellency, the Right Honourable John, Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice-Admiral of the Same

William Nelson
Thomas Nelson

Robert Carter
John Page Esquires

His Majesty's Royal Commission, bearing Date at Westminster the 19th Day of January, in the eleventh Year of his Reign, constituting and appointing John, Earl of Dunmore, his Majesty's Lieutenant and Governor General of this his Colony and Dominion, and thereby giving and granting unto him full Power to exercise all and all Manner of Jurisdictions, Powers, and Authorities to the same belonging, his Excellency took the Oaths appointed to be taken, by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and the Abjuration Oath, repeated and subscribed the Test, and also took the Oath for the faithful Discharge of the Office of Governor General, and due Observance of the Acts of Trade; which Oaths were administered to him by the said William Nelson, Thomas Nelson, and John Page, Esquires. His

¹⁴⁷. Blank in the original.

Excellency afterwards administered to all the members of the Council present, the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy, and the Abjuration-Oath, and they repeated and subscribed the Test, and also took the Oath of their Office.

Ordered, That a Proclamation¹⁴⁸ immediately issue, for continuing all public Officers in their respective Places.

His Excellency was pleased to communicate an Order of his Majesty in Council held June 14th 1771, disallowing of an Act of Assembly passed in June 1770, intituled, "An Act for appointing Commissioners to meet with Commissioners, who are or may be appointed by the Legislatures of the neighbouring Colonies, to form and agree upon a general Plan for the Regulation of the Indian Trade."

Whereupon it was ordered, That a Proclamation¹⁴⁹ issue notifying the same.

At a Council held October 12th 1771

Present

His Excellency

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

George William Fairfax

Philip Ludwell Lee

John Page

Ralph Wormeley junr. Esquires

The said Richard Corbin, Philip L. Lee, John Tayloe, George William Fairfax, and Ralph Wormeley junr. Esquires, took the Oaths appointed by Act of Parliament to be taken, instead of the Oaths of Allegiance and Supremacy, and the Abjuration-Oath; repeated and subscribed the Test, and also took the usual Oath as members of the Board.

His Excellency informed the Council, that since the last Board was held he had appointed Benjamin Weldon Sheriff of James

148. See p. 633 for the text of this proclamation.

149. See p. 634 for the text of this proclamation.

City County for the ensuing Year; and also John Leigh Sheriff of the County of Prince Edward; and the President also mentioned, that during his late Administration he had appointed Jaquelin Ambler, Sheriff of the County of York.

On the Petition of John Clarke, of the County of Northumberland, for a Remission of a Fine of five Pounds current money imposed on him for the Use of his Majesty, for retailing Liquors without a Licence; setting forth, that it was after his Licence was out, and before any Court sat, to give him an Opportunity of obtaining a new one; his Excellency, being satisfied of the Truth of the Representation, was pleased to order, that the said Fine be remitted accordingly.

His Excellency was pleased to ask the Advice of the Board, as to the Necessity of Expedience of dissolving the present General Assembly; and the Council were of Opinion, that it ought to be immediately dissolved, as it has always been customary upon the Arrival of a new Governor, and is consequently expected by the Country in general; Whereupon, his Excellency was pleased to order, that a Proclamation¹⁵⁰ issue immediately for that Purpose.

Then his Excellency consulted the Board, upon what Days it would be proper that the Writs for a new Election of Burgesses should issue and be returnable; and it was their Opinion, and accordingly ordered, that the said Writs bear Teste the 31st Day of this Month, and be made returnable on Thursday the 12th Day of December next

At a Council held October 14th 1771

Present

His Excellency

William Nelson

John Tayloe

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

Philip Ludwell Lee

John Page

Ralph Wormeley junr., Esquires

The said Robert Burwell Esquire took the Oaths appointed by Act of Parliament to be taken, instead of the Oaths of Allegiance

^{150.} See p. 635 for the text of this proclamation.

and Supremacy, and the Abjuration Oath, and repeated and subscribed the Test, and also took the usual Oath as a Member of the Board.

His Excellency was pleased to communicate, and ask the advice of the Board upon, the Memorial of Charles Philpot Hughes, late Captain Lieutenant in his Majesty's 17th Regiment of Foot, commanded by the Honble. General Monckton; setting forth his Services, & praying his Lordship to grant him a Quota of Land in this Colony, adequate to his Rank; Upon which it was the Opinion of the Council, that till the Western Boundary of the Colony should be run and finally ratified, they could not take the Merits of the said Memorial into Consideration, and that therefore it ought to be postponed till the Time they should resume the Consideration of the many Petitions of the same Sort, which now lie in the Office, awaiting that Event; and the same was ordered accordingly.

Upon a Dispute subsisting between Nathaniel Wyche and James Jones, concerning their respective Claims to the Office of Sherif of the County of Sussex, the Recommendation of the Court, and sundry other Papers relating thereto having been read, it was the Opinion of the Board, that as Mr. Wyche was the first named in the Recommendation, and did not appear to have any Stain on his Character, he ought to have the Commission, according to the established Usage; but at the same Time they thought him not so diligent a Magistrate, respecting his Attendance in Court, as perhaps (notwithstanding the Remoteness of his Situation) he might have been:

Whereupon it was ordered, that a Commission issue appointing the said Nathaniel Wyche the Sherif of the said County for the ensuing Year; and that the Clerk write a Letter to inform him, that it was purely [due] to the Respect which his Excellency and the Coucil were willing to shew to the Recommendation of the Court, that he was indebted for his Success; and that for the future greater Diligence in the Magisterial Office would be expected from him.

The President, in Behalf of the Council, delivered the following Address to his Excellency;

My Lord,

We, his Majesty's dutiful and loyal Subjects, the Council of Virginia, beg Leave to congratulate your Excellency upon your Appointment to the Government of this Colony, and to express our Confidence, that the Welfare and Interests thereof will be maintained and promoted by your Excellency's vigilant and wise Administration.

We acknowledge, with Thankfulness, his Majesty's great Goodness and tender Concern for us, in supplying the Loss of our late most excellent Governor, whose Death we sincerely lament, by a Nobleman of your Excellency's eminent Virtues and distinguished Character.

A zealous Attention to his Majesty's Honour and Service, and a sincere Regard for the true Interests of our Country (which are inseparably connected) will lay us under the strongest Obligations to endeavour, to the utmost of our Power, to make your Excellency's Administration easy and agreeable to your Self, during your Abode among a grateful and loyal People.

To which his Excellency was pleased to return the following Answer,

Gentlemen,

I return You my hearty Thanks for this Address. Your Sentiments of Zeal for his Majesty's Honour and Service, and the true Interests of your Country, which You very properly observe are inseparably connected, give me the highest Satisfaction, & You may be assured, that I shall omit no Endeavour to fulfill the Expectations which You have formed of my Conduct, both from the Sense I have of my Duty, and from the sincere Desire I have of repairing the great Loss which his Majesty's loyal Subjects of Virginia have sustained by the Death of their late worthy Governour.

At a Council held October 17th 1771

Present

His Excellency

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell

John Page, Esquires

Ordered, That a Commission issue, appointing John Hooe Sherif of the County of Prince William.

At a Council held October 29th 1771.

Present

His Excellency

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip Ludwell Lee	Ralph Wormeley junr. Esquires

The said William Byrd Esqr. took the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy, & the Oath of Abjuration, repeated and subscribed the Test, and also took the usual Oath as a member of the Board.

The following Persons were approved of for Sherifs of the Counties, respectively, hereafter mentioned, and Commissions were ordered to be made out accordingly, viz.

For Caroline	Robert Taliaferro
Northampton	John Robins Senr.
Stafford	William Ederington
Surry	Thomas Bailey

And his Excellency was pleased to inform the Board, that since the last Council he had granted Commissions, respectively, to the

following Persons, to be Sherifs of the Counties opposite to their Names; viz.

For Amherst	James Dillard
Botetourt	Israel Christian
Culpeper	Robert Green
Dinwiddie	William Watkins
Fauquier	Armistead Churchill
Henrico	Nathaniel Wilkinson
Isle of Wight	John Eley junr.
King William	Carter Braxton
Lunenburg	David Garland
Orange	James Walker
Southampton	James Day Ridley

Ordered, that a new Commission of the Peace issue for the County of York, and that Hugh Nelson, and John Dixon of Williamsburg, Gentlemen, be added thereto; and that those Persons who in the Clerk's Certificate are mentioned to be dead, be left out; viz. Armistead Lightfoot, William Waters, Edward Ambler, Thomas Chisman, & Nicholas Dickson, and also William Holt, who has removed out of the County.

The Account of contingent Charges from the 25th of April to the 25th of October 1771, and of Work done at the Governor's House, being laid before the Board, was allowed.

At a Council held November 2d 1771

Present

His Excellency

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
Philip Ludwell Lee	John Page

Ralph Wormeley junr. Esquires

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2s. per Hogshead, &c. were signed by his Excellency.

For half a Years Salary to the President	£1000.0.0
Do. to the Council	600.0.0
To Judges & Offrs. of a Court of Oyer & Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
Do. to the Sollicitor of Virginia Affairs	100.0.0
Do to the Attorney General	135.0.0
Do to the Clerk of the Council	75.0.0
Do. to the Adjutants	160.0.0
Do. to the Armourer	6.0.0
Do. to the Gunners of the Batteries	12.10.0
To the Ministers attending one General Court	12.0.0
For Repairs done to the Governor's House	418.6.9
For contingent Charges	1075.3.4
Also, to be paid out of his Majesty's Revenue of Quitrents	
For half a Year's Salary to the Attorney Genl.	35.0.0

The Account of his Majesty's Revenue of 2s. per Hhd &c. arising within this Colony from the 25th Day of April to the 25th Day of October 1771, being examined by John Blair junr. for the Deputy-Auditor, and made Oath to by the Receiver General, was certified by his Excellency.

The Petition of Roe Cowper, for Leave to manumit his Negro Man Slave, named Will, was rejected; there not appearing to the Board any Proof of sufficient meritorious Service of the said Slave, to entitle him to his Freedom, within the Intention of the Act of Assembly in such Cases made and provided.

His Excellency communicated to the Board a Plan for augmenting the Governor's House, the same not being sufficiently large for the Accommodation of his Family; Also an Estimate of the Expense, amounting to £654.10 including a Bill of Materials to the Amount of £121.14.9; of all which the Council approved, except that they desired the Receiver General would send to Great Britain for the Materials mentioned in the said Bill, as the more frugal Method of procuring them. And they desired his Excellency would be pleased to agree with Mr. Benjamin Powell to undertake the Work, according to his Proposal.

The President informed his Excellency and the Board, that he had been desired to lay before them the Request of Mr. Benjamin Grymes, that they would be pleased to grant him a licence to practise as an attorney in the General Court; and the same being taken into Consideration was, for Reasons appearing to the Board, rejected.

A Recommendation of Persons to be added to the Commission of the Peace for the County of Spotsylvania having been read & considered, it appeared to the Board, that it would be improper to add so great a Number, & therefore it was ordered, that no new Commission should issue, till farther Application should be made.

His Majesty's Confirmation of an Act of Assembly, intituled, "An Act to vest certain intailed Lands & Slaves therein mentioned in Nathaniel Lyttleton Savage, Gentleman, in Fee simple, and to settle other Lands in Lieu thereof," was produced and ordered to be recorded in the Secretary's Office.

At a Council held Novr. 4th 1771

Present

His Excellency

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip Ludwell Lee	Ralph Wormeley, junr. Esquires

Ordered, that a new Commission of the Peace issue for the County of Sussex, appointing the same Justices as in the last; it being only intended to remove all Doubt relating to the Propriety of any of the Members qualifying since the Arrival of his Excellency, under a Commission issued before.

His Excellency communicated to the Board the Memorial of Col. George Washington, in Behalf of himself & the other Officers and Soldiers of the first Virginia Regiment, relative to the Mode to be adopted, for a Partition of the 20000 Acres of Land promised them by Governor Dinwiddie's Proclamation of the 19th Day of

February 1754, among the several Claimants, whose Names are particularly mentioned; more especially praying, that as it appears from ten Surveys already made, & which include only 61796 Acres, tho located on the most extensive Bodies of Land that are to be found in the District prescribed (without taking in so many Mountains and barren Hills, as would render the intended Bounty, rather a Charge) that it is utterly impracticable to include the whole Quantity in 20 Surveys, each Distributary might be allowed to survey his Proportion separately; and that those few who have incurred the whole Charge of the said ten Surveys already compleated, may be allowed to divide the Lands therein contained among themselves only, in Proportion to their several Advances, and in Part of their respective Shares;

Whereupon, it was the Opinion of the Council, and accordingly ordered that the said Officers and Soldiers be confined to 20 Surveys; and as to the other Parts of the Memorial, they took Time to consider thereof till Wednesday next.

At a Council held Novr. 6th 1771

Present

His Excellency

And as at the last Council, except Philip L. Lee and John Tayloe, Esquires

Col. Washington, and Mr. James Mercer were this Day introduced into the Council Chamber, and were heard on the Subject of the Memorial presented the 4th Instant; and then withdrawing, the Board were pleased to adhere to their former Resolution, as to the Number of Surveys; and to order that 52 private Men should have 400 Acres each; 4 Corporals 500 Acres each; 7 Serjeants 600 Acres each; 2 Cadets 2500 Acres each; 8 Subalterns 6000 each; 5 Captains 9000 each; and 3 Field Officers 15000 Acres each; amounting in the whole to 170000 Acres; and that 30000 more (being the Complement of the 200000) should, after providing for such other private Men as may hereafter apply, be divided among those who have hitherto born the whole Expense, & who in

all Probability must continue to do so till the full Quantity is surveyed, in Proportion to the Sum mentioned in the Memorial to have been advanced by each Individual.

The following is a List of the several Sharers

Joshua Fry, Colonel, George Washington, Lieut. Colonel, George Muse, Major, Adam Stephen, 1st Captain, Robert Stobo, 2d Captain Andrew Lewis, 3d Captain, Peter Hog, 4th Captain, Jacob Vanbra[am] Captain Lieutenant, George Mercer, 1st Lieut. Thomas Wagener, 2d Lieut. John West, 3d Lieut. William Polson, 4th Lieut. John Savage, 5th Lieut. William Bronaugh, Ensign, John Mercer, Ensign, James Craik, Ensign, William Wright, Cadet, Thomas Bullett, Cadet; John Hamilton, Mark Hollis, Rudolph Brickner, Robert Longdon, Robert Tunstall, Edmund Wagener, Richard Trotter, Serjeants; Wire Johnston, Hugh McKoy, Richard Smith, John Smith, Corporals; Charles Smith, Angus McDonald, Nathan Chapman, Joseph Gatewood, James Samuel, Michael Scully Edward Goodwin, William Bailey, Henry Bailey, William Cofland, Matthew Doran, John Ramsay, Charles James, Matthew Cox, Marshall Pratt, John Wilson, William Johnson, John Wilson, Nathaniel Barrett, David Gorman, Patrick Gallaway, Timothy Conway, Christian Bombgardner, John Houston, John Maid, James Ford, William Braughton, William Carnes, Edward Evans, Thomas Moss, Matthew Jones, Philip Gatewood, Hugh Paul, Daniel Staples, William Lowry, James Ludlow, James Latort, James Gwin, Joshua Jordon, William Jenkins, James Commack, Richard Morris, John Gholson, Robert Jones, William Hogan, John Franklin, John Bishop, George Malcomb, William Coleman, Richard Bolton, John Kincaid, George Hurst, Privates.

The following Sums appear to have been respectively advanced by the Persons hereafter mentioned; viz.

By Col. Joshua Fry's Heir		£15.0.0	
George Washington	£26.5.0		
Do. for Geo. Muse	26.5.0		
Do. for Rud. Brickner	<u>1.1.0</u>	£53.11.0	} Besides £12 or £15 for Postage of Letters, & oth- er Expenses in receiving the Claims
Capt. Adam Stephen		15.15.0	
Andrew Lewis		15.15.0	
Peter Hog		15.15.0	
Lieut. George Mercer	10.10.0		
Do. for his Brother John	10.10.0		
Do. for Jno. Hamilton & Mark Hollis	<u>2.2.0</u>	23.2.0	
Thomas Wagener's Heir		6.0.0	
John West		10.10.0	
John Savage		6.0.0	
James Craik		10.10.0	
[...] ¹⁵¹ McGuire, for James Commack	1.1.0		
Magnus Tate, for David Gorman & Patrick Gallaway		} 2.2.0	
John Gholson		1.1.0	
Isaac Larew, for Nathaniel Barrett		1.1.0	
Richard Morris		1.1.0	
Richard Smith		1.1.0	
John Creagh, for Robt. Tunstall		<u>1.1.0</u>	
		£180.6.0	and 12 or 15 d.

¹⁵¹. Blank in original.

At a Council held December 12th 1771

Present

His Excellency

William Nelson

William Byrd

Thomas Nelson

John Page

Richard Corbin

Ralph Wormeley junr. Esquires

The Account of his Majesty's Revenue of Quit-Rents to the present Time, being examined by the Deputy-Auditor; and made Oath to by the Receiver-General, was certified by his Excellency.

Thomas Bailey, who was Sherif of the County of Surry, being dead, his Excellency was pleased to inform the Board, that there was a Competition between Etheldred Gray and William Ruffin for the Succession; and asked their Advice to which of them he should grant the Commission; whereupon, for Reasons appearing to the Board, they advised, & it was accordingly ordered, that the Commission be given to the said William Ruffin.

Ordered, That a new Commission of the Peace issue for the County of Surry, to consist of all the Justices named in the present Commission, except Thomas Bailey, who is dead; and that William Hart be added thereto, in the Rank he held under a former Commission.

His Excellency, representing to the Board the very scurrilous Behaviour of John Kirby, when he applied lately for a Commission to be an Inspector at Roe's Warehouse in York County, as well towards his Excellency himself in his Absence, as to his Secretary and Clerk who were present; and moreover his Art, in getting his Lordship to sign a Commission for that Purpose on the Road, before he had any Intelligence of what had happened; which Commission the said Kirby had got at the Printing-Office, procured the same to be filled up by some other Person than his Excellency's Clerk, and the Seal of the Colony to be affixed to it; was pleased to ask the Advice of the Board, whether under all these Circumstances he could regularly supersede the said Commission, thus surreptitiously obtained.

The Council were of Opinion, that the Consideration thereof ought to be postponed, and the said Kirby have a Day given him to attend and make his Defence.

Whereupon it was ordered, that the Clerk write to him a Letter, summoning him to attend the Board on the 23d Day of this Month to answer the above Complaint, under the Penalty of losing his said Commission.

The Memorial of John Carlyle was read and considered, praying to be allowed such a Part of the 200000 Acres of Land promised by Governor Dinwiddie's Proclamation as the Board might judge him intitled to in Virtue of his Offices of Commissary of Provisions, and Pay-Master of the Forces; but the Board were of Opinion, that the Nature of those Offices was such, as not to entitle him to a Share of the Lands offered by the said Proclamation.

Ordered, That the General Assembly which stands prorogued to the second Thursday in the next Month, be further prorogued to the first Thursday in February next, then to meet for the Dispatch of public Business; and that a Proclamation¹⁵² forthwith issue for that Purpose.

At a Council held December 23d 1771

Present

His Excellency

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

John Page, Esquires

John Kirby attended agreeably to the Summons directed at the last Council, and several Witnesses were examined upon Oath, & the said Kirby heard in his Defence;

Upon mature Consideration of all which, the Board were of Opinion, that the said John Kirby had greatly misbehaved, and had also obtained an Inspector's Commission by Surprize, and by concealing from his Excellency a Fact, the Knowledge of

¹⁵². See p. 637 for the text of this proclamation.

which would have induced him to prefer some other Person named in the Court's Recommendation; & therefore they advised his Excellency to supersede the said Commission, and appoint in the said Kirby's Room the Person next in the Recommendation.

At a Council held January 17th 1772

Present

His Excellency

William Nelson

Robert Burwell

William Byrd

John Page

Robert Carter

Ralph Wormeley junr. Esquires

Col. John Donelson attended with a Plot of the Land by him lately surveyed, according to a Line agreed upon for the Western Boundary of this Colony, and run by him with the Consent of the Cherokee Indians, whose Hunting-Grounds lie on the other Side thereof;

He also produced an Account against this Government for the said Service, & Sundry Expenses incurred by him, amounting in all to the Sum of £1163.14.10, of which he has already received £600; and the several Articles of the said Account being read, it is ordered that the same be referred to the Deputy-Auditor, to whom Col. Donelson is to produce his Vouchers; and his Excellency is desired to give his Warrant to the Receiver-General, authorizing him to pay whatever shall appear to be finally due to the said Col. Donelson, out of his Majesty's Revenue of 2s. per Hhd &c.

And it is farther ordered, that Col. Donelson make Sale, for the most that can be got, of such Horses or other Things as still remain of what he had purchased for the said Service, and account for the same at a future Day.

Col. Donelson also produced an Account stated against the Government by Alexander Cameron, Deputy Superintendant of Indian Affairs for the Southern District; for his Services, and Expenses incurred, on the same Account; and the Board were pleased to recommend it to his Excellency to give his Warrant to the Receiver-General to pay one hundred Guineas out of the Revenue of 2s. &c. as a full Satisfaction to Mr. Cameron for his Claim.

On the Petition of Alexander Shaw, Leave is given him to survey, and take out a Patent for, 1000 Acres of Land in the County of Pittsylvania; beginning where Ward's Line intersects Maclin's Line, on a Branch of Burk's Fork, thence to extend Easterly with Ward's Lines, and off for Complement.

Jermain Baker having petitioned his Excellency & the Board for Leave to survey, and take out a Patent for, 1000 Acres of Land in the County of Botetourt; beginning at a Maple near Burk's Fork, a Corner-Tree of Augustine Willis and Company's Order; thence Northward for Complement; it is ordered, that the farther Consideration thereof be postponed till Mr. Baker can shew, or it shall otherwise appear to the Board, whether the Land petitioned for be within the Territory lately ceded by the Cherokees at the Treaty of Lochaber, or not.

Bennett Kirby, one of the Inspectors at Roe's Warehouse in the County of York, being in a bad State of Health & unable to attend the said Warehouse, the Board advised his Excellency to appoint William Kirby as Assistant Inspector thereat.

At a Council held February 6th 1772

Present

His Excellency

William Nelson

Robert Burwell

Thomas Nelson

John Page

William Byrd

Ralph Wormeley junr. Esquires

This being the Day to which the General Assembly stood prorogued, and there not being a sufficient Number of Burgesses to proceed on Business according to the standing Order of their House, his Excellency with the Advice of the Board was pleased to order, that the Members attending should be privately acquainted that he intended to prorogue the said Assembly by Proclamation, which would be publicly read in the Council Chamber; and the said Members & others appearing in the Council Chamber, the Clerk by his Excellency's Command read the following Proclamation.

Virginia, to wit,

Whereas this Day was by me appointed for the meeting of the General Assembly, but the Badness of the Roads has prevented the Number of Burgesses requisite to make a House from Attending; I have therefore thought fit, by & with the Advice & Consent of his Majesty's Council, by this Proclamation in his Majesty's Name to prorogue the said Assembly till to-morrow; at which Time their Attendance is required at the Capitol in the City of Williamsburg for the Dispatch of Public Business.

Given under my Hand & the Seal of the Colony at Williamsburg aforesaid this sixth Day of February 1772, & in the twelfth Year of his Majesty's Reign.

Dunmore.

God save the King.

At a Council held February 7th 1772

Present

As Yesterday

Also Robert Carter, Esquire

A sufficient Number of Burgesses not yet attending, the Board advised his Excellency to issue another Proclamation¹⁵³ of the same Form with that of Yesterday, to prorogue the General Assembly till to-Morrow, which was accordingly ordered; and the Burgesses again attending, the same was read by the Clerk in the Council Chamber.

At a Council held February 8th 1772

Present

As on the 6th Instant

His Excellency, with the Advice of the Board, was please to issue another Proclamation,¹⁵⁴ for the same Reason and of the same Form with those of the 6th & 7th Instant, proroguing the General

¹⁵³. See p. 639 for the text of this proclamation.

¹⁵⁴. See p. 640 for the text of this proclamation.

Assembly till Monday next, which Proclamation was also read by the Clerk in the Council Chamber, in Presence of several Members of the House of Burgesses, and others.

At a Council held February the 28th, 1772¹⁵⁵

Present

His Excellency

William Nelson

John Page

Robert Carter

Ralph Wormeley Jun. Esquires

His Excellency was pleased to communicate to the Board a Letter from the Earl of Hillsborough, informing him that his Majesty had been pleased thro' the recommendation of Mr. President Nelson, to order, that the Fines imposed by Judgment of the Court of Augusta, viz £40's¹⁵⁶ on James Anderson and £20's¹⁵⁷ on each of his two Securities, be remitted.

Whereupon the Clerk was ordered to write to the Clerk of the said Court of Augusta to inform him thereof, and to enjoin him from issuing any Execution on the said Judgment.

The Petition of Thomas Reveley, John Reveley, George Reveley, William Reveley, Francis Reveley, Samuel Reveley, Thomas Reveley Junior Joseph Reveley, George Reveley Junior and Francis Reveley Junior, was presented and read, praying that they might be permitted to Survey and sue out Patents for a Tract of Land in the County of Augusta, situated on the South Fork of the Monangahela known by the Name of Tiger's¹⁵⁸ Valley, on this side of the Laurel Hill, to the amount of a thousand Acres each, or such other Quantity as the Board might think reasonable;

Which Petition was ordered to lie in the Office, to be considered when the Western Boundary of this Colony shall be finally settled.
Ordered,

155. The text of the following Journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1440, ff.67-112. There is a title page, which reads: "No. 5. Virginia. Minutes of Council from Feby 28. 1772 to July 27 following. Recd. Octr. 14. 1773."

156. Thus in original.

157. Thus in original.

158. Tygart's Valley.

That a Commission issue appointing George Nuttal an Assistant Inspector at Deacon's Neck Ware-House in the County of Gloucester.

At a Council held March 9th 1772

Present

His Excellency

William Nelson

Richard Corbin

Thomas Nelson

Robert Carter Esquires

His Excellency was pleased to communicate to the Board, and to desire their opinion upon the Petition of Isaac Moody, of the County of the Isle of Wight representing that there had been a shooting Match at the Petitioner's Plantation, which brought a large Concourse of People, and as there was no licenced Ordinary convenient for their accommodation and refreshment he was prevailed upon to retail some Liquors to them, for which he was presented at the succeeding Grand-Jury Court, held for that County and fined in the Sum of £10's and praying his Excellency would be pleased to remit the Fine, in consideration of his having a large Family with little to support them, and of it's being the first Offence of that Sort he had ever been guilty of.

The said Petition was also accompanied by a Certificate from some of the Justices of that County of the Truth of the Facts alleged.

The Board observed that as to a Moiety of the Fine it was appropriated to the Informer, and could not, therefore, be remitted; and they were also of opinion that such Practices ought to be discouraged as much as possible, and therefore advised his Excellency not to remit the said Fine or any Part thereof.

His Excellency communicated to the Board the Petition of Col William Peachey, praying, for divers reasons particularly set forth therein; more especially that he had greatly impaired his Health in the Service, that he might be allowed to sell his Office of Adjutant;

Whereupon, the Board recommended to his Excellency the granting the Prayer of the Petition provided that the Person purchasing be duly qualified for the Office.

His Excellency was pleased to acquaint the Board that the Office of Lieutenant of the County of Culpeper of Essex and of Southampton were become Vacant and desired their advice in filling them up;

Whereupon the Board advised his Excellency to appoint Major James Barbour to the first mentioned Vacancy; and the Consideration of the other two, was for Reasons appearing to the Board, postponed.

Ordered, That a New Commission of the Peace issue for the County of Buckingham, to consist of all the Justices named in the present Commission, except Joseph Cabell and John Fearn; who desire to be left out, Benjamin Howard who is dead, and William Anderson who does not Act; and that the following Gentlemen be added, viz, John Nicholas, next after Samuel Jordan and above Robert Bolling; also Anthony Winston to rank according to the Date of the Commission for Hanover County, in which he was first appointed; also Henry Bell, John Bernard and Thomas Patteson Gentlemen.

A recommendation from the Court of Frederick County of Gentlemen to be added to the Commission of the Peace for that County was read, and the farther Consideration thereof put off, 'til the Fate of the Bill be determined, which is now in agitation for a Division of the County.

At a Council held March 18th 1772

Present

His Excellency

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

Richard Corbin

John Page

Ralph Wormeley Jun. Esquires

His Excellency communicated to the Board a Letter from the Earl of Hillsborough on the Subject of a Copper Coinage, and recommending some alterations of the Plan which had been adopted by the Legislature of this Colony; and the Council advised his Excellency to send the same to the House of Burgesses, now sitting, which was accordingly done.

His Excellency also communicated to the Board the Petition of John Dames, setting Forth that the House appropriated for the Use of the Governor of Fort George on old Point Comfort, was lately consumed by Fire, and praying that his Excellency would give Directions, for rebuilding the same, or that he might be permitted to rebuild it himself upon the same Ground;

Upon which it was the advice of the Council and ordered accordingly, that the Clerk write to Col. Cary and Col. Selden, to desire they would take the Trouble of having Estimates made of the Expence of rebuilding the same of Wood and also of Brick, the Undertaker having the use of the old Bricks, and that they would be pleased to send the Estimates to his Excellency who is requested to give Orders for the rebuilding in the mode which shall appear to be the cheapest.

Col. Donelson representing on behalf of Joseph Van, that it had been omitted to settle his allowance for his Services as interpreter in running the Boundary Line with the Cherokee's in which he was employed 204 Days, and that he had been allowed five Shillings Sterling a Day for the like Service at the Congress at Lochaber, the Board desired his Excellency would be pleased to issue his Warrant to the Receiver General to pay to the said Interpreter the Sum of fifty one Pounds, Sterling.

A Recommendation of Persons to be added to the Commission of the Peace for the County of Spotsylvania was presented and read; but no new Commission ordered, because the Clerk of the Court had neglected to certify what Justices were present, when the recommendation was ordered.

At a Council held March 21st 1772

Present

His Excellency

William Nelson

William Byrd

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

Ralph Wormeley Junr. Esquires

The Petition of Margaret, late a Slave of Dorothy Cartmill, of the County of Frederick, deceased, was presented and read; setting

forth that her said Mistress in her late Sickness made her last Will and Testament by which she gave the Petitioner to her Son Edward Cartmill for five Years, and then she directed that the Petitioner should have her Freedom, as a reward for the extraordinary Diligence and Tenderness with which she waited on her during a long and painful Illness; and praying that his Excellency and their Honours would be pleased to give their Consent that the said Dorothy's Intentions in her Favour may receive a full Sanction.

On Consideration whereof, it was the opinion of the Board and ordered accordingly that the said Edward Cartmill, or any other Person who would be intitled to the Service of the said Slave, if the said Will had never been made, be permitted to Manumit and set Free the aforesaid Margaret.

The Order made the 9th Instant that a New Commission of the Peace should issue for the County of Buckingham, for Reasons appearing to the Board, received the following alteration, viz.

That Anthony Winston Gent. should Rank in the said Commission only at the Head of such of the Gentlemen recommended by the Court as were then ordered by his Excellency in Council to be added; Also that Archibald Bolling Gent. be added to the same.

At a Council held March the 24. 1772

Present

His Excellency

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

William Byrd

John Page

John Tayloe

Ralph Wormeley Jun. Esquires

His Excellency informed the Board, that he had been applied to, to remit certain Militia Fines incurred in Orange County, and was pleased to ask their advice after they should have inquired into the Merits of the Application (for which Purpose the Gentleman was attending) whether he should grant or reject the Same.

And the Board gave it as their Opinion, that all such Fines being appropriated by the Act of Assembly to particular Purposes, it was not in his Excellency's Power to remit them.

The Petition of David Cooke was presented and read, setting forth that one James Cox had entered for 67 Acres of Land in Albemarle, which was surveyed for him the 22'd of August 1760; but that the said Cox died without any known Heir, and without having obtained a Patent; and praying that as the Petitioner under the particular Circumstances of this Case had no other Method of obtaining a Grant of the said Land than by Petition to the Honourable Board, for want of a Person to proceed against; he might have an order for suing out a Patent for the same in his own Name;

Which Petition appearing to be true and reasonable, it is ordered that the Petitioner have a Patent, agreeable to the Prayer of his Petition.

At a Council held April the 1st 1772

Present

His Excellency

William Nelson
Thomas Nelson
William Byrd
Philip L. Lee

John Tayloe
Robert Carter
Robert Burwell
John Page Esquires

A Recommendation from the Court of Prince Edward County of Persons fit to be added to the Commission of the Peace for that County; and also another from the Court of Halifax County were this Day presented to the Board and read, in both of which the Clerks had neglected to Certify what Gentlemen were in the present Commission, and which of them had qualified and were acting Justices; and in the former of which, the Clerk had also omitted to Certify what Justices were present when the recommendation was made; contrary in both Respects to the regulations prescribed; it was ordered, therefore, that the Clerk insert an Advertisement in the Gazettes to remind the several County Court Clerks of their Duty herein, and that no Commissions of the Peace will be allowed to issue, without a strict Conformity to what is hereby required.

His Excellency was pleased to communicate to the Board the Petition of Pettway Johnson for an inclusive Patent for the following

Tracts of Land, to wit 295 Acres granted by Patent bearing Date at Williamsburg, February 16th 1722, unto William Johnson late of Surry County; 121 Acres, granted unto the said William Johnson, by Patent, dated August 1st 1745; 365 Acres granted unto Willut Robarts, late of the County of Surry by Patent for 465 Acres, dated July 4th 1759; 100 Acres, surveyed by Richard Cocke, for Nathaniel Johnson late of Surry County, but not yet Patented; 84 Acres granted unto William Johnson by Patent for 168 Acres, dated April the 10th 1751; 180 Acres surveyed by Richard Cocke for Benjamin Barker, late of Surry County, but not yet Patented; all which Lands lying and being contiguous in the County of Sussex, and bounded by the Lines of Taddy Jarrad, James Boisseau Jones, James Barker Laurence Smith, James Gilbert, Thomas Cooper, John Irby, William Briggs and William Johnson, and by the main run of the Black Swamp, and on the North Side thereof, are since become legally vested in the Petitioner, and contain within their several Boundaries 635 Acres of Surplus Land amounting in all to 1780 Acres;

It appearing to the Board that the Surveys of the unpatented Lands had been returned to the Secretaries Office, together with the Rights and the Fees paid, it was ordered that an inclusive Patent issue accordingly.

At a Council held April the 3d 1772

Present

His Excellency

William Nelson	Robert Carter
Thomas Nelson	Robert Burwell
William Byrd	John Page
John Tayloe	Ralph Wormeley Jun Esquires

His Excellency was pleased to communicate to the Board the Address of the House of Burgesses, requesting that he would for the reasons there Specified, issue a Writ of Adjournment to remove the Court House of Spotsylvania, to some Place near the Centre of that County; and also certain Objections which had been drawn up against that Measure; and asked the advice of the Council what answer he should give thereto;

The Board, maturely weighing the reasons urged on both sides, and recollecting the frequent attempts which had been made to obtain a removal by applications to the Governors immediately, and thro' them submitted to the Determination of the Council, who always gave it as their Advice that any removal from Fredericksburg would be improper, recommended it to his Excellency to answer the said Address to this Effect, viz.

That it was painful for him to deny the Wishes of the House of Burgesses in any Instance; but that on the present Occasion the Subject of their Address having been often considered, and the Parties fully heard before the Council, who have constantly given it as their Opinion, and still Think that the present situation of the Court House is preferable to any other, he could not comply with their Request.

His Excellency also laid before the Board the Petition of Joshua Jones praying for the remission of a Fine adjudged against him by the Court of James City County for not enlisting himself and one Negro as Tithables, the same being 1000 lb's of Tobacco of which one Moiety was to the Use of his Majesty and the other Moiety to the use of the Parish where the Offence was committed;

But the Board did not think proper to advise his Excellency to interpose.

His Excellency acquainting the Board that he had been applied to for a Commission to Rowlet Pride to be Escheator of Amelia County and for another for Col. Thomas Winn to be a Coronor of the County of Lunenburg, and the Board having no objection to those Persons it was ordered that Commissions issue accordingly.

At a Council held April the 8th 1772

Present

His Excellency

William Nelson
Thomas Nelson
William Byrd
Philip L. Lee

John Tayloe
Robert Carter
Robert Burwell
John Page Esquires

On a Representation that sundry Persons in the Commission of the Peace for the County of New Kent, which issued during the

President's late Administration, had never Yet Qualified under the same, and it being doubtful whether they can regularly do it now; it was therefore ordered; that a new Commission issue to the same Justices as are named in the former.

Ordered

That a Commission issue to Dolphin Drew of the Isle of Wight appointing him a Coroner of that County.

On the Petition of Charles Clay, Leave is given him to Survey, and take out a Patent for, a thousand Acres of Land in the County of Pittsylvania, on the Branches of Fall Creek and Sandy Creek of Dan River, and adjoining to the Lines of Samuel Harris and the Petitioner.

At a Council held April the 11th 1772

Present

His Excellency

William Nelson

Robert Carter

Thomas Nelson

Robert Burwell

Richard Corbin

John Page

John Tayloe

Ralph Wormeley Jun Esquires

Ordered,

That the Court House of the County of Berkeley one of the late erected Counties, taken off from Frederick, be fixed near the main Road running thro' the Lands of Edward Beason.

A Recommendation of Persons to be added to the Commission of the Peace for the County of Hampshire, was this Day read; and it appearing to the Board that there is sufficient Number of acting Justices in the Present Commission, the same was rejected.

At a Council held April 14. 1772

Present

His Excellency

William Nelson	Robert Burwell
Thomas Nelson	George Wm. Fairfax
Richard Corbin	John Page
Robert Carter	Ralph Wormeley Jun. Esquires

Ordered, That a new Commission of the Peace issue for the County of Frederick, to consist of the following Justices, viz. The right Honorable Thomas Lord Fairfax, Thomas Bryan Martin, John Hite, Isaac Hite, Charles Smith, James Wood, Angus McDonald, Charles Mynn Thruston, Clerk, John McDonald, Warner Washington, William Miller Junior, Marquis Calmees and Isaac Lane Gentlemen;

Also, a Commission of the Peace for the County of Berkeley and the County of Dunmore, both lately taken off from Frederick; the former to consist of the following Justices, viz. Ralph Wormeley, Jacob Hite, Van Swearingen, Thomas Rutherford, Adam Stephen, John Nevill, Thomas Swearingen, Samuel Washington, James Nourse, William Little, Robert Stephen, John Briscoe, Hugh Lyle, James Strode, William Morgan, Robert Stogdon, James Seaton, Robert Willis, and Thomas Robinson;

The latter of the following, viz, Burr Harrison, Taverner Beale, Joseph Pugh, Francis Slaughter, James McKay, Henry Nelson, Abraham Keller, John Tipton, Caleb Odell, Jonathan Langdon, Abraham Bowman, William Moore, George Ruddell, Jacob Holeman and Alexander Machir.

Ordered That the Court House of the County of Dunmore be erected at a Place called Woodstock.

At a Council held April 16th 1772

Present

His Excellency

William Nelson	George Willm. Fairfax
Thomas Nelson	John Page
Richard Corbin	Ralph Wormeley Junr. Esquires

Ordered That a Commission issue to Adam Stephen to be Sheriff of the County of Berkeley, and another to Taverner Beale, to be Sheriff of the County of Dunmore.

At a Council held April 28th 1772

Present

His Excellency

Richard Corbin	Robert Carter
William Byrd	John Page Esquires

The account of Contingent Charges from the 25th of October 1771 to the 25 April 1772 and of Work done at the Governor's House being laid before the Board was allowed.

The Receiver General representing to the Board that his allowance of £7 Sterling per Annum for Postage, is now become inadequate to that Expence, it was directed that for the Future he charge that Sum every half Year.

The former Order of the Board that William Waterson should, some Time in this present General Court give Security for the Costs of the several Caveats entered by him, being imperfect in not directing the Penalty in which he should become bound to each Defendant, it is ordered that the same be £25

At a Council held May 5th 1772

Present

His Excellency

William Nelson	John Tayloe
Thomas Nelson	Robert Carter
Richard Corbin	George W. Fairfax
William Byrd	John Page
Philip L. Lee	Ralph Wormeley Jun Esquires

His Excellency communicated to the Board the representation of Thomas Walker and others in behalf of themselves and the Inhabitants of the Southwestern Frontier of the Colony, setting forth that number of People have lately removed and are daily removing from the neighboring Colonies, and settling themselves in the said Frontier upon Lands already granted by Patents to others, to the great Injury and Disquiet of such Patentees; availing themselves in the said lawless Conduct of his Majesty's Proclamation published the seventh of October 1763, prohibiting the Settlement of those Lands by which they affect to Think that all the Patents issued for granting any Part thereof are annulled and made void, and the Lands thrown open to the occupation of the first Adventurer.

The Council taking the same under their Consideration advised and it was accordingly ordered.

That a Proclamation¹⁵⁹ issue strictly requiring all such Persons immediately to evacuate their Possessions, and if they shall refuse or delay so to do, that then the Sheriff of Botetourt do use all lawful Means for removing them: And that, in that Case, all his Majesty's Officers both Civil and Military, and all other his leige Subjects, be aiding and assisting therein.

Col. Francis Thornton applying for Leave to resign his Adjutancy in Favour of his Son John Thornton was, for particular Reasons appearing to the Board indulged; Yet in general they were of opinion that the Officers who had served in the army ought to be preferred.

¹⁵⁹. See p. 641 for the text of this proclamation.

Ordered That the Clerk give notice in the Virginia Gazettes that the Council will sit for the Trial of Caveats, on the Wednesday immediately following the Court of Oyer and Terminer in the next Month.

Philip Ludwell Lee Esquire informed the Board that the Naval Officer of York demanded Tonnage on the Ship Jenifer, James Bartholomew Master, lately libelled in the Court of Vice Admiralty and on behalf of Robert Christie, [. . .]¹⁶⁰ the owner, propounded whether as the said Ship was forcibly brought into that Port, her Destination being to Maryland, where the Tonnage must also be paid, he ought not to be excused from paying here; and the Board being of that opinion, it was ordered, that the said Naval Officer desist from demanding the same.

His Excellency communicated to the Board a recommendation of Brunswick Court of Persons to be added to the Commission of the Peace for that County; but the Council were of opinion that there is a sufficient number of acting Justices already.

His Excellency was also pleased to communicate certain advice he had received of the Death of her late royal Highness the Princess Dowager of Wales, and his Majesty's Directions, in consequence thereof, That in the Morning and Evening Prayers, in the Litany, and in all other Parts of the Public Service, as well in the occasional Offices as in the Book of common Prayer, where the royal Family is particularly prayed for, the following order, shall be observed, viz—Our Gracious Queen Charlotte, His royal Highness George Prince of Wales, and all the royal Family;

Of which the Board advised his Excellency to give publick Notice¹⁶¹ in the Virginia Gazettes.

160. Blank in original.

161. See p. 642 for the text of this proclamation.

At a Council held May 7. 1772

Present

His Excellency

William Nelson	William Byrd
Thomas Nelson	Robert Carter
Richard Corbin	John Page
Ralph Wormeley Jun Esquires	

The following Warrants on the receiver General to be paid out of his Majesty's Revenue of 2s. per Hogshd. &c were signed by his Excellency.

For half a Year's Salary to the Governour	£1000.0.0
Do. to the Council	600.0.0
To Judges and Officers of a Court of Oyer and Terminer	100.0.0
For half a Year's Salary to the Auditor	50.0.0
Do to Solicitor of Virginia Affrs.	100.0.0
Do to the Atto General	135.0.0
Do to the Clerk of the Council	75.0.0
Do to the Adjutants	160.0.0
Do to the Armourer	6.0.0
Do to the Gunnrs. of the Batteries	12.10.0
To the Ministers attending 1 Gen Ct. & Assembly	26.0.0
For repairs done to the Governor's House	194.10.0
For Contingent Charges	1078.3.5
Also to be paid out of his Majesty's Revenue of Quit rents	
For half a Year's Salary to the Attorney Genl.	£35.0.0

The Account of his Majesty's revenue of 2s. per hghd. &c arising within this Colony from the 25th Day of October 1771 to the 25 day of April 1772, being Examined by the Deputy Auditor, and made Oath to by the receiver General was certified by his Excellency.

His Excellency was pleased to lay before the Board the recommendation of Prince Edward County Court of Persons fit to be added to the Commission of the Peace for that County; but the Board being of Opinion that there is a sufficient number of acting Justices already, the same was rejected.

The order of the Board made the 14th of last Month for erecting the Court House of Dunmore County, at a place called Woodstock; and also the order made the 11th of the same Month for building that of Berkeley County near the main road running thro' the Lands of Edward Beason were now opened for farther Consideration; but the Courts for the said Counties were ordered to be held in the mean Time, at the respective Places aforesaid.

Ordered That a New Commission of the Peace, issue for the County of Accomack, and that Southy Simpson, for having deceived the Board in the account he gave relating to a Competition for the Inspector's Place at Pitts and Guilford Warehouses in that County in Consequence of which his Son in Law Charles Marshal was appointed in preference to Charles Snead, who appears to have had a better Title, be left out.

Also that a New Commission of the Peace issue for the County of Prince Edward and that Abner Nash, Gentleman who is removed to North Carolina be left out.

At a Council held at the Palace May 8th 1772

Present

His Excellency

William Byrd

Robert Carter

John Page Esquires

Col Walter Coles appeared in support of a Petition for the removal of the Court House of Halifax County and Col. Paul Carrington in opposition thereto, and the said Parties being fully heard, and it being observed that such a Petition had been before rejected, upon the evident unreasonableness thereof, it is now again rejected.

The Deposition of William Hyslop relating to the Claim of Jonathan Meers of Accomack County to Part of the 200,000 Acres of Land promised to the Officers and Soldiers by Governor Dinwiddie in his Proclamation of the 19th Day of February 1754, as Heir at Law of John Meers a private Soldier who fell in General Braddock's Engagement; and also the Deposition of John Hyslop relative to the Claim of William Hyslop upon the said Lands as

heir at Law of Southy Hyslup and Abner Hyslup two privates in the first Virginia Regiment and who are both supposed to be Dead, were read and considered.

Whereupon it is ordered that out of the residuum of the said 200,000 Acres, which was reserved by the order of the 6th Day of November last, 400 Acres be granted to the said Jonathan Meers in right of the said John Meers and to the said William Hyslup in right of the said Southy and Abner Hyslup, 800 Acres according to the Proportion then settled.

His Majesty's Confirmation of an Act of Assembly passed in June 1770, intituled, An Act to vest certain intailed Lands therein mentioned in Charles Carter, and for settling other Lands to the same Uses was produced and ordered to be recorded in the Secretary's Office.

His Excellency also Communicated an Order of his Majesty in Council of the 28 of last February disallowing of an Act of Assembly passed in June 1770, intituled "An Act to explain certain Doubts touching the Jurisdiction of the Court of Hustings of the City of Williamsburg.

Whereupon it was ordered that a Proclamation forthwith issue notifying the same.

The following Petitions for Land were read and deferred, viz, William Mead, William Austine, Nicholas Mead, John Mead, Isham Talbot and William Austine Junr. for 1000 acres of Land each on the Mountains of Dan River and Arrarat in Pittsylvania County; the first thousand to begin on the Lines of Meade and Austine on Dan River, each thousand to join and to include four small Surveys.

Alexander Baine David Ross and James McDowall for 3000 Acres of Land adjoining their Fort-Lewis Tract in Botetourt County on Roanoke river.

Edmund Lyne and 24 others named in the Petition for Leave to take up a Tract of Land upon or near Powell's river, known by the name of Powell's Valley.

Richard Corbin Esquire, Gawin Corbin, John Tayloe Corbin, Richard Corbin Jun. Thomas Corbin, Francis Corbin, Richard Corbin the Youngest, Joanna Corbin, Betty Corbin, Ann Corbin, Felicia Corbin, Carter Braxton Elizabeth Braxton, Betty Braxton,

Ann Corbin Braxton, Alicia Braxton Alice Corbin, Mary Corbin, Samuel Thompson, James Horrocks, James Cocke, John Blair, John Donelson, Alexander Donelson, John Donelson junr. William Donelson Stockley Donelson, Samuel Donelson, Severn Donelson, Catherine Donelson, Mary Donelson, Jean Donelson, Rachel Donelson, John Henry, Hugh Henry junr. Thomas Henry, David Henry, Isaac Henry, James Blair, Christian Burwell, Mary Blair, Helen Blair, Jean Blair, Christian Blair, James Blair junr. Thomas Everard, George Gilmer, Margaret Eustace, Thomas Walker Gilmer, Daniel Smith, James Cocke junr. John Cocke, Lewis Burwell, of Mecklenburg, John Burwell and Armistead Burwell Junr. for a thousand acres of Land each, or fifty nine thousand acres in the whole in one or more Surveys, beginning at the Mouth of the Louisa¹⁶² River, thence extending up the said river on the North side thereof, and along the Ohio, for Quantity; and if the above Location cannot take Place, then as nearly thereto as may be.

