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NOVA SCOTIA ARCHIVES. III.

**ORIGINAL MINUTES OF HIS MAJESTY'S
COUNCIL AT ANNAPOLIS ROYAL,
1720-1739.**

EDITED BY

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HALIFAX, N. S.,

1908.

PREFACE.

IN the Akins Catalogue of 1886, volume 22 is described as "Original Minutes of His Majesty's Council at Annapolis Royal, from 1720 to 1742. Bound in Vellum—folio." It is in a state of excellent preservation; the entries have been made with great care in a clerkly hand, with marginal references and two indexes. The volume was completely transcribed by the editor's own hand to provide the copy; but the proofs were read with the original MS. The editor's object was to reproduce, as far as possible, the original MS, errors and all, in order that the historical student might be able to use it as if he had the document before him; but various abbreviations in the script could not be managed without special type. The usual conventions have been followed, such as indicating the expansion of various signs for contraction by italics. To be exact, the period covered is 1720-1739, but the authority of Akins is sufficient justification for preserving the traditional dates in the running title. These nineteen years were uneventful in the history of Nova Scotia and in the history of the world. It was a time of peaceful expansion of the British Empire, and the policy of Walpole affected even this remote corner of it. To the careful student, however, these transactions of a handful of army officers entrusted with the civil administration of a British province, with an increasing hostile population, alien in speech and race and religion, must always have interest. They were alive to the value of the province, and to the ever growing menace of French power; they tried to induce immigrants of their own blood to settle here; and they were careful to do justice, and preserve order, as far as lay within their power. Picturesque incidents crop up even through Mr. Secretary's dry prose, like the loss of the *Baltimore* and the arrival of the three French adventurers from Quebec; but the chief value of this document is for the light it throws upon the internal administration of Nova Scotia during this obscure period of its history.

A. M. M.

MINUTES OF H. M. COUNCIL

1720-1742.

RICHARD PHILIPPS Esq.^e Captain General & Governor in Chief in and over His Majesty's Province of Nova Scotia Governor of Annapolis Royal in said Province and of Placentia in Newfoundland, and Colonel of one of His Majesty's Regiments of Foot.

Having made choice of the following Gentlemen, as members of His Majesty's Council for the Province afores^d they were sum^mon'd to attend his Excellency on Munday the 25th Aprill 1720 at the Honourable Liev.^t Governor's house in His Majesty's Garrison of Annapolis Royal; where accordingly being mett.

Present. -

His Excellency the General

The Hon: ^{ble} Liev. ^t Governor—	Arthur Savage Esq. ^e
Major Law: ^{ce} Armstrong.	Hibbert Newton Esq. ^e
Maj: ^r Paul Mascarene.	William Skene Esq. ^e
The Rev: ^d John Harrison Esq: ^o	William Shirreff Esq. ^o
Cyprian Southack Esq: ^o	Peter Boudre Esq. ^e —

His Excellency administred to each of the members the Oaths mentioned in an Act passed the first year of His Majesty's Reigne, intituled an Act for the further security of his Majesty's person & Government, & the succession of the crown in the Heirs of the late Princess Sophia being Protestants [2]² and for extinguishing the hopes of the pretended Prince of Wales and his open & secrett Abettors. also they took & subscribed the Declaration mentioned in an Act of Parliment made in the 25th year of the Reigne of King Charles the second intituled an Act for preventing dangers which may happen from Popish Recusants; and an Oath for the due Execution of their places & Trusts * * *³ with regard to the equall and impartiall administration of Justice in all causes which shall come before them—then

2 [] indicates the folio throughout. 3 An erasure so filled in.

took their places at the Council Board—all which Oaths were administered to his Excellency the General, by his Majesty's Council, and likewise the Oath required to be taken by all Gov:^s of Plantations to do their utmost that the Lawes relating to the Plantations be observed — likewise he took & subscribed the Declaration aforesaid—.

At a Council hold at the same place afores'd upon Wednesday the 27th day of April 1720.

Present

all the aforesaid as on the 25th Instant

A method for erecting a Public magazine at this place to receive the Grain of the produce of this Province to supply the times of want. Advised on — [3]

Resolved & Order'd—

an Order for a
magazine
for grain.

That a Public Magazine be fitted up here at the Charge of this Province to receive the grain of the produce thereof, that is to say, what is about the supply of each person's family that hath such grain to sell in order that the Inhabitants of this river & others which have not means to raise graine may be readily supplied out of such Magazine and also the Indians inhabiting this Province who are friends may have their support from and be thereby made to depend on the Government provided a proper Method be found out; the same being not hurtful to the Traders of this Province.

(signed)

R Philipps

fathers
Justinians
Letter read.

The reverend Justinian Durands, and the french Inhabitants (of this river) Letters to His Excellency in answer to his Proclamation—was read, and advised on.

Resolu'd & Order'd

Ordered: that
all Vessels
that take in
grain give
bond of £100.

That a letter & Oruer be sent to Miniss and Shignecto relating to the Grain of this Province, and that every Vessel permitted to depart this place bound to any place in this Government, Do giue security to the Governor or Comd.^{er} in

Chief, in the value of One hundred pounds New England money, That all the grain taken on board any such Vess [margin] at any port or place of this Government shall be brought here directly, for the use and on the risque of the Government, and deliverd here at the common price if required paying four pence per bush. freight

Arthur Savage Secy.

(signed)

R Philipps

M.^r James Blin begg'd leave to supply the Inhabitants of Seconecto with some Grain [4] which he had promist them last fall as he sayd

Resolved that M.^r James Blin have liberty to carry fifty hogshheads of wheat to Seconecto, to supply the necessities of the Inhabitants there. Blin Liberty for 50 hhd. of wheat.

At a Council held at the hon.^{ble} Lieut^s Gov:^s house in his Maj^{ties} Garrison of Annapolis royal upon Thursday the 28th. of April 1780.

Present

- His Excellency the General
- The Hon.^{ble} John Doucett Esq.^{re} Presid:^t
- Lawrence Armstrong Esq.^o John Adams Esq.^o
- Paul Mascarene Esq.^o Hibbert Newton Esq.^o
- John Harrison Esq.^o William Skene Esq.^o
- Cyprian Southack Esq.^o William Shireff Esq.^o
- Arthur Savage Esq.^o Peter Bourdre Esq.^o

John Adams Esq.^o was made choice of by His Excellency to serve His Maj^{ties} in Council for this Province, who took the Oaths accordingly & subscribed the Declaration aforesaid. then took his place at the council Board. A Letter which was drawn up by a Committee of Council; to the Inhabitants of Meniss and Chignecto, was read, advised on, and amended John Adams Esq. sworn. lett. r to Inhabitants of Meniss &c.

Resolved That the said Letter be sent to said Inhabitants by John Adams' Esq.^o and M.^r James Blin in order to be read there publickly. [5]

At a Council held at the Hon.^{ble} Liev.^t Gov.^{es} house in His Maj^{ties} Garrison of Annapolis Royal upon Fryday the 29th April 1720

Present

His Excellency the General

The Hon. ^{ble} Liev. ^t Gov. ^o	Arthur Savage Esq. ^o
Lawrence Armstrong Esq. ^o	John Adams Esq. ^o
Paul Mascarene Esq. ^o	Hibbert Newton Esq. ^o
John Harrison Esq. ^o	William Skene Esq. ^o
Cyprian Southack, Esq. ^o	William Shirreff Esq. ^o
	Peter Boudre Esq. ^o

read father
Justinian &
Inhabitants
of this rivers
Letters.

Read Father Justinian Durand letter (a Popish Priest of this river) also a letter of the French Inhabitants of this river * * * to His Excellency the General, likewise his Excel.^y read that part of His * * * * * Instructions relating to the French Inhabitants of this Province taking their Oaths to His sacred Maj^{ty} King George: and a Copy of the former Oaths & subscription of the French Inhabitants of this Province, to Queen Ann at the time the late S^r Charles Hobby was Liev.^t Gov.^r of this Garrison.—

was — also read —

Advised and Order'd

Order to chuse
6 represen-
tatives.

That His Excellency be desired to send up an Order to the French Inhabitants [6] of this river, to chuse six persons to represent the whole body of the Inhabitants, and to act in behalf of the whole, and that the said Order be drawn up by a Committee of Council to be layd before this board at their next sitting. That Paul Mascarene Esq.^o John Harrison Esq.^o Cyprian Southack Esq.^o and Hibbert Newton Esq.^o be the said Committee—in ord^r—for his Excellency's approbation & signing—

(signed)

R Philipps

Advised and Order'd.

That a Committee be appointed to inspect the papers of the late Liev.^t Governor Caulfields relating to the French Inhabitants. That the Hon.^{ble} Liev.^t Gov.^r

Lawrence Armstrong Esq.^o
John Adams Esq.^o
& W^m Shirreff Esq.^o

A. Savage Secy

Committee
of Council.

be the said Comitte. and that they lay before this board at their next sitting; all such papers as they shall think * * * * for the service of this Government; and particularly those relating to the Oaths of the French Inhabitants of this Province formerly taken by any of them.

Comitte to inspect papers of this Province.

(signed)

R Philipps

For the Explanation of the Oath taken by His Maj^{ties} Council of this Province as Councillors.

advised and Orderd

That the paragraph or part relating to secrecy, be construed onely to have regard to such matters as shall be recommended by his Excellency in Council to be kept secret—

be the Explana- of that pt. of y^e Councils oaths relate- ing to secrecy.

(signed)

R Philipps [7]

At a Council held at the Hon^{ble} Liev^t Gov^e house, in his Maj^{ties} Garrison of Annapolis Royal, upon Saturdây the 30th April 1720. A. M.

Present

His Excellency the General

- The Hon^{ble} Liev^t Gov^r— John Adams Esq.^o
- Lawrence Armstrong Esq.^o Hibbert Newton Esq.^o
- Paul Mascarene Esq.^o William Skene Esq.^o
- John Harrison . . . Esq.^o William Shirreff Esq.^o
- Cyprian Southack. Esq.^o Peter Boudre Esq.^o
- Arthur Savage. Esq.^o

A. Savage Secry.

A report of the Comitte apointed to draw up an Order to the French Inhabitants of this river. viz^t. That they had drawn up s.d Ord.^r w^{ch} was deliverd in, Read & approved off.

Advised and Order'd

That the said Order be translated into French, and sent up the river to said Inhabitants: to chuse six persons to represent the whole body of the French Inhabitants of this River

Order to y^e French Inhabitants.

(signed)

R Philipps

A letter from His Excellency the General to Father Justinian Durand (a popish Priest) was Read; and approved of to be sent up the river wth the afores^d Order [8]

report of a
committe.

A report of the Committee appointed to inspect the papers of this Government relateing to the French Inhabitants: viz^t That they had found several papers relateing to French Inhabitants perticularly the Oaths they had taken to her late Maj^{tye} Queen Ann which were deliverd in.

Read and: Advised on.

At a Council held at the Hon.^{ble} Liev.^t Gov.^r house in his Maj^{ties} Garrison of Annapolis Royal upon Saturday 30th April 1720. P. M.

Present

His Excellency the General

The Hon.^{ble} Liev.^t Governor Cyprian Southack Esq.^o
Paul Mascarene Esq.^e Arthur Savage Esq.^e
John Harrison Esq.^e John Adams Esq.^o

Information being given by one of his Maj^{ties} Council that Cleud Mellanson had told him that the Indians of Penobscot had threatned the French Inhabitants of this Government viz^t That if they sign'd for the English they would cut their throats [9]

several
Frenchmen
examined.

The sayd Mellenson was sent for and examined thereon, who denyed he had said any such thing likewise Mathew Doucett another French Inhabitant of this Province being examined to the same purpose, said he had heard such a report but could not remember the perticular person that said it

It was then said that the report came by M.^e Joseph Bissel, who was called in & examined thereupon, who denyed that he or any of his Crew (being Sailors) could bring any such report for that Neither of them had seen an Indian at Penobscot.

Ar Savage Secry.

The aboue French dismiss untill further orders.

At a Council held at the Hon.^{ble} Liev.^t *Governors* house in His Maj^{ties} Garrison of Annapolis royal. Upon Wednesday the 4th May 1720.

Present

His Excellency the General

The Hon. ^{ble} the Liev. ^t Gov. ^r	Arthur Savage Esq. ^o
Lawrence Armstrong Esq. ^o	Hibbert Newton Esq. ^o
Paul Mascarene Esq. ^o	William Skene Esq. ^o
John Harrison Esq. ^o	William Shireff Esq. ^o
Cyprian Southack Esq. ^o	

The six French Representatives (who appeared according to ord.) of the Inhabitants of this river being sent for in before the Council, Were demanded to shew [10] to shew their Power from sd Inhabitants, who deliverd in their power in writing. w^{ch} was read

There qualifications as Freeholders were examined, viz^t Prudent Robicheaux, Alexander Robicheaux, Nicholas Gautier. Bernard Godets. Charles Landry. & Pier Godete.

Nicholas Gautier not proueing that he was a freeholder of this Province: only a transient person—was excepted against likewise Prudent Robicheux haueing but a slender propriety in y^e sd Province was also excepted against.

² French representatives objected against.

Advised and Agreed

That another order in writing be sent to the French Inhabitants of this river from his Excellency the General to chuse two other persons in the room of, s.^d Prudent Robicheaux & Nicholas Gautier to serue as representatives of the Inhabitants of this river; wth Alexander Robicheaux, Bernard Godet, Charles Landry, & Pier Godet. That Paul Mascarene Esq.^o draw up said Order for His Excellency perusal and signing.

At a Council held at the Hon.^{ble} Liev.^t Gov.^{rs} house in His Maj^{ties} Garrison of Annapolis royal upon Wednesday the 11th May 1720.

Present

- His Excellency the General
 The Hon.^{ble} Liev.^t Governor Arthur Savage Esq.^e
 Paul Mascarene Esq.^e Hibbert Newton Esq.^e
 John Harrison Esq.^e William Skene. Esq.^e
 Cyprian Southack Esq. William Shireff Esq.^e

the French Letters read.

A letter from the French Inhabitants of this river to his Excellency the General dated the 20th Instant. N. S. in answer to His Excellency's Order to them to chuse two other representatives in lieu of Prudent Robicheax and Nicholas Gautier who was objected against was Read.

Advised and agreed

order'd no answer in writing to be return'd.

That no answer in writing be return'd to said Letter, but that the French Inhabitants be verbally acquainted that their non-compliance wth his Excellency's Order hath put it out of his Power to adjust the matters they petition for in sd. Letter by reason of their obstinately refusing to send proper persons to act for them, and therefore he leaves them to His * * * Proclamation.

Advised & agreed

Ar Savage Secry.

That it is for his Maj^{ties} service that meanes be found out to send to LaHaue for Mons.^r Patipaw' * * * with all expedition who tis thought may be of great use and service to this Government in the present circumstances of affaires, and that M.^r John Broadstreet a Volunteer in this * * * Garrison, is thought the most proper person to send on that Expedition [12]

At a Council held at the Hon.^{ble} Liev.^t Govern.^{rs} house in His Maj^{ties} Garrison of Annapolis royal upon Tuesday the 17th May 1720—

Present

- The Hon.^{ble} Liev.^t Governor. President
 Maj.^r Lawrence Armstrong. Arthur Savage Esq.^e
 Maj.^o Paul Mascarene Hibbert Newton Esq.^e
 John Harrison Esq.^e William Skene Esq.^e
 Cyprian Southack Esq.^e William Shireff Esq.^e

The Hon:^{ble} Liev:^t Governor acquainted the board that his Excellency Gen:^l Philipps having advice that the French Inhabitants of this river are cutting a road from this river to Miniss. w^{ch} giues him suspicion that they design by it, either to molest this place, or to driue off their Cattle & carry their effects From hence by that way in order to settle in a body either there or hignecto¹ and stand in defiance of the Government.

Advised & Agreed.

That His Excellency be desired to send his special Ord.^{es} to the french Inhabitants of this river & Miniss. not to cut any such road, without having his Excellency's leaue in writeing: That the s.^d Order be drawne up to be presented to His Excellency to signe & approue off. That the Hon:^{ble} Liev:^t Gov:^{or} Maj:^o Lawrence Armstrong, Maj:^o Paul Mascarene & Cyprian Southack Esq.^o be the Committee to draw up sd Ord.^{rs} [13]

Advised that an order be sent to ye French not to cut a road from this river to Minis.

At a Council held at the Hon:^{ble} Liev:^t Gov:^{or} house in His Maj:^{ties} Garrison of Annapolis royal upon Thursday the 19th May 1720

Present

His Excellency the General

The Hon: ^{ble} Liev: ^t Governor	Arthur Savage Esq. ^o
Maj: ^o Lawrence Armstrong	Hilbert Newton Esq. ^o
Maj: ^o Paul Mascarene	William Skene Esq. ^o
The Rev. ^d John Harrison Esq. ^o	William Shirreff Esq. ^o
Cyprian Southack Esq. ^o	

His Excellency communicated to the board that, yesterday he had received several letters from Miniss viz^t One from y^e Inhabitants there one from Felix's (a Popish Priest there) of the 25th Instant N.S. and one from John Adams Esq.^o one of his Maj:^{ties} Council for this Province of the 14th Instante. all which were read.

severale Letters from Miniss read.

His Excellency acquaint:^d the Board. That yesterday he had sent an Ord:^o by an Officer of this Garrison, to the French Inhabitants of this river & Minis to desist cutting a road from this river to Miniss [14]

the Gen:^l inform y^e board he had sent an Order to Miniss &c to forbear cutting any road

¹ for "at Chignecto"?

At a Council held at the Hon:^{ble} L:^{ts} Governors house in his Majesty's Garrison of Annapolis Royal upon Wednesday the 29th June 1720.

Present

His Excellency General Richard Philipps. Gov:^o
 The Hon:^{ble} Liev:^t Governor Arthur Savage Esq:^o
 Major. Laurence Armstrong Peter Boudro Esq:^o
 Major. Paul Mascarene

Information that the Disaffected French Stir up the Indians.

The General acquaintd the Board that he was credibly informed that the disaffected french in this Government were insinuating Notions to the Indians, very prejudicial to His Majesty's Intereste—

Express sent for the Chiefs of the Indians residing at St. Johns.

Advised & agreed That it would be for His Majesty's service that an express be sent away immediately to the Chiefs or Heads of the Indians residing at St Johns river in this His Majesty's Government to bring them over here to His Excellency in order to undeceive them, and not wait for the Presents w^{ch} are dayly expected from His Majesty [15]

Orderd That a Vessell be immediately taken up for the service afores'd

(signed)

R. Philipps

At a Council held at the Hon:^{ble} Liev:^t Governors house in his Majestys Garrison of Annapolis Royal upon Tuesday the 26th July 1720

Present

His Excellency the General.
 The Hon:^{ble} Liev:^t Governor Arthur Savage Esq:^o
 Major Law:^{ncc} Armstrong John Adams Esq:^o
 Major Paul Mascarene Hibbert Newton Esq:^o
 The Rev:^d John Harrison Esq:^o William Skene Esq:^d
 William Shirreff. Esq:^o

Ar Savage Secry.

Nine of the Indian Chiefs arrive to speak wth the Governor.

His Excellency acquainted the Board That nine of the Indians Chiefs from the river of S:^t Johns were arriued here in the Express that was sent for them, That his Excellency had spoke with them & acquainted them with his reasons for sending for them & at the same time gaue them assurances of his Majesty's friendship & protection, to which they had

desired a dayes time to consider & answer. That his Excellency had just receiu'd the same & directed to be put in writing by the Interpreter, which was deliverd in.

Read & Advised on. [16]

Agreed & Orderd

That an answer thereto Article by article be drawne up by a Committee of Council That the Hon:^{ble} Liev:^t Governor. Major Lawrence Armstrong, Major Paul Mascarene & Joun Adams Esq.^o be the said Committee. It is further advised it would be for his Majestys service that there be a present made to said Indians at their being dismist.—That the said Presents (charges of sending for them, maintaining them here, and returning them back to S:^t Johns River be at the Government's Costs.

Advised that a present be made to the Indian Chiefs.

(signed)

R Philipps

At a Council held at the Hon:^{ble} Liev:^t Governors house in his Majestys Garrison of Annapolis Royal upon Tuesday the 16th August 1720.

Present

The Hon:^{ble} Liev:^t Governor Presid^t

Major Paul Mascarene William Skene Esq.^o
John Harison Esq.^o Gillam Philipps Esq.^o
Arthur Savage Esq.^o

Gillam Phillips Esq.^o was made Choice of by his Excellency the General, to serve [17] His Majesty as one of the Members of this his Council for this Province, who took the Oaths; made and subscribed the Declaration then took his place at the Council Board.

Gillam Phillips admitted as one of the Council.

At a Council held at the Hon:^{ble} Liev:^t Gov:^{ers} house in his Majesty's Garrison of Annapolis Royal upon Wednesday the 24th August 1720—

Present

His Excellency the General

The Hon:^{ble} Liev:^t Gov.^o John Adams Esq.^o
Major Lawrence Armstrong Hibbert Newton Esq.^o
Major Paul Mascarene William Skene Esq.^o
Arthur Savage Esq.^o William Shirreff Esq.^o

A. Savage Secy.

3 French men
Examined
about
the Disaster
at Canso.

Michael Richards alias Le Fund, Prudent Robichaux Jun.^o, and Charles Boudroit three french men the two first belonging to this river, the other to Cape Breton who brought the Newes of the Disaster at Cansau by the French and Indians were sent for in before the board, and examined upon Oath—relating thereto.

There Oaths at large on file—[18]

At a Council held at the Hon:^{ble} Liev:^t Governors house in his Majestys Garrison of Annapolis Royal upon Saturday the 27th August. 1720

Present

His Excellency the General
The Hon:^{ble} Liev:^t Govern:^o John Adams Esq.^o
Major Law^{ce} Armstrong Hibbert Newton
Major Paul Mascarene W^m Skene } Esq.^o
Arthur Savage Esq.^o W^m Shirreff }

the five
frenchmen
that Comitted
the Robbery
at Canso
Examined.

Jeannice Souharc, Martin de Molve belonging to Cap:^t Philisbert d' Habilene Comd:^t of a french ship at Nirichshaw, Jannice de Candos belonging to Nicholas Petitpas fishing at Petit de gratz; Martin Dixapare belonging to Martin de la borde fishing at Petit degratz, Francois Pitrel belonging to John Harenbourg fishing at the said place. Five french Prisoners who were taken arobbing the English at Cansoe. were sent for in before the board and Examined; they all declared they were commanded by their masters to do what they did. [19]

At a Council held at His Excellen^{cy} the General's house in his Majestys Garrison of Annapolis Royal upon Munday the 29th August 1720

Present

His Excellency the General
The Hon:^{ble} the President John Adams
Maj:^o Lawrence Armstrong Hibbert Newton
Maj:^o Paul Mascarene William Skene } Esq
Arthur Savage Esq.^o William Shirreff }

A: Savage Secry.

Captain John Henshaw belonging to Cansoe who brought the five french Prisoners from thence; was Hon'd by the General, with the Commissions of the Peace and Captain of a Company of Militia at Cansoe, who took three Oaths, made and subscribed the Declaration, as the law directs.

John Henshaw made Captain of a company of militia.

The Examination of the five french Prisoners were taken at large as upon File. [20]

At a Council held at the Hon:^{ble} Liev:^t Governors house in his Majestys Garrison of Annapolis Royal upon Monday the 5th Septemb.^e 1720.

Present

His Excellency the General

- | | |
|---------------------------------------|--|
| The Hon: ^{ble} The President | Hib: ^t Newton Esq. ^e |
| Major Paul Mascarene | William Skene Esq. ^e |
| Arthur Savage Esq. ^e | William Shirreff Esq. ^e |
| John Adams. Esq. ^e | |

His Excellency acquainted the Board that M.^r John Broadstreet (the Officer who he had sent to Menis to prevent the french trading from thence to Cape Breton by the bay of Verte) was return'd Express by land; with the newes of the Indians robbing an English Sloop. (one John Alden master) at Menis: And demanded the advice of the Board, what was proper to be done in the present Emergent circumstances of Affaires of this Province considering the robbery was committed by Ten or Eleven Indians, in the middle of Two or three hundred french Inhabitants: which makes it suspicious that [21] it suspicious that either the said Inhabitants were Abettors to the said Robbery, or at least did not do their duty in preventing that Mischief.

the Indians Robbing an English Sloop.

Agreed and Order'd.

That a letter be drawn up by a Committee of the whole Council (for his Excellency's Approbation and signing), To the four Representatives of Menis, requiring them to appear here in person before his Excellency as soon as possible, to give their Reasons why they sufferr'd the afors'd Robbery, and

letter to the 4 Representatives of Menis.

to assemble the Indians there and demand of them in his Excellency's name, their reasons for their thus doing in a time of Peace and without the least provocation.

(signed)

R Philipps

At a Council held at the Hon^{ble} Liev.^t Governors house in his Majestys Garrison of Annapolis Royal upon Munday the 19th Septemb:^o 1720

Present

His Excellency the General [22]

The Hon:^{ble} the President. John Adams Esq.^o

Maj:^o Paul Mascarene William Skene Esq.^o

Arthur Savage Esq. William Shirref Esq.^o

the masters of
Vessels
trading here
Summon'd
to Compear
before his
Excellency,

His Excellency acquainted the that he had heard that sundry Masters of Vessells, tradeing here, had made great Clamours, about thee Order of Council, relateing to the Graine of this Province. all the Masters of Vessells at this Place was summon'd to appear before his Excellency and Council. M.^r Benj.^a Walker (for his master) John Alden, William Winniet, Joseph Prissell, and George Lynham appear'd. The Order of Council relateing to the Grain was read. they were then demanded to giue their objections if they had any. No person there had any, only M.^r William Winniet said he would giue in a Memorial in ywriteing. His Excellency acquainted the Council and the afores.^d Masters, that he should be very thankfull to any or all of them by themselves or others to take the Magazine of Grain in this Garrison out of his hands: in Order to supply this Garrison & Goverment, for it was a burden to him, not haueing a fund to carry it on. [23] No Person there would accept of it.

the Hunters
prohibited to
carry
passengers &c.

Shallopps passing the Bay of Fundy from hence, in order for hunting by the Inhabitants of this River. Advised on— Agreed & Order'd That those Hunters giue security by their Cheifs of their Gangs, to his Excellency as he shall think proper, That they carry no passengers or effects off, nor pro-

visions more than will serue them the trip nor stay longer than the time limited in their pass

(signed)

R Philipps

A. Savage Secy.

At a Council held at his Excellencys house in his Majesty's Garrison of Annapolis Royall, upon Saturday 24th Septemb^r 1720

Present

His Excellency the General

- | | |
|--|------------------------------------|
| The Hon: ^{ble} the President. | Hibbert Newton Esq. ^o |
| Maj: ^o Paul Mascarene | William Skene Esq. ^o |
| Arthur Savage Esq. ^o | William Shirreff Esq. ^o |
| John Adams Esq. | |

His Excellency acquainted the Board, that he had called them together to give their Opinions, of the most effectuall way of settling this his Majestys Province [24] since the Inhabitants are so insolent as to deny swearing Allegiance to his Majesty, and minding no Orders of this Government. Advised on.

Agreed. That there is no other Method to settle this Province under due Obedience to his Brittannick Majesty, as the circumstances of Affaires now stands; than by more regular fforces sent over here to curb the Insolency's of the present ffrench Inhabitants, & Indians Resolu'd & Order'd

That an humble Representation from his Excellency and Council, setting forth the State of this Province, with proposalls for settling the same be drawne up in order to be presented to his Majesty.

Representa-
tion to be
drawn & sent
to his Majesty
for more
forces.

(signed)

R Philipps

Advised

About the former Order of Council, for erecting & maintaining here the Magazine for Graine & paying for the same.

His Excellency acquainted the Board that he had not a fund to carry on the same any longer.: and without they

could find out a Method for paying for the same it must dropp. [25]

At a Council held at his Excellency's the Generals house in his Majesty's Garrison of Annapolis Royal upon Sunday the 25th September 1720

Present

His Excellency the General

The Hon ^{ble} the President.	Hibbert Newton Esq. ^e
Maj: ^o Paul Mascarene.	William Skene Esq. ^e
Arthur Savage Esq. ^e	William Shirreff Esq. ^e
John Adams Esq. ^e	

Said Representation read and approved of.

An humble representation from his Excellency & Council: of the State of this Province: with proposals for settling the same, was read and approv'd of.

Resolved and Order'd

That said Representation be ingrossed, to be transmitted home the first opportunity, in order to be lay'd before his Majesty :

(signed)

R Philipps

Ar Savage Secry.

At a Council held at the Hon^{ble} Liev:^t Govern:^{es} house in his Majesty's Garrison of Annapolis Royall upon Tuesday the 11th October 1720

Present

His Excellency the General [26]

The Hon ^{ble} The President	Hibbert Newton Esq ^e
Major Paul Macarene.	William Skene Esq ^e
Arthur Savage Esq	William Shirreff Esq ^e
John Adams Esq ^e	

A Complaint of the Hon^{ble} Liev^t Governor in writing, of the 10th Instant to his Excellency: relateing to his Public Orders for this Province giuen out before the arrival here of his Excellency—Was read—& advised on.

Mr. Worth examined about reflections cast upon the Lvt. Govr.

Upon which Mr. Wroth was sent for in before the board, and examined; in relation to some reflections that was cast upon the Liev:^t Governor by giueing out one of those Orders

—who said that he had heard some words by William Shirreff Esq^o tending to that purpose. Upon which the Liey^t Governors Orders relating to Mr. Oliviers Soap, Elizabeth Reynolds being whipte, and an Order to Sergeant Emerton to assist the Collector in search for counterband goods was read, and approv'd off by his Excellency & Council as haueing nothing in them irregular. Mr. William Winniet being in Company at the same time when the aforesaid reflections was cast, was sent for in before the Council and askt by the Hon^{ble} Liey^t Governor, whither he had any objections to make against his administration while he had the Honour here, to be in the Chair of Government before his Excellencys arrivall who answered he had none

(Mr. William Winniet desiring leaue of his Excellency to go up the bay of Fundy with his Sloop [27] to trade. His Excellency declares he has leaue quallifying himself according to Law—)

Resolved and Agreed

That whoever has made any such reflections as is before mentioned, upon those Orders that was now read and approv'd off by Council must be thought to haue done it to Invallidate the Authority of Government.