John Randolph Esqr. and 99 other Persons, his Associates; for a hundred thousand Acres of Land lying on the Eastern Side of the river Ohio between the Mouth of New river otherwise called the Great Kanhawa and the Mouth of the little Kanhawa, otherwise Elk river in one or more Surveys, under such Quit rents and restrictions, as have been usual in like Cases.

Edward Foy Esqr. and 39 other Persons, his Associates, for 40,000 Acres of Land, on a Branch of the Cherokee river, called Clinch, adjoining the Indian Boundary Line, and to extend up the said River Clinch towards the Head thereof, so as to include the said Quantity of 40,000 Acres in one or more Surveys, under such Quit rents and restrictions, as have been usual in like Cases.

Adolphus Daniel Massot and 19 other Persons his Associates, for twenty thousand Acres of Land on the Creeks or small Branches which run into the North Fork of Holstein's river, in one or more Surveys, under such Quit rents and restrictions as have been usual in like Cases.

James Minzies and 19 other Persons, his associates, for twenty thousand acres of Land on the Main Branch of Holstein's river, to

¹⁶². The Kentucky River.

begin at, or near, were the Indian Boundary Line leaves the same on the Western Side; and to proceed Northerly and Westerly along the said river and several Branches thereof so as to include that Quantity in one or more, Surveys under such Quit rents and restrictions as have been usual in like Cases.

William Byrd Esqr. Samuel Meredith, James Walker and William Christian, late Officers of the 2^d Virginia regiment, the first for 5000 Acres of Land, and the rest for 3000 Acres each beginning at the Eastern Bank of the river Ohio, near the mouth of the little Kanhawa otherwise called Elk river and to extend up the said Little Kanhawa or Elk river on both sides thereof so as to include 14000 acres agreeable to the royal Proclamation dated at Saint James's the 7th Day of October 1763.

At a Council held at the Palace May 14, 1772

Present

His Excellency

William Byrd

Robert Burwell Esqrs.

John Blair, Esqr. produced a Commission from the Honorable and revd. Robert Cholmondely, Surveyor and Auditor General of his Majesty's American Revenues, appointing him his Deputy within this Colony and also an Instrument, signed by the Lords of the Treasury, purporting their approbation of the Appointment; and then he took the several Oaths to the Government, required by Acts of Parliament, repeated and subscribed the Test, and also took the Oath of his Office.

At a Council held June 10, 1772

Present

His Excellency

William Nelson

William Byrd

Thomas Nelson

Robert Burwell

Richard Corbin

John Page

Ralph Wormeley Junr. Esqr.

His Excellency communicated to the Board the recommendation of the Court of Dinwiddie County of Persons fit to be added to the

Commission of the Peace, but the Clerk of that Court having omitted to Certify what Justices were present when the Order was made and also to send a List of the Magistrates in the present Commission agreeably to the Orders of the Board, The Clerk was directed to write to Mr. John Banister and inform him thereof.

Ordered that a new Commission of the Peace issue for the County of New Kent and that Robert Bowis, instead of John Bowis, as he was mistakenly called in the last Commission, be added thereto.

Ordered That a new Commission of the Peace issue for the County of Caroline to include all the Justices named in the last except William Tyler, who on account of his Age desires to be left out, John Taylor, who has removed out of the Colony, George Taylor and Jeremiah Rawlins, who have refused to Qualify, and John Baynham and Lunsford Lomax junr. who are Dead; The following Gentlemen, viz. Gawin Corbin William Harrison, Roger Quarles, George Guy and Anthony New are to be added.

His Excellency was pleased to ask the Advice of the Board upon the petition of John Burnside, for a remission of a Fine of five Pounds imposed on him by the Court of Augusta County for Misbehaviour before them and he being a poor Man and expressing a Contrition for his Fault it was recommended to his Excellency and accordingly ordered that the said Fine be remitted.

The Governor communicated to the Board a Letter his Excellency had received from Charles Neilson Esqr. Naval Officer of the District of Rappahanock, which mentions that in a late Instance, the Fee customarily charged for the use of the Governor on Vessels coming into this Colony had been disputed; the Master of the Vessel alledging, that he was advised by the Judge advocate, that there is an Order of Council exempting all Vessels importing Iron from the payment of Tonnage, and also the said Fee.

The Council informed his Excellency that they were unacquainted with any such order of Exemption and any such Officer as the Judge Advocate; of which the Clerk was ordered to inform Mr. Neilson.

His Excellency was pleased to acquaint the Board, that Mr. Southy Simpson, being dissatisfied with the order of the seventh of

last Month, to his Prejudice, was extremely desirous of an opportunity of vindicating his reputation, whereupon with the advice of the Council it was ordered that he have a hearing before the Board on the fifth Day of November next; and that in the mean Time the Clerk make Mr. Charles Snead acquainted therewith.

Peter Copland having entered a Caveat against William Maclain, Son and Heir of William Maclain, deced. and William Twitty, Son and Heir of John Twitty decd for 7675 Acres of Land in Halifax, on the Branches of Dan River; on hearing the Parties it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Gay for 125 Acres, on Dickenson's Mill Draft, and having failed, to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against Thomas Looker, for 141 Acres, on Smith's Creek, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against David Magee for 280 Acres, on Waters of Roanoke and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Magee for 167 Acres on a Branch of North Fork of Roanoke, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Moses Millison for 54 Acres on the Waters of Back Creek, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Drury Puckett for 175 Acres on Waters of Craig's Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Drury Pucket for 195 Acres on the Waters of Catawbo, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Philips for 164 Acres between Smith's Creek and the Peaked Mountain, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Rutherford for 165 Acres on Waters of Cook's Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Richardson, for 60 Acres, on South Side of James River, opposite the Lands of Israel Christian, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Riche-son for 65 Acres, on a Draft of the Cow Pasture, and having failed to give Security for the Costs, according to the Rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Reaugh for 68 Acres on Mill Creek, a Branch of the Calf Pasture, and having failed to give Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the defendt. his Costs.

William Waterson having entered a Caveat against Archibald Reaugh for 98 Acres, on some Spurs of the North Mountain, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against David Robinson, for 55 Acres on North River of Shanandoah, and having failed to give Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Shannon, for 94 Acres on the Head of a Branch of Cook's Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be be¹⁶³ dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Henry Stone for 54 Acres on a Branch of Black Thorn and having failed to give Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Skidmore for 91 Acres on a Bent of the South Branch, and having failed to give approved Security for the Costs, according to the Rule of the Board it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Skidmore, Daniel Harrison, and Thomas Skidmore, for 60 acres at a Place called the Little Walnut Bottom, on North Fork of South Branch of Potowmack, and having failed to give security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

William Waterson having entered a Caveat against James Simpson and William McMurry for 160 Acres on South Mountain and

¹⁶³. Thus in the original.

having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendts. their Costs.

William Waterson having entered a Caveat against John Seewright for 133 Acres on some Branches of Naked Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against John Seewright for 188 Acres on some Branches of Naked Creek and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Scott for 70 Acres on Stony Lick Run and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Stephenson for 700 Acres on Stephenson's Mill Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against Evan Thomas for 97 Acres on a Branch of Linwell's Creek and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Thompson for 93 Acres, on Pad's Creek, a Branch of the Cow Pasture, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against James Trimble, for 145 Acres, on Back Creek, a Branch of James River, and

having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against George Tecter, for 120 Acres, on North Fork of South Branch of Potowmack, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against Paul Tecter, for 53 Acres on the North Fork of South Branch of Potowmack, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Tate for 400 Acres, on the Branches of Pine run, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Peter Vane-mon for 136 Acres, on North Fork of South Branch of Potowmack, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against Peter Vane-mon for 128 Acres on Head of Tom's Creek a Branch of South Branch of Potowmack, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Christian Waggoner, for 150 Acres on a Branch of Linwell's Creek, call'd McCoy's Draft, and having failed to give approved Security for the Costs, according to the Rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Watson, for 90 Acres on a Draft of the Cow Pasture, and having failed to

give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Adam, John, and Jacob Wees, for 254 acres on South Mill Creek, a Branch of South Branch of Potowmack and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

William Waterson having entered a Caveat against Michael Wiltfury,¹⁶⁴ for 111 Acres, on the Head of Black Thorn Waters of South Branch of Patowmack, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against Thomas Wilmouth and Peter Vanemon for 130 Acres, on the Branches of Tom's Run, Waters of South Branch of Potowmack, and having failed to give approved security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

William Waterson having entered a Caveat against Henry Waller, for 65 Acres, on a Branch of Cow Pasture, and having failed to give Security for the Costs, according to the Rule of the Board it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Barnet Lynche for 98 Acres, on a Branch of Crab Apple Waters of South Branch of Patowmack, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John McCorkle, for 50 Acres in Forks of James River and having failed to give Security for the Costs, according to the rule of the Board; it

¹⁶⁴ May be Wiltbury.

was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against George Cleney, for 65 Acres, on a Draft of Cow Pasture, and having failed to give Security for the Costs, according to the Rule of the Board, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Reynolds for 300 Acres on a Branch of James River, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Uriah Acres, for 134 Acres, on a small Branch of Roanoke, and having failed to give Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Benson, for 159 Acres on the Waters of Cooke's Creek, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against James Bates, for 200 Acres on Lick Run, a Branch of Roanoke, and having failed to give approved Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Bodkin for 232 Acres, on Bull Pasture Mountain, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Samuel Crockett for 57 Acres, on Waters of Roanoke, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Dooley for 200 Acres, on the Head Branches of Jennings's Creek, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against Abraham Dooley, for 80 Acres on both Sides of Jennings's Creek, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that, the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Nathaniel Evans for 185 Acres on Peter's Creek, a Branch of Roanoke, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against Amos Evans for 97 Acres, on a Branch of South Fork of Roanoke, and having failed to give Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Daniel McNare, for 96 Acres, on the middle River of Shanandoah, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Millar, for 75 Acres, on Carlile's Run a Branch of Bull Pasture River, and having failed to give Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Mitchell for 95 Acres on Walker's Creek and having failed to give approved security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William MacCutcheon, for 150 Acres, joining his former Survey, and having

failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Paulser Naigley, for 68 Acres, on a Branch of Crab Apple, and having failed to give security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Nealy, for 116 Acres, on Campbell's Creek, a Branch of Roanoke, and having failed to give approved security for the Costs, according to the Rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Maurice Ofreil for 560 Acres on the Branches of the Middle River, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jacob Peters for 60 Acres on South Fork of Potowmack, and having failed to give security for the Costs, according, to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Adam Reador for 120 Acres, on the Timber Ridge, and having failed to give approved security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Godfrey Bomgardner, for 126 Acres, on Sugar-Gap Run, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Abraham Bird, for 235 Acres in Brock's Gap, and having failed to give approved security for the Costs, according to the rule of the Board;

it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Burnside, for 75 Acres on Bull Pasture River, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Baird; for 96 Acres on the North River of Shanandoe, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Craig, for 304 Acres, on a Draft of West side of Cub-Run, and having failed to give Security for the Costs; according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Paul Custard, for 171 Acres, in Brock's Gap, and having failed to give approved Security for the Costs according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Samuel Conner for 114 Acres on Brock's Creek and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Carr and Cornelius Ruddle, for 178 Acres on a Draft of Linwell's Creek, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant Cornelius, on whom alone the Process was served his Costs.

William Waterson having entered a Caveat against Henry Crosswell, for 135 Acres, on Dry Branch of Middle River, and having failed to give approved Security for the Costs, according to the rule

of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against John Clifton for 98 Acres on South Branch of Potowmack, and having failed to give approved Security for the Costs, according to the Rule of the Board, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Cunningham, for 40 Acres on North fork of South Branch of Potowmack, and having failed to give Security for the Costs according to the Rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Crow, for 45 Acres on head Branch of Black-Thorn Waters of the South Branch of Potowmack; and having failed to give security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Crawford, for 120 Acres at the Dry Branch a Branch of middle River of Shenandoe, and having failed to give Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Campbell, for 140 Acres, on the Head of Mary Creek, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Paul Custard for 171 Acres, on Brock's Gap, and having failed to give approved Security, for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Campbell for 150 Acres, joining the Lands of the said Robert and having

failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Lewis Circle, for 104 Acres, at a Place called the Forest, and having failed to give approved security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Campbell, for 140 Acres on the Head of Mary Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against John Dean, for 50 Acres joining his own Lands on Jackson's River, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Nathaniel Evans, for 75 Acres in Forks of James River, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Gregg and Robert Hill for 71 Acres, on a Branch of Cooke's Creek, and having failed to give Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

William Waterson having entered a Caveat against John Gratton for 146 Acres, on South Side of Brock's Gap, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Hanna for 98 Acres on Buffaloe Creek in Forks of James River and having failed to give approved Security for the Costs, according to the Rule

of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Hanna for 120 Acres on Buffaloe Creek in Forks of James River, and having failed to give approved security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Uriah Humble for 134 Acres, in Brock's Gap, and having failed to give Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against Charles Hays for 114 Acres, in the Bull Pasture Mountain and having failed to give security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Martin Humble, for 89 Acres in Brock's Gap at Mouth of Dry Run, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jeremiah Harrison, for 176 Acres, on Dry Fork of Smith's Creek and having failed to give Security for the Costs, according to the Rule of the Board, it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Watterson having entered a Caveat, against John Hamilton for 125 Acres on Jackson's river, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jost Hinkle for 67 Acres on a Branch of North Fork of South Branch of Potowmack and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jacob Harper, for 140 Acres, on a Branch of South Branch of Potowmack, called Buffalo Run, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Daniel Harrison, Joseph Skidmore, and Jacob Borah, for 100 Acres on North Fork of South Branch of Potowmack, joining the Lands of Michael Iberman, and having failed to give approved security for the Costs, according to the rule of the Board; it is ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

William Waterson having entered a Caveat against Jonas Henderson, for 100 Acres on Waters of the Little Calf Pasture, and having failed to give approved Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Andrew Hays, for 90 Acres, on North Branch of James River, in Augusta, by consent of the Defendant it was ordered that the Plaintiff have a Patent for the said Land, on his paying to the said Defendant the Expense of Surveying the same.

William Waterson having entered a Caveat against John Harrison, for 90 Acres on a Branch of Linwell's Creek and having failed to give approved security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Anthony Johnson for 72 Acres on the Head Branch of the Cow-Posture and having failed to give approved Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendtt. his Costs.

William Waterson having entered a Caveat against William Jordan for 90 Acres on the Head Branches of the Cow Pasture, and having failed to give approved Security for the Costs, according

to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Benjamin Kinley for 354 Acres on a Branch of Linwell's Creek, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Martin Kyzer for 65 Acres on James River, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Benjamin Kimsey, for 130 Acres on Martin's Draft, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Benjamin Kimsey, for 94 Acres, on Walker's Creek, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Martin Kyzer for 46 Acres on North side James River, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Charles Lewis, for 125 Acres, at a Place called the red Holes, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Andrew Lewis for 200 Acres on Warm Spring Branch, a Branch of Jackson's River, and having failed to give Security for the Costs according to the rule of Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jeremiah Leely, for 200 Acres in the falling Spring Valley and having failed to give approved Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Henry Lanciscus for 45 Acres, on South Branch of Potowmack and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Matthias Lecker,¹⁶⁵ for 147 Acres on Linwell's Creek and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Matthias Lecker¹⁶⁶ for 200 Acres of Land, on South side of North Fork of Shenandoah, and having failed to give approved security for the Costs, according to the rule of the Board it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Millar for 90 Acres on Crab Run, a Branch of Bull Pasture and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John MacKenzie, for 90 Acres in the Fork of James River and having failed to give approved Security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William Macmillen, for 96 Acres on a Head Branch of Bull Pasture, and having failed to give approved Security for the Costs according to

¹⁶⁵. This name may be Leeker.

¹⁶⁶. This name may be Leeker.

the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Peter Millar for 118 Acres between the Lands of James Laird and the Peaked Mountain, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against William McNeece, for 159 Acres, on the Head of the West Branch of Cook's Creek, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered the Plaintiff¹⁶⁷ have a Patent for the said Land.

Joseph Cabbell having entered a Caveat against John Lee and Archibald Sloane, for 800 Acres in Buckingham, joining the Lines of said Lee, Samuel Stephens and John Pleasants lying on the Waters of Slate River the Plaintiff appearing, and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by William Mead against Nathan Williamson, the Executors or Administrators of Thomas Williamson and Richard Womack for 4500 Acres in Bedford, being Part of an Order of Council for 5766 Acres, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

James Pleasants having entered a Caveat against John May, for 400 Acres on the ridges and Head Branches of Elk Creek, and 260 Acres on the Ridges between Diuguids Mill Creek and Elk-Creek, in Buckingham; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing; it was ordered that the Plaintiff have a Patent for the said Land.

James Pleasants having entered a Caveat against Joshua May, for 170 Acres on the rivers and Head Branches of Diuguid's Mill Creek and Elk-Creek in Buckingham; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

¹⁶⁷. The manuscript reads Plaintiff but the context calls for Defendant.

Roger Scott having entered a Caveat against Jacob Colson, and having obtained an Order thereupon the 13th of June 1770 for 347 Acres in Mecklenburg, on the South side of roanoke River recovered by Petition of said Colson against said Scott in 1765; which order was on motion set aside the 12th Day of last June and the said Caveat redocketed together with another by George Jefferson against the same Defendant each of the said Plaintiff's claiming a preference to the said Land; on hearing the Plaintiff's aforesaid it was ordered that the said Roger Scott have a Patent for the said Land.

On hearing the Parties in a Caveat entered by Matthew Harrison against John Benson for 200 Acres, or thereabouts, joining the Great Plains on the North river of Shenandoe, including the Bald Hill in Augusta, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

On hearing the Parties in the Caveat entered by Andrew Johnston against Alexander Miller, for 95 Acres, on the Waters of Cook's Creek joining the Lands of Daniel Harrison, William Bowyer, and Daniel Love in Augusta; it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

Richard Copland having entered a Caveat against David Wilson and George Walker, for 900 Acres in Pittsylvania, formerly Halifax, on Snow Creek and it's Branches; on hearing the Parties, it was ordered that the Plaintiff have a Patent for the said Land.

Charles May having entered a Caveat against Edward Hunter for 2495 Acres in Buckingham, formerly Albemarle, on the East Side of, and near Glover's Creek; the Plaintiff appearing and the Defendant having been solemnly called, and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Sarah Gottee¹⁶⁸ having entered a Caveat against John Parrot Stegar, Heir at Law to Francis Stegar, for eleven Lotts of Land in the Town of Richmond and County of Henrico, of which Samuel Tscheffali died seised; the plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

168. [Land] Patents Book 41, 1772-73, p. 234 shows this to be Sarah Gottee.

Joshua Mabry having entered a Caveat against Gabriel Hardin for 400 acres on the Branches of Great Creek, in Mecklenburg, joining the Lines of Stephen Jones the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered, that the Plaintiff have a Patent for the said Land.

On hearing the Parties, in a Caveat entered by George Jefferson against George Scott, for 347 Acres of Land in Mecklenburg County, being the Land recovered last June by the said George Scott by a Caveat against Jacob Colson, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

Thomas Levisce having entered a Caveat against Arthur Duff, for 400 Acres of Land in Pittsylvania, on black Water, the northside of Grassy Hill, the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered, that the Plaintiff have a Patent for the said Land.

Thomas Levisce having entered a Caveat against David, otherwise Davis, Griffiths, for 400 Acres at the Foot of Grassy Hill, in Pittsylvania; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Levisce having entered a Caveat against George Bates, for 400 Acres of Land in Pittsylvania, on Hay-Stack Branch, the Plaintiff appearing; and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Bowden, Thomas Adams and Mary Anne his Wife, having entered a Caveat against Joseph Garthwright for 270 Acres on Bold Swamp, Henrico; being the same Land for which the said Joseph has lately taken out an Escheat Warrant; on hearing the Parties, it is ordered that the Plaintiffs have a Patent for the said Land; but that they pay unto the Defendant his Costs, as well in defending the said Caveat, as in prosecuting the Escheat, and also two Years Quit Rents of the Land.

William Waterson having entered a Caveat against Michael Peterson for 82 Acres, on the North Fork of Potowmack, at a Place called Honey-Lick, Augusta and having failed to give Security for

the Costs, according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against George Smythe for 200 Acres on the West Side of the North Branch of James River, Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against Martin Shoemaker, for 150 Acres on the North River of Shanandoe, joining the Lands of the said Shoemaker, Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Solomon Turpin, for 192 Acres, on the Dry Fork of Smith's Creek, Augusta, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Bullitt, for 400 Acres, near the Hot-Springs, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed; and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Archibald Armstrong, for 125 Acres, on the Head of Smith's Creek, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jacob Aberman, for 71 Acres on North Fork of South Branch of Potowmack, and having failed to give approved security for the Costs, according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Andrew Bird, for 150 Acres, on Smith's Creek, and having failed to give

approved security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Brown for 73 Acres on the head Branches of Linwell's Creek, and having failed to give approved security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Risk, for 160 Acres on Smith's Creek, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Risk, for 150 Acres on Smith's Creek, and having failed to give approved Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Robinson, for 138 Acres on a small Branch of Roanoke, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Rutherford for 193 Acres on Elliot's Run, a Branch of Cub-Run, and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against Thomas Smith for 198 Acres on Waters of Roanoke, and having failed to give approved Security, for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jasper Terry for 265 Acres on Roanoke river, and having failed to give approved Security for the Costs, according to the rule of the Board; it was

ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Robert Williams, for 240 Acres on the Head Draft of Cub-Run and having failed to give approved Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

Ordered, that the Clerk in Taxing Costs do allow for Witnesses attending Commissioners the same that is allowed by Law to Witnesses attending the County Courts.

The Several Persons against whom William Waterson had entered Caveats which this Day are dismissed, for Reasons appearing to the Board are allowed three Months longer to comply with the Rules of Government.

George Jefferson having entered a Caveat against William Jones for 400 Acres of Land on the Branches of Turkey-Cock Creek and Sandy River, in Pittsylvania; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered, that the Plaintiff have a Patent for the said Land.

Tully Choice having entered a Caveat against John Maccarty for 334 Acres of Land, surveyed for Charles Bellow, on Ditto's Creek, in Pittsylvania County; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Hugh and Peter Rose, having entered a Caveat against Joseph Lively for 148 Acres of Land in Amherst the Plaintiffs appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiffs have a Patent for the said Land.

Robert Maclanahan and Katey his Wife having entered a Caveat against Frederick Hartsough, for 184 Acres of Land, on a Branch of Craig's Creek joining the Lands of Henry Paulin, in Botetourt; the Plaintiffs appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiffs have a Patent for the said Land.

Simon Galaspy having entered a Caveat against Thomas Wilson and James Wilson, for 85 Acres of Land on Back Creek a

Branch of James River, otherwise called Jackson's river, in Botetourt, lying between Robert Galaspy's Entry and William Macmurray's Survey; the Plaintiff appearing and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Michael Smith having entered a Caveat against John Summerfields for 95 Acres of Land, in Botetourt, on Buffaloe, a Place called Collier's Creek; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Cooke having entered a Caveat against John Logue, for 400 Acres of Land on Pig river, in Pittsylvania, the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Josiah Freeman having entered a Caveat against Hamlin Stokes Freeman, for 50 Acres of Land, surveyed November 2d 1748, for Arthur Freeman, on the Northside of Nottaway River, then in the County of Surry, but now Sussex; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered, that the Plaintiff have a Patent for the said Land.

Alexander Mitchell having entered a Caveat against Matthew Cox for 400 Acres of Land, more or less, in the County of Buckingham, adjoining the Lands of Joseph Apperson [. . .]¹⁶⁹ Kesen, and John Fry; being the Land Surveyed about 14 or 15 Years ago for Thomas Brucks; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Turk having entered a Caveat against Robert Craig, for 400 Acres of Land in Augusta, on the South side of South River, on the Poplar run; the Plaintiff appearing and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

William Young having entered a Caveat against Thomas Huff, or his assigns for 198 Acres of Land, on the Waters of Sycamore Creek, the Plaintiff appearing and the Defendant having been

¹⁶⁹ Blank in the original.

solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by George Webster against William Mullins, for 290 Acres on Town Creek, or Branch of Smith's River, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

John Johnson having entered a Caveat against Robert Adams, for 200 Acres of Land, in Brunswick County, on a Branch of Rattle-Snake Creek, which was surveyed for the said Robert, November 12th 1747, by the Surveyor of that County; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by Joseph Lyell against Newman Hardaway for 4450 Acres of Land in Pittsylvania, on both sides of Turkey-Cock Creek and the Head Branches of Sandy Creek and Leatherwood Creek, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

On hearing the Parties in the Caveat entered by Alexander Bell against Robert Waller and the Heirs of Thomas Wright for 440 Acres of Land, more or less, lying on the Southern Branch of Elizabeth River, in Norfolk County, called by the name of Gum Swamp, and bounded by the Lands of John Whitten, John Southerland, Matthew Mand, John Messer and Robert Waller aforesaid, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

Tully Choice having entered a Caveat against John Grier for 400 Acres of Land on Lick run, a Branch of Black Water in Pittsylvania; the Plaintiff appearing, and the Defendant, having been solemnly called, and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

James Baugh, having entered a Caveat against Richard Timberlake, John Forsie junr. or any other, for 320 Acres of Land, lying among the North Branches of Machunk Creek, in Albemarle; the Plaintiff appearing the Defendant Richard having been solemnly called, and not appearing, and the Defendant John having assigned

his Interest to the Plaintiff; it was ordered that the Plaintiff have a Patent for the said Land.

Alexander Maclin having entered a Caveat against George Jones for 230 Acres of Land in Pittsylvania on Miry Creek, being the Land for which the said George entered a Caveat against Robert Boyd, on the 14th Day of September 1764, being then in Halifax; the Defendant by his Attorney agreed, and it was accordingly ordered, that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by George Watkins against George Jones for 230 Acres of Land in Halifax, on Miry Creek, being the Land for which the said George Jones entered against Robert Boyd on the 14th Day of September 1764; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Andrew French having entered a Caveat against Thomas Hastie for 345 Acres of Land, in Prince Edward County, on both sides of little roanoke Road, and on the Branches of Briery and Buffaloe Rivers, the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Andrew French having entered a Caveat against Thomas Hastie for 418 Acres of Land, in Prince Edward County, joining the Lands of Winbush Thompson and others; the Plaintiff appearing, and the Defendant, being solemnly called, and not appearing, it was ordered that the Plaintiff have a Patent for the said Lands.

William Wood having entered a Caveat against John Price, for 234 Acres of Land, on the Top and South side of the blue Ridge, at Rock Fish Gap in Amherst; the Plaintiff appearing and the Defendant having been solemnly called, and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Peter Legrand having entered a Caveat against John Nash Junior for 804 Acres of Land, lying on the Waters of Banister River in Pittsylvania County, formerly Halifax, being the Land which the said John recovered upon a Petition against the said Peter; the Plaintiff appearing and the Defendant having relinquished all his right to the said Peter by an Indorsement on the Summons, it was ordered that the Plaintiff have a Patent for the said Land.

Peter Legrand having entered a Caveat against William Ewing, for 400 Acres of Land in Prince Edward County, formerly Amelia, lying on the Waters of Appomattox River joining the Lands of John Morrow, Benjamin Johns, Alexander Peter Field Trent and Obadiah Woodson and surveyed about the Year 1752; the Plaintiff appearing and the Defendant, having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

Edmund Wilkins having entered a Caveat against William Maclin, Douglas Wilkins and Benjamin Harris, for 680 Acres of Land in Brunswick, joining Douglas and others, on the South side of Meherin River, the Parties appearing, by the consent of the Plaintiff it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendants their Costs.

Giles Nance having entered a Caveat against John Walton, George Walton junr. Robert Walton, Thomas Watkins and Sarah his Wife which said John, George, Robert and Sarah were Devises of Robert Walton deced for 1574 Acres of Land on the Head Branches of Cascade and Sugar-Tree Creeks, in Pittsylvania, the Plaintiff appearing and the Defendants having been Solemnly called and not appearing, it was ordered, that the Plaintiff have a Patent for the said Land.

William Waterson having entered a Caveat against Malcomb Allen, for 310 Acres in Augusta, on the West side of James River, the Plaintiff having failed to give Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Joseph Cravens, for 50 Acres of Land in Augusta on the West side of Cooke's Creek, the plaintiff having failed to give Security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson, having entered a Caveat against John Cravens for 85 Acres, in Augusta, on the East Fork of Cooke's Creek, the

Plaintif having failed to give Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Neely, for 200 Acres, in Augusta, on a Branch of Back Creek, a Branch of James River, the Plaintiff having failed to give Security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat, be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Francis Smith for 360 Acres, in Augusta, on Roanoke river and having failed to give Security for the Costs; according to the rule of the Board, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Abraham Smith, for 236 Acres, in Augusta, on a Branch of Dry river between the Lands of Davies and Henderson, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against John Stevenson, for 335 Acres, in Augusta, adjoining the Lands of the said Stevenson and Huston, and having failed to give Security for the Costs, according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Armstrong for 140 Acres, joining the Lands of the said Armstrong, in Augusta, and having failed to give approved Security for the Cost according to the rule of the Board it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Armstrong for 140 Acres, on the North side of Jennings Branch, Augusta, and having failed to give approved security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay to the Defendnt. his Costs.

William Waterson having entered a Caveat against Archibald Armstrong for 120 Acres joining the Lands of the said Archibald, on Jackson River, Augusta, and having failed to give approved security for the Costs, according to the Rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Blair, for 260 Acres in Augusta, on a Branch of Naked [Creek] and having failed to give approved security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Beats for 96 Acres on Buffaloe Creek above Samuel Gibson's, Augusta, and having failed to give approved Security for the Costs according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants his Costs.

William Waterson having entered a Caveat against Thomas Bullett for 300 Acres, on a Branch of Jackson's River, called the Warm Spring Valley, in Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Barns, for 350 Acres on Buffaloe Creek, a Branch of Roanoke, in Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against John Compton for 115 Acres on the three-lick Branch in Brock's Gap, Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board, it was ordered that the said Caveat be dismissed and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against Valentine Castle, for 87 Acres on the South Fork of Richardson's Run,

Augusta, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Watterson having entered a Caveat against Francis Erwin for 96 Acres on both sides of Mossy Creek, Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Wallas Estill, for 360 Acres, on Jackson's river at Vanderpool's Gap Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Jonas Friend, for 200 Acres, at a Place called the Lovell, Augusta, and having failed to give approved Security for the Costs according to the rule of the Board, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Francisco, for 400 Acres, on the West side of the Long Glade, between the Lands of the said Francisco and John Arches, Augusta, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Dennis Gelly, for 320 Acres, on the Waters of Lee's run, a Branch of Catawba, Augusta, and having failed to give approved security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John McMahon, for 208 Acres, on a Branch of the Middle River, joining the Lands of Frame, Augusta, and having failed to give Security for the Costs, according to the rule of the Board, it was ordered, that the said Caveat be dismissed and that the Plaintiff pay to the Defendant his Costs.

William Waterson having entered a Caveat against James McAfee, for 90 Acres, on the main Branch of James River, joining the Lands of the said McAfee and having failed to give approved Security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Mills for 345 Acres on Davis Run, a Branch of James River, Augusta, and having failed to give approved Security for the Costs, according to the Rule of the Board, it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendt. his Costs.

William Waterson having entered a Caveat against John Mills for 254 Acres on Looney Creek, a Branch of James River, Augusta, and having failed to give approved security for the Costs according to the Rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Thomas Moore for 400 Acres, on the North side of the North River Shenando near the Lands of the said Moore and Michael Neece, Augusta, and having failed to give approved security for the Costs, according to the rule of the Board it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against John Nichol, for 400 Acres on a Draft of Mossy Creek, at a Place called the Wetstone, Augusta, and having failed to give approved security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Neely for 445 Acres on the Waters of roanoke, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against James Neely, for 400 Acres on the Waters of Roanoke, joining the Lands

of Evans and Griffith, Augusta, and having failed to give approved security for the Costs according to the rule of the Board; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Henry Paninger, for 75 Acres on the South Branch of Potomack, Augusta, and having failed to give approved Security for the Costs, according to the rule of the Board; it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

William Waterson having entered a Caveat against Charles Power, for 97 Acres, on the South Fork of Richardson's Lick Run, Augusta, and having failed to give Security for the Costs, according to the rule of the Board; it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

The following Caveats entered by William Waterson against Sundries, were ordered to be dismissed generally, viz, Waterson v. Neely, for 400 Acres entered April 19th 1769. v. Sunds. entered July 27th, 1769. viz. v. Brown No. 5. v. Bean, No. 8; v. Carvin, No. 12; v. Davis, No. 13; v. Johnston No. 19; v. Knaw No. 20; v. Schoolcraft No. 33; v. Sunds. entered February 12th, 1770, viz v. Collier No. 2; v. Tosh No. 3; v. Vernon No. 4; v, Walker No. 5; v. Arnold, No. 7; v Baggs No. 11; v Bennet No. 13 & 14; v Bogert, No. 16; v Blane No. 18; v Brackenridge No. 20; v Buchanan No. 21; v Campbell No. 24, & 29; v Christian No. 31 & 32; v Carpenter No. 37; v Collier No. 38; v Collier No. 39; v, Coates No. 40; v Craig No. 46; v Carpenter No. 47; v. Carpenter No. 48; v Doeherty, No. 49; v Doeherty, No. 50; v. Dennis No. 51; v Davis No. 52; v Farguson No. 55; v Goodwin No. 56; v Gwinn No. 57 & 58; v Gregg No. 59; v Good No. 60; v Gillespy No. 61; v Jordan No. 77 & 78; v Jones No. 81; v, Laurence No. 88; v Laurence No. 89; v, Law No. 93; v Logan No. 94, & 95; v, Larkin No. 98; v, Mousley, No. 99; v, MacCrahen No. 102; v, Maclure No. 103; v. MacCallom, No. 104; v MacConnal No. 106; v Mullin, No. 108; v Mitchel, No. 111; v. Matthews, No. 115; v. Milleron, No. 116; v McCoy No. 117; v Neely, No. 119;

v Poage No. 122; v Pickle No. 123; v Rhoades, No. 125; v, Rhoades, No. 129; v. Ramsay No. 130; v. Summers No. 134; v, Skillern No. 135; v Shannon &c No. 136; v Smith No. 138; v Schoolcraft No. 141; v, Smothers, No. 143; v Sympson, No. 146; v. Smith No. 147; v Taylor No. 156; v Thompson No. 158; v, Wallace, No. 163; v Walker, No. 164, & 165; v Wallace No. 170; v, Watch No. 171; v Wilson No. 172 & 173; v, Wright No. 175; v Walker &c No. 176; v, Young No. 177; v Logan No. 178; v, Moore, No. 180; v, Armstrong No. 184; v. Arnold No. 185 & 186; v, Alexanders, No. 187; v Allen No. 189; v Ballenger, No. 191; v, Bryan, No. 193; v Boreland &c, No. 194; v Bowen, No. 195; v, Bradley, No. 196; v, Beard, No. 197; v Burras No. 198; v, Crawford, No. 200; v Crab, No. 201; v Caghey, No. 202; v, Crockett No. 203; v Caghey No. 204, & 205; v Carpenter No. 206; v Crockett No. 208; v Caghey No. 209; v Cautley No. 210; v Colven No. 211; v Dyerly No. 213; v Dehart, No. 214; v Emocks No. 216; v Elliott No. 218, & 219; v Eagar No. 220, 221 & 222; v Evans; No. 223; v Estill No. 225; v Frame No. 226; v. Farguson No. 227; v Graham, No. 229; v, Humphreys No. 230 & 231; v Inges No. 232; v Kinkeads No. 233; v Kyle, No. 234; v. Leely No. 235; & 236; v. Laughlin, No. 237; v Laurence, No. 238, & 239; v Laurence No. 241; v Laughlin No. 242; v McMullin No. 243; v McNeil No. 245, and 246; v Mellon No. 247; v Millar, No. 249; v McClure, No. 250; v Marshall, No. 251; v Mann No. 252; v Moore No. 253; v McMullin No. 254, 255 & 256; v McMillen No. 257; v Montgomery No. 258; v Millar No. 259; v McCure No. 260; v Mills No. 261; v Neely No. 263; v Olley No. 264; v Passinger No. 267; v Price, No. 268; v Paulson No. 269; v Prentice No. 270; v Paulson, No. 272; v Robertson No. 274; v Reed No. 275; v Rogers No. 276; v Rawland No. 277; v, Robertson No. 280; v Robinson No. 281, 282, 283, 284, & 285; v, Robinson No. 288 & 289; v Snodgrass No. 290; v Shirkey No. 292; v Smith No. 293; v Shirkey No. 294; v Tarry No. 296; v Woods, No. 297; v Walker No. 298; v Whilley No. 299; v, Williams No. 300; v Whitesides No. 301; v Walker No. 302; v Walker No. 304; v Yully No. 305 & 306; & v Martin No. 307.

The following Caveats were also ordered to be dismissed generally; viz. Jefferson v Colson, entered Novr. 27, 1766; Gordon v, Broyles, entered Octor. 14th 1768; Douglas v Mousley, entered Dec 6th 1768; Alston v Dilliards, entered January 20th 1769; Hughes v Jennings, entered same Day; Hopkins v, Cooke, entered June 14th 1769; Stegoe v's Stegoe, entered October 7th 1769; Kennon v Christians entered June 12th 1770; Munford v Jones, entered June 14th 1770; Christian v Christians, entered same Day; Mead v Taylor and al entered July 9th 1770; Thompson v Smith, entered Novr. 5. 1770; Griffin v Emoiley alias Catt, entered Feb. 20. 1771; Huson v Maclin &c, entered April 9th 1771; Phelps v Daniel, entered April 16th 1771; Threewitts v Maclin, entered May 8th 1771; Ruffin v Ruffin and Munford v Curries, entered May 9th 1771; Shanklin v Shanklin, entered June 11th 1771; McDowell v Kelly, entered June 12th 1771; Young v Stephenson v Renfro's and Prewit v Martin, entered June 13th 1771; Walker v Maclin &c entered June 14th 1771; Arthur v May entered July 20th 1771; Keith v Lemon; Garland v Graham entered October 24th 1771; Harris v Price, Price v McCan, v Kincaid; v. McAnally; &c's Philips &c entered October 28. 1771; and Tucker v's Tucker, entered Nov. 4th 1771:

The Defendants in the Caveats of Turner v Rand, entered Nov. 17. 1770, and Wilson v Waller, 2 Caveats entered June 12th 1771, being Dead, it was ordered that the same do abate.

The following Caveats were continued generally viz Booker v Paine, Jordan v Randolph and others (three Caveats) Smith v Preston &c (2 Caveats) Young v Pusey, Ballard v Cuninghame, Lanier v Maclin, & Marr v Watkins, which last is not to abate by the Death of either Party.

The two Caveats of Hayes v Lowe were also continued, and Commissions awarded the Parties for taking Depositions, they giving each other ten Days Notice of the Time and Place of taking the same.

In the several Caveats of Craven v Rollston, Strange v Murril, Tunstall v Cox and al, Donelson v Yarrington and al Hickman v Roialty; Taylor v Binum, Eppes v Jones, Taylor v Plunkit, Pusey v

Barton, Donelson v Payne, Cosby v Morris &c Lucas v Graves, Cooke v Beller, Bishop v Pryor &c Black v David Kinkead & v John Kinkead, Mitchell v King, Dunn v Blevins &c Eubank v Dean, Alexander v Coats, Thompson v Hughes, & vs. Biggs, Winn v Goode, Lucas v Graves's, Flower v The Heirs of George Currie deced-, Young v Bowling & v Richd. Huff Cocke v Tabor, Maclin v Harris &c, McCraw v Dye, & v Young, Hundley v Bostick &c Shelton v Gordon &c, & v Wade &c Barley v Gordon, Smith v Booker, Turk v Pryor, Dedman v Benge, Lomax v Devire, Branham v Colman, Stone v Payne &c, Wood v Kincaid, Ellis v Atkins, Ford v Pouncey, Legrand v Morrow Hurman v Smith & McCraw v Dye &c, there not being such returns of the several former Processes, as the Rules of Government require, new Process was awarded the Parties aforesaid.

The rest of the Caveats were put off 'til tomorrow 10 oClock, at which Time the several Persons concerned therein were ordered to give their attendance.

At a Council held June 11. 1772

Present

His Excellency

Richard Corbin

John Page

William Byrd

Ralph Wormeley Junr. Esquires

On the Motion of the Officers of his Majesty's Revenues, the Clerk was ordered to insert an advertisement in the Gazettes, desiring the Clerks of the several County Courts to send to the Auditor's Office as soon as may be, Copies of the Bonds entered into respectively by the present Sheriffs, and of such as shall be hereafter given for the faithful collecting and accounting for his Majesty's Quit Rents.

Present

William Nelson

Thomas Nelson

Robert Burwell Esquires

James East having entered a Caveat against Jacob Cox, Thomas Tittsword, and Joseph Cameron, and all others claiming under

them, or either of them, for 210 Acres of Land, in the County of Pittsylvania, formerly Halifax, on Horse Pasture Creek, adjoining the Lines of John Woodson, and Surveyed by Jacob Cox afore-said the Plaintiff appearing and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Walker having entered a Caveat against John Francis Mercer, for 400 Acres of Land, on the East side of Wood's River, below the Mouth of little Creek, in Botetourt formerly Augusta; the Plaintiff appearing, by his Attorney and the Defendant by James Mercer his Guardian, upon the consent of the said Guardian, and for Reasons appearing to the Board; it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Walker having entered a Caveat against John Francis Mercer, for 400 Acres of Land, on a West Branch of Wood's River, called Happy Creek, near the Peaked Mountain, in Botetourt, formerly Augusta; the Plaintiff appearing by his Attorney and the Defendant by James Mercer his Guardian, upon the Consent of the said Guardian, and for Reasons appearing to the Board, it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Walker having entered a Caveat against John Francis Mercer, for 100 Acres of Land on the West side of Wood's River in Botetourt, formerly Augusta; the Plaintiff appearing by his attorney, and the Defendant by James Mercer his Guardian, upon the Consent of the said Guardian, and for Reasons appearing to the Board, it was ordered, that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by James Whitehurst against Jeremiah Murden, for 400 Acres of Land in Norfolk County, between the East and South River, joining Gray's Land, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Gideon Marr having entered a Caveat against Thomas Owen, for 400 Acres of Land, more or less, on Sandy River in the County of Pittsylvania; the Plaintiff appearing and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

On hearing the Parties in the Caveat entered by Gideon Marr against John Wilson for 400 Acres of Land, or thereabouts, in Pittsylvania County, adjoining the Lands of John Ware, and Charles Williams; it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Robert Chandler having entered a Caveat against Robert Ferguson, for 320 Acres of Land, on the Waters of Difficult Creek, in Halifax County, the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

The following Caveats were ordered to be dismissed generally, viz. Harned v Davidson, entered June 12th 1772; Phelps v Phelps, entered February 21. 1772; May v Robinson, entered March 28th 1772; Smith v Holland, entered April 9th 1772; Marr v Duncan and al, entered April 18th 1772; Maury v Sweeting, being the first of two entered April 18th 1772; Marr v Mills, entered same Day; Read v Finnie &c entered April 24th 1772; Dixon v Chaney, entered April 25th 1772; Murden v Murden, entered May 4th 1772; and Walton v Walton &c entered May 7th 1772.

The following Caveats were continued generally viz Patteson &c v Whitney &c, Phelps v Whitney &c, Bryan v Calloway, McCraw v Young &c Owen v Duncan &c, Marr v Owen.

The Caveats of Edwards v Nash, and Oldner v Nash were also continued, and Commissions awarded the several Parties for taking Depositions, they giving each other respectively ten Days Notice of the Time and Place of taking the same.

In the several Caveats of Allen v Almond, Hows v Hows, Green v Hix, Thurmond v Hunter, Jones v Jones Allan v Hardwick &c, and v Easley & Burton, Edmunds v Carty (2 Caveats), Marr v Marr, Maury v Sweeting, Smith v Hutchings &c Maupin v Yancy, Conway v Mead, & v Mead &c Bland v Hall &c Hankinson v Ingram, Smith v. Walton and Taylor v Pitt, there not being such Returns of the several former Processes, as the rules of Government require, new Process was awarded the Parties aforesaid.

Joseph Waggamon having entered a Caveat against Robert Pitt for 300 Acres, in Accomack, on Weymouth's Branch, and obtained an Order, on the 12th Day of last June for a Patent for the same, and it appearing now that there are contained within the Bounds of the said Land 633 Acres; it was ordered that the said Joseph have a Patent for that Quantity.

Jerman Baker having Petitioned for Leave to Survey and take out a Patent for 1000 acres of Land in the County of Botetourt, beginning at a Maple, near Burk's Fork, a Corner Tree of Augustine Willis and Company's Order; thence Northward for Complement; it was ordered that a Patent issue to the Petitioner for the said Land.

Ordered,

That the General Assembly, which stands prorogued to Thursday the 25th of this Month, be farther prorogued to the first Thursday in November next, and that a Proclamation¹⁷⁰ forthwith issue for that Purpose.

Ordered,

That a New Commission of the Peace issue for the County of Charles City, to include all the Justices named in the present Commission, except John Minge, Littlebury Hardyman, Peter Royster, and Edward Cocke, who are Dead; and also except George Minge who declines Acting and William Kennon who has removed out of the Colony; and that the following Gentlemen be added, viz, Thomas Holt, William Rickman, Benjamin Harrison Junior, Freeman Walker, John Woddrop, Robert Harrison, David Minge, and William Christian.

At a Council held July 27. 1772

Present

His Excellency

William Nelson

William Byrd

Thomas Nelson

Robert Burwell

John Page Esquires

His Excellency laid before the Board a Letter from Col Richard Lee, inclosing a Petition from the Ohio Company, wherein they

¹⁷⁰. See p. 642 for the text of this proclamation.

complain of their Agent Col George Mercer's having undertaken without their Consent or Authority to make an Agreement of Copartnership to subsist between the said Company and Thomas Walpole Esqr. and others his Associates in Great Britain with respect to the said Company's Grant of Lands on the Western Frontier of this Colony, and praying that they may have a Warrant to survey the said Grant.

Whereupon it was ordered by advice of the Board, that the substance of the above Representation be entered on the Council Journals, and that the Clerk inform Col. Lee that as there is no Precedent of any other Warrant to Survey Lands, than the order by which they are Granted, and the Company having already such an Order in their Favour, it does not appear necessary for the Board to do any Thing farther.

Ephraim Dunlop of the County of Botetourt, having exhibited Ten Articles of Complaint against John Bowyer Gent a Justice of the said Court, his Excellency was pleased to communicate the same to the Board, by whose advice it was ordered, that the Clerk send an exact Copy of the said Articles to the said John Bowyer and summon him to attend the Board on the 30th Day of next October to Answer the said Complaint, and that he also send Ephraim Dunlop a Commission for taking the Examination of the several Witnesses whose Depositions may be wanted by either Party, and another to the said John Bowyer.

The Governor also communicated to the Board a Letter dated July 16th 1772, from Col. David Mason informing his Excellency that in the Night of the 7th instant, Ned, a Negro Man Slave, belonging to the Estate of Robert Owen, late of Sussex County deced; and Harry another Slave belonging to John Prince of the County of Brunswick, made their Escape from the Jail of the said County of Sussex where they were confined under Sentence of Death, the former for a Rape committed on the Body of a White Woman, the latter for Burglary;

Whereupon by the Advice of the Board, it was ordered, that a Proclamation¹⁷¹ issue commanding all Officers, both Civil and

171. See p. 644 for text of this proclamation.

Military to use their utmost Endeavours to apprehend the said Slaves, and also offering a reward of Twenty Pounds Current Money to the Person who shall seize the said Ned and deliver him to the Sheriff of the said County of Sussex.

A Recommendation of Frederick County Court of Gentlemen to be added to the Commission of the Peace for that County, and also one from the County Court of King and Queen, to the same Purpose, were presented, and for Reasons appearing to the Board the farther Consideration of them was postponed.

Ordered that a New Commission of the Peace issue for the County of Halifax to be directed to the several Justices named in the last, except Nathaniel Hunt, who is now Sub-Sheriff of the said County, and also except William McDaniel and William Sims, who refuse to Qualify; and the following Gentlemen, to wit, James Coleman, Moses Fontaine, William Britton, Marmaduke Stanfield, and Matthew Sims, are to be added.

Copy,

Examd. by

John Blair, Cl. Conc^s

At a Council held October 10th 1772¹⁷²

Present

His Excellency

Thomas Nelson

George William Fairfax

William Byrd

John Page

Robert Burwell

Ralph Wormeley junr. Esquires

The Governor was pleased to lay before the Board a Letter of the 14th of September which his Excellency had received from the Governor of Antigua, informing him, that the Late dreadful Storm there, among other Calamities, had occasioned so great a Scarcity of Provisions, that unless Speedy Supplies should be sent, a famine must be the inevitable Consequence.

172. The text of the following Journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1440, ff.114-140. There is a title page which reads as follows: "No. 6. Journals of the Council beginning where the last copies ended. from Octr. 10. 1772 to Febyr 28. 1774. Recd. April 6. 1775."

Whereupon, with the advice of the Board, his Excellency ordered, that a Proclamation¹⁷³ should immediately issue, to give public Notice thereof, and to recommend the unhappy Case of that People to the Humanity of their Fellow Subjects here.

Ordered, that a Commission of the Peace issue for the newly erected County of Fincastle to be directed to William Preston, William Inglis, James Robertson, William Christian, John Montgomery, Stephen Trigg, Robert Doake, Walter Crockett, James McGavock, Anthony Bledsoe, James Thompson, Arthur Campbell, William Russell, Samuel Crockett, & Alexander McKee.

And his Excellency having asked the Advice of the Board with respect to the Appointment of Militia Officers for the said County, the Council recommended William Preston, for County Lieutenant, William Inglis for Major, and William Christian for second Major.

A Letter was laid before the Board from Anthon[y] Winston, Gentn. complaining of the Alteration made the 21st of March last in the Commission of the Peace, then lately ordered for the County of Buckingham, and assigning that as the Reason why he had never acted under it; but that Alteration was now again approved of; And the Clerk was Ordered to acquaint Mr. Winston, that it was made on mature Deliberation and that the Board were of Opinion that the Commission ought to stand as it is.

The Governor Communicated a Letter from John Stuart Esqr. Superintendant of Indian Affairs in the Southern District, complaining of an Opinion expressed at a former Board, that the extra Expenses of his Deputy Mr. Camron, ought not to be paid by this Colony; and assuring his Excellency, that no provision is made on the Fund out of which his Salary is paid, for such Expenses. But the Board said, & requested his Excellency to inform Mr. Stuart thereof, that the money paid by this Government to Mr. Camron was intended as a full Compensation, for his Trouble and Expenses.

Ordered that a new Commission of the Peace issue for the County of Dinwiddie to be directed to all the Justices named in

¹⁷³. See p. 645 for the text of this proclamation.

the present Commission except Robert Bolling, Bolling Stark, Robt. Walker William Watkins, Herbert Haynes, and Edward Wyatt, (who do not Act) And the following Gentlemen are to be added viz. John Jones junr. Duncan Rose, Alexander Shaw, Robert Newsum, Henry Lockhead and Joseph Jones.

Also a new Commission of the Peace for the County of Hampshire to be directed to the several Justices in the present Commission, except Thomas Bryan Martin, Solomon Hedges, Jonathan Cobun & James Seaton, (who do not reside within the County) Michael Stump and Parsons (who are dead,) Felix Seymour (who [has] not qualified since he was Sheriff) and Isaac Ely and Job Wilton (who have refused to qualify); and the following Persons, viz. Joseph Neavill, Humphrey Fullerton, Philip Ross, William Vause, James Claypole junr. & Isaac Cox Gentlemen, are to be added. And it being represented that there are not more than one or two in the intended Commission who have been already appointed of the Quorum by any former Commission, it was farther ordered, that as many more be taken into the same (according to Seniority) as will make up the usual Number

At a Council held October 17th 1772

Present

His Excellency

Thomas Nelson

John Tayloe

Richard Corbin

Robert Burwell

William Byrd

George Wm. Fairfax

Philip L. Lee

John Page

Ralph Wormeley junr, Esquires

Ordered that Court-Houses be erected for the following Counties, viz. for the County of Dunmore, at a place called Woodstock; for the County of Berkeley at Morgan's Springs upon Tuscorora; and for Fincastle, at the Lead Mines on the Land of William Byrd, Esqr.

Ordered that a new Commission of the Peace issue for the County of King and Queen, to be directed to all the Justices named in

the present Commission, except Armistead Bird, (who is dead) Baylor Walker, Robinson Daingerfield, and Gregory Smith (who did not act) and Richard Tunstall (who is deputy Clerk).

And it was farther ordered, that John Tayloe Corbin Gentn. be placed the last of the Quorum, and that the following Gentlemen be added to the Commission, viz. Robert Hill, William Griffin, Edward Hill, Benjamin Robinson, and William Black.

At a Council held October 19th 1772

Present

His Excellency

Thomas Nelson

John Tayloe

Richard Corbin

George Wm. Fairfax

Philip L. Lee

Ralph Wormeley junr. Esquires

The Governor communicated to the Board a Letter to his Excellency from the Board of Trade, relative to a Special Clause proposed to be inserted in all future Commissions to the Governors of the several plantations empowering them as Chancellors to take Charge of Idiots and Lunatics and their Estates; on mature Consideration whereof the Board were of Opinion, that whatever Necessity there might be for such a Commission in the other Colonies (in many of which the Governor is the sole Chancellor) there did not seem to be any here, where the Authority of the Chancellor is reposed in the Judges of the General Court; which Court has ever taken Cognizance of the Cases mentioned in their Lordships Letter, in the same manner and under the like Rules as prevail in the High Court of Chancery in England; and it was referred to Thomas Nelson Esq. to draw up a Representation thereof to his Excellency, in writing.

The Governor having received Information that a Vessel bound to Philadelphia, & having on Board a great Number of Irish Emigrants had put in at Port Hampton in very great Distress, having lost above sixty Passengers thro' Sickness, and from want of Necessaries, & the rest of them being reduced to a low, weak Condition, was pleased to refer their unhappy Case to the Consideration

of the Board; who advised his Excellency to give orders that they should, at the Charge of this Government, be provided with necessaries, and that he would request Col. Wilson Miles Cary & Col. Cary Selden, to take on them the Charge of it, and see that it be done with as much Aconomy as the Case will admit of. And the Clerk was accordingly ordered to write to those Gentn. to that Effect.

Ordered that the General Assembly, which stands prorogued to the first Thursday of the next Month be farther prorogued to the first Thursday in May next, and that a proclamation¹⁷⁴ forthwith issue for that purpose.

At a Council held October 26th 1772

Present

His Excellency

Thomas Nelson
Richard Corbin
William Byrd

Philip L. Lee
John Tayloe
George Wm. Fairfax Esquires

His Majesty's Letter and sign Manual dated August 4th, 1772 appointing John Camm, Clerk, one of his Majesty's Council of State for this Colony, having been read; he accordingly, upon taking the Oaths to the Government, and the Oath of Office, was admitted to his place at the Board.

The following Gentlemen were appointed Sheriffs of the Counties set opposite to their Names, respectively. viz.

For Augusta.....	Daniel Smith	For King & Queen.....	William Fleet
Accomack.....	Isaac Dunton	King George.....	John Triplett
Albemarle.....	John Henderson junr.	Louisa.....	George Thompson
Amelia.....	Edmund Booker	Lancaster.....	John Chinn
Bedford.....	Jareemiah Early	Loudoun.....	Craven Peyton
Chesterfield.....	Thomas Worsham	Norfolk.....	John Hutchings
Cumberland.....	Richard Jones	Northumberland.....	Spencer Mottrom Ball
Elizabeth City..	Walter McClurg	New Kent.....	Foster Webb
Essex.....	Samuel Peachey	Nansemond.....	William Shepherd
Frederick.....	Charles Smith	Princess Anne.....	John Hancock
Fairfax.....	John Gunnal	Richmond.....	Williamson Ball
Fincastle.....	William Preston	Spotsylvania.....	Jno. Crane
Hampshire.....	Jonathan Heath	Westmoreland.....	John Turberville
Hanover.....	John Merewether		

¹⁷⁴. See p. 646 for the text of this proclamation.

At a Council held October 30th 1772

Present

His Excellency

Philip L. Lee

George William Fairfax

John Tayloe

John Page

Ralph Wormeley junr. Esqrs.

John Camm, Clerk

This being the Day appointed for hearing the Complaint exhibited by Ephraim Dunlop against John Bowyer one of the Magistrates of Augusta County, the Articles were ordered to be read, and appeared to the Board to be too general for them to proceed upon; whereupon, with the Consent of the Parties, it was ordered that Mr. Dunlop amend the same, & give a Copy thereof to Mr. Bowyer, and that each Party attend the Board on Friday the 11th Day of next June when they will be heard upon the Matter of the said Complaint.

The Account of Contingent Charges from the 25th of last April to the 25th of this present Month and of Work done at the Governor's House being laid before the Board, was allowed.

John Carter, Esqr. having petitioned the Governor and Council, for leave to manumit his Slave, named Agathy, together with her five Children, called Betty, Myrtila, Lucy, Aggy, and James, & having failed to give the Board Satisfactory Proof of their meritorious Services, as the law requires, the petition was rejected.

Ordered that a new Commission of the Peace issue for the County of Gloucester, to be directed to all the Justices named in the present Commission except William Hayes, (who is dead) and also to the following Gentlemen who are to be added as new Justices viz. Jonathan Watson and John Thruston; the former of which, it was farther ordered should rank in the Commission, next before John Page junr. Gentn.

At a Council held Novr. 4th 1772

Present

His Excellency

Thomas Nelson

Robert Burwell

John Tayloe

George William Fairfax.

John Page, Esqrs.

A Recommendation from the Court of Mecklenburg County of Persons proper to be added to the Commission of the Peace for that County was read and Considered; but the Council being of Opinion that there was already a Sufficient Number of Justices; it was ordered that the Commission remain as it is.

Present

Philip L. Lee

Robert Carter

Ralph Wormeley junr. Esqrs.

John Camm, Clerk

The petition of George Washington, Esqr. in behalf of himself & the other officers and Soldiers of the first Virginia Regiment, referring to former Orders of the Board which restrict them to twenty Surveys in the taking up of the 200000 Acres of Land offered them by Governor Dinwiddie's Proclamation; and praying for Reasons there given, that they might be allowed a greater Number of Surveys; and also that the Board would be pleased to direct in what manner Patents ought to issue for the Lands already surveyed, was now presented and read, and the farther Consideration thereof postponed till Friday next, except as to that Part, which prays to be indulged with a greater Number of Surveys, which was now rejected.

At a Council held Novr. 6th 1772

Present

His Excellency

Richard Corbin

Philip L. Lee

George William Fairfax Esqrs.

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2 s. per Hhd. &c were signed by his Excellency, viz.

For half a years Salary to the Governor	£1000.0.0
Do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For half a years Salary to the Auditor	50.0.0
Do. to Sollicitor of Virginia Affairs	100.0.0
Do. to the Attorney General	135.0.0
Do. to the Clerk of the Council	75.0.0
Do. to the Adjutants	160.0.0
Do. to the Armourer	6.0.0
Do. to the Gunners of the Batteries	12.10.0
Do. to the Ministers attending one General Court	12.0.0
For repairs done to the Governors House	378.13.6
For Contingent Charges	239.17.7

Also to be paid out of his Majesty's Revenue of Quitrents

For half a years Salary to the Attorney General	35.0.0
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The Account of his Majesty's Revenue of 2 s. per Hhd &c arising within this Colony from the 25th Day of Last April to the 25th of the last Month, being examined by the Deputy Auditor and made Oath to by the Receiver General was Certified by his Excellency.

Present, Thomas Nelson, William Byrd, Robert Carter, Robert Burwell, and John Page Esquires.

Southy Simpson, Gentr. lately put out of the Commission of the Peace for the County of Accomack, was this Day heard in his Defence against the Ground of that proceeding; and after a minute examination thereof the Board were of Opinion, that he had not Sufficiently cleared up his Conduct from the former Charge, and

that it also appeared, in the discussion of that Matter, that he was a turbulent Man, & often Quarrelsome on the Bench, to the Hinderance of the Business of the Court. Whereupon it was ordered that the Commission remain as it is.

Ordered that new Commissions of the Peace issue for the following Counties viz. James City; to be directed to the several Justices appointed by the present Commission, except Edward Champion Travis, Charles Barham, and Hudson Allen (who have not Qualified) and Turner Henley (who is dead) and the following Gentlemen are to be added viz. William Holt, Lewis Burwell junr., Nathaniel Burwell, and Champion Travis; and it was farther ordered, that William Spratley Gentn. be the last of the Quorum.

Augusta; to be directed to all the Justices named in the present Commission, except Patrick Martin and James McDowell (who are dead) Francis Kirtley (who resides in Orange County) Andrew Bird (who is represented by the Court to be an infamous person) and William Lewis & James Ewing (who have not qualified).

Southampton; to be directed to all the Magistrates in the present Commission, except Jesse Brown and James Jones (who are dead) and Charles Cosby, Charles Taylor, Thomas Edmunds and William Thomas (who refuse to act); and it was farther Ordered, that Samuel Brown & Elias Herring Gentlemen be added.

Berkeley; to be directed to all the present Magistrates, except John Nevill, John Briscoe, and Thomas Robinson (who do not reside in the County) and Hugh Lyle, (who being deaf refuses to Qualify); and it was farther ordered that Robert Tabb Gentleman be added thereto.

Stafford; to be directed to the several Justices named in the present Commission, except Peter Daniel, William Fitzhugh, Bailey Washington, Travers Daniel, Lawrence Washington, William Fitzhugh junr. William Adie, Gerrard Hooe, Andrew Grant, and John Bronaugh, Gentlemen (who refuse to act) Thomas Fitzhugh Charles Stuart, William Ederington, and John Chambers (who are dead) William Bronaugh, Samuel Washington, Thomson Mason, and Charles Alexander (who have removed from the County) and

also except John Stith and John Gibson; and it was also ordered, that Charles Carter Gentn. be added thereto.

Recommendations from the Courts of Frederick, Spotsylvania, Charlotte, & Culpeper, of persons fit to be added to the Commissions of the Peace for those Counties respectively, were read and rejected; the first three for nonconformity to the Rules prescribed; and the last, because it appeared to the Board, that there is already a Sufficient Number of Acting Justices.

Ordered, that the Clerk write to the several Naval Officers that they do not for the future admit any Vessel to the Exemption allowed to Virginia Owners, unless the Freedom be produced at the same time; And that the Receiver General will not take from them in payment of Duties any Bills of Exchange, that were not paid to them on the same Account.

Col. George Washington being introduced into the Council Chamber, and presenting to the Board a Scheme of Partition of Sundry Surveys of Land among certain of the Officers and Soldiers who were to share the 200000 Acres promised by Governor Dinwiddie's Proclamation, after having been heard thereupon withdrew; when it was accordingly ordered, that a patent immediately issue to George Muse, Andrew Lewis, Adam Stephen, Peter Hog, John West, John Polson, (Representative of William Polson) and Andrew Wagener (Representative of Thomas Wagener) in Part of their Shares, for 51302 Acres; another to George Mercer for 13532 Acres, being for his Share, and those of his deceased Brother, John Mercer, of John Hamilton and Mark Hollis; another to George Washington for 20147 Acres, in Part of his own share and of his purchases from George Muse and Rudolph Brickner; another to the Heir, or other Representative, of the late Col. Joshua Fry, deceased, for 7758 Acres, in Part of his Share; another to George Muse for 927 Acres, being the Balance of his Claim; and another to John Savage, Robert Longdon, Robert Tunstall, Edmund Wagener, Richard Trotter, Wise Johnston, Hugh McKoy, Richard Smith, John Smith, Charles Smith, Angus McDonald Nathan Chapman, Joseph Gatewood, James Samuel, Michael Scully, Edward Goodwin, William Bailey, Henry Bailey, William Cofland,

Mathew Doran, John Ramsay, Charles James, Matthew Cox, Marshall Pratt, John Wilson, William Johnson, John Wilson, Nathaniel Barrett, David Gorman, Patrick Gallaway, Timothy Conway, Christian Bombgardner, John Houston, John Maid, James Ford, William Braughton, William Carnes, Edward Evans, Thomas Moss, Matthew Jones, Philip Gatewood, Hugh Paul, Daniel Staples, William Lowry James Ludlow, James Latort, James Gwin, Joshua Jordon, William Jenkins, James Commack, Richard Morris, John Gholson, Robert Jones, William Hogan, John Franklin, John Bishop, George Malcomb, William Coleman, Richard Bolton, John Kincaid, and George Hurst for 28627 Acres, And the Shares of such of them as are dead, or have assigned, are to go (according to the former Order of the Board and the proportions then settled) to those who represent them.

And it was farther ordered, that the said Patents issue without Rights and with a Reservation of Quitrents from the Feast of St. Michael which shall be next after 15 years from the Dates thereof respectively, according to the said Proclamation.

And Col. Washington engages, that if at the intended Meeting of the several Claimants at Fredericksburg, or in any reasonable Time after, the above Distribution should be complained of as unequal, and upon a Represent[ation] to the Board it should appear to be so, he will give up all his interest under his Patent, & submit to such regulations as the Board may think fit to prescribe.

At a Council held December 9th 1772

Present

His Excellency

Thomas Nelson

John Page

Robert Burwell

Ralph Wormeley junr. Esqrs.

Thomas Nelson Esqr. presented a Representation to his Excellency, according to the order of the 19th, Ult. on the subject of a new Clause proposed by the Lords Commissioners of Trade to be inserted in the several Commissions to the Governors, relating to

the Custody of Lunatics and Ideots, and of their Estates; which being read was approved of and his Excellency was pleased to say, that he would transmit a Copy thereof to their Lordships.

The Governor referred to the Consideration of the Board a Letter from Jane Lee, complaining of James Lewis, Master of the Ship Industry, in which she, with a Child of about Six Years of age, was a passenger some Time about the Beginning of the last year; that the said Captain not only treated them with great Inhumanity on the passage But after their Arrival in this Colony sold them as Servants; that She has purchased her own Freedom, but her Child is still a Servant to one James Foster, who Claims her for fifteen Years.

The Board advised his Excellency to give Directions that a suit be brought against the said James Lewis in the name of the said Jane Lee, and that if She should be cast, he would be pleased to direct the Receiver General to pay the Costs, out of his Majesty's Revenue of two Shillings &c.

Ordered, That a new Commission of the peace issue for the County of Isle of Wight, to be directed to all the Justices last appointed, except Joseph Bridger, Michael Eley, John Eley junr. and Thomas Day (who are dead) Nathaniel Burwell (who is Clerk of the County) Thomas Miller (who is removed out of the County) and Dolphin Drew, (who is about to remove) and also to the following Gentn. to be added as new Justices viz. Arthur Smith, Nathaniel Fleming Goodrich Wilson, James Allen Bridger, Benjamin Eley, & Daniel Herring, junr.

Also for the county of Nansemond, to be directed to all the Justices named in the present Commission, except Jonathan Godwin, Josiah Riddick, William Moore, William Wilkinson, Thomas Sumner, Thomas Fisher, John Drew & Miles King, (who are dead) Mills Riddick and James Wright, (who do not reside in the County) and Staples Ivy (who declines serving) and the following Gentlemen were ordered to be added viz. Thomas Jack, William Cowper, Thomas Godwin junr. Michael King, Jonathan Godwin William Pugh, Solomon Shepherd junr. Kinchin Godwin, Anthony Godwin, Josiah Riddick, junr. and John Cole junr.

His Majesty's Confirmation of an Act of Assembly, 'to vest certain intailed Land whereof William & John Armistead, Gentlemen, are seized, in Trustees to be sold for payment of the Debts due from the Estate of their Father' was produced, and ordered to be recorded in the Secretary's Office.

Col. Washingtons Letter of the 4th, Inst. to the Clerk, and the Resolves (therein inclosed) of the Commissioned Officers of the first Virginia Regt. at a meeting at Fredericksburg on the 23d of Last Month, were laid before the Board; which Resolves principally respect the Engagement of Col. Washington at the Council held the 6th Ult. to submit to a redivision of the Lands granted him, in case the partition then established, should appear to be unequal, & set forth the Reasons of the meeting for desiring an absolution therefrom; all which being duly considered, the Board approved of the Partition before ordered, and were of Opinion, upon the whole matter, that there would be no Complaint against it; Yet as possibly there might, it was determined that at any Time between this & the End of the Oyer and Terminer Week in June next, the Board would hear any Complaint on that Subject, but if none should be preferred within that Time, they would then Consid[er] Col. Washington as absolved from his said Engagement.

And the Clerk was directed to inform that Gentleman, that it would be agreeable to the Board, if he would in the Virginia Gazette, or in some other publick manner advrtise the several Persons concerned, of the Orders made in their Favour.

At a Council held February 6th 1773

Present

His Excellency

Thomas Nelson

John Page

Ralph Wormeley junr. Esqrs.

John Camm, Clerk

The Governour acquainted the Board, that it was lately Discovered, that the Paper Money struck in 1769 & 1771, which had been supposed to be sufficiently guarded against Forgery, has been

most ingeniously counterfeited; and was pleased to ask the Advice of the Board upon the Measures proper to be pursued on the Occasion.

Whereupon it was recommended and ordered accordingly, that a Proclamation¹⁷⁵ immediately issue for calling the General Assembly on the first Thursday in next Month; and that in the mean Time another Proclamation should issue offering a Reward of £500 for the Discovering and apprehending the principal Offender or Offenders, and £100 for apprehending any person concerned in passing such forged Money knowing the same to be forged.

Ordered that a new Commission of the Peace issue for the County of New Kent, to be directed to all the present Magistrates, except Thomas Adams, Peter Russell, William Taylor, John Armistead, Richmond Allen, Robert Bowis, and Richard Allen junr. (none of whom have qualified); and that Thomas Massie, James Underwood, Izard Wilkinson, John Timberlake, Edwin Waddill, and Andrew Anderson, Gentlemen, be added.

A Recommendation from the Court of Henrico County for a new Commission of the Peace was rejected for Informality.

At a Council held March 4th 1773

Present

His Excellency

Thomas Nelson	Philip L. Lee
Richard Corbin	John Tayloe
William Byrd	John Page

Ralph Wormeley junr. Esqr's.

John Camm, Clerk

The Account of his Majesty's Revenue of Quitrents for the year 1771, being examined by the Deputy Auditor and made Oath to by the Receiver General, was certified by his Excellency.

His Majesty's Confirmation of An Act of Assembly passed in April 1772, intituled An Act to dock the Intail of Certain Lands whereof John Hancock is seized, and for settling other Lands and

¹⁷⁵. See p. 646 for the text of this proclamation.

Slaves in Lieu thereof, was produced and ordered to be recorded in the Secretary's Office.

His Excellency acquainting the Board that he had received an Application in Behalf of Matthew Gibbs to succeed James Mitchell decd. in the Office of Vendue Master at York, he was approved of as a proper person.

The Governor communicated to the Board the Petition of the Revd. Mr. William Willie, for an allowance to be made him by the Government for the Time he acted as Commissary, During the Absence and since the Decease of the late Commissary, till the appointment and Qualification of the present; which Office he undertook by Virtue of the Nomination of the late Commissary, the same being approved of by the late President during his Administration of the Government. The Council were of Opinion, that they had Nothing to do with it, it having always been a Charge on his Majesty's Revenue of Quitrents; out of which fund the usual Allowance had already been paid to the late Commissary up to the Time of his Death, and to the present Gentleman from thence to the 25th of October last; so that if Mr. Willie be intitled to pay for the Time he Officiated (which seemed reasonable) they thought he would better apply to the Bishop of London, who perhaps might procure a Warrant in his Favour.

At a Council held March 6th 1773

Present

His Excellency, the Governor

Thomas Nelson

John Tayloe

Richard Corbin

Robert Burwell

Philip L. Lee

John Page

Ralph Wormeley junr. Esqr's.

John Camm, Clerk

Mosses Terry, a prisoner in the public Jail, for having Counterfeited, & passed forged Treasury Notes, having given in a Deposition on Oath, wherein he accuses Paschal Greenhill, Gentleman (who is a Member of the House of Burgesses), and some others, of

being Accomplices, The Governor was pleased to ask the advice of the Board thereupon; which was that his Excellency should send a Message to the House of Burgesses, now sitting, to inform them thereof.

The Governor also informed the Board, That one John Ford, who had been Committed to the Jail of Amelia County, for having been Concerned in passing bad Treasury Notes, knowing them to be forged, broke the said Jail and made his Escape, notwithstanding that eight Men had been set to guard him; upon which his Excellency was advised to order a prosecution against the said Guard.

At a Council held March 8th 1773

Present

His Excellency, the Governor

Thomas Nelson

Robert Burwell

Philip L. Lee

John Page

John Tayloe

Ralph Wormeley junr. Esqr's.

John Camm, Clerk

His Excellency laid before the Board a Letter from Paschal Greenhill of Prince Edward County, to exculpate himself from the Charge made against him of being concerned in passing counterfeit Treasury Notes, and expressing his desire of being examined thereupon in his County Court; also 3 other Letters from Peter Johnston, Merchant, John Nash, & John Nash junr. Gentlemen of the same County, Giving Mr. Greenhill a good Character and professing their Belief in his Innocence.

The Council advised the Governor to send Mosses Terry under a strong Guard for his protection, in order to give Evidence against the said Greenhill, at his Examination.

At a Council held March 11th 1773

Present

His Excellency, the Governor

Philip L. Lee

Robert Burwell

John Tayloe

John Page

Ralph Wormeley junr. Esqr's.

John Camm, Clerk

The Governor was pleased to communicate to the Board the high sense he entertained of the meritorious services of John Lightfoot in the execution of his Excellency's Warrant to apprehend and bring before him, or some other Judge of the General Court several persons in the County of Pittsylvania charged with having Counterfeited Treasury Notes of this Colony.

Upon which the Board recommended it to his Excellency to give a Warrant on the Receiver General to pay the said John Lightfoot, out of his Majesty's Revenue of two Shillings Per Hhd, the sum of £100 current Money, as an addition to the Reward voted him by the House of Burgesses.

The Governor referred to the Consideration of the Board three Recommendations of Persons though[t] fit to be respectively added to the Commissions of the Peace for the several Counties of Loudoun, Henrico, & Frederick; which being read, the two first were by the advice of the Council rejected, for that it did not appear that there was any want of other Justices there; and the last was postponed for farther Consideration; and in the mean Time his Excellency was requested to write to Lord Fairfax, desiring him to send a list of such persons as his Lordship should think proper for the Office of Justice of the peace in that County.

Ordered, That a new Commission of the peace issue for the County of Stafford; that John Alexander, Gentn. be one of the Quorum and that Bailey Washington and William Fitzhugh, Gentlemen, be added and in their former Rank.

His Excellency was pleased to communicate an Order of his Majesty in Council confirming An Act of Assembly intituled An Act to Dock the Intail of certain Lands whereof David Garland

is seized in Fee-tail; and for vesting the Title in Francis Eppes, Gentleman, in Fee-simple, and for settling the Value thereof in Slaves to the same Uses; and the same was ordered to be recorded in the Secretarys Office.

On the petition of John Ward, Charles Lynch, John Calloway, Christopher Lynch, William Ward, John Ward junr., Charles Lynch junr., Henry Ward, John Lynch, James Calloway junr., William Calloway, Anselm Lynch, John Calloway junr., and Robert Ward, Leave is given them to take up and Survey fourteen thousand Acres of Land including some of the Head Waters of Dan River in Pittsylvania County, Great Reed Island, Little Reed Island, Crooked Chestnut and Meadow Creeks.

On the Petition of Samuel Hopkins Leave was given him to procure and return an Inclusive Survey and obtain one patent for a thousand Acres of Land in the County of Mecklenburg, for which he hath made three separate Entries and Surveys adjoining each other; two of which contain four hundred Acres each, and the other two hundred Acres; Lying on the South Side of Roan Oak River on round Meadow Branch, adjoining the Line between this Colony & North Carolina, and the Lines of Davis, Wallace Kings, and Field.

On the Petition of Thomas Jefferson, Leave was given him to Survey and sue out a Patent for a thousand Acres of Land on the South West Mountains in Albemarle, between the Lines of Thomas Man Randolph, James Hickman, the said Petitioner, Martin Key, and William Watson.

The Petition of John Hiscox, John Griffin of Bristol Merchants, Benjamin Watkins, Nicholas Davis, Samuel Gist, William Thompson junr. and Jacob Harman junr. was presented and read, praying for a Renewal of a former Order of Council in favour of them, and of three others who are since dead, viz. George Nicholas, John Buchanan and Adam Harman; and the same was ordered to lie for farther Consideration, when his Majesty's final pleasure shall be known, relative to the taking up of Lands on the Western Waters.

Also the petition of John Ward, Charles Lynch, John Calloway, Christopher Lynch, and William Ward, praying for a Renewal in

their Favour of a Grant, made May 1st, 1750 of 40000 Acres of Land to Benjamin Watkins, Paul Chiles, Joel Watkins, James Johnson & Henry Chiles & since purchased by the said Petitioners, was postponed for the same Reasons to the Time above mentioned.

On the Petition of Robert Murphey, praying to be allowed his Quota as a Soldier in the first Virginia Regiment, of the Lands reserved for the use of such of them as had not applied at the Time of the General Distribution, the same was allowed, and the Petitioner intituled to 400 Acres.

At a Council held April 14th 1773

Present

His Excellency

Thomas Nelson

John Tayloe

Richard Corbin

Robert Burwell

Philip L. Lee

John Page

Ralph Wormeley junr. Esqr's.

John Camm, Clerk

The Petition of sundry Persons of the County of Berkeley having been presented and read, complaining of the Place where the Court House for that County is fixed as not being Central, & praying that the same may be placed on the Land of John Strode. Mr. Hite, who brought the said Petition was called into the Council Chamber, and examined upon the matter of the said Petition, the result of which was, that the Board being well satisfied with their former Choice, advised his Excellency against any Removal, and as in the course of Mr. Hite's examination it appeared, that the following Justices of the Peace for that County, viz. Jacob Hite Van Swearingen, Thomas Rutherford, James Nource, Thomas Swearingen William Morgan, Robert Stockton, James Seaton, James Strode, & William Little, had entered into a Combination that they would no Longer serve in the Commission of the peace unless their said Petition should be granted, which appeared to be an indecent Attempt to overawe the Deliberations of the Board, they farther advised his Excellency to issue a new Commission of the peace for

the said County to strike from the same the above mentioned Names And to add the following Gentlemen viz. John Nevill (to come in [next] after Adam Stephen) Horatio Gates, John Throckmorton, Thomas Lowry, John Cooke, John Ariss, Godwin Swiss, William Patterson, Henry Whitling, Robert Worthenton, Morgan Morgan, & William McGaw; the usual Number of the whole Commission to be nominated of the Quorum and the same was ordered accordingly.

The Board farther Recommended it to his Excellency to revoke such Militia Commissions as may be held by any of the said Confederates.

At a Council held April 30th 1773

Present

His Excellency

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

William Byrd

John Page

John Tayloe

Ralph Wormeley, junr. Esqr's.

The Account of Contingent Charges from the 25th of Last Octr. to the 25th of this present Month, and of Work done at the Governor's House being Laid before the Board was allowed.

The Governor informed the Board that he had some Time ago issued his Warrant to the Receiver General to pay to Andrew Estave, out of his Majesty's Revenue of 2 s. the sum of £500 by way of Loan, to enable him to support his Family and successfully cultivate his young Vine-yard, by the event of which the Public Welfare may be in a good Measure affected; of which the Council signified their Approbation, and the Clerk was directed to make an Entry of it.

Samuel Meredith, who had become bound as security for the late Col. John Henry, decd. for the Repayment of a Sum of Money, lent him out of the Revenue 2 s. having requested the indulgence of the Governor and Council as far as they might judge it reasonable to extend it to him as an innocent Security, it was ordered that unless the Money be paid within one year from the present Time, the Receiver General have the Bond put in suit.

Ordered that a new Commission of the peace issue for the County of Fincastle, and that to the Justices now in Commission be added William Campbell, and James McCorkle Gentlemen.

James Donald having lodged a Complaint against William Mead a Justice of the peace in Bedford County, the Thursday after the Oyer and Terminer Court in June next was appointed for hearing the same, and Commissions were awarded the Parties for taking Depositions.

Garland Anderson having entered a Complaint against John Lawrence a Justice of the Peace for Hanover County, it was ordered that the Parties attend the Board on the last Day of the next General Court and in the mean Time Commissions were awarded them for taking Depositions.

John Merewether having entered a Complaint against Thomas Tinsley one of the Inspectors of Tobacco at Page's Warehouse, for keeping a Public House contrary to Law, it was ordered that the same be heard the Thursday after the Court of Oyer and Terminer in June next, and Commissions were awarded the Parties for taking the Depositions of these Witnesses.

His Majesty's Confirmation of an Act of Assembly passed in April 1772, intituled 'An Act to vest certain Lands whereof Colwell Pettypool and Mary his Wife are seized in Fee tail in Joseph Mayo, and for settling other Land & Slaves to be purchased in Lieu thereof,' was produced, and ordered to be recorded in the Secretary's office.

At a Council held May 7th 1773

Present

His Excellency

Thomas Nelson

John Tayloe

Richard Corbin

Robert Carter

William Byrd

Robert Burwell Esquires

John Camm Clerk

The account of his Majesty's Revenue of 2 s. Per Hhd &c arising within This Colony from the 25th, of Last October to the 25th of

the las[t] Month being examined by the Deputy Auditor and made Oath to by the Receiver General, to be paid out of his Majesty's Revenue of 2 s. Per Hhd &c. were signed by his Excellency, viz,

For Half a year's Salary to the Governor	£1000.0.0
Do. to the Council	600.0.0
To Judges & Officers of a Court of Oyer & Terminer	100.0.0
For Half a year's Salary to the Auditor	50.0.0
Do. to the Sollicitor of Virginia Affairs	100.0.0
Do. to the Attorney General	135.0.0
For half a year's Salary to the Clerk of the Council	75.0.0
Do. to the Adjutants	160.0.0
Do. to the Armourer	6.0.0
Do. to the Gunners of the Batteries	12.10.0
To the Ministers attending one General Court & Assembly	12.0.0
For repairs done to the Governors House	426.16.11
For Contingent Charges	1039.6.3

Also to be paid out of his Majesty's Revenue of Quitrents

For half a years Salary to the Attorney General	35.0.0
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The Receiver General representing to the Board on Behalf of Mr. Robert Prentis, his Clerk, that the £5 allowed him for receiving the Right Money, which comes in small Sums and amounts to about £350 Per Annum, is inadequate to his trouble, it was ordered that for the future he be allowed the Sum of £10. Per Annum.

A Recommendation from Henrico County Court of Persons to be added to the Commission of the peace for that County, was rejected for Informality.

Also another from the Court of Accomack County; But a new Commission was not withstanding ordered to be issued and Edward Ker, Gentn. to be added to the present Justices.

Ordered, That a new Commission of the Peace issue for the County of Spotsylvania, to be directed to all the Justices named in the present Commission, except Larkin Chew & Roger Dixon (who are dead); Robert Goodloe, (who was lately Sheriff, and has not served since); Thomas Wiatt, John Stewart, and John Roan, (who have removed out of the County); William Dangerfield, Zachary Lewis, and Waller Lewis (who refuse to qualify); and John Carter

(who appears to the Board to be guilty of misbehaviour in advising one Thomas Poole to remove his Effects & run away in order to elude his Creditors); and it was farther ordered that Mann Page [junr.], Edward Herndon, William Dangerfield, John Lewis, George Stubblefield, and James Duncanson, Gentlemen, be added.

Upon a Recommendation from the Court of Culpeper County of Persons fit to be added to the Commission of the peace for that County, altho' it appeared to the Board that there was a sufficient number of Justices already in that Commission, Yet a new Commission was ordered to issue to be directed to all the present Justices, the first eleven of whom, (there not being enough of such at present) are to be of the Quorum.

A Recommendation from the Court of Albemarle County of Persons to be added to their Commission of the peace, was rejected for Informality.

Ordered that a new Commission of the Peace issue for the County of Lancaster, to be directed to all the present Magistrates except Richard Edwards, who has left the County; and that Burgess Ball, & James Gordon Gentn. be added

On the Petition of Richard Adams, Thomas Adams, Patrick Coutts, James Watt, and William Smith, Leave was given them to survey & sue out a Patent for 5000 Acres of Land within the Counties of Albemarle & Amherst, on the Eastern side of the Blue Ridge, including Wood's & Rock-Fish Gaps and the Lands between the same and so far to the Northward and Southward of Each as will make up that Quantity

The Petition of Elizabeth Jolliffe, Executrix of William Jolliffe decd. for Leave to manumit Jane, a Negro Girl according to her Husband's will, was rejected for want of proof of meritorious Service as the Law requires.

The Governor was pleased to ask the advice of the Board upon the petition of Sundry persons for the pardon of Peter Sidebottom now under sentence of Death for Horse stealing, alledging in his Behalf that he was a young Man of honest parents, and had Committed that Crime thro' the Seduction of others; in Consideration whereof the Board thought him a proper object of Mercy.

At a Council held June 9th 1773

Present

His Excellency

Thomas Nelson

Robert Burwell

Richard Corbin

John Page

William Byrd

Ralph Wormeley junr. Esqr's.

His Majesty's Letter and sign Manual dated March 1st, 1773 appointing John Page junr. Esqr. one of his Majesty Council of state for this Colony, having been read, he accordingly upon taking the oath to the Government, and the Oath of Office was admitted to his place at the Board.

Richard Booker having entered a Caveat against Reubin Paine, for 1200 Acres in Pittsylvania, which the said Paine recovered as lapsed by a decree of the General Court; on hearing the Parties it was ordered, that the Plaintiff have a Patent for the said Land.

John Strange having entered a Caveat against William Murril, for 400 Acres on Ballenger's Creek, in Albemarle, the Plaintiff appearing, and the Defendant having been solemnly called, and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Alexander Mitchell having entered a Caveat against Rober King, for 245 Acres of Land in the County of Buckingham, adjoining the Lands of Joseph Adcock, Joseph Adcock junr. John Adcock, and Thomas Christian, being the Land surveyed by Thomas Turpin for the said Robt. King in April 1746; the Plaintiff appearing and the Defendant having been Solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

James Hayes having entered a Caveat against John Lowe, for 84 Acres of Land on one of the Head Branches of Collier's Creek or Buffalo in Botetourt; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

James Hayes having entered a Caveat against John Lowe for 42 Acres of Land, joining a tract of the said Lowe of 84 Acres on one of the Head Branches of Collier's Creek, or Buffalo, being

the place where Richard McGee lives, in Botetourt; the Plaintiff appearing & the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Stephen Cocke having entered a Caveat against Jno. Tabor for 400 Acres of Land in Lunenburg County, on the Branches of Hound's Creek and Flat Rock; by consent of the Defendant it was ordered that the Plaintiff have a Patent for the said Land.

John Barley having entered a Caveat against Archibald Gordon, for 400 Acres of Land, on both sides of Mill Creek in Pittsylvania, adjoining the Lands of John Cox junr. the Plaintiff appearing, and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

Thomas Lomax having entered a Caveat against William Devire for 66½ Acres of Land in the County of Amherst adjoining Lomax's Line, and commonly called, the Walnut Cove; the Plaintiff appearing and the Defendant having been Solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Peter Legrand having entered a Caveat against John Morrow, for 400 Acres of Land, surveyed about the year 1752, in Amelia County, but now in Prince Edward, on the Waters of Appamattox River and joining the Lands of Jacob Garrott, Benjamin Johns, Jno. Arnold and Obediah Woodson; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the plaintiff have a Patent for the said Land.

James McCraw having entered a Caveat against Abram alias Abraham Dye, John Cunningham, William Kennon, Richd. Gwin, and William Lynch, and all others claiming under them or either of them; for 258 Acres of Land on Fall Creek, a Branch of the Horse Pasture, adjoining the Lines of Randolph and Company and Surveyed for the said Dye in Halifax, but now Pittsylvania County; on hearing the parties it was ordered that the Plaintiff have a Patent for the said Land.

Archer Allen having entered a Caveat against Christopher Almond, for 375 Acres of Land in Charlotte County on the North side of cub Creek, adjoining Samuel Allen's Land; the Plaintiff

appearing and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a patent for the said Land.

Nicholas Edmunds having entered a Caveat against Owen Carty and all others, for 150 Acres of Land lying on both sides of the first fork of Medway River, in Halifax County; the Plaintiff appearing, & the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a patent for the said Land.

Nicholas Edmunds having entered a Caveat against Owen Carty, and all others, for 80 Acres of Land on the first Fork of Medway River, in Halifax County; the Plaintiff appearing and the Defendant having been Solemnly called and not appearing, it was ordered that the plaintiff have a patent for the said Land.

Abraham Maury having entered a Caveat against Robert Sweeting, for 400 Acres of Land, more or less, on the West Fork of Sandy Creek adjoining Kennon's Land, in Pittsylvania County, formerly Halifax, the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Stephenson having entered a Caveat against William Blair, for 132 Acres of Land in Augusta County, adjoining the Land of the said John, on hearing the Parties it was ordered that the Plaintiff have a Patent for that part thereof on which he had made improvements being about 15 Acres, and that the said Caveat, as to the Residue thereof be dismissed.

Samuel Wilson having entered a Caveat against John Waller, for 200 Acres of Land in Augusta, called Frame's Cabin, on the Fork of Potowmack; by consent of the Defendant, it was ordered that the Plaintiff have a patent for the said Land.

Samuel Wilson having entered a Caveat against John Waller, for 60 Acres of Land in Augusta, on Carlyle's Run a Branch of the Bull-Pasture, near Burdy-House; by Consent of the Defendant it was ordered that the Plaintiff have a patent for the said Land.

James Hays having entered a Caveat against Richard McGee, for 84 Acres of Land in Botetourt, on one of the head Branches

of Collier's Creek, or Buffalo; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

James Hays having entered a Caveat against Richd. McGee, for 42 Acres of Land in Botetourt, on one of the Head Branches of Collier's Creek, or Buffalo; being the Place where the said Richard lives, and adjoining to another Entry of his, this day also caveated by the said James; the Plaintiff appearing and the Defendant having been solemnly called & not appearing it was ordered that the Plaintiff have a patent for the said Land.

Samuel Bolling having entered a Caveat against William Herd, and Amos Richardson, for 380 Acres of Land, more or less, in Pittsylvania, on the Branches of Snow Creek; the Plaintiff appearing, and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Samuel Bolling having entered a Caveat against William Herd for 360 Acres of Land, more or less in Pittsylvania on both sides of Guttry and Mountain Runs, Branches of Snow Creek, the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Lawyers Fee	£2.10.0
Sums.	5.9
Sums. adtestd.	5.9
Copy of this order	10.9
Ferriages of two Witns. 4 s. each	8.0
	<u>£4. 0.3</u>
Attendance of 2 Witns. 1 Day	120 lb. Tobo.
Mileage of Do. 130 Miles each	780
	<u>900</u>

John Crafton having entered a Caveat against Richard Burks, for 272 Acres of Land on Meherrin River in the County of Lunenburg; on hearing the Parties by their Attornies it was ordered that the Plaintiff on his paying to the Defendant the sum of £55, which

he had agreed to pay for the purchase thereof, have a patent for the said Land; and it was farther ordered that the Defendant pay unto

the plaintiff his Costs in this behalf expended, to be deducted out of the said £55.

James Shelton having entered a Caveat against Edmund Gray, for 1600 Acres of Land, more or less in Pittsylvania County, Lying on the Waters of Mayo River, on Mill Creek, the Plaintiff appearing, and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

James Shelton having entered a Caveat against Edmund Gray for 900 Acres of Land, more or less in Pittsylvania County Lying on the South side of Irvine River, and the Branches thereof; the Plaintiff appearing and the Defendant having been solemnly called & not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Mary Reade having entered a Caveat against Thomas Finnie, and Robert Simms, for 400 Acres of Land, more or less, on Run-away Creek, in the County of Halifax, the plaintiff appearing, and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Brown having entered a Caveat against John Fisher, for 400 Acres of Land recovered by the said Fisher of William Brown June 12th 1765 Lying on the upper side of Brier River, in Prince Edward, formerly Amelia; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff, have a Patent for the said Land.

John Brown having entered a Caveat against Jno. Fisher for 400 Acres of Land, surveyed for Daniel Brown on the waters of Brier River, in Prince Edward, formerly Amelia and recovered from the said Daniel Brown; by Consent of the Defendant, it was ordered that the Plaintiff have a Patent for the said Land.

John Brown having entered a Caveat against Jno. Fisher for 400 Acres of Land recovered by the said Fisher of William Jones being in the County of Prince Edward, formerly Amelia; by Consent of the Defendant it was ordered that the Plaintiff have a patent for the said Land.

William Connelly having entered a Caveat against William Burnley, for 175 Acres of Land in the County of Brunswick on the North side of the Otter Dam Swamp; by Consent of the De-

fendant it was ordered that the Plaintiff have a patent for the said Land.

John Donelson having entered a Caveat against Roger Atkinson, for 1300 Acres of Land, or thereabouts, in Pittsylvania, on Cane Creek; by Consent of the Defendant it was ordered that the Plaintiff have a patent for the said Land.

Henry Winfree having entered a Caveat against William Cutts, for 243 Acres of Land lying on the upper side of Wintypock Branch, in Chesterfield; the Plaintiff appearing, and the Defendant having been Solemnly called & not appearing it was ordered that the Plaintiff have a Patent for the said Land.

Robert Wooding having entered a Caveat against Robert Hutchings & Company, for 4222 Acres of Land on the Branches of Hico River, and Aaron's Creek, in Halifax County the Plaintiff appearing, and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Alexander having entered a Caveat against Joshua Coats and Abraham Harris, for 95 Acres of Land or thereabouts, on Irish Creek, in Augusta; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

Lawyer's Fee	£2.10.0	William Young having entered a Caveat against Robert Pusey, for 160 Acres of Land, more or less, in Pittsylvania County on the North Branches
Copy of this Order	10.9	
	£3. 0.9	

of Smith's River; the Defendant appearing by his Attorney, and the Plaintiff having been solemnly called and not appearing it was ordered that the Caveat be Dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Lawyer's Fee	£2.10.0	Thomas Maclin having entered a Caveat against Benja. Harris, Douglass Wilkins and William Maclin, for 600 Acres of Land in Brunswick, joining
Copy of this Order	10.9	
	£3. 0.9	

Wilkins's and Maclin's Land; on hearing the Parties by their Attornies it was ordered that the said Caveat be Dismissed and that the Plaintiff pay unto the Defendants their Costs.

Lawyer's Fee	£2.10.0	James McCraw having entered a Caveat against Edward Young, George Lumkin, & Jesse Witt, and all others claiming under them or either of them,
Copy of this Order	10.9	
	£3. 0.9	

for 205 Acres of Land on the Waters of Horse-Pasture Creek, adjoining the Lines of Randolph and Company, and surveyed for the said Edward Young in Pittsylvania County; on hearing the parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

Lawyer's Fee	£2.10.0	Gideon Marr having entered a Caveat against Thomas Owen, for 400 Acres of Land more or less, on the Branches of George's Creek, in the County of
Copy of this Order	10.9	
	£3. 0.9	

Pittsylvania adjoining the Land of Silvester Adams; on hearing the Parties by their Attornies, it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

Lawyer's Fee	£2.10.0	Theodorick Bland having entered a Caveat against John Hall senr. Joseph Harris & John Ship Harris, for 800 Acres of Land lying in Cumberland
Copy of this Order	10.9	
	£3. 0.9	

County, on Goose Creek; on hearing the Parties by their Attornies it was ordered that the said Caveat be dismissed, & that the Plaintiff pay unto the Defendants their Costs.

Lawyer's Fee	£2.10.0	William Williams having entered a Caveat against Thomas Davis for 44 Acres of Land in Chesterfield, adjoining the Land of said Davis; on hearing
Sums. adtest	5.9	
Copy of this Order	10.9	
	£3. 6.6	

the Parties by their Attornies it was ordered, that the said Caveat be Dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Lawyer's Fee	£2.10.0	Richard Marr having entered a Caveat against John Nelson, for 400 Acres of Land more or Less, on York's Fork of Double Creek in Pittsylvania
Copy of this Order	10.9	
	£3. 0.9	

County; the Defendant appearing by his Attorney and the Plaintiff having been solemnly called and not appearing it was ordered that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

Lawyer's Fee	£2.10.0	Rawley White having entered a Ca-
Sums. adtest	5.9	veat against Roger Atkinson, for 1500
Copy of this Order	10.9	Acres of Land or thereabouts in Pitt-
	£3. 6.6	sylvania County; on both sides of

Sandy Creek, and on the Draughts of Sandy Creek; on hearing the parties by their Attornies, it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants his Costs.

The following Caveats were dismissed Generally viz. Thomas Tunstall v. John Cox & at; Michael Smith v. William Preston &c. (2 Caveats), Thomas Lucas v. John Graves, John Ballard v. Robert Cunningham—Benjamin Lanier v. Frederick Maclin—William Alexander v. Joshua Coats. Thomas Flower v. the Heirs of George Currie decd.—William Young v. Christopher Bowling junr.—and v. Richd. Huff James McCraw v. Abraham Dyc—and v. Edward Young, James Hundley v. Charles Bostick &c.—Daniel Shelton v. Archibald Gordon—& v. Edward Wade &c—John Smith v. Richard Booker, Benjamin Branham v. Jas. Coleman, Elijah Stone v. George Payne &c. William Thurman v. Guy Smith—Lawrence Hows v. Samuel Hows—Philip Allan v. Thomas Hardwick &c. &v William Easley &c. James Smith v. Thomas Hutchings &c. Thomas Maupin v. Jeremiah Yancy—Henry Conway v. William Mead &v. Wm. Mead &c Robert Hankinson v. Mosses Ingram—Guy Smith v. George Walton—Robert Farguson v. John Cox—Thomas Crenshaw v. William Wyerman &c—James Spiers v. William Spiers—Edward Harris v. Anne Harris—Samuel Garland v. John Graham—Robert, & James Yancy v. Jno. Westmoreland &c entered June 29th 1772 & Isaiah Watkins v. John Marr &c. & v. Dutton Layn—&v. Richard Marr &c. Bartholomew Zachary v. John Brown &c Richard Williamson v. William Hal[I] Richard Marr v. Henry Kay—James Cuningham v. Andrew Cuningham and Samuel McDowell v. Petter Kelly.