It is further Resolved and Orderd. Nemine Contradicente That Mr William Winniet haueing behav'd himself before his Excellency and Council, in an Insolent, Disrespectfull Audacious, Contemptious and undutiful manner as is beleiud to be without President or Example he shall be obliged to ask pardon and make his humble submission in writeing to his Excellency and Council acknowledgng his offence in the most submissiue manner (and in perticular to two of the Members of this his Majestys Council viz.^t Major Paul Mascarene and John Adams Esq^o haueing reflect'd in the vilest manner on the Character of the latter in Council^d) and deliver in the same sign d by himself, to his Excellency and Council to morrow at the hour of twelve, who will then sitt at the Place aforesaid—And that Mr William Winniet be serued this day with the Copy of this Order of Council.

Mr Winniet
ordained to
ask pardon for
his behaviour
to the Gen^l
&c.

A SERRVO SOCR

(signed)

R Philipps [28]

At a Council held at the Hon^{ble} the Liev^t Governors house in his Majesty, Garrison of Annapolis Royal, upon Wednesday the 12th October 1720.

Present—The whole Council here as on 11th Instant A. M. Yesterdays Minutes and Order was read

Order'd that the words ^{in Council} A be added to the Order of yesterdays. reference thereto by this mark A

M^r William Winniet at the hour of 12 appeared at the Board, and deliver'd in a paper dated this day. then was order'd to withdraw. then his paper was read Advised and fully Debated on.

Agreed Nemine Contradicente that M^r William Winniet hath not obey'd the Order of Council of yesterdays— Agreed that he had trifled with Government by said Paper, and thereby rather aggravated his Crime.

Advised and Order'd.

That the said M^r William Winniet be Confin'd in close Custody untill such time he Obeys the Order of Council of Yesterdays, and giues good security in the sum of one hundred Pounds New England money for his good behaviour for the future to the Government. and that [29] And that a Representation of M^r William Winniet Character and behavior under former Governments and particularly under this, be drawn up by a Comittee of the whole Council in order to be transmitted to the Goyernment at home, and to the Neighbouring Governments to Justifye the Proceedings of this Hon^{ble} Board to be sign'd by every Member of this his Majestys Council, and as many others as will.

(signed)

R. Philipps

Then the Council was adjourn'd til half an hour past three in the afternoon.

¹ in Council written in above the line with caret.

Mr Winniet confined.

As Savage Secry

Post Meridiem

Present the whole Council here as before, viz.^t

His Excellency the General

The Hon. ^{ble} The President	Hibbert Newton Esq ^o
Major Paul Mascarene	William Skene Esq ^e
Arthur Savage Esq. ^o	William Sherritt Esq ^e
John Adams Esq ^e	

An Order to Mr. Robert Wroth was issued out by his Excellency in Council to take M.^r William Winniet aforesaid into safe Custody. Before the sd Warrant was deliver'd to the Officer. Mr. William Winniet was sent for in by his Excellency's Order, he haueing some dayes before tax'd the General with saveing he would ruin him. and being charg'd to produce his Author declared that M.^r Boudre had inform'd him that Captain Savage had told him So. Mr. Peter Boudre then being out o^e the Province) Upon which [30] Upon which Arthur Savage was sworne Deposed that he never said the words, nor inform'd sd Boudre. and further that his Excellency had never said so to him, nor that he had so much as a peake at him.

Upon M.^r William Winniet request being in Custody his Excellency and Council granted him the favour of being Confn'd to his own house till Fryday next At or before s.^d time he promist to comply wth s.^d Orders of Council.

At a Council held at the Hon^{ble} Ljev.^t Governors house in his Majestys Garrison of Annapolis Royall upon Fryday the 14th Octob.^o 1720

Present

His Excellency the General

The Hon. ^{ble} the President	John Adams Esq ^o
Maj. ^o Lawrence Armstrong	Hibbert Newton Esq. ^o
Maj. ^o Paul Mascarene	William Skene Esq. ^o
Arthur Savage Esq. ^o	William Shirreff Esq. ^o

Mr. William Weniet sent in his Letter of Submission, which was read, and was Nemine contradicente approved off, and by reason of his ample submission, his Excellency and

Council (out of their tenderness) forgave him that part of his sentence, Viz^t his giueing security for his good behaviour to this Government for the future

Major
Armstrong
returned from
Canso.

His Excellency acquainted the Board that Maj.^o Armstrong return'd yesterday from Cansoe & brought several Papers of Moment w^{ch} should be lay'd before the Board in a little time [31] and was of opinion that what he acted in his Voyage to and at Cape Breton was for his Majest^{ties} Interest

At a Council held at his Excellencys house in his Majestys Garrison of Annapolis Royal upon Saturday the 23th Octob.^e 1720

Present

his Excellency the General

The Hon. ^{ble} the President	Hibbert Newton Esq. ^o
Major Lawr. ^{nce} Armstrong	William Skene Esq. ^e
Major Paul Mascarene	William Shirreff Esq. ^o
Arthur Savage Esq. ^e	Peter Boudre Esq. ^e
John Adams Esq. ^e	

Two Prissoners from Cansoe (by Major Armstrong) viz.^t James Saunders & Peter Henderson for the death of Abiel Bell who was killed there the 10th August last—was sent for in & examined—James Saunders who kill'd the man (as is said) declared he went ashore by orders and was one of the Guard that went ashoare at Cansoe and that he challeng'd several times very loud before he fired his peice, & that he took the boat wherein the man was that was kill'd, for a french boat and that he saw no person on the stage when he fired as *per* his declaration in Writeing taken at Cansoe now upon file here more fully appears. Peter Henderson upon examination, dellared¹ that he knew nothing of the watch word nor guard ashoare but that the men belonging to his Vessell who went ashoare, said they were goeing to saue the good belonging to the English [32]

¹ declared.

Advised thereon, after which the Prisoners were confined untill further Orders

Arthur Savage humbly moued to his Excellency & this Hon:^{ble} Board, That Peter Boudre Esq.^e was now in Council, being just returnd from Sea: desired he might justifie or condemn him as to what Mr^r William Winniet had Inform'd his Excellency & Council the 12th Instant in Council, viz.^t that s.^d Boudre inform'd him that s.^d Savage should say from his Excellency mouth that he would ruin him — Upon which said Boudre was sworne. Deposed that he never informed Mr^r William Winniet any such thing, nor that s.^d Savage had ever said any such thing to him

Arthur Savage craving that Mr Winniet make Good his Speech agt him.

The Memorial of Major Lawrence Armstrongs to the Governor of Cape Breton and his answer to the same was read

James Saunders & Samuel Waters each in the sum of Two hundred pounds New England money— Entered into recognizance to our Soueraign Lord the King, That James Saunders shall be forth coming (death or castalties exceptd) at Canso in the space of eight months insueing to stand his Tryal for the death of Abiel Bell

The prisoners that were Examined on suspicion of the murder at Canso Liberate upon Bail.

James Blinn appeared before his Excellency and entred into recognizance to our Soveraigne Lord the King in the sum of Two hundred pounds New England money for the appearance of James Henderson at Canso in the space of six months to stand his tryal for the death of Abiel Bell [33]

At a Council held at his Excellency's house in his Majesty's Garrison of Annapolis Royal upon Wednesday the 16th November 1720

Present

His Excellency the General

Major Lawrence Armstrong	Hibbert Newton Esq. ^e .
Major Paul Mascarene	William Skene Esq. ^e
Arthur Savage Esq. ^e	William Shirreff Esq. ^e
John Adams Esq	

Mr. Hobbys
petition in
Relation to
Sir Chas
Hobbys papers

A petition^o of Mr. John Hobby relateing to Major Arm-
strongs withholding several papers belonging to the Estate of
the late S^r Charles Hobby was read & advised on
adjourn'd till to morrow at three Clock afternoon
on Thursday 17th Novemb.^o 1720 mett at the same place,

Present His Excellency

Major Law. ^{nco} Armstrong	Post Meridiem
Major Paul Mascarene	Hibbert Newton Esq. ^o
Arthur Savage Esq. ^o	
John Adams Esq. ^o	William Shirreff Esq. ^o

Upon reading a second time the Petition of Mr. John Hobby.
Advis'd & Order'd

That Major Lawrence Armstrong lay before the
Board forthwith all the Papers in his hands belonging [34]
belonging to the Estate of the late S^r Charles Hobby

a Copy of the aboue ord.^o was deliver'd to Major Armstrong
by his desire, upon which he layd before the Board all the
papers (as he said) belonging to s.^d Estate an Acco.^t on file,
was taken of them from N.^o 1 to 29 (exceptung N.^o 5 & 27—
wanting) after which the s.^d Papers were deliverd to Major
Armstrong.

His Excellency demanded the advice of this Board, relate-
ing to Wheat to supply the necessitys of this Garrison now
in want—

Advised on——

At a Council held at the Hon.^{ble} Liev:^t Governours house
in his Majestys Garrison of Annapolis, Royal upon Tuesday.
28th of February 17

Present his Excellency

The Hon. ^{ble} the President	Hibbert Newton Esq. ^o
Major Paul Mascarene	William Skene Esq. ^o
Arthur Savage Esq. ^o	William Shireff Esq. ^o
John Adams Esq. ^o	

A letter from Philip Melanson, and Antoine Landre two of
the french Inhab:^t of Menis to his Excellency, relateing to

the whole Inhabitants was read, likewise a letter from M^r Philip Melanson at Manis to the L^{ieut}. Governor was also read [35] another from the Indians at Menis to the Inhabitants of this river (all relating to the robbery of Mr. Aldens Sloop) was also read—

Letter from Philip Melanson &c in relation to the robbing of Mr. Aldens sloop.

Advised On

Voted that his Excellency be desired by this Board not to receive the afores.^d Philip Melanson and Antoine Landre as Representatiues of the People of Minas they being not the persons approued on by his Excellency But that a Committee of Council meet them and hear what they haue to propose to the Government in their Justification for s.^d People.

Order'd That the Hon.^{ble} the L.^t Gov.^e and Major Mascarene be the sd Comitte.

(Att a Council held at his Excellencys house in his Majestys Garrison of Annapolis Royall upon Saturday the 4th March 17th 2^d)

Present

	The Hon: ^{ble} the President
Arthur Savage Esq. ^o	Hibbert Newton Esq. ^o
John Adams. Esq. ^o	William Skene Esq. ^o

The President produced a draught of some Instructions from his Excellency in relation to the Inhabitants of Minas wherein his Excellency askt the Opinion of the Council whither M^r William Winnet is a proper person to put the same in Execution.

Mr Winniet appointed to Execute his Excellencys Instruction at Menis.

A motion being made that M^r William Winnet haueing had the misfortune to fall under the displeasure of his Excellency and Council, and a minute entred in the Council Book to his disadvantage [36], his disadvantage, it was thought proper to remind his Excellency thereof, and to know his farther pleasure, upon which his Excellency was pleased to return an answer in writing to this effect that M^r Winnet had since the offence aboue mentioned been found serviceable to the Government.

Resolved that Mr Winniet, notwithstanding the minute before mentioned be esteem'd a person quallified to serue the Government and whome his Excellency may Honour with his Commands. and that his Excellency and Council had accep.^d of his submission in writeing for his misbehaviour towards them.

Att a Council held at his Excellency's house in his Majestys Fort of Annapolis Royall upon Saturday the 8th April 1721 A: M.

Present

His Excellency the General

The Hon. ^{ble} the Presid: ^t	Hibbert Newton Esq ^o
Major Paul Mascarene	William Skene Esq: ^e
Arthur Savage Esq. ^e	William Shirreff Esq. ^e
John Adams. Esq. ^e	

petition from
the french
Inhabitants.

A Petition of the french Inhabitants of this river to his Excellency, relateing to the soweing of their lands here &c.— was read and advised on

likewise that part of his Excellencys Instructions relateing to the french Inhab:^{ts} was read—

Voted Nemine Contradicente; that an answer [37] That an answer in writeing be giuen to said Letter by a Committee of Council.

Order'd that the Hon:^{ble} the Presid:^t Major Paul Mascarene and John Adams Esq.^e be s.^d Committee.

His Excellency acquainted the Board that the representatiues of Menis were arriv'd here

Voted that the Consideration thereof be referr'd to another time

At a Council held at his Excellencys house in his Majestys Fort of Annapolis Royal upon Saturday the 8th April 1721. P. M.

Present,

His Excellency the General

The Hon: ^{ble} The President	John Adams Esq. ^e
Major Paul Mascarene	William Skene Esq. ^e
Arthur Savage Esq. ^e	

The report of the last Committee was deliver'd in to the Board with an answer drawne to the aforesaid Petition (rtat^d this morning in Council) to his Excellency, which was read, and approved of.

Answer to the aforesaid petition read in Council.

Order'd That said report be Translated into french, and deliver'd to said representatiues, by M^r Secretary Savage as his Excellencys Answer.

At a Council held at his Excellencys house in his Majesty's Fort of Annapolis Royal upon Munday the 10th of Aprill 1721

Present

	his Excellency the Governor [38]	
The Hon. ^{ble} Liev ^t Governor	Hibbert Newton) Esq. ^{es}
John Doucet Esq	W ^m Skene	
Major Paul Mascarene	W ^m Shirreff)
M ^r Secretary Savage		
John Adams Esq ^o		

The Secretary reported to the Board that this morning he had deliver'd to the french representatiues of this river his Excellencys answer, w^{ch} was drawne up by a Committee of Council.

The consideration of the arrival of the french representatiues from Manis advised on.

Voted that a Committee of Council be appointed to speake with said representatiues, as from his Excellency and Council and to inquire whither they are come conformable to his Excellencys Instructions deliver'd M^r Winniet of 4th March last relateing to them

a Committee appointed to speak with the Representatives of Menis.

Order'd that the Hon.^{ble} Liev.^t Govern.^o Major Paul Mascarene and John Adams Esq.^o be said Committee, and make report of their proceedings therein, to his Excellency and this Board this afternoon at four a Clock to which time this Board is adjourn'd.

Post Meridiem. Mett at the, same place The same persons present

tiues of Menis made their report. as upon File. which was debated on. [39]

Voted that the farther consideration thereof be referred till to morrow morning.

Charles Robicheau the representatiue of Cobequet was call'd in before the Board who deliverd his Excellency a letter from the Inhabitants of said place; then was order'd to withdraw. The Letter being read, it was propos'd by his Excellency that a favourable answer by him be returned to the said Letter, and by the same representatiues.—which was agreed to nemine contradicente. then adjourn'd to ten aClock to morrow morning A M^o. 11th April Tuesday. mett at the same place The same persons.

Present

read the report of yesterdays relating to the representatiues of Minas and fully debated on.

Voted that his Excellency in Council receiue the Letter directed to him from the Inhabitants of Minas (relateing to Capt.^s Alden) which was brought by s.^d representatiues. then it was deliver'd in by M^r Pettipas. which was read.

Voted. That the last Comitée of Council meet again s.^d representatiues with said letter and acquaint them. That it is the Opinion of his Excellency and Council, that the said Inhabitants haue not fully complied with his Excellencys Orders by M^r Winniet; and that the Copy of said Orders be read to said Deputys by the Comitée aforesaid—
[40] A report (as upon file) from said Comitée was read and debated on.

Voted that the said Comitée draw up an Instrument from his Excellency to impower the Inhabitants of Minas to chuse Twelve Deputys (instead of four) the number they desire: that the Orders of this Government to them may be the better Obey'd; and to lay it before the Board at Ten aClock to morrow morning, for his Excellency and Council's approbation. to which time the Board is adjourn'd—

Wednesday. 12th April 1721. Mett at the same place, the same persons present

A report of the Committee was lay'd before the Board. read and debated on, then presented to his Excellency for his approbation. which amended and then approved of.

Order'd to be ingross'd.

At a Council held at his Excellency house in his Majestys Garrison of Annapolis Royal upon Thursday the 13th April 1721: Present

his Excellency Richard Philipps Esq ^e Governor	
The Hon. ^{ble} John Doucet Esq: ^o	John Adams
L. ^t Governor	Hibbert Newton
Major Paul Mascarene	W ^m Skene
M. ^r Secretary Savage	W ^m Shirreff

} Esq.

[41] The three Deputys of Minas (who were very desirous to see and speake with his Excellency being sent for in, was askt by him, whither they had anything extraordinary to offer; they made answer that their business was only to pay their Complements to his Excellency. Then they were examined and afterwards reprimanded by his Excell^y on many heads, relateing to the plunder of Alden and Cansoe &c.

Then a power from his Excellency to the Inhabitants of Minas to chuse twelue Deputys (instead of four) was deliur'd them then they were dismist.

The Deputy of Cobequid haueing likewise represented the want of three Deputys more to be added to him. it was approved off, and a power from his Excellency to the Inhabitants of Cobequid to chuse three more Deputys to be added to this present, was drawne up in Council and approved of Orderd. That it be translated into french, ingross'd and deliverd to s.^d Deputy by the Secretary.

A. r. Savage Secy

a power Given to the Deputy of Cobequid to Chuse 3 more Deputyes

At a Council held at his Excell^y house in his Majesty Garrison of Annapolis Royall upon Wednesday. the 19th April 1721 [42]

Present

His Excellency Richard Philipps Esq. ^e Governor	
The Hon. ^{ble} John Doucet Esq. ^o	John Adams
L. ^t Governor	Hib: ^t Newton
Major Paul Mascarene	W ^m Skene
M ^r Secretary Savage	

motion made
of Establish-
ing a Court of
Judicature.

His Excellency acquainted the Board that he had called them together to consider of Establishing a Court of Judicature to be held for this Province: that one Article of his Instructions is to make the lawes of Virginia a rule or pattern for this Government where they can be applicable to the present circumstances. That by the lawes of Virginia the Governor and Council were the supreme Court of Judicature: called by the name of the General Court. which was fully advised on.

Voted. That it would be for his Majestys service, as well as very much for the satisfaction of the Inhabitants of this Province (under the present circumstances of affaires) That such a Court be held here by the Governor and Council as often as it shall be thought necessary.

Order'd That some minutes relateing to such a Court be drawnc up by the Secretary in Order to be lay'd before the Board at Ten [43] at Ten a Clock to morrow morning to which time the Board is adjourn'd.

On Thusday 20th of April 1721. Mett at the same time and place according to adjournment The same persons present and W^m Shirreff Esq.^e

The Secretary according to yesterday Order of Council, deliver'd in some minutes, for his Excellency and Council's approbation—which were read and approved of and is as follows viz:^t

Whereas under the present difficult circumstances of Affaires of this Province, no regular Court of Judicature

according to law, can be as yet held here for said Province but by his Majesties Governor and Council, and the dayly cry here is for Justice by many of the Inhabitants and residents of this Province, by Memorials, Petition and Complaints to his Excellency the Governor, who at this time being loaded with more than common weight of Government, has not time and leisure to consider fully of the same without the assistance of Council, and being directed by his Instructions to make the lawes of Virginia the rule and pattern for this Government (where they are applicable to the present circumstances. untill such time as the Government shall be settled upon a sure foundation according to the Lawes of Great Brittain; &c:—Which—[44]

minutes
relating to a
Court of
Judicature.

A. S. SAVINGO SECRETARY

Which matters haueing been fully advised debated and considered on. Agreed and Order'd. That for the reasons afores.^d His Excellency the Governors and Members of his Majestys Council for this Province hold and keep a Court of Judicature for said Province annually at the respectiue times and place here mentioned (viz: at Annapolis royal upon the first Tuesday in May August, November and Febuary yearly and in every yeare from time to time. Which Court to haue the same Style and Cognizance of all matters and pleas brought before them and power to giue Judgment and award— Execution thereupon, by the same manner of proceedings as the General Court so called of Governor and Council has in Virginia, and practices at this time.

Voted that his Excellency be desired to put out a proclamation relateing to the time, and place where the afores.^d Court be held and the manner of the Court, and that as soon as may be.

At a Council held at the Court house at Annapolis Royal upon Thursday the 4th May 1721

Present [45]

Present

His Excellency Richard Philipps Esq:° Governor	
The Hon:° John Doucet Esq:°	John Adams
L:° Governor	Hibbert Newton
Major Paul Mascarene.	William Skene
M: Secretary Savage	William Snirreff

} Esq:°

His Excellency proposed to the Board. To consider of the unreasonableness of persons in debt departing this Province without liberty from his Excellency or the Commander in Chief for the time being. Advised thereon.

Agreed, and Order'd. That all persons departing this Province shall put up their names at the Secretarys Office for this Province Ten dayes at least before their departure, and in case any person underwrites or putts in a Caveat in said Office against their going off in said time. The person or persons going off shall be obliged to giue in sufficient security to the Secretary of this Province, to abide the judgment and Order of the Governour and Council relating to the same; And it is further Order'd That whosoever shall underwrite any person, so haueing their names up as afores:° shall sett forth their Claimes, and the sum or sums due or oweing them by said person or persons, and by what meanes it doth arise [46] and the person or persons so underwriteing shall file his or their Declaration in said Office at least five days before the said Ten dayes be expired.

At a Council held at his Excellencys house in his Majestys Garrison of Annapolis Royal upon Wednesday the 17th May 1721

Present

His Excellency Richard Philipps Esq:° Governor	
The Hon:° John Doucet: Esq:°	John Adams
L:° Governor	Hibbert Newton
M: Secretary Savage	William Skene,

} Esq:°s

all persons
Departing
from the
province to
declare the
Same 10 days
before
Departure.

At Savage Seery.

The robbery of Mr Aldens Sloop and the former Orders of his Excellencys deliver'd the Deputys of Minas, for the people of that place, to make full restitution of the whole value thereof to said Alden: as a preliminary to their satisfaction for their Offence: was Considered, On, how farr they had complied with their duty therein. Cap.^t John Alden was sent for in and examined relateing to their restitution— then Two of the Deputys of Minas was likewise sent for in. The Copy of the Orders to the Inhabitants of said place per M.^r Winniet, was read [47] Cap.^t John Alden being askt declared That he had received but one hundred and fifteen pounds. new England money (out of Two hundred and sixty pounds. being robb'd off) of the Inhabitants of Minas. and was not satisfy'd any farther. he likewise affirm'd that he beleived the Inhabitants of said place might haue prevented said robbery, if they had exerted themselves against the Indians in his defence. The Deputys pretended to excuse themselves as formerly.

His Excellency's orders in relation to the robbery of Mr. Aldens Sloop advised.

Order'd That a Committee of Council viz.^t The Hon.^{ble} Liev.^t Governor, and John Adams Esq.^e draw up an Order to said Inhabitants relateing thereto, for his Excellencys approbation and signing

A. Savage Secry

At a Council held at the Hon.^{ble} Liev.^t Governors house in his Majestys Garrison of Annapolis Royal upon Tuesday the 26th September 1731

Present

The Hon. ^{ble} Liev. ^t Governor.	John Doucet Esq. ^e	Presid. ^t
M ^r Secretary Savage	William Shirreff	} Esq. ^{es}
John Adams Esq. ^e	Peter Boudre	
Hibbert Newton Esq.		

The President acquainted the Board [48] the Board that Cap^t John Alden master of the sloop Two Brothers was arrived here last night from Boston where the small-pox is very breif, desired the Opinion of the Board relateing to his lyeing Quarentine. resolved and Agreed that a message from his Honour be sent on board sd Vessell by M.^r Collector to

Orders to prevent Capt. Aldens Crew coming a shore for fear of the Smallpox.

examin the Master relating to sd. Distemper and Orders him to anchor under the fort and to let none of his Crew come on shoare till further Orders from his Honour

methods for
furnishing
provisions for
the Garrison.

He likewise desired the opinion of the Board what methods was to be taken for the good of the service, considering the small quantity of provisions now in Store in this Garrison, and the disappointment of the supply of provisions for the Garrison, w^{ch} was on board the Schooner Hannah M.^r W^m Souden Master from Cansoe, by the late Casualty which happen'd by her being east away at the Tusket Islands and all lost, both Vessell and Cargoe.

M^r Erskine the acting Commissary of provisions for this Garrison being called in and examined by his Honour what provisions was here in Store; acquainted the Board that there was but four weeks provisions of both species of Beef and pork—[49]

Advised and agreed That an Order be sent immediately to Minas from the Hon.^{ble} Liev.^t Governour to supply him with as much beef as will serve this Garrison for some time the particular Quantity to be considered on further in Council to morrow at ten a Clock morning to which time adjourn'd.

Mett the same time and place on Wednesday 27th September 1721. The same persons present.

Advised and agreed, for the reasons mentioned in yesterday's minutes, That the Hon.^{ble} Liev.^t Governour provide this Garrison with Two months provisions (exclusive of the provisions now in Garrison) by which time this Garrison may be further supplied by his Excellency General Philipps from Cansoe or else where

The Collector made report that he had complied with yesterday Order of Council relating to Aldens Sloop.

Advised and Agreed. That it is for the safety of this place and Province That an Order be sent from the Hon.^{ble} Liev.^t Governour, to s^d Alden That no woollen goods; Cotton wool &c (that may hold said infection) be landed here at

this place, until such time they are first aired, at some distant place from this Garrison as his Honour shall think proper— [50]

At a Council held at the Hon:^{ble} Liev:^t Governor house in his Majestys Garrison of Annapolis Royal upon Thursday the 28 September 1721

Present

The Hon:^{ble} Liev:^t Governor John Doucet Esq.^o

President

M^r Secretary Savage

William Skene

John Adams Esq.^o

William Shirreff

M^r Collector Newton

Peter Boudre

} Esq.^{os}

The Loss of the provisions for this Garrison advised on.

Agreed that a Proclamation be put out by the Hon:^{ble} Liev:^t Governor to the Inhabitants of this Province, to encourage them to search for the Wreck goods lost on board the Schooner Hanah M.^r William Souden Master from Cansoe laden with provisions and Cloathing for this Garrison cast away the 13th Instant at the Tusket Islands and both Vessell and Cargoe intirely lost That they shall be allowed one third part of the value of said Goods so found by them as Salvage.

Proclamation to Encourage the french Inhabitants to Search for Wreck Goods.

The Master, Pilot, Mariners and Passengers, which lately belonged to, and was on board the Schooner Hanah William Souden Master when she was Caste away at the Tuskett Islands [51] Islands. Gaue in their Declaration of the particular Circumstances thereof. and was sworne to the truth thereof to the best of their knowledge. which lyes on file.

His Honour The Liev:^t Governor askt them whither or no they had anything to say against the Master, Pilot, or any person that was on board, they all answer'd that they beleiu'd every body did their best. Then his Honour askt the Pilot M.^r Boudre whither he had any thing to object against the Vessell or any body that was on board. he answer'd no. that every body did their best. and further the Depon:^{ts} declared

A. r. Savage

that the sloop Beauflis in which they came passengers from Pumbleco: came through the same pass of the Tusketts Islands against the Tide of Ebb, with the wind about the same point of the Compass, as it was when they were cast away in the Schooner Hanah but stronger

(signed)

John Doucett

At a Council held at the Hon.^{ble} Liev.^t Governors house at his Majesty Garrison of Annapolis Royal upon Tuesday 10th October 1721

Present

The Hon.^{ble} Liev.^t Governor Presid.^t
 Major Paul Mascarene William Skene Esq.^o
 Mr. Secretary Savage William Shirreff Esq.^o
 John Adams Esq.^o
 M^r Collector Newton Peter Boudre Esq.^o [52]

Caveat agst
Peter Boudre.

His Honour the L.^t Governor acquainted the Board that he had called them to consider of a Caveat entred in the Secretary office by John Adams Esq.^o against Peter Boudre Esq.^o going out of the Province

upon which s.^d Adams and Boudre Esq.^o withdrew.

Voted that s.^d Peter Boudre Esq.^o is not going out of this Province, but to another Port of this Province viz.^t Cansoe where further application may be made to his Excellency the Governor. Therefore said Caveat doth not properly lye.

A. r. Savage Secy

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Monday the 8th off Oct.^r 1722

Present The Honourable L.^t Governør Presid.^t
 Major Paul Mascarene William Shirreff
 Hibbert Newton Esq.^o
 William Skeen Esq.^o Peter Boudre Esq.^o

the Lv.^t Gov.
produces His
Excellency's
orders for
Calling the
Council and
other Instruc-
tions.

The Honourable L.^t Governør produced An Order from his Excelly General Richard Phillips for calling the Council which was Read & Ordred to be Entred, the Original being upon file.

He farther Shew'd a paragraph of his Excellency's Letter to him concerning a proclamation Relateing to the Traders, wherein his Excellency Desiring the Same to be Read in Council and then Published [52] Published, it was done accordingly.

He also produced to the Board his Excellency's Proclamation relating to the Proprietors of the Marshes in and about this his Majesty's Town and Garrison of Annapolis Royall &c. which was likewise read. Ordred to be Entred & afterwards published and then Adjourned

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majesty's Garrison of Annapolis Royall on Wednesday the 10th of of Oct^r 1722

Present the Honourable Lt. Governour Presid^t

Major Paul Mascarene

Hibbert Newton Esq.^r

William Skeen Esq.^r

William Shirreff

Peter Boudre Esq.^o

The Honourable L.^t Governour Acquainted the Board y^t ^{the Deputy's} he had Order'd the Deputy's of this River to Attend in order ^{order'd to} to lett them hear the Proclamation and order mentioned in ^{attend to hear} the Minutes of the 8th Ins.^t which being Translated into french, was Accordingly Read & Delivered them to Publish to the Inhabitants that they might not hereafter plead Ignorance, as also another of the Same was Delivered them to be sent to the Inhabitants of Mines & the Council Adjourned ^{a proclama-}

At a Council held at the Place aforesaid on thursday the 18th of Oct.^r 1722

Present the Honourable L.^t Governour Presid.^t

Major Paul Mascarene

John Adams Esq.^r

Hibbert Newton Esq.^r

William Skeen Esq.^r

William Shirreff

Peter Boudre Esq.^o

The. [53]

The Honourable L.^t Governour Communicated to the Board a Letter which he had rec.^d from Mines bearing Date the 18th Ins.^t N. S. upon file and his Ans^r to said Letter being also Read was approved of and the Council Adjourned ^{Letter to the} ^{Lv.^t Gov.^r} ^{from Menis.}

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majesty's Garrison of Annapolis Royall on Friday the 19th of Oct.^r 1722

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^o William Shirreff
 Hibbert Newton Esq.^o Peter Boudre Esq.^r

the Wife &
 Children of
 Jackish the
 Indian sett a
 liberty upon
 his Submission
 to the Governmen .