In the several Caveats of Craven v. Rollstone &c, Hickman v. Roialty &c Taylor v. Binum—Eppes v. Jones &c—Taylor v. Plunket—Pusey v. Barton—Donelson v. Payne Cosbey v. Morris &c. Cooke v. Beller—Bishop v. Pryor &c Black v [D] Kinkead, &v. I. Kinkead—Dunn v. Blevins &c. Eubank v. Dean—Thompson v.

Hughes—& v. Biggs—Winn v. Goode—Lucas v. Graves [&c] Turk v. Prior—Dedman v. Bengé—Wood v. Kincaid Ellis v. Atkins—Ford v. Pouncey. Green v. Hix—Thurmond v. Hunter—Jones v. Jones—Maclin v. Maclin &c. Hopkins v. Cook—Ruffin v. Ruffin Jones v. Walton—Christian v. Christians—Hill v. Dunlop &c Wade v. Griffin—McGraw v. Taylor &c. Spain v. Blakely &c. Mason v. Bullitt—Madison v. Hawkins &c & Legrand v. Hills—there not being such returns of the several processes as the Rules of Government require, new Process was awarded the several Parties aforesaid.

The Caveats of Charles Edwards v. John Nash, and George Oldner v. John Nash were Continued at the Costs of the Respective Plaintiffs, and new Commissions were awarded the Parties for taking the Depositions of their Witnesses.

The Caveat of William Bryan v. Richard Calloway was continued and the Plaintiff ruled to give Security for the Costs any Time before the End of next April General Court.

The Caveat of Thomas Owen agains[t] Charles Duncan &c was also continued, and the Plaintiff ruled to give Security for Costs before the End of next April General Court.

The Caveats of Robert Carter Nicholas Esqr. v. Samuel Duval & Robert and James Yancey v. John Westmoreland, entered November 2d 1772, were continued, and Commissions awarded the respective Parties for taking the Depositions of their Witnesses.

The several Caveats of Pattison &c v. Whitney &c Jordan v. Randolph &c, 3 Caveats, Philps v. Whitney &c Marr v Watkins and v. Marr—Jones v. Walton (2 Caveats)— v. Walton v. Wilson &c. &v. Gray—and Madison v. Estill were continued.

The Caveat of John Alleson v. Alexander Robertson was by Consent of the Parties referred to Thomas Lewis & William Bowyer of Augusta Gentlemen, whose Award is to be made the Judgment of the Board; and the said referees, in Case of their disagreeing in Opinion are empowered to Chuse an Umpire, whose Umpirage is also to be made the Judgment of the Board. And Commissions were awarded the Parties for taking the Depositions of their Witnesses.

The Caveat of Levin Taylor v. Robert Pitt abates by the Death of the Defendant. the rest of the Caveats were put off till Tomorrow 10, oClock, at which Time the several parties were ordered to attend.

At a Council held June 10th 1773

Present

His Excellency

Richard Corbin

John Page

William Byrd

Ralph Wormeley junr.

Robert Burwell

John Page junr. Esqr's.

On the Motion of John Brown, by John Tazewell his Attorney, it was ordered that he have an inclusive patent for the 3 tracts of Land containing 400 Acres each, which he recovered yesterday in 3 Caveats against John Fisher.

John Scott having Petitioned for a grant of 295 Acres of Land in the County of Albemarle, on the North side of the Fluvanna¹⁷⁶ River, on both sides of Mill-dam and Rocky Creeks in the same County, which Land was surveyed on the 21st Day of April 1755 for one John Driver and it appearing to the Board that since that Survey was made, the said Driver departed this Life intestate, without leaving any known Heir or Widow, and without having returned his survey into the Secretary's Office, and paid the usual Right Money and Patent Fees, as the Rules of Government require; it was ordered therefore that immediate Notice be given in the Virginia Gazette, that if no Person appear to claim, and prove him or herself intitled to the said Driver's Survey, before the End of December next, the said Land will then be granted to the above named Petitioner. And it was farther ordered, that the Sheriff of Albemarle inquire into and Certify the Governor and Council of the Premises, and that he also set up Notice to the Effect above directed, at the Door of his Court-house for 5 several Court Days.

On hearing the Parties to the Complaint exhibited by John Merewether against Thomas Tinsley for keeping a Tavern in Han-

^{176.} The James River.

over Town, being at the same Time an Inspector of Tobacco, contrary to the Act of Assembly in such Cases provided; the Clerk was ordered to write to the said Tinsley, and let him know, that if he did not immediately desist from keeping a House of Entertainment the Governor would proceed to deprive him of his Office of Inspector.

The Complaint of Ephraim Dunlop against Jno. Bowyer was put off till Tomorrow.

Richard Corbin, Esquire, having been appointed the Deputy of George James Williams, Esqr. Receiver General and having now given Bond, together with William Byrd and Ralph Wormeley junr. Esqr's, his Securities for the faithful Discharge of that Trust, the said Bond was ordered to be Deposited in the Council Office.

Matthew Vaughan having entered a Caveat agst. James Baughan, for 200 Acres of Land in Albemarle, taken up by the Defendant; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Andrew Defoe having entered a Caveat against Hardon Burnley, for 200 Acres of Land in Albemarle, on Martin's Mill Creek, otherwise called Eden's Creek, a Water of the Rivanna; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Meade having entered a Caveat against John, Joshua and Daniel Richardson, for 80 Acres of Land on Gill's Creek in Bedford County; the Plaintiff appearing, & the Defendants having been solemnly called and not appearing it was ordered that the Plaintiff have a patent for the said Land.

Mark Anthony having entered a Caveat against Samuel Patterson, for 400 Acres of Land more or less, lying on Beard's Creek in Pittsylvania County, and surveyed for Augustine Choat; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

Mark Anthony having entered a Caveat against Samuel Patter-son, for 400 Acres of Land more or Less, lying on Beard's Creek in Pittsylvania County, and surveyed for Thomas Choat; the Plaintiff appearing & the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a patent for the said Land.

William Hudnall having entered a Caveat agst. Henry Hoof for 350 Acres of Land in Bedford County surveyed for James Avis; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the plaintiff have a patent for the said Land.

James Mackenny having entered a Caveat against Alexander Legrand, for 400 Acres of Land in Halifax County, lying on the Branches of Buckskin Creek and Hunting Creek, and Surveyed for the said Alexander the 12th Day of November 1757; the Plaintiff appearing and the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a patent for the said Land.

Alexander Mitchell having entered a Caveat against Stephen Chenault, for 274 Acres of Land in Buckingham, on both Sides Childers Fork of Bolling's Creek, which was surveyed for the said Stephen March 7th 1758, being in Albemarle; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a patent for the said Land.

On hearing the Parties to the Caveat entered by Jeremiah Murden against Joshua Hopkins, Tully Moseley, and John Jones for 189 ½ Acres of swamp Land in Norfolk County, adjoining the High Lands of said Jeremiah, being included in a survey of 228 Acres of Swamp Lands lately made for the said Jeremiah Joshua & others, it was ordered that the Plaintiff have a patent for the said Land.

John Donelson having entered a Caveat against Roger Atkin-son for 760 Acres of Land in Pittsylvania County in two surveys on the Branches of Sandy Creek; by Consnt of the Defendant it was ordered, that the Plaintiff have a patent for the said Land.

On hearing the Parties by their Attornies in the Caveat ent[ered] by William Connelly against Richard Blanks, for 141 Acres of Land in Brunswick County on the North side of the Otter Dam swamp adjoining the Lands of John Larance, Col. William Allen, & Benjamin Williams; it was ordered that the Defendant on paying to

Lawyers Fee	£2.10.0	the Plaintiff the Sum of thirty Pounds,
Copy of this order	10.9	which the said Plaintiff had paid for
	£3. 0.9	the said Land, deducting his the said
		Defendants Cost, have a patent for

the said Land.

The Caveat of George Clasby Against Thomas Emerson, was continued and a Commission awarded the Parties for taking the Depositions of their Witnesses.

The several Caveats of Owen v. Marr—Martin v. Dalton—Crooker v. Walker—Tabb v. Claiborne—& Jones v. Claiborne were continued.

The following Caveats were dismissed generally viz. Harris v. Harris, Lampkin v. Russell, Tharp v. Weaver— & v. Forster—Gill v Blanks—Stokes v. Watkins—Oglesby v. Phelps—Cliborn v. Green &v. Hunt—Smith v. Peddor—Eccho v. Benja. Terry &v. Peter Terry, Stokes v. Burchet—and Maury v. Chaney.

In the several Caveats of Wood v. Kincaid (3 Caveats)—Jones v. Gray—Walker v. Copeland—Smith v. Smith—Cook v. Beller &c. Cabell v. Baker—Wood v. Macanally—Thompson v. Milstead &c.—Haden v. Elliot (3 Caveats)—& v. Taylor—Cleecck v. Allison—Hankins v. Jones—Christians v. Kennon &c—Hopkins v. Collier—& v. Folly—Tunstall v. Jefferson—and Cooke v. Cooke; there not being such Returns of the several former Processes as the Rules of Government require, new Process was awarded the several parties aforesaid.

At a Council held June 11th 1773

Present

His Excellency

Thomas Nelson

William Byrd

Robert Burwell

John Page

Ralph Wormeley junr.

John Page junr. Esqr's.

The Complaint of Ephraim Dunlop against John Bowyer, as a Magistrate was this Day heard; and tho' the Board were of Opinion that the said Complaint was in general frivolous & vexatious, yet they did not entirely approve of the Defendant's Conduct, which favoured of some little partiality on the side of Persons who had employed his Brother for their Attorney; As he has, however, long supported the Character of a worthy Man, and of a diligent, active Magistrate, the Board thought it enough for the present, to advise his Excellency to caution him, to be more circumspect in his behaviour for the future; and the Complaint was ordered to be dismissed.

Ordered that a new Commission of the peace issue for the County of Botetourt, to be directed to all the present Magistrates, except Richard Woods & John Howard, (who will not act) William Preston, Israel Christian, William Inglis, James Robertson, William Christian, William Herbert, John Montgomery Stephen Trigg, Robert Doack, Walter Crocket, James McGavock, Francis Smith, Anthony Bledsoe; and James Thompson, (who resi[de] in Fin-castle County); Benjamin Hawkins, John Robinson, and Matthew Arbuckle, (who appear not to be fit Persons for the Office) and William Matthews (who is dead). And it was farther ordered that the following Gentlemen be added, viz Richard May, Thos. Bowyer, William Madison, Patrick Lockart, Henry Paullin, Jas. Templeton, Samuel Lewis, Andrew Boyd, William McClenachan, John Murray, William Heugart, Henry Smith, Andrew Donely, & James McAfee.

Ordered, That a new Commission of the Peace issue for the County of King William to be directed to the following Gentn., viz. Francis West, John Quarles, Cater Braxton, John West, Owen Gwathney, John Hill, Robert Brooke, William Aylett, John Roan,

Thomas Elliott Archibald Govan, Thomas Row, Benjamin Temple, Christopher Taliaferro, Isaac Dabney, Thomas Taylor, & Holt Richeson. And it was farther ordered, that the Clerk write to Mr. Roger Gregory that the Governor had, according to the promise he made him, laid before the Board, the Reasons offered by him for his being continued in the Commission, and that they were not deemed satisfactory.

At a Council held October 11th 1773

Present

His Excellency

Thomas Nelson	John Page
Richard Corbin	Ralph Wormeley junr.
William Byrd	John Page junr. Esqr's.
Robert Carter	John Camm Clerk

The Governor communicated to the Board an Instruction his Excellency had lately received from his Majesty, on the subject of granting Lands; which being read, it was by the Advice of the Council ordered to be copied in their Journals; and the same is as follows, viz.

At the Court of Saint James's, the 7th Day of April, 1773.

Present The King's Most Excellent Majesty

Lord President	Earl of Rochford
Earl of Suffolk	Earl of Dartmouth
Earl of Sandwich	Lord Mansfield

Whereas it has been represented to his Majesty, that the state and Condition of his Majesty's Colonies and Plantations in America, do both in Justice and Expediency require; that the Authority for granting Lands contained in the Commissions & Instructions given to his Majesty's Governors in the Plantations should be further regulated and restrained, and that the Grantees of such Lands should be subjected to other Conditions than those at present prescribed in the said Instructions; His Majesty having

taken the same into his Royal Consideration, is pleased with the Advice of the Privy Council to order, and it is hereby ordered, that the Lords Commissioners for Trade and Plantations do take into their immediate Consideration the Powers and Authorities for granting Lands contained in the Commissions and Instructions to his Majesty's Governors in the Plantations and that the said Lords Commissioners do represent to his Majesty at this Board, such alterations as they shall think fit and necessary to be made therein. And his Majesty is hereby further pleased to order, that in the mean time, and until his Majesty's further pleasure be signified, all and every his Majesty's Governors, Lieutenant-Governors, or other persons in Command in his Majesty's Colonies in North America, who are entrusted with the Disposal of his Majesty's Lands in the said Colonies do forbear, upon Pain of his Majesty's highest Displeasure & of being immediately removed from their Offices, to issue any Warrant of Survey, or to pass any Patents for Lands in the said Colonies, or to grant any Licence for the purchase by private Persons of any Lands from the Indians, without especial Direction from his Majesty for that Purpose under his Majesty's Signet or Sign Manual, or by order of his Majesty in his Privy Council; excepting only in the Case of such Commission and Non-Commissioned Officers and Soldiers who are intitled to grants of Land in Virtue of his Majesty's Royal Proclamation of the 7th of October 1763; to whom such Grants are to be made and passed in the proportions and under the Conditions, prescribed in his Majesty's said Proclamation.

(Signed) Stephen Cottrell

Ordered that a new Commission of the Peace issue for the County of Culpeper to be directed to all the present Magistrates, except Daniel Brown and Robert Throckmorton (who have removed out of the County) John Strother, (who is sub Sheriff), Benjamin Rob[erts] and Henry Field junr. (who desire to be left out) John Green, James Pendleton, William Ball, and Joseph Stewart (who have refused to qualify), and Richard Pollard (who is dead). And it was farther ordered that Henry Fry, William Knox, French Strother, Edward Stephen, William Walker, Benjamin Roberts junr. John Tutt, William Thompson, Joseph Roberts, Robert East-

ham junr. Ambrose Barbour, and John Waugh, Gentlemen, be added thereto.

His Excellency was pleased to lay before the Board the Petition of Sundry Inhabitants in the Neighbourhood of Fort Pitt, Complaining of Encroachments by the Government of Pennsylvania on the Territories of This Colony, and Oppressions towards the several Landholders there; and that the Governor of that Colony had lately erected a Court for the Administration of Justice at Pittsburgh; all which the Petitioners recommended to his Excellency[']s serious Attention humbly praying a Redress of their Grievances & to be taken under the Protection of this Government, to which they conceived themselves properly to belong.

The Board having reason to suppose that the erecting of the Court might be a measure the more readily acquiesced in by the Justices appointed and by some others, from a Want of Magistrates in those parts Commissioned under this Government, advised his Excellency, and it was accordingly ordered, that a new Commission of the Peace issue for the County of Augusta, and that to the present Magistrates the following Gentlemen, who live convenient to Fort Pitt, be added, viz. George Crochan, John Campbell, John Connolly, Edwd. Ward, Thomas Smallman, Dawsey Pentecost, and John Gibson.

And the Board farther recommended it to his Excellency, to write to the Governor of Pennsylvania, to complain of the Proceedings of that Government, in establishing a Court within the Bounds of this Colony.

At a Council held October 14th 1773

Present

His Excellency

Thomas Nelson

Richard Corbin

William Byrd

John Tayloe

Robert Carter

John Page

Ralph Wormeley junr.

John Page junr. Esqr's.

John Camm, Clerk

The Board being of Opinion, from several Papers laid before them by his Excellency, that Thomas Bullitt, who has a Commis-

sion from the President and Professors of the College of William & Mary to survey the Lands on the Ohio, is proceeding therein very unwarrantably, and in a manner likely to give Discontent to the Indians and bring on a War with them, they advised the Governor to recommend to the said President and professors the cancelling of the said Commission, as a measure strictly just with Respect to Mr. Bullitt and necessary in regard to the Public Welfare.

His Excellency was pleased to communicate to the Board some Letters he had received giving an Account of a most malicious and unprovoked Murder of two Cherokee Indians, by one Jno. Collins while they were refreshing themselves in his Father's House with a meal of Victuals, which they called to beg for. The Father, who was not then at Home, but returned after the Deed was done, and assisted the Son in Concealing the dead Bodies, has been apprehended, but John Collins, the Son, has made his Escape, for the apprehending of whom General Haldiman ha[s] offered a Reward of £100 Sterling, Sir James Wright another £100 Sterling and the Government of South Carolina has also offered a Reward of £200 the Currency of that Colony; And the Board advised the Governor, in Order to demonstrate to the Indians the Detestation which his Majesty's subjects in general have of an Action so atrocious, to offer a farther Reward of £50 our Currency, & in his proclamation¹⁷⁷ for that purpose to mention the other Rewards above specified; and in Case of the said John Collins's coming into this Government, to command all his Majesty's Subjects to assist in apprehending and sending him to the public jail.

Ordered, that the Clerk write to the several County Court Clerks, within this Colony, and inform them that the Governor, with the advice of the Council, is pleased to order, that together with the half yearly Certificates which by the present Rules they are required to send to his Excellency in April and October, of the Justices in Commiss[ion] distinguishing such as have qualified, and the Courts in which they respectively attend, they also send the Numbers of the Causes which go off the Docket in each Court, and of the Causes still remaining.

¹⁷⁷. See p. 654 for the text of this proclamation.

At a Council held October 19th 1773

Present

His Excellency

Thomas Nelson

Robert Carter

Richard Corbin

Ralph Wormeley junr.

William Byrd

John Page junr. Esqr's.

John Tayloe

John Camm, Clerk

The Governor laid before the Board the Petition of Hugh Innes a Magistrate in Pittsylvania County, complaining of his being, from partial Motives, left out of the Recommendation of Persons for the Sheriff's Office; but the Council were of Opinion that whatever Injustice there might be in that Omission (as they inclined [to] think there was) the Law did not leave it in his Excellency's power to grant the Commission to a person who is not nominated by the Court.

On the Motion of the Clerk, for Directions for his Conduct whether since the Instruction to his Excellency, which was communicated the 11th Instant, he ought to give Copies of Any of the Orders of Council for surveying of Lands made previous thereto, it was ordered, that he continue to do so, as the Board did not think that former Orders were within the Intention of the said Instruction.

Ordered, that the General Assembly, which stands prorogued to the 2d Thursday in next Month, be farther prorogued by Proclamation¹⁷⁸ to the first Thursday in May next; then to meet for the Dispatch of public Business.

178. See p. 655 for the text of this proclamation.

At a Council held October 25th 1773

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	John Page
Philip L. Lee	Ralph Wormeley junr. Esqr's.
John Tayloe	John Camm, Clerk

On a Competition for the Office of Sheriff of the County of Brunswick between John Coleman, and John Jones, Gentn. his Excellency was pleased, with the advice of the Board, to grant the Commission to the said John Jones.¹⁷⁹

On a like Competition for the Sheriff's Office in Warwick County between Hind Russell & Robert Lucas, Gentlemen, the Governor, by the advice of the Council was pleased to give the Commission to the said Robert Lucas.

Ordered, that a new Commission of the peace issue for the County of Warwick, to be directed to all the present Magistrates except Henry Seasbrook Harwood Jones, Servant Jones, James Dowsing, & John Wells, who are dead, & James Roscow, who has removed out of the County; and it was farther ordered that Cole Digges Gentleman, be added.

There not being any Recommendation for the Office of Sheriff of the County of Middlesex, his Excellency; by the Advice of the Board was pleased to grant a Commission to Robert Sprat, Gentn.

Ordered that a new Commission of the peace issue for the County of Albemarle, to be directed to the following Persons viz. William Harris Will[iam] Burton, John Ware, John Walker, Isaac Davis, David Rodes, Roger Thom[pson] John Coles, James Quarles, James Adams, William Henry Gentlemen who are in the present Commission, and also to the following new Justices viz. Richard Anderson, James Hopkins, George Thompson, Thomas Napier, Jesse Benton, Clifton Rodes, and John Marks Gentlemen.

Also for the County of Dunmore; to be directed to all the present Magistrates, except George Ruddell, (who has removed) and

¹⁷⁹. In the original this sentence appeared immediately after the words: "At a Council held October 25th 1773."

James McCoy, Caleb Odell, and William Moore (who have not qualified), and it was farther ordered that the following Gentlemen viz. William Miller senr. Alexander Macker, Thomas Allen, and John Buck be added thereto.

Also for the County of Amherst to be directed to all the present Justices, except Daniel Burford, John Rose and Francis Meriwether (who desire to be left out) and Thomas Wiatt, (who has removed out of the County); and it was farther ordered, that Joseph Cabell and John Diggs Gentn. be added thereto.

At a Council held October 29th 1773

Present

His Excellency

Thomas Nelson

Robert Carter

Richard Corbin

Robert Burwell

Philip L. Lee

John Page

John Tayloe

Ralph Wormeley junr.

John Page junr. Esqr's.

Ordered that a new Commission of the peace issue for the County of Halifax to be directed to all the present Magistrates, except Jas. Turner, Edwd. Wade, Micajah Watkins, and Marmaduke Stansfield (who seldom act), William McDaniel, Wm. Sims, & William Brittain (who refuse to act), and Nathaniel Hunt, (who has taken upon him the Office of Deputy Sheriff); and it was farther ordered, that John Coleman, William Lawson Nathaniel Cocke, Elijah Hunt, & William Terry, Gentn. be added.

At a Council held November 2d 1773

Present

His Excellency

Thomas Nelson

Robert Carter

William Byrd

Robert Burwell

Philip L. Lee

John Page

John Tayloe

Ralph Wormeley junr.

John Page junr. Esqr's.

His Majesty's Confirmation of an Act of Assembly passed in April 1772; intituled 'An Act to dock the Intail of Certain Lands

whereof James Blackwell the younger is seized, & for other purposes therein mentioned' was produced, and ordered to be recorded in the Secretary's Office.

At a Council held Novr. 3d 1773

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip L. Lee	Ralph Wormeley, junr.
John Tayloe	John Page junr. Esqr's.

The Account of Contingent Charges from the 25th, of April to the 25th of October in the present Year, and of work done at the Governor's House being laid before the Board was allowed.

At a Council held Novr. 4th 1773

Present

His Excellency

Thomas Nelson	John Tayloe
Richard Corbin	Robert Carter
William Byrd	Robert Burwell
Philip L. Lee	John Page
	Ralph Wormeley junr. Esqr's.

The Memorial of Col. George Washington on Behalf of himself and the other Officers & Soldiers intituled to Lands under Governor Dinwiddie's Proclamation giving an Account of five more surveys which have been made since those formerly returned, to the amou[nt] of 72299 Acres, was this Day Laid before the Board and Considered; whe[re] upon it was ordered that patents issue for the Lands contained within [the] said 5 Surveys in the Manner proposed in the said Memorial; that is to say, one for the Tract of 7276 Acres to George Washington, and George Muse, the former to

have 3953, & the latter 3323 Acres; one for the Tract of 28400 Acres to the following persons, whose proportions thereof [are] mentioned after their respective Names viz. Robert Stobo's Heir 9000, Jacob Vanbraam 9000, John Baynes, Representative of James Towe[r] Decd., 6000, Andrew Fowler 400, Thomas Napp 400, the Representa[tive] of Arthur Watts decd. 400, John Fox, Assignee of Jesse May, 400, Fran[cis] Self 400, Robert Stewart 400, Robert Murphey 400, John Smith 400, Alexander Bonny 400, the Representative of William Horn decd. 400, and William McAnulty 400 Acres Another for the Tract of 7894 Acres to the following Persons, in the proportions mentioned after their Names, viz. William Bronaugh 6000, Doctor Craik 179[4] & George Muse 100 Acres; another for the Tract of 6788 Acres to the following persons in Like manner viz. Andrew Wagener 2572, John West 1400, and George Mercer 2816 Acres; another for the Tr[act] of 21941 Acres, in like manner to the following Persons, viz. The Hei[r] of Col. Joshua Fry 7242, John Savage 2572, Thomas Bullitt 2500, the Representative of William Wright decd. 2500, John David Woel[per] 600, Adam Stephen 2100, Andrew Lewis 2100, & Peter Hog 2100 Acres. And it was farther ordered that the said patents issue without Right and with a Reservation of Quitrents from the Feast of St. Michael which shall be next after 15 years from the respective Dates thereof.

His Excellency informed the Board that Col. Washing[ton] had applied on Behalf of the Officers and Soldiers intituled to Lands under his Majesty's Proclamation issued in October 1763, they might be permitted to survey their several proportions on the Western Waters & the Board advised his Excellency to issue his Warrants for that purpose.

The Governor communicated to the Council the Court of Fincastle's Recommendation of William Herbert to be added to the Commission of the peace, & in the same Rank he held in the Commission for Botetourt County, but a Member of the Board representing him as a man of bad Character, the Recommendation was rejected.

At a Council held Novr. 6th 1773

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	Ralph Wormeley junr.
John Page junr. Esqr's.	

The Account of his Majesty's Revenue of 2 s Per Hhd &c. arising within this Colony from the 25th of April to the 25th of October 1773, being examined by the Deputy Auditor and made Oath to by the Receiver General was Certified by his Excellency.

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2 s Per Hhd &: were signed by his Excellency viz.

For half a year's Salary to the Governor	£1000.0.0
Do. to the Council	600.0.0
To the Judges, & Officers of a Court of Oyer & Terminer	100.0.0
For half a year's Salary to the Auditor	50.0.0
Do. to the Sollicitor of Virginia Affairs	100.0.0
Do. to the Attorney General	135.0.0
Do. to the Clerk of the Council	75.0.0
Do. to the Adjutants	160.0.0
Do. to the Armourer	6.0.0
Do. to the Gunners of the Batteries	12.10.0
To the Ministers attending one General Court	8.0.0
For Repairs done to the Governor's House	637.8.7
For Contingent Charges	451.7.8

Also to be paid out of his Majesty's Revenue of Quitrents

For half a year's Salary to the Attorney General	35.0.0
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On a farther Consideration of the petition of Samuel Meredith which w[as] before the Board the 30th Day of April last, and it appearing that he had a Mortgage of some slaves for his indemnification, which are now in t[he] Possession of the Widow of Col. John Henry, & which if Sold would deprive her of her only Means

of support, it was ordered that the Receiver Gener[al] do not put the said Henry's Bond in suit during the life of his said Wid[ow] that she may enjoy the Benefit arising from the Labour of the Slaves; but that after her Decease if the Principal Money lent (without Interest whi[ch] till then is ordered to be given up) be not immediately paid, the Receiver General do proceed to prosecute the said Bond against Mr. Meredith [th]e security, and demand Interest thereon from the Time of Mrs. Henry's Death.

This being the Day appointed for hearing the Complaint of Garland Anderson, against John Lawrence, the same was read, and n[o] one appearing to prosecute it and because it appeared to be private in itself, it was ordered that the said Complaint be dismissed.

On a farther Consideration of the order made at the last Council for granting to the Officers and Soldiers their proportions of Land un[der] his Majesty's Proclamation, and it being suggested that there was t[oo] much Reason to fear some Collusion between the Surveyors & several other persons who had made large Surveys of Land ready to be entered on the surveyor's Books, as soon as their office should be open for that Purpose, altho such surveys were made in Disobedience to the Orders [of] Government, it was ordered that Mr. John Byrd, of Fincastle, Dr. Th. Walker, of Albemarle, & Mr. John May, of Botetourt, or any two of them be appointed Commissioners to examine the Books of the Surveyors of Fincastle, Botetourt, and Augusta Counties, and see what Surveys are already entered therein, and sign their Names at the Foot of the same; and it was farther ordered that all surveys heretofore made without having been entered on the Surveyor's Book, or without any order of Council, should be considered as void.

And with respect to any Claim which may be made in Right of a deceased Officer or Soldier, it was the Opinion of the Board that under the Words of the King's Proclamation it is necessary that such Officer or Soldier should have personally appeared to claim his proportion, & that where that has not been done the Claim cannot survive to his representative.

On the petition of Mary, who had been a Slave to Charles Smith Clerk, late of the County of Norfolk decd. setting forth her very

assiduous and painful Attendance on her said Master during a long lingering Illness, in Reward for which he by his will, directed that after she had served his Grand-Daughter [. . .]¹⁸⁰ Taylor, one year, she should from thenceforth be free, and moreover gave he[r] a Legacy by the said will, and praying that the same might be confirmed; the Board being satisfied thereof from an attested Copy of the said will, approved of the Manumission aforesaid.

A Recommendation from the Court of Mecklenburg County of Gentlemen to be added to the Commission of the peace, and another from the Court of Bedford County, were read, and rejected, there appearing to the Board to be a sufficient Number of Acting Justices in both those Counties.

The Claim of Jonathan Meers for 400 Acres of Land and that of William Hyslup for 800 Acres, which were allowed at the Council held May 8th 1772, having been unknown to Col. Washington when he drew the memorial presented at the last Council, and as it would be difficult to associate them with the other Patentees among whom the 5 Surveys were then ordered to be distributed, it was ordered that Separate Patents issue to the said Jonathan Meers, and William Hyslup for the Quantities of Land above mentioned.

At a Council held December 15th 1773

Present

His Excellency

William Byrd

John Page

Philip L. Lee

Ralph Wormeley junr.

Robert Burwell

John Page junr. Esqr's.

John Camm, Clerk

Ordered that a new Commission of the Peace issue for the County of Norfolk; to be directed to all named in the present Commission, except John Hutchings, William Ivy, and Robert Tucker (who are dead) and Maximil[ian] Calvert (who refuses to act) And the following Gentlemen, viz. Arthur Boush, Basset Mose-

¹⁸⁰. Blank in original.

ley, John Brickell, Robert Taylor, and William Smith are to be added.

Also a new Commission of the Peace for the County of York, be directed to all the Justices named in the present, except William Allen, John Prentis, James Cocke, William Stephenson, James Burwell, and Lawrence Smith (who have not qualified) and Robert Shield (who is dead) and also to the following Gentlemen, as new Justices, viz. John Hattey Norton, Joseph Hornsby, William Reynolds, and William Pasteur.

A Recommendation from Pittsylvania Court of persons fit to be added to their Commission, was read and rejected for want of form.

The Petitions of Thomas Walker on Behalf of himself and the other Members of the Loyal Company, & of Andrew Lewis Agent [for] the Green Brier Company, praying that the Grants made to the Officers and Soldiers under his Majesty's Proclamation in 1763 may not be suff[ered] to be located so as to interfere with their Grants, and also the Petitions [of] sundry Inhabitants settled on the Grants to those Companies, to the s[ame] purpose, and the Counter Petition of Hugh Mercer and sundry other Officers, were read, and the farther Consideration thereof was postponed till Tomorrow.

At a Council held December 16th 1773

Present

His Excellency

And as yesterday

except John Camm, Clerk

On Consideration of the Petitions read yesterday, and on hearing Council on both sides, the Board were of Opinion, and it w[as] accordingly ordered that the Officers & Soldiers be at Liberty to Locate the Grants wherever they shall desire, so as not to interfere with Legal Sur[veys] or actual Settlements; That every Officer be allowed a distinct Survey for every thousand Acres; That those are to be deemed Settlers who resided [on] any Tract of Land before last October and Continue to do so, having cleared some part thereof whereby their Intention to reside is Manifested; And that every

Settler shall have fifty Acres at least, and also for every three Acres of Cleared Land fifty Acres more and so in proportion; which is to be taken as part of the Grants to the said Companies respectively, when the Land Office shall be open to them, unless such Settlers shall chuse to hold under the Officers, or Soldiers or any of them rather than under the said Companies.

At a Council held February 28th 1774

Present

His Excellency

Thomas Nelson

Richd. Corbin

John Page, Esqr's.

The Governor Communicated to the Board a Letter from Lord Dartmouth, concurring with his Excellency in Opinion, that there could be no Objection notwithstanding the late Instruction, to the granting of Lands (not on the Western Waters) for which Orders of Council have been obtained, or Certificates on Petitions for Lapsed Lands, or for which Entries had been made with any Survey or, previous to the Receipt of the said Instruction; and the Clerk was ordered to give Notice thereof to all Concerned therein by an Advertisement in the public Gazette.

His Excellency also informed the Board that agreeable to their Advice, he had added some Gentn. residing in the Neighbourhood of Pittsburg to the Commission of the peace for the County of Augusta & had also appointed some Gentn. to Offices in the Militia for the same County, among the rest, Mr. John Connolly; who in Virtue of his Office had summoned the Inhabitants to attend a Muster on a Certain Day; but that the Clerk of Westmoreland County in the Colony of Pennsylvania arriving together with the Sheriff, complained that Mr. Connolly was acting without Authority, as that District was within Pennsylvania, & was raising great Disturbances, & demanded therefore of him Security for his good Behaviour, which he declining to give, he was delivered to the Custody of the Sheriff, who by Order of the said Clerk carried him to Westmoreland Jail, where he is still confined. The Governor

also laid before the Board sundry Letters on that Subject & Also one from the Honble. Jno. Penn Esqr. Governor of Pennsylvania relating to the Closin[g] of that Government to the District in Question, & desiring his Excellency would revoke the Commissions he had granted, at least till the matter could be determined by his M[ajest]ty in Council; for which purpose that Government had already made a Representation of the Case.

The Board advised his Excellency to inform the Governor of Pennsylvania that there was good Reason to think Pittsburg considerably within the Bounds of the Colony, & that he could not think of allowing the Claim of Pennsylvania (even by any temporary Act of Cession) till it should be so determined by his Majesty in Council, there nev[er] having been yet an authentic Boundary run, nor any Commissioners attending on the part of the Crown. They farther advised his Excellency to insist on the Discharge [of] Mr. Connolly, & the Punishment of the Clerk of Westmoreland for his outrageous Behaviour in Committing him to Jail without due Authority; & also recommended his Excellency to send a proper Representation of the Matter to his Majesty.

Ordered, That a new Commission of the peace issue for the County of Bedford & that Francis Thorp, who on the Information of Mr. Jno. Aylett the King's Attorney in that County, appears to be the Jailer there, & also an Ordinary Keeper in new Lon[don] & to have set at Liberty one Amos Jenkins who was Committed by that Court to take his Trial at the General Court Bar for a Murder, be left out. And the Clerk was ordered to write to Mr. Aylett to desire he would apply to two Magistrates for a Warrant (as the law directs) to send the said Jenkins to the public Jail.

Also a new Commission of the peace was ordered to issue for the County of New Kent, to be directed to all named in the present Commission, except Lewis Webb (who has not qualified) James Underwood, (who is dead) & Andrew Anderson (who refuses to qualify); and it was farther ordered, that Wm. Smith, Richmond Allen and Richd. Allen, Gentn. be added thereto; and that the twelve first in the new Commission be appointed of the Quorum; and that in all future Commissions three fourths of the whole Number constitute the Quorum.

A Recommendation for a new Commission of the peace for the County of Fauquier was read and rejected for Irregularity.

At a Council held April 20th 1774¹⁸¹

Present

His Excellency

Thomas Nelson	Robert Burwell
Richard Corbin	John Page
Philip Ludwell Lee	Ralph Wormeley, junr.
John Tayloe	John Page junr. Esquires
Robert Carter	John Camm, Clerk

The Account of his Majesty's Revenue of Quitrents for the Year 1772, being examined by the Deputy Auditor, and made Oath to by the Receiver General, was certified by his Excellency.

Edmund Pendleton Esquire having complained against Andrew Morton, Clerk, Rector of the Parish of Drysdale in the Counties of King & Queen and Caroline, & exhibited there upon a Libell before the Governor & Council in his own Name & the Names of the rest of the Vestry of the said Parish for divers Immoralities for which they pray his Excellency & their Honours would, after Proof made of the Charges, pronounce Sentence of Deprivation against the said Andrew; it was ordered that a Citation issue to Summon him to appear before the Governor and Council to answer the several Matters of the said Complaint on the first Tuesday in June next; and that in the mean Time, and as soon as conveniently it may be done he be served with a Copy of the said Libel

His Excellency communicated to the Board a Letter from the Governor of Pennsylvania dated March 31st relative to the Dispute between that Government and this concerning their common Boundary, refusing to comply with his Excellency's Demand that Arthur St. Clair, the Clerk of Westmoreland County in that Colony, should be discharged from his Office as a Punishment for the illegal

¹⁸¹. The text of the following Journal is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1353, ff.233-248. There is a title page on which is written the following: "No. 8. Virginia. Minutes of Council from April 20. 1774 to June 17. following. Recd. Janry 6. 1776."

Commitment of Mr. John Connolly; and farther, requiring of his Excellency not to grant Lands or exercise any Jurisdiction within the disputed Territory. Which Letter being read, and appearing to the Board to be a high Insult, they advised his Excellency would not condescend to answer it; also, that if the said Arthur St. Clair should ever appear within this Government, his Excellency would have such Measures prosecuted against him as his Majesty's Attorney General should advise to be legal. And the Board farther recommended to his Excellency to raise & send a sufficient armed Force, to demand of the Keeper of the Jail of Westmoreland County aforesaid, the immediate Release of Mr. Connolly with Orders, in Case of Refusal, to break the said Jail and take him out by Force.

The Governor having been pleased to refer to the Consideration of the Board the Petition of Thomas Slaughter, in behalf of himself and other Militia Officers, praying that they might be allowed the respective Quantities of Land promised by his Majesty's Proclamation in 1763, the Council were of Opinion that the Claims ought to be rejected, as not being within the Intention of that Proclamation. And in Pursuance of such Advice it was ordered that an Advertisement be inserted in the Public Gazette to inform all Persons concerned that none who have served only as Rangers, or as Part of the Militia, will hereafter, as such obtain Warrants for Land, but those only who were in the regular Service, or in some Provincial Regiment.

And to prevent fraudulent Practices which may be committed by Persons not residing within this Government, the Board advised his Excellency to require a Certificate from the Governors of the Colonies from whence such Claimants may come, that they have no Reason to believe they have before had their Quota of Land allowed them.

The Complaint formerly exhibited by James Donald against William Mead not having been prosecuted at the Time appointed for that Purpose, for Reasons appearing to the Board, the same was now on the Prayer of the said James revised; and the first Tuesday in June next was appointed for hearing the Parties, the Complainant giving the Defendant reasonable Notice thereof.

At a Council held April 25th 1774

Present

His Excellency

Thomas Nelson	Robert Burwell
Richard Corbin	John Page
Philip Ludwell Lee	Ralph Wormeley junr.
John Tayloe	John Page junr. Esqr's.
Robert Carter	John Camm, Clerk

John Connolly, a Justice of the Peace for the County of Augusta, having committed three Pennsylvanian Majistraits in Revenge for his having been committed by Arthur St. Clair, his Excellency laid before the Board his Letter to Mr. Connolly, reprimanding him for the same, and instructing him for future Conduct, that the more violent and illegal the Proceedings of the Pennsylvania Majistrates have been against him, the more cautious ought we to be on our Part, to refrain from imitating such unjustifiable Acts as we have complain'd of on theirs.

Ordered that a Proclamation issue commanding the Inhabitants at Pittsburg and within its Dependencies to pay Quitrents and other public Dues to such Officers as are now, or hereafter may be appointed under this Government to collect the Same; and also enjoining the Officers of the Militia there, to embody a sufficient Force for repelling any Invasion of the Indians, or any Attempt which may be made by the Government of Pennsylvania, to disturb the Exercise of the Government of this Colony over that Territory.

A[t] a Council held April 26th 1774

Present

His Excellency

Thomas Nelson	Robert Burwell
Philip L. Lee	John Page
John Tayloe	Ralph Wormeley junr.
John Page junr. Esquires	

The Proclamation which was ordered Yesterday having been prepared accordingly, was now read, approved of, and ordered to be printed.

At a Council held May 3d 1774

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip Ludwell Lee	Ralph Wormeley junr.
John Tayloe	John Page junr. Esquires

The Account of contingent Charges from the 25th of October 1773 to the 25th of April last, and of Work done at the Governor's House being laid before the Board was allowed.

Ordered, that a new Commission of the Peace issue for the County of Lancaster, and that all the Present Justices be continued except Thomas Pinckard.

Also a new Commission of the Peace for the County of Princess Anne, and that to the present Majistrates Lemuel Newton and Peter Singleton Gentlemen, be added.

A Recommendation from the Court of Northumberland County for adding new Justices to their Commission of the Peace, was also considered; but the Board being of Opinion there was already a sufficient Number, the same was rejected.

His Majesty's Confirmation of an Act of Assembly, intituled an Act to dock the Intail of 4000 Acres of Land in the County of Isle of Wight whereof James Burwell is seized in Fee-tail, and for vesting the same in Trustees in Fee simple for certain Purposes therein mentioned was produced, and ordered to be recorded in the Secretary's Office.

On the Memorial of the President and Professors of the College of William [and] Mary, relating to the Surveys made by Thomas Bullitt under their Commission, and praying that the same might be confirmed; the Board being informed that Col. William Preston, the Surveyor of Fincastle County, where those Lands lie, was willing to confirm them and have them entered on his Book, if it should be recommended to him by this Board, the Clerk was accordingly ordered to write to him that the Board recommend it as a very proper Measure for avoiding Confusion.

At a Council held May 6th 1774

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip Ludwell Lee	Ralph Wormeley
John Tayloe	John Page junr. Esquires

On the Motion of the Officers of his Majesty's Revenue the Auditor was directed, in settling the Receiver General's Accounts, to allow him three Pence current Money for every Guinea paid him by the Naval Officers; they being received by him at so much more than their current Value.

At a Council held May 7th 1774

Present

His Excellency

And as Yesterday, except John Tayloe Esquire

The Board, taking the Cases of the two Malefactors, now under Sentence of Death, into their Consideration, recommended John McClure, whose Crime was Horse-stealing, as a proper Object of his Excellency's Clemency.

At a Council held May 26th 1774

Present

His Excellency

Thomas Nelson	John Tayloe
Richard Corbin	John Page
William Byrd	Ralph Wormeley junr.
Philip Ludwell Lee	John Page junr. Esquires

The Governor was pleased to communicate to the Board Letters his Excellency lately received from Col. George Crogan & Mr. John

Connolly, ascribing the present ill Temper of the Indians to the Rashness of some of our People and inclosing a Talk from the Six Nations and the Delawares, together with a Belt, expressing of their friendly Disposition towards the English, and relying on the Justice of this Government to punish the Outrages committed on them by some of our disorderly Settlers.

At a Council held May 27th 1774

Present

His Excellency

Thomas Nelson

Richard Corbin

William Byrd

Philip L. Lee

John Tayloe

John Page

Ralph Wormeley, junr.

John Page junr. Esquires

The Account of his Majesty's Revenue of 2 s per Hhd. &c arising within this Colony from the 25th of October 1773, to the 25th of April last, being examined by the Deputy-Auditor, and made Oath to by the Receiver General, was certified by his Excellency.

On the Complaint of the Receiver General against the Naval Officers, of the upper District of James River, and of South Potomack, on Account of their great Want of Punctuality in paying in their respective Balances, whereby he was rendered unable to defray the necessary Charges of Government, the Clerk was ordered to write to those Gentlemen, and inform them that if there should be any farther Complaints of that Nature against them, his Excellency would think himself under an indispensable Necessity of removing them from their Offices.

The following Warrants on the Receiver General, to be paid out of his Majesty's Revenue of 2 s per Hhd &c. were signed by his Excellency, viz.

For half a Year's Salary to the Governor	£1000.0.0
Do. to the Council	600.0.0
To the Judges & Officers of a Court of Oyer & Terminer	100.0.0
For half a Year's Salary to the Auditor	50.0.0

Do. to the Solicitor of Virginia Affairs	100.0.0
Do. to the Attorney General	135.0.0
Do. to the Clerk of the Council	75.0.0
Do. to the Adjutants	160.0.0
Do. to the Armourer	6.0.0
Do. to the Gunners of the Batteries	12.10.0
To the Ministers attending the General Court	8.0.0
For Repairs done to the Governor's House	467.1.6
For Contingent Charges	1809.19.4
Also, to be paid out of his Majesty's Revenue of Quit-Rents, for half a Year's Salary to the Attorney General	£35.0.0

The Governor having received a Letter from his Excellency Josiah Martin Esqr. Governor of North Carolina, complaining of Encroachments made on the Territory belonging to that Government, by People settling under Grants from this, and also of the Court of Fincastle exercising Jurisdiction over Persons residing within that Colony, and desiring his Excellency would appoint Commissioners on the Part of this Government, to act in Conjunction with Commissioners to be appointed by him; for continuing the Line formerly run as a Boundary between the two Colonies; his Excellency was pleased to lay the same before the Board, and by their Advice to appoint Col. John Donelson, and Mr. Hugh Innes Commissioners to proceed on the Business recommended by Governor Martin.

The Memorial of Col. George Mason was presented & read, setting forth that he had purchased a considerable Number of Importation-Rights founded on the Charter granted by King Charle[s] the second, whereby he conceived himself to be intitled to fifty Acres of Land for each Right; and that as this was not a Matter of Favour, but of strict Right, he hoped any Instructions his Excellency may have received for altering the Method hitherto observed in taking up Lands, would not operate, or be supposed to be intended by his Majesty to operate, to the Prejudice of Claims, such as his and prayed that he might accordingly have an Order for the Quantity of Land his Rights amounted to,

Whereupon the Council advised his Excellency to lay the Memorial before the Attorney General for his Opinion on the Matter of

Law, whether such Rights be controulable by his Majesty's subsequent Instructions, or not.

A[t] a Council held at the Palace May 28th 1774

Present

His Excellency

Thomas Nelson

John Tayloe

Richard Corbin

John Page

William Byrd

Ralph Wormeley junr.

John Page junr. Esquires

The Governor laid before the Board the whole Negotiation between his Excellency and the Commissioners from the Pennsylvania Government relative to a Temporary Line or Lines of Jurisdiction between the two Colonies of his Excellency's Conduct of which the Council highly approved; but as the Negotiation came to Nothing, the Board thought it necessary that his Excellency should restrain the Jurisdiction of this Government within some certain Limits; and as Turtle Creek, which is about twelve Miles Eastward of Fort Pitt, was thought to be nearly the Western Boundary of Pennsylvania, they advised his Excellency to give Instructions to Mr. Connolly not to go to the East of that Place in exercising any of the Powers committed to him by his Excellency, till his Majesty shall be pleased to signify his Pleasure therein.

His Majesty's Confirmation of an Act of Assembly passed in March 1773, intituled an Act to dock the Intail of Part of a Tract of Land whereof John Tazwell is seized, and for settling Slaves of greater Value to the same Uses, was produced and ordered to be recorded in the Secretary's Office.

For Reasons appearing to the Board they advised the Governor to remit the Fine imposed on Charles Taliaferro, for not serving as a Juryman the last General Court, to which his Excellency was pleased to assent.

Philip Barbour's Petition for an Allowance to be made to him out of the Revenue of two Shillings for a Horse he lost in coming Express during the last War from General Bouquet, was for Reasons appearing to the Board rejected.

Ordered, that a new Commission of the Peace issue for the County of Essex, to be directed to all the Gentlemen named in the present Commission, except William Daingerfield, Francis Waring, James Webb, and John Richards (who are dead) William Montague & Charles Mortimer (who have removed out of the County) Paul Micou, James Roy, Henry Garnet and Griffin Boughan (who never sit) and Muscoe Garnet and Thomas Bowlware (who refuse to qualify); and it was farther ordered, that William Roane, James Edmondson, John Beale, William Woddrop, William Smith, Augustine Moore, Thomas Waring, and Newman Brockenbrough, Gentlemen, be added.

Ordered, that a new Commission of the Peace issue for the County of Botetourt, to be directed to the following Justices, viz. Andrew Lewis, John Bowyer, John Maxwell, James Trimble, David Robinson, William Fleming, George Skillern, Benjamin Estill, Philip Love, Andrew Woods, John Bowman, William McKee, Samuel Lewis, Ri[c]hard May, William Madison, John Murry, William McClenachan James Henderson, Andrew Donely, Gentlemen, and Adam Smith, Clerk.