The Honourable Lieu.^{ty} Governor Acquainted the Board that Jackish the Indian who has his wife & Children here prisoners was come to Submit himself upon the Terms of his Excellency's Proclamation which being taken into Consideration, he was called in & Examined and he promising never to do anything in prejudice to the Government & that he would give himself Information of any who might have any evil Designe against it

Agreed that he should be Admitted to the Benefit of the Proclamation, upon file, upon Condition he should Signe such Terms of Submission and good Behaviour for the future, as should be prepared for him & the Other Indians to Signe which he Agreeing to, he was Ordred not to Remove far from hence, that Notice might be given him when to Attend and then the Council Adjourned

At [54]

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majesty's Garrison of Annapolis Royall on Saturday the 3.^d of November 1722

Present The Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^o William Shirreff
 Hibbert Newton Esq.^r Peter Boudre Esq.^r

The Honour.^{ble} L.^t Governor Acquainted y^e Board That Jackish and three or four other Indians were come to surrender themselves to y^e Governm.^t upon the last Clause of his Excellency's Proclamation, which being after the time therein limited the L.^t Governor ask'd the Opinion of the Board whether they Should be Admitted or not

The Board having taken the Same into Consideration, are of Oppinion, that his Excellys Proclamation being so long in coming to this Place, that it was Impossible to be Communicated to the Indians so as y^t they might Embrace the Benefit of said Clause, & therefore Agreed y^t they or Others who have Demean'd themselves Peaceably during these Troubles, or not acted Violently against his Majestys Subjects should be Admitted upon such Tarmes as aforesaid, the 19.th of Oct. Last prescribed to them

Ordred that Such Tarmes & Conditions for y^e Indians to Signe be Drawn up by a Commity to be laid before Board

Ordred that John Adams, William Skeen & Peter Boudre Esq.^s be the Said Commity

Jackish being called in, he acquainted the L.^t Governor That he had brought along with him two Indians Viz.^t Claude & Martain who have their Mothers, a Brother and sister Hostages in the ffort & that he Expected more in a few Days, upon which was Ordred to Remain here about till the Rest Came, & then the Council Adjourned [55]

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royal on Munday the 5th of November 1722

Present the Honourable L.^t Governour Presd^t.

Major Paul Mascarene

William Shirreff

John Adams Esq.^o

Peter Boudre Esq.^r

Hibbert Newton Esq.^o

The Commity Presented to the Board the Tarmes & Conditions Appointed to be Drawn up the 3.^d Ins.^t for the Indians to Signe, which being Read, were with some Amendments Approved of, and ordred to be translated into french for the Indians better Understanding the Same, & then Adjourned

At a Council held at the place aforesaid on Munday the 12th of November 1722

Present the Honourable L. ^t Governor Presid. ^t	
Maj. ^r Paul Mascarene	William Skeen Esq. ^r
John Adams Esq. ^o	William Shirreff Esq. ^r
Hibbert Newton Esq. ^o	Peter Boudre Esq. ^r

the Conditions
of peace sign'd
by the Indians.

The Honourable L.^t Governor Acquainted the Board that the Conditions and Tarmes aforesaid of the 5th Ins.^t had taken up some time in writting & Translateing into french, and that some Indians who have Embraced the protection of the Government were waiting to signe the Same

Ordred that the Indians be Called in before the Board in Order to Signe the Same

Ordred that the Said Tarmes & Conditions Translated into French be Distinctly Read & Interpreted to the Indians before Signing, which being Done the Presid.^t ask'd the Indians [56] Indians if they were Satisfied to Embrace the Protection of his Majestys Governm.^t upon Said Tarmes of Submission to, which they made Ans.^r that they were, and being Informed of the Danger of breaking & falling off & keeping Company with the Enemy Indians they this Day Signed in our Presence

Order'd That a Cobby of said Tarmes & Conditions be Delivered them & the Honourable L.^t Governor having likewise given them Passports, they were permitted to Depart & then the Council Adjourned

At a Council held at the Place aforesaid on Wednesday the 14th of November 1722

Present the Honourable L.^t Governor Presid.^t and the same Gentlemen as on Munday Last

The Honourable L.^t Governor Acquainted the Board that three more of this river Indians were Come to submitt themselves & to Embrace the protection of the Government

The Indians were Called in. & Examined & the Tarmes & Conditions translated into french upon which they were

admitted as aforesaid being read & Interpreted to them they Signed the Same & gave all other Verball Assurances of their good Behaviour

M.^r James Blin & his Crew being aspersed for selling Shott at Shickanecto Came before the Board and Severally made Oath that they Neither Directly or Indirectly Sold or Disposed of any Shot During his said Voyage up the Bay.

Three Boys who had been taken prisoners on the Eastern Coast of this Province by the Indians & Ransom'd of the french at Mines by M.^r James Blin were Called before the Board & asked what they had seen & heard while they were there amongst the french Inhabitants & they being of Age the Honourable J.^t Governor Examined them upon Oath as follows viz.^t [57] Charles Davis, Nicholas Hutton and George Willis Appeared before me and his Majestys Council & Declared that they were taken prisoners on the Eastern Coast of this Province by the Indians and Ransom'd by M.^r James Blin from the french Inhabitants of Mines and Pissagitt after they had been in the hands of the french about three months. They declared they saw a great many of the Inhabitants under Arms, who kept Guard, pretending to be affraid the English would come and Attack them, & that they had often heard the french Say, That if they were Attack'd this Summer, they would with Six hundred Indians who were allready Arrived from Canada & fifteen hundred of themselves, go and Burn Annapolis in the Winter, and sometimes they heard them say, that they Expected six ships with Six hundred men to sail from Cape Breton in Order to take this ffort. One of them, Charles Davis, said he had lain in the Woods Some Nights with y^e Inhabitants who had Removed their Goods from their Houses in Expectation the English would Come.

Three Boys
that were
taken prisoners
by and
ransom'd from
the french
Examined.

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Thursday the 15th of November 1722

Present The Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^r William Shirreff
 Hibbert/Newton Esq.^r Peter Boudre Esq.^r

M.^r Winniett
 ordained to
 deliver Back
 John Taylors
 obligation In
 favour of Paul
 Mellanson.

The Honourable L.^t Gov.^r Acquainted the Board that Mr. James had by Memo.^l complained to him of Prudane Robichau for not Delivering him an Obligation [58] Obligation of one John Taylor of Salini for five Pistoles in favour of Paul Mellanson of Mines & Desireing Justice.

But the Honourable L.^t Governor upon Examination finding that Said Obligation was never Delivered to said Prudane Robichau as Seamingly Designed by Said Mellanson, but detain'd by M.^r William Winniet as part of a Debt Owing him by said Mellanson, Desired the Oppinion of the Board

Which being taken into Consideration, the following Oppinion, which was also Entred upon Said Memorial was Agreed to Viz.^t

It appearing that M.^r William Winniett having gott the within mentioned Obligation of John Taylors in his hands and Stop'd the Same for part of a Considerable Debt said to be Owing him by the within Named Paul Mellanson; It is the Oppinion of the Governor & Council upon the within Memorial, That if Paul Mellanson is not Realy Indebted to M.^r William Winniett, That Said M.^r William Winniett shall Deliver Said John Taylor's Not or Obligation in favour of Paul Mellanson as aforesaid or pay the Value thereof to M.^r James Blin within the Space of Six Months from the Date hereof

At a Council held at the place aforesaid on Tewsday the 20th of November 1722 The Honourable Presid.^t and the Same Gentlemen Present as *per* last.

The Honourable L.^t Governor Acquainted the Board that ^{Two Indians} two more Indians were Come to Submitt themselves to the ^{sign the} Articles ^{of peace.} Government and to Signe the Conditions aforementioned .

The Board as in the Minute of Saturday the 3.^d Ins.^t Considering the Impossibility of Communicating That, [59] That Clause of his Excellency's Proclamation promising Protection to such Indians as is therein Specified Sooner to the Indians they being so Dispersed so as y.^t they might Enjoy the Benefit of Said Clause

Agreed that they Should be Admitted & they being called in, and the Conditions and Tarmes Required by the Government being Read & Interpreted they Signed the Same.

The Indians who had Signed complaining That Notwithstanding their Submission, they Could not gett any provisions from the french Inhabitants without An Order, which the Board having taken into Consideration

Agreed That the Honourable L.^t Governor Should Send an Order to the Deputees to be published Amongst the Inhabitants for Receiving & Entertaining those Indians who had Signed as friends to his Majestys Government

At a Council held at the Honourable L.^t Governor, John ^{2 more of the} Doucett's house in his Majestys Garrison of Annapolis Royall ^{Indians sign} the articles. on fryday the 23 of November 1722.

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^r William Shirreff
 Hibbert Newton Esq.^r Peter Boudre Esq.^r

The Honourable L.^t Governor Acquainted the [60] The Board that two more of the River Indians were Come upon the aforesaid tarmes to Submitt themselves to the Government

Agreed they should be Admitted: and having Signed, the Governor gave them an Attested Cobby of the Conditions they had Signed in order to Cômunicate the Same to the Rest.

At a Council held at the place aforesaid on Munday the 3 of Decem.^r 1722.

Present the Honourable Presid.^t and the Same Gentlemen.

The Presid.^t Acquainted the Board that Phillip Mellanson from Mines had brought him Word that there were two Indian Chiefs come from the Body of the Indians about Menis &^{ca} and had a Letter to Deliver him, for which Reason he had called the Council to Advise whether or not he Should See the Indians, or Receive the Letter

Agreed that Mellanson Should bring the Letter from the Indians to the Governor at three of the Clock in the afternoon till which time the Council Adjourned

Munday the 3.^d of December 1722 at three of the Clock P. M:

The Honourable L.^t Governor Presid.^t and the Same Gentlemen all present.

Letter from
Indian Chiefs
to the Gov.^r

Mett According to Adjournment at the same place and M.^r Mellanson being called in, he Delivered the Letter brought by the Indians from Mines, which being Read and Containing very Impertinent Language, as Demanding the Hostages from the Governmt. &^{ca} as upon file

Agreed that the Said two Indians, should if possible, be likewise made prisoners Which being effected the Council Adjourned [61] At

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majesty's Garrison of Annapolis Royall on Tewsday the 11th of December 1722.

Present The Honourable L.^t Governour Presid.^t
Major Paul Mascarene William Skeen Esq.^r
John Adams Esq.^r William Shirreff
Hibbert Newton Esq.^r Peter Boudre Esq.^r

one of the
Indian prison-
ers make
his escape.

The Honourable Lieuten.^t Governour Acquainted the Board that one of the Two Indians. made prisoners Munday the 3.^d Inst. had made his Escape & that Germain one of this

River Indians had come to submit himself & Embrace the Governments Protection upon the Conditions & Tarmes prescribed them & it being agreed that he should Enjoy the Benefit of his Excellencys Proclamation, he was Call'd in, & Voluntarily Signed the Same in Our presence.

At a Council held at the place aforesaid on Thursday the 13th December 1722.

Present the Honourable L.^t Governor Presid.^t and the Same Gentlemen as aforesaid

The Honourable L.^t Governor Acquainted the Board that Cap.^t John Jephson to whom his Excellency had given Such Commission for Commanding the Volunteers against the Indians had waited upon him to lett him know he was Ready for any Service he had for him, and that if he could give him Twenty men he would go up the River to the Mass house in order to Look for Indians The [62] The Governor Desired the Advice of the Board whether it would be for the Good of the Service to send such a Party to the Mass house or not; which being Considered, it was for the Several Reasons following Judged not proper at this Juncture to send Such a party for

A motion
Made to Send
a party up the
River not
approved of.

First it might Endanger the Lives of those who are Under the protection of the Government, who have Hostages for their Good Behaviur and the Governors Pasports

2^{dly} By the Disturbance it might Create to the french Inhabitants who are as yett Tollerated in the Exercise of their Religion, and the Church belonging to them & not to the Indians

3^{dly} If any Accident should at such a distance happen to the Party it would be of Ill Consequence to y^e Garrison.

At a Council held at the Same place on Munday the 11th of February 172 2/3

Present the Honourable L.^t Governour Presid.^t & the Same Gentlemen as aforesaid

the french
Memorial
about sowing
their Seed
advised.

Honourable L.^t Governor having Acquainted y^e Board that the Deputees of this River had presented him with a Memo.^l in behalf of themselves & the Rest of the Inhabitants about Sowing their Land this Year, and they having produced a paper dated the 10th of Ap.^r 1721 which being his Excellency the Governour's Answer to the Said Deputees on the Same Occasion at that time

Resolved That the Same Answer given by his Excellency may be Confirmed by the Honourable L.^t Governor as an Answer to their present Petition, Except in Reference to the Paragraph Concerning the Marches, which particular, his Excellencys Proclamation bearing Date the 14th of Sep.^r 1722 is to be observed and followed by the Said Inhabitants At [63]

At a Council held at the Honourable L.^t Governor John Doucets house in his Majesty's Garrison of Annapolis Royall on fryday the 15th of March 1723

Present The Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq.^e
John Adams Esq.^e William Shirreff
Hibbert Newton Esq.^e Peter Boudre Esq.^e

The Honourable L.^t Governour upon the Good News that Arrived here in the printed Papers of his Majestys having Discovered a most Horrid Bloody Crule and most Barbarous Inhumain Conspiracy^l formed against his Sacred Person & Government proposed a Day of Publick Thanksgiving for y.^t Great Mercy Vouchsafed to his Majesty & Kingdoms of Great Britain &^{co} And Likewise humbly to Address His Majesty thereon.

proclamation
to Set apart
a day of
Thanksgiving
for Discovery
of the treason
form'd against
his Majesty.

Resolved That Thursday Next Ensuing being the 21st Ins.^t be Sett apart for that Use and that a Proclamation forebiding all Servil Labour be Issued out by Honourable L.^t Governor for the more Solemn Observation of that Day

¹ The last attempt against the throne of Geo. I. See *Dict. Nat. Biog. s. v.* George I. and Atterbury.

Order'd That Major Paul Mascarene & John Adams Esq.^o prepare the said Adress and Proclamation against Munday Next being the 18th Ins.^t till which time the Council Adjourned

The Honourable L.^t Governor Presid.^t & the Same Gentlemen Mett on Munday the 18th of March 1722; at the Same place According to Adjournment

Major Paul Mascarene, & John Adams Esq.^r Appointed as *per* last Minute of Council to prepare the [64] The Proclamation for the Publick Thanksgiving & the Adress to Congratulate his Majesty laid the Same before the Board, which being Read & Amended y.^e Proclamation was Order'd to be Immediately Published & the Adress to be Sent home by a Convenient Opportunity

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Tewsday the 16 of July 1723

Present The Honourable L.^t Governor Presid.
John Adams Esq.^r William Skeen Esq.^e
Hibbert Newton Esq.^e William Shirreff

The Honourable L.^t Governor Acquainted the Board that Mr. James Bline in pursuance to the Minute of Council of the 15th of November 1722 Minuted upon his former Memorial Against Prudane Robichau, was now applying to him for an Order to M.^r Will.^m Winniett to Comply with the Tarmes of Said Minute, the time than Limited being Expired

M.^r Winniett being Called he produced a paper to Shew an Account between him and Paul Mellanson which not being Signed by Said Mellanson, it was Judged insufficient, and it being Offer'd to M.^r Winniett if he would take his Oath that Said Mellanson was Really Indebted to him at the time of the aforesaid Order of Council of the 15th of November 1722 and he Refusing the Same

M Winniett
ordauthed to
Give Back
Mellansons
obligation.

The Oppinion of the Board is that the Said Order of Council Dated the 15th of November 1722 be in force against

the Said M.^r William Winniett and that) the Governor give his Orders thereupon [65]

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on fryday the 20th of September 1723

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^r William Shirreff
 Hibbert Newton Esq.^r

Letter to the
 L^v.^t Governor
 from the
 Indian Chiefs.

The Honourable L.^t Governor Rec.^d a Letter from the Chiefs of the Indians bearing Date the 10th of July N^{:S}: 1723 Attested to be Genuine by their Missioner Mons.^r Goline which being Read & Considered

Resolved when the said Chiefs should come y.^t they should be heard what farther they had to propose.

Some Paragraphs of a Letter bearing Date the 15th of Aug.^t 1723 to the Honourable L.^t Governor from Major Alexander Cosby at Canso in Relation to Some Affairs with Mons.^r Goline & the Indians were Read as also the Said Major Alexander Cosby's Order Dated the 13th of Aug.^t 1723 & Directed to the Captain of the Sloop fitted out by the Governm.^t of New England to Guard the fishery, in Relation to Some Indians the Cap.^t of Said Sloop had taken Prisoners on the Eastren Coast of this Province.

Which Said Paragraphs & Order the Board having taken into Consideration; Agreed & were of Oppinion, that as it hath pleased His Majesty by Instructions Dated at Whitehall the 14th Day of July 1719 to Direct his Excellency Richard Philipps Esq.^r Cap.^t General, Governor & Comder in Chief of this his Majestys Province of Nova Scotia to appoint a Council for Managing the affairs Relating to the Government of [66] of Said Province, That it may therefore prove Detrimentall to his Majestys Service, if the Commanders of the Sev^l Settlem.^{ts} within this Province Should Act, without Conforming themselves with as much Care as possible, to the Directions of the Governor & Council & Authority of the

Same in any Matters-Relating to the Government of the Inhabitants & Indians of this said Province

At a Council held at the Same place on Saturday the 21st of September 1723

The Honourable L.^t Governor President and the Same Gentlemen Present

The Honourable Lieu.^{tt} Governour Acquainted the Board that some time agoe he had taken Security of Prudane Robichau Senior Inhabitant in the Cape for his Appearance before the Council to Ans.^r An Accusation against him for Supplying the Enemy Indians Contrary to his Excellcy's Proclamation, & that having summon'd him & the Evidences the Said Prudane Robichau was Come to Attend the Board for that purpose

Prudane Robichau Examined upon oath before the Council.

Whereupon the Said Prudane Robichau (& William Cook, Lewis Fountain, John Pipper & John Rolph the Evidences) were Called in & Declared upon Oath as follows

William Cook being Sworn Declared That being in Company with Lewis fountain he saw said Prudane Robichau. in the Evening when the Sun was about half an hour high, going Cross a Rod a little from Laverdeur's with a Bagg & a Bottle under his Arm towards the place where he understood afterwards the Enemy Indians were

Lewis Fountain being Swor'n Declared That [67] That he saw Said Prudane Robichau going the aforesaid Rod & Carrying Some things but that he knew not what they were, & that he doth not Remember he Saw a Bottle

John Pipper being also Sworn Declared That being in Company with John Rolph, as he was going towards one Michells he Discovered Some Indians with provisions & a Bottle before them, which by His Smell he took to be Rum & that the Said Prudane Robichau was Sitting by them

John Rolph Under Age being Examined & Ask'd, Said that he Same as John Pipper and that not tasting what was in the Bottle, he could not tell what it was, tho' he beleiv'd it was Rum

Prudane Robichau being ask'd if he had any thing to

Object to the affidavits of the Witnesses, he Reply'd no, only that he had no Bottle, & that what he was carrying in the Bagg was only a Hatt a Shirt and a pair of Stockins which belonged to the Indian Toma who was there and had the *Governor's* Passport & had Sent to him for the Same & that he neither Directly nor Indirectly had Supplied Said Indians with either Liquor or Provisions of any Sort, though they were provided with both Bread, Beef & Butter, but by whom he knew not, only Supposed that Toma & Some others of said Indians being under the Protection of the Government and having the ~~G~~Governours Pass had gott Said provisions Some Where up the River amongst the Inhabitants & that being thus in Company with said Indians, he beleived, as some of them had not as yett submitted [68] Submitted themselves, that they might have Somé Message to Send by Him, as most of those who have Submitted themselves Did, to the Governour in order to make their Submission and to be Received as friends; and that after parting from Said Indians, he came the Same Night & Acquainted Governour Doucett of therre being there

The Honourable L.^t Governour & Council not finding full proof of the Accusation Reprimanded the Said Prudane Robichau adviseing him to beware of giving any Such Suspicions of holding Correspondence with any of the Enemy Indians for the future and so Dismissed him

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majestys Garrison of Annapolis Royall on Munday the 30th of September 1723

Present the Honourable L.^t Governour Presid.^t
 Major Paul Mascarene William Skeen Esq^o
 John Adams Esq^o
 Hibbert Newton Esq^o William Shirreff

The Honourable Lieu.^t Governor produced two Letters to the Board, one from M^{rs}.^r Beaucours L.^t Governor & Com-mander of Cape Breton and the other from M^{rs}.^o Demazy Commanding¹ Ordonature of the same place in Recomma-

Letters from
 M^{rs}.^r
 Beaucours
 L^v.^t Gov.^r of
 Cape Breton
 In favour
 of Joseph
 Douglas.

¹ Doubtful reading: Perhaps, "commissary."

tion of one Joseph Dougas touching some of his private Concerns with some Inhabitants at Mines, which being Read

The Opinion of the Board is, that as he the Said Joseph Dougas was formerly¹ an Inhabitant of this Province & in the time of General Nicholson in the year 1714 Did then withdraw [69] Withdraw himself to the french Government of Cape Breton he had thereby forefitted all his Right & Tittle to anything within this Province

The Honourable L.^t Governor also shew'd to the Board a ^{permitt from major Cosby in favour of Joseph Dougas read.} Permitt for said Joseph Dougas to Come hither with his schooner the S.^t Anne signed by Major Alexander Cosby Commanding his Majestys Garrison at Canso which was Read;

As also a Paragraph of a Letter from Maj.^r Alexander Casby to the L.^t Governor wherein the Major Says that the L.^t Governor of Placentia had took provisions for two Companys out of a Briganteen bound to Canso with provisions for that Garrison which had Occasioned the Provisions to fall Short, & that therefore he (the Major) had Ship'd on Board the Said Dougas's Schooner Sundry things to purchase some Pease & Pork, if he could find any here or at Mines

But the Honourable L.^t Governor being Inform'd by the Collector that Joseph Dougas the Master of the said Schooner had Shown him a paper Setting forth What things he had on Board, amongst which were Several french Goods & Merchandize; and that the Master having ask'd him whether he Could be permitted to break bulk, he had Answer'd him in the negative & told him that if he did, he would Seize him; Wherefore the Honourable Lt. Governor Desired the Advice of the Board to know as the Garrison at Canso was in want of Such provisions before mentioned, what he Should do in this Case, that the Vessell being According to Law, liable to be Seized, if it Should either break Bulk or receive any thing on Board

Agreed [70]

¹ In 1735, reference was made to a grant to J. Dugas from de la Tour, in a dispute regarding a marsh. See *N. S. Archives*, II, p. 207.

Agreed that Nothing be therefore put on Board She not being qualified

And as the Master of Said Vessell is a Stranger, and Might from the good Intelligence between the two Crowns and the Service he had Undertaken for the Garrison at Canso, & Major Alex.^r Cosby's Permitt, have Innocently Imagined & beleived himself & his Vessell Safe, and so Unadvisedly have brock Bulk

The Oppinion of the Board is, in order to prevent Any greater Difficulty to the Said Master, that he Shall give Security to his Majesty by two Substantiall Inhabitants to be bound with him, to Answer for his good behaviour & that he Shall not break Bulk nor go up this Bay with his said Schooner on any Pretence whatever, and then Depart this Port with his said Vessell & Cargoe.

At a Council held at the Honourable L.^t Governour John Doucetts house in his Majestys Garrison of Annapolis Royall on Saturday the 26th of Oct.^r 1723

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o
 Hibbert Newton Esq.^o William Shirreff

Mons.^r Mutton
 a surgeon
 made prisoner

The Honourable L.^t Governor Acquainted the Board that one Mons.^r Mutton a Surgeon at Mines was Come here, & that whereas he had heard that said Mutton had Cured Several of the Enemy Indians that had been wounded by the partys sent out against them. he had therefore made him prisoner, and Desired the Advice of the Board

Said [71]

Said M.^r Mutton being called before the Board and Examined.

The Oppinion of the Board is that for Want of Evidences the Said M.^r Mutton Shall give good Security to the Government for his Good Behaviour for the future and Appearance here whenever Calld for

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Wednesday the 13th of November 1723.

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq.^r
John Adams Esq.^r
Hibbert Newton Esq.^e William Shirreff

The Honourable L.^t Governor Acquainted the Board that he had Received by M.^r James Bline a letter from the Chiefs of the Indians of M^rrarrishitt, the Bay of Challour, Rechi-
Letter from Indian Chiefs promising to behave peacefully.
buctou, Shadowitt, and Shickanecto which was Read, and Containing Several promises of their peaceable behaviour towards the English and Desiring an Answer

Resolved that a Civil Letter be sent to Amusse them till farther Instructions from Britain [72]

At a Council held at the Honourable L.^t Governors John Doucett's house in his Majestys Garrison of Annapolis Royall on Monday the 27th day of January 172 3/4

Present the Honourable L.^t Governor Presid.^t
John Adams Esq.^e William Skeen Esq.^e
Hibbert Newton Esq.^e William Shirreff

The Honourable Lieu.^t Governor Administred to each of the Members as also to sev.^l of the Officers of y^e Garrison the Oaths Mentioned in an Act pass'd in the first year of his Majestys Reign Intituled an Act for the further Security of his Majestys Person & Government & the Succession of the Crown in the Heirs of the Late Princess Sophia being Protestants & Extinguishing the Hopes of the pretended Prince of Wales & his open & Secret Abetors, also they took & Subscribed the Declaration Mentioned in an Act of Parliament Made in the 25th year of the Reigne of King Charies the Second Intituled An Act for preventing Dangers which may happen from Popish Recusants
The members of the Council & officers of the Garrison takes the oath of fidelity.

At a Council held at the Same place on Wednesday the 5th of February 1723 3/4

The Honourable L.^t Governor Presid.^t & the Same Gentlemen as aforesaid present

The Honourable L.^t Governor Acquainted the Board y.^t he had Rec.^d a Letter from Mr. Major Alex.^e Cosby at Canso Intimating y.^t his Excellency had given leave to Pere Claude Sanguier Superior of the Recollects at Lewisburg to Said (sic) a Priest of the Order of S.^t Francis to the Inhabitants of Pigiguite in this his Majesty's Province, & the Said Superior having Accordingly Sent One Pere Isidore to Reside there, and the Said Isidore being also Come here to Acquaint him thereof to ask his Consent & the Protection a [73] Protection of the Government, he Desired the Opinion of the Board

The Said Letter being Read & Considered y^e Board Resolved & Agreed that notwithstanding y^e French Inhabitants of this his Majesty's Province had Granted them the free Exercise of their Religion, that no Romish Priest should be permitted to Come & reside in any part of the Province as they hitherto have done without the Consent & Approbation of the Governm.^t first sought and Obtained from the Governour in Writing

And y.^t Whereas his Excellency General Rich.^d Phillips who at Canso had as per the aforesaid Letter at y^e Request of the Aforesaid Superior granted him leave to Send one of the aforesaid Order for the Inhabitants of Pigiguite & he the aforesaid Pere Isidore being Come for the Approbation of the Governour & the Protection of the Government (which is more than any heretofore have done) the Board therefore & for the Encouragement of all Such Regular proceedings amongst said Romish Priests for the future, Agreed that he should have the cure of Pigiguite with its Accustomary Perquisites & hold the Same till farther Orders he always behaving himself as becometh & that the Governour give him An Order for his So doing

Letter to the
Lv.^t Gov.^r
Craving that
a priest of the
order of St.
Francis be
sent to the
Inhabitants
of Pigiguite.

At a Council held at the Same place on Munday the 20.^t of Ap.^r 1724

Present the Honourable L.^t Governour Presid.^t
 John Adams Esq.^o William Skeen Esq.^o
 Hibbert Newton Esq.^o William Shirreff

The Honourable L.^t Governor Acquainted y^e Board that he had Rec.^d a Petition from Joseph Dougas and John [74] Bourg of Cobaquit Complaining of Some hardships done them by Peter Triquelle (alias) Patron, who pretends to be the Heir of Matthew Martain the Late Senior of that place as upon file, and being Read

Joseph
Dougas's
petition.

It is the Opinion of the Board that Said Matthew Martain was not Qualified, by Will, to make the said Patron his Heir, And that therefore the Seniority of Cobaquit falls to his Majesty, & that the Governor Should send an Order there to Signifie the Same

Then John Adams Esq.^o having no Post nor Sallary from the Governm.^t Desired in behalf of himself & others of the Board that a Petition Setting forth the Same might be sent to be laid before his Majesty Requesting Some Consideration for their Necessary Attendance at the Board

Which being Considered and Advised on Agreed That John Adams and Hibbert Newton Esq.^{es} Draw up and prepare the Same

At a Council held at the Honourable L.^t Governor's John Doucett's house in his Majesty's Garrison of Annapolis Royall on Munday the 11th of May 1724

Present the Honourable L.^t Governor's Presid.^t
 John Adams Esq.^o William Skeen Esq.^o
 Hibbert Newton Esq.^o William Shirreff

The Honourable L.^t Governor having Rec.^d a Petition from M^r Anthony Oliver Setting forth that M.^{rs} Ann Rice Widdow to the Deceas'd David Rice, was Indebted to M^r Joseph Jennings to whom the Said Oliver was Attorney & praying Payment of the Said M.^{rs} Rice the Sole Executrix

Mrs. Rice
ordained to
pay Mr. Oliver
and Capt.
Blower.

of her Said Deceas'd Husband before she [75] She Departed the Province, Acquainted the Board he had Ordered them the Said Anthony Oliver & M.^{rs} Ann Rice to Attend in Order to Adjust matters between them and Desiring the Advice of the Board She was Call'd in & Examined and Owning the Debt

It is the Opinion of the Board that She Should Pay Said Débt to M.^r Anthony Oliver before She Depart the province by Virtue of his Said Letter of Attorney

Then the Honourable L.^t Governor laid before the Board a Letter from Cap.^t John Blower bearing Date the 6th of May, as upon file, Concerning the house &^{co} said M.^{rs} Rice Rented from the Governor which happen'd to be Burnt and Desiring the Opinion of the Board on the Same.

The Said Letter being Read and M.^{rs} Rice's Allegations Considered the Board Agreed That Said M.^{rs} Rice Should pay five pounds for presuming to make a fire in a place where there was no funnel to Carry the fire or Smoke through the Thatch and that Cap.^t Blower Should Reckon no more than One pound in Stead of the forty Shillings he hath Charged *per* Annum for the Garden

Then the Commity laid before the Board the Petition Mentioned in the Minutes of the 20.th of Ap.^r last which was Read, Approved of and Ordered to be Sent home, And Agreed that the Honourable Presid.^t Should Signe it in the Name of the whole Board which was Done Accordingly.

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Tewsday the 26th of May 1724

Present the Honourable L.^t Governor Presid.^t John [76]

John Adams Esq.^e

William Skeen Esq.^e

Hibbert Newton Esq.^e

William Shirreff

Petition
presented by
James Michell
Advised.

The Honourable L.^t Governor laid before the Board a Petition given him by James (alias) S.^t Michell

Relating the Marshes of Rusheu forsheu which being read as upon file

And Whereas Said James Michell (as is therein sett forth) hath begun to Repair the Dieks of Said Marsh belonging to him and some others the Heirs of Etien Commeau who Refused either to work or to pay any Expense toward Said Repairs which Said James Mitchell must Necessarily be at in Securing Said Marshes from the Tides .

Agreed that the Honourable L.^t Governor Summons the Said proprietors of Said Marshes of Rushen forsheu with the Said James Mitchell to Appear at the Board on Munday Next. As also the proprietors of the Other Marshes lying in this River & about the Garrison to give their Reasons for not Complying with his Excellency General Rich.^d Philipps's Proclamation, to Appear the Same Day being the first of June Next

At a Council held at the Same place on Munday the first of June 1724.

Present the Honourable L.^t Governor Presid.^t

John Adams Esq.^o

William Skeen Esq.^o.

Hibbert Newton Esq.^o

William Shirreff

Mett According to Appointment And James Michell with the other Proprietors of the Marshes of Rushaw forshew having also Appeared According to Order were ask'd why they would Neither work nor be at the Expense of Building up and Repairing their Dikes They [??] They all Said they would be Aiding & assisting in that Work Except Monsieur Laverdeur & his Wife, who Said they would Would not, and Would Rather Relinquish such part thereof as belonged to themselves, but Could do nothing in Regard to that part which belonged to their Children One of which being at Canada and the Other at Mines

The french Inhabitants Examined about repairing their Marshes.

James Doucett made also Answer that he would do Up his own part but would not Midle with that belonging to his Mother, Whereupon his Brother Claude promised that he would

It is the Oppinion of the Board that Laverdeurs Childrén having Abandoned & left the Country y.^t they have therefore no Right to any part of Said Marshes

The Inhabitants of the Cape having also Come According to Order were Called in & Asked why they did not According to his Excellency's Proclamation repair & keep their Marshes on both sides the Garrison in good Order

To which they Answered that it was too great an Expence & that they were not able to do it, Only Francis (alias) Nigan Robichau Said that he had a Piece of Marsh on the other side of Allans Crick which he had every year Manured, but being partly brock Down last Winter, he would again Repair it as soon as possible.

The Honourable L.^t Governour Acquainted those who Neither had nor would not Undertake to Repair their Said Marshes had According to his Excellency General Rich.^d Philipps's Proclamation forfeited the Same to his Majesty, and the Board Agreed that it was also their Oppinion [78]

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Wednesday the 8.th of July 1724

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^c
 John Adams Esq^e
 Hibbert Newton Esq^e William Shirreff

**Motion Made
 for executing
 one of the
 Indian prisoners
 to terrify
 the rest.**

Whereas the Salvages of this his Majestys Province of Nova Scotia Committed Sev.^l Roberys & Murders against his Majestys Subjects in the year 1722 and since have Committed in Open Enmity & Rebellion and Whereas to fence (?) against such Barbaritys, several of their people were Seiz'd & Detained Prisoners which Induced Sev.^l of the Salvages of this River to Submitt to the Governm.^t and promise to Demean themselves peaceably & to Informe the Governm.^t of any Insult that shou'd be Intended against it (as appears by the Instrument Signed by them) Upon which promise

the Indian Prisoners here were treated with all Humanity & Kindness till by Some Articles of Peace with the Salvages in General they might with Security be Releas'd, being made to Understand at the Same time That if any of his Majestys Subjects were Murdred near this Garrison or any Shott fired against it, without giveing timely Notice of it Reprisalls should be Made upon the Prisoners in our Keeping; And Whereas Notwithstanding the promises made by them & the Threats Made here of Reprisalls; Some of the Very Indians who had Signed the Instrument above Mentioned were Guides and Actors Amongst those who on the 14th of this Month Barbarously Murthered a Serg.^t of this Garrison¹ and then Openly Attack'd our Partys and the Garrison itself and were the Means of Another Man's being killed and An Officer & three private Men Dangerously Wounded & of the fireing [79] Fireing of two English houses & the takeing of two men of this Garrison with a woman & two Children who have been Since Releas'd out of their hands by the french Inhabitants

It is our Oppinion that Since all the kind Usages this Barbarous people have Réceiv'd Seames Reather to Render them more Inhuman and Treacherous, It will be for his Majestys Service the Security of this Garrison and English Subjects Inhabiting about it, to make Reprisalls by the Death of One of the Salvage prisoners in Custody, to Deter them from any farther Outrage when they will Ly Under the fear of Loosing Nine more Still left in our possession

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majestys Garrison of Annapolis Royall on Thursday the 16th of July 1724 P. M.

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq^e
 Hibbert Newton Esq.^e William Shirreff

The Honourable L.^t Governour being Informed by M.^r William Winniett that Father Charlemagne y^e Priest of this

¹ See *Murdoch* I, 409.

River knew of the Indian's Designs of coming hither and Wondring y.^t he had not Informed him timely of it Acquainted the Board that he thought it very Necessary That M.^r Will.^m Winniett who Arrived here from Mines the fifth [80] fifth Inst. to give Intelligence^t of the Indians Designs of Surprizing if possible the Town & Garrison Should with his whole Sloops Crew be Examined upon oath as to what he & they had heard at Mines Concerning the Same, Which being approved of they were Accordingly called before the Board and Examined >

Mr. Winniett
& his Crew
Examined
about what
they heard of
the Indians
design aguinst
the Garrison.

M.^r William Winniett being Sworn Said that when he went into the Entry of Mines he found M.^r Blin at Anchor at Baptist Cove where he did not Expect to see him, upon which he went about with his Vessell & Stood for him, put up his Ens.ⁿ in the Shrowds and fired a Gun & not hearing any answer made by M.^r Blin he then Suposed he had been taken by the Indians, But M.^r Blin Coming Immediately to Sail he Spoke with him, who told him that the Indians refused to let the Inhabitants Come on Board of him & that a french man who had been on board of him had been Stop'd Some time by them & then M.^r Blin Asking his Oppinion as to what was to be Done he made Ans.^r that he was Resolved to go & do his Business and that there was no Danger for two Vëssells & then both Agreeing they went and Grounded on the Mud Bank & that this being on a Saturday he Re.^d a Letter from two of the Inhabitants to assure him y.^t they would be on Board the next Day, who Accordingly Came & told him there were about Seventy or Eighty Indians, thirty of of which were of S.^t Johns River & the Rest were Indians belonging to Shickabenaadia & the Eastern Coast, but two Vessells being together brock their Designes, for that they had Resolved to Attempt the takeing of one Vessell if alone That on Munday Sev.^l Inhabitants came on Board & told publickly that the Indians had held Sev.^l Councils & were very much Divided in their Oppinions, that Some were for this place Some for Canso & ethers for Dispersing; Tewsday there being a Gale of Wind he had no news, on Wednesday

afternoon he was Inform'd that they were Resolved to Come to this place, whereupon he Declared he would make [81] Make the Best of his way to Informe the Governour of their Designes, upon which Sev.^l of the Inhabitants Assured him that the Priest of Annapolis Royall & Some of the Inhabitants had been there & were already Arrived at Annapolis & that the Garrison without any manner o. Doubt was Informed for that the Priest & those with him had been Stop'd some time and that the Priest told the Indians that it was in Vain for them to Stop him for if that he was not at Annapolis by Such a time every body would be assured that nothing but the Indians had Defain'd him and so his going or Staying would be Equall

Peter Surrett, Alexander Douglass, Peter Grivoy and Phillip Carthwright Mariners on board of M.^r William Winniett's Sloop being likewise Sworn to give a faithful account of what they had heard at Mines Concerning the Indians: Declared that when they were at Mines they heard the Inhabitants Say that M.^r Winniett had no Bussiness to leave his own Bussiness & to Come to Annapolis to Advertise the Governour of the Indians Designe against that Town & Garrison, assuring him y.^t the Priest of Annapolis whom they had Detained for two Days being gone Some Days agoe was Certainly Arrived there and had Informed the Governor of all their Proceedings

At a Council held at the Honourable L.^t Governor John Dodecett's house in his Majestys Garrison of Annapolis Royall on Saturday the 18th Day of July 1724 P. M.

Present [82]

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o
Hibbert Newton Esq.^o William Shirreff

The Honourable L.^t Governor Acquainted the Board y.^t ^{Captain Alden Examined about what he knew of the Indians design} Cap.^t John Alden being Arrived from Menis he Judged it proper that he Should be Examined upon Oath as to what

he had heard att Mines Concerning the Indians, which being Approv'd of, Cap.^t John Alden was Call'd before the Board and being Sworn Declared

That Prudane Robichau Senior the 26th of June Last (before ~~he~~ Sailed from this place) Came on Board of his Sloop & told him that the Priest of this River was Arrived here from Menis, & he then Asking him if there were any News, that Robichau told him there *was* None, And two Days after Arriving at Mines, M.^r William Winniett Ask'd him what News & Whether the Priest was Arrived at Annapolis & whether he had Informed the Governour of the Indians; That he Answer'd him that Prudane Robichau aforesaid had told him of y^e Priests Arrival but no other News, & that he Did not hear that the Priest had given the Governour any Manner of Information

William Shirreff Esq.^r
Ordained to
keep the
possession of
some Ground
in the lower
Town on
which he made
Improvements

Then William Shirreff Esq^e being Order'd to withdraw the Honourable L.^t Governour laid before the Board his Memo.^l bearing date the 9th Ins.^t (as upon file) Setting forth that he was a Tennant to John Hobby Esq.^e and Obliged by Lease to pay for his Tennament Seven pounds Ten Shillings *per* Annun, And that Whereas he had in these Troublesome Times of Warr with the Indians, been put, not only to Several Extraordinary Expences, but to his Very Great Loss and Detriment, Drove by the Enemy from the Quiet and peacable [83] Peacable possession of Said Tennam.^t on which he hath Made Severall Improvements in the Lower Town, New Abandoned through fear of the Enemy by all the English Inhabitants, who are allmost all proprietors, And that being by his Articles of Agreement, which he Likewise produced, permitted either to Quitt or hold Said Tennament &^{ca} at pleasure, not Exceeding the Tarme of Twenty one years and not knowing Where to find Said John Hobby Esq.^e or any of his Attorneys or Assignes he had therefore Applyed himself to the Governour & Council, knowing none So proper in the Absence of Said John Hobby, who has no Attorney as aforeSaid to take from him the Care &

possession of Said Tennament for the Benefit & behoof of the Said Absent Proprietor his Heirs Executors &^{ca} Not being able to be at any further Expence, to Defend & pay Rent Any longer for the Same. And having Ask'd the Advice of the Board what Could be Done therein, And the Same being Read & taken into Consideration the Board—Unanimously Agreed

That it is for his Majestys Service, the Good of this Collony, & the Benefit of the Sev.^l Proprietors whether Absent or present, that the Lower Town be Inhabited by British Subjects and not Abandoned to give An Opportunity to the Indian Enemy to Come & Sett fire to it when they please

That it is their Oppinion Considering the Great Risque the Inhabitants who are not Proprietors run of their lives and Effects for the Defence of their Several houses, and the Trouble and Expence, they are or may be put to in fortifying the Same; that for their Encouragement they Ought, for a Certain time, to Enjoy their Several houses Rent [84] Rent-free, And that Whereas the Estate of the Said John Hobby Esq.^o for want of being Inhabited & other Due Care, is allready gone to Decay & Ruine; The Board Agreed to propose to William Shirreff Esq.^o his holding & keeping possession of the Said Tennament for which he hath hitherto paid Seven pounds Ten Shillings *per* Annum, Rent free

And he being Called & the Above proposition put to him, he Made Answer that, he would very willingly hold & Enjoy it on Acco.^t of the Great Charge & Expence he hath been at in Improvements & Repairs; but would rather Abandon all, than both to pay Rent and Expose himself to the Risque and Disturbance of his family, for the Defence of Another mans Estate, which must Needs put him to Several other Extraordinary Expences; But providing that he might have it Rent free for such a time as he Could Conveniently possess it, & if that the Other Inhabitants would Likewise Refurr to their houses, that he Would Also use his Endeavours to possess &

Defend it if the Governor and Council Judged it proper to put him in possession, because that he would by no Means hold it any Longer by Virtue of his former Lease, nor (not knowing how soon his Majesty may See Cause to Recall him) be other ways bound to keep and possess it, than his own Conveniency would permitt

And being Ordered to withdraw, The Board Agreed that as it was for the Benefit of the Said John Hobby Esq.^o That that part of his Estate Should if possible, be preserv'd from Ruine; To put William Shirreff Esq.^o in possession of the aforesaid house & Tennement, And Accordingly Resolved

That the Said William Shirreff for and in Consideration of his Several Improvements allready made, the Risque, Expences, & other Inconveniencys he hath or hereafter [85] Hereafter may be put to, for the Defence of Said house & Tennement, Be hereby (and not by Virtue of any Lease or Articles of Agreement made with Said John Hobby Esq.^o) put and Authoriz'd to hold, keep, Use, Occupy and possess the said Tennement &^{ca} fully and freely with all its Improvements and Appurtenances thereunto belonging for and During (if his Conveniencys will him so permitt) the Term of Seventeen Years from the Date hereof, Rent-free for and in Consideration of the Premisses

Ordered that his former Lease be Registered, & that a Signed Cobby of this Days Minute be given him for his Indemnification

At a Council held at the Honourable Lt. Governor John Doucett's house in his Maejstys Garrison of Annapolis Royall on Munday the 20th of July 1724 P: M:

Present the Honourable L. ^t Governor Presid. ^t	
Major Paul Mascarene	William Skeen Esq. ^o
John Adams Esq. ^o	
Hibbert Newton Esq. ^o	William Shirreff

Memorial of the french Inhabitants to be answered next meeting. The Honourable L.^t Governor acquainted the Board that the Deputies of this River had presented him with a Memorial in behalf of themselves & the Rest of the French Inhab-

itants of this River, whereupon the Same being Read, he Asked the Oppinion of the Board Then [86] Then he Laid before the Board a Petition from the English Inhabitants of the Lower Town, which being Read, And the Board Considering the great Disadvantage and Impedim.^{ts} that the Empty Uninhabited houses in the Said Lower Town are to those Inhabitants who would Remain & Live in their houses, being for want of the Absent Proprietors due Care become Untenantable & gone to Decay and Ruine; And that Whereas they may Serve as a Shelter & Defence to the Lurking Enemy Indians who may at Pleasure Sett them on fire and Consequently the whole Town to the Great loss and prejudice of the other Proprietors and Inhabitants of Said Town

Memorial of
the English
Inhabitants of
the lower
Town advised.

Resolved That it is for his Majestys Service and the Good of this Collony, that the Said Lower Town be preserved and Inhabited; That Such Empty houses be Aprized and pulld Down, & that the Proprietors of Said houses may not be Intire Loosers thereby

It is also the Oppinion of the Board that they have part of the Vacant Lands in the Said Town in Lieu of the Same, when they are allotted out

Then the Board Resolved that An Answer Should be given to the french Inhabitants Memo.^r on Munday Next, And that Major Paul Mascarene and John Adams Esq.^o prepare the Same

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Wednesday the 22.^d of July 1724

Present the Honourable L.^t Governor Presid.^t

Major [87]

Major Paul Mascarene

Hibbert Newton Esq.^o

John Adams Esq.^r

William Shirreff

The Honourable L.^t Governor Acquainted y^e Board that as M.^r James Blin was Arrived here from Mines he thought it very Necessary y.^t he Should be Examined allso upon Oath as to what he heard there Concerning the Indians and the

Mr. Blin
Examined
about what he
heard of the
Indians design

Priest of this River &^{ca} which being Agreed to, And M.^r James Blin being Call'd in and Examined, he Delivered to the Board what he had to Say on that Account in Writting, to which he made Oath as upon file

At a Council held at the Honourable L.^t Governor John Doucetts house on Wednesday the 22.^d of July 1724 P. M

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o
 Hibbert Newton Esq.^o William Shirreff

Charlemagne
 the Romish
 priest Exam-
 ined concern-
 ing the
 Indians
 attempt upon
 this Garrison.

The Honourable L.^t Governor (upon the foregoing Informations) having Sent for father Charlemagne the Romish Priest of this River, and he being Come, it was Judged Necessary to call him to An Examination before the Board for his Conniving at & Concealing these Treacherous Designes of the Indians, and being Called in there were put to him the following Questions which he Answered as follows Viz.^t Quest first [88]

Quest. 1st. Father Charlemagne Why did you not at your Arrivall (when you waited on the Governour) Acquaint him of this Party of Indians being at Mines, & their Designes against us

Ans.^d I must then have been a Wizard

Ques.^t Did you Not know of any Party of Indians when you was at Mines

Ans.^d There were Indians of this Province Mett there with Golin their Missionary on Account of Devotion

Ques.^t Did you not know of any Strange Indians being there and that it was talk'd of their Coming here

Ans.^d There were Six Strange Indians who Came there the fryday before I came away

Ques.^t Wherefore then did you not Acquaint the Governor of these Six Indians, when at your Arrivall, he Asked you what News, When at the Same time you told him there was none

Ans.^d My Business is only to Attend my function & not to Enquire into or Middle with any other Bussiness, News, or

Affairs, And that not finding any Indians in my way hither, and finding every thing Quiet here, I thought it was only talk of the Indians and that they had no farther Designe

Do you not think that all people that are Under the Protection of any Government, are Obliged to Discover any Treason or Enterprize carried on against it to its Detriment

It may be justly Required, but I would not do it at the Risque of my own person. for I love my Skin better than my Shirt, and I had Rather have Wars with the English than the Indians

Was you not Detained Some time there by the Indians that you might not gett here to give Intelligence

No I was not, but I heard they had Such a Designe

Did not the Indians at the Church Door threaten to Scalp you, if you Should give any Advice of their [89] Their Coming

They Durst not tell me So for they are better Instructed

Why then as you are not Apprehensive of any Danger, did you not find a way to give Intelligence when they were up the River at your Mass House

I Could hardly make way to my Own house

Was there not a person at Mines who in Conversation with you Mentioned to you the Necessity of Acquainting the Governor of the Indians Designe for fear of the Ill Consequences that might Enssue

I had no Such Conversation with any at Mines

Why did you assemble the Inhabitants to prayers on that particular Day, which Occasioned them to pretend an Impossibility of giving Notice to the Governour

It was on Occasion of the Late Earthquake

It is to be observed that in the Course of this Examination he often prevaricated Never Answering Directly to any Question without being Often Repeated and put to him Running in long Discourses, on what was foreigne to the Point

From all which & the Several Depositions of the Traders, it appears to the Board That the Said father Charlemagne, Romish Priest of this River knew of this Enterprize the Indians had formed against this place & that his Assembling the Inhabitants at that Juncture, was on purpose to facilitate their Designe by furnishing them with the Inhabitants Cannoes which they Actually made Use of having No Other

Resolved

That [90] That, the Said father Charlemagne be kept in Custody till an Opportunity be found of Sending him out of this Province and that when Such is found, he be Actually Sent away with orders Not to to Returne into this Government again at his Peril; which we think an Easy punishment and Not Answering his Crime: But in Consideration of the Strick Alliance of the two Crowns of Great Britain & France, we are Willing to Shew by all Tokens of Lenity our Desire of Mentaining the Same and of Avoiding all Acts, as much as in us lies, that may be by our Neighbouring french Governments, be Interpreted to the Contrary¹

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Róyall on Munday the 27th of July 1724

Present the Honourable L.^t Governor Presid.^t

Major Paul Mascarene. William Skeen Esq.^o

John Adams Esq.^o

Hibbert Newton Esq.^o William Shirreff

The Honourable L.^t Governour Acquainted the Board that the Deputees of this River were According to their Appointment come for an Answer to their Petition as *per* the Minutes of the Board Munday Last

Major Paul Mascarene and John Adams Esq.^o then Appointed to prepare Said Answer, laid the Same before the Board which being Read & Approved of The [91] The Deputies were then called in and the Same being Again Read and Interpreted to them

¹This examination printed, but not with entire accuracy, in Murdoch I, 417 f.

Ordered that a Coppy thereof translated into french be given them, that they may publish the Same

And father Charlemagne the Romish Priest of this River being found Guilty of Concealing and Conniveing at the Treacherous Designes of the Indians Against this place and his Majestys Subjects as per his Examination the 22.^d Ins.^t

The Board Agreed to Communicate to the Deputees the Reason of his Concealment and for Such Evil and Wicked practices in a time of profound peace with his most Christian Majesty That it was Resolved to Send him out of this Province

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Munday the 10th of Aug.^r 1724

Present the Honourable L. ^t Governor Presid. ^t	
Major Paul Mascarene	William Skeen Esq. ^o
John Adams Esq. ^o	William Shirreff

The Honourable L.^t Governor Acquainted the Board that whereas one Lewis Tibeau had Complained to him Some time agoe, of Joseph Brusar for Maltreating & Using him Unjustly; And that in Order to hear them face to face, he then Sent an Order by Said Tibeau [92] Tibeau for Said Joseph Brusars Appearing here to Answer to said Complaint against him; And that Whereas Said Tibeau had Again Returned and Made Oath that when he went to Deliver him the Orders, that he not only Beat him, but took the Orders & Despitefully throw them on the Ground; And therefore, for his Insolence, he had again Summon'd Said Brusar to Appear this Day before the Board Allong with the Deputees who are Ready to wait on the Board, by whom being Informed, that Said Brusar, notwithstanding these Repeated Orders, was not Come; he Ask'd the Oppinion and Advice of the Board

Joseph Brusar
Ordned to
appear before
the Council

Which being taken into Consideration, it was Judged proper to Call the Deputees & Enquire of them what Reason

Brusar gave for his Disobedience, and why they did not bring him along with them & being Accordingly Called they were Ask'd

What the Inhabitants could Expect if they Should thus Insolently Dare with So much Contempt & Disrepect Disobey the *Governors* Orders.

To which the Deputies made Answer (*Lewis Tibeau's* Affidavit being read to them) That they were Extreemly Sorry for Such Misdemeanours of Some amongst them But were apt to beleive all *Tibeau's* affidavit was not true; And said his not Appearing here to Day proceeded not from fear of any thing that might happen him on Account of *Tibeau's* Allegations; but Chiefly from his being one of those who were at Mines along with father *Charlemagne*: And Acknowledged that for his Contumacy he Deserved to be Severely punished; But that as they themselves were Lovers of Peace, they would allways to the Utmost of their Power, Strive to Mentain and Establish it Amongst the Inhabitants; and Therefore [93] Therefore beg'd the *Governor* to pass it by if possible, and pardon the Offenders, for this time; It being the first of this Nature ever happen'd in this River, and the first Request they had ever Desired of the Government for pardoning any Amongst them, Since they have had the Honour of being their Deputies; And therefore hop'd the Governour & Council would Accept of their most humble Submission and Dutifull Obedience in all Respects, to the Government for the future as an Attonement for this their Insolent Offence

To which his Honour the *Governor* made Answer That his being with the Priest & Concealing that Affair of the Indians, was Such an Aggravation of his Crime, that for the Good of his Majestys Service and his own Honour he Could not but Insist upon having Said Brusar and those other persons who were at Mines, and that for their absconding, their Audacious Impudence in Disobeying his Orders, and Other Rebellious practices against this His Majestys Government;

he would therefore give them no Other Answer, before they Appeared Before this Board for Examination; And y^t if he found they made a fair & An Ingenuous Confession of the Truth, they might then According to their Behaviour with greater Confidence (and that even upon your Acco.^t) Expect pardon, and be again Received into y^e protection of the Government, which they have thus forfeited, And with the Advice of the Board Gave Orders to y^e Deputees, to bring the Said Joseph Brusar and these other Inhabitants who were at Mines with father Charlemagne here to the Garrison on Wednesday next; Then [94] Then the Governour informed the Board That it was his beleife from Some Letters, he had Received, which he produced, that these Hostilities of the Indians were all Chiefly Hatched and Carried on by the Intrigues of the Romish Priests, And that therefore he Judged it Necessary for the Good of his Majestys Service to Summons Pere ffalix and Pere Isidore, the Romish Priests at Mines & Pigiguit to appear before the Board in Order to be Examined

To which (having Read the aforesaid Letters) y^e Board being of the Same Oppinion, Unanimously Agreed

At a Council held at the Honourable L.^t Governour John Doucetts house in his Majestys Garrison of Annapolis Royall on Wednesday the 12th of Aug. 1724

Present the Honourable L.^t Governour Presid.^t
Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o William Shirreff

The Honourable L.^t Governour Acquainted the Board that the Deputees had According to the Minute of Council and his Orders on Munday last, brought along with them the aforesaid Brusar and those other Inhabitants who were at Mines with the Priest Charlemagne and had presented him with a Petition beging pardon and Confessing the Cause of their Concealing the late Affairs of the Indians; And the

Joseph Brusar
and his
Accomplishes
Examined.

Same being Read he asked the Advice and Oppinion of the Board

Agreed that they Should be Examined Seperately

Then [95]

Then Alexander Girouar (alias) Drew, being Ordred to Appear, and being Examined upon his Voyage with the Priest to Mines and asked what he had heard there Concerning the Indians amongst the Inhabitants, what Discourse father Charlemagne had with him Concerning their Designe against this place; Whether he had heard of the Cause of their Coming and who they were that Seamed Chiefly to prompt and Encourage their Enterprize, And Why he Did not at his Arrivall here Acquaint the Governour of the Same

To which the Said Girouar (notwithstanding his Petition for Pardon) Answering with so much prevarication, he was put to the Guard

Then James Michel was Called in & being Examined on the Same Subject; Said that Six Indians belonging to the Party, that afterwards Came here, were then at Mines, when he was there with father Charlemagne that it was publicly talked there that the Indians were at the Isle of Hault with Intention to make an Attempt on Canso or Annapolis Royall, That at his Arrivall here he allways thought the Priest would have Acquainted the Governour of the News that were going on that head, as being Master of the Voyage; And farther Said that being at Mines the Priest told them as well as Some of the Inhabitant. of that place that their Brains Should be beat out, if any of them, Should Speak of this at Annapolis Royall; That Upon that he did not; Still trusting that the Priest Would give Notice to the Governour; to which He made Oath and to every Article in the Petition

Then Joseph Brasar being likewise Examined and Asked why he did not Discover what was Contrived [96] Contrived & Designed at Minas against this place by the Indians Made Answer

That he was affraid the Priest father Charlemagne would Discover him to the Indians and that his Mother and family would be thereby Destroyed; And he made Oath to every-thing Mentioned in their Petition, Except these words (car il nous dit de prendre Garde a nous &^{ca})

And the Said Joseph Brusar being further Examined upon his Abusing Lewis Tibeau & Contempt of Orders, was put Prisoner upon Guard

Then the Deputees Acquainting the Governour That Alexander Girouar was Such a poor Ignorant fellow, that his Indirect Answers proceeded Certainly from thence, not knowing through his fear & apprehension of Punishment, what he Said, and Not from any Designe of Concealling the Truth; Otherways he Never would with the Rest, have presumed to Signe and present Such a Petition for Pardon, or ever Expect the Least favour from the Government: And therefore they begged he might be again admitted to a farther Examination

Whereupon being Called & Reprimanded for his former prevarications, Said he, Did not Understand what was Said to him & that he would not Denie the Truth And being asked whether everything in the Petition was Truth and Mater of ffact; he Declared that it was & thereupon took his Oath

Then the Deputees as on Munday Last Interceeding for their Pardon, and the Governour telling them how Little they Deserved it, They were Ordred to withdraw and he thereupon Desired the Oppinion of the Board

Then Considering the present Unsettled State of [97] Of Affairs and that by pursuing Matters to y^e Extremity might Occasion the Inhabitants to Rebell and Joyn perhaps with the Indians as formerly, And as we have not force enough to keep them under Due Subjection and as we had punished them in Some Measure by having Banished the Priest; It was Judged proper to Answer the Deputees, That the Governor and Council, purely in Consideration to them

for having Done their Duty in bringing them to the Governour, and not Doubting but that they Would according to their promises faithfully Discharge the Trust of Deputees, and by their Vigilance prevent all Such Disorders in the Government for the future, were willing to Sett the Aforesaid Girouar, Michell and Joseph Brusar at Liberty; But Assured them that if any Disorders Should happen hereafter the Aggressors Should be Severely punished

Whereupon the Deputees being called & thereof Acquainted, they Returned thanks to the Governor and Council & promised to use their Utmost Endeavours that no Such thing should happen for the Time to Come

And they the Said Girouar, Michell and Brusar being also Called and reprimanded, they also Returned Thanks (being Informed that out of Respect to the Deputees they were Sett at Liberty) and promised Never to be Guilty of the like for the future, but Dutifully to behave themselves in all Respects to the Government & Being Dismissed the Council Adjourned [98]

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majestys Garrison of Annapolis Royall on Saturday the 29th of Aug.^t 1724

Present the Honourable L.^t Governour Presid.^t

Major Paul Mascarene William Skeen Esq^o
John Adams Esq.^o William Shirreff

Father Isidore
the Romish
priest Exam-
ined about the
Indians design

The Honourable L.^t Governour Acquainted the Board that Pere Isidore from Pigiguit was Come According to his Orders to be Examined before the Board Upon the Late affairs of the Indians; and having Appeared before the Board, there were put to him the following Questions to which he made Answer Viz.^t

Ques.^t

Father Isidore was you with the other Missionarys at their Councils

Ans.^d

No, I was at my own house

Whether if it had been in Your Power Would you not ^{Quest.} have given Advice to the Governour of any Treason or Attempt formed Against the Government

When I heard of the Rumour of the Indians Designes ^{Ans.^d} on this place I hired two men for the Value of forty Livres to Carry two Letters Directed to the Governour wherein what I knew of the Matter was Contained; But having Advice that all the People from Annapolis Royall were Stopt at the Grand Pré, I Recalled my Letters for fear of falling into their hands, and I afterwards gave them to M.^r Blin, which I hope he Delivered; And I Declare That Whilest I am in the Territorys & under the Protection of the English Government, I think myself obliged in Conscience to give Notice of any ill Designe Against it, My Conscience being Dearer to me than any Worldly Intrest

And he Likewise Informed the Governour and Council that it was publickly talked that when the Indians, at their Returne from Annapolis Royall to Mines, That Jacque Terriot one of the Inhabitants [99] Inhabitants at Minas, Went to Pere ffelix and told him that as his Soldiers were Come back from his Expedition, he Ought as being their General to provide for them & not Suffer them to Eat up the Inhabitants & the Said father ffelix Denieing that he had any hand in it the Said Jacque Terriot made Answer, that; That is not true, for I saw your Letter by Which you Sent for them, at S.^t Johns River

Then the Governour told him that he had Rec.^d his Two Letters from M.^r Bline & thanked him for his Care and Intelligence tho' it Came too Late & being Desired to Withdraw

The Governour laid before the Board a Letter from Pere ffelix (as upon file) in Excuse for his not Obeying his Orders in Coming here he being about to Depart the Country &^{ca}

Resolved

That an Order be Sent to Mines to be there published at the Masshouse to Discharge the Said, ffather ffelix from ever at

his Utmost Peril Entring this Province without the Consent and Approbation of the Government as was Agreed upon (as per Minute) the 5th of february 172 $\frac{3}{4}$.