A Recommendation from the Court of Charlotte County, and another from that of Westmoreland County, of Persons fit to be added to the Commissions of the Peace for those Counties, respectively, were read and considered; but the Board being of Opinion that there is al[rea]dy a sufficient Number of acting Magistrates in each of those Commissions, no Alteration was made therein.

At a Council held June 15th 1774

Present

His Excellency

Thomas Nelson

Richard Corbin

William Byrd

Philip L. Lee

John Tayloe

Robert Carter

Robert Burwell

John Page

Ralph Wormeley junr.

John Page junr. Esquires

It having been ordered the 9th Day of last June, in a Caveat then depending between John Stevenson, Plaintiff, & William Blair, De-

fendant, that the Plaintiff should have a Patent for that Part of the Land in Dispute, whereon he had made Improvements, being about 15 Acres, and that the said Caveat as to the Residue thereof be dismissed, it was ordered, on a Motion made for that Purpose, that the said John Stevenson have a Patent for the certain Quantity of 25 Acres of Land for his Improvements, and that the same be laid off so as to include his Spring and Houses.

The Caveats of Robert Craven v. Robert Rollstone & Robert Patterson and of George Eubank v. John Dean abate; the former by the Death of the Plaintiff, and the latter by the Death of the Defendant.

The several Caveats of Pattison &c. v. Whitney &c.—Jordan v. Randolph &c. (3 Caveats)—Phelps v. Whitney &c.—Owen v. Duncan &c.—Jones v. George Walton—Wade v. Griffin—McCraw v. Taylor &c. Owen v. Marr—Hankins v. Jones—Hopkins v. Collier—Flower v. Currie &c.—Wilcox v. Cox—the same against same, & Fergusson v. Moody were continued generally.

Also the Caveat of Marr v. Watkins was continued, and a Commission awarded the Parties for taking Depositions.

William Hickman having entered a Caveat against Conner Royalty and Thomas Mitchchel, Son and Heir of Carter Mitchel decd. for 163 Acres on the North Side of Hardware River on the Branches of Bisquet Run; the Plaintiff appearing and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

The following Caveats were dismissed generally, viz. Taylor v. Binum—Pusey v. Barton—Dunn v. Blevins—Hopkins v. Cook—Christian v. Christians—Nicholas v. Duval—Hill v. Dunlop &c.—Madison v. Hawkins &c.—Alleson v. Robertson—Martin v. Dalton—Jones v. Gray—Crooker v Walker—Cabell v. Baker—Cooke v. Cooke—White v. Donelson &c.—White v. Atkinson—Markham v. Hamilton &c and v. Hinton—Willis v. Rogers—McDowell v. Orr &c. (2 Caveats)—Connelly v. Burnley &c.—Garth v. Priddy—and Hopkins v. Murden—

In the several Caveats of Epps v. Jones &c.—Taylor v. Plunket—Cooke v. Beller—Bishop v Pryor &c—Black v. David Kinkead—

& v. John Kinkead—Thompson v. Hughes—& v. Briggs—Winn v. Goode—Lucas v. Graves &c.—Wood v. Kincaid—Ellis v. Atkins—Ford v. Pouncy—Thurmond v. Hunter—Jones v. Jones—Maclin v. Maclin &c.—Ruffin v. Ruffin—Spain v. Blakely &c.—Mason v. Bullitt—Wood v. Kincaid (3 Caveats)—Smith v. Smith—Cooke v. Beller &c.—Thompson v. Milstead &c.—Cleeck v. Allison—Christian v. Whittle—Brown v. Greer—& v. Hunt—Pusey v. Barton—Biby v. Ford &c.—& Robertson v. Skelton, there not being such Returns of the several former Processes as the Rules of Govern[ment] require, new Process was awarded the several Parties aforesaid.

John Donelson having entered a Caveat against William Payne, for 400 Acres on Crooked Creek of Sandy River, in Pittsylvania County; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Wingfield Cosby having entered a Caveat against George Morris and the Heirs of John Collier decd. for about 1700 Acres of Land in Halifax County, on Childrey & Cow Creek, taken up by the said George Morris and John Collier decd. about 16 Years before the entering of the said Caveat; the Plaintiff appearing the same was dismissed as to Collier's Heirs, and the Defendant Morris having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

James Turk having entered a Caveat against Richard Prior for 107 Acres of Land in Albemarle, on the Top and North Side of Long Mountains; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Samuel Dedman having entered a Caveat against John Benge for 118 Acres of Land on Moore's Creek, in Albemarle; the Plaintiff appearing, and a Petition to the Board in Behalf of the Defendant having been read, it was ordered that the Plaintiff have a Patent for the said Land.

William Bryan having entered a Caveat against Richard Callo-way, for 1200 Acres of Land in Bedford County, on the Head of the North Fork of Otter River; on hearing the Parties, by their

Attornies, the Board were of Opinion that the Defendant had no Right to make an Entry for so large a Quantity of Land, and that the same was therefore void; and it appearing that the Plaintiff had entered for 400 Acres of Land, Part of the said 1200 Acres, it was ordered that he have a Patent for the same.

James Green having entered a Caveat against Joshua Hix, for 354 Acres of Land in the County of Lunenburg, on the Head of the Little Creek above Strong Creek; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Marr having entered a Caveat against Gideon Marr, for 400 Acres of Land in Pittsylvania County, lying on Been's Creek, adjoining the Lands of George Chadwell & Constant Perkins; the Plaintiff appearing and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Ambrose Jones having entered a Caveat against David Wilson, William Hide, James Johnson and Sherwood Walton for 1712 Acres of Land, lying on both Sides of Poplar Cabin Creek, near Mead & Company's Lines, in the County of Pittsylvania, formerly Lunenburg; the Plaintiff appearing, and the Defendants having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Ambrose Jones having entered a Caveat against Edmund Gray and others, for 735 Acres of Land lying on both Sides of the North Fork of the Mill Creek of Mayo River, in the County of Pittsylvania, formerly Lunenburg; the Plaintiff appearing, and the said Edmund Gray having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Peter Legrand having entered a Caveat against William & James Hill, for 400 Acres of Land on Sawney's Creek in Prince Edward County, adjoining the Lands of Robert Jennings and Andrew Porter; the Plaintiff appearing, the Caveat was dismissed as to the Defendant James, and the other Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Wood having entered a Caveat against John Macanally, for an undivided Moiety of 237 Acres of Land, on the Head Branches of the North Fork of Rock-Fish River and on the Blue Ridge, in Amherst, surveyed for John Price and John Macanally; the other Moiety whereof is since become vested in the said William, by Order of Council bearing Date in June 1772; by Consent of the Defendant it was ordered that the Plaintiff have a Patent for the said Land.

John Haden having entered a Caveat against Robert Elliot, for 400 Acres of Land on Burk's Creek, in Albemarle, joining the Lands of Edward Moody; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Haden having entered a Caveat against Robert Elliot for 400 Acres of Land, joining another Tract of 400 Acres entered for by the said Robert on Burk's Creek, in Albemarle, Contiguous to the Lands of Edward Moody; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Haden having entered a Caveat against Robert Elliot for 400 Acres of Land, joining another Entry of the said Robert's for 400 Acres on or near Burk's Creek, in Albemarle; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Haden having entered a Caveat against Edmund Taylor for 400 Acres of Land in Albemarle, in the Forks of James River; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land

Arthur Hopkins having entered a Caveat against Luke Folly for 400 Acres of Land, or thereabout, on the Waters of Sycamore Creek, in Pittsylvania County; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Tunstall having entered a Caveat against George Jefferson, for 400 Acres of Land in Pittsylvania, on the Branches of

Sandy River and Turkey Cock, being the Land which the said George recovered in June 1772, on a Caveat against William Jones, by Consent of the Parties it was ordered, that the Plaintiff have a Patent for the said Land.

Abraham Maury having entered a Caveat against Charles Chaney, for 385 Acres of Land on the North Side of Sandy Creek, in Pittsylvania County, adjoining the Lands of William Kennon; surveyed for the said Chaney the 11th of November 1748; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Benjamin Dixon having entered a Caveat against Charles Chaney, for 400 Acres of Land in Halifax County, on both Sides of Sandy Creek of Banister River, joining the Lines of Sweeting & Lane; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

James McCraw having entered a Caveat against Edward Polly, Son and Heir of Edward Polly deceased, and John Cox, Son & Heir of John Cox deceased, for 400 Acres of Land on the Branches of Sandy River and Leather-Wood Creek; surveyed for the said Edward Polly deceased in Halifax, but now Pittsylvania County; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Robert Pusey having entered a Caveat against John Ward for 400 Acres of Land, or thereabout, upon the Head of Runnet Bag & Otter Creek, the Waters of Irvin River in Pittsylvania; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Robert Pusey having entered a Caveat against John Ward, for 400 Acres of Land, more or less, upon Flat Creek, a main Branch of Irvin River, in Pittsylvania; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

William Armstrong junr. having entered a Caveat against William Crunk, Son and Heir of Richard Crunk, for 226 Acres of Land in Pittsylvania, surveyed April 1st 1763, being then in Halifax, for the said Richard Crunk, on both sides of Dan River, just under the Spurs of the main Mountains; begining at a Red Oak on the North Side of the said River; the Plaintiff appearing, & the Defendant having been solemnly called and not appearing, it was ordered the Plaintiff have a Patent for the said Land.

William Armstrong junr. having entered a Caveat against William Crunk, Son and Heir of Richard Crunk; for 75 Acres of Land in Pittsylvania, on both sides of Dan River, begining at a red Oak on the North Side of the said River, as by a Survey thereof made for the said Richard Crunk April 1st 1763, being then in Halifax; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Roger Daniel junr. having entered a Caveat against John Daniel, Son & Heir of Roger Daniel, deceased for 83 Acres of Land lying in the County of Dinwiddie, on Moncosneck Creek, adjoining the Lands of Henry Skipwith, and surveyed for the said Roger Daniel, decd. the 7th of September 1772; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

George Waller having entered a Caveat against Benjamin Brannam and John Dyer, for 400 Acres of Land lying on a Branch of Roanoke, in Pittsylvania; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Charles Edwards having entered a Caveat against John Nash, for 254 Acres of Land in Norfolk County, for which the said John had taken an Escheat Warrant; & George Oldner having also entered a Caveat against the said John Nash for the same Land; on hearing the Parties by their Attorneys it was ordered, that the said Caveats be dismissed, & that the said George Oldner (by whom, and in whose behalf, both the said Caveats were prosecuted) pay unto the said Defendants his Costs.

Ambrose Jones having entered a Caveat against Robert Walton, Son and Heir of Robert Walton deceased, for 2890 Acres of Land lying on the Branches of Cascade Creek and the South Fork of Sandy River, in the County of Pittsylvania, formerly Halifax; on hearing the Parties by their Attornies it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Ambrose Jones having entered a Caveat against Robert Walton Son and Heir of Robert Walton deceased, for 4600 Acres of Land lying on both Sides of Chestnut Creek; in the County of Pittsylvania, formerly Lunenburg, on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Ambrose Jones having entered a Caveat against Robert Walton, Son and Heir of Robert Walton deceased, & Tucker Woodson, for 5000 Acres of Land, lying on Megetty and Pittman's Creeks, and under the Mountain, in the County of Pittsylvania, formerly Lunenburg; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

John Madison junr. having entered a Caveat against Benjamin Estill for 344 Acres of Land in Botetourt on James River, surveyed October 1766; on hearing the Parties by their Attornies it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Robert and James Yancey having entered a Caveat against John Westmoreland and the Heirs of Drury Stith deceased, for 400 Acres of Land on Buffalo, joining the Lines of Francis Griffin and William Sizemore, in Mecklenburg; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

George Walker junr. having entered a Caveat against Richard Copeland, for 900 Acres of Land recovered by the said Copeland against David Wilson and George Walker senr. now deceased, the 10th of June 1772, in Pittsylvania County, on Snow Creek; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

George Clasby having entered a Caveat against Thomas Emerson, for so much of 400 Acres of Land in Albemarle, on the Byrd Creek, as is included in the patented Lines of the said Clasby; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

John Tabb having entered a Caveat against Augustine Claiborne, for 210 Acres of Land, or thereabouts, lying on the South Side of the old Town Creek, in Chesterfield County, and within the Lines of the patented Land of Thomas Batte dated the 8th April 1674, and within the Lines of the Land granted by Patent to Thomas Batte and Richard Buller, which has been surveyed for the said Augustine as King's Land; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

John Jones having entered a Caveat against Augustine Claiborne, for 17 Acres of Land, lying on the North Side of the old Town Creek, in Chesterfield County, adjoining the Lands of Richard Hanson, and which was surveyed the 23d. of December 1772 for the said Augustine, as Kings Land; on hearing the Parties by their Attornies it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

James, John, and George Christian, having entered a Caveat against William Kennon, or any of his Trustees, for 4850 Acres of Land in Buckingham County, lying on both Sides of Wreck-Island Creek, and joining Jeremiah Whitney's Land; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed, and that the Plaintiffs pay unto the Defendants their Costs.

Reuben Payne having entered a Caveat against Richard Booker, for 1200 Acres of Land in Pittsylvania, recovered by the said Booker against the Plaintiff June 9th 1773; on hearing the Parties by their Attornies it was ordered, that the said Caveat be dismissed and that the Plaintiff pay unto the Defendant his Costs.

The rest of the Caveats were put off till To-morrow 10 o'Clock; at which Time the several Parties were ordered to attend.

At a Council held June 16th 1774

Present

His Excellency

Thomas Nelson	Robert Carter
Richard Corbin	Robert Burwell
William Byrd	John Page
Philip L. Lee	Ralph Wormeley junr.
John Tayloe	John Page junr. Esquires

Ordered, That a new Commission of the Peace issue for the County of Pittsylvania, to be directed to the following Gentlemen viz. Archibald Gordon, Hugh Innes, John Donelson, Theophilus Lacy John Wilson, Peter Copland, John Dix, Peter Perkins, John Wernbush, Crispen Skelton, Richard Walding, William Thomas, William Witcher, Archilus Hughes, James Walker, Robert Hairstone, James Smith, and John McGround.

On the Petition of Christopher Clarke, setting forth that there were surveyed for one Alexander Parish, on the 4th Day of April 1739, 250 Acres of Land on Carril's Creek in the County of Goochland then, but now of Albemarle, which were afterwards conveyed by the said Parish to one Peter Johnson in Fee-simple, and by the said Johnson afterwards conveyed to the Petitioner in Fee-simple, who has lately discovered, that thro' some Accident no Patent has ever issued; the Petitioner having regularly paid his Majesty's Quit-rents, it was ordered that he have a Patent for the said Land.

On hearing this Day the Complaint of James Donald against William Meade, which was to have come on the first Tuesday of this Month, the Board declared themselves not satisfied with Meade's Behavior, and thought that he ought to be reprimanded; but as the Transactions complained of passed a long Time since, and it appeared that he had in other Respects behaved himself well, they advised the Governor to continue him in his civil and military Commissions; and he was accordingly called in and acquainted by his Excellency with the Opinion of the Board.

The Governor was pleased to lay before the Board the Attorney General's Report upon the Subject lately referred to his Considera-

tion, conveying an Opinion in favour of Importation-Rights on the Foundation of King Charles the Second his Charter; and that his Majesty could not be supposed to intend by his Instruction to deprive his Subjects of a Right thereby acquired; the further Consideration whereof was put off till To-morrow.

It appearing to the Board that the Summons in the Caveat entered by Thomas Flower against Anne Currie & Margaret Currie, and Theophilus Field, for 2000 Acres of Land in Pittsylvania, on little Cherry and large Cherry-Stone Creek, on the Waters of Banister River, is returned thus, Executed by Thomas Wallis, and it appearing also on the Oath of Jerman Baker, Gentleman that there is no such Sheriff of the County where the Summons was directed, as Thomas Wallis, which gives Ground to think the Return thereof made is a Forgery, and the Clerk informing the Board that the same came to his Hands inclosed in a Letter from the Plaintiff in that Caveat, the Board recommended it to his Excellency to give Directions to his Majesty's Attorney General to prosecute the said Thomas Flower for Forgery.

The President in behalf of the Council presented to his Excellency a Memorial signed by every Member present, in Favour of the Governor's issuing Writs for electing Burgesses, in Order to redress the many Inconveniences arising from the Expiration of the Fee-Bill and other useful Laws, and from the Hostilities of the Indians. His Excellency thought the calling them now would only give an Opportunity of entering into violent Resolves, and oblige him to dissolve them again, & said moreover, it would not be consistent with what he had already writ to the Ministry. But, nevertheless, as the Board unanimously advised the Measure, his Excellency was pleased to say, he would order Writs to issue.

The several Caveats of Pusey v. Copeland—McCraw v. East—Jones v. Mead &c.—Stith v. Newsum were continued generally.

The several Caveats of Thompson &c.v. Copeland &c.—Crenshaw v. Wyerman &c.—Markham v. Davis—Cabell v. Holland &c.—Sims v. Hall—Pleasants v. Bibee—Acrill v. Watson &c—Echols v. Walton—Duval v. Merrit—Farris v. Branham—Jones v. Gilliam—Jones v. Meshecks—Huson v. Humphreys—and Petillo [v.] Petillo, were dismissed generally.

Samuel Dillin having entered a Caveat against William Young, for 198 Acres of Land in Pittsylvania County on Sycamore Creek, a Branch of Smith's River, being the Land recovered by the said William on a Caveat against Thomas Huff; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing it was ordered, that the Plaintiff have a Patent for the said Land.

James McDowell having entered a Caveat against William Smith, for 400 Acres of Land adjoining the Country Line, on the Waters of Matrimony Creek, in Pittsylvania County; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Samuel Sparrow having entered a Caveat against Charles Rudder, for 100 Acres of low sunken Swamp-Land, more or less, adjoining the patented Land of the said Sparrow, in the County of Norfolk; by Consent of the Parties it was ordered, that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendant his Costs.

Parmenas Haynes having entered a Caveat against Henry Haynes and George Walker, for 400 Acres of Land in Pittsylvania, on Bull-run; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

John Crawford having entered a Caveat against Edward Parker, for 400 Acres of Land in Halifax, joining the Lands of Abraham Wamock, William Hunt, and Walter Robertson, upon a Branch of Hudson's Creek; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

In the several Caveats of Scott v. Claiborne—Grymes v. Blair &c—Grymes v. McMachon &c—Grymes v. Calmes &c.—Haden v. Parish—Haden v. Goodall—Haden v. Moss—Christian v. Meek—Jefferson &c. v. Lynch—Tate v. Hughes—Preston v. Thompson &c—Tomlinson v. Buster—Hord v. Conway—Gwin v. Maury—Dennis v. Donelson &c—Cox v. Polly &c.—Cox v. Nance—Walker v. King—& Lynch v. McCraw, there not having been such Returns of the several former Processes as the Rules of Government require, new Process was awarded the several Parties aforesaid.

Gabriel Penn having entered a Caveat against Robert Whitten, for 32 Acres of Land in Amherst, on the Head Waters of Beaver Creek, adjoining to the Tobacco-Row-Mountains and to the Lands of Benjamin Wright; the Plaintiff appearing, & the Defendant having been solemnly called and not appearing it was ordered that the Plaintiff have a Patent for the said Land.

John Davies having Petitioned for a Grant of 378 Acres of Land in Albemarle, on the North Side of Piney River, surveyed for Philip Boush April 3 1756; and it being represented to the Board that since that Survey was made the said Philip Boush is departed this Life intestate, without having left any known Heir or Widow, and without having returned his Survey into the Secretary's Office, & paid the usual Right-Money and Patent-Fees, as the Rules of Government require; it was ordered, therefore, that immediate Notice be given in the Virginia Gazette, that if no Person appear to claim, and prove him or her Self intitled to the said Boush's Survey before the End of December next, the said Land will then be granted to the above named Petitioner, And it was farther ordered, that the Sheriff of Albemarle inquire into and certify the Governor and Council of the Premises, and that he also set up Notice to the Effect above directed, at the Door of his Court-House for 5 several Court-Days.

Henry Hough having entered a Caveat against William Hodnell, for 250 Acres of Land upon the Head of Gladly Branch in Bedford County, recovered by the said Hodnell upon a Caveat in June last; the Plaintiff appearing, and the Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

Julius Allen and Joseph Lewis having entered a Caveat against Rebecca Watson and William Gathright, for 215 1/2 Acres of Land in Henrico County, lying and being on Bulls Branch on the South Side of Chickahominy River, adjoining the said River; on hearing the Parties by their Attornies it was ordered that the said Caveat be dismissed, and that the Plaintiff pay unto the Defendants their Costs.

David Wright having entered a Caveat against Alexander Forbes, for 120 Acres of Land in Bedford; the Plaintiff appearing and the

Defendant having been solemnly called and not appearing, it was ordered that the Plaintiff have a Patent for the said Land.

At a Council held June 17th 1774

Present

His Excellency

Richard Corbin

William Byrd

Philip L. Lee

John Tayloe

Robert Carter

Robert Burwell

John Page

Ralph Wormeley junr.

John Page junr. Esquires

John Camm, Clerk

The Governor desiring to know, it being a Matter of Great Consequence, and which requires the maturest Deliberation, whether the Opinion of the Board on the Subject of their Representation presented Yesterday, relative to the issuing of Writs for electing Burgesses, continued the same, and they adhering unanimously to that Opinion, his Excellency was pleased to express himself as follows, vizt.

Gentlemen,

I cannot but express my Surprise at this sudden Change of your Sentiments in urging Reasons now for calling an Assembly which were equally strong against dissolving the last so lately, and were not so much as suggested by You, but on the contrary advised that Measure, which, for my Part, I was not so weak as to adopt merely for a Punishment on the Representatives, what could be only felt by the Body of the People; but, out of Regard to the Welfare of the Country, to endeavour, all in my Power to stop that infectious Violence of Temper, which a few Incendiaries in the Assembly might find it their Interest to disseminate, but which can only tend to incense the Mother Country beyond a Hope of appeasing, and to give Encouragement to Licentiousness which must end in the Destruction of this. The calling of an Assembly so soon will, I fear, accomplish these fatal Purposes, on which it seems alone intent: But, in Order to give You every Proof of my Confidence in your

Zeal for the Service of the Crown, and of my Deference to your Opinion I do consent to issue Writs for a new Election of Bur-gesses forthwith; relying on your Loyalty to exert your utmost Influence to inspire a Spirit of greater Moderation in future than has hitherto been manifested by that Body.

The Attorney General's Report, made Yesterday, coming on now to be considered, Col. George Mason (whose Memorial introduced the Subject) was sent for, and he attending accordingly presented a new Memorial and Petition, and also a similar Petition of James Scott, Clerk, which were both read, and Col. Mason again heard on the Subject. He then withdrew, and the Board having examined the Records of this Colony on the Subject, and finding the Allegations of the Memorial true and that the Certificates of Importation-Rights produced by Col. Mason are such as have been usually received into the Secretary's Office, for which Patents have issued, are of Opinion that the Rights to the Land prayed for in the Memorial, is founded, upon the Charters, Laws, and Custom of Virginia, and has been always heretofore granted as a Matter of common Right; but his Excellency being restrained by his Majesty's Instruction from granting Lands on any of the Western Waters, the Council advised his Excellency to represent the whole Matter to his Majesty for farther Directions thereupon.

Ordered, that a new Commission of the Peace issue for the County of Brunswick, to be directed to all the Gentlemen named in the present Commission, except Drury Stith, and Thomas Simmons (who are dead) Silvanus Stokes, (who is frequently intoxicated) John Coleman, James Balfour, and Henry Mounger, (who are removed out of the County) and George Walker, James Wall, William Edwards, Thomas Maclin, and Benjamin Jones (who refuse to qualify) and it was farther ordered, that Frederick Maclin, William Stark, George Elliott junr. Edward Travis, and Benjamin Simmons Gentlemen be added.

Ordered, That a new Commission of the Peace issue for the County of Buckingham, to be directed to the several Persons named in the present Commission, except Samuel Jordan, Samuel Taylor, Anthony Winston, and Archibald Bolling, Gentlemen, (who have

qualified) and Jacob Lindsey (who has removed from the County); and it was farther ordered, that Dolphin Drew and Robert Cary, Gentlemen, be added.

A Recommendation from the Court of Loudon County, and another for that of Prince William County of Persons fit to be added to the Commissions of the Peace for those Counties, respectively, were read and considered; but the Board being of Opinion that there is already a sufficient Number of acting Majistrates in each of those Commissions, no Alteration was made therein.

His Majesty's Confirmation of an Act of Assembly passed in April 1772, intituled an Act to dock the Intail of certain Lands whereof Ralph Wormeley, Esquire, is seized, was produced and ordered to be recorded in the Secretary's Office.

On the Petition of Francis Thorpe, praying to be allowed an Opportunity of Vindicating himself against the Suggestions of Mr. John Aylett, in Consequence of which he was put out of the Commission of the Peace for Bedford County, the 7th Day of next General Court was appointed for hearing Mr. Thorpe, with which the Clerk was directed to acquaint him, and also Mr. Aylett.

Extracted from the Council Journals
by
John Blair, Cl. Conc.

At a Council held at the Palace May 2, 1775¹⁸²

Present

His Excellency the Governor

Thomas Nelson	Ralph Wormeley, Junior
Richard Corbin	John Page, Esquires
William Byrd	John Camm, Clerk

The Governor was pleased to address himself to the Board in the following Manner:

¹⁸². The Council proceedings for May 2 and 3, 1775 are from a broadside printed by John Pinkney, [Williamsburg:1775] in the Public Record Office, C.O.5/1353, f.151. Endorsed, "In the Earl of Dunmore's (No. 27) of 15 May 1775. (5) dr."

Gentlemen,

Commotions and insurrections have suddenly been excited among the people, which threaten the very existence of his majesty's government in this colony; and no other cause is assigned for such dangerous measures than that the gunpowder which had, some time past, been brought from on board one of the king's ships to which it belonged and was deposited in the magazine of this city, hath been removed, which, it is known, was done by my order, to whom, under the constitutional right of the crown which I represent, the custody and disposal of all public stores of arms and ammunition alone belong; and, whether I acted in this matter (as my indispensable duty required) to anticipate the malevolent designs of the enemies of order and government, or to prevent the attempts of any enterprizing Negroes, the powder being still as ready and convenient for being distributed for the defence of the country upon any emergency as it was before; which I have publicly engaged to do, the expediency of the step I have taken is equally manifest; and therefore it must be evident that the same headstrong and designing people, who have already but too successfully employed their artifices in deluding his majesty's faithful subjects, and in seducing them from their duty and allegiance, have seized this entirely groundless subject of complaint, only to enflame afresh, and to precipitate as many as possible of the unwary into acts, which involving them in the same guilt, their corruptors think may bind them to the same plans and schemes which are unquestionably meditated in this colony, for subverting the present, and erecting a new form of government.

Induced by an unaffected regard for the general welfare of the people, whom I have had the honour of governing, as well as actuated by duty and zeal in the service of his majesty, I call upon you, his council in this colony, for your advice upon this pressing occasion, and I submit to you, whether a proclamation should not issue conformable to what I have now suggested; and, before our fellow subjects abandon themselves totally to extremities, which must inevitably draw down an accumulation of every human misery upon their unhappy country, to warn them of their danger, to remind them of the sacred oaths of allegiance which they have taken, and

to call up in their breasts that loyalty and affection, which upon so many occasions have been professed by them to their king, their lawful sovereign; and farther, to urge and exhort, in particular, those whose criminal proceedings on this occasion have been, and are still, so alarming, to return to their duty, and a due obedience to the laws; and, in general, all persons whatsoever to rely upon the goodness and tenderness of our most gracious sovereign to all his subjects, equally, and upon the wisdom of his councils, for a redress of all their real grievances, which redress can only be obtained by constitutional applications; and, lastly, to enjoin all orders of people to submit, as becomes good subjects, to the legal authority of their government, in the protection of which their own happiness is most interested.

The council thereupon acquainted his excellency, that as the matters he had been pleased to communicate to them were of the greatest consequence, they desired time to deliberate thereon till the next day.

At a Council held at the Palace May 3, 1775

Present

His Excellency the Governor

Thomas Nelson

Richard Corbin

William Byrd

Ralph Wormeley, Junior

John Page, Esquires

John Camm, Clerk

The board, resuming the consideration of the subject laid before them yesterday by the governor, advised him to issue the following proclamation; and the same was ordered accordingly.

By his Excellency the right honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation

Virginia, to wit.

Whereas there is too much reason to suppose that some persons, in the different parts of this colony, are disaffected to his majesty's

government, and by their weight and credit with the people are endeavouring to bring the country into such a situation as to afford them the fairest prospect of effecting a change in the form of it, covering their wicked designs under the specious appearance of defending their liberties, and have taken advantage of the unhappy ferment, which themselves have raised in the minds of their fellow subjects, in prosecution of their dangerous designs to oppose the most undoubted prerogative of the king, which in a late instance I thought it expedient to exert by removing on board his majesty's ship the *Fowey*, a small quantity of gunpowder, belonging to his majesty, from the magazine in this city; I have thought fit, by advice of his majesty's council, to issue this my proclamation, with a view of undeceiving the deluded, and of exposing to the unwary the destruction into which they may be precipitated, if they suffer themselves to be longer guided by such infatuated counsels.

Although I consider myself, under the authority of the crown, the only constitutional judge, in what manner the munition, provided for the protection of the people of this government, is to be disposed of for that end; yet for effecting the salutary objects of this proclamation, and removing from the minds of his majesty's subjects the groundless suspicions they have imbibed, I think proper to declare that the apprehensions which seemed to prevail throughout this whole country of an intended insurrection of the slaves, who had been seen in large numbers, in the night time, about the magazine, and my knowledge of its being a very insecure depository, were my inducements to that measure, and I chose the night as the properest season, because I knew the temper of the times, and the misinterpretations of my design which would be apt to prevail if the thing should be known. Acting under these motives, I certainly rather deserved the thanks of the country than their reproaches. But, whenever the present ferment shall subside, and it shall become necessary to put arms into the hands of the militia, for the defence of the people against a foreign enemy or intestine insurgents, I shall be as ready as on a late occasion to exert my best abilities in the service of the country. In the mean time, as it is indispensably necessary to maintain order and the authority of the laws, and

thereby the dignity of his majesty's government, I exhort and require, in his majesty's name, all his faithful subjects, to leave no expedient unessayed which may tend to that happy end. Such as are not to be influenced by the love of order for its own sake, and the blessings it is always productive of, would do well to consider the internal weakness of this colony, as well as the dangers to which it is exposed from a savage enemy; who, from the most recent advices I have received from the frontier inhabitants, are ready to renew their hostilities against the people of this country. But, as on the one hand, nothing can justify men, without proper authority, in a rapid recurrence to arms, nothing excuse resistance to the executive power in the due enforcement of law, so on the other, nothing but such resistance and outrageous proceedings shall ever compel me to avail myself of any means that may carry the appearance of severity.

Anxious to restore peace and harmony to this distracted country, and to induce a firmer reliance on the goodness and tenderness of our most gracious sovereign to all his subjects equally, and on the wisdom of his councils for a redress of all their real grievances, which can only be obtained by loyal and constitutional applications, I again call upon and require all his majesty's liege subjects, and especially all magistrates and other officers, both civil and military, to exert themselves in removing the discontents, and suppressing the spirit of faction, which prevail among the people, that a dutiful submission to the laws of the land may be strictly observed, which shall ever be the rule of my conduct, as the interest and happiness of this dominion ever have been, and shall continue to be, the objects of my administration.

Given under my hand, and the seal of the colony, at Williamsburg, this 3d day of May, 1775, and in the 15th year of his majesty's reign.

Dunmore.

God Save the King.

[May or June 1775]¹⁸³

It having been reported, that the Marines and Sailors, belonging to his Majesty's Ship the *Fowey*, were expected to be at the Palace this day, by the Governor's order, and that the People of the City of Williamsburg, and Counties adjoining, were greatly alarmed thereat, and were determined to attack the said Marines and Sailors, if they should come; it was ordered, that Richard Corbin and Robert Carter, Esquires, wait on his Excellency, in the name of the Council, to desire he would be pleased to give Orders for stopping them, and thereby prevent the great Calamity which was otherwise likely to ensue. Richard Corbin Esquire, reported, that the Gentlemen appointed had, according to order, waited on the Governor, who appeared to be astonished at the Report which had prevailed, assured them, that he had given no Orders for the Marines or Sailors, nor did he know of its being intended by any body to send them to the Palace, and that, in Case of any such design, he would send to prevent it.

183. From the Journal of the House of Burgesses, 1773-1776, a manuscript in the Virginia State Library. On May 6, 1775, *The Virginia Gazette* printed a letter, supposedly written by Captain Montague of the *Fowey* which stated that he had sent a detachment from the ship to the support of the Governor. However, June 6 is a more likely date for the Council meeting, since on that day the rumor was circulating in the Capitol that the Marines were coming again and this copy of the Council's proceedings in the matter was read to the House of Burgesses on June 6, 1775. See *The Virginia Gazette* (Pinkney) for June 8, 1775.

PROCLAMATIONS

Virginia, sc.¹⁸⁴

By the Honorable Robert Dinwiddie, Esq: His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation

For the Meeting of the General Assembly.

Whereas the General Assembly stood prorogued to the last Thursday in October next: And I judged it proper for His Majesty's Service, and the Honour and Interest of this Colony; that the said Assembly should meet sooner; I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in his Majesty's Name, to Order, That the said Assembly meet on Thursday the Twenty second Day of August next, at the Capitol in Williamsburg, at which Time I expect their Attendance for the Dispatch of Public Business.

Given under my Hand, and the Seal of the Colony at Williamsburg; this Eighteenth Day of July, 1754, in the Twenty Eighth Year of His Majesty's Reign.

Robert Dinwiddie

God Save the King.

184. From *The Virginia Gazette* (Hunter) July 19, 1754.

Virginia, ss.¹⁸⁵

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

To all to whom these Presents shall come. Greeting.

Whereas John Wilson and Zachariah Johns, who were committed from the Goal of King William County to the Public Goal, on Suspicion of Murder, made their Escape from the Sheriff of the said County, as he was bringing them to the Public Goal aforesaid: The said John Wilson is a Mulattoe, about Six Feet high, and speaks good English; had on when he made his Escape, a blue double-breasted Wastecoat, with Metal Buttons, an old yellow Wig, old Shoes, and Worstead Hose: The said Zachariah Johns is much about the same Height with Wilson, of a fair Complexion, large and raw-boned; had on a blue Wastecoat, Sailor's Trousers, a black Wig, old Shoes, and black Worstead Hose.

These are therefore in His Majesty's Name, to command and require all Sheriffs, Constables, and other His Majesty's Liege People within this Colony, to make diligent Search and Pursuit, by Way of Hue and Cry, within their several Counties and Precincts, after the said John Wilson and Zachariah Johns, and them having found, to apprehend and carry before the next Justice of the Peace, in Order to their being conveyed to the said Public Goal; hereby promising a Reward of Five Pistoles for each of them, on Conviction. And I do desire the Governors and Magistrates of the neighbouring Colonies and Provinces, to be aiding and assisting, so far as the Laws and Constitutions of their respective Governments will permit, in the Execution hereof.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 31st Day of October, 1754, in the 28th Year of the Reign of our Sovereign Lord King George the Second.

Robert Dinwiddie.

¹⁸⁵. From *The Virginia Gazette* (Hunter) November 7, 1754.

Virginia, ss.¹⁸⁶

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation,

To prohibit the Exportation of Provisions.

Whereas it has been represented to His Majesty, That an illegal Correspondence and Trade is frequently carried on between the French and his Subjects in the several Colonies; and I have his royal instructions to take all possible Measures to prevent the Continuance of all such dangerous Practices, particularly that the French should not, upon any Account whatever, be supplied with Provisions: I have therefore thought fit, by and with the Advice of his Majesty's Council, to issue this Proclamation, hereby strictly prohibiting the Exportation of Flour, Bread, Pork, and Beef, after the second Day of next Month, until further Order made thereupon: And I do hereby require the Officers of His Majesty's Customs, not to clear out any Ship or Vessel that has any Flour, Bread, Pork, or Beef on Board, but what is necessary for their own Company's Subsistance. And I do appoint this Proclamation to be read and published, at the Court-House and Churches in each respective County within this Colony, and that the Sheriffs take Care the same be done accordingly.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 6th Day of March, in the Twenty-Eighth Year of His Majesty's Reign, Annoq; Dom. 1755.

Robert Dinwiddie.

God Save the King.

186. From *The Virginia Gazette* (Hunter) March 14, 1755.

Virginia ss.¹⁸⁷

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation,

For the Meeting of the General Assembly.

Whereas the General Assembly stood prorogued to the Second Thursday in May next: And it is judged necessary for his Majesty's Service, and the Good of this Colony, that the said Assembly should meet sooner; I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in His Majesty's Name, to order, That the said Assembly meet on Thursday the First Day of May next at the Capitol in Williamsburg, at which Time I expect their Attendance for the Dispatch of Public Business.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this Sixth Day of March, 1755, in the Twenty Eighth Year of His Majesty's Reign.

Robert Dinwiddie.

God Save the King.

Virginia, ss.¹⁸⁸

By His Majesty's Lieutenant Governor, and Commander in Chief, of this Dominion.

Whereas, it is apprehended, that, if his Excellency General Braddock succeeds in re-taking the Fort on the River Ohio, the French and their Indians will fall upon the Frontier Settlements of this Colony. For the better preventing the Dangers which such an Attempt may occasion, I have thought fit to order all the County

187. From *The Virginia Gazette* (Hunter) March 7, 1755.

188. From *The Virginia Gazette* (Hunter) June 27, 1755.

Lieutenants, and they are hereby strictly ordered and required to muster, and keep their Militia in proper Order, so that they may be in Readiness to resist and repel any such invasion, and that they appoint proper Places for their Rendezvous, I having already sent my Orders to the commanding Officers of the Frontier Counties, to keep a strict Lookout, and have a Number of their Militia on the Watch, by Way of Patrolers, and immediately to send me Advice if any Number of Men shall appear in Arms on our Frontiers, and to give a proper Alarm to the neighbouring Counties, that we may be in a Condition of defending our Country from any Insults.

Given under my Hand, this 16th Day of June, 1755, in the 28th Year of His Majesty's Reign.

Robert Dinwiddie.

Virginia, ss,¹⁸⁹

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

To all to whom these Presents shall come. Greeting.

Whereas Complaint hath been made to me, That Garret Byrns, a Convict Servant Man, belonging to Alexander Finnie, of the City of Williamsburg, on the Twenty-third of this Instant, July, at Wood's Gap, in the County of Augusta, ran away from the Service of his said Master; the said Garret Byrns is about five Feet six Inches high, talks much on the Brogue, has a large Scar on his Nose, had with him a blue Cloth Coat with a Cape, and a light color'd Camblet Coat and Breeches, a spotted and striped Flannen Jacket, and an Oznabrig Jacket and Trousers; he sometimes wears a brown Wig, and sometimes a Flaxen ditto; is noted for a great Swearer: Took with him a bright Bay Horse (that was pressed for the Country Service) about Twelve Hands and an Half high,

¹⁸⁹. From *The Virginia Gazette* (Hunter) August 8, 1755.

branded on the near Buttock with four Dots, thus :: with a black bobb'd Tail, and thin Mane, the off Feet before and behind white, he likewise took with him a square hunting Saddle, and an old Snaffle Bridle.

These are therefore in His Majesty's Name, to require and command all Sheriffs, Constables, and other His Majesty's Liege People within this Colony, to make diligent Search and Pursuit, by Way of Hue and Cry, after the said Convict and him having found, to apprehend and carry before any one of his Majesty's Justices of the Peace, within this Colony, to be dealt with according to Law.

Given under my Hand, and the Seal of the Colony, at Williamsburg, the [. . .] Day of July, One Thousand Seven Hundred and Fifty-five, in the 29th Year of his Majesty's Reign.

Robert Dinwiddie.

Virginia, ss.¹⁹⁰

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation

To prohibit the Exportation of Flour, Bread, Grain, or Pulse.

Whereas upon Consideration of the violent Drought, which is likely to occasion a short Crop, and the great Scarcity of all Grain, and the Number of Forces to be maintained here, it is found necessary to prohibit the Exportation of the same: I have therefore thought fit, by and with the Advice of His Majesty's Council, to issue this Proclamation, hereby strictly prohibiting the Exportation of any Flour, Bread, Grain, or Pulse, after the 20th of this present Month, until further Order made thereupon: And I do hereby require the Officers of His Majesty's Customs, not to clear out any Ship or Vessel that has any Flour, Bread, Grain, or Pulse on Board,

190. From *The Virginia Gazette* (Hunter) August 8, 1755.

but what is necessary for their own Company's Subsistence: And I do appoint this Proclamation to be read and published at the Court House and Churches in each respective County within this Colony, and that the Sheriffs take Care the same be done accordingly.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 5th Day of August, One Thousand Seven Hundred and Fifty Five, in the 29th Year of His Majesty's Reign.

Robert Dinwiddie.

God Save the King.

Virginia, ss.¹⁹¹

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation

For a Fast

Whereas we have but too much Reason to fear, that our Sins have justly provoked the Almighty to send down upon us his heavy Judgements of War and Famine; and as national Repentance is the only Remedy for national Guilt, I have therefore thought fit to issue this Proclamation, appointing Wednesday the 24th of September to be religiously and devoutly observed, as a General Fast, for the solemn and public Humiliation of ourselves before Almighty God, in Order to supplicate His divine Majesty for the Pardon of our Sins, for averting those heavy judgments, and more particularly for the Preservation of us from the Hands of our Enemies.

And I hereby strictly charge and require, that in all Churches, where the Ministers can possibly attend, divine Service be performed, and a Sermon be preached suitable to the Occasion; and that on

191. From *The Virginia Gazette* (Hunter) September 12, 1755.

some preceding Sunday they give Notice of the said Fast, and exhort their several Congregations to a devout and religious Observation of it.

Given under my Hand, at Williamsburg, this 28th Day of August, in the 29th Year of His Majesty's Reign, and in the Year of our Lord, 1755.

Robert Dinwiddie.

God Save the King.

Virginia, ss.¹⁹²

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation,

For Proroguing the General Assembly.

Whereas the General Assembly stands prorogued to the Third Thursday in this present Month: And whereas I find no urgent Occasion for the said Assembly's meeting at that Time, I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in His Majesty's Name, to prorogue the said Assembly to the Third Thursday in December next; and the said Assembly is accordingly prorogued.

Given under my Hand, and the Seal of the Colony, at the Council Chamber, in Williamsburg, this Tenth Day of October, 1755, in the Twenty Ninth Year of His Majesty's Reign.

Robert Dinwiddie.

God Save the King.

¹⁹². From *The Virginia Gazette* (Hunter) October 10, 1755.

Virginia, ss.¹⁹³

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation.

For the Meeting of the General Assembly.

Whereas the General Assembly stood prorogued to the Third Thursday in December next: And it is judged necessary, for his Majesty's Service and the Good of this Colony, that the said Assembly should meet sooner; I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in His Majesty's Name; to order, That the said Assembly meet on Monday the Twenty Seventh Instant, at the Capitol, in Williamsburg; at which Time I expect their Attendance, for the Dispatch of Public Business.

Given under my Hand, and the Seal of the Colony, at the Council Chamber, in Williamsburg, this Fifteenth Day of October 1755, in the Twenty Ninth Year of His Majesty's Reign.

Robert Dinwiddie.

God Save the King.

Virginia, ss.¹⁹⁴

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

To all to whom these Presents shall come. Greeting.

Whereas Complaint hath this Day been made to me, by Captain Carter Harrison,

193. From *The Virginia Gazette* (Hunter) October 17, 1755.

194. From *The Virginia Gazette* (Hunter) December 5, 1755.

That the following Persons have deserted from his Company, viz.

Richard Wood, a Virginian, of a fair Complexion, well made, five Feet nine Inches high, and twenty Years of Age.

Charles Carter, a Virginian, of a fair Complexion, well made, twenty three Years of Age, and five Feet nine Inches high.

Francis Roberts, a Virginian, of a swarthy Complexion, five Feet nine Inches high well set, twenty three Years of Age.

Thomas Hensley, a Virginian, of a fair Complexion, well set, twenty Years of Age, five Feet nine Inches high.

James Thomson, a Virginian, of a swarthy Complexion, five Feet ten Inches high, and twenty three Years of Age.

These are therefore in His Majesty's Name, to require and command all Sheriffs, Constables, and other His Majesty's Liege People within this Colony, to make diligent Search and Pursuit, by Way of Hue and Cry, after the said Deserters, and them having found, to apprehend and carry before any one of his Majesty's Justices of the Peace, within this Colony, to be dealt with according to Law.

Given under my Hand, and the Seal of the Colony, at Williamsburg, the Fifth Day of December, One Thousand Seven Hundred and Fifty-five, in the Twenty-ninth Year of his Majesty's Reign.

Robert Dinwiddie.

Virginia, ss.¹⁹⁵

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant-Governor and Commander in Chief, of the Colony and Dominion of Virginia.

A Proclamation,

For the Proroguing of the General Assembly.

Whereas the General Assembly was summoned to meet on Monday the 22d Instant; and whereas I find no urgent Occasion for the

195. From *The Virginia Gazette* (Hunter) December 12, 1755.

said Assembly's meeting at that Time, I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in His Majesty's Name, to prorogue the said Assembly to the last Thursday in February next: and the said Assembly is accordingly prorogued.

Given under my Hand, and the Seal of the Colony, at the Council Chamber, in Williamsburg, this Tenth Day of December, 1755, in the Twenty Ninth Year of His Majesty's Reign.

Virginia, ss.¹⁹⁶

By the Hon. Robert Dinwiddie, Esq; his Majesty's Lieutenant-Governor, and Commander in Chief of the Colony and Dominion of Virginia:

A Proclamation.

For taking off the Prohibition against the Exportation
of Wheat, Bread, and Flour.

Whereas upon Consideration formerly had of the violent Drought, which was likely to occasion a short Crop, and the great Scarcity of all Grain, it was found necessary to prohibit the Exportation of the same; and whereas it has been since represented to me, that there is no Occasion to continue the said Prohibition in Regard to Wheat, Bread, and Flour, and that it will tend greatly to the Benefit and Advantage of this Colony, to have a free Exportation of the same. I have therefore thought fit, by and with the Advice of his Majesty's Council, to issue this Proclamation, hereby taking off the said Prohibition; upon giving Bond and Security before taking any of the said Articles on Board to return a Certificate in four Months of their being landed in some of the British Colonies, or in Madeira from the Consul in six months. And I do hereby require the Officers of his Majesty's Customs, to take Notice, that the same is made void and of no Effect, with Regard to so much thereof, as respects the above Articles.

196. From *The Virginia Gazette* (Hunter) December 12, 1755.

Given under my Hand at the Council-Chamber in Williamsburg this 11th Day of December in the Twenty Ninth Year of His Majesty's Reign, Ann Domini 1755.

Robert Dinwiddie.

God Save the King.

Virginia, ss.¹⁹⁷

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant Governor, and Commander in Chief, of the Colony and Dominion of Virginia:

A Proclamation

For the Proroguing of the General Assembly.

Whereas the General Assembly stands prorogued to the last Thursday in February; And whereas I find no urgent Occasion for the said Assembly's meeting at that Time, I have therefore thought fit, by and with the Advice of His Majesty's Council, by this Proclamation, in His Majesty's Name, to prorogue the said Assembly to the last Thursday in March next: and the said Assembly is accordingly prorogued.

Given under my Hand, and the Seal of the Colony, at the Council Chamber, in Williamsburg, this Twenty First Day of January, 1756, in the Twenty Ninth Year of His Majesty's Reign.

Robert Dinwiddie.

God Save the King.

197. From *The Virginia Gazette* (Hunter) January 23, 1756.

Virginia, ss.¹⁹⁸

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant-Governor, and Commander in Chief, of the said Colony and Dominion,

A Proclamation,

For the meeting of the General Assembly.

Whereas the General Assembly stood prorogued to the second Thursday in October next, and whereas I judge it indispensably necessary for His Majesty's Service, and the Interest and Security of this Dominion, that the said Assembly meet as soon as possible: I have therefore thought fit, by and with the Advice of His Majesty's Council, to require their Attendance at the Capitol, on Monday the Twentieth of this Instant, for the Dispatch of public Business.

Given under my Hand, and the Seal of the Colony, in Williamsburg, this Third Day of September, One Thousand Seven Hundred and Fifty Six, in the Thirtieth Year of His Majesty's Reign.

Robert Dinwiddie,

God Save the King.

By the Honorable Robert Dinwiddie, Esq; His Majesty's Lieutenant-Governor, and Commander in Chief, of the said Colony and Dominion:¹⁹⁹

A Proclamation

To prohibit the Exportation of all Manner of Provisions.