Ordered that Major Paul Mascarene Draw up and prepare Said Order

And the Board being Satisfied with Pere Isidore's Conduct, for his farther Encouragem.^t Agreed that he Should take the Cure of Mines into his possession till farther Orders, And that the Governour give him an Order for his so Doing

Lewis Allans
petitiou.

Then the Governour laid Before the Board. a Petition from Lewis Allan begging Leave to Returne to his family which being Read

Agreed that his Request be granted upon M.^r Gotie his Son in Law's Security

Then [100]

Then Pere Isidore being again Called & acquainted that the Governour with the Advice of the Council, had given him for his further Encouragement, the Cure of Mines till further Orders. he Returned thanks, & then the Council Adjourned

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Saturday the 5th of September 1724

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Shirreff
William Skeen Esq.^o

Mr. Robert
Cuthberts
Complaint
advised.

The Honourable L.^t Governour Acquainted the Board That the Reverend M.^r Rob.^t Cuthbert had given him a Complaint against one William Napps Marriner Upon a Deposition made by Alexander Douglass the 23.^d of June Last (as upon file) And M.^r Cuthbert (the said Will.^m Napps being now here) Insisting upon his being Examined before the Board, he was Accordingly Sent for, and being asked as to the particulars of Said Deposition, he gave to the Board his Answer in Writting (as upon file) and brought One Robert Cochron

for his Witness who made Oath That he Did not hear of M.^r Robert Cuthbert's lying all night at Margaret Douglasses Mentioned by any then in Company* and the Report of the Doors being lockt proceeded first from one Richard Lynes who Carried for M.^r Cuthbert the Three Gallons of Rum

Which being Considered the Board gave it as their Oppinion That M.^r Robert Cuthberts Complaint Against Said William Napps, was only frivolous, And so Dismissed him. [101]

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majestys Garrison of Annapolis Royall on Tewsday the 22.^d of September 1724

Present the Honourable L.^t Governour Presid.^t
Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o William Shirreff

The Honourable L.^t Governour having Acquainted the Board of the Cause of his Calling them together, he laid before them the following papers Viz.^t

His Own Representation of Some Affairs between the Reverend M.^r Robert Cuthbert and Alexander Douglass &^{ca} of his Said Brothers Affairs

Several papers laid before the Council and Mr Robert Cuthbert examined.

A Letter from Samuel Douglass upon the Same Subject

A Memorial from Ditto Concerning the Same Peter Feilding & John Evans's Affidavit Relating the Same

Two Letters from the Said M.^r Robert Cuthbert bearing Date September the first & September the 7th 1724

The Governour's own Answer to both said Letters

Alexander Douglass's Memorial Representing the Injustice Done him by the Reverend M.^r Robert Cuthbert in Relation to his Wife

A Letter from Said Alexander Douglass as also a Petition concerning the Said M.^r Robert Cuthbert's Refusing to give

him a Receipt for Some Money Due which he tendered him, & Stopping Some Effects, upon Some pretences as are Sett forth in Said Petition.

Which Said Papers being Read & Ordred to be filed, the Honourable L.^t Governour ask'd the Advice & Oppinion of the Board; And the Same being Considered in their Order

The [102]

The Board Unanimously Agreed, That, Whereas it appears that the Reve.^d M.^r Robert Cuthbert hath Obstinateley persisted in keeping Company with Margaret Douglass Contrary to all Reproofs & Admonitions from Alexander Douglass her husband and Contrary to his Own promises & the Good Advice of his Honour the L.^t Governour That he the Said M.^r Robert Cuthbert Should be kept in the Garrison without Port liberty and that his Scandalous affair, & the Satisfaction demanded by the Injured Husband be Transmitted in Order to be Determined at Home; And that the Honourable L.^t Governour may write for Another Minister in his Room

Then the Reverend M.^r Robert Cuthbert being Sent for to give his Reasons for Stopping of Alexander Douglass's Goods &^{ca} as is Represented in Said Douglass's Petition, who having Accordingly come, and being ask'd, Made Answer

No. That he did not, he might have them when he pleased, and that he did not Insist upon anything, either for him, his wife or Child

At a Council held at the Honourable L.^t Governour John Doucetts house in his Majestys Garrison of Annapolis Royall on Munday the 19 of October 1724

Present the Honourable L.^t Governour President
Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o William Shifreff

Liberty Given
to the Gov.^r of
Cape Breton
to purchass
Refreshments.

The Honourable L.^t Governor Advised the Board That Mons.^r S.^t Ovid the Governor of Cape Breton had Sent a Vessell to Transport hither the Messengers that were Sent by

the Inhabitants of this River, and that he had write [103] Write to him for Liberty to purchase Some Refreshments of which they Stood Very much in Need there; Which being Advised on

Agreed That as he had when the Garrison at Canso was in very great Necessity and want Supplied his Excellency General Richard Philipps when there, with things Suitable to his Necessity That Liberty may be Granted as farr as his Honour the Governour Should think Convenient

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Saturday the 31st of October 1724

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq^o
John Adams Esq^o William Shirreff

The Honourable L.^t Governour Informed the Board that he had Received a Letter from Pere felix Signifying his Returne into this Province and Settling at Shickanecto, which he Seames to Ground upon an Assurance he pretends to have had from the Governour of Cape Breton of his Writting to the Governour here in his favour And that he had likewise Received two more Letters therein Inclosed which finding were from two other Priests that the said Felix had brought with him, he Did not Designe to break them up; As also that he had Received Another Letter by a Messenger from Mines, who Informing him [104] Him that it was from one of said Priests, he had Refused Recieving the Same, And thereupon asked the Advice of the Board

Letter from
Pere felix a
Romish priest
Signifying his
Return to the
Province.

The Board Considering the Minutes of Council on Wednesday the 5th of february 1724 and on Saturday the 29th of Aug.^t 1724 as Also the Governours Orders on the last of Said Minutes, bearing Date the 2.^d of September last thereupon sent to be published at Mines, prohibiting the Said felix to returne at his Utmost Peril: Unanimously Agreed That the Governour Should also Send a Cobby of his Said

Order to be published at Shickanecto; And to Shew his Dislike to the Irregular proceedings of Said Romish Priests, not break open their *Letters* but to Returne them and to Send them Word That if they did Not Immediately Depart this Province, they Should Answer the Same at his Utmost Peril

Resolved & Agreed That a Proclamation upon the first of Said two Minutes bearing date the 5th of february 1724 be published both here and in these othere parts of the Government for an Advertisement to these Romish Priests of their Danger

Agreed that Major Paul Mascarene and John Adams Esq.^o Draw up and prepare the Same

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majesty's Garrison of Annapolis Royall on Tewsday the 3.^d of November 1724

Present the Honourable^s L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o William Shirreff

The Honourable L.^t Governour laid before the Board [105] Board a Letter which he had Received from the Honourable William Dummer Esq.^o L.^t Governour of New England wherein he Expected, towards the Latter End of October or the beginning of November a Negotiation for a General Peace with the Indians and therefore Desired to lett him know what Demands Should be thought proper to be made in behalf of this Government

Which being Considered the Board Agreed That the Honourable L.^t Governour Should in the Name and behalf of his Majesty Send the following Articles

Viz:^t

That they Shall Acknowledge That the Province of Nova Scotia (alias Accadia) to its Utmost Extent & Boundarys, With all its Rivers, Cricks, Bays, & Islands &^{ca} thereunto belonging; Belongs & Appertains (not only by Conquest) but as Settled at the Treaty of Utricht, to the Crown of

Articles of
 peace to be
 Signed by
 the Indians.

Great Britain: And that his Majestys King George and his Heirs and Successors are the Sole Owners & the only True & Lawfull Proprietors of the Same.

That they Shall not for ever hereafter, Trouble Hinder^{2nd.} or Molest any of his Majesty the King of Great Britain's Subjects from Settling, or doing any of their other Affairs in Said Province

That Wee Expect Restitution to be made to our Traders^{3rd.} Whom they, The Savages, without any Manner of Cause Given, So frequently Plundered, Which Occasioned the Warr, And That Satisfaction Shall be Made for all the Losses his Majestys Subjects have Since Sustained through their Unjust Depredations

That Whereas [106]

That Whereas they are all of the Romish Perswasion^{4th.} They Shall, According to his Majestys Directions Enjoy the Exercise of their Religion: But Shall not have Any Other Missionarys Amongst them Such as his Majestys Government Shall Approve of, having here Certain Informations & Undeniable proofs That the Priests have Always been the Chief Incendiarys

That if any of their People Shall Transgress Any of these^{5th.} Articles, And behave themselves Disrespectfully to this His Majestys Government, And Obstinateley do Any Thing Contrary to Law; That they Shall Oblige themselves to Yeald & Deliver up Stich person or Persons to be punished According to Law

That Whereas they have hitherto behaved themselves^{6th.} (notwithstanding all manner of kind Usages from the Crown of Great Britain and his Majestys Subjects) with so much Treachery, We Expect that Hostages Shall be Given To this His Majestys Government, for a Security of their Sincerity in performing of these and of all and every Such Article as Shall be Agreed upon for the perpetuall Continuation of a Peace

7th.

That Upon their True & faithfull performance of all and every Article, they Shall allways Meet with a Friendly Usage from this His Majestys Government

Agreed that the Honourable Lieu.^t Governour Send the Said Articles to Hibbert Newton Esq.^o One of the Members of this His Majestys Council, now in Boston, with Directions to wait upon the Honourable William Dummer Esq.^o the L.^t Governor of New England, with the Same, & to Communicate & Recommend them to his Care from the Board [107]

At a Council held at Major Paul Mascarene's house in his Majestys Garrison of Annapolis Royall on Wednesday the 4th of November 1724

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o William Shirreff

Daniell Quinton ordained to pay Mr. Oliver.

The Honourable Lieu.^t Governour Acquainted the Board that M.^r Anthony Oliver had some time agoe Complain'd to him that he had a Note of M.^r Daniel Quintons bearing Date the 12th of May 1724 Acknowledging a Debt due to him of Six pounds Twelve Shillings to be paid in four months from Said Date, & having Referred the Same to be Inspected into by William Shirreff Esq.^o Who Representing to him That the Said M.^r Quinton, in his Oppinion, ought to pay Said Note; Asked the Oppinion of the Board: And the Board having also Considered the Same;

Agreed That M.^r Daniel Quinton Shall pay Said Note to M.^r Anthony Oliver on or before Saturday Next

Mr. Blins Claim against Mr. Robert Cuthbert.

Then the Honourable L.^t Governour Acquainted the Board of a Complaint of a Complaint of M.^r James Bline Against the Reverend Robert Cuthbert about the Payment of a Bill of the Said M.^r Cuthberts for £28 15s. Drawn on One M.^r Clark the 11th of May 1724 and for want of paym.^t the Said M.^r Bline now Demanding the Same of Said M.^r Cuthbert he thereupon Asked the Advice of the Board

M.^r James Bline & M.^r Robert Cuthbert being both Called, & M.^r Bline Acquainting the Board of [108] Of the Same; The Reverend M.^r Robert Cuthbert Acquainted the Board that his Correspond.^t in London being Dead, he Could Not Draw a Bill Sterling untill he heard from thence, And that he was Very willing to pay Said Note as soon as it Was in his power, And that Untill then, he was Willing to Allow M.^r Bline Lawfull Intrest for the Same .

M.^r James Bline Acquainting the Board y.^t £13. of Said Bill Was on Acco.^t of M.^r Daniel Quinton, he Said y.^t he Would Apply to him for payment of the Same; And Accept (tho' it was a hardship having no money to put out at Intrest) of the Doctors proposalls for the other part that Related to himself on Acco.^t of M.^r Anthony Oliver

At a Council held at the Honourable L.^t Governor John Doucett's house in His Majestys Garrison of Annapolis Royall on Thursday the 5th of November 1724

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene - William Skeen. Esq.^o
John Adams Esq.^o William Shirreff

The Honourable Lieu.^t Governour Acquainted the Board That the Priest who Came, When 5^e Messengers Arrived here from Cape Breton, Not coming in Such a Manner, as his Residing here might Appear to Depend Upon the permission of this His Majestys. Government He had therefore Ordered him on Board Again; And that Whereas the Inhabitants have thereupon presented him with a Humble Petition, Wherein they Acknowledge That No Priest can be here, but by the Permission and Authority of this His Majestys Government, And that the Priest had Acknowledged the Same, And that [109] That his Coming in Such a Manner proceeded purely from their Mistake in thinking that Leave had been Granted, to Send for a Priest by the aforesaid Messengers He had therefore Judged proper to lay Said Petition before the Board, for Advice

Brely the Ro-
mish priest
allowed to
Reside in the
province.

The Board having Read & Considered the above Petition Agreed That upon the Account of the Acknowledgements therein Made & Expressed as aforesaid, he the Said Priest (Brely) be permitted to Stay and that his Residence & place of Worship be at the house Called the Mohauk ffort

At a Council held at the Honourable L.^t Governour John Doucetts house in His Majestys Garrison of Annapolis Royall On Thursday the 5th November 1724 P: M:

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o William Shirreff

The Minutes
 Agreed to be
 sent home in
 order to be
 laid before
 the Secty of
 State &c.

The Honourable L.^t Governour Acquainted the Board that he had Ordered the Minutes up to this Day to be Sent home to his Excellency in Order to be laid before the R.^t Honourable His Majestys Secretary of State, and before the Honourable his Majestys Commissioners of Trade and Plantations: And the [110] The Same being Read & Reexamined by the Board;

Agreed that the Same be Accordingly Sent, & That William Shirreff Esq.^o one of the Members of this Board, who hath for want of a Secretary, Acted for these Two Years past as Such, Countersign the Same, & All Such Other Minutes of this Board as may be Neadfull for the future Dureing his time of Acting

At a Council held at the Honourable L.^t Governour John Doucetts house in his Majestys Garrison of Annapolis Royall on fryday the 6th of November 1724.

Present the Honourable Lt. Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o William Shirreff Esq.^o

The Articles
 of peace with
 the Indians
 Sent to Boston.

The Honourable L.^t Governour Acquainting the Board that According to the Minute of Council, the 3.^d Ins.^t he Intended by this Opportunity, to Send the Articles Agreed on that Day, to Hibbert Newton Esq.^o And y.^t he had Write

to him & the Honourable William Dummer Esq.^o the L.^t Governour of New England on the Same Subject; And the Said Letters being Read the Board Approved of the Same

Then the Honourable L.^t Governor Acquainted the Board That Several people had made Complaint to him against L.^t John Washington Praying paym.^t of Such Debts as he the Said L.^t Washington is Indebted [111] Indebted to them before he Departed the Province, he being Sent for home by the Honourable Board of Ordnance; Asked the Advice of the Board, in case Said L.^t Washington Could not Answer & pay the Demands of his Creditors

Major Paul Mascarene a member of this Board Represented to the Board, That as Engineer he was Obligated to do all that Lay in his power, as he Allready hath done, to forward the Honourable Board of Ordnance's Orders Which Required L.^t Washington's going home, and therefore humbly Required he might be Dispenced with (*erased*) from giving any other Oppinion in that Affair

Major Paul Mascarene Also moved to the Board to have Lieu.^t Millidge, as belonging to the Honourable Board of Ordnance, present, in Order to be A Witness to L.^t Washington's Affairs; To which the Board Consented & Sent for him Accordingly

Then L.^t John Washington being Sent for to Answer the Complaint of M.^r Daniel Quinton Made Answer that he Would find Means to pay him before he went; And being Asked how, he Said that he Would give him a Bill on him Self payable to M.^r Daniel Johonnett Merchant in Boston or Order

And M.^r Daniel Quinton thereunto Agreeing the Said L.^t Washington Accordingly Drew a Sett of Bills of Exch^a for £68 18 11d New England Money on him Self payable to Said Johonnett or Order at Ten days sights, for Value Received of Said Daniel Quinton and Signed the Same before the Board [112]

At a Council held at the Honourable L.^t Governor John Doucett's house in His Majestys Garrison of Annapolis Royall On Saturday the 7th of November 1724

Present the Honourable L.^t Governor Presid.^t

Major Paul Mascarene William Skeen Esq.^o
John Adams Esq^o William Shirreff

Two french
mens petition
Granted.

The Honourable L.^t Governour Acquainting the Board That Doctor S.^t Sceine & Peter Surret both Inhabitants of the Upper Town of Annapolis Royall had presented him with Memorials praying Liberty to Depart this Province, & to go to the french Governm.^t of Cape Breton, and having Laid their Said Petitions before the Board and the Same being Read

The Board Agreed that their Petitions be Granted

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Munday the 4th of January 1724

Present the Hon^oble L.^t Governor Presid.^t

Major Paul Mascarene W.^m Skeen Esq.^o
John Adams Esq.^o W.^m Shirreff

Ignace the
prest & 2 dep-
utys of Menis
Examined.

The Honourable L.^t Governour Acquainted [113] Acquainted the Board that he had Information that one off the Priests (Ignace) who came allong with Felix was, with two Deputees from Mines, Notwithstanding the Proclamation, Come Into this River, and that being come here to the Garrison to wait Upon him, he had confined him to the Guard Room And as the Board was Sitting a Letter from Pere Isidore bearing date [blank in MS] being deliver'd to the Honourable, Presid.^t and the Same being Read he Desired the Advice of the Board

Agreed that the two Deputies who Conducted the Priest Ignace Should be first called & being Accordingly Ordred to Appear, the Honourable L.^t Governour Asked them their Business

Whereupon they Delivered him a paper without date Signed by Some of the Inhabitants in favour of Said Ignace, desiring that they might have him for their Priest,

To which the Honourable L.^d Governor Returned Answer that the People of Mines deserved no favour from this Government; But that as he had Allready Appointed a Priest there, told them to make use of him for that he would not give them any other; and that they Were very Impertinent in Coming on Such a Message And so were ordred to withdraw

The above Answer being Approved of by the Board, the Priest Ignace was Ordred to be Sent for, & being Come before the Board, Was Asked, how he Durst presume, and by whose Authority & permission he had Come into this Province & why he did not Immediately Depart upon the Publication [114] Publication of the Proclamation at Mines

He Made Answer that he was a Flemish born & that the Provincial of Paris having no Missionars to Send abroad into these parts, Sent for Some to the Provincial of Flanders; Upon which he Offered himself and being Recommended to Pere Jocunde his Superior in Cape Breton, he Recommended him to the People of Mines, if this Government would permitt; And that he Endeavoured by Letter to Informe his Honour the Governour of his Arrival at Chickanecto along with Pere felix, as also Sent another from Mines, not being then able to wait upon him in person; And that as Soon as he found that the Governor would not Receive his Letters, he Judged it proper to Come here himself to Shew his Innocency And to plead his Ignorance in Coming into this Country with Pere Felix (to whose person & Character he was An utter Stranger) being Since his arrivall only Informed how justly Said Pere Feelix had Merited the Displeasure of this Government; And that being a Stranger and not knowing the Rules & Methods to be Observed till the Publication of the Proclamation at Mines he therefore hop'd his Coming here would Atone for his Ignorance in coming after Such a man-

ner into this Province his Views being, in Obedience to his Said Superior, to Answer the End of his Mission, But that he was Ready either to Stay or begone as this Government Should Judge proper

The Honourable L.^t Governor told him that he knew no Such person as his Superior Pere Jocunde; And that for his ill Manners in presuming to Send any of his Priests into this his Majestys of Great Britains [115] Britains Province without first Asking and Obtaining Liberty of the Government; He would therefore Accept of none of his Missionairs and so was order'd to withdraw

Then the contents of Pere Isidore's Letter being Considered & Advised on it was Judged proper to keep it Secret he having desired the Same as *per* his Said Letter (upon file) bearing date [*blank in MS.*] and only to Examine the Said Priest Ignace, and the Said two Deputy's Viz.^t Rene Grange and Francis Leblanc Separately, Concerning Some Powder and Ball Mentioned in Said Letter without discovering from whence Came the Advice

And the Priest being again Called, was ask'd by the Governor how he Came to turn his Beeds into Ball which he understood he had brought allong with him as allso a Quantity of Powder

To which the Priest made Answer (protesting that for himself; he had brought Neither Powder nor Ball) That he must declare that Mons.^r Bellisle with whom he Came in a Vessell from Shickanecto had two Large Barrills of Powder and two Small Barrills of Ball

And being asked from whence Bellisle had brought them; Said that he brought them from Cape Breton, and being ordred to withdraw

Rene Grange was Called in, and being Asked what Powder and Ball Bellisle had brought with him from Cape Breton

Said that he had not seen the Quantity but that he had heard, That it was two Barrills of Powder and two Barrills

of Ball And [116] And being also asked if he knew how many of the Indians were killed when they Came here Last Summer

Said he did not know the Custome of the Indians being never to Discover their Loss, but that there Came two wounded to Mines, and that two of their Chiefs with Some Others of their People did not Returne that way; and that he did not hear anything of them and being ordred to withdraw

Francis Leblanc was Called in before the Board and being asked what Powder and Ball was at Mines

He pretended to be Vèry Ignorant, and said, he beleived there were not two charges in all Mines

And being again ask'd if he did not hear Whether Mons.^r Bellisle had brought Any, he (Seaming to Recollect his Memory) Said that he had heard, he had brought Some, but did not know the Quantity

And being also ask'd if he did not know whether Mons.^r Bellisle had made a Distribution of the Same

He Replied No, and that he knew nothing at all of the Matter, And being Reprimanded for his Disingenuity was look'd upon as a hardened fellow and so Order'd to withdraw

Then the L.^t Governor Acquainted the Board that he had been Informed of an Unlawful Clandestine trade Carried on by Some of the Inhabitants at Mines with Enemy Indians at S.^t Johns River & Pennobscott &.^{ca} who from time to time Supplied them with provisions & other Necess^oys and in Order to prevent which, Desired the Advice of the Board

The Said 2 Deputys Examined about trading w.^t the Enemy Indians.

The Board Considering our present Circumstances and the Impossibility of Reducing these Inhabitants of Mines to a due Obedience, or of Punishing these Rebellious and Treacherous Transgressors, for want of a Due Number [117] Number of fforces, Judged proper and agreed that the Aforesaid two Deputees Should be again Called and Examined on that head; That the Guilty Persons may be

Recorded as Enemy's to this his Majesty's Government in order to be punished when ever the Govern^{mt} may be able to force & bring them to Justice; And to take no farther Notice thereof at present, it being in Vain to give them any further precautions. they having So^e frequently Disobeyed and Slighted the Governours Orders

The Said two Deputees Rene Grange and Francis Leblanc being called and Examined Accordingly they Acquainted the Board Viz^t

• That Paul Mellanson, & John Gotrot had been at the River St. Johns

Bellhumeur and Piere Allan with Phillip Mellanson and S.^d Pierre had been at Pentaguit and at John Denis, by Montdesart, from whom they had brought a Shalooop one of the Prizes made on the New England ffishermen by the Indians

M.^r William Winniett having Rec.^d a Letter from Said Bellhumeur (alias) Burg came and Shew'd the same to the Governor and there being a Parragraph therein wherein he Says (J'auray plusieurs Circonstance a vous Communiquer Sy nous parlions de Vive Voix que je n'ose Confier Sur le papier &^{ca}

Ordered that a Copy thereof be taken and kept Upon file [118]

At a Council held at the Honourable L.^t Governour John Doucett's house in his Majesty's Garrison of Annapolis Royall on Tewsday the 5th of January 1724

Present the Honourable L.^t Governor President
Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o William Shirreff

The Honourable L.^t Governor Acquainted the Board that he had this Morning Received a Letter from the Priest Ignace, and had brock it open before he knew from whence it came; and having Read the Same Judged proper to lay it before the Board for advice thereon

Letter to the
Gov.^t from
Ignace the
priest.

The Said Letter being perused & Advised on Resolved & Agreed That the Governor See the Said Priest & talk with him; and that at the Gov.^{es} Desire Major Mascarene be present at Said Interview in Order to Interpret.

Then the Governor Acquainted the Board that he had wrote a Letter to Pere Isidore in Answer to his; which the Board Read & Approved of

At the Same place on Wednesday the 6th of January 1724 Present the Same Members

The Honourable L^d Governor Acquainted the Board that he had According to yesterdays Minute talk'd with the Priest Ignace, whose Discourse was on his coming-Ignorantly into this Country and was Sorry that he had Come with so bad Company as Pere Felix. & Said that Notwithstanding [119] Notwithstanding he found that he was not to Stay in this Province, Yet he thought he Was Obliged in Conscience to Informe that there was Some thing hatching Amongst the Indians at Shickanecto and that it was talk'd that a hundred of them would Come this way Early in the Spring; And Said (Valueing himself that he was from Flanders) That if he Could be permitted to Stay in the Province, he would According to the Contents of his Letter Demean & behave himself like a True and faithfull Subject to the Government in Duely Execcuting all Such Orders as might be Given him

Ignace the
priest ordain-
ed to Serve
the Cure at
Shickanectua.

Then the Board Considering the Letter and What he had said to the Governour, Proposed (Considering our present Circumstances) to giv him the Cure of Shickanecto, in order to Root out that Incendiary Felix, & that by Offering him the Same, we Might in Some Measure Discover his Sincerity Either in his Accepting or Refusing,

Agreed that the Same Proposall be made to him

And being Accordingly Called, was told that the Board having Considered his Letter and what he had further Informed the Governour of & his promises of a faithfull behaviour to this Government. had therefore, and as he was a

Flemish, Condescended to make trial of his performances, & So for his Encouragement, had Consented to give him the Cure of Shickanecto; The Government having allready Given that of Mines & Pigiguit to Pere Isidore, which he Accordingly Accepted of, and Returned thanks [120] Thanks promising a Dutiful Behaviour & being withdrawn.

The Board formed An Order for his Residing at Shickanecto, and that the Inhabitants there Should Receive and Entertain him, and none other as their Missionare; And having also Agreed that a Copy of the Order prohibiting Pere Felix's Returne into this Province &^{ca} Should be given him; they were both Signed by the Governour and Given Accordingly, with Orders to Make the best of his Way

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majesty's Garrison of Annapolis Royall on Thursday the 21st of Jan^y 1724

Present the Honourable L.^t Governor Presid.^t
 Major Paul Mascarene William Skeen Esq.^e
 John Adams Esq.^e William Shirreff

The Honourable L.^t Governor Acquainted the Board that there were four Deputees come from Cobequid who had presented him with a petition Acquainting him that they had a Letter from one Pere Piere who was come there. Praying that the Inhabitants of that place may have him for their Priest, or Liberty to Send for another &^{ca} as upon file without date

The Same paper being Read the Board Considering the Civil Department of the people of Cobequid Judged proper to make a Distinction between them and the people of Menis, And therefore Agreed that the Honourable L.^t Governor Should Receive the Priests Letter (wherein the [121] The Said Deputies Alledged there was Inclosed a Letter from Pere Isidore) And According to the Contents thereof & Pere Isidores. Letter to give An Answer

petition of
 Pere Piere
 to be priest
 of Cobequit.

At the Same Place on fryday the 22^d January 1724

The Honourable President & the Same Gentlemen all Present

The Honourable L.^t Governor having Rec^d the Aforesaid Letter from the Deputies of Cabaquit laid the Same before the Board And it being Read Piere Piere the preist Ordained to be Banish'd.

The Board Agreed that the Priest Pere Piere was Insolent in Assuming (According to the Custom of Priest felix) the title of Missionary of Cabaquit before he had Obtained it by Approbation from the Governm.^t And therefore Orderd that the Said Priest be Banished the Country. And y.^t the Inhabitants of Cabaquit have Liberty to get another Mission- are providing that he be not of the Provincial of Paris and that he Come here According to the Methods prescribed by Proclamation [122]

At a Council held at the Honourable L.^t Governor John Doucetts house, in His Majestys Garrison of Annapolis Royall on Tewsday the 26th January 1724

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq.^r
John Adams Esq.^o William Shirreff

The Honourable L.^t Governor Acquainted the Board that he had Rec.^d a Letter from Pere Isidore bearing Date [blank left in MS.] by an Inhabitant Lately Arrived from Cabaquit, wherein Mention is Made of a Difference in y^e Parish of Cabaquit in Relation to the building and Establishing of two Romish Chaples, intimating at the Same time that by Application from the Inhabitants of Said Parish to the Bishop of Quebec and the Governm.^t of Cape Breton, they had Obtained a Decision of the Case, which however did not Satisfie the Whole; And the Same Decision being Contained in Some papers which the Bearer of the Letter had in his possession his Honour the Governor Demanded the Same; they were laid before the Board and being Read Letter from Pere Isidore the preist advised.

The Board Considering how the Inhabitants of Cobaquit had in Contempt to this his Majestys Government Made Application to Another for Decision

Resolved that the Said should be kept and Coppys thereof transmitted home to Shew how far the Neighbouring french Governments Intruds in Regulating Affairs in this Government and how Little Respect the french Inhabitants have hitherto had to it [123]

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Wednesday the 27th of January 1724

Present the Honourable L.^t Governor President
 Major Paul Mascarene William Skeen Esq.^r
 John Adams Esq.^e William Shirreff

The Honourable L.^t Governor Acquainted the Board that the Deputee from Cobaquit was waiting for an Answer and therefore Ask'd the Advice of the Board what Answer Should be Given him considering the Answer he had allready given the 22.^d Ins.^t to the other four Deputees which he would not have given could he possibly have known So much of their Difference & proceedings about their Church as he Now doeth Since the Obtaining of the aforesaid papers

2 Deputys of
 Menis and a
 preist ordain-
 ed to appear
 in Council.

The Board considering the Disrespectfull Unmannerly & Insolent proceedings of those people in daring to apply themselves first to the Bishop of Quebee or any of their Romish Priests or french Governors for the Decision of any differences that may happen in this His Majesty of Great Britains Government and Afterwards to this Government for Consent & Confirmation of any Such Decisions

Agreed that the Governour (not knowing the whole State of them¹ Affairs till now) Should, for their Underhand, Clandestine & Disrespectfull proceedings Disanull his former Answer by Another in Writing by this Deputee and leave the Decision of that Difference in Suspence till that the Priest

¹ Slip for 'their.'

w.^{ch} they are permitted to go & See for, Come here for the Approbation of the Government with two of the Deputes- [124] Deputes the one of which to be from above the River and the other from below; And after a farther Examination into the Affairs to make Decision as it may be then Judged proper by the Situation of Said Church for the Service of the Governm.^t

At a Council held at the Same place on Munday the 22.^d of March 1724

Present the Honourable Presid.^t and the Same Gentlemen

The Honourable L.^t Governour Acquainted the Board that finding by a Letter from Major Alexander Cosby that he Reflected upon his Conduct in Sending Gotie with the Priest Charlemaigne from hence Directly to Cape Breton with Orders not to Call at Canso and being Likewise Inform'd that he was also Reflected upon at Boston by a Person from Canso for Giving Such Orders Judged therefore proper to have the Said Gotie Examined thereupon before the Board upon Oath whether he gave him any Such Orders as to pass that Port

Gotie a french
man Examined
upon Oath

To which the Board (knowing that no Such Orders were ever Given) Judged it Likewise Necessary that Gotie Should be Examined Upon oath and being call'd and Sworn Declared

That the Honourable L.^t Governour never gave him any Such Orders as not to Call at Canso [125] Canso And that he Never Said to any person or Persons Whatsoever that he had any Such Orders; but to the Contrary Declared that when he undertook at the Governours Request to Carry Pere Charlemaigne out of this Province to Cape Breton; that when the Governour proposed his Calling at Canso, he Refused to Call there it being so far out of his way

At a Council held at the Honourable L.^t Governor John^s Doucetts house in his Majestys Garrison of Annapolis Royall on Tewsday the 6th April 1725

Present

Major Paul Mascarene W.^m Skeen Esq.^r
John Adams Esq^e W.^m Shirreff

the Deputy-
Examined by
Maj.^r
Mascarene.

Major Paul Mascarene Acquainted the Board that the Honourable L.^t Governor being out of Order and not able to Attend the Board, that he was therefore Directed by him to Informe the Board that the Deputy Charles Landry Excepted, being Come according to his Orders, concerning the behaviour of Some of their Young men and Insolence of Some Others of the Inhabitants Since the time that the Indians were here, And that he was Directed to Aske them Some questions about [126] about the Same

Whereupon the Deputes being Called, y^e Major Accordingly asked them from Whence such Rude Actions of their Youth and other of the Inhabitants Since the Indians were here Last year proceeded, and Said y.^t by Sev.^l particular Marks of Misbehaviour amongst them, it Seamed there was Something a hatching as if they depended upon the Indians Returne, and as if they designed by Such practices to Occasion some pretence for a Revolt, thereby thinking to Anoy this His Majestys Government and so to force their way out of the Country

Upon which Major Mascarene also told them that he was Order'd by the Honourable L.^t Governor to Acquaint them they Needed not by Such pretences to promote a Warr, Seeing those who have aimed to go may only Apply them selves to the Governour and have Liberty to Depart this Province as Soon as they pleas'd

That the Governor had in all Matters that were for the Interest of the Country or tended to the Disturbance of the peace of it call'd upon the Deputes in order to promote Some Good & to Stop any Increasing Evil; he in this also charged them (According to a former promise of theirs in

behalf of one Brusard and other offending Inhabitants whom he had pardon'd puerely at their Requests) to prevent any Such behaviour for the future, and to give him an Answer in Writting whether they knew of Any Cause given from this His Majestys Government for Such a Disorderly behaviour amongst their Young People, for that on his part, if a Remedy was not Speedily Applied he would no longer forgive but [127] But Severely Punish those who Should be found Guilty, as he had Caus'd La Pier one of the Inhabitants Now in Prison for the Gross Affront he had Given to one of the Council of this His Majestys Province: But that as he had already So he should Continue to protect & Encourage all those who Shall keep themselves within the just Bounds of the Duty & Qbedience they owe to this His Majestys King George's Government

The Deutees Made Ans. that they were heartily Sorry that either their Young People (who perhaps through Ignorance) or Any of Riper years Amongst them Should after So much Lenity and Goodness Shown them from this Government, behave themselves in the Least Disrespectfully towards it, or to any of the Gentlemen or others thereunto belonging, and that Such people Richly Deserved such Punishments as the Government Should Cause to be Inflicted for Such Offences

That for their own parts According to their Duty and promisses, they would Carefully Admonish the Inhabitants to a Peaceable & Respectfull obedience and that they Should Respectively Correct their Children Upon all Appearances of Affronts and of Unbecoming Deportment

That they had no Reason to Wish the Indians Returne, and that they knew of None who had Any Such Dependance upon it, or any Designe thereby Either to Revolt, or to Leave the Country, But if that there is Any Such evil Designing people Amongst [128] Amongst them they no ways Deserved the Least protection of the Government; And that they would According to the Governours Desire present him with their Ans.^r in Writting

Ap.^r 8th M.^r Landry who was absent the 6th Ins.^t Came & Made his Excuse & Submission for his Absence Occasioned through his Want of Health and Declared as the Officers did as above

At a Council held at the Honourable L.^t Governour John Doucetts house in his Majestys Garrison of Annapolis Royall on Fryday the 9th of Ap.^r 1725 P: M.

Present

Major Paul Mascarene William Skeen Esq.^o
John Adams Esq.^o William Shirreff

Major Paul Mascarene Acquainted the Board that the Governour had Recommended severall papers to the Board for their perusal and Oppinions Viz.^t

A memorial of Francis Bastarach relating to a piece of Ground Rented of Antoine Haber A [129]

A Memorial of Prudane Robichau Junior Relating to a Piece of Ground bought of the Pétipas

A memorial of Daniel Quintons & John Dysons Relating to a Debt of three pounds Due to them by One Lapiere

An Acco.^t between W.^m Shirreff and Prudane Robichau Senior Stated & formerly Audited by John Adams Esq.^o M.^r W.^m Winniett and M.^r Anthony Oliver

Which Said papers being Read the Board proceeded & having Called for Lapiere Mess.^{rs} Quinton & Dyson

The Major Asked Lapiere if he ow'd the Debt due to the Said Quinton & Dyson, which he Acknowledging

The Board gave their oppinions that the Prayer of the Two Memorialists be granted and the Said Lapiere was Accordingly order'd to pay the Same

Then Prudane Robichau Senior who presented the Memo.^l of Francis Bastarach was Asked whether he the Said Bastarach & the other partys therein Concerned were present & he Replying in the Negative

The Board Appointed Wednesday the 21.st Ins.^t for their Appearance

Several Mem-
orials laid
before the
Board.

As to the Memo.^r of Prudence Robichau Junior concerning the Lands bought of the Petipäs

The Board Agreed that it was their Humble [130] Humble opinion that no other Security can be given than what the Other Inhabitants have, who have dealt after the Same Manner

Then the Acco.^s Depending between M.^r Shirreff & Prudence Robichau Senior as aforesaid was Examined into & M.^r Robichau making Some Objections the Same was admitted of till Thursday the 29th Ins.^r

At a Council held at the Honourable L.^t Governor John Doucetts house on Wednesday the 21st Ap.^r 1725

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William^r Skeen Esq.^e
John Adams Esq.^e William Shirreff

The Honourable L.^t Governour Acquainted the Board ^{Francis} that Antoine Heber & John Duyon were come, According to ^{Bastarachs} the Appointment of the Board on fryday the 9th Ins.^r to Ans.^r ^{claim against} the Complaint of Francis Bastarach And the Partys being Called before the Board & the Reasons of both Plant. and Defend.^t Examined ^{John Duyon.}

The Governor Ordred John Duyon to bring Said Bastarach's Contract & all the other Originall Records in his possession against Munday Next the 26.th Ins.^r [131]

At a Council held at the Honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Munday the 26th of Ap.^r 1725

Present the Honourable L.^t Governor Presid.^t
Major Paul Mascarene William Skeen Esq.^e
John Adams Esq.^e William Shirreff

The Honourable L.^t Governour Acquainted the Board that John Duyon & Francis Bastarach were again Come according to the Orders given them by the Board on Wednesday Last, and being called in before the Board

The Governour asked the Said Duyon if he had brought Mons.^r Bastarach's Contract and the Other Originall Records as *per* last Minute

Several papers belonging to John Duon registered and he allowed to Depart the province.

The Said Duyon Answering in the Affirmative Laid before the Board a Bundell Consisting of forty Original Papers orderd by the Board to be put into the hands of John Adams Esq.^r Acting as Noty Puplick to be Registred and the Originalls to be Given to the Proper persons therein Respectively Concern'd

Then the Said Duyon Presented the Honourable Presid.^t with a Memo.^l (as upon file) Desireing Leave to Depart this Province &^{ca} which being Read the Board Agreed that as he was no landed man and had no way of Living here that his Request Should be Granted And that he Should Acquaint the Governour of the time when he would go

The Said Duyon being Acquainted of the Resolution of the Board, Made Ans.^r that he would Enquire for An Opportunity And Acquaint the Governour Accordingly [132].

The Board Considering that the Aforesaid Contract belonging to Francis Bastarach was by his own Consent and agreement with Antoine Hiber Entrusted to the Care & keeping of Said Duyon who had for Some time Acted as a Notary Puplick amongst the Inhabitants; and the Governor with the Advice of the Board Disapproving of his Acting any Longer as Such and Judging it proper that all Contracts for lands Should be Registred by the Governm.^t therefore ordered that John Adams Esq.^o Now Acting as Notary Puplick Should Register the Same and Give Said Duyon a Receipt for his Indemnification for the afore Said forty Originall papers to be afterward Delivered as aforesaid.

Ordered by Virrtue of the aforesaid Consideration that Francis Bastarach pay all Charges Viz.^t

To Said Duyon for two day Attendance at Board about his affairs	£00..5.. —
To Antoine Hiber for his Trouble	—..2.. 6
To the Secretary for orders & ^{ca}	—..5.. —

Total £00.12.. 6

At a Council held at the Same place on Thursday the 29th of Ap.^r 1725

The Honourable L.^t Governour and the Same Gentlemen Present.

The Honourable Presid.^t laid before the Board a Memo.^l of Sam.^l Douglass's Relating to a house bought of L.^t John Jephson in the year 1715 which the Reverend Doctor Cuthbert had taken possession of as belonging to the Church Praying [133] Praying That he either may have the Use & possession of Said House Confirmed to him or that L.^t Jephson may be Obligated to make Good his Articles of Agreement and Bill of Sale &c.^a as upon file

The Said Memorial being Read & considered The Reverend M.^r Robert Cuthbert L.^t John Jephson and Sam.^l Douglass were called before the Board

Samuel Douglasses memorial answer'd.

And the Governour Asked the Reverend M.^r Cuthbert what pretentions he had to Said house as to Dispossess the Said Douglass

The Said M.^r Cuthbert made Answer as being upon that Ground Said by the Reverend M.^r John Harrison to belong to the Church

And the Board having Examined farther about Said House or Hovell it was found that it was built by Governor Vetches long before ever Doctor Harrison laid Claime to it; And likeways finding that when M.^r Harison did Claim that Ground as Church Land that the Said Douglass would then have Removed the Frame of Said house, but had M.^r Harrison's leave and permission to lett it Stand. And having Never been disturbed in the possession thereof during M.^r Harrison's time

It is the Oppinion of the Board that as M.^r Douglass formerly would, he now also may be permitted to Remove the frame of his Said Hovell off of that Ground Said to belong to the Church

Then the Governour laid before the board a Petition of Pire Commau's Inhabitant up the River Relating to a Pice

Pire Commau's petition Delayed.

of Ground in Dispute between him and Francis Richards Inhabitant of Said Place as Upon file which [134] Which Said Petition being Read & the Said Francis Richards not being present Referred the Consideration thereof till that Said Commau & Richards should both Appear

M.^r Shirreffs
Affair Con-
cerning the
Mill Advised.

Then According to the Minte of Council on fryday the 9th Ins.^t (M.^r William Shirreff being withdrawn) his Affair with Prudane Robichau Sen^{lor} was Considered & Decided by the Board in this Manner Viz.^t

That they both Make up their Acco.^{ts} about the Mill M.^r Shirreff paying two thirds of the Charges and Robichau one third

That M.^r Robichau Signe & Deliver a Bill of Sale to M.^r Shirreff for half the Mill

That the Widow Brusard be paid what Remains due for her part and that the Childrens quarter part remain in M.^r Shirreff's and Robichau's hands till they are Reimburs'd the the Charges of the Said Childrens Quarter part

At a Council held at the Honourable L.^t Governor John Doucett's house in His Majesty's Garrison of Annapolis Royall on Saturday the 22.^d of May 1725

Present the Honourable L.^t Governor Presid.^t

Major Paul Mascarene	Will. ^m Skeen Esq. ^o
John Adams Esq. ^o	Will. ^m Shirreff

Prudane
Robichaux's
petition
Answerd by
setting him
at liberty.

The Honourable L.^t Gov.^o Acquainted the Board [135] Board That being Informed that Prudane Robichau Senior Inhabitant in the Cape had Entertained an Indian in his House Contrary to His Excellly General Richard Philipps Proclamation bearing Date the 1st of Aug.^t 1722 without giving him the Least Intelligence thereof notwithstanding he had been Since in the Garrison, That he had therefore put him in Irons and in Prison amongst the Indians for such hincous Midimanour in Order to terrify the other Inhabitants from Clandestine Practices of betraying the English Subjects into the Indians hands, And therefore desired the

Advice of the Board, having laid a Petition of Said Robichau's before the Board (as upon file) for Consideration

' The Said Petition being Read It is the Opinion of the Board, upon Acco.^t of his Age, having begun so long in Irons, that upon the Offers and promises he hath made in his Said Petition, that upon his finding Good and Sufficient Security for his future good behaviour, he be Sett at Liberty

Then the Governor Acquainted the Board that Margaret Douglass had made Complaint to him that her husband Alexander Douglass had left her Destitute without any manner of Allowance to Support her and her child Praying that Sam.ⁿ Douglass her husband's Brother may be Obliged to pay her as formerly The [136] The Board Considering the Same Ordered that Sam.ⁿ Douglass Should Appear and give his Reasons why he did not pay her the Allowance, his Brother had formerly Order'd him to pay for the Support of her and the Child

Margaret Douglass's petition for a Support from Sam. Douglas.

The Said Question being put to him he Made Answer, that he had no orders from his Brother to pay her Any More, And that he had none of his Brothers Effects in his possession and that having Settled & made up Acco.^{ts} with his Brother Showed the Same wherein his Said Brother Alexander was indebted to him the Sum of £4.17.10 and that therefore he Could not pay her Any longer having no manner of Authority or Effects as aforesaid

At a Council held at the Honourable L.^t Governour John Doucetts house in His Majestys Garrison of Annapolis Royall on Tewsday the 3.^d of June 1725

Present the Honourable L.^t Governor John Doucett Presid.^t
Major Paul Mascarene Will.^m Skeen Esq.^o
John Adams Esq.^o Will.^m Shirreff

The Honourable L.^t Governor Acquainted the Board That had Rec.^d Sev.^l Papers from James and Charles Pobomcoups. Amongst which there is a Will of Mary Diminon Dame de Charnezé, as also a Memorial from Ens.ⁿ James Campbell

Several papers belonging to Ja: Pobomcoups, &c. Inspected.

and the Said Pobomecups Praying that the Same may be perused And their Rights as Heirs to the Said Charuzé [137] Charnizé Considered and their Case brought to a Trial

The Honourable Presid.^t laid also before the Board a Memorial of Mad.^m Bellisle's in Answer to Above Memorial

Which Memorials and papers being Read the Honourable L.^t Governor Asked Madam Bellisle if she had any other papers than the Memorial to show and to proye the Right to these Lands mentioned in the Above Will and Testament

She made Answer that She had, but that they Were at Mines.

Whereupon the Board Agreed to Deferr inspecting any further at present into this Affair till the ffall, that the Said Md.^m Bellisle may have time to produce her Said Papers

At a Council at the place aforesaid on Saturday the 12th of June 1725

Present the Honourable L.^t Governor Presid.^t

Major Paul Mascarene.

W.^m Skeen Esq.^e

John Adams Esq.^e

W.^m Shirreff Esq.^e

Order from
Gaulin the
preist to the In-
habitants Dis-
approved of.

The Honourable L.^t Governor Laid before the Board a Letter from Pere Isidore, with a Copy of an Insolent Order of Gaulins to the Inhabitants of Cobaquit Concerning their Church as also a Letter from Some of the Inhabitants below the River of Said Place to his Honour the Governor. Relating the Same and a Letter from Said Priest [138] Priest Gauline with a Memorial of one John Mellanson An Inhabitant of Mines. And a Representation of M.^r William Winnietts Concerning the Vessells Trading up the Bay (as upon file) which Said papers being Read & Considered

It is the Oppinion of the Board that Pere Isidore has behaved himself with more Honesty and Integrity to this Governmt. than any of the Other Romish Priests

That Gaulin's Insolence to this Government is Unpardonable; and that those Inhabitants who Regard any (*sic*) Obey Said Gaulins Orders touching any thing to be Done in this

Government and who have been Accessary in pushing Pere Isidore out of the Country are Malcontents and Enemies to this His Majesty's Government.

That no other Answer Can be Given to Mellansons Memorial, than that he may go and Cultivate Said Pice of Ground if he will Run the Risque, for that this Government Should not Disturb him in the possession thereof at present, but wait further Orders in Relation to the Inhabitants as to their going or Staying

That M. Winnietts Representation be Referr'd to be further fuller Considered upon when the other Traders Shall Arrive here from Boston

M. Winnietts Representation delayed.

At a Council held at the Place aforesaid on Tewsday the Sixth July 1725

Present the Honourable L.^t Governor Jn.^o Doucett Presid.^t,
Major Paul Mascarene W.^m Skeen Esq^r
John Adams Esq^r William Shirreff
Hibbert Newton Esq.^r

The [139]

The Honourable L.^t Governor Acquainted the Board that as the Traders were now Arrived from Boston, he Judged it therefore Necessary to have M.^r William Winnietts Representation of their going up the Bay further According to the Minute of the Board on-Saturday the 12th of June Last, that the Same may be Determined for the Benefit of Trade and the future Encouragement of this Place, and therefore Desired that the Same might be again Read in order to be fully Debated; Which being Done, The Honourable Presid.^t Stated the Case thus

M.^r Wm. Winnietts Representation answered.

Whether if the Trade was brought to this place And this Town made the Mart, it would not Redound to the Benefit of this Port

Which being put to a Vote was Carried in the Affirmative

Then the Honourable President put the Question Whether it would not also be an Encouragement for the Settlement of this Town. That none but such as Settled and Inhabited here Should go and Trade with their Vessels up the Bay

Carried in the Affirmative

The Merchants are allowed to go up in order to get in their debts.

Then the Governor Acquainted the Board that the Merch.^{ts} from Boston had Informed him that they had a great many outstanding Debts and that they would Certainly Lose the Same, if that they were Debarred the priviledge of going up this Time, And thereupon Asking the Advice and Oppinion of the Board

Pere Commau's petition delay'd.

Agreed that they should be permitted this time in order to gett in their Said Debts and that they be Acquainted with the aforegoing Votes of the Council The [140] The Honourable L.^t Governor Also Acquainted the Board that Piere Commau was come to know the Determination of the Board about his Petition Laid before the Board the 29th of Apr. Last in Relation to a Dispute between him and M.^r Richards

The Said Richards not being Present Agreed that the Same be Referred till to Morrow At 3 of the Clock in the Afternoon, And that M.^r Shirreff do Send An Order as Secretary for his Appearance.

At a Council held at the Honourable L.^t Governour John Doucetts house on Wednesday the 7th of July 1725 P. M.

Present

The Honourable Lieut. Governor John Doucett Presid.^t
 Major Paul Mascarene William Skeen Esq.^o
 John Adams Esq.^o William Shirreff Esq.^o
 Hibbert Newton Esq.^o

Pere Commau's petition answered.

Being mett according to Yesterdays Agreement The Honourable L.^t Governor Acquainted the Board That Richards was come to make Answer to Commaus Petition in Relation to the Ground in Dispute as aforesaid, and he and Commau being both Called And their Alligations heard

It is the Oppinion of the Board That the Land Sued for be Divided Equally amongst the Heirs of Francois Commau and that the Governor please to give an Order to the Deputees of this River to make An Estimation of the Value of the Said Land at the time that Said Richards took possession of it and of its present Value Since Said Richards hath Improved it. It being Understood by This [111] This Judgement that none of the Heirs Shall have Any Right to the Portion adjudged to them, but on Condition That they Shall Reimburse & Pay the Said Richards for his Said Improvements, each According to the proportion of their Respective Share of Said Land

At a Council held At The Honourable Lt Governor John Doucetts House in his Majestys Garrison of Annapolis Royall on fryday the 22^d of July 1725

Present

The Hon^{ble} Lt Governor John Doucett Presid^t.
 Major Paul Mascarene Will.^m Skeen Esq.^e
 John Adams Esq.^o Will.^m Shirreff
 Hibbert Newton Esq.^o

The Honourable Lt Governor Acquainted the Board that the Deputees had made to him their Report of the Land in Dispute between Commau & Richards, and were allso come to Acquaint that they had Come to An Accommodation between themselves

Commau & Richards agree about their lands.

The Honourable Presid.^t also Acquainted the Board that Hibbert Newton Esq.^o being bound to Canso had therefore Deputed John Adams Esq.^o to Act as Deputy Collector Dureing his Absence; And that he (viz.^t the Governor) has Appointed William Skeen Esq.^o Navall Officer

Jo^hn Adams & Wm. Skeen Sworn Upon being admitted Dp. Collector and Naval officer.

And the Said John Adams & Will.^m Skeen Esq.^{es} having accepted of the Said offices, took the Oaths Appointed by Act of Parliament Then [142] Then the Honourable Presid.^t Proposed as Governor Armstrong was Arrived in the Province to Draw up An Address to Congratulate his Safe

Gov.^r Armstrongs Arrivall Congratulate

Arrivall, which being Unanimously Agreed to, was Accordingly Done And Approved of

Ordered that Major Mascarene and the Members of the Council bound to Conso. Present the Same

Alex. Bourgs
petition beg-
ing pardon.

The Honourable Presid.^t Laid also before the Board a Petition of Alexander Bourgs of Mines begging Pardon for Sev.^t Misdemeanours which being Read

Agreed that no Regard be had to it: And further Resolved that the Honourable L.^t Governour Order all Originall papers and Contracts Whatsoever in any ways Relating to this Government out of his Hands

At a Council held at the Honourable L.^t Governour Jónh Doucetts house in His Majestys Garrison of Annapolis Royall on Thursday the 9th of December 1725

Present

Honourable L.^t Gov.^r John Doucett President
John Adams Esq.^o William Shirreff
William Skeen Esq.^o

three french-
men strangers
Supposed
to be Spies
Examined.

The Honourable Presid.^t Acquainted the Board that there were three french Strangers Come (as they Say) from Canada, and having no Passport from the Governour of that Place, or any Credentiaalls but from the Bishop there signifying that they had Duely frequented the Communion of that Church, And the Said three Strangers having Reported that they were Gentlemen belonging to Old france and had killed Aeneas and another Indian [143] Indian And that they were Come here for Refuge he Asked the Oppinion of the Board what he Should Do in this Case; Beleiving them Rather come as Spies in Order to Discover either the State of the Town and Garrison or to Entice the Desertion of the Troops

Whereupon the Board Judged it Necessary that they Should be put into Custody and Examined Separately in order to find out if possible, the Tryth of their Designes

and Alligations; And the His Honour the Lt Governor Acquainting that he had Already put them Prisoners, it was Accordingly Agreed that they should be Examined

And one of the Said Prisoners being brought before the Board, who Called himself Paul Francois Dupont de Veillein And the Honourable President having Asked him what he was, from Whence, & the Cause of his and the Other Two's Coming here

The Said Paul Francois Dupont de Veillein Made Answer that he was a Gentlemen of a family of good Report in france, that his Parents had Designed him for the Ecclesiastick Order, but that he had Served us An Officer in the french Army, And that being put into the Bastile the first of October 1722 for what he knew Not, where he Remained about twenty two months, Was Sent to Quebeck by Order of Means of (as he Suppos'd) Some Certain Advice, but from the Governör of that Place where lived about twelve Months, & was there Entertained like a Gentleman, through the Means of (as he Suppos'd, Some Certain Advice, but from whom he knew not, of Some who knew him in Old France

Then being Asked, Seeing he was so Well Entertained there, why he left that Place in Such a Vagabond Manner and to Come without the Governors Paspört He [144] He Answered that he would not give him One, but told him he might go if he pleased, and that he would not stop him; And that Upon his Denying him one, he and the Rest Contented themselves with the Bishops Certificate

And being Asked Why they did Not Rather go from thence Directly to Old france or to Cape Breton.

He Made Answer That None of the Masters of Vessells would take them on Board without the Governors Paspört

Then being Asked why they Ventured to Come to this or to any of the English Governm.^{ts} without one

He Answered That his father was of Blois and a Chevalier, and that being Sent a way in Such a Manner; he was

Resolved to Run all Risques to gett. home to Sue for Justice, And that finding none would take him on Board He and the Other Two Agreed with one Eneas an Indian to bring them to the River S.^t Johns, whom with Another Indian his Relation they kill'd about fifty Leagues above Meductuck, because they found he was going to Deceive them, and not performe the Agreement After they had paid him for his Pilotage; but ~~but~~ Parry in the Woods, where they must have Infallibly perished with Hunger, had they taken his Cannow by force; And in the Scuffle he Shott Eneas as he was going to fire upon him and his Commarads, and that Mons.^r Babour Shott the Other Indian his Relation as he was going to kill Mons.^r S.^t Joyly with a Lancett and that then they proceeded in the best Manner they Could on their Journey.

He was asked if they Did not meet with other Indians who knew the Cannow

Answered Not till they Came to S.^t Johns where the Priest lives to whom they applyed for his Assistance and Direction how to gett to the french Plantations; And there being Sev.^l Indians going from thence to Beaubassin, he Recommended them to their Care, who not knowing the Cannow (it being a New one, just finished before they Departed from Canada) they Piloted them to the River of Beaubassin, and y.^t being [145] Being Informed of a Place Called Mines where there were also french Inhabitants; They Chused rather to go there, than to Beaubassin Least During their Stay there, they Should be Discovered and fall into the Indians hands; And so taking their Direction which way to Steer along Shoar, they found the place, where having Stayed a few Days, and beging the Assistance of the Inhabitants, they Discovered to them the ffact, who Ordered them to Depart Immediately, for that there was No Shelter for them there; and Make the best of their Way to this place, and Aske the Protection of the Governor for that the Indians would Certainly Destroy them; And Said that having but little Provisions and no Guide, they had almost Perished in the Way

And being asked what the other two were & whether he and they were Not Deserters from the Troops

He said they Were both Gentlemen of Good family And had mett With ill usage and Such Misfortunes as his Own, and Said that he had a greater Acquaintance with Mons.^r Alex.^r Poupart de Babour. than he had with the Other Mons.^r S.^t Joly de Pardeithan, He being in the Bastile at the Same time that he was there, And at Cannada for Some time together; And that he knew S.^t Joly Only but Since he Came to Quebeck from Missicippy which was but a few months before they left Quebeck And that none of them were in the Troops

S.^t Joly de Pardeithan being Called. he Gave the Same Acco.^t of their Journey from Quebeck And of Killing the Two Indians as the aforegoing of Mons.^r Dupont; And Said that he was Sent away on Acco.^t of a Duel, in which he was in Some Measure Concerned [146] Concerned in behalf of a friend, And being Apprehended was first Sent to New Spain, where lived about three Years, and from thence Travelled to Missicippy where he Acted for some time as Secretary, and from thence he went to Quebeck where he became Acquainted with the other two, and knew no more of them than the Acco.^t they gave of themselves And that they were Respected there as Gentlemen

Alexander Poupart de Babour Agreed in every Respect with the other two, And Said that he knew not the Real Cause of his Transportation, but Said he beleived it had been So Ordered by Some of his family on Some Acco.^t of Amours for that he had been a Very Wilde Youth, and being further asked about the Death of the Two Indians & Answered, Conforme to the Preceeding Acco.^t, that Mons.^r Dupont, Shott Æneas and that he Shott the Other, which was about two months Agoe in the River S.^t Johns about fifty Leagues above Meductuck

There being no proofs against their Assertions the Governor and Council Judged proper to keep them in Custody.

Untill further Informed of the Truth of their Reports, they also Requesting the Same being affraid to live amongst the Inhabitants or Depart for fear of the Indians¹

At a Council held at the Place aforesaid on ^{the} Munday they 21st of March 1728

Present

The Honourable L.^t Governor John Doucett President
 John Adams Esq^e
 William Skeen Esq^e William Shirreff

the peace Con-
 cluded with
 the Indians
 at Boston.