Whereas I have received His Majesty's positive Orders to lay a Prohibition on the Exportation of all Manner of Provisions, as the sending out such at this Time will not only supply the French every where, and enable them to act against us, but may in an essential

198. From *The Virginia Gazette* (Hunter) September 3, 1756.

199. From *The Virginia Gazette* (Hunter) September 3, 1756.

Manner distress His Majesty's Service; and whereas it has been signified to me by His Excellency the Right Honorable the Earl of Loudoun, that he does not know how soon he may want all that the Colonies can furnish. I have therefore thought fit, by and with the Advice of His Majesty's Council, to issue this Proclamation, hereby strictly prohibiting the Exportation of Grain, Pulse, Flour, Bread, Pork, and Beef, and all Kinds of Provision whatsoever, from the Day of the Date hereof, until further Order made thereupon. And I do hereby require the Officers of His Majesty's Customs, not to clear out any Ship or Vessel that has any Flour, Bread, Pork, or Beef on Board, or any other Provisions, but what is necessary for their own Company's Subsistence. And I do appoint this Proclamation to be read and published, at the Court-House and Churches in each respective County within this Colony, and that the Sheriffs take Care the same be done accordingly.

Given under my Hand and the Seal of the Colony at Williamsburg, this Third Day of September, in the Thirtieth Year of His Majesty's Reign, Anno Domini, 1756.

Robert Dinwiddie.

Virginia, sc.²⁰⁰

The honble John Blair, esq; president of his majesty's council,
and commander in chief of the said colony and dominion:

To all to whom these presents shall come, greeting.

Whereas complaint hath been made to me by Wood Jones, gentleman, sheriff of Amelia county, that John Thomas, lately committed to the gaol of the said county, on suspicion of horsestealing, did, on the 6th day of this instant (October) break the gaol of the said county, and hath fled from justice; he is about 6 feet high, a raw-boned fellow, and of a light complexion: these are therefore to will and require all sheriffs, constables, and other his majesty's liege

200. From *The Virginia Gazette* (Royle) November 4, 1763.

people within this colony, to make diligent search and pursuit, by way of hue and cry, after the said John Thomas, and him having found to apprehend, and with all convenient speed safely to convey to the gaol of the said county of Amelia, in order to be dealt with as the law directs. And I do require and command all persons within this colony to be aiding and assisting herein, as they will answer the contrary at their peril.

Given under my hand, and the seal of the colony, at Williamsburg, this 17th day of October, 1763, and in the 3d year of his majesty's reign.

John Blair.

B[y] the Hon[orable John] Blair, esq; president of his majesty's [co]uncil, and commander in chief of the said colony and dominion:²⁰¹

A Proclamation

For proroguing of the General-Assembly

Whereas the General-Assembly stands prorogued to [t]he first Thursday in November next, and whereas I find no urgent occasion for the said assembly's meeting so soon: I have therefore thought fit, by and with the advice of his majesty's council, by this proclamation, in his majesty's name, further to prorogue the said assembly to the third Thursday in March next; and the said assembly is accordingly prorogued to that time.

Given under my hand, at Williamsburg, this 18th day of October, 1763, and in the 3d year of his majesty's reign.

John Blair.

God Save the King.

²⁰¹. From *The Virginia Gazette* (Royle) November 4, 1763.

Virginia sc.²⁰²

By the Hon. Francis Fauquier, Esq; his Majesty's Lieutenant-Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation.

Whereas a Party of Cherokees arrived at Staunton in Augusta, and intended to proceed from thence to Winchester, having obtained a Pass from Colonel Lewis for that Purpose, were on their Way thither attacked by upwards of twenty Men, and their Chief, and four more of the said Indians killed, and two others of them wounded, in Violation of the Treaties subsisting between that Nation and us: That such Villainies may not escape with Impunity, and that the Honour of the Country may be vindicated and maintained, by inflicting the severest Punishment on such atrocious Violators of the Laws, I have thought proper, by and with the Advice of his Majesty's Council, to issue out this Proclamation in his Majesty's Name, hereby promising a Reward of One Hundred Pounds for the apprehending and securing each of any two who shall be proved principal Promoters and Ringleaders in the said Murders, and Fifty Pounds for every one of the others who was aiding and assisting therein; and I do further offer a Pardon to any Person concerned in the same, and not an actual Perpetrator of Murder, who shall make a full Discovery of the principal Actors therein, so that they may be brought to Justice.

Given under my Hand at Williamsburg, this 13th Day of May, 1765, and in the 5th Year of his Majesty's Reign.

Francis Fauquier.

202. From a broadside in the Public Record Office, C.O.5/1331, f.15. Endorsed, "In the Govrs. Letter of 26 May 1765. Read August 20. L 11."

Virginia, sc.²⁰³

By the Honble Francis Fauquier, Esq; his Majesty's Lieutenant Governor, and Commander in Chief of the said Colony and Dominion:

A Proclamation

For proroguing the General Assembly.

Whereas the General Assembly stands prorogued to the first Tuesday in March next, and whereas I find no urgent occasion for the said Assembly's meeting at that time, I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation, in his Majesty's name, to prorogue the said Assembly to the last Thursday in May next; and they are accordingly prorogued to that time.

Given under my hand, and the seal of the colony, at Williamsburg, this 4th day of February, 1766, and in the 6th year of his Majesty's reign

Francis Fauquier.

God Save the King.

203. From *The Virginia Gazette* (Purdie and Dixon) March 7, 1766.

Virginia, Sc.²⁰⁴

By the Honble. Francis Fauquier, Esqr: his Majesty's Lieutenant Governor, & Commander in Chief of the said Colony and Dominion.

A Proclamation.

Whereas it has been represented to the King, that several Persons from Pennsylvania, & the back Settlements of Virginia, have migrated to the Westward of the Allegheny Mountains, & there seated themselves on Lands contiguous to the River Ohio in express Disobedience to his Royal Proclamation of the 7th of October, 1763, and whereas his Majesty's Will & Pleasure has been transmitted to me, that I should use my best Endeavours to suppress such unwarrantable Proceedings, and put a Stop to these and all other the like Encroachments for the future: I have therefore thought fit, by & with the Advice of his Majesty's Council; to issue this Proclamation, in his Majesty's Name hereby strictly enjoining and requiring all Persons who have irregularly seated themselves on Lands to the Westward of the Allegheny Mountains, immediately to evacuate those Settlements, & to pay the strictest Obedience hereafter to his Majesty's Commands signified in the said Royal Proclamation.

Given under my Hand, & the Seal of the Colony, in Williamsburg, this 10th Day of April 1766, & in the 6th Year of his Majesty's Reign.

Francis Fauquier

God Save the King.

Copy; Teste John Blair jr. }
Cl. Conc. }

204. From a photocopy of a manuscript in the Public Record Office, C.O.5/1333, f.86. There is the following endorsement: "Virginia. A Proclamation. In Mr. Nelson's letter no. 1." At the end of the proclamation there appears this comment: "In Obedience to the Command of his Honour the President I have examined the Council Journals, & find that no Grants in any Quantity have been made of the King's Land lying to the Westward of the Alleghany Mountains since October 7th 1763; very few since the 27th of August 1754, & that none of these exceed the Quantity of one thousand Acres—I also find that the Petition of the Loyal Company, for a Renewal of their Grant of 80000 Acres, was rejected May 25, 1763, as forbidden by the Royal Instruction."

Virginia, sc.²⁰⁵

By the Honourable Francis Fauquier, Esquire, His Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion :

A Proclamation

Whereas his Majesty has been graciously pleased to give his assent to an act of Parliament (a copy of which is now in this colony) entitled "An act to repeal an act made in the last session of Parliament, entitled 'An act for granting and applying certain Stamp Duties, and other duties, in the British colonies and plantations in America, towards further defraying the expense of defending, protecting, and securing the same; and for amending such parts of the several acts of Parliament, relating to the trade and revenues of the said colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned'": I have thought proper, by and with the advice of his Majesty's Council, to issue this proclamation, hereby notifying the same; to the end that all magistrates, officers, and others whom it may concern, do proceed on business, and execute the respective duties of their office in the usual course. And for the more solemn signification thereof, I do appoint this proclamation to be read and published at the court-house of the several counties within this dominion.

Given under my hand, and the Seal of the colony, at Williamsburg, this 9th day of June, 1766, and the 6th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

205. From *The Virginia Gazette* (Purdie and Dixon) June 13, 1766. Below the proclamation the *Gazette* added this note: "Patents, Presentations, and Commissions, will be granted as formerly, by applying at the Palace."

Virginia, sc. ²⁰⁶

By the Honble Francis Fauquier, Esq; his Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation,

For proroguing the General Assembly.

Whereas the General Assembly stands prorogued to the last Thursday in July next, and whereas I find no urgent occasion for the said Assembly's meeting at that time, I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation, in his Majesty's name, further to prorogue the said Assembly to the first Thursday in September next; and they are accordingly prorogued to that time.

Given under my hand, and the seal of the colony, at Williamsburg, this 11th day of June, 1766, in the 6th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

Virginia, sc. ²⁰⁷

By the Honble Francis Fauquier, Esq; his Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation.

Whereas I have lately received letters from his Excellency Major General Gage, and Major William Murraye, commanding officer

206. From *The Virginia Gazette* (Purdie and Dixon) June 13, 1766.

207. From a broadside in the Public Record Office, C.O.5/1331, f.148. There is the following endorsement: "Virginia. Printed copy of Lt. Govr. Fauquier's proclamation, dated the 31st of July 1766, requiring all persons, who have made settlements on Indian Lands immediately to evacuate them, In the Lt. Govr.'s Letter of 4 Septr., 1766. L.78." Also found in *The Virginia Gazette* (Purdie and Dixon) August 1, 1766.

at fort Pitt, informing me that several people of Virginia have seated themselves on lands belonging to the Indians, to the westward of the Allegheny mountains, and contiguous to the river Cheek,²⁰⁸ in disobedience to his Majesty's commands (notified by two proclamations of the 7th of October 1763, and the 10th of April 1766) in violation of the friendship subsisting between us and the said Indians, and in contempt of the dreadful consequences which I am warned are to be suddenly apprehended from such unjust and licentious proceedings: I have therefore, to put a stop to these and all other the like encroachments for the future, thought fit, by and with the advice of his Majesty's Council, to issue this proclamation, in his Majesty's name, hereby strictly enjoining and requiring all persons who have made such settlements immediately to evacuate the same, and to pay the strictest obedience hereafter to his Majesty's commands herein signified; which if they shall fail to do they must expect no protection or mercy from Government, and be exposed to the revenge of the exasperated Indians.

Given under my hand, and the seal of the colony, at Williamsburg, this 31st day of July, 1766, and in the 6th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

Virginia, sc.²⁰⁹

By the Honourable Francis Fauquier, Esq; his Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation,

For proroguing of the General Assembly.

Whereas the General Assembly stands prorogued to the first Thursday in September next, and whereas I find no urgent occasion

208. Probably the Cheat River.

209. From *The Virginia Gazette* (Purdie and Dixon) August 15, 1766.

for the said Assembly's meeting at that time, I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation, in his Majesty's name, further to prorogue the said Assembly to the first Thursday in November next; at which time their attendance is required at the Capitol, for despatch of publick business.

Given under my hand, and the seal of the colony, at Williamsburg, this 11th day of August, 1766, and in the 6th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

Virginia, sc.²¹⁰

By the Hon. Francis Fauquier, Esq; His Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation,

For the Meeting of the General Assembly.

Whereas the General Assembly stands prorogued to the 1st Thursday in November next, and his Majesty's service, and the general interest of the colony, render it necessary that the said Assembly meet as soon as possible, I have therefore thought fit, by and with the advice of his Majesty's Council, to issue this Proclamation, in his Majesty's name, requiring their attendance at the Capitol, in Williamsburg, on the day above-mentioned, for the despatch of publick business.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 8th day of October, 1766, and in the 6th Year of his Majesty's Reign.

Francis Fauquier.

God Save the King.

²¹⁰. From *The Virginia Gazette* (Purdie and Dixon) October 10, 1766.

Virginia, sc.²¹¹

By the Hon. Francis Fauquier, Esq; His Majesty's Lieutenant Governour, and Commander in Chief of the said Colony and Dominion:

A Proclamation.

For publishing the repeal of an act of Assembly passed in the year 1765.

Whereas all laws, statutes, and ordinances, made and passed in the General Assembly of this dominion, are, according to the constitution of this government by his Majesty's letters patent under the great seal of Great Britain, to be transmitted to his Majesty, for his Royal approbation or disallowance, and such of the said laws, statutes, and ordinances, as shall be thereupon disallowed and disapproved, and so signified by his Majesty under his sign manual or signet, or by order in his Privy Council, are from thenceforth to cease, determine, and become utterly void; and whereas his Majesty, in Council, hath been pleased to signify his disapprobation and disallowance of an act of Assembly passed in the said year, entitled "An act to prevent frauds in the drawback of the duties on liquors imported into this colony": I do therefore, in pursuance thereof, by and with the advice of his Majesty's Council, by this proclamation, publish and declare that the said act is disallowed; made void, and of none effect; and for the more solemn signification thereof, I do appoint this proclamation to be read and published at the courthouse of the several counties within this dominion, and the sheriffs are to take care the same be done accordingly.

Given under my hand, at Williamsburg, this 18th day of October, 1766, in the 6th year of the reign of our Sovereign Lord George III.

Francis Fauquier.

God Save the King.

211. From *The Virginia Gazette* (Purdie and Dixon) October 24, 1766.

Virginia sc.²¹²

By the Honorable Francis Fauquier, Esq; his Majesty's Lieutenant-Governor, and Commander in chief of the said colony and dominion:

A Proclamation

Whereas I have received certain information that one Joshua Smith of Brunswick, was, at a court held for the said county in October last, after due examination had, on a suspicion of murder committed by him on the body of Bowman, a negro man slave belonging to Daniel Fisher, remanded to gaol, the court being of opinion that he ought to be tried for the said offence at the next court of Oyer and Terminer in Williamsburg; and that he has since made his escape: In order that the said Smith may be dealt with according to law, I have thought proper, by and with the advice of his Majesty's council, to issue this proclamation in his Majesty's name, hereby promising a reward of Twenty Pounds for the apprehending and securing him, so that he may be brought to justice.

Given under my hand at Williamsburg, this 9th day of December, 1767, and in the 8th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

Virginia, ss.²¹³

By the Hon. Francis Fauquier, Esq; his Majesty's Lieutenant-Governor, and Commander in Chief of the said colony and dominion,

A Proclamation

For the Meeting of the General Assembly.

Whereas the General Assembly stood prorogued to the first Thursday in May next; and it is judged necessary for his Majesty's

²¹². From *The Virginia Gazette* (Rind) December 24, 1767.

²¹³. From *The Virginia Gazette* (Rind) February 4, 1768.

service, and the honor and interest of this colony, that the said Assembly should meet sooner; I have therefore thought fit, by and with the advice of his Majesty's Council, by this Proclamation in his Majesty's name, to order, that the said Assembly meet on the last day of March next, at the Capitol in Williamsburg, for the dispatch of important business I shall then recommend to them.

Given under my Hand, and the seal of the colony, at Williamsburg, this 22d day of January 1768, and in the 8th year of his Majesty's reign.

Francis Fauquier.

God Save the King.

Virginia, sc.²¹⁴.

By the Hon. John Blair, Esq: President of his Majesty's Council,
and Commander in Chief of this dominion:

A Proclamation

Whereas by the death of the Hon Francis Fauquier, Esq; his Majesty's late Lieutenant-Governor, the administration of the government is devolved upon me: — Now, to the end that the peace of this his Majesty's dominion may be the better secured, and all proceedings at law continued, and that the ordinary course of justice may not be interrupted, I have thought fit, by and with the advice of his Majesty's Council in this colony, in his Majesty's name, to publish and declare, that all Magistrates and Officers, both civil and military, do continue and remain in all and singular their powers, authorities, and jurisdictions, until further order be taken therein; hereby requiring them to proceed in the execution of their several duties, and all his Majesty's subjects within this colony are to be aiding and assisting to them therein, and to yield all due obedience to this proclamation.

²¹⁴. From *The Virginia Gazette* (Rind) dated March 3, 1768, no. 95.

Given at the Council-Chamber in Williamsburg, this 4th day of March, 1768, in the 8th year of his Majesty's reign.

John Blair, P.

God Save the King.

Virginia, sc.²¹⁵

By the Honourable John Blair, Esq; President of his Majesty's Council, and Commander in Chief of the said colony and dominion:

A Proclamation

For the meeting of the General Assembly.

Whereas the late Lieutenant-Governor and Commander in Chief of this dominion, thought fit, by and with the advice of his Majesty's Council, to order by this proclamation, bearing date the 22d day of January last, that the General Assembly should meet on the last day of this instant March, at the capitol in Williamsburg; and whereas the cause for their meeting then still subsists; I have therefore thought fit, by and with the advice of his Majesty's Council, to issue this proclamation in his Majesty's name, requiring the meeting of the General Assembly on the said last day of March, at the capitol, for the dispatch of the important business I shall recommend to them.

Given under my hand, and the seal of the colony, at Williamsburg, this 4th day of March, 1768, and in the 8th year of his Majesty's reign.

John Blair.

God Save the King.

215. From *The Virginia Gazette* (Rind) dated March 3, 1768, no. 95.

Virginia, sc.²¹⁶

By the Hon. John Blair, Esq; President of his Majesty's Council,
and Commander in Chief of the said Colony and Dominion:

A Proclamation

For proroguing the General Assembly

Whereas the General Assembly stands prorogued to the 3d Thursday of July next, and whereas I find no extraordinary occasion for the said Assembly's meeting at that time; I have therefore thought fit, by and with the advice of his Majesty's Council, by this Proclamation, in his Majesty's name, further to prorogue the said Assembly to the last Thursday in October next; and they are accordingly prorogued to that time.

Given under my hand, and the seal of the colony, at Williamsburg, this 15th day of June, 1768, and in the 8th year of his Majesty's reign.

John Blair.

God Save the King.

Virginia, sc.²¹⁷

By the Hon. John Blair, Esq; President of his Majesty's Council,
and Commander in Chief of the said colony and dominion.

A Proclamation

for publishing the ratification of [one Act] of Assembly,
and the repeal of three, passed in 1764, and 1766.

Whereas his Majesty in Council hath been pleased to signify his approbation and allowance of one act, viz. "An act to empower the corporation of the city of Williamsburg to assess taxes on the inhabitants thereof for the purposes therein mentioned, and for repealing a certain act of Assembly therein also mentioned."

216. From *The Virginia Gazette* (Rind) June 16, 1768.

217. From *The Virginia Gazette* (Rind) June 30, 1768.

And hath been pleased also to signify his disallowance of three acts, viz.

An act to vest certain lands therein mentioned in John Syme, Esq; and others in fee simple, and for settling other lands and slaves in lieu thereof.

An act to empower the executors of Charles Carter, late of King George, to sell part of his lands and slaves for payment of his debts and legacies.

An act for giving a salary to the Speaker of the House of Burgesses.

But as the only objection to this act lay against the mode prescribed for payment of the salary, his Majesty has been pleased to signify his royal permission and allowance for providing for the same service in the constitutional way.

I do therefore, in pursuance thereof, by this proclamation, publish and declare, that the said first act is confirmed, finally enacted, and ratified: And that the said three last acts are repealed, made void, and of none effect; and for the more solemn signification thereof, I do appoint this proclamation to be read and published at the court-house of the several counties within this dominion; and the sheriffs are to take care the same be done accordingly.

Given under my hand, and the seal of the colony, at Williamsburg, this 15th day of June, 1768, and in the 8th year of the reign of our Sovereign Lord George III.

John Blair

Virginia, sc.²¹⁸

By the Honourable John Blair, Esq; President of his Majesty's Council, and Commander in Chief of the said Colony and Dominion:

A Proclamation.

Whereas I have received a letter from the Earl of Hillsborough, Secretary of State for the American department, dated the 30th of April last, informing me that William Odgers, late a Custom-House officer at the port of Penzance, in the county of Cornwall, was bar-

²¹⁸. From *The Virginia Gazette* (Rind) September 22, 1768.

barously murdered by Melchisedeck Kinsman, who sailed about three weeks before the date of the said letter from Falmouth, in one of the New-York packets; and signifying to me his Majesty's pleasure that I should take all legal methods for the apprehending the said Kinsman: I have thought proper, by and with the advice of his Majesty's Council, to issue this proclamation, in his Majesty's name, hereby promising a reward of One Hundred Pounds, for the apprehending and securing the said Kinsman, if found within this Government, so that he may be brought to justice.

The said Kinsman is a well set man, about 5 feet 8 inches high, and about 30 years of age, florid complexion, his hair light brown, but wears a wig.

Given under my hand, at Williamsburg, this 7th day of September, 1768, and in the 8th year of his Majesty's reign.

John Blair.

God Save the King.

Virginia, sc.²¹⁹

By the Honourable John Blair, Esq; President of his Majesty's Council, and Commander in Chief of the said Colony and Dominion:

A Proclamation.

Whereas information has been made to me that the house of Dr. Archibald Campbell, together with the kitchen, &c. on Tanner's Creek, in the county of Norfolk, was, on the evening of the 29th of August, between the hours of 9 and 12 o'clock, burnt down to the ground, and other damage done the said Archibald Campbell, by some person or persons as yet undiscovered: I have thought proper, by and with the advice of his Majesty's Council, to issue this proclamation, in his Majesty's name, hereby promising a reward of Forty

²¹⁹. From *The Virginia Gazette* (Rind) September 22, 1768. After the proclamation *The Gazette* added this note: "And as a farther encouragement, the subscriber promises a reward of one hundred pounds, to be paid on the conviction of the incendiary, or incendiaries. Archibald Campbell"

Pounds for the apprehending and securing the person or persons concerned in the said atrocious crime; and I do further offer a pardon to any person concerned in the same, who did not actually set fire to the said house, who shall make a full discovery of the principal actors therein, so that they may be brought to justice.

Given under my hand, at Williamsburg, this 7th day of September, 1768, and in the 8th year of his Majesty's reign.

John Blair.

God Save the King.

Virginia Sc.²²⁰

By his Excellency the Right Honourable Norborne Baron de Botetourt his Majesty's Lieutenant and Governor General of the said Colony and Dominion and Vice Admiral of the same.

A Proclamation

Continuing Officers

Whereas his most sacred Majesty hath by his Royal Commission bearing date at Westminster the 12th day of August in the eighth year of his Reign Constituted and Appointed me his Lieutenant and Governor General of this his Colony and Dominion thereby giving and granting unto me full power to exercise all and all manner of Jurisdictions powers and authorities to the same belonging: Now to the end that the peace of this his Majesty's Dominion may be the better secured and all proceedings at law continued and that the ordinary course of justice may not be interrupted, I have thought fit

²²⁰. From a photocopy of a manuscript in the Public Record Office, C.O.5/1332, ff.78-79. There is the following endorsement: "Proclamation. Continuing Officers. In Lord Botetourt's no. 3 of 5 Nov. 1768. Read Dec:6.1769. A.a.27." Also found in a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

by and with the advice of his Majesty's Council of this Colony in his Majesty's name to publish and declare that all Magistrates and Officers both Civil and Military do continue and remain in all singular their powers authorities and Jurisdictions until further order be taken therein; hereby requiring them to proceed in the execution of their several duties; and all his Majesty's Subjects within this Colony are to be aiding and assisting to them therein and to yield all due obedience to this Proclamation.

Given under my hand and the Seal of the Colony at Williamsburg this 26th day of October 1768 in the Ninth year of his Majesty's Reign.

God Save the King.

Virginia, sc.²²¹

By his Excellency the Right Honourable Norborne Baron de Botetourt his Majesty's Lieutenant and Governor General of the said Colony and Dominion and Vice Admiral of the same.

A Proclamation
Continuing Officers

Whereas his most sacred Majesty hath by his Royal Commission bearing date at Westminster the 12th day of August in the eighth year of his Reign Constituted and Appointed his Lieutenant and Governor General of this his Colony and Dominion thereby giving and granting unto me full power to exercise all and all manner of Jurisdictions, powers, and authorities to the same belonging: Now to the end that the peace of this his Majesty's Dominion may be the better secured and all proceedings at law continued and that the ordinary course of Justice may not be interrupted, I have thought fit by and with the advice of his Majesty's Council of this Colony

²²¹ From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

in his Majesty's name to publish and declare that all Majistrates and Officers both Civil and Military do continue and remain in all singular their powers authorities and Jurisdictions until further order be taken therein; hereby requiring them to proceed in the execution of their several duties; and all his Majesty's Subjects within this Colony are to be aiding and assisting to them therein and to yield all due obedience to this Proclamation.

Given under my hand and the Seal of the Colony at Williamsburg this 26th day of October 1768 in the Ninth year of his Majesty's Reign.

Botetourt.

God Save the King.

Virginia Sc.²²²

By his Excellency

A Proclamation

Dissolving the General Assembly.

Whereas the General Assembly stands prorogued to the last Thursday in January next; and whereas I have thought fit for divers considerations regarding his Majesty's Service to dissolve the said Assembly; I have therefore by and with the advice and consent of his Majesty's Council issued this Proclamation declaring the said Assembly to be dissolved, of which all his Majesty's Subjects within this Colony are required to take notice. And whereas I am desirous upon all occasions to have the advice of a General Assembly for his Majesty's Service and the good and prosperity of his Majesty's Subjects; I do hereby further publish and declare, that I intend shortly to issue Writs for the election of Burgesses to serve in the

222. From a photocopy of a manuscript in the Public Record Office, C.O.5/1332, ff.82-83. There is the following endorsement: "Proclamation Dissolving the General Assembly. In Lord Botetourt's (No. 3) of 5 Novr. 1768. Read Decr: 6.1769. A.a. 29." Also found in a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

new Assembly, at such time as by the advice of his Majesty's Council shall be judged most fit and convenient

Given under my hand and the Seal of the Colony in Williamsburg this 27th day of October 1768 in the Ninth year of his Majesty's reign.

God Save the King.

Virginia Sc.²²³

By his Excellency

A Proclamation

For publishing the Ratification of one Act of Assembly and the Repeal of Five passed in April 1767.

Whereas his Majesty was pleased in Council the 12th day of August 1768 to signify his approbation and allowance of One Act passed in the year above mentioned viz.

An Act to confirm the Titles to Lands claimed by descent or purchase from Aliens. And was pleased also to signify his disallowance of Five Acts passed in the same year intituled as follows, viz.

An Act for the punishment of Persons who shall aid or assist Prisoners for Debt to escape or attempt to escape out of Prison.

An Act for establishing Fairs in the Town of Mecklenburg in the County of Frederick.

An Act to compel Ships importing Convicts or Servants infected with the Goal Fever or Small Pox to perform Quarantine.

An Act to repeal an Act passed in the 30th year of the Reign of his late Majesty Georg the 2d intituled An Act to empower the Justices of the County of Norfolk to agree with Persons to keep certain Ferries and to levy the Expence thereof upon the Inhabitants of the said County and for other purposes therein mentioned.

223. From a photocopy of a manuscript in the Public Record Office, C.O.5/1332, ff.80-81. There is the following endorsement: "Proclamation for pubg the Ratification of 1 act and the Repeal of 5 others. In Lord Botetourt's (No. 3) of 5 Novr. 1768. Read Decr: 6. 1769. A. a.28."

An Act for laying an additional Duty upon Slaves imported into this Colony.

I do therefore in pursuance thereof by this Proclamation publish and declare that the said Act is confirmed, finally enacted and ratified: And that the said Five Acts are repealed made void and of none effect; and for the more solemn signification thereof, I do appoint this Proclamation to be read and publish'd at the Court-house of the several Counties within this Dominion; and the Sheriffs are to take care the same be done accordingly

Given under my hand and the Seal of the Colony at Williamsburg this 1st day of Novr. 1768 and in the ninth year of the reign of our Sovereign Lord George the third.

God Save the King.

Virginia, sc.²²⁴

By his Excellency the Right Honourable Norborne Baron de Botetourt, His Majesty's Lieutenant and Governor General of the said colony and dominion, and Vice Admiral of the same.

A Proclamation

For proroguing of the General Assembly.

Whereas the General Assembly was summoned to meet on Thursday the 15th of December next; and as I find no urgent occasion for the said Assembly's meeting at that time, I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation, in his Majesty's name, to prorogue the said Assembly to the 2d Monday in May next; at which time their attendance is required at the Capitol for dispatch of public business.

Given under my hand, and the seal of the colony, at Williamsburg, this 24th day of November, 1768, and in the 9th year of the reign of our Sovereign Lord George the third.

Botetourt.

²²⁴. From *The Virginia Gazette* (Rind) November 24, 1768.

Virginia Sc.²²⁵

By his Excellency the right Honourable &c.

A Proclamation.

Whereas some evil disposed person or persons on the 23d day of Novr. last, wilfully maliciously and wickedly set on fire the Kitchen of James Buchanan merchant of the Town of Falmouth in the County of King George and on the 31 of January last about one of the clock in the morning did set fire to and burn down the dwelling house of the said James Buchanan in the said Town with divers goods to a considerable value. To the end that such atrocious offenders may be brought to Justice, I have therefore thought fit to issue this Proclamation in his Majesty's Name hereby strictly charging & commanding all Sherrifs Constables Officers & other his Majesty's liege Subjects to make diligent search after the said Offenders and them or either of them having found to apprehend and convey before any one of his Majesty's Justices of the peace to be dealt with according to Law. And for the more effectual discovery of the said offenders I do hereby promise his Majesty's pardon to any person concerned (except him or her who actually set fire to the said houses) that shall make discovery of his or her accomplices or any of them.

Given at Wmsbg under my hand & the Seal of the Colony this 13. day of Feby. 1769 and in the Ninth year of the reign of our sovereign Lord King George the third.

²²⁵. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia, sc.²²⁶

By His Excellency The Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same,

A Proclamation

Whereas I have received information, on oath, that one William Gahagan of Westmoreland, was at a court held for the said county in June last, after due examination had on suspicion of his being guilty of feloniously entering the store-house of John Ballantine, jun. and stealing thereout sundry goods of the value of three pounds, the property of the said Ballantine, remanded to gaol, the court being of opinion that he ought to be tried in the General Court for the said offence. And whereas on the third day of this instant, being on his way to the public gaol, in the custody of one Daniel Neale, he the said Gahagan did, in a most violent manner, make his escape from the said Neale. In order therefore that the said Gahagan may be dealt with according to law, I have thought proper to issue this proclamation in his Majesty's name, hereby promising a reward of Twenty Pounds for the apprehending and securing him so that he may be brought to justice.

Given under my hand, at Williamsburg, this fifth day of July, 1769, and in the ninth year of his Majesty's reign.

Botetourt.

²²⁶. From *The Virginia Gazette* (Rind) July 6, 1769.

Virginia, sc.²²⁷

By his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the said colony and dominion, and Vice Admiral of the same.

A Proclamation

For proroguing of the General Assembly.

Whereas the General Assembly was summoned to meet on Thursday the 28th of this month, and as I find no urgent occasion for the said Assembly's meeting at that time, I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation in his Majesty's name, to prorogue the said Assembly to the 7th day of November next: At which time their attendance is required at the Capitol, for dispatch of public business.

Given under my hand, and the seal of the colony, at Williamsburg, this 7th day of September, 1769, and in the ninth year of the reign of our Sovereign Lord George the Third.

Botetourt.

Virginia Sc.²²⁸

By his Excellency the Right Honourable &c.

A Proclamation

Whereas I have recd information upon Oath that several Indians of the six Nations have been murdered within the limits of this Government in open violation of the Laws of this Colony and contrary to the treaties known to subsist between his Majesty and those people: That the perpetrators of these atrocious offences may be

227. From *The Virginia Gazette* (Rind) September 7, 1769.

228. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. Also found as a broadside in the Public Record Office, C.O.5/1348, f.16, with the endorsement, "In Lord Botetourt's (No.19) of 22d Oct. 1769."

punished according to their demerit, I have thought proper by and with the advice of his Majesty's Council to issue this proclamation in his Majesty's Name, hereby offering a reward of One hundred pounds for the apprehending and bringing to Justice each of the following persons to wit Henry Judey and John Ryan otherwise called Crow Ryan charged with being principally concerned in the said outrages and Fifty pounds for every one who shall be convicted of having been aiding or assisting therein. And I do hereby strictly require and command all Sheriffs Under Sheriffs Constables all Officers civil & Military and all his Majesty's other liege people to be aiding and assisting in apprehending and bringing to Justice the said offenders.

Given under my hand &c. this 19. day of Oct. 1769. and in the ninth year of his Majesty's reign.

Virginia Sc.²²⁹

By his Excellency the Right Hon. &c.

A Proclamation.

Whereas by an Inquisition taken on the first day of Jany. 1769 before Newton Keene Gent. one of the Coroners of the County of Northumberland upon view of the Body of Willm. Wilkins late of the said County deceased it appears that the death of the said Wilkins was occasioned by the severe correction and cruel treatment recd from one Rawleigh Bryant late of the said County and that the said Bryant since the death of the said Wilkins is fled so that the process of law cannot be served upon him. In order therefore that the said fact may be strictly and legally inquired into I have thought proper by and with the advice of his Majesty's Council to issue this proclamation in his Majesty's name hereby requiring all Officers civil and military and all his Majesty's liege people to be

229. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

aiding and assisting in apprehending the said Bryant so that he may be proceeded against according to law.

Given under my hand &c. at Wmsbg this 31. day of Oct. in the 10. year of his Majesty's Reign and in the year of our Lord 1769.

By his Excellency the Right Hon. &c.²³⁰

A Proclamation

Whereas I have been informed on Oath by John Lyne, Gaoler of the County of Frederick that one John Lafevre a prisoner in his Custody committed by the examining Court of the said County upon a suspicion of having robbed Joseph Mitchell on the high way made his escape out of his Gaol by cutting or breaking his irons and climbing over the walls and that he has great reason to believe the said John Lafevre is harboured & concealed by divers persons in the said County to prevent his being brought to Justice: To the end therefore that the said Lafevre may be brought to trial, for the crime committed by him I have thought proper by and with the advice and consent of his Majesty's council to issue this proclamation hereby in his Majesty's name commanding & requiring all his Majesty's Officers both civil & military and all other his Majesty's subjects within this dominion to make diligent search after the said John Lafevre & him having found to apprehend & secure & safely to convey or cause to be conveyed by the Sheriff of the county where he shall be apprehended unto the public Gaol in Wmsbg & forbidding all persons to harbour or conceal the said Lafevre as they shall answer it at their peril. And I do hereby promise a reward of Twenty five pounds current money to any person or persons who shall apprehend the said John Lafevre to be paid on his commitment to the publick Gaol; And I do appoint this proclamation to be read by the Sheriffs in their respective counties.

²³⁰. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Given at the Council Chamber in Wmsbg the 14 day of June in the 10 year of his Majesty's reign.

B

God Save the King

Virginia Sc.²³¹

By his Excellency &c.

A Proclamation

Whereas I have recd information on Oath that one Joseph Dixon of King George County was at a Court held for the said County on the 23d Inst. after due examination had on suspicion of his being guilty of feloniously entering the dwelling house of John Harwood & stealing thereout sundry goods the property of the said Harwood remanded to Gaol the court being of opinion that he ought to be tried in the General court for the said Offence & that he made his escape from Sm. Boon, Sub-Sheriff of the said county of King George being on his way to the public Gaol. He is about 5 feet 3 or 4 inches high is marked with the small pox of a dark complexion & has lost a finger from each hand: had on a Virga. cloth waist-coat a white linen shirt & a pair of oznabrig Trowsers. In order therefore that the said Dixon may be retaken & dealt with according to Law I do hereby require all Sheriffs Constables & other Officers & all his Majesty's liege Subjects to be aiding & assisting in apprehending the said Dixon & when taken to cause him to be transmitted to the public Gaol.

Given under my hand this 28 Day of July in the Tenth year of his Majesty's reign 1770.

231. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia Sc.²³²

By his Excellency the Right hon. &c.

A Proclamation

For proroguing the General Assembly.

Whereas the General Assembly stands prorogued to the 25th day of next month, and whereas I find no urgent occasion for the said Assembly's meeting at that time; I have therefore thought fit by and with the advice of his Majesty's Council, by this Proclamation, in his Majesty's name, farther to prorogue the said Assembly to the 4th thursday in Novemr. next (If it was intended the Assembly should meet at the above mentioned time it would have been proper to add,—— at which time I require their attendance at the Capitol in Williamsburg for the dispatch of public business)

Given under my hand and the Seal of the Colony at Williamsbg this 27th day of Sepr. 1770 and in the 10th year of his Majesty's Reign.

Botetourt

God Save the King

232. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. There is the following notation at the end of the proclamation: "N. B. The above Proclamation, was ordered by his Excellency without calling a Council, for which reason it does not appear in the Council Journals, that it was directed—Yet his Lordship had the advice of some of the members of the Council singly."

Also found in *The Virginia Gazette* (Rind) September 27, 1770, but dated September 26 and without the sentence in parentheses.

Virginia, Sc.²³³

By the Honourable William Nelson Esquire, President of his Majesty's Council, and Commander in Chief of the Colony and Dominion of Virginia,

A Proclamation.

Whereas by the Death of his Excellency the Right Honourable Norborne, Baron de Botetourt, his Majesty's late Lieutenant and Governor General, and by the Resignation of the Honourable John Blair Esquire, the Administration of the Government is devolved upon me: Now, to the End that the Peace of this his Majesty's said Dominion may be the better secured, and all Proceedings at Law continued, and that the ordinary Course of Justice may not be interrupted, I have thought fit, by and with the Advice of his Majesty's Council of this Colony, in his Majesty's Name, to publish and declare, that all Magistrates and Officers, both civil and military, do continue and remain in all and singular their Powers Authorities and Jurisdictions, until farther Order be taken therein; hereby requiring them to proceed in the Execution of their several Duties. And all his Majesty's Subjects within this Colony are to be aiding and assisting to them therein, and to yield all due Obedience to this Proclamation.

Given at the Council-Chamber at Williamsburg, this 15th Day of October 1770, and in the tenth Year of his Majesty's Reign.

²³³. From a photocopy of a manuscript in the Public Record Office, C.O.5/1333, f.76. Endorsed, "Virginia. A Proclamation. In Mr. Nelson's Letter No. 1." Also found in a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia, Sc.²³⁴

By the Honble. William Nelson Esquire, President of his Majesty's Council, and Commander in Chief of this Dominion.

A Proclamation.

Whereas I have received Information on Oath, that one Thomas Samson who was committed to the Gaol of Gloucester County, on Suspicion of his having murdered John Chavery, Mariner, on Board the Schooner Polly, John Corrie Master, did on the 30th Day of last September break the said Gaol, and make his Escape (He is a middle sized Man, about 30 years of Age, wears his own long black Hair, is pitted with the Small Pox, and has usually followed the Sea) To the End, therefore, that the said Thomas Samson may be brought to Trial for the Crime he is charged with, I have thought fit by and with the Advice and Consent of his Majesty's Council, to issue this Proclamation, hereby in his Majesty's Name commanding and requiring all his Majesty's Officers, both civil and military, and all other his Majesty's Subjects within this Dominion, to make diligent Search after the said Thomas Samson, and him having found to apprehend and secure, so that he may be dealt with according to Law; strictly forbidding all Persons to harbour or conceal the said Samson, as they shall answer it at their Peril. And I do hereby promise a Reward of Twenty Five Pounds current Money to any Person or Persons, who shall apprehend the said Thomas Samson, to be paid on his Conviction. And I do appoint this Proclamation to be read by the Sheriffs in their respective Counties.

Given at the Council Chamber in Williamsburg, the 15th Day of October, in the tenth Year of his Majesty's Reign.

William Nelson.

God Save the King.

²³⁴. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia, to wit,²³⁵

By the Honble. Wm. Nelson Esqr. President &c.

A Proc.

Whereas the Genl. Assembly stands prorogued to the 4th Thursday in this month, and I find no urgent Occasion for the said Assembly's meeting at that time; I have therefore thought fit, by & with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name further to prorogue the said Assembly to the 3d Thursday in May next.

Given under my Hand and the Seal of the Colony at Williamsburg, this sixth Day of November 1770, and in the eleventh Year of his Majesty's Reign

Wm. Nelson

God Save the King.

Virginia, Sc.²³⁶

By the Honble. Wm. Nelson Esqr. President of his Majesty's Council, & Commander in Chief of this Dominion.

A Proclamation.

Whereas on the 15th Day of October last I published a Proclamation by the Advice of the Council, offering a Reward of £25 current Money to any Person who should apprehend Thomas Samson, a middle-sized Man, about 30 Years of Age, who wears his own long black Hair, is pitted with the Small Pox, & has usually followed the Sea, in Order that he might be brought to a Trial, upon a Charge of his having murdered John Chavery Mariner on Board the Schooner Polly, John Corrie Master; And whereas I have since received probable Information, that the said Thomas Samson has

²³⁵. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

²³⁶. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

found Means of making his Escape out of this Colony, & may be lurking in some one of the neighbouring Governments; as a further Encouragement, therefore, to the bringing to Justice the said Thomas Samson, I have thought fit, by & with the Advice & Consent of his Majesty's Council, to issue this Proclamation, hereby offering a Reward of Fifty Pounds of like Money, instead of the former Reward, to any Person or Persons who shall apprehend him the said Samson, to be paid on his being delivered up to the Keeper of the Public Gaol. And all his Majesty's Officers, both civil & military, & all other his Majesty's Subjects within this Dominion are, as before, hereby required in his Majesty's Name, to be aiding & assisting therein, as they shall answer the contrary at their Peril. And I do appoint this Proclamation to be read by the several Sherifs in their respective Counties.

Given at the Council Chamber in Williamsburg the 12th Day of December in the eleventh Year of his Majesty's Reign.

Wm. Nelson.

God Save the King.

Virginia, sc.²³⁷

By the Honble. Wm. Nelson Esqr. President &c.

A Proclamation.

Whereas some evil disposed Person or Persons did on the 4th of last Month, at about 10 o'Clock at Night, wilfully maliciously & wickedly set on Fire the Prison in Cumberland County, whereby the same was consumed: To the End that such atrocious Offenders may be brought to Justice, I have therefore thought fit by & with the Advice of His Majesty's Council, to issue this Proclamation, in his Majesty's Name, hereby offering a Reward of fifty Pounds for the apprehending and bringing to Justice the Person or Persons

²³⁷. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

concerned in the Perpetration of the said Crime, to be paid on Conviction. And for the more effectual Discovery of the said Offenders, I do hereby promise his Majesty's Pardon to any Person concerned (except him or her who actually set Fire to the said Prison) that shall make Discovery of his or her Accomplices.

Given under my Hand, and the Seal of the Colony, this third Day of April, 1771, & in the eleventh Year of his Majesty's Reign.

William Nelson.

God Save the King.

Virginia sc.²³⁸

By the Honble. Wm. Nelson Esqr. President &c.

A Proclamation,

For publishing the Ratification of three Acts of Assembly, and the Repeal of two, passed in 1769.

Whereas his Majesty in Council hath been pleased to signify his Approbation & Allowance of three Acts of Assembly, viz.

An Act, to amend an Act, intituled, an Act declaring the Law concerning Executions, & for Relief of Insolvent Debtors.

An Act, to regulate the Practice of suing out & prosecuting Writs of Replevin, in Cases of Distress for Rents.

An Act, for exempting free Negroes, Mulatto, & Indian Women, from the Payment of Levies.

And hath been pleased also to signify his Disallowance of two other Acts, viz—

An Act, for laying an additional Duty upon Slaves imported into this Colony.

An Act, for the Ease & Relief of the People, by paying the Burgesses in Money for the last Convention, & present Session of Assembly.

²³⁸. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

I do therefore, in Pursuance thereof, by this Proclamation publish & declare, that the three Acts first above mentioned, are confirmed, finally enacted, & ratified; and that the said two last Acts are repealed, made void, & of none Effect: And for the more solemn Signification thereof, I do appoint this Proclamation to be read & published at the Court House of the several Counties within this Dominion; and the Sheriffs are to take Care the same be done accordingly.

Given under my Hand, & the Seal of the Colony, at Williamsburg, this third Day of April 1771, and in the eleventh Year of his Majesty's Reign.

William Nelson

God Save the King.

By the Honble. Wm. Nelson Esqr. President &c.²³⁹

A Proclamation.

Whereas I have received Intelligence from his Excellency Wm. Tryon Esqr. his Majesty's Lieutenant & Governor General of the Province of North-Carolina, that Wm. Butler, John Gappen, Saml. Deviney, James Hunter, Matthew Hamilton, James Few, Ridnap Howel, & Peter Craven, against whom Bills of Indictment for Felony have been found in the Court of Newbern, in the County of Craven, have fled from the Justice of that Province, and it is apprehended that they may attempt to take Refuge in the Southern Counties of this Colony; I have therefore, at the Request of his Excellency, and by and with the Advice & Consent of his Majesty's Council, thought fit to issue this Proclamation, in his Majesty's Name, to charge, require, & command all Sheriffs, Justices of the Peace, & other Officers, civil & military, within this Dominion, to be diligent & active in their Endeavours to apprehend & bring to Justice any of the said Offenders, that may be found in their respective Counties;

²³⁹. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

& having apprehended any of them, to give Notice thereof to the Sheriff, or other Officers of the Peace, of the County next adjoining, in the said Province of North-Carolina, that they may by them be dealt with agreeably to the Laws of the said Province.

And I do hereby strictly forbid all, or any of his Majesty's Subjects within this Dominion, to abett, harbour, or entertain any of the above named Offenders, as they shall answer the contrary at their Peril.

Given at the Council Chamber, in Williamsburg, this 25th Day of April, 1771, and in the eleventh Year of his Majesty's Reign.

William Nelson.

God Save the King.

Virginia, to wit,²⁴⁰

By the Honble. Wm. Nelson Esqr. President &c.

A Proclamation.

Whereas the General Assembly stands prorogued to the third Thursday in this Month, and I find no urgent Occasion for the said Assembly's meeting at that Time; I have, therefore, thought fit, by & with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name, further to prorogue the said Assembly, to the third Thursday in October next.

Given under my Hand and the Seal of the Colony, at Williamsburg, this first Day of May 1771, & in the eleventh Year of his Majesty's Reign.

William Nelson.

God Save the King.

²⁴⁰. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia, to wit,²⁴¹

By the Honble. Wm. Nelson Esqr. President of the Council & Commander in Chief of the Colony and Dominion of Virginia:

A Proclamation.

Whereas the General Assembly stands prorogued to the third Thursday in October next, and whereas it is judged expedient that the said Assembly should meet sooner; I have therefore thought fit, by & with the Advice & Consent of his Majesty's Council, *by this Proclamation in his Majesty's Name* to appoint Thursday the eleventh Day of the next Month for that Purpose; at which Time their Attendance is accordingly required at the Capitol in *the City of Williamsburg*.

Given under my Hand, and the Seal of the Colony, *at Williamsburg aforesaid* this 13th Day of June, in the 11th Year of his Majesty's Reign, and in the Year of our Lord 1771.

William Nelson.

God Save the King.

Virginia sc.²⁴²

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice-Admiral of the same,

A Proclamation

continuing Officers

Whereas his most sacred Majesty hath, by his Royal Commission, bearing Date at Westminster the 19th Day of January, in the eleventh Year of his Reign, constituted and appointed me his

²⁴¹. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. The words in italics were struck through in the manuscript.

²⁴². From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. Also found in *The Virginia Gazette* (Rind) September 26, 1771.

Lieutenant and Governor General of this his Colony and Dominion, thereby giving and granting unto me full Power to exercise all and all Manner of Jurisdictions, Powers and Authorities, to the same belonging: Now, to the End that the Peace of this his Majesty's Dominion may be the better secured, and all Proceedings at Law continued, and that the ordinary Course of Justice may not be interrupted, I have thought fit, by and with the Advice of his Majesty's Council of this Colony, in his Majesty's Name, to publish and declare, that all Magistrates and Officers, both civil and military, do continue and remain in all and singular their Powers, Authorities, and Jurisdictions, until further Order be taken therein; hereby requiring them to proceed in the Execution of their several Duties; and all his Majesty's Subjects, within this Colony, are to be aiding and assisting to them therein, and to yield all due Obedience to this Proclamation.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 25th Day of Sepr. 1771, and in the 11th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia sc.²⁴³

By his Excellency John Earl of Dunmore &c.

A Proclamation

for publishing the Repeal of an Act of Assembly

Whereas his Majesty in Council hath been pleased to signify his Disallowance of an Act of Assembly, passed in June 1770, intituled, "An Act for appointing Commissioners to meet with Commissioners who are or may be appointed by the Legislatures of the neighbouring Colonies, to form and agree upon a general Plan for the Regulation of the Indian Trade"; I do therefore in Pursuance thereof, by this

²⁴³. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. Also found in *The Virginia Gazette* (Rind) September 26, 1771.

Proclamation publish and declare, that the said Act of Assembly is repealed, made void, and of none Effect: And for the more solemn Signification thereof, I do appoint this Proclamation to be read and published at the Court-Houses of the several Counties within this Dominion; and the Sherifs are to take Care the same be done accordingly.

Given under my Hand, and the Seal of the Colony, at Wmsburg, this 25th Day of September 1771, and in the 11th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁴⁴

By his Excellency the Right Honourable, John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same:

A Proclamation

For dissolving the General Assembly.

Whereas the General Assembly stands prorogued to the fourth Thursday in this Month. And whereas I have thought fit, for divers Considerations regarding his Majesty's Service, to dissolve the said Assembly: I have therefore, by and with the Advice and Consent of his Majesty's Council, issued this Proclamation, declaring the said Assembly to be dissolved; and it is hereby dissolved accordingly. Of which all his Majesty's Subjects within this Colony are required to take Notice.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 12th Day of October, 1771, and in the eleventh Year of his Majesty's Reign.

Dunmore.

God Save the King.

²⁴⁴. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [1].

Virga. sc. ²⁴⁵

By his Excellency, the Rt. Honble. &c.

A Proclamation.

Whereas Complaint has been made to me, upon Oath, by Benjamin Clark, of the County of Lunenburg, that Daniel Mackey, of the said County did, some Time in the Year 1770, maliciously bite off one of the Ears of the said Benjamin, & otherwise barbarously maim him, for which Offence he was examined before a Magistrate, and while a Recognizance of Bail was making out for his Appearance at Court, to undergo an Examination for the said Offence, he found Means to make his Escape, appeared not at the Court appointed for the Purpose, nor has yet surrendered himself, but goes armed against all legal Authority, & in Defiance of an Escape-Warrant, which has been granted for apprehending him: I have therefore thought fit, by and with the Consent & Advice of his Majesty's Council, to issue this Proclamation, in his Majesty's Name hereby offering a Reward of ten Pounds to any Person, who shall apprehend & bring to Justice the said Daniel Mackey. And I do also require all Officers, both civil & military, & all other his Majesty's Subjects within this Dominion, to be aiding & assisting herein, as they shall answer the contrary at their Peril.

Given under my Hand, at Williamsburg, this 6th Day of Novembr. 1771, and in the 12th Year of his Majesty's Reign.

Dunmore.

God Save the King

245. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library. The following note appears within brackets at the end of the proclamation: "Not advised by a regular council, but by such members as his Excellency had an opportunity of consultg. privately."

Virginia, to wit.²⁴⁶

By the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same:

A Proclamation

For proroguing the General Assembly.

Whereas the General Assembly is summoned to meet on Thursday the twelfth Day of next Month, and I find no urgent Occasion for the said Assembly's meeting at that Time: I have therefore thought fit, by and with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name, further to prorogue the said Assembly to the second Thursday in January next.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 20th Day of November, 1771, and in the twelfth Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁴⁷

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same.

A Proclamation.

Whereas the General Assembly stands prorogued to the second Thursday in January next, and I find no urgent Occasion for the said Assembly's meeting at that time: I have therefore thought fit, by and with the Advice and Consent of his Majesty's Council, by

²⁴⁶. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [1].

²⁴⁷. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [1].

this Proclamation, in his Majesty's Name, further to prorogue the said Assembly to Thursday the 6th Day of February next; at which Time their Attendance is required at the Capitol, in the City of Williamsburg.

Given under my Hand, and the Seal of the Colony, at Williamsburg aforesaid, this 12th Day of December, 1771, and in the twelfth Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁴⁸

His Excellency John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same, to William Nelson, Thomas Nelson, Richard Corbin, William Byrd, Philip Ludwell Lee, John Tayloe, Robert Carter, Robert Burwell, George William Fairfax, John Page, Esquires, James Horrocks, Clerk, and Ralph Wormeley, Junior, Esquire. Know ye that, by Virtue of the Powers and Authorities to me granted by his Majesty, I do hereby authorize and impower you, the said William Nelson, Thomas Nelson, Richard Corbin, William Byrd, Philip Ludwell Lee, John Tayloe, Robert Carter, Robert Burwell, George William Fairfax, John Page, James Horrocks, and Ralph Wormeley, Junior, or any two of you, to administer the Oaths appointed by Act of Parliament to be taken, instead of the Oaths of Allegiance and Supremacy, the Oath appointed to be taken by an Act of Parliament, made in the sixth Year of the Reign of his present Majesty King George the Third, intituled An Act for alerting the Oath of Abjuration, and the Assurance, and for amending so much of an Act of the seventh Year of her late Majesty Queen Anne, intituled An Act for the Improvement of the Union of the two Kingdoms, as after the Time therein limited requires the Delivery of certain Lists and Copies

²⁴⁸ From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [1].

therein mentioned to Persons indicted of High Treason, or Misprision of Treason; as also the Test, to all such Persons as are or shall be returned to serve in this present General Assembly, as Burgesses; as also to the Clerk of the House of Burgesses, or Clerks of any of the Committees of the said House, that shall be appointed during this Session; and to cause them to subscribe the said last mentioned Oath, as also the Test; and to administer the Oath of Clerk to the Clerk of the said House; and also to the Clerk or Clerks of Committees.

Given under my Hand, and the Seal of the Colony, at Williamsburg, the 4th Day of February, 1772, in the twelfth Year of the Reign of our Sovereign Lord King George the Third.

Dunmore.

Virginia, to wit.²⁴⁹

Whereas this Day was by me appointed for the meeting of the General Assembly, but the Badness of the Roads has prevented the Number of Burgesses requisite to make a House from attending; I have therefore thought fit, by and with the Advice and Consent of his Majesty's Council, by this Proclamation, in his Majesty's Name, to prorogue the said Assembly until To morrow; at which Time their Attendance is required at the Capitol, in the City of Williamsburg, for the Dispatch of public Business.

Given under my Hand, and the Seal of the Colony, at Williamsburg, aforesaid, this 6th Day of February, 1772, and in the twelfth Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁵⁰

Whereas this Day was by me appointed for the meeting of the General Assembly, but the Badness of the Roads has prevented the

²⁴⁹. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [2].

²⁵⁰. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [2].

Number of Burgesses requisite to make a House from attending; I have therefore thought fit, by and with the Advice and Consent of his Majesty's Council, by this Proclamation, in his Majesty's Name, to prorogue the said Assembly till To-morrow; at which Time their Attendance is required at the Capitol, in the City of Williamsburg, for the Dispatch of public Business.

Given under my Hand, and the Seal of the Colony, at Williamsburg aforesaid, this 7th Day of February, 1772, and in the twelfth Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁵¹

Whereas this Day was by me appointed for the Meeting of the General Assembly, but the Badness of the Roads has prevented the Number of Burgesses requisite to make a House from attending; I have therefore thought fit, by and with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name, to prorogue the said Assembly till Monday next; at which Time their Attendance is required at the Capitol, in the City of Williamsburg, for the Dispatch of public Business.

Dunmore.

God Save the King.

251. From the *Journal of the House of Burgesses* (February 10-April 11, 1772) Williamsburg: Printed by William Rind, 1772. p. [2]. Rind prints this proclamation under the date of February 8, 1772.

Virginia, to wit,²⁵²

By his Excellency, the Rt. Honble. John &c.

A Proclamation.

Whereas Complaint has been made before me, that Numbers of People have lately removed, and are daily removing from the neighbouring Colonies, and settling themselves in the South Western Frontier of this Dominion upon Lands already granted by Patents to others, to the great Injury and Disquiet of such Patentees; availing themselves, in the said lawless Conduct, of his Majesty's Proclamation of the 7th of October 1763, wherein his Majesty is pleased to prohibit the Settlement of those Lands; by which they affect to think, that all the Patents issued for granting any Part thereof are annulled and made void, and the said Lands thrown open to the Occupation of the first Adventurer; for putting a Stop, therefore, to such irregular and unjust Proceedings, I have thought proper, by and with the Advice and Consent of his Majesty's Council, by this Proclamation in his Majesty's Name to require all Persons, coming under the above Description, immediately to evacuate such their illegal Settlements; and if they shall refuse or delay so to do, that then the Sheriff of the County of Botetourt do use all lawful Means for removing them; and all his Majesty's Officers, both civil and military, and all other his Majesty's liege Subjects within this Dominion, be aiding and assisting therein, as they shall answer the contrary at their Peril.

Given under my Hand, and the Seal of the Colony, at the Council-Chamber in the City of Wmsburg, this 5th Day of May, 1772, & in the 12th Year of his Majesty's Reign.

Dunmore

God Save the King.

²⁵² From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Virginia, to wit,²⁵³

By his Excellency, the Rt. Honbl. John &c.

A Proclamation.

Whereas I have recd. authentic Advice of the Death of her late Royal Highness the Princess Dowager of Wales; and that his Majesty had been pleased, on that melancholy Occasion, to order in Council, that in the Morning and Evening Prayers, in the Litany, and in all other Parts of the Public Service, as well in the occasional Offices, as in the Book of common Prayer, where the Royal Family is particularly prayed for, the following Form and Order shall be observed, viz. Our Gracious Queen Charlotte, his Royal Highness George Prince of Wales, and all the Royal Family; I have therefore thought fit, by and with the Advice of his Majesty's Council, by this Proclamation to give public Notice thereof, hereby in his Majesty's Name requiring every Minister and Reader within this Colony, in his respective Church or Churches, to conform henceforth to the above Direction.

Given under my Hand, and the Seal of the Colony, at the Council-Chamber, in the City of Williamsburg, this 5th Day of May 1772, and in the 12th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit,²⁵⁴

By his Excellency the Rt. Honble. John &c.

A Proclamation.

Whereas the General Assembly stands prorogued to Thursday the 25th of this Month, and I find no urgent Occasion for the said

²⁵³. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

²⁵⁴. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Assembly's meeting at that Time, I have therefore thought fit, by and with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name farther to prorogue the said Assembly to the first Thursday in November next.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 11th Day of June 1772, and in the 12th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia sc.²⁵⁵

By his Excellency, the Rt. Honble. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice-Admiral of the same.

A Proclamation.

Whereas I have recd. regular Information, that on the 27th Day of last May Jeremiah Beall was barbarously murdered at Winchester, in the County of Frederick, by one Nicholas Curlett, at that Time a Tavern-Keeper in the Town aforesaid, but who is now fled, so that the ordinary Process of Law cannot be served upon him: In Order, therefore, that the said Fact may be strictly and legally inquired into, I have thought proper to issue this Proclamation, in his Majesty's Name, hereby requiring all Officers, civil & military, and all his Majesty's liege People, to be aiding and assisting to apprehend the said Curlett, so that he may be proceeded against according to Law.

He is a Virginian, about 6 Feet high, & 28 Years old; is well made, of dark Hair and Complexion, and a down Look.

And I do hereby promise a Reward of Fifty Pounds current Money to any Person who shall apprehend the said Nicholas Curlett, to be paid on his Conviction.

²⁵⁵. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this first Day of July 1772, and in the 12th Year of his Majesty's Reign,

Dunmore.

God Save the King.

Virginia sc.²⁵⁶

By his Excellency, the Rt. Honble. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice-Admiral of the same.

A Proclamation.

Whereas it hath been represented to me, that in the Night of the 7th Inst. Ned, a Slave, belonging to the Estate of Robert Owen, late of Sussex County decd. a stout well made Fellow, and Harry, the Property of John Prince, of Brunswick County, being a low well-set Fellow, and having a Bump or Knot on his Fore-head, broke the Jail of the sd. County of Sussex and made their Escape from thence, where they were both confined under Sentence of Death, the former for a Rape committed on the Body of a white Woman, the latter for Burglary; in Order therefore, that such atrocious Offenders may not escape the Punishm't due to their Crimes, I have thought proper by & with the Advice of his Majesty's Council by this Proclamation in his Majesty's Name, to require and command the Sheriff of the sd. County of Sussex and all other his Majesty's Officers both civil and military to do their best Endeavours to apprehend the said two Slaves; and all his Majesty's liege People are to be aiding and assisting therein, as they shall answer the contrary at their Peril. And I do hereby offer a Reward of twenty Pounds, current Money, to the Person who shall apprehend the forementioned Slave, Ned, to be paid on his being delivered into the Custody of the said Sheriff of Sussex.

²⁵⁶. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Given at the Council Chamber this 27th Day of July 1772, and in the 12th Year of his Majesty's Reign.

Dunmore

God Save the King.

Virginia, sc. 257

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same:

A Proclamation.

Whereas I have received intelligence from his Excellency the Governor of Antigua, that the late violent storm there hath occasioned great distress for want of provisions, and that it is absolutely necessary, for preventing the worst consequence, that as speedy a supply as possible be sent thither; I have therefore thought proper, by and with the advice of his Majesty's Council, to give this public notice thereof, not doubting but that as soon as this great calamity shall come to be generally known, many will be induced, from other motives than merely commercial, to afford to their fellow subjects of the said island the relief they so much need.

Given under my hand, at Williamsburg, this 10th day of October, 1772, and in the 12th year of his Majesty's reign.

Dunmore.

God Save the King.

257. From *The Virginia Gazette* (Rind) October 15, 1772.

Virginia, to wit,²⁵⁸

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said colony and dominion, and Vice Admiral of the same:

A Proclamation

Whereas the General Assembly stands prorogued to the first Thursday in the next month, and I find no urgent occasion for the said Assembly's meeting at that time; I have therefore thought fit, by and with the advice of his Majesty's Council, by this proclamation, in his Majesty's name, farther to prorogue the said Assembly to the first Thursday in May next.

Given under my hand, and the seal of the colony, at Williamsburg, this 19th day of October, 1772, and in the 12th year of his Majesty's reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁵⁹

By His Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the colony and dominion of Virginia, and Vice Admiral of the same:

A Proclamation.

Whereas the General Assembly stands prorogued to the first Thursday in May next, but it is judged expedient that the said Assembly should meet sooner, in order to deliberate on a matter I have to lay before them of great moment to the welfare of this colony; I have therefore thought fit, by and with the consent and advice of his Majesty's Council, by this proclamation, in his Majesty's name, to appoint Thursday the fourth day of March next

258. From *The Virginia Gazette* (Rind) October 22, 1772.

259. From *The Virginia Gazette* (Rind) February 11, 1773.

for that purpose; at which time the attendance of the General Assembly is accordingly required at the capitol in the city of Williamsburg.

Given under my hand and the seal of the colony, at Williamsburg aforesaid, this 6th day of February, 1773, and in the thirteenth year of his Majesty's reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁶⁰

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A Proclamation.

Whereas I have received information upon oath that Gideon Rucker and Shem Cooke, late of the county of Pittsylvania, and John Hightower and William Hightower, late of the county of Lunenburg, have been concerned in the counterfeiting and passing several treasury notes of this colony, and are fled, so that the process of law cannot be served on them: To the end, therefore, that such atrocious offenders may be brought to justice, I have thought fit to issue this proclamation, hereby in his Majesty's name strictly charging and commanding all sheriffs, constables, and other his Majesty's liege subjects, to make diligent search and pursuit after the said offenders, and them or either of them having found, to apprehend and convey before some one of his Majesty's Justices of the Peace, to be dealt with according to law. And for the more effectual discovery of the said offenders, I do hereby promise a reward of Fifty Pounds for the apprehending of each of them, to be paid on his or their conviction.

²⁶⁰. From *The Virginia Gazette* (Rind) February 25, 1773.

Given under my hand, and the seal of the colony, this 25th day of February, 1773, and in the 13th year of his Majesty's reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁶¹

By the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the colony and dominion of Virginia:

A Proclamation.

Whereas I have received information that John Ford, junior, who was committed to the prison of Amelia county on a charge of being concerned in forging several treasury notes of this colony, and passing them, knowing the same to be forged, hath broken the said Prison, and made his escape: To the end therefore that the said John Ford should not, if guilty, escape with impunity, I have thought fit to issue this proclamation, hereby, in his Majesty's name, strictly charging and requiring all sheriffs, constables, and other officers, to make diligent search after the said John Ford, and him having apprehended to carry him before some Justice of the Peace of the county where he shall be taken, to be dealt with according to law; and all his Majesty's liege subjects within this dominion are strictly forbid to entertain, harbour or conceal the said John Ford, as they shall answer the contrary at their peril.

And I do hereby moreover promise a reward of Fifty Pounds to the person who shall apprehend and deliver the said John Ford as aforesaid.

Given under my hand, and the seal of the colony, at Williamsburg, this 8th day of April 1773, and in the 13th year of his Majesty's reign.

Dunmore.

God Save the King.

²⁶¹. From *The Virginia Gazette* (Rind) April 8, 1773.

Virginia, to wit,²⁶²

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the colony and dominion of Virginia, and Vice Admiral of the same:

A Proclamation.

Whereas I have received information from the sheriff of Northumberland county that Thomas Wornom and Ransone Dudley, who had been taken up and examined before the court of that county on a charge of felony, and were committed in order to stand their trials in the General Court, have found means to break gaol, and make their escape: The said Wornom is a large man, of dark complexion and hair, a visage somewhat thin, lisps a little, has a remarkable long foot (about 13 inches) and is pretty ingenious. The said Dudley is a man of the common size, and well made, has brown hair, and is by trade a painter. Wornom carried with him his own Negro man, called Shadrach, who is very black, and in height a little exceeds the said Dudley. They are said to have gone up James river, and it is suspected they intend to North Carolina, where they have some relations. To the end, therefore, that the said fugitives may be brought back to justice, I have thought proper to issue this proclamation, hereby, in his Majesty's name, strictly enjoining all officers, civil and military, to use their best endeavours for apprehending the said Wornom and Dudley, and forbidding all other his Majesty's subjects to harbour or entertain them, as they shall severally answer the contrary at their peril,

Given under my hand, this 29th day of April, 1773, and in the 13th year of his Majesty's reign.

Dunmore.

God Save the King.

²⁶². From *The Virginia Gazette* (Rind) June 10, 1773.

Virginia, sc. ²⁶³

By his Excellency, John &c.

A Proclamation

Whereas the General Assembly stands prorogued to the third Thursday in next Month, ²⁶⁴ but I find no urgent Occasion for their meeting at that Time; I have therefore thought fit by this Proclamation in his Majesty's Name farther to prorogue the said Assembly to the second Thursday in August next.

Given under my Hand and the Seal of the Colony at Williamsburg this 20th Day of May 1773, and in the 13th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virga. sc. ²⁶⁵

By his Excellency &c.

A Proclamation.

Whereas Samuel Wallace junior was taken up and committed to the Jail of Prince Edward County by a Mittimus signed by two of his Majesty's Justices of the Peace for that County, being charged with robbing Richard Day of sundries, and also with stealing from James Geddy, of the City of Williamsburg, six Pair of Gold Sleeve Buttons of the Value of £7.10, and the 15th Day of this Month was appointed for a Court to be held in the said County, in Order to examine the said Samuel Wallace junr. upon the several Matters laid to his Charge, but before that Day the Prisoner made his Escape; Whereupon the Court proceeded at the Time appointed to the Examination of Witnesses; on Consideration whereof it was their

²⁶³. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

²⁶⁴. Thus in original.

²⁶⁵. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Opinion that the said Samuel Wallace was not guilty of the Robbery, but guilty as to the other Charge of stealing from James Geddy as aforesaid, and that he ought to be tried for the same in the General Court; I have therefore thought fit by this Proclamation in his Majesty's Name to offer a Reward of twenty Pounds currt. Money to any Person who shall apprehend the said Samuel Wallace and deliver him to the Keeper of the Public Jail And all his Majesty's Officers both civil & military, and all other his Majesty's liege Subjects within this Dominion are required to be aiding and assisting therein, as they shall answer the contrary at their Peril.

Given under my Hand and the Seal of the colony at Williamsburg aforesaid, this 22d Day of May 1773, & in the 13th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, sc.²⁶⁶

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the colony and dominion of Virginia, and Vice Admiral of the same:

A Proclamation

For publishing the ratification of three acts of Assembly,
and the repeal of three other acts.

Whereas his Majesty in Council hath been pleased to signify his Royal approbation and allowance of three acts of Assembly passed in the year 1769, intituled as follow, viz.

An act to repeal an act made in the twenty second year of his late Majesty's reign, intituled "An act concerning strays," and to establish a more effectual method to prevent frauds committed by persons taking up strays.

An act to amend the act intituled "An act to amend the act for the better government of servants and slaves."

266. From *The Virginia Gazette* (Rind) June 24, 1773.

An act to prevent the exorbitant exactions of the collectors of the county and parish levies.

And hath also been pleased to signify his disallowance of three other acts passed in the year 1772, intituled as follow, viz.

An act to amend an act intituled "An act to prevent malicious maiming and wounding."

An act for continuing and amending several acts, and reviving one act for laying duties upon slaves imported.

An act to compel ships importing convicts, servants, or slaves, infected with the gaol fever or small-pox, to perform quarantine.

I do, therefore, in pursuance thereof, by this proclamation, publish and declare, that the three acts first above mentioned are confirmed, finally enacted, and ratified, and that the three last mentioned acts are repealed, made void, and of none effect; and for the more solemn signification thereof, I do appoint this proclamation to be read and published at the courthouse of the several counties within this dominion, and the sheriffs are to take care the same be done accordingly.

Given under my hand, and the seal of the colony, at Williamsburg, this twenty fourth day of June, 1773, and in the thirteenth year of his Majesty's reign.

Dunmore.

God Save the King.

Virginia sc.²⁶⁷

By his Excellency, The Rt. Honble. John &c.

A Proclamation.

Whereas the General Assembly stands prorogued to the second Thursday in the next Month, but I find no urgent Occasion for their meeting at that Time; I have, therefore, thought fit by this

²⁶⁷. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Proclamation in his Majesty's Name farther to prorogue the said Assembly to the second Thursday in November next.

Given under my Hand and the Seal of the Colony at Williamsburg this 8th Day of July 1773, and in the 13th Year of his Majesty's Reign.

Dunmore.

God save the King.

Virginia, sc.²⁶⁸

By his Excellency the Right Honorable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the said colony and dominion, and Vice Admiral of the same:

A Proclamation.

Whereas I have received information that Joseph Richardson stands charged on oath with being concerned in counterfeiting the Treasury Notes of Pennsylvania, and that a warrant had been issued to apprehend him, but that being exceedingly well mounted, he had eluded the pursuit of the officers, and was supposed to have gone to Baltimore, where he has dealt much lately in horses, and from whence he may probably come into this government: The said Joseph Richardson is about 43 years old, above 6 feet high, very stout, active, and resolute, of a fair complexion, with light brown hair, and well dressed, is smooth of speech, and sensible. And whereas I am also informed that Samuel Ford, who was committed to the gaol of Morris county, in the colony of New Jersey, being charged as a principal offender in counterfeiting the paper currency of that government, has found means to break the said gaol, and make his escape, and is supposed to be accompanied by one John King, who assisted him in making his escape, and absconded at the same time himself, being accused of the same crime. The said Samuel Ford and John King are described in an advertisement in the Pennsylvania Journal by Thomas Kinny, sheriff of the county of

²⁶⁸. From *The Virginia Gazette* (Richardson and Rind) September 16, 1773.

Morris, a copy of which is also inserted in this paper: To the end, therefore, that such atrocious offenders, who appear to be in confederacy with a considerable knot of villains, with no less views than to counterfeit the paper money of this whole continent, may not escape the punishment they so justly deserve, I do hereby, in his Majesty's name, strictly require and command all sheriffs, under-sheriffs, constables, and all other officers within this dominion, both civil and military, and all his Majesty's other liege people therein, to be aiding and assisting in apprehending and bringing to justice the said offenders, and to send immediate notice to me of what shall have been done therein.

Given under my hand, and the seal of the colony, this 9th day of September, 1773, and in the 13th year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, sc.²⁶⁹

By his Excellency the Right Honble. John &c.

A Proclamation.

Whereas I have received Information that one John Collins did some Time the last Summer without the least Provocation murder two Cherokee Indians, while with too much security, they were refreshg. themselves in the House of his Father Hezekiah, an Inhabitant of South Carolina, and that the said John Collins has since fled from Justice. To the End, therefore, that so atrocious an Offender, may meet with his just Reward, I have thought proper, by and with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name to offer a Reward of fifty Pounds current Money to the Person or Persons who shall apprehend & bring to Justice the said John Collins. And I do moreover give Notice, that for the same Service the Government of South Carolina

²⁶⁹. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

has offered a Reward of £200 the Currency of that Colony, and General Haldimand and Sir James Wright £100 Sterling each. And in Case the said John Collins should come within this Dominion, I do hereby strictly enjoin and command all his Majesty's Officers both civil and military, to exert their best Endeavours to apprehend and convey him to the Public Jail, in which all his Majesty's liege Subjects are to be aiding and assisting, as they shall severally answer the contrary at their Peril.

Given under my Hand and the Seal of the Colony at Wmsburg, this 14th Day of Octr. 1773, & in the 13th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia sc.²⁷⁰

By his Excellency the Rt. Honble. John &c.

A Proclamation

Whereas the General Assembly stands prorogued to the second Thursday in the next Month, but I find no urgent Occasion for their meeting at that Time; I have therefore thought fit, by and with the Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name farther to prorogue the said Assembly to the first Thursday in May—next. At which Time I require their Attendance at the Capitol in the City of Williamsburg for the Dispatch of Public Business.

Given under my Hand and the Seal of the Colony, at Williamsburg aforesaid this 19th Day of Octr. 1773, and in the 13th Year of his Majesty's Reign.

Dunmore.

God Save the King.

²⁷⁰. From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

Whereas²⁷¹ I have Reason to apprehend that the Government of Pennsylvania, in Prosecution of their Claim to Pittsburg and its Dependencies, will endeavour to obstruct his Majesty's Government thereof under my Administration, by illegal and unwarrantable Commitments of the Officers I have appointed for that Purpose, and that that Settlement is in some Danger of Annoyance from the Indians also, and it being necessary to support the Dignity of his Majesty's Government, and protect his Subjects in the quiet and peaceable Enjoyment of their Rights; I have therefore thought proper, by and with the Consent and Advice of his Majesty's Council, by this Proclamation, in his Majesty's Name, to order and require the Officers of the Militia in that District to embody a sufficient Number of Men to repel any Insult whatever; and all his Majesty's liege Subjects within this Colony are hereby strictly required to be aiding and assisting therein, as they shall answer the contrary at their Peril. And I do farther enjoin and require the several Inhabitants of the Territory aforesaid to pay his Majesty's Quitrents, and all public Dues, to such Officers as are or shall be appointed to collect the same within this Dominion, until his Majesty's Pleasure therein shall be known.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 25th Day of April, 1774, in the 14th Year of his Majesty's Reign.

Dunmore.

God Save the King

Virginia, to wit,²⁷²

By his Excellency the Right Honble. John &c.

A Proclamation.

Whereas the General Assembly is summoned to meet on Thursday the 11th Day of the next Month, but I find no urgent Occasion

²⁷¹. From a broadside in the Public Record Office, C.O.5/1352, f.70. There is the following endorsement: "In the Earl of Dunmore's of the 2d May No. 15."

²⁷². From a manuscript volume of proclamations, 1768-1773, in the Virginia State Library.

for their meeting at that Time, I have therefore thought fit by this Proclamation in his Majesty's Name, farther to prorogue the said Assembly to the first Thursday in Novr. next.

Given under my Hand & the Seal of the Colony this 8th Day of July, in the 14th Year of his Majesty's Reign.

Dunmore.

God Save the King.

By his Excellency John Earl of Dunmore, Lieutenant and Governour General in and over his Majesty's Colony and Dominion of Virginia, and Vice Admiral of the same.²⁷³

Whereas the rapid Settlement made on the west Side of the Allegheny Mountains, by his Majesty's Subjects, within the Course of these few Years, has become an Object of real Concern to his Majesty's Interest in this Quarter; and whereas the Province of Pennsylvania have unduly laid Claim to a very valuable and extensive Quantity of his Majesty's Territory, and the executive Part of that Government, in Consequence thereof, has most arbitrarily and unwarrantably proceeded to abuse the laudable Advancements in this Part of his Majesty's Dominions, by many oppressive and illegal Methods in the Discharge of this imaginary Authority; and whereas the ancient Claim laid to this Country by the Colony of Virginia, founded in Reason, upon Pre-occupancy, and the general Acquiescence of all Persons, together with the Instructions I have lately received from his Majesty's Servants, ordering me to take this Country under my Administration; and as the evident Injustice manifestly offered to his Majesty, by the immediate Strides taken by the Proprietors of Pennsylvania in Prosecution of their wild Claim to this Country, demands an Immediate Remedy: I do hereby, in his Majesty's Name, require and command all his Majesty's Subjects west of the Laurel Hill to pay a due Respect to

²⁷³. From *The Virginia Gazette* (Purdie and Dixon) November 17, 1774. A manuscript copy in the McGregor Library of the University of Virginia Library has the date of issue as September 17, 1774.

this my Proclamation, strictly prohibiting the Execution of any Act of Authority, on Behalf of the Province of Pennsylvania, at their Peril, in this Country; but, on the contrary, that a due Regard, and entire Obediance, to the Laws of his Majesty's Colony of Virginia, under my Administration, be observed, to the End that Regularity may ensue, and a just Regard to the Interest of his Majesty in this Quarter, as well as to the Subjects in general, may be the Consequence.

Given under my Hand and Seal, at Fort Dunmore, September 14, 1774.

By his Excellency's Command.

Signed Dunmore.

God Save the King.

Virginia, to wit.²⁷⁴

By his excellency the right honourable John earl of Dunmore, his majesty's lieutenant and governor general of Virginia, and vice admiral of the same.

A Proclamation

Whereas the general assembly stands prorogued to this day, but it is necessary that they should be further prorogued; I have therefore thought fit, by and with the consent and advice of the council, by this proclamation, in his majesty's name, to prorogue the said assembly to Monday, the 7th of this month; at which time their attendance is required at the capitol in the city of Williamsburg, for the dispatch of public business,

Given under my hand, and the seal of the colony, at Williamsburg aforesaid, this 3d day of November, in the 15th year of his majesty's reign.

Dunmore.

God Save the King.

²⁷⁴. From *The Virginia Gazette* (Rind and Pinkney) November 4, 1774.

Virginia, to wit.²⁷⁵

By his Excellency the Right Hon. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A Proclamation

Whereas the General Assembly stands prorogued to this day, but it is necessary they should be farther prorogued; I have therefore thought fit, by and with the consent and advice of his Majesty's council, by this proclamation, in his majesty's name, to prorogue the said assembly to Thursday the tenth day of this month, at which time their attendance is required at the capitol, in the city of Williamsburg, for the dispatch of public business.

Given under my hand, and the seal of the colony, at Williamsburg aforesaid, this seventh day of November, in the fifteenth year of his majesty's reign.

Dunmore.

Virginia, to wit.²⁷⁶

By his excellency the right honourable John earl of Dunmore, his majesty's lieutenant and governor general of the colony and dominion of Virginia, and vice admiral of the same:

A Proclamation

Whereas the General Assembly stands prorogued to this day, but it is necessary they should be farther prorogued; I have therefore thought fit, by and with the consent and advice of his majesty's council, by this proclamation, in his majesty's name, to prorogue the said assembly to the first Thursday in February next, at which time their attendance is required at the capitol, in the city of Williamsburg, for the dispatch of public business.

275. From *The Virginia Gazette* (Rind and Pinkney) November 10, 1774.

276. From *The Virginia Gazette* (Rind and Pinkney) November 10, 1774.

Given under my hand, and the seal of the colony, at Williamsburg aforesaid, this tenth day of November, in the fifteenth year of his majesty's reign.

Dunmore.

Virginia, to wit.²⁷⁷

By his Excellency the Right Honourable John Earl of Dunmore, His Majesty's Lieutenant, and Governor General, of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation.

Whereas the General Assembly stands prorogued to the first Thursday in the next month, but it is judged expedient that they should be farther prorogued, I have therefore thought proper, by and with the consent and advice of his majesty's council, by this proclamation, in his majesty's name, farther to prorogue the said assembly to the first Thursday in May next.

Given under my hand, and the seal of the colony, this 19th day of January, in the 15th year of his majesty's reign.

Dunmore.

God Save the King

Virginia, to wit.²⁷⁸

By his Excellency, the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General, of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation

Whereas, by the Blessing of God, and the prudence and resolution of the Officers and Men, employed in the expedition against the

²⁷⁷. From *The Virginia Gazette* (Pinkney) January 19, 1775.

²⁷⁸. From a photocopy of a manuscript in the Public Record Office, C.O.5/1353, ff.95-96. There is the following endorsement: "In the Earl of Dunmore's (No 24) of the 7th of Feby 1775. Proclamation."

Indians, the Disturbances, which had occasioned such Distress and Devastation in the back Settlements of this Colony, have happily been put an end to, and the Shawanese, from whose incursions the most dreadful effects were felt, to remove all ground, of future quarrel, have agreed not to hunt on this side the Ohio, and have Solemnly promised not to molest any passengers on that River, but on the contrary to give them every assistance and protection, and have consented to receive and to follow all such regulations of their Trade as shall hereafter be dictated to them, which may be productive of infinite benefit to the Trading People of Virginia, and, in return, I have engaged, for the People of this Colony, that they will treat the said Shawanese Indians with every possible indulgence, and every mark of friendship, and, when their occasions oblige them to pass thro' any part of this Dominion, that they shall be protected from all injury.

And whereas I have received Authentic accounts that the Cherokee Nation of Indians have put to death the persons of their Tribe who had been concerned in the Murder of Young Russel, and others in Company with him, which remarkable instance of their good faith, and Strict regard to Justice, as it cannot but evince the Sincere desire they entertain of living in peace and good agreement with us, so I hope will dispose all the People of this Colony to Acts of beneficence towards and a friendly intercourse with all this part of their fellow Creatures: I have therefore thought fit, with the Advice of His Majesty's Council, to issue this Proclamation, hereby requiring all persons in this Government Strictly to refrain from committing any violence upon, or doing any injury to, Indians of whatsoever Tribe or Nation, and from any Encroachment upon their territory which may give them Cause of Complaint; And I do direct and Command all Magistrates and other Officers to be aiding and assisting in preserving the peace now established, by immediately apprehending all violators of it, and by protecting the Indians by every means in their power.

Given under my Hand, and the Seal of this Colony, at Williamsburg, this Twenty-third Day of January, in the fifteenth year of His Majesty's Reign.

God Save the King.

Dunmore.

Virginia, to wit.²⁷⁹

By his Excellency the Right Honourable, John Earl of Dunmore, His Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation.

Whereas his Majesty did, at the Request of the Assembly of this Colony, permit the Western Boundary thereof to be extended as the same has been run and ascertained by Colonel Donelson, and other Surveyors, deputed for the Purpose; and whereas his Majesty hath, for the greater Convenience of, and the preventing of Litigation and Disputes among, such Persons as shall be inclined to settle upon any of his vacant Lands, ordered that all that Tract of Land included within the aforesaid Boundary, and all other vacant Lands within this Colony, be surveyed in Districts, and laid out in Lots of from one Hundred to one Thousand Acres, and as fast as the said Surveys shall be compleated by the Surveyors, duly authorized, and the Surveys thereof returned, that the Lands, so surveyed and allotted, be put up to public Sale, at such Time and Place as shall be appointed by public Notice; and that the highest Bidder for such Lots and Parcels of Land, at such Sales, be the Purchaser thereof, and be entitled to a Grant in Fee Simple of the Land so purchased as aforesaid, by Letters Patent under the great Seal of the Colony, subject to no Conditions or Reservations whatever, other than the Payment of the annual Quit-Rent of one half Penny Sterling per Acre, and also of all Mines of Gold, Silver, and precious Stones: And whereas Advice has been received, that one Richard Henderson, and other disorderly Persons, his Associates, under Pretence of a Purchase made from the Indians, contrary to the aforesaid Orders and Regulations of his Majesty, do set up a Claim to the Lands of the Crown within the Limits of this Colony; I have thought fit, therefore, to issue this my Proclamation, strictly charging all Justices of the Peace, Sheriffs, and other Officers, civil and military, to use

²⁷⁹ From a broadside in the Public Record Office, C.O.5/1353, f.129. Endorsed, "Proclamation. In Lord Dunmore's 14 March 1775. No. 25 (No. 7)."

their utmost Endeavours to prevent the unwarrantable and illegal Designs of the said Henderson and his Abettors; and if the said Henderson, or others concerned with him, shall take Possession of, or occupy any Lands within the Limits of his Majesty's Government of Virginia, merely under any Purchase, or pretended Purchase, made from Indians, without any other Title, that he or they be required, in his Majesty's Name, forthwith to depart, and relinquish the Possession so unjustly obtained; and in Case of Refusal and of violent detaining such Possession, that he or they be immediately fined and imprisoned in the Manner the Laws in such Cases direct.

Given under my Hand, and the Seal of the Colony, this 21st Day of March, in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁸⁰

By his Excellency the Right Honourable John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

A Proclamation

Whereas certain Persons, stiling themselves Delegates of several of his Majesty's Colonies in America, having presumed, without his Majesty's Authority or Consent, to assemble together at Philadelphia in the Months of September and October last, have thought fit, among other unwarrantable Proceedings, to resolve that it will be necessary that another Congress should be held at the same Place on the 10th of May next, unless Redress of certain pretended Grievances be obtained before that Time, and to recommend that all the Colonies in North America should chuse Deputies to attend

²⁸⁰. From a broadside in the Public Record Office, C.O.5/1353, f.132. Endorsed, "Proclamation issued by the Earl of Dunmore to prevent the appointing of Delegates to meet in Congress at Philadelphia. In Lord Dunmore's 14 March 1775. No. 25."

such Congress, I am commanded by the King, and I do accordingly issue this my Proclamation, to require all Magistrates and other Officers to use their utmost Endeavours to prevent any such Appointments of Deputies, and to exhort all Persons whatever within this Government to desist from such an unjustifiable Proceeding, so highly displeasing to his Majesty.

Given under my Hand, and the Seal of the Colony, this 28th Day of March, in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit.²⁸¹

By his excellency the right honourable John earl of Dunmore, his majesty's lieutenant and governor general of the colony and dominion of Virginia, and vice admiral of the same:

A Proclamation

Whereas the General Assembly stands prorogued to the first Thursday in the next month, but it is judged expedient that they be farther prorogued, I have therefore thought fit, by and with the advice of the council, by this proclamation, in his majesty's name, to prorogue the said assembly to the first Thursday in September next.

Given under my hand, and the seal of the colony, at Williamsburg, this 18th day of April, in the 15th year of his majesty's reign.

Dunmore.

God Save the King.

²⁸¹. From *The Virginia Gazette* (Pinkney) April 20, 1775.

Virginia, to wit,²⁸²

By his Excellency the Right Hon. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A Proclamation.

Whereas I have been informed, from undoubted Authority, that a certain Patrick Henry, of the County of Hanover, and a Number of deluded Followers, have taken up Arms, chosen their Officers, and styling themselves an Independent Company, have marched out of their County, encamped, and put themselves in a Posture of War; and have written and dispatched Letters to divers Parts of the Country, exciting the People to join in these outrageous and rebellious Practices, to the great Terrour of all his Majesty's faithful Subjects, and in open Defiance of Law and Government; and have committed other Acts of Violence, particularly in extorting from his Majesty's Receiver General the Sum of £.330, under Pretence of replacing the Powder I thought proper to order from the Magazine; whence it undeniably appears, that there is no longer the least Security for the Life or Property of any Man: Wherefore I have thought proper, with the Advice of his Majesty's Council, and in his Majesty's Name, to issue this my Proclamation, strictly charging all Persons, upon their Allegiance, not to aid, abet, or give Countenance to, the said Patrick Henry, or any other Persons concerned in such unwarrantable Combinations; but, on the Contrary, to oppose them and their Designs by every Means; which Designs must, otherwise, inevitably involve the whole Country in the most direful Calamity, as they will call for the Vengeance of offended Majesty and the Insulted Laws, to be exerted here, to vindicate the constitutional Authority of Government.

²⁸². From a photographic copy of a manuscript in the Public Record Office, C.O.5/1353, f. 150. Endorsed, "In the Earl of Dunmore's (No. 27.) of 15 May 1775. (4)." Also found in *The Virginia Gazette* (Dixon & Hunter) May 13, 1775.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 6th Day of May, 1775, and in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit,²⁸³

By his Excellency the Right Hon. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A²⁸⁴

Proclamation

Whereas, upon Petitions of sundry Persons claiming and settled upon Lands in the back Parts of this Colony, praying that the Grants made to the Officers and Soldiers under his Majesty's Proclamation in 1763 might not be located so as to interfere with their Claims, it was ordered, December the 16th, 1773, by the Governor and Council, that the Officers and Soldiers be at Liberty to locate their Grants wherever they should desire, so as not to interfere with legal Surveys, or actual Settlements; that those should be deemed Settlers who resided on any Tract of Land before October 1773, and continued to do so, having cleared some Part whereof, whereby their Intention to reside was manifested; and that every Settler should have fifty Acres at least, and also for every three Acres of cleared Land fifty Acres more, and so in Proportion, which should be taken as Part of the Grant, to which the said Petitioners were entitled, when the Land Office should be open to them, unless such Settlers should choose to hold under the Officers or Soldiers aforesaid.

283. From a photographic copy of a broadside [Williamsburg: Printed by John Dixon and William Hunter, 1775], in the Emmet Collection (No. 6257), Manuscript Division, New York Public Library.

284. In the manuscript, the incomplete phrase "general proclamat" was written after the printed "A" in the heading.

And Whereas certain Surveyors in the County of Augusta have, without any Authority, prevailed upon Numbers of People to make Entries with them for the Lands which they choose to have surveyed, and have located several of them on Lands which had been already settled, contrary to the above Order, taking Half a Crown from each of the said People for such Entry, which they pretended was to entitle them to a Grant of four Hundred Acres of Land:

I Have thought fit to issue this my Proclamation for the Information of all Persons, that no Surveyor, or other Person, is entitled to take Entries for Land, it being contrary to the Regulations established by his Majesty for the granting of his vacant Lands; and I do hereby charge the said Surveyors forthwith to return the Money to the Persons from whom they have in the above recited improper Manner taken it.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 8th Day of May, 1775, and in the 15th Year of his Majesty's Reign.

Dunmore,

God Save the King.

Virginia, to wit,²⁸⁵

By his Excellency the Right Hon. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A Proclamation

Whereas I am informed that James Hopkins, who was committed to the Public Gaol from the County of Orange, to take his Trial at the General Court for Horse-Stealing, did last Night make his Escape from thence: The said James Hopkins is a stout well made Man, about 5 Feet 10 inches high, has a Scald-Head, and had on an Osnabrug Shirt and Trousers; he has usually wandered about the Country, some Times pretending to be dumb,

²⁸⁵. From *The Virginia Gazette* (Dixon and Hunter) May 13, 1775.

at other Times to have lost the Use of his Limbs, and at others assuming the Office of a Baptist Preacher: In Order, therefore, that the said James Hopkins may be brought to Justice, I do hereby offer a Reward of Twenty Pounds to any Person who shall apprehend and deliver him to the Keeper of the Gaol aforesaid.

Given under my Hand, and the Seal of the Colony, at Williamsburg, this 11th Day of May, 1775, and in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

Virginia, to wit,²⁸⁶

By his Excellency the Right Hon. John Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same:

A Proclamation

Whereas the General Assembly stands prorogued to the first Thursday in September next, but it is judged expedient and necessary that they should be sooner convened: I have therefore thought proper, by this Proclamation, in his Majesty's Name, to appoint the first Thursday in the next Month for that Purpose; at which Time their Attendance is accordingly required at the Capitol, in the City of Williamsburg, for the Despatch of public Business.

Given under my Hand, and the Seal of the Colony, at Williamsburg aforesaid, this 12th Day of May, in the 15th Year of his Majesty's Reign.

Dunmore.

God Save the King.

286. From *The Virginia Gazette* (Dixon and Hunter) May 13, 1775.

By His Excellency the Right Honorable John Earl of Dunmore, His Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.²⁸⁷

A Proclamation

As I have ever entertained Hopes, that an Accommodation might have taken Place between Great-Britain and this Colony, without being compelled by my Duty to this most disagreeable but now absolutely necessary Step, rendered so by a Body of armed Men unlawfully assembled, firing on His Majesty's Tenders, and the formation of an Army, and that Army now on their March to attack His Majesty's Troops and destroy the well disposed Subjects of this Colony. To defeat such treasonable Purposes, and that all such Traitors, and their Abettors, may be brought to Justice, and that the Peace, and good Order of this Colony may be again restored, which the Ordinary Course of the Civil Law is unable to effect; I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good Purposes can be obtained, I do in Virtue of the Power and Authority to Me given, by His Majesty, determine to execute Martial Law, and cause the same to be executed throughout this Colony: and to the end that Peace and good Order may the sooner be restored, I do require every Person capable of bearing Arms, to resort to His Majesty's Standard, or be looked upon as Traitors to His Majesty's Crown and Government, and thereby become liable to the Penalty the Law inflicts upon such Offences; such as forfeiture of Life, confiscation of Lands, &c. &c. And I do hereby further declare all

²⁸⁷. From a broadside in the collection of the Virginia State Library. Also found in the Public Record Office, C.O.5/1353, f.335, with the following endorsement: "In the Earl of Dunmore's Letter of the 6th Decr. No 34." Dunmore drafted the proclamation on H.M.S. *William* and had it printed as a broadside on board H.M.S. *Dunmore*, having confiscated the press of John H. Holt and Company of Norfolk in a raid on September 30, 1775. It is supposed that two subsequent proclamations issued by Dunmore were printed on this press. One urged Virginia's coastal planters not to leave their holdings and the other prohibited all ships from selling goods of any kind to "persons on shore." See *The Virginia Gazette* (Purdie) supplement of February 2, 1776 and *The Virginia Gazette* (Purdie) of April 12, 1776.

indented Servants, Negroes, or others, (appertaining to Rebels), free that are able and willing to bear Arms, they joining His Majesty's Troops as soon as may be, for the more speedily reducing this Colony to a proper Sense of their Duty, to His Majesty's Crown and Dignity. I do further order, and require, all His Majesty's Leige Subjects, to retain their Quitrents, or any other Taxes due or that may become due, in their own Custody, till such Time as Peace may be again restored to this at present most unhappy Country, or demanded of them for their former salutary Purposes, by Officers properly authorised to receive the same.

Given under my Hand on board the Ship William, off Norfolk, the 7th Day of November, in the Sixteenth Year of His Majesty's Reign.

Dunmore.

God Save the King.

MINUTES

[March, 1756]²⁸⁸

... 000 [Sterling] remitted to him by the ...
... be disposed of in his Majesty's Service ...
... t of it relative to Contracts made by Ge ...
... the Hire of Waggon, Horses, etcetera which still ...
... [u]npaid.²⁸⁹ Also a Report of the Committee of the Assembly at Boston appointed to prepare a Plan of Operations for [c]arrying the Expedition to remove the Encroachments made by the French on his Majesty's Territories at or near Crown Point into Execution. Also a Resolve of the Assembly of New York for raising paying and subsisting 1000 effective men Officers included, and including the forces in the pay of this Colony now in Garrison at Fort Edward and Fort William Henry, to act in conjunction with the neighbouring colonies in making an attempt upon the French Fort at Crown Point in the ensuing Spring, that there be allow'd the sum of forty thousand pounds.

Ordered That the Prohibition against exporting Corn and Peas be taken off.

288. Certain news of the New York Assembly's resolve reached Governor Dinwiddie on March 14, 1756 in a letter from Sir Charles Hardy, Governor of New York. Since Hardy's letter was dated January 30 and the resolves were passed on January 28, it is logical to assume that this was probably the first report of the action to reach Virginia. In all likelihood Dinwiddie reported the action of the New York Assembly to the council shortly after he received Hardy's letter, and the date of the minute is some time between March 14 and March 29, the date of the next known minute. See *Documents Relative to the Colonial History of the State of New York* (Albany: Weed, Parsons and Company, 1856), Vol. VII, p. 37; *Journal of the Legislative Council of the Colony of New York* (Albany: Weed, Parsons and Company, 1861), Vol. II, p. 1247; and *The Official Records of Robert Dinwiddie* (Richmond: The Society, 1884), Vol. II, p. 378.

289. The top of the sheet is damaged so that the first two or three lines of text are missing; five lines have lost words at the beginning, and the last few letters of four lines are lacking. The word "Brief" seems to be inserted between two of the damaged lines at the top of the page, but cannot be related to the remaining text.

March 29, 1756

The Receiver General produced to the Board an Account of Arms and ammunition sent in, amounting to 1265.6.2 in discharge of 1250 £ st. put into his Hands by the Governor for furnishing Arms and ammunition for the use of this Government a Balance of 15 £. st. remaining due to him, which he is authoriz'd to charge in his next account of Contingent Charges.

[g]reat [reason] . . .²⁹⁰

[th]at of New York will raise the n . . .

[f]or the Attack of Crown Point, and . . .

[w]ill not only furnish their quota of troop[s . . . expe]dition carried on against fort Duquesne but will . . . the number of Troops proposed in his last for carrying [on the] Operations on Lake Ontario.²⁹¹ That he expects daily 10000. [S]tands of Arms, of which he shall order 1000 to Virginia consigned to his Honor. Inclosing a Copy of a Letter he writ to Governor Sharpe upon the Dispute between Colonel Washington and Captain Dagworthy concerning the Right of Command which he doubts not will effectually put an End to it in favor of the former, which if it should not, he shall forthwith interpose in a more authoritative manner.

As to the Command of Fort Cumberland, he thinks the shortest and most regular way of settling that dispute is for Colonel Innes to return to his Post as soon as possible, which, should it be inconvenient for him to do, he shall appoint some other proper [p]erson for that purpose.