The Honourable L.^t Governor Acquainted the Board that he had Advice from Major Paul Mascarene [147], Mascarene the Commissioner Appointed by this Government to Treat in Conjunction with the Government of New England about the Peace with the Indians And that he had also transmitted him Attested Coppys of the Articles Agreed upon by the Indian Deligates in behalf of their Sev.^e Tribes of this Province their Constituants and of these which he had Signed to them in behalf of this His Majestys Province (as upon file) which were Read, as also the Articles Agreed upon by this Board the 3.^d of November 1724 & a Ccopy of the Honourable Lawrence Armstrong the L.^t Governor of the Province his Instructions to the Said Major Mascarene for his Transacting Said Peace as aforesaid

Wherupon Resolved that the Deputees of this River be forthwith Sent for that they may be ordered to be ~~here~~ Wednesday Next, And that they May Acquaint Such Indians as are in the River, of Said Peace being Concluded at Boston; And bring Such Indians Allong with them And then Adjourned to the Governours farther pleasure

Saturday the 26th of March 1726

The Indians to
 be advertised
 of the peace
 Concluded
 at Boston.

The Honourable Presid.^t and the Members that were present on Munday last Mett at the Same place According to the Adjournment of that Day; And the Deputees being come The Instruments of agreem.^t Made at Boston the 15.th

¹ Printed also, but not with complete accuracy in *Murdoch*, I, 431 f.

Day of December 1725 by Major Paul Mascarene & the Delegates Appointed by the Indian Tribes for Ratifying the Peace with them and this His Majesty's Province Were [148] Were Read to them and Interpreted

Agreed that Circular Letters be issued out to give Notice to the Indians that the Peace is Concluded at Boston, that they May According to the Articles there Agreed upon by their Said Delegates Come or Send Their Chiefs to Ratify the Same here Conforme to Agreement, the 4.th Day of May Next old Style on the 15.th New Style being Wednesday, and That John Adams and William Shirreff Esquires prepare the Same in Order to be Sent to the Deputies of Minas Cobaquit & Shicannecto to be by them Communicated Acordingly

At a Council held at the Honourable Lieut. Governour John Doucetts house in His Majesty's Garrison of Annapolis Royall on Wednesday the 20.th Of Apr. 1726

Present

The Honour^{ble} L.^t Governour John Doucett Presid.^t
 John Adams Esq.^e
 William Skeen Esq.^e William Shirreff

The Honourable Presid.^t Acquainted the Board, that he had Rec.^d a Letter from the Deputees of Cobaquit in Answer to what was Sent to them about the Indians. Acquainting him that they had Explained the Letter, Sent to the Indians of these parts to Such of them as were present, and that they had Used all possible Means to Communicate the Same to those who were Absent in order that they may be here at the Time Appointed And that they would also Come Along with them Then [149] Then the Honourable L.^t Governor Acquainted the Board that Pere Ignace and Some of the Inhabitants of Béaubassin (or Shickanecto) were Arrived here, and that he had Rec.^d a Letter from Some of the Inhabitants in Relation to Some Difference between them and the Said Peré Ignace about the Tyths as upon [file]

Letter from
 the deputys
 relating to
 the peace wth
 the Indians.

The Said Letter being Read and Pere Ignace and the Said Inhabitants from Shickanecto being Called before the Board

The Honourable Presid.^t Desired Pere Ignace to Informe the Board of his Complaint and Allegations against Said Inhabitants

Pere Ignace
the preists
Complaints
ag'd the In-
habitants of
Shickanecto.

The Said Pere Acquainted the Board that he Complain'd Only Against Some of Said Inhabitants who in Opposition to his Honour's Orders Refused not Only to pay him the Accustomary Tyths, but even So far not to Acknowledge him as their Priest that they had in Contradiction to the Governor's Orders, Signed for a Nother, and therefore had Judged Necessary to Come and Complain of them both upon his Own Acco.^t And the Disrespect they therby shew'd to the Governm.^t

Piere Dperon and Claude Godet who brought the Letter in behalf of the Inhabitants Offering Nothing in Contradiction to Pere Ignace's Affirmations but Acknowledging the fact, And the Subject of Said Letter and their Treatment of Said Ignace being both Insolent and Groundless, they were Severely Check'd and So Dismiss'd

Then the Honourable Presid.^t with the Advice of the Board Ordered that the Inhabitants of Shicanecko Should Pay the Tyths (as Customary to [150] To their former Priests) to Pere Ignace from the Date of his Orders for Officiating there as their Missionary and not to Any Other At their Peril, without positive Orders for their So doing from this Government; And that these Inhabitants who had the Insolence to Signe Said Letter in Name of the Rest And to Send for another Priest, Should Pay Pere Ignace for his Trouble and Expense in Coming here

Mary D'Aigre's
petition.

Then was Read a Petition from Mary D'Aigre Wife to James Gonsile against Beausoleil (alias Joseph Brosard) for Committing fornication with her Daughter Mary who being brought to bed of a Daughter had laid the Same to the Said Brosard, and he Refusing the Child Mentainance and Denying himself to be the father Prayed Relief

The Said Brosard being come to Ans.^r in his Own Defence, Replied that he was very Innocent And not the father having Never had any Carnall Deallings with her

The Midwife being put to her Oath Declared That the Said Mary Daughter to the Said Mary D^r Aiger Did Declare when She was in her most Violent Pains That the Said Joseph Brosard was the Real father of her Said Child

The Governor with the Advice of the Board Ordered That the Said Brosard Should Pay to the Mother of Said Child for its Mentainance three Shillings and Ninepence every Week Until that the Child Arrive to the Age of Eight Years Old, And that he Shall Immediately Give good Security for his performing the Same, or go to Prison Untill that he Shall find Such Security

Abram Bourg one of the Deputees and William Bourge-way Inhabitant Engaged themselves each in An hundred pounds Security for the Said Joseph Brosards punctuall Compliance And Due Observation Said Orders to be by them punctually Paid Upon the first Complaint [151] Complaint of his the Said Joseph Brosards not Obying or his Refusing to pay the Above Ordered Weekly Allowance of three shillings And Ninepence for the Childs Mentainance as AforeSaid

At a Council held at the Honourable L.^t Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Thursday the 12th of May 1726

Present the Honourable L.^t Governor Presid.^t

John Adams Esq^e

William Shirreff

William Skeen Esq^e

The Honourable Presid.^t laid before the Board a Letter which was Sent him from M.^r Will.^m Winniett Dated at Mines the 25.th of Ap.^r 1726 (as upon file) which being Read, he Desired the Advice and Oppinion of the Board

Letter from Mr. Winniett relating to the 3 french prisoners Supposed to be spies.

The Said Letter being in Relation to the three french prisoners, and their former Allegations being thereby Confirmed, the Oppinion of the Board is that it would be

Cruelty, as they Came to this Government for protection and Shelter for Killing Two Indians in time of Warr, Now to Deliver them up, and therefore to prevent their Demanding of them at their Coming to Ratifie the Peace Agreed That [152] That they Should be Sent away by the Vessells Now bound for Boston in New England

At a Council held at the honourable L.^t Governor John Doucetts house in his Majestys Garrison of Annapolis Royall on Towsday the 31st of May 1726

Present the Honourable L.^t Governor Presid.^t
 John Adams Esq.^c William Shirreff
 William Skœn Esq.^e

Chief of Cape
 Sable Indians
 Comes to Sign
 the Articles of
 peace.

The Honourable L.^t Governor Informed the Board that the Chief of the Cape Sable Indians, and Others of Some of the Tribes of this province were, Conforme to His Circular Letters & the Articles Stipulated on their behalf by their Deligates at Boston the 15.th of December 1725 Come to Ratifie the Said Articles and having Desired the Advice and Oppinion of the Board what Should be done therein the Honourable L.^t Gov.^r Lawrence Armstrong of the Province not being Arrived here from Can-so

The Board having Considered the Same, Are of Oppinion (from what Major Paul Mascarene had Wrote to his Honour on that Subject the 9th and 15th of March 1726) That it might prove Detrimentall to the Major's further proceedings and put a Stop to the Other Tribes Ratifying their [153] Their Said Deligates Articles either with this Government or that of New England, of wh.^{ch} by those of New England Seam Very much to Doubt, if they Should now be Rejected; and therefore, to Disappoint the Endeavours of the french therein and to prevent any Hindrance from this Governm.^t to the Negotiations of that of New England

Agreed (it being the Oppinion of the Board That Major Mascarene had Certainly Inform'd the Honourable Law.^r Armstrong the L.^t Gov.^r of the Province, of the Same Advice, and that the Articles According to Agreem.^t were to be Rati-

fied here) That they Should be Admitted Saturday next in Order to Ratifie the same to prevent their being prepossessed with any ill Oppinion of His Majesty and this Government, if the Same Should be Refused

At a Council held at the Honourable L.^d Governor John Doucett's house on Saturday the 1st of June 1726

Present His Honour y^e L.^d Governor Presid.^t
John Adams Esq^e
William Skeen Esq^e William Shirreff

The Honourable Presid.^t Acquainted the Board that the Indians with the Deputees of the Inhabitants [154] Inhabitants of this River were Come According to Appointment the 31st of May Last in order to make their Submission to his Majesty and this His Government, and to Confirme and Ratifie y^e Articles Ratified and Agreed upon by their Delegates at Boston as aforesaid: and Desiring to know whether, upon their So doing, he Should Release the Indian Priseners

The deputys bring the Indians of this River to Sign the Articles of peace.

The oppinion of the Board is, That as those in prison are not worthy to be kept as Hostages, they being but of Little Esteam, & Some old and Decriped, and that whereas they have allready been a Very Great Expence to His Majesty, That they Should be Released, in order also to Show them Such a Sincerity of friendship as may the more Effectually Engage them to his Majestys Intrest

Then the Board Moved that it was Customary on Such Occasions to Give them Some Entertainments and presents as Tockens of friendship

To which The Honourable Presid.^t Making Answer that he had no Presents; it was again Moved That His Majesty had (as hath been Reported) Some years Agoe Sent presents to a Considerable Value, and that it would be proper at this Juncture to Distribute part thereof amongst them to prevent any further Expence that Way

To Which His Honour Replied that he had heard as Much, but that they were Never in his possession, Neither

had he any. Other knowledge Thereof [155] Thereof but by Report; And that if his Excellency had any Such presents, he had them at Canso; And again Desired the Advice of the Board what he Should now Do. there being no Such presents at this Time here

The Oppinion of the Board is that as it is Very Necessary as aforesaid to Give them Such Tokens of friendship as aforesaid

That his Honour the L.^t Governor of Annapolis Royall, in absence of the Honourable Lawrence Armstrong the L.^t Governour of the Province. Should Use Such proper Means in So doing as may be to the Honour of this His Majestys Province

Then His Honour Acquaintèd the Board That he had Conforme to the Articles Agreed Upon by Major Paul Mascarene and y.^e Indian Deligates, Prepared Articles for His and the Indians Ratifying the Same, which he Laid before the Board

Which being Read & Compared with those Stipulated at Boston as aforesaid, Were Approv'd of; And Accordingly Judged proper to adjourn to the flag Bastion to have them Ratified in as publick and Solemn a Manner as possible; Where the Indians being Present, the Said Articles were again Read before all the Officers, Soldiers, and the Deputees first in English. And his Honour the L.^t Governor having Administred an Oath to Abram [156] Abram Bourg one of the Said Deputees and to Prudane Robichau Senior Faithfully to Interpret the Same to the Indians; They Were again Distinctly Read in french, Paragraph by Paragraph which being Accordingly Interpreted to them, They to each thereof Gave their Assent, and Signed Sealed and Delivered the Same to his Honour the L.^t Governor of Annapolis Royall

Then the Honourable Presid.^t in absence of the Honourable L.^t Governor of the Province as aforesaid Signed, Sealed, and for and in His Majestys Name Delivered those in behalf of this Government to the Chief of Said Indians; And they

the Indians
Sign the
Articles
of peace.

presents Given
the Indians.

having Moreover Swore fidelity The Governor gave then Orders That the Indian prisoners Should be Released. And gave them an Entertainment and Sev.^l presents as Tokens of His Majestys Protection

At a Council held at John Adams Esq^e his house, in his Majestys Town of Annapolis Royall on Wednesday the 8th of June 1726

Present

The Honourable L.^t Governor John Doucett, Presid.^t
John Adams Esq.^e
William Skeen Esq.^e William Shirreff

The Honourable Presid.^t Communicated to the Board that he had Rec.^d a Letter from the Honourable Lawrence Armstrong the L.^t Governor of the province. In which he Seams to be Dissatisfied [157] Dissatisfied with our Proceedings in Sending Circular Letters So Soon to the Deputees of the Inhabitants and to the Indians, in order to Ratifie what had been Agreed on between Major Mascarene (Sent by His Honour the L.^t Governor of the Province to Boston to Treat about the Peace in conjunction with the Government of New England, with the Indians) and the Said Indian Deligates; And Desiring the Advice of the Board what was to be Done in this Affair We having before the Receipt of the Governor's Letter Admitted the Tribe of Cape Sable Indians and Some Others to Ratifie the Articles that their Said Deligates had Signed on their Part to Major Mascarene, And as he also (the Presid.^t) had Ratified the Same to them According to the Purport of Maj.^r Mascarenes Agreement with them and had thereupon Delivered up the Prisoners

Letter from Gov.^r Armstrong Relating to the peace with the Indians.

The Board having Considered (as by the former Minutes) That upon Acco.^t of the Instruments Signed by Major Mascarene and the Deligates as aforesaid, and the Major's said Letters to the Honourable L.^t Governor of Annapolis Royall on the Same Subject, they had then Concluded from thence, that the Sooner Such were Ratified by the Sev.^l Tribes in

this Province, it would the more Effectually prevent the Designes of the french Priests; And did therefore then Advise His Honour y^e Presid.^t to Send forthwith for Said Tribes; Who having Embraced the Said Invitation, & the Cape Sable Indians [158] Indians and those Others who were with them, having allready Ratified What their Said Deligates had Engaged and Signed to Major Mascarene, And As his Honour the Presid.^t as aforesaid, in absence of the Honourable L.^t Governor, of the Province, had allso Ratified what was promised and Signed by Major Mascarene to the Said Indian Deligates; And the Said Ratification having been performed in as Solemn and Strick a manner as possible

The Boards
Opinion in
relation to
the peace
Concluded w^t
the Indians.

The Oppinion of the Board is, That what has been transacted with the Indians as aforesaid, Cannot be Recided from, without a Manifest Violation of what has been So Solemnly promised in His Majestys Name, and So Confirming the Prejudice and Hatred Instill'd into them by their Missionarys Against His Majesty and his British Subjects, as Heriticks and people without faith or Principles of Honour.

And is also of Oppinion That when his Honour the L.^t Governor of the Province Shall See the Major's Said Letters, He will not have Cause to find fault with the Transactions of this Board, who have So Great a Veneration for his Authority & Person & having no Other Views than his Majestys Service in facilitating their Ratification of the Same with the Government of New England as aforesaid

Then the Honourable Presid.^t Acquainted the Board that by the Last News papers there is Advice that His Majesty was in Great Danger and Narrowly Escap'd being Cast away in a great Storm as he was Returning from Hannover to his Kingdom of Great Britain And therefore Moved Whether (upon the Advice of [159] Advice of His Safe Arrivall) We ought not to Observe a Day for Offering up our Praise & Thanksgiving to Almighty God for his Daily Repeated Mercys & Loving-kindness to us his Unworthy Servants, and particu-

larly on this Occasion for his Heavenly Protection and Providential Deliverance Vouchsafed to His Majesty

To which the Board Unanimously Agreed, and that Thursday Next Should be Accordingly Sett a part from all Servile Labour, and Observed as a Day of Publick Thanksgiving

By order of his Honour the L.^t Governor
by and with the Advice of the Council

At a Council held at John Adams Esq^s. house on thursday the 23.^d of June 1726 P: M:

Present

The Honourable L.^t Governor John Doucett Presid.^t
John Adams Esq.^o
William Skeen Esq.^o William Shirreff

The Honourable Presid.^t Acquainted the Board That Charles Robichau one of the Deputees of Cobiaquit was Arriv'd who told him that he had Explain'd and Communicated his Honour's Letter to the Indians and that he Expected that they of those parts would have Come along with him, he having Appointed to meett [160] Meet. them at Mines: who being there before his Arrivall, were Again Dispers'd through the Report of One Sheegau a Cape Sable Indian; who told them that his Honour the L.^t Governor would not Ratify the Articles of Peaæ with them unless the Chiefs of every Tribe were all present together And that therefore they had Resolved Amongst themselves to wait for some Other Advice

Charles Robicheaux gives Notice to the Govr. that he had read and Explained his Honours letter to the Indians.

Which being Considered the Board was of Oppinion that it was Rather a Contrivance of the Priest in Opposition to the Peace, to put a Stop to and hinder if possible their Submitting themselves to and Acknowledgeing His Majesty King George and therefore Agreed that it was highly Necessary that his Honour Should Send them Advice; And Signify to them that the aforesaid Report was false, and that he was Ready to Ratify Said Articles According to the Advice for-

merly Sent them & that upon their Coming to Ratify what hath been promissed on their part they should be friendly Rec.^d

Letter from
the Inhabi-
tants of Neth-
er Cohaquit.

Then was Read a Letter from the Inhabitants of the Neather Cohaquit Signifying that the Indians after whom they had been in Search, not having Return'd from Hunting till the 7th of June N: S. Was the Cause that their Deputy the Said Charles Robichaux Did not come According to the Time Appointed

Letter from
the Deputy
of Upper
Cohaquit.

Read Also a Letter from Abram Bourg One of the Deputys of the Upper Cohaquit Signifying that he had been for Some time Lame, and that through Infirmitys he was not Able to Officiate nor to Excecute the Governm.^{ts} orders And therefore Prayed to be Excused, and Desired Liberty to Come to Anapolis Royall

Agreed [161]

Agreed that he might Come if he pleas'd Then the Honorable Presid.^t laid before the Board a Letter from Alex.^r Bourg one of the Deputees of Mines (as upon file) Signifying that he was Engaged for the Savages of the River S.^t Johns So far up as to the Meductock and some of those of Passamaquady (Having Interpreted to them his Honour's Letter Delivered them by Aimable) to Signify to his Honour their Contentedness and Good Disposition to Comply with Said Letter and their Readiness to Ratifie the Peace, &^{ca}; and Whereas it was Dangerous for them to Cross the Bay in their Canoos they therefore pray'd his Hon.^r would be pleased to Aid them So farr as to send a Samall Vessell for their Transportation

Which being taken into Consideration the Board is of oppinion that it would be Necessary Could there a Vessell be gott, to Send it for them, And whereas Jacque Leblanc of Mines with his Vessell being here, it was Judged proper to propose to him Said Voyage; and being sent for Made Ans.^r that he was Willing, Only that being in M.^r William Winnietts Service he must therefore have his Consent, And he being also Ask'd, Mad^d Ans.^r that he would thereby be a

Considerable Looser And therefore proposed to the Governor to permitt Said Jacque Leblanc [162] Leblanc to performe his Agreem.^t with him and whereas they were both bound up the Bay to Mines he Would Engage to find a Vessell to go to the River S.^t Johns and to bring the Indians from Thence hither

Which being Approven of and the Aforesaid Alexander Bourg proposed to be the person Employed for that purpose

The Honourable President Mov'd that the Said Alex^r Bourg having Acted Seyerall things in Opposition to Repeated Orders of this Government and that therefore if he Should Come he must be Obliged to Use him According to his Merit Unless upon his very Ample Submission and Good Security for his future behaviour

Whereupon Mr William Winniett & the Said Jacque Leblanc Offerr'd them Selves Securitys

Mr. Winnietts Bond for the Good behaviour of Alex. Bourg.

Who being Accepted of, they Enter'd into Bond Accordingly

And the Honourable Presid.^t by the Advice of the Board sent An Order to the Deputyes of Menis to furnish the Said Alex.^r Bourg with a Vessell and Equipage to go for Said S.^t Johns Indians [163]

At a Council held at John Adams Esquire's in his Majesty's Town of Annapolis Royall on Thursday the 30th of June 1726 P. M.

Present

The Honourable L.^t Governor John Doucett Presid.^t
John Adams Esq.^o
William Skeen Esq.^o William Shirreff

The Honourable Presid.^t Acquainted the Board That he had Rec.^d a Petition from the Widdow Brosard in behalf of her Son Joseph Praying Releif in Relation to the Bastard Child as per the Minute of Cotncil Wednesday the 20th of Ap.^r last

Widow Brusards petition in Relation to the Bastard Child.

Which being taken into Consideration and the said Widdow & those Concerned in both partys. being Call'd and their Arguments heard,

The Board Judged it Reasonable that the Mother of the Child Should Keep and Mentain the Said Child at as Cheap a Rate as other Nurses in the Country would

Then Enquiring who was the Nurse that Would take the Child; One Jean Depuis Wife to Guillaum Blanchar, Said that She would for five Shill.^s per Month and take as Much Care of it as of her Own both as to Cloaths, Victualls and all Other Necessarys; Joseph Leblanc and Joseph Bourgeway offerr'd themselves Surtys for the Nurses faithfull and tender behaviour towards the Child.

Whereupon Jacque Gousile the father in Law to [164] to the Mother of the Child, and his Wife made Ans.^r that they would Rather Keep it for nothing than that the Mother their Daughter Should either Accept of five Shililings or give it to Said Depuis

And being ask'd what Objections they had to her, They Answer'd None, Only that they would Rather keep the Child as aforesaid, than give it to her;

Upon which Answer the Board left the Said Gousile and his Wife to their Choise and told them that the two Surtys Abram Bourg and Guillaum Bourgeway Should then be Discharged from their Engagem.^t in that Respect, and by the Advice of the Board they were Discharged Accordingly

Then Charles Landry one of the Deputees Said (in order to finish all Disputes, if the Mother of the Child and those with her Concern'd were willing) that he would take the Child and be Answerable for its Nurseing and all other Necessarys and that he would also mentain the Mother at his house for one year

To which proposition all partys Agreed Then Jacque Gousile Complaining that Some Part of the Allow^{co} formerly orderd by the Council, was not paid; The Board

Order'd Immediate payment. Which Abram Bourg and Guillaum Bourgeway Did Accordingly

At a Council held at the Honourable L.^d Governor John Doucett's house in his Majestys Garrison of Annapolis Royall on Munday the 5th of September 1726

Present the Honourable L.^d Governor President
W.^m Skeen Esq^e Will.^m Shirreff
The Honourable [165]

The Honourable Presid.^t Acquainted the Said two Gentlemen of the Board that Mr Joseph Bissell being Arrived here from Shickanceto had brought a french Gentleman belonging to Quebeck a passenger along with him who was Come for the Protection of this His Majestys Government having had the Misfortune to Wound Mons.^r Lestage a Gentleman belonging to Said place who in two Days After Died. The Honourable Presid.^t therefore Asked what Should be Done

Mons.^r Mangeant wounded a Gentleman is received under the protection of this Govern.^t

Agreed that he Should be Examined Upon the Cause and provocation given to Move him to Such an Unfortunate Act

Whereupon the Said Gentleman whose Name is Mangeant being Sent for was Ask'd what proofs and Evidences he had to produce that Could anyways Justice or Seam to favour his Rash precipitated Action

The Said Mons.^r Mangeant Presented to his Honour Three papers (as per the Cobby thereof Upon file) which being Read and Considered

Agreed and are of oppinion that According to the Sev.^t Certificates and the Account thereof given that the afore Mentioned Lestage Did most Basely and Hincously Insult, Affront And provoek the Said Mons.^r Mangeant and therefore are of Oppinion that Such protection as is Allowed in Such Cases by the Law of Nations. be Granted to him the Said Mons.^r Mangeant till [166] Till Contrary Proofs be produced of Said Mangeants Behaviour and Character

Which being Communicated to him he Return'd Thanks and Said that (having Married one of the Inhabitants

Daughters of Shickanecko) if his Hon.^r would Accept of him as an Inhabitant and Subject of the Crown of Great Britain he would Swear Allegiance to his Majesty and prove truly faithfull; And being in Expectation of his family from Quebeck, he would with his Honour's permission Settle with his father in Law at Shickanecko

As to which his Honour the Presid.^t Referr'd him for an Answer to the Honourable Lieu.^t Governour of the Province whom he Daily Expected here.

At a Council held at the Honourable Lawrence Armstrongs house in his Majestys Garrison of Annapolis Royall the 21.st of September 1726

Present

The Honourable Law.^r Armstrong L.^t Governor of, ye Province

The Honourable Jn.^o Doucett L.^t Governor of Annapolis Royall

John Adams Esq^e

William Skeen Esq.^e

William Shirreff Esq.^e

the Gov.^r &
Lvt. Govern-
ors Commis-
sions read.

The Honourable L.^t Governor of the Province having [167] Having Arrived here the 17.th Ins.^t from Canso Acquainted the Board y.^t he would have called the Council Sooner, but y.^t being hitherto disappointed through the Indisposition of Some of y.^e Gentlemen he Judged proper to lay before them his Commis.ⁿ for being L.^t Govern^{or} of this his Majestys Province of Nova Scotia; a Copy of his Excelly General Philipps's Commission for Governor of Said Province, a Copy of the Generals Instructions and Additional Instructions, as also a Copy of the Earl of Orkneys Instructions for the Governm.^t of Virginia, which being Read with all due Solēmnity, the Honourable Lieu.^t Govern^{or} of the Province asked the Advice of the Board he Should proceed for want of a Quorum; Which being Considered

Agreed y.^t Conforme to the 7.th Article of the Instructions for the Government of Virginia where three Council-

lors upon Extraordinary Emergencies make a Quorum when a Greater Number cannot be Conveniently had (which was now his Case) that for his Maj.'s Service & the Good of the Province, he might therefore proceed thereby & Act Accordingly: Then His Honour the L.^t Gov.^r of the Province both took and Administr'd to the Other Members the Oaths Appointed to be taken by the Said Instructions [168] Instructions and Acts of Parliam.^t & Subscribed the Same

Then He acquainted the Board that he had Appointed ^{the Deputys take the oath to his majesty K: G.} y^e Deputees of the french Inhabitants to meet him here this Day & y.^t he had a Mind to propose to them the taking of the Oaths to His Majesty King George: Which being Judged Very Necessary that they farther Should, or begone out of the Province; the Said Deputees who were Attending, were called in, & y^e Question put Accordingly

Which being done, the Said Deputees seem'd Satisfied, but Desired a Cobby of Said Oath, that they might Communicate the Same to the Inhabitants: Which being order'd to be given them, His Honour Appointed Sunday the 25.th Ins.^t for their making an Answer

Orderd that the Aforesaid Commissions be Registred in ^{the Commission registred} the Council Book of Records and that Coppys be taken of the Instructions and kept upon file

By his Honour's Command

by & with y^e Advice of the Council

[169]

At a Council held at John Adams Esq.^{es} house in His Majestys Town of Annapolis Royall on Thursday the 22.^d of September 1726

Present

The Honourable John Doucett Esq.^o L.^t Governor of his Majestys Town & Garrison of Annapolis Royall—President

John Adams Esq.^o

William Skeen Esq.^o

William Shirreff

Robert
Nicholes
a prisoner
Examined.

The Honourable Presid.^t Acquainted the Board that his Honour the L.^t Governor of the Province had Desired y^o Council to Sit in Order to Examine into y^e Crime of one Robert Nichols his Ser.^t now a Prisoner for assaulting and offering him Violence as appears by two Affidavits taken before the Gentlemen at Canso the 24th of October 1725. in Order y.^t the Said prisoner may be Either Acquitted or Condemned to Such Punishments as the Board may Judge Suitable for Such Misdemeanours; Which being Read

Ordered that y^e Prisoner be brought before Board

The Prisoner being Come the Governours Accusation & the Said affidavits were again Read to the prisoner and being further Examined and having nothing to say for himself but y.^t He [170] He did not Strike the Governor

The Prisoner being Withdrawn, and the Board having Seriously Considered y^e Whole & the Examination thereof at Canso the 24th of October 1725 as aforesaid

Agreed & were of Oppinion y.^t it was highly Necessary that the Said Robert Nicholes Should for his Insolence be made An Example of & Severely punished for his Audacious Violence Offered to the Honourable L.^t Governor of the Province in order to terrifie all Such bold harden'd Villains from Assaulting the Governor Who Represents his Majesty [blank in MS] here that [blank in MS] in honour to his Majesty and this his Province may be Allways Duely & Strickly Obeyed

And the Question being put, what punishment Should be Inflicted on the Said Robert Nicholes for his Disobedience to & Most Insolent Arrogance in Assulting his Honour y^o L.^t Governor of the Province .

The Board in Order to Consider further thereon Adjourned by Agreement till to Morrow Morning

By his Honour's Command

by and with y^e Advice of
the Council

At a Council held at the Place aforesaid in His Majestys Town of Annapolis Royall on Tryday the 23.^d of September 1726 .

The Honourable Presid.^t & the Members y.^t Were present Yesterday Mett According to Adjournment to Consider further of the Crime Committed by Robert Nicholes & of his Punishm.^t for Such Mi-demeanours

The Board in Order thereunto Ordered the Said Robert Nicholes to be again Brought before them

And being Asked Whether he had Any thing further to say for himself, or any Objections to Make why this Board Should not proceed to Give Sentence Against him

The Said Robert Nicholes Replying in the Negative, that he had nothing further to Say nor to Object

The Board therefore (there being no Other Court of Judicature as yet Erected in this His Majestys Province, then y.^e Council for the Administration of Justice & y.^e more Legall & formall prosecution of Such Crimes) Agreed y.^t his Sentence & punishm.^t Should be Viz.^t

Robert Nicholes you being found Guilty by his Majestys Council for this Province Of [172] of the Crime wherewith thou art Charged by the Honourable Law.^r Armstrong L.^t Governor and Commander in Chief of this his Majestys Province of Nova Scotia

The Punishm.^t therefore Inflicted on thee is to Sitt upon a Gallows three Days, half an hour each Day, with a Rope about thy Neck and a paper upon your Breast Whereon shall be Writt in Capitall Letters AUDACIOUS VILLAIN And afterwards thou art to be Whipt at a Carts tail from the Prison up to the Uppermost house of the Cape & from thence back again to the Prison house Receiving Each hundred pces five Stripes Upon your bare Back with a Catt of Nine tails and then thou art to be turn'd over for a Soldiey

Robert Nicholes ordered to be put 3 days on a Gallows & whipt.