March 30, 1756

The Governor communicated two Resolves of the House of Burgesses, on which he desir'd the Opinion of the Council before he returnd an answer. In Regard etcetera.

²⁹⁰. See preceding note.

²⁹¹. At this point is a caret, apparently meant to indicate insertion of the sentence following, which was added at the end of the day's proceedings.

March 31, 1756

Upon reading and considering this Day an application [fro]m some of the Justi[c]es of Amelia for moving the Court House [of] [t]hat County, [a]nd on hearing some Parties on both sides, [it] was the opinion of the Board and accordingly ordered that the Court House [re]main in the Place where it at present stands.

April 5, 1756

Governor acquainted the Board that Captain Arbuthnot was under Instructions to sail to Nova Scotia, that he thought his leaving his Station at this perilous Juncture would be exposing the Country to great danger, and desired the Opinion of the Council thereon. The Council having consider'd the said Instructions and the Circumstances of the Country, were unanimously of Opinion, that his remaining here on his Station was indispensably requisite at this time, and advis'd his Honor to signify to Captain Arbuthnot that this Board could not consent to his Departure. Upon which the Governor propos'd to the Council to have a Letter prepared in their Name to Captain Arbuthnot to that Purpose.

April 6, 1756

The Governor communicated to the Board a Letter from Major Andrew Lewis dated from Roanoak the 28th of March acquainting his Honor of their Return before they got to the Shawnese Town, with a Copy of a Council of War held the 15th of March before their Retreat recapitulating the Begining and Causes of their miscarriage, that their misfortunes proceeded from their ignorance of the Road and the licentious Behavior of the soldiers under the different ranging Captains and want of Provisions, that bad weather, high waters, and scarcity of Game caused them to labor under many Difficulties which they did not expect; and the volunteers mutinying. That he should send down three Frenchmen who were taken Prisoners on Sandy Creek. Upon which the Council advis'd his Honor to lay the said Letter etcetera before the House of Burgesses.

This Day was produced the Letter to Captain Arbuthnot which was read and approved of, and ordered to be registerd.

April 13, 1756

The Governor communicated a Letter from Captain Arbuthnot dated the 11th of April in answer to their Honors' Letter to him etcetera inclosing all the Orders he had received that they might judge how impossible it was for him to recede from them.

Also a Letter from Colonel Washington dated the 7th Inst. from Winchester informing of the unhappy Situation of affairs on that Quarter;²⁹² and the measures he had taken for scouring all the woods and suspected Places in all the mountains Valleys etcetera on that Part of our Frontiers,²⁹³ acquainting also that Mr. Paris who commanded a Party is returnd and relates that upon the North River he fell in with a small Body of Indians, which he engaged and put to flight—that Monsieur Danville Commander of the Party was killed and scalped, and his Instructions found about him which he inclosed.

Which Letters and Papers the Council advis'd his Honor to lay before the House of Burgesses.

Also a Letter from Governor Sharpe of the 30th of March signifying etcetera.

April 26, 1756

Governor communicated to the Board a Letter from Colonel Washington dated the 22d of April from Winchester, inclosing several others from the Officers of our Forces informing of the miserable Situation the Inhabitants on the Frontiers are in—which Letters the Council advis'd his Honor to lay before the House of Burgesses.

292. At this point the words "that he shall take all possible" were underlined for deletion; the words "and the" were inserted with a caret.

293. Here the words "and fall in with the Indians, and their more cruel Associates" were underlined for deletion.

May 4, 1756

His Honor acquainted the Board that Lord Loudon had been appointed by his Majesty Governor of this Colony, and recommended an Address to congratulate his Lordship on his arrival to New York, and a Representation to be made to him of the miserable Situation of this Colony, and that a Committee be appointed for that Purpose.

And the same was referd to William Nelson, Thomas Nelson, and Richard Corbin Esquires.

The Account of Contingent charges from the 25th of October 1755 to the 25 of April 56—and for work done at the Governor's House—passd.

May 7, 1756

Present

The Governor

John Blair, William Nelson, Thomas Nelson, Philip Grymes, Peter Randolph, Richard Corbin, Mr. Commissary, William Byrd

The Treaty with the Catawbias and Cherokees was this Day produced by the Commissioners and read, and the Thanks of the Board given them for their faithful Execution of their Commission.

Ordered That the said Treaty be registerd.

The Governor proposed that the Treaty should be printed, which was approved of.

William Nelson Esquire reported that the Gentlemen appointed had according to Order prepared An Address and Representation of the State of the Colony to his Excellency the Earl of Loudon which was read and approved of, and Ordered To be fairly transcribed.

The Governor desir'd the Opinion of the Board if they judged it adviseable to detain Laforce here in Prison, or sent [sic] him to Great Britain; it was the Opinion of the Board that it would be more eligible to put him on Board the man of War here to be transported.

The following Warrants on the Receiver General to be paid out of the Revenue of 2s per Hogshead etcetera were signed by the Governor²⁹⁴

For ½ year Salary to the Governor	£1000
For Ditto to Council	600
To Judges and Officers of a Court of Oyer and Terminer	100
For ½ year Salary to Auditor	50
For Ditto to Sollicitor of Virginia Affairs	100
For Ditto to Attorney General	35
For Ditto to Clerk of the Council	50
For Ditto to Adjutants	160
Ditto to Armourer	6
Ditto to Gunners of the Batteries	18.10
To Ministers attending One General Court annd Assembly	14
For Repairs to Governor's House	33.5.4
For Contingent Charges	2894.18.9
On the Revenue of Quit Rents	
To Attorney General	£35

The Account of His Majesty's Revenue of 2 s per Hhd etcetera from the 25th of October 1755—to the 25th of April 1756—passd. Ordered That the Receiver General pay Thomas Adams Esq. Secretary to the Embassy £70 for his Trouble.

May 31, 1757

Letter from Mr. Pitt informing that Rear Admiral Holbourne was to have the Command of the Squadron sent to North America.

²⁹⁴. Marginal annotations give the amounts of corresponding warrants signed in 1757, when they differ from those in this list. See the Journal for May 7, 1757.

April 12, 1758

President communicated a Letter from Mr. Byrd dated Charles Town South Carolina March 22d desiring his Honor to order a sufficient Quantity of Cattle to be drove as soon as possible to Vaux's Fort and Augusta Court House for the maintenance of 600 men for a fortnight at each Place, as he had the greatest Encouragement to expect he shall carry that number, and proposes to set out for Keawee Next Day where he has sent to invite all the warriors to meet him; also hoping he will judge it right to send what Goods may be proper to Winchester for the Indians, particularly arms and ammunition—he expects to be at Winchester by the last of May.

March 19, 1759

New Commission of the Peace ordered for New Kent—Hanover—and Albemarle.

April 3, 1759

Governor communicated a Letter from Colonel Byrd dated March 22d Philadelphia signifying the General has ordered him up immediately with his Regiment and the Troops of this Province to reinforce Fort Ligonier and to be at hand to sustain the Garrison on the Ohio in case of an attack—that he has ordered Lieutenant Colonel Stephens to march directly up with 300 men and to call in the Rest of the Regiment to Winchester and the South Branch that they may be ready to march at an Hour's Warning, when he finds he can maintain them, which will be as soon as carriages can be provided—that the General has given him an Officer of General Warberton's to act as Brigade major—that he shall leave that Place in three Days to take the Command to the Westward, and by his present Orders is to attack Vennango and Presq'isle—begs whatever number of men shall be rais'd, he'd order them to Winchester forthwith—with a Letter from Captain Blagg dated Fort Loudoun March 27th inclosing a Copy of Colonel Byrd's Instructions to Lieutenant Colonel Stephens or the Commanding Officer of that Garrison which cant be readily complied

with as there is not that number of men in the 6 companies at the South Branch, Patterson's that²⁹⁵

April 6, 1759

Governor communicated a Letter from Mr. James Abercromby dated the 17th of November, inclosing Copy of a Letter from General Abercromby to him concerning the money granted by Parliament for the 3 Southern Colonies. A Letter also from Mr. Abercromby to President dated 30th November the Consideration whereof was referd to a fuller Council.

March 26, 1761

A Petition of Justices of Amelia praying that the County Court may be adjourn'd and held for the future on the Land of Peter Beasley, was read and the consideration thereof postponed to the day after the Court of Oyer and Terminer in June.

Ordered That the Clerk acquaint the Clerk of Amelia thereof, requiring him to notify the same to all Persons interested therein, by affixing an Advertizement at the Court House Door.

November 9, 1761

Governor communicated a Letter from Lieutenant Colonel Stephen dated Camp at Great Island October 23d signifying he had received Letters from the principal men of the Cherokees which he inclosed, viz from Oconostata, and Jud's Friend, who are men of the greatest influence in the nation, Conocotocko was made Emperor by their Interest—that upwards of a 100 have come in and submitted, numbers more are on the road, to beg their protection—their King marches with so grand a Suite that they are obliged to hunt for subsistence and as this detains them he thought proper to dispatch a couple of Runners Express with the Letters—that the Carpenter and Head men had not returned from Charles Town when these people left the nation.

²⁹⁵. What looks like "at" has been deleted before "that," with which the entry breaks off.

From Choto October 17th 61. Oconostota, or the Great Warrior's answer signifying he sends the Head man of the Nation Conocotocko (the standing Turkey) to make all streight, and that no more mischief shall be done by any of his people.

Jud Friend's Letter Now we send our King and Governor that he and the Great Warrior stay at home till he returns, and what he does they'll all stand to for ever. That the Chain will certainly be bright now their King is come on purpose to brighten it—that as soon as he returns, the Great Warrior and he will come and see them—and desires that the King may be dispatchd as soon as possible,—that when he returns he himself will come and see the Governor—these Letters directed to the commanding officer of the northern army.

Address of Officers of Virginia Regiment to Governor and Council requesting them to take into their protection a memorial presented by them to the last Assembly.

December 11, 1762

Governor advisd to grant his Warrant on Receiver General for paying £ 10 given as a Reward by Samuel Jones for causing to be apprehended a man who broke into his House, barbarously wounded, and robd him and who was tried and convicted in the General Court, namd McCarty.

May 19, 1763

Ordered That a new Commission of the peace issue for Halifax, and that the five Gentlemen recommended be added.

May 21, 1763

Ordered That a new Commission of the Peace issue for Frederick, that John Neavill and John Bowman be added; and two more of the Justices be put in the Quorum.

January 12, 1764

Governor communicated 4 letters from Lords of Trade with a Proclamation in regard to settling Lands etcetera.

Also a Letter from Colonel Andrew Lewis dated Augusta January 5th signifying he had according to orders reduced the militia draughted under his command to 300—and proposing Gentleman to settle the accounts.

Also a letter from General Gage enforcing Sir Jeffery Amherst's Requisition of 500 from Virginia dated New York December 12th.

January 14, 1764

George Walker's Petition for fishery near Fort George, read and rejected.

January 16, 1764

Ordered That a new Commission issue for Cumberland, that Creed Haskins, William Smith, Richard James, Thomas Turpin junior, John Woodson, and John Raine, be added, and that Charles Anderson, Edward Tabb, Henry Macon, Maurice Langhorne, John Scott, Rhoderick Easeley, and Arthur Moseley, who have refused to qualify, be left out.

Ditto for Amherst, that Zachariah Taliaferro be added, and John Reid, who is dead, and John Howard, who is removed, be left out.

January 19, 1764

New Commission ordered for Prince William etcetera.

On a motion made by Receiver General, ordered that Naval Officers for the future pay to him such Bills as they shall receive, and not impose on him their own private Bills, and that Clerk signify the same to them.

January 21, 1764

New Commission ordered for Gloucester. Ditto for Fauquier.

October 30, 1764

Absent P. Thornton

Governor communicated a Letter from Colonel Bouquet and another from Colonel Lewis.

November 1, 1764

Present as before.

Account of Contingent charges from 25th April 64. to 25th of October 64. and for work done at Governor's house—pass'd.

November 22, 1764

An Account of Colonel Andrew Lewis against the Country for his service in passing and receiving such Recruits as were brought to him by the recruiting Officers for the Regiment at Staunton, under the Command of Colonel Stephen from the 12th of April 62 till the 1st of August being 110 days at 17s.6d per day—being produced and considered, he was allowd to keep £ 50 which he has in his hands due to the Country as a full compensation.

Ordered That a new Commission of the Peace issue for Prince George, and that Sir Peyton Skepwith Bart., Peter Eppes, Theodorick Bland, Nathaniel Harrison, junior, John Poythress junior, and James Murray, be added.

Ordered That Receiver General pay Thomas Cragghead £ 19.5s being the ballance due on his Account for work done at the Governor's house in 54.

December 10, 1764

Governor communicated a Letter from Colonel Bouquet dated Camp at the Forks of Muskingham, near Wakatawmike, the most considerable Shawanese Town, November 15th signifying that the Mingoes, Delawares, and Shawanese, have submitted to the terms prescribed to them, without being allowd to stipulate any condition on their behalf, have delivered all the Prisoners that could be collected and giv'n 14 hostages for delivry of the rest, and as a

Security that they shall commit no hostilities, or violence against the persons or property of his Majesty's Subjects; that on those conditions they are permitted to send Deputies to make their Peace with Sir William Johnson—inclosing a Copy of his proceedings with those nations; recommending to the Governor's notice, and that of the Government the two Corps of Voluntiers who join'd him from hence, whose conduct has giv'n him the highest satisfaction; by exerting themselves with the most commendable Spirit; inclosing their muster Rolls properly certified.

December 19, 1764

Ordered That a new Commission issue for Louisa, that Robert Armistead, Thomas Johnson junior, James Meriweather, Richard Anderson, Waddy Thomson, Cleavers Duke, William Philips, be added—that Thomas Johnson senior be placed according to his Rank in Caroline—Cleavers Duke to be first of these.

Petition for removing Court House at Amelia, was rejected.

Ordered That a new Commission issue for Halifax, and that Walter Cole, and Armistead Watlington be added. Also for Albemarle, Robert Lewis, Charles Macrae and David Rodes to be added—Edward Carter, to be placed last of the Quorum if not in.

A Petition of the Inhabitants of Louisa, setting forth that the Situation of the Court House is rendered very inconvenient, it being far from the Center, and that it is old and decayd, and necessary to build a new one, with other public conveniences, and praying a writ to issue for adjourning the Court of the said County to the House of John Jouetts, till a sufficient Court House can be erected in such part as the Board shall judge most proper. Rejected on hearing Parties on both sides.

Ordered That three more of the Justices be added to the Quorum in Amelia Commission.

Ordered That a new Commission issue for Goochland, that Thomas Randolph, of Dungenest, Richard Fleming, Matthew Woodson, and Joseph Woodson Gent. be added.

Ordered That a Writ of Adjournment issue to remove the Court of Hampshire from Fort Pleasant to Pearsall's Levell,

December 21, 1764

Ordered That a new Commission issue for Caroline etcetera.

Ordered That a Writ of Adjournment issue to remove the Court of Lunenburg to Robert Estes Senior.

Petition of John Wayles for 1000 Acres granted.

Ordered That a Proclamation issue concerning Paper Bills.

Ordered That a Proclamation issue against any Act of Hostility being committed against Indians on Ohio.

May 13, 1765

Governor communicated a Letter from Colonel Andrew Lewis dated May 9th giving a relation of some Cherokees being murdered by our people etcetera.

Ordered That a Proclamation issue offering a reward of £ 100 for apprehending the Promoters of the said murder, and £ 50 for ev'ry one aiding therein.

November 6, 1766

A Negro Slave Joe set free—New Commission of Peace ordered for Amelia. Ditto for Chesterfield, and that Archibald Cary Gent. be put at the Head—Ditto for Stafford. Ditto for Sussex; Ditto Elizabeth City and that Mr. Cary Mitchel, be left out at his own request. Ditto for Loudoun. Ditto for Middlesex—Prince George—and that John Laforey be added and placed last—Ditto for King William. Ditto for Amherst. Ditto Albemarle. Ditto for Prince Edward—Ditto for Charlotte.

December 8, 1766

Governor communicated a Letter from Governor Penn dated November 15th 66. requesting his Honor to join with him in such

measures as shall be thought proper to compel all Persons who have made Settlements on the lands near Red Stone Creek and the Monongahela to evacuate the same forthwith—It was the Opinion that Governor had done ev'ry thing already in his power for that purpose by having publish'd repeated Proclamations to that end.

March 25, 1767

Governor communicated a Letter from Lord Shelburne dated December 11th 66 etcetera.

Also a Letter from Colonel Andrew Lewis dated March 5th etcetera.

Ordered That a new Commission of the peace issue for York—Charles City—and Buckingham.

Petition of Captain Thomas Bullett, as Captain in the late Virginia Regiment read and postponed for a fuller description of the location of the said land—and that Clerk write to him thereon.

April 3, 1767

New Commission ordered for Bedford Ditto Elizabeth City—and York—and that James Pride be left out.

MISCELLANEOUS PAPERS

February 12, 1755.

Virginia.²⁹⁶

By Command of the Governor & Council.

Notice is hereby given, That the Governor has received an additional Instruction from the King of the 27th of August last, authorizing & requiring him to make & pass Grants of his Majesty's Lands lying to the Westward of the Ridge of Mountains which separate the Rivers Roanoke, James and Patowmack, from the Mississippi, to such Persons as shall be desirous of settling there, free from the Payment of any Quitrent, for and during the Term of ten Years, to be computed from the Date of their respective Grants. And, as a further Encouragement to induce Persons to settle in those Parts, his Majesty has likewise signified his Will & Pleasure, that the usual Fine of five Shillings upon each fifty Acres be remitted to all such Persons as shall take out Grants of the said Lands, within the Space of ten Years next ensuing the Date of this Instruction.

Provided always, that his Honour do not grant to any Person whatsoever, in his own or any other's Name in Trust for him, a greater Quantity of his Majesty's said Lands, lying to the Westward of the said Mountains, than one thousand Acres.

N. Walthoe, Cl. Con.

Copy, Teste John Blair jr. }
Cl. Conc. }

²⁹⁶. From a photocopy of a manuscript in the Public Record Office, C.O.5/1333, f.86.

Virginia.²⁹⁷

Upon consideration of a Memorial of John McNeill Esq. produced and read this day in Council, setting forth that he has spent the best part of his life in the service and defence of this Colony and is now determin'd upon going to Europe to solicit his Majesty for some employment, and requesting such recommendation from this Board as they shall think him deserving of; We the Lieutenant Governor, and Council, do, with the highest satisfaction, and the most religious regard to truth, hereby testify that the said John McNeill has for many years serv'd in the troops of this Colony, was Major of a Regiment, and always behaved as a brave, active, and gallant Officer, and ever discharged the trusts reposed in him with the greatest expedition, exactness, and fidelity; That his conduct in *every station, and upon all occasions, as well in a private as public capacity*, has been such as we have observ'd with pleasure, and can commend with justice: And judging him intitled to all the favour, countenance, and protection due to honour, virtue,²⁹⁸ and merit, we most willingly give him this testimonial under our hands in the Council-Chamber at the Capitol in Williamsburg this 16th day of June 1763.

297. From a manuscript in the Colonial Papers (June 16, 1763), Virginia State Library. There is the following endorsement: "John McNeill—testimonial in his favour—1763."

298. The word "virtue" is scored through.

At a Council held November the 1st 1763²⁹⁹

Upon considering the Petition of William Nelson Esq in behalf of Himself and many others for a considerable Quantity of Land lying in the countys of Norfolk and Nansmond known by the Name of the Great Dismal, which was presented at a Council held the 25th Day of May last, it was ordered that each of the Petitioners have Leave to take out a Patent for one Thousand Acres of the Said Land, upon condition of giving Legal Notice to the Propriators of the Contiguous Highlands, and that they do not interfere with any Entries antecedent to this Day, and seven years are allowed to them to return their Surveys free of Rights to the Secretarys Office

Entered in the Auditor's
office November 2 1769

N Waltho Cl. Coun

John Blair Auditor

²⁹⁹. From a manuscript in the Miscellaneous Papers of the Land Office, Virginia State Library.

[Orders in Council and petitions for land grants]

In obedience to his Excellency the Governor's Commands, in consequence of an Order of the House of Burgesses, of the 29th of Novemr 1769, I do hereby Certify that the following is a true and full account of all the Orders of Council for granting Lands agreeably to their Request to his Excellency; and also of all Petitions which have been presented, the consideration of which is postpon'd; and likewise of all Petitions for Lands lying between the Alleghany Mountains and a line that may be run from the Western Boundary of the Carolina line to the Confluence of the River Ohio with the Mississippi, in my Office which have not been presented.³⁰⁰

N. Walthoe Cl. Con.

1745.

- April 26th
1. To John Robinson senr Esqr and others one hundred thousand Acres lying on Green Brier River No West and West of the Cow Pasture and Newfoundland.
To John Smith and others Fifty Thousand Acres on the River and Branches of Roanoke and the Branches of James River.
 2. To James Patton and others, one hundred Thousand Acres in Augusta County on three branches of Mississippi River, the one known by the name of Wood's River, the other two to the Westward thereof and on the Waters of the said River.

300. The text for the record of land grants and petitions is from a photographic copy of a manuscript in the Public Record Office, C.O.5/1333, ff.48-56. There is a title page on which is written: "6th of December, 10th Geo. III. 1769 laid before the house of burgesses. Virginia. A true and full Acct. of all the Orders of Council for Granting Lands, and Also of all petitions which have been presented, the Consideration of which is postponed; and likewise of all Petitions for Lands lying between the Alleghany Mountains and a Line that may be run from the Western Boundary of the Carolina Line, to the Confluence of the River Ohio with the Mississippi. Recd. with Lord Botetourt's Letter of 31 July 1770. Read Novr. 14 1770 B.C. 8."

3. To Henry Downs and others Fifty Thousand Acres lying west of the Cow Pasture or Green Brier River.

Novr 4th

4. To John Blair Esq and others One Hundred Thousand Acres lying to the Westward of the Line of Lord Fairfax on the Waters of Potomack and Youghyoughane.

1746

Apl 8th

5. To Thomas Basset and others Fifty Thousand Acres to begin in the forks of Mississippi River and to run up and down both the said forks, and down the main River.

1747

Apl 22d

6. To Wm McMachon and others Sixty Thousand Acres joining the Grant of John Blair Esq and others, and upon the Waters of Potomack West and No West of the Line of Lord Fairfax, and on the branches of Youghyoughane and Monangaly.

May 7th

- To William Gray and others Five Thousand Acres in Lunenburg beginning at three mark'd trees at the foot of the Indian Field Mountains runing on the branches of Irvin River.
7. To the same Ten Thousand Acres in Augusta begining on the opposite side at the foot of the Indian Field Mountains runing on the branches of New River or Mississippi.

1747

Augt 6th

8. To the Revd Mr. William Dawson and others Eight Thousand Acres on the Head Branches of Tye and Rock Fish Rivers, near the three ridged Mountain, Priest's Mountain, and the Blew Ridge.

9. To William Gray and others Ten Thousand Acres in Augusta joining their Grant for Ten Thousand Acres in May 1747, runing down the Branches of Mississippi River.
- 1748
- May 7th 10. To William Gray and others Ten Thousand Acres in Augusta lying on the West side of the Indian Field Mountains runing on the Branches of New River or Mississippi.
- June 17th 11. To William Gray and others Ten Thousand Acres in Augusta joining their Grant for Ten Thousand Acres in May 1747 runing down the Branches of Mississippi River.
- 1749
- Apl 14th To John Robinson senr Esq and Co. Leave is granted to renew their Order of Council of the 26th of Apl 1745. and four years longer time allow'd them to survey.
- Apl 27th To Henry Downs and others Leave is granted to renew their Order of Council of the 26th April 1745, and four years longer time allow'd them to survey.
- July 12th 12. To John Hanbury of London Merchant, Thomas Lee Esq and others Two Hundred Thousand Acres betwixt Romanetto's and Buffalo's Creek on the So Side of the River Alliganc otherwise the Ohio, and betwixt the two Creeks and the yellow Creek on the No Side of the River, or in such other parts of the West of the Great Mountains as shall be adjudged most proper by the Petitioners for making Settlements thereon; on certain conditions, which being complied with, they have leave to take up and survey

Three Hundred Thousand Acres more under the like restrictions and Conditions, as for the first Two Hundred Thousand Acres, and adjoining thereto within the said limits.

13. To Bernard Moore and others One Hundred Thousand Acres on the Waters of Mississippi River begining at ten trees mark'd PTg standing in the fork of a branch of the said River known by the name of New River, and so down the said River and the Waters of the said Mississippi River.
14. To John Lewis Esq and others Eight Hundred Thousand Acres in one or more surveys begining on the bounds between this Colony and No Carolina and runing to the Westward and to the North so as to include the said quantity.
15. To Peyton Randolph and others Four Hundred Thousand Acres in one or more Surveys lying on New River commonly call'd Wood's River, and the Waters thereof.
16. To William Winston junr and others Fifty Thousand Acres begining at Old Fort between Ohio and Mississippi Rivers, runing up the Western Side of Ohio and Eastern side of Mississippi, in one or more Surveys between the said Rivers.

To John Tayloe and others Leave is given to renew their Grant for One Hundred Thousand Acres in Augusta on three branches of the Mississippi River, the one known by the name of Wood's River; the other two to the Westward thereof and on the Waters of the said River, and two years longer time allow'd them to compleat their surveys.

1750

June 15th

17. To John Hiscox, and John Griffin of Bristol Merchants, and others, One Hundred Thousand Acres on the New River, and Holson's River, and the Waters of both Rivers.
18. To Adam Harman and others Seven Thousand Acres lying in Augusta on both Sides of Blew Stone Creek, begining about three miles from where the said Creek runs into Wood's River, at a mark'd tree standing upon the No Side thereof, thence up the same including the several branches on both sides to compleat the Compliment.

To the same Four Thousand Acres in Augusta on the Creek next below Blew Stone Creek begining upon the head of the said Creek, and runing down including the several branches for Compliment.

To the same Four Thousand Acres in Augusta on the second Creek below Blew Stone Creek, begining at the head thereof, thence down the same including the sev'ral branches for Compliment.

1751

Octor 26th

19. To Samuel Davies of Bristol Merchant and others Fifty Thousand Acres on Alegany River, and Holston River, or any of the Waters of both Rivers, and four large Islands in the said Rivers, and several other small Islands lying in different parts of the said Holson and Alegany Rivers.
20. To George Walton and Joseph Walton Twenty Thousand Acres on both Sides of Holson's River begining at Lyon's upper Cabbin thence up and down in Augusta.

To Marquis Calnes and others Leave is granted to renew an Order of Council granted April 22d 1747, to Wm McMachon and others for Sixty Thousand Acres.

To John Blair Esq and Company Leave is granted to renew an Order of Council granted Novr 4th 1745, for One Hundred Thousand Acres lying to the Westward of the line of Lord Fairfax on the waters of Potowmack & You-yougan

1752

- March 3d
21. To Thomas Lewis Ten Thousand Acres in Augusta beginning below the Mouth of the New River on Allegany thence down the said River for Complement.
 22. To Ambrose Powell Ten Thousand Acres in Augusta beginning on Allegany above the mouth of New River to continue up the said River for quantity.
 23. To James Maury Ten Thousand Acres in Augusta to begin on Allegany on the North Side of the dividing line between Carolina and Virginia and to continue up the River for Complement.
 24. To Thomas Merriweather Ten Thousand Acres in Augusta beginning above Maury's Ten Thousand Acres on the said River and to continue up the River for Complement.
 25. To Thomas Walker Ten Thousand Acres in Augusta beginning at the Mouth of Pickawalenian River continuing down Alegany for Complement.
 26. To Nicholas Merriweather Ten Thousand Acres in Augusta beginning at the mouth of Pickawalenian River continuing up the said River for quantity.

May 4 27. To Matthew Talbot and others Twenty Thousand Acres in Augusta on the New River beginning at the mouth of the Meadow Creek and running up and down the said New River the Meadow Creek and the adjacent Creeks for Complement.

To the same Twenty Thousand Acres in Augusta on New River beginning at the mouth of Little River which heads against the branches of the Adkin River, and running up and down the said New River and Little River and the adjacent Creeks.

28. To Joseph Ironmonger and others One Hundred Thousand Acres in Augusta on Ogahicky River and its branches beginning at a tree mark'd DB and running up and down the said River and its branches for complement.

Novemr 2d 29. To the Revd George Samuel Klug and others Thirty Thousand Acres lying between Green Briars to the South and Youghyoughanie to the North, bearing the name of Mannangelie upon a River called Goose River, beginning at a Run known by the name of Muddy Run up the River upon a White Walnut tree mark'd MT.

1753

June 13th 30. To John Willis and others One Hundred Thousand Acres in the Counties of Halifax and Augusta beginning at John Twitty's and Major William Macklin's lines at the supposed head of the South fork of Roanoke running from thence to a River known by the name of Dan River thence to the head of New River supposed to be the Waters of Mississippi River.

June 15th 31. To Richard Corbin and others Fifty Thousand Acres on the Waters of Mississippi, beginning at the Mouth of Fishing Creek.

To the same One Hundred Thousand Acres on the Waters of Mississippi begining at the Mouth of the New River otherwise the Big Canaughway.

To the same Forty Thousand Acres on the Waters of Mississippi begining at the Mouth of Buffalo Creek on the South Side thereof.

Novemr 9th 32. To Samuel Eckerlain and others Five Thousand Acres part of the vacant land lying between Lord Fairfax's line, and the line of John Blair Esq and Company, and that of the Ohio Company.

Novemr 26th 33. To John Wayles and others Sixty Four Thousand Acres on the Waters of the New River in Augusta begining below the mouth of Bear Skin fork being a South fork of New River at a tree mark'd IW.

1754

May 7th 34. To Richard Corbin and others Twenty Thousand Acres on the Waters of the Mississippi begining at the Mouth of Lalot's Creek.

To the same Fifty Thousand Acres on the Waters of the Mississippi begining at the mouth of the Little Canaughway.

A List of the names of all the Grantees in the above-mention'd Orders.

1. John Robinson senr Esq, Thomas Nelson junr Esq John Robinson junr Esq, William Beverley, Robert Lewis, Beverley Robinson, Henry Weatherbourne, John Lewis, John Crag, William Lewis, John Wilson, and Charles Lewis.
2. James Patton, Robert Slaughter, John Graeme, John Belfield, John Tayloe junr William Green, Richard Barnes, James Gordon, James Wood, George Buchanan, George Robinson, James Bowey, Robert Jackson, William Parkes, John Preston,

- Robert Galchrist, Richard Winslow, John Roberts, John Weatheral, and James Johnston.
3. Henry Downs, John Blair junr John Willis, George Taylor, Edward Spencer, Robert Slaughter, Thomas Slaughter, William Jackson, Alexander Dunlap, James Ewin, and Edward Fuller.
 4. John Blair Esqr William Russell, Thomas Lewis, Robert Green, Adam Dickenson, John Blair junr Thomas Hornsby, William Buck, Edward Fuller, William Graves, William Green, Robert Green junr, John Fenlyson, Samuel Ball, Thomas Gordon, Andrew Lewis, John Dickenson, and John Anderson.
 5. Thomas Basset, Nathaniel Basset, Thomas Basset junr, Thomas Tinsley, Cornelius Tinsley, Peter, John, & Thomas Elmore.
 6. William McMachon, John McMachon, Richard McMachon, Lewis Neal, John Neal, Mark Calmus, William Butler, William Neal, William Glover, Hugh Parrett, Patrick Rice, Robert Calvert, Isaiah Calvert, Leward Parrett, George Waller, George Harding, Henry Harding, Leonard Holmes, John Bruce, and James Carter.
 7. William Gray, Ashford Hughes, David Holt, Valentine Wood, and Charles Fleming.
 8. The Revd William Dawson, Joshua Fry, William Cabell, and John Anthony.
 9. William Gray, Ashford Hughes, David Holt, Valentine Wood, and Charles Fleming.
 10. William Gray, Ashford Hughes, David Holt, Valentine Wood, and Charles Fleming.
 11. William Gray, and as before.
 12. John Hanbury of London Merchant, Thomas Lee Esq Thomas Nelson Esq Colonel Cressup, Colonel William Thornton, Daniel Cressup, John Carlisle, Laurence Washington, Augustus Washington, George Fairfax, Jacob Gyles, Nathaniel Chapman, and James Woodrop Esqrs
 13. Bernard Moore, Benjamin Hubbard, Philip Aylett, Thomas Dansie, John Snelson, George Carrington, James Power, Duncan Graham, William Taylor, and Job Thomas.

14. John Lewis Esq Thomas Walker, John Meriweather, Charles Lewis, James Power, Peter Jefferson, Charles Dick, Charles Barret, Joshua Fry, Thomas Turpin, John Harvey, Thomas Meriweather, Thomas Meriweather junr, John Baylor, Samuel Waddy, Robert Barret, Henry Willis, Peachy Gilmer, John Lewis, James Maury, Thomas Lewis, Peter Hedgman, John Moore, Robert Martin, Henry Tate, Richard Jones, William Wood, Samuel Dalton, Francis Thornton, Francis Thornton junr, John Thornton, John Pierce, William Stevenson, Nicholas Lewis, Nicholas Meriweather, William Hudson, Francis Meriweather, Humphry Hill, and John Dixon.
15. Peyton Randolph, Alexander McKenzie, Robert Tucker, John Tucker, George Gilmer, Benjamin Waller, William Parks, Armistead Burwell, Edmund Pendleton, John Willoughby, John Maddison, John Shelton, John Garland, Thomas Williamson, Maximilian Calvert, Cornelius Calvert, Paul Loyall, and George Logan.
16. William Winston junr Isaac Winston junr, Peter Fontaine junr, Edmond Winston, and Samuel Red.
17. John Hiscox, and John Griffin of Bristol Merchants, Benjamin Watkins, George Nicholas, Nicholas Davies, Samuel Gist, John Buchanan, Adam Harmond, William Thompson junr, and Jacob Harmond junr.
18. Adam Harman, Jacob Harman, Valentine Harman, and Valentine Sevier.
19. Samuel Davies of Bristol Merchant, Francis Davies, Nicholas Davies, Peter Whiting, and Matthew Whiting.
20. George Walton, and Joseph Walton.
21. Thomas Lewis.
22. Ambrose Powell.
23. James Maury.
24. Thomas Merriweather.
25. Thomas Walker.
26. Nicholas Merriweather.

27. Matthew Talbot, Richard Vaughan, John Willmot, and David Bell.
28. Joseph Ironmonger, Joseph Keaton, James Terry, and David Bell.
29. The Revd George Samuel Klug, Michael Thomas, Nicholas Knot, Jacob Burner, Henry Bochman, Abraham Mayer, Stephen Suel, Abraham Brown, Adam Wayland, Adam Broil, Adam Barler, Henry Ailer, Matthew Smith, Nicholas Smith, Michael Russel, John Ralchbach, John Barler, and Paul Ledderer.
30. John Willis, John Macklin, William Macklin junr, Henry Morris, William Twitty, Charles Lucas, Francis Willis, James Macklin, John Smith, and Robt. Throgmorton.
31. Richard Corbin, Philip Ludwell, Charles Carter, Nathaniel Harrison, Benjamin Robinson, Carter Burwell, Robert Burwell, Peyton Randolph, John Randolph, Charles Carter junr, Joseph Robinson, Benj: Robinson junr, Charles Robinson, Mann Page, John Page, John Thornton, James Butler, Thomas Berry, Wm Fitzhugh, John Fitzhugh, Francis Thornton, John Champe, William Fitzhugh junr, Richard Smith, & Benjamin Grymes Esqrs.
32. Samuel Eckerlain, Israel Eckerlain, Gabriel Eckerlain.
33. John Wayles, Benjamin Harris, Matthew Talbott, Cary Haslett Hopper, John Hylton, Timothy Dulton, Augustine Claiborne, and Alexander Mackie.
34. Richard Corbin, Philip Ludwell, Charles Carter, and all the same as above in No. 31.

Petitions which have been presented and the Consideration
of them postponed.

1747.

Octor 20th Thomas Lee Esq and eleven others for Two Hundred
Thousand Acres to be laid off from the branch called
Kiskomanettos and Buffalo Creek on the South Side

of the River Aligany and between the two Creeks and the Yellow Creek on the North Side and on the main River of Aligany alias Ohio,

1752.

Novemr 4th John Mercer for himself and thirteen Partners for One Hundred and Forty Thousand Acres bounded on the Ohio Company's Lands when their quantity is laid off.

Novemr 6th Andrew Montour, Christopher Gist, Michel Cressap, and Thomas Cressap junr for Eighty Thousand Acres on the Ohio River and the Waters thereof, not to interfere with the Grants already made to the Ohio Company.

Do William Trent, and nine others for Two Hundred Thousand Acres on the Ohio River and the Waters thereof not to interfere with the Grants already made to the Ohio Company, and beginning at the said lands.

Do Lunsford Lomax, and nine others for Two Hundred Thousand Acres on the Ohio River and the Waters thereof begining at the Ohio Company's grant or entries, not to interfere with the same.

1754

May 7th Philip Ludwell and twenty four others for Three Hundred Thousand Acres on the Waters of Missisippi begining at the mouth of Elk Eye Creek.

1765

June 1st Thomas Nelson Esq and twenty five more for twenty Six thousand Acres lying on the mouth of Cheat River, and extending down the Waters thereof on both sides, after the confluence of the said River with a large branch runing from the South West or there-

abouts, and reaching towards the survey made by Mr. Andrew Lewis and Company

1764.

Jan'y 21st William Byrd Esq in consequence of his Majesty's Proclamation dated the 7th of Octor 1763, and publish'd in the Virginia Gazette in Jan'y 1764, applied as Colonel of the late Virginia Regiment for Five Thousand Acres lying upon the New River in Augusta on both sides thereof, including the tract known by the name of the Lead-mines.

1768

Decemr 19th The Governor was pleas'd to communicate to the Board a letter from Col. Byrd dated Decemr 15th in behalf of the Virginia Officers who serv'd under him in the last War, recommending their claims to Lands lately purchas'd of the Six Nations, agreeably to their respective rank in consequence of his Majesty's Proclamation.

Petitions lodged in the Council Office
which have not been presented.

George Washington, Adam Stephen, and Andrew Lewis Esqrs in behalf of themselves, and the rest of the surviving Officers and Soldiers, who enlisted in the service in 1754, for Two Hundred Thousand Acres on the River Ohio, or near it, in consequence of Govr Dinwiddie's Proclamation the 9th of Feby 1754.

Thomas Nelson Esq and twenty seven others for One Hundred Thousand Acres lying on both sides of the New River, or Great Kunhawa at and near the Falls, & between the said Falls and the mouth of the said River, and at and about the mouth thereof, including an Old Indian Town on the Ohio near the last mention'd Place.

The same, in case they should fail of success in their first Petition, for One Hundred Thousand Acres on the Ohio beginning at the mouth of Sandy River, alias Sandy Creek, and from thence down the said River Ohio, and up the said Sandy River.

The same, for Fifty Thousand Acres lying on the Eastern Side of the Ohio begining on the River side precisely Twenty miles below the mouth of New River, thence down the Ohio to the mouth of Arbuckle's River thence up the same including the lands on both sides of the latter River.

1768

Decemr 23d

John Fielder, and fifty nine others, for Sixty Thousand Acres at the Falls of the Ohio.

James Pendleton, and nine others for Ten Thousand Acres above the mouth of Guyandott the Lesser.

John Thompson, and forty nine others, for Fifty Thousand Acres below the mouth of Pidgeon River.

Edmund Rogers and nine others for Ten Thousand Acres below the mouth of Little Guyandott.

Robert Cobbs, and thirty nine others for Forty Thousand Acres below the mouth of Milly's River.

Philip Pendleton and thirty nine others for Forty Thousand Acres on the upper side of Milly's River at its Confluence with the Ohio.

William Lewis, and nine others for Ten Thousand Acres above the mouth of Great Guyandott.

John Lewis, and fourteen others for Fifteen Thousand Acres below the mouth of Great Guyandott.

George Rogers, and forty four others for Forty Five Thousand Acres below the mouth of Little Kanhawa.

George Gibson, and sixty seven others for sixty eight Thousand Acres above the mouth of Cumberland River.

Matthew Maury, and fifty one others, for Fifty Two Thousand Acres above the mouth of Pidgeon River.

1769.

Jan'y 15th William Fleming, and thirty four others for Thirty Five Thousand Acres on the lower side of Saltlick Creek.

Feb'y 3d James Taylor and nineteen others for Twenty Thousand Acres to begin at the mouth of Great Saltlick River.

Edmund Pendleton and nineteen others for Twenty Thousand Acres on Cumberland River, Rockey Creek, and Clover Creek.

John Armisted and nineteen others for Twenty Thousand Acres on the South Side of the River Ohio opposite the River Wabache.

Walker Taliaferro and nineteen others for Twenty Thousand Acres to begin at the mouth of Cumberland River.

March 21st William Williams, and One Hundred and Fifty six others, for One Hundred and Fifty seven Thousand Acres to begin at the mouth of Totteroy River, and to run from thence up and down the River Ohio on the South Side and up the said Totteroy River on both sides thereof.

John Field, and forty nine others for Sixty Thousand Acres at or near the great Falls of the River Ohio.

William Green and forty nine others for Fifty Thousand Acres below the mouth of the Tanassee, or Cherokee, River, near the Carolina Line.

French Strother and forty nine others for sixty Thousand Acres opposite the mouth of the Wabash River.

Benjamin Roberts and fifty nine others, for sixty Thousand Acres above the mouth of the Wabash River.

William Roberts and forty nine others for sixty Thousand Acres below the mouth of the Wabash River.

John Green and forty nine others, for Sixty Thousand Acres beginning at or near the Tanassee River.

June 17th

John Lewis and thirteen others for Fifty one Thousand Acres on Cumberland below its Confluence with the Ohio.

Joseph Harper and thirty nine others for Forty Thousand Acres at a Sycamore tree markd TW between Cave Gap and Powel's River.

Joseph Bell, and thirty nine others for Forty Thousand Acres at the mouth of Buck Creek a branch of Cumberland River.

Thomas Lohings, and thirty nine others, for Forty Thousand Acres to begin two miles North of the Place call'd the Big Bone.

James Meriweather and thirty nine others for Forty Thousand Acres one mile below the mouth of Dick's River.

William Douglas Meriwether, and forty one others, for Forty Two Thousand Acres to begin at the mouth of Dick's River.

James Taylor, and fifty nine others for Sixty Thousand Acres begining at a beech on Milly's River mark'd TWalker.

Charles Talbot, and seventy nine others for Eighty Thousand Acres to begin at the Mouth of Hunting Creek where it empties into Milly's River.

July 14th

John Syme and nine others for Ten Thousand Acres on the Waters of Monongahela River at a certain Place called Tyger's Valley.

The Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the colony and dominion of Virginia, and Vice Admiral of the same.³⁰¹

To the several Sheriffs, and other persons herein concerned.

Whereas the officers of his Majesty's revenue of quit-rents have represented that many of the Sheriffs who had the collection thereof, have neglected to come and settle their accounts with the Auditor, or to pay and discharge their Balances to the Receiver General, by which many considerable sums are now in arrear, and due to that revenue. I do therefore, by and with the advice and consent of his Majesty's Council, and in his Majesty's name, hereby strictly charge and command the several persons hereafter pointed out for such neglects, and all others for them concerned, to come in before the last of March, and settle with the Auditor, as also to pay and discharge the sums due from them to the said Receiver General, at Williamsburg, or they may depend on having their bonds prosecuted by the Attorney General immediately; And to that end, the clerks of the several counties are hereby commanded to bring in, or safely convey, to his Majesty's Attorney General, all the bonds of such Sheriffs for the years they are deficient, as specified below (except for those years marked +, for which judgments are already obtained) and in case any of the said Sheriffs, or their securities, are now dead, to certify to the said Attorney General, the names of the heirs, executors, or administrators, of such persons, that they may be called into court to answer for those so deceased.

A list of the deficient Sheriffs.

+ Accomack,	1763	Charles Stokeley.
Do.	1766}	Covinton Corbin
Do.	1767}	
Albemarle,	1764	Mosias Jones.
Do.	1767	John Fry.
Do.	1768	Nicholas Lewis.

301. From *The Virginia Gazette* (Rind) February 8, 1770.

Augusta,	1766	} Andrew Lewis.
Do.	1767	
+ Bedford,	1766	} Samuel Hairstone.
+ Do.	1767	
Do.	1768	Richard Stith.
+ Do.	1754	Joseph Ray.
+ Brunswick,	1761	} Thomas Twitty.
+ Do.	1762	
Buckingham,	1765	} Robert Bolling, jun.
Do.	1766	
+ Do.	1767	John Fearn.
Do.	1768	Benjamin Howard.
Caroline,	1762	John Sutton.
Do.	1766	Anthony Thornton.
Do.	1767	} William Tyler.
Do.	1768	
Charles City,	1768	Philip P. Edmondson.
+ Charlotte,	1767	} James Taylor.
Do.	1768	
Dinwiddie,	1766	John Jones.
Goochland,	1768	John Bolling.
Hanover,	1768	Samuel Overton.
+ Henrico,	1767	} Benjamin Duvall.
Do.	1768	
+ Halifax,	1754	James Terry
Do.	1757	Hugh Moore.
+ Do.	1763	Thomas Cobbs.
+ Do.	1767	} William Hoskins.
Do.	1768	
James City,	1767	} William Norvel.
Do.	1768	
Isle of Wight,	1768	Nicholas Parker.
+ King William,	1763	Thomas Chamberlayne.

Do.	1768	John Quarles.
Louisa,	1765	William Johnson.
Do.	1766	William Smith.
Do.	1767	Thomas Ballard Smith.
Do.	1768	
Lunenburg,	1766	Joseph Williams.
Do.	1768	Daniel Claiborne.
New Kent,	1767	Francis Foster.
Do.	1768	George Webb.
Orange,	1768	Richard Thomas.
Prince George,	1768	Alexander Morrison.
Pittsylvania,	1767	Benjamin Lankford.
Do.	1768	
Southampton,	1768	Charles Cosby.
Spotsylvania,	1767	Joseph Brock.
Surry,	1751	Lemuel Cocke.
Do.	1752	
Sussex,	1764	Lawrence Gibbons.
Do.	1767	Michael Bleau.
Do.	1768	
Warwick,	1768	William Langhorne.
York,	1765	Anthony Robinson.
Do.	1766	
Do.	1767	Thomas Chisman.
Do.	1768	

And whereas it has been represented by the Auditor, that great inconvenience attends the settlement of the rent-rolls with the

Collectors, by their separately accounting for the lands in their respective precincts. It is further ordered that for the future, the High Sheriff, his Deputy or Deputies in each county, do, on or about the last of May, in every year, attend at the Auditor's office with two copies of the rent-roll of their county, alphabetically digested, that a final settlement of the whole county may at once be completed; and in order to effect this, and prevent the like inconveniences in future, no such partial settlements will be admitted by the Auditor.

To all the good People
of
Virginia.³⁰²

We his Majesty's faithful Subjects, the Council of this Colony, deeply impressed with the most sincere Regard for the Prosperity of our Country, and the Welfare of all its Inhabitants, and being desirous, by our Example, and by every Means in our Power, to preserve the Peace and good Order of the Community, can no longer forbear to express our Abhorrence and Detestation of that licentious and ungovernable Spirit that is gone forth, and misleads the once happy People of this Country.

The Council recommend it to all Orders of Men, to consider seriously what will be the probable Consequence of such a Conduct as hath been lately pursued, and whether a Redress of the Grievances complained of will not be more likely to be obtained by gentle, mild, and constitutional Methods, than by such intemperate Behaviour, which must tend to exasperate and inflame rather than to reconcile the Differences that now unhappily subsist.

The Council wish, upon this Occasion, that all odious Distinctions may be laid aside, and that they may be considered not as a separate Body of Men, and having a distinct Interest from the rest of their Countrymen and Fellow-Subjects, but in the Light in which they have always regarded themselves, as the watchful Guardians of the Rights of the People, as well as of the Prerogative of the Crown. They are, most of them, Natives of this Country, they have Families, they have Property, and they trust they have Integrity too; which are the best Securities Men can give to any Society for the faithful Discharge of their Duty.

Let then their Exhortations have proper Weight and Influence among the People, and they plight their Faith, that they will join heartily with them in the Use of such means as shall be judged most salutary and conducive for enforcing Obedience to the Laws,

302. From a photographic copy of a broadside in the Public Record Office, C.O.5/1353, f.215. Endorsed, "No. 16. In the Earl of Dunmore's (No. 28) of 25th June 1775." Also found in *The Virginia Gazette* (Dixon and Hunter) May 20, 1775.

and supporting the Constitution of their Country, under which it has flourished from its Infancy, and for obtaining a happy and speedy Conclusion to all our Troubles.

As his Excellency the Governor hath issued his Proclamation for the speedy Meeting of the General Assembly, the Council are happy in finding an Opportunity will be given the People of representing their Grievances in the Manner prescribed by the Constitution.

Signed by Order of the Members of the Council.

John Blair, C. C.

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