Orderd y.^t the Said Sentence of the Board be Read to y.^e Prisoner

Orderd y.^t a Signed Cobby thereof be Given to his Honour the L.^t Governor of the Province that he may Order y^o Same to be put in Execution; which two last orders were Accordingly Complied with

By his honour's Command by
and with the Advice of the
Council

At a Council held as aforesaid in His Majestys Town of Anapolis Royall on Sunday the 25th of September 1726

Present

The Honourable L.^t Gov.^r of the Province

The Honourable L.^t Gov.^r of y^o Town & Garrison of Annapolis Royall

John Adams Esq^o

William Skeen Esq^o

William Shirreff, Esq^o

The [173]

The Honourable L.^t Governor of the Province Acquainted that He this Day Expected the Deputees & the Inhabitants with their Ans.^r Conforme to the Appointment on Wednesday Last and therefore Desired the Advice of the Board what He Should in Case they Refused Signing & taking the Oaths to His Majesty

Rules to be
laid before
the french
Inhabitants to
take the oath.

The Board y.^t the only Method to be used, was to Demonstrate to them first y^o Necessity of their So Doing, & Invite them thereunto by laying before them y^o Many Advantages & priviledges of English Subjects to which they by taking the Oath of fidelity to His Majesty King George were as fully & Treely Entitled to as if they were the Natural born Subjects of Great Britain, as also the free Exercise of their Religion Estates & fortunes. Otherwise they Must of Necessity Retire Immediately out of the Province Conforme to His Majestys Directions for if Arguments & promisses of kind Usage did not prevail, it would be to no purpose to pretend Compelling them by force further than telling them what they must Expect; And if thereby those who have

plenty and Good Estates Should be Once Engaged. The Others would be Either the More Easily wrought upon or forced to be gone

Then the Honourable L.^t *Goytrnor* of the Province Asked the Board whether the flagg Bastion woud not be the properest place to Meet them, which being Agreed to the Board Adjourned till y^o Said Inhabitants with the Deputees Came

By his Honour's Command

by & with the Advice of y^o

Council

[174]

Sunday the 25.th of September 1726. P: M: .

His Honour the Lieu.^t *Governor* of the Province with the Honourable L.^t *Governor* of his Majestys Town & Garrison of Annapolis Royall with the Other Members of the Council Mett at the flagg Bastion According to Adjournment where the Deputees with a Number of the Inhabitants being also present

The Honourable L.^t *Governor* of the Province told them that he was Glade to See them & that he hoped they had so farr Considered their own & Childrens future Advantages, that they were Come with a full Resolution to take the oath of fidelity like Good Subjects Endued with Singere, honest principals of Submission & Loyalty to so Good & Gracious a King, who upon their so Doing & Due and faithfull Observation of their Sacred Oaths, had promised them not only the free Exercise of their Religion, but even y^o Enjoyment of their Estates & the Rights & Other Immunitys of his own free born Subjects of Great Britain & that for his part, while he had the Honour to Command his Endeavour Should Always be to Mentain unto them what His Majesty had so Graciously Vouchsafed to Grant

the Gov.^{rs}
Speech to
the Deputys.

Whereupon at the Request of Some of the Inhabitants a french Translation of the Oath Requir'd to be taken was Read unto them

Upon which Some of them Desiring that a Clause Whereby they might not be Obliged to Carry Arms might be Incerterd

The *Governor* told them y^t they had no Reason to fear Any Such thing as y^t it being Contrary to the Laws of Great Britain y^t a Roman Catholick Should Serve in the Army, His Majesty having So many faithfull Protestant [175] Protestant Subjects first to provide for, And that all y^t his Majesty Required of them was to be faithfull Subjects, not to Joyn with any Enemy, but for their Own Intrests to Discover all Traiterous & Evil Designes Plotts & Conspiracys Any ways formed against his Majestys Subjects & Governm.^t and so peaceably and Quietly to Enjoy & Improve their Estates

But they upon y^e Motion-Made as aforesaid Still Refusing and Desireing the Said Clause

The *Governor* with the Advice of the Council Granted the Same to be writt upon y^e Margent of the french Translation in order to gett them over by Degrees

the Deputys
&c Sign the
Oath to K:G:

Whereupon they took & Subscribed the Same both in french & English

Then His Honour y^e L.^t *Governor* of the Province Desired y^e Deputees might Acquaint Such as were Absent to Come Next Sunday or Sooner in order to be also qualified for Enjoym.^t of their Estates and y^e Priviledges of British Subjects; & Recommending to them the Duty of Submission & Loyalty & their own Intrests in behaving themselves like Good faithfull Subjects, they Gave Repeated promisses, & having Drank His Majestys y^e Royal family's & severall Other Loÿal healths the *Governor* bid them Good Night

By his Honour's Command by & with
the Advice of the Council

[176]

At a Council held at the Honourable L.^t Governor' John Doucetts house in His Majestys Garrison of Annapolis Royall on Tewsday the 11th of October 1726 P. M.

Present

The Honourable L.^t Governor of the Province

The Honourable L.^t Governor of the Town & Garrison

John Adams Esq^o

William Skeen Esq^o

William Shirreff

The Honourable L.^t Governor of y^e Province laid before the Board a Petition of Pere Gaulins who being come to make his Submission to the Government desired the Advice & oppinion of the Board thereon

Petition of
Pere Gaulin
Considered.

The Petition being Read & Considered, the Board upon y^e Consequence of the Whole

Resolved that if the Said Mons.^r Gaulin would make Ample Submission & begg pardon for his past faults (for which there were Evident proofs) take the Oaths of fidelity to his Majesty King George & the Crown of Great Britain, Never to Intermeddle in the affairs of y^e Government Either Amongst the Indians or Other Inhabitants (but in the Execution of his Own Religious function only) & find the Other Priests that are permitted by the Government and Ten or Twelve of the Députees to be Security for his future behaviour, he should be forgiven for what is past and permitted to Remain as a Missionare in the Province otherways That [177], That the Government would take Other Measures

Ordered that this Minute be Translated into french & Communicated to the Said Gaulin which was Done Accordingly

By His Honour's Command
by & with the Advice of the
Council

At a Council held at the Honourable Lieu.^t Governour of the Province's in his Majestys Garrison of Annapolis Royall on Munday the 24.th of October 1726

Present the Same Members as on Tewsday the 11th Ins.^t

The Honourable L.^t Governour of y^e Province Acquainted the Board y.^t by what Discourse he had had with the Deputees from Mines He Judged it would be Necessary to Send two Gentlemen along with them in order to Tender and to Administer to the Inhabitants there the Oaths; the Said Deputees being also Inclinable and promising to be as aiding and Assisting in Assembling of the Inhabitants as possible & in forwarding of that Affair; That he had therefore Drawn up Instructions for Cap.^t Joseph Bennett & Ens.ⁿ Erasmus James Philipps [178] Philipps to proceed Accordingly for y.^t Purpose And having laid the Same before the Board for their perusall He asked their Advice on the Same

Capt Bennett & Ensⁿ Philipps ordained to administer the oath to the Inhabitants of Menis.

Which being Read were Approved of

Then he laid before Board Some Directions Mentioned in Said Instructions to be Communicated to y^e Deputees of Mines & of the Other Adjacent places up the Bay, to be published to the Inhabitants there, as also a Duplicate of the Same to be published to Such of the Inhabitants of this River as had not As yet taken the Oaths to His Majesty

Which being likewise Read were also Approved of

Mons.^r Gaulin upon his submission is allowed to serve the Cure at Menis.

Then He Acquainted the Board That that Old Mischievous Incendiary Gaulin had Represented to him y.^t he could not procure the Bail Required by the Board on tewsday the 11th Ins.^t But that whereas he had at last Come to make his Submission & to begg pardon for all past faults Promising for the future to behave himself with more Respect and Obedience to His Majestys Governm.^t than ever he had done heretofore, and upon no Acco.^t whatsoever to Intermeddle in y^e Governm.^{ts} Affairs, but by his Doctrine to instill, if possible, the principalls of Obedience & Loyalty both into the Indians & french Inhabitants; Wherefore & finding y.^t the

Inhabitants were also Desirous to have him Sett at Liberty, as Doubtless Were the Indians, he had therefore in Some Measure Alter'd his Resolution of Sending him to Britain least At [1729] At this Juncture it might not only Impede the Inhabitants from taking the Oaths, but perhaps also Create Some Misunderstandings Amongst both them & the Indians to the Disturbance of our present Peace & Quietness: Which He Referred to the Consideration of the Board & Desired their Advice Whether at present it would not be more proper, Considering the present State of Affairs, so farr to humour the Inhabitants, which would be no Doubt also pleasing to the Indians to Sett him at Liberty & to trust him Once more by giving him till further Orders the Cure of Mines

The Whole being Considered & the former Disrespectfull behaviour of said Gaulin having Occasioned Some Debate, It was, in Consideration of the present State of Affairs, Agreed that his Honour might, in order to please the Inhabitants at present by Such Acts of Lenity, Sett him at Liberty & Way him Once more by giving him the Cure of Mines till further Orders .

By His Honour's Command

by and with the Advice of
the Council

[180]

At a Council held at the place aforesaid & the Same Members present on Thursday the 27th of October 1726

His Honour the L.^t Governor of the Province Acquainted the Board y.^t both he & the Honourable L.^t Governour John Doucett had Received letters from Governor S.^t Ovid of Cape Breton, by one Mons.^r Charles Latour this Day Arrived with a Vessell from thence. Desiring that this Governm^t would permitt the Said Latour to lay up his said Vessell here till the Spring & to purchase Some few Eatables & Other Refreshments of which both he & the Other Officers there were much in Need of, and y.^t in Returne thereof he would Also upon all Occasions Contribute to the Releif and Assistance of this Governm.^t

Letter from
the Gov.^r of
Cape Breton
desiring libe:
to purchase
provisions.

Letter shewing that Mons.^r Mangeant had killed Lestage.

He also Acquainted the Board y.^t he had Also Rec.^d Letters from thence in Relation to Mons.^r Mangeant's killing of Lestage & about his Vessells being Hipothecated for two thousand livers which he Desired the Board to Consider of and give their Advice what must be done in Relation to both Cases

The Board Agreed That Mons.^r Latour and his Vessell might Stay here till y^o Spring. & that then it would be time Enough to prepare Answers to both Letters and were of Oppinion that if Governor S.^t Ovid's Request Should be then found Reasonable that the Said Latour Should not be permitted to purchase any of these of these Refreshments &^{ca} in this River

By his Honour's Command
by and with the Advice of
the Council

[181]

At a Council held at the Honourable L.^t Governor John Doucetts house in His Majestys Garrison of Annapolis Royall on Thursday the 10th of November 1726

Present

The Honourable Lieut. Governor of the Province
The Honourable L.^t Governor of the Town & Garrison
John Adams Esq.^o
William Skeen Esq.^o William Shirreff Esq.^r

Capt Benet & Ensn Philipp return from the Basin by reason of Bad weather.

The Honourable L.^t Governor of y^o Province Acquainted the Board y.^t there having been So much bad Weather y.^t Cap.^t Bennett & En.^s Erasmus James Philipp were thereby Detained in the Basin and as the Season was now so farr advanced that they Could not (if they did proceed) Returne this Winter, he had therefore Judged it proper to Countermand his former Orders till y^o Spring

Of which the Board Agreed

the preist Gaulin take the oath and is Continued at Menis.

Then he Acquainted the Board That being Informed That y.^t old fellow Gaulin notwithstanding of all his Lenity and Good Usage to him, in order, if possible to Reclaime

him, had notwithstanding thereof Spoke Slightfully of the Govern.^t and Disrespectfully of the Order he had Given him for the Cure of Mines, & for the Certainty thereof he had Mr Adams's affidavit; And that he had therefore Recalled the Said Gaulin in Order to take the Advice of the Board what Should be done with him for so much Intollerable Insolence

M^r [182]

Mr. Adams's Affidavit being read, M^s. Gaulin was then call'd in, with Cap.^t Joseph Bennett & Ens.ⁿ Erasmus James Phillipps and the Said Affidavit being again Read and Interpreted to him

He thereunto Made Answer in y^e Negative, and Said that he beleived Mr. Adams had Misunderstood him, for that he did not mean Any Contempt or Disrespect to the Govern^r's Order, and for a further Answer gave in Writting what he had to Say further on that Subject

Which being also Read

His Honour Desired Mons.^r Gaulin to withdraw and having Enquired of Cap.^t Bennett & Ens.ⁿ Phillipps about the behaviour of said Gaulin while on Board

To which they both Answer'd that to the best of their knowledge, very well, and y^e he had promised all the Assistance in his Power to Effect what they were going about but Said y^t it was too late in y^e year

The Said two Gentlemen being also Withdrawn the Board took into their Consideration Gaulin's Behaviour & the Ans.^r he had given in Writting to Mr. Adams's Affidavit

Upon which they Came to this Resolution and Therefore Agreed. That notwithstanding he was Such a Vile fellow, it would Still be better at this Juncture to Continue him, than either to keep him in Prison or Banish him the Province, for the Same Reasons as were Offer'd at the Board on Munday the 24.th of 8 ber Last, and therefore Advised his Honour the L.^t Govern^r of the Province Upon [183] Upon his taking a Solemn Oath to performe faithfully all and every

Article he promised in his aforesaid Answer in Regard to this his Majestys Province to Continue him in the Cure of Mines till further Orders and to Order him here Earely in y^e Spring in the Spring and at present to take no further Notice of his Disrespectfull behaviour, but Still to admonish him to beware for y^e future

Then According to these Sentiments of the Board, his Honour the L.^t Governor of the Province, Gaulin being Again call'd in (after Repremanding for Acting so Ungratfully & Even So Unwisely for his Own Intrest, After Such Unexpected kind Usage he had Rec.^d here) told him that he had Still So much Lenity Upon his faithfull performance of what he had promised and Signed to, to foregive all, But that for a further Testimony of his Sincerity he Expected ~~that~~ he would now Solemnly Swear before the Council to Act in all things Conforme thereunto; which he did Accordingly as upon file

By his Honour's Command
by and With the Advice of the
Council

[184]

At a Meeting by Order of the Honourable Lawrence Armstrong Esq.^e Lieu:^t Governor of His Majestys Province of Nova Scotia at the House of John Adams Esq.^e in the Lower Town of, Annapolis Royall on Saturday the 13th May 1727

Present

His Honour the L.^t Governor of the Province
John Adams Esq.^e
William Skeen Esq.^e William Shirreff Esq.^e

Several
Gentlemen to
be sworn and
admitted into
the Council.

His Honour Acquainted the Said three Members of the Council that for want of a Quorum he was Under a Necessity for His Majestys Immediate Service to Compleat the Number of the Council to Seven, by Swearing and Admitting of Cap.^t Christopher Aldridge, Cap.^t Joseph Bennett, Cap.^t John Blower and Thomas Cosby Esq.^e the Commssary of

Provisions & fort Major and therefore Desired that all Distinctions of Sitting and taking place might be laid aside; These Gentlemen being to Sitt on One Side of the Table, & you the present Members on the Other, and their Names in the Records to be Sett Down Accordingly

Which was fully Agreed to by John Adams Esq.^e: And by William Skeen Esq.^e Provided that it was absolutely Necessary for His Majestys Service and that he loosed no Other Right thereby than the Ceremony of Sitting till His Majestys Pleasure thereon be further known, Otherways that he would withdraw, and Desired that the Same Should be Recorded And Represented to His Majesty Accordingly

William Shirreff Esq.^e Refusing to yeald or to Give [185] Give up any part of His Right & Prerogative either of Sitting or otherways till first Determined by His Majesty in these Gentlemens favour; Craved leave to withdraw till His Majestys Pleasure thereon Should be first further known

By Order of the aforesaid Authority Mett at the Honourable L.^t Governor's House in His Majestys Garrison of Annapolis Royall on Saturday the 13th. of May 1727 P: M:

Present

- | | |
|---|---|
| The Honourable L. ^t Governor | of y. ^e Province |
| | Cap. ^t Chris: Aldridge |
| John Adams Esq. ^e | Cap. ^t Jos: Bennett |
| William Skeen Esq. ^e | Cap. ^t Jn. ^o Blower |
| William Shirreff Esq. ^e | Thos Cosby Esq. ^r |

His Honour Acquainted the first three Members of the Board that the Gentlemen, as he had Represented in the forenoon, were Come to be Admitted to the Board as Members of His Majestys Council, and that they were to Sitt, and to have their Names Sett down in the Records as he also told them the New members of the Council take the Oath.

Then He Ordered the Oaths prescribed by Act of Parliament to be Administred to the Said New Admitted Members which they Accordingly took and [186] And Subscribed the Same

Then His Honour laid before the Board An Oath which he had prepared to be taken for the Due Execution of their places and Trusts as Mentioned in His Majestys Broad Seal'd Commsⁿ to His Excelly the Governor Richard Philipps Esq.^e

Which after Some Debate, and Amendments Made he first took the Same And having also Administred It to John Adams, William Sken, And William Shirreff Esq.^{es} He afterwards Administred it to Captain Christopher Aldridge, Cap.^t Joseph Bennett, Captain John Blower and Tho.^s Cosby Esq.^e which they took Accordingly which Said Oath Order'd to be Registred is as follows viz.^t

the Oath
prescribed to
ye members of
ye Council by
his Hon.^e
Law.^e Arm-
strong Esq.^r
Lt. Gov.^r of
ye Province.

I, L A Do Swear to be true and faithfull to our Sovereign Lord King George & to Serve him Honestly and faithfully in Defence of His Person, Crown and Dignity Against all his Enemy's & Opposers Whatsoever, And that I will upon all Occasions Dureing the time that I am or may be Admitted a Member of His Majestys Council for this His Majestys Province of Nova Scotia freely & faithfully According to my Conscience & the best of my Understanding Give my Advice and Oppinion when Ask'd by His Excellency the Governor Lieu.^t Governor or Commander in Chief of the Province for the time being with the members in Council Assembled in all things that the aforesaid Authority Shall See Cause [187] Cause to Lay before the Council for the well-fare of this Government and the Good of His Majestys Service without partiality favour or Affection and that I will not Divulge and make publick the Sentence of the Board Untill it shall be approved of by aforesaid Authority and the Members of the Said Board, Neither will I upon any Acco.^t Disclose or Discover the Vote or Oppinion of any particular Member of Said Council

So Help me God

At a Council held at the House of Jn.^o Adams Esq in the Lower Town of Annapolis Royal on Monday y^e 15th of May 1727

Present

The Hon. ^{ble} Liv. ^t Governor of the Province	
William Skene Esq.	Cap ^t Chris Aldridge
William Shirreff Esq	Cap ^t Joseph Bennitt
	Cap ^t Jn ^o Blower
	Tho ^s Cosby Esq.

Will.^m Shirreff Esq. Demurring presented His Honour with a protest against his attending the Board or sitting there otherwise than according to his Seniority. Which being read & Consider'd, was order'd to be thus Entred as therein Required & the original kept upon File

Mr. Shirreffs protest Recorded.

Then His Hon^r desired M^r Sheriff to act as Secretary & told him that he would give him an Order for so doing & some other Satisfaction towards his Expence & trouble as Shall be Specified in Said Order, of which he accepted upon Condition of losing neither his place nor any Other of His prerogatives at the Board when at any time he Should not act as Secretary & the same being agreed to He approach'd and took his place accordingly Then [188] Then His Honour acquainted the Board that on Saturday the 13th Ins.^t He Rec.^d a Petition from W^m. Blin master of the Schooner Endeavour praying a hearing before him against Jn.^o Adams Esq for Weighing the Anchor of his Said Schooner Cutting her Rumb^{ing} Rigging bringing her under the Fort Confining the Master & by Force of Arms piratically unloading part of her Cargo to the Value of Two hundred pounds & Refusing to deliver them to the owner Thereof &c.^{tt} as containd in Said petition upon File

Mr. Shirreff appointed Secretary.

Wm Blins petition agt John Adams Esq.

Then His Honour laid before the Board a letter from John Adams Esq Deputy Collector praying in His Majesty's Name for assistance of Men to bring up the Said Schoon.^r Endeavour to be Searchd according to Law, having cause of Suspicion from the Refusal & Conduct of Said William Blin in anchoring at so great a distance from the Usual place

He also laid before the Board His Answer to Will^m Blins Said petition pleading the General Issue. not guilty of the Crimes laid to His Charge. by the Said Petitioner, Hoping to prove by Sev.^l acts of Parliam^t that what M^r Blin alledgeth against him to be only the Execution of His duty according to Law

All which being Read as also the Deputy Coll^{rs} Information against the said W.^m Blin & his permitt., His Honour for a further Consideration thereof Adjourn'd the Board till to Morrow at eleven of the Clock in the forenoon & orderd the Said Will^m Blin to be then present to make good His Charge against John Adams Esq the Dep Collector & Defend.^t

May 16 Tuesday Mett, at the Same place

The Liv.^t Governor & the Same members present

W^m Blin master of the Scooner Endeavour plaintiff John Adams Dep. Coll.^r Defendant being also present according to appointment

His [189]

Witnesses
Examined
Concerning
Mr. Blins
affair agt
Mr. Adams.

His Honour & the Board proceeded in the Examin.^a of the plaintiffs petition & Defend.^{ts} answer His Honour demanded of the petitioner if he had any further proof of His allegations against the Dep. Collector John Adams Esq

Who presenting him with the Deposition of Tho.^s Willis his Mate who being called Made oath to the Same

Which being read & Relating as upon File to Serg^t Danelson the Serg^t was also Sent for & the Same being read & ask'd whether the Circumstances therein Mentioned were true the Said Serg^t Answered in the Affirmative

And the Board after the examination of Several acts of Parliam.^t relating both to the Custom house & Masters of vessels

His Honour ask'd M^r Blin if he desired any further time or would Stand to the present, determination of the Board and desiring till fryday Sennight being the 26 Ins.^t & the

Dep Collector consenting to the Same it was accordingly granted him

At a Council held at the Same place on Fryday the 19th of May 1727 Present The Hon^{ble} Law^{er} Armstrong Esq Liv^t Governor

John Adams Esq	Cap ^t Chris ^r Aldridge
W. ^m Skene Esq	Cap ^t Jos Bennitt
W. ^m Shirreff Esq	Cap ^t Jn ^o Blower

His Hon^r acquainted the Board that he had Conform to the Minute of Council on Munday the 15 Ins^t order for M^r Shirreff to act as Sec^{ey} which having laid before the Board the Same was approv'd of & orderd to be Recorded [190]

Mr. Shirreffs Order to Act as Secretary orderd to be recorded.

Then His Honour Recommended to the Board, that Merch^{ts} were Endeavouring to Lower y^e value of the French Coin which being the only currency we have amongst us in this province will by these means be Wholly exported which will prove very detrimental to the whole province for which he desired their Consideration

the Councils advice desired in relation to the french coin.

He also acquainted the Board that the Inhabitants Were dayly raising the price of their Commodities especially the Wood which without it could be Regulated would also prove very detrimental

Then he laid before the Board a Mem.^o from Germain Savoye & Pierre Godet directed on the back to W.^m Shirreff Esq. & address'd within to John Adams, Will.^m Skene & the said William Shirreff Esq.^e & to the Rest of the Members of y^e Council to advise them of their being return'd to this River dated the 1st/₄ Inst as upon file which being read he also desired the advice of the Board

Memorial from Germain Savoye &c.

Resolv'd that all the afors.^d Coin be continued at their former value especially the new Crowns stampd with four double LL.^s @ 12/6 & that all the different Species of French Coin both of Silver & Gold be paid & Receiv'd in all

the french Coin Kept at the former value.

payments within this His Maj'ys province of Nova Scotia at the Same Rates they have been usually paid & Received in Said province these Six Months past & no otherwise and that a proclamation be Issued out accordingly

a Committee appointed to Speak to the Inhabitants about the price of Cattle.

The Board having Consider'd the price of Cattle &c.^a were of opinion it would be necessary to discourse with some of the principal Inhabitants before they Should come to any Resolution upon that Subject & that a Committee be appointed for that purpose as Soon as the Said Inhabitants could conveniently attend

Order'd a Committee of the Whole Board to discourse with the Inhabitants thereupon & that the Said Committee may Sitt to Morrow being the 20th Inst to prepare & draw up the Said proclamation about the [191] the Coin in order to be publish'd as soon as possible

Resolved that the price of Wood be continued at five Shillings *per* Cord

Orderd that the Secretary write an order in the Manner of Letter to Germain Savoye & Pierre Godet to come without any further delay to Wait upon the Governor & Council

Captain Gambles Com-
plained agt
the Iv. Gov.

Then His Honour acquainted the Board that he was In-
form'd that Cap^t Gamble who was here last Fall had without any manner of Reason used him very Insolently here & that with the assistance of Some here & Elsewhere he had procured about 200 people to Sign Complaints against him, the particulars of Which he hoped to lay in a true light before them for their Consideration as also all his Transactions Since his arrival here that the Board may the better Judge of his Treatment from Said Cap^t Gamble & Such as are accessory and his Associates & that Whereas his Conduct is blameless he therefore Referr'd himself to this Board & to all the Officers of this Garrison for his Justification

At a Committee held at the place afores'd on Saturday
y^e 20th of May 1727

Present

John Adams Esq.	Cap ^t Chris. ^r Aldridge
Will ^m Skene Esq	Cap ^t John Blower
Will ^m Shirreff Esq	

Report of the Committee

The Committee in obedience to yesterday Minute & Order of the Board for drawing up a proclamation [192] in Relation to the French Coin upon a further Consideration thereof & after Some debate having had Recourse to an act of parliament* made in the Sixth year of Her late Maj^{ty} Queen Anne Intituled An Act for ascertaining the Rates of Foreign Coins in her Majesty's plantations in America Judged proper not to proceed any further therein

At a Council held at the Liv^t Governor of the provinces house in his Maj^{ty}s Fort of Annapolis Royal on Tuesday y^e 23^d of May 1727

Present

The Hon ^{ble} Liv ^t Gov ^e of the province	
John Adams Esq.	Cap ^t Chris. Aldridge
Will ^m Skene Esq	Cap ^t Joseph Bennitt
M ^m Shirreff Esq	Cap ^t John Blower

His Hon^r acquainted the Board, that conform to what he had moved the 19 Inst.^t in Relation to Cap^t Gamble Mr Win-
niet & others using him So very Insolently & for proof thereof laid before the Board two Certificates the one whereof Sign'd by Francis Le Blanc & the other by Peter Leblanc of Mines as also a Letter from Stephen Rivette of Pisaquite importing the Same & desired that the said Two Leblancs might be Sworn Which Said Certificates & Letter being read & they accordingly Sworn and other Questions putt to them about the Contents of the paper Mention'd in their Said Certificates they Said they did not Remember the Contents but

Cap^t Gambles
complaint
Examined
& found
groundless.

* Ecu's of France or silver Lewis's of 17 dwt. 12 gr. were valued at 4 sh. 6 d. Anno Sexto Annæ C. 30. See N. S. Archives II p. 181

that it was [193] was address'd to General Philipps desiring that he would make all the haste possible to his Government

The two Leblances being withdrawn and Said Certificates & Letters taken into Consideration the Board Referr'd the further examination of these affairs till the Arrival of Mr Winniet

Cap.^t Bennet
& Eras. Jas.
Philipps'
Journals.

Then he laid before the Board Cap.^t Joseph Bennetts Journal of his Transactions with the Inhabitants of Mines & that of Ens.ⁿ Erasmus James Philipps with those of Checanectou or Beaubassin and those Said Inhabitants answer in Relation to their taking the Oaths to His Maj.^{ty} as upon file

Which being Read the Opinion of the Board is that they the Said Inhabitants by their Rebellious behaviour and Insolent Answer deserv'd no manner of favour or protection from His Maj.^{ty} or this his Government and agreed that His Honour the Liv.^t Governor had done all that was possible to be done for the Good of His Majesty's Service

Agreed that the Original papers be transmitted home to His Maj.^{ty}'s principal Secretary of State & to the Lord Commissioners of Trade & plantations for his^{ty} Majestys further directions therein

Order'd that an Order by Way of a Letter be sent to Alexander Bourg of Mines who has the above mentioned paper of Complaints agst His Honour to come here with all expedition & to bring Said papers With him as he Will answer the contrary at his peril

Order'd that an order be sent to Stephen Rivette of Pissaguite to come here also to make good his pretensions to a Mill there before the Liv.^t Governor & Council [194]

Order'd that Mr Shirreff the Secretary draw up Sign & Send the aboves^d. Orders by the first opp.^o to Alex^r Bourg & Stephen Rivette

Mr. Blins
 affair ag.^t
 Mr Adams
 decided.

John Adams Esq. Dep. Collector Defend:^t & James Blin appearing for his Son William very much Indisposed presented His Honour with a Petition in behalf of His said Son begging pardon for his Son in giving so much Trouble to the Board in the affair depending between him & the Coll:^r which being the first of the Kind ever taken notice of here Humbly prays to be forgiven Which being laid before the Board & Read His Honour ask'd the Defend:^t John Adams Whether he was Satisfied with the prayer of S^d petition & he leaving the Same to the Sentim^{ts} of the Board they were order'd to Withdraw, & the Same being taken into Consideration the Board agreed that as the Coll:^r was Satisfied & as it is the first fault of its kind that ever was here that the prayer of Said petition be Granted he the Said W^m Blin begging pardon for His Said Fault as mention'd in Said petition Withdrawing His papers & paying Charges

At a Council held at the place aforesaid on Thursday the 1st of June 1727 P. M.

Letter to the
 Inhabitants of
 the Bay in re-
 lation to the
 oath of fidelity

All the Same Members present as 26th May His Honour the Liv^t Governor Represented to the Board that upon further Consideration of Cap^t Bennetts & Ens.ⁿ Philipps's Report to him of the French Inhabitants behaviour up the Bay & their answers in Relation to their taking the Oaths of Fidelity to His Majesty, Judged proper to Invite them once more to that part of their Duty by writing to them a Civil Letter

Which Letter being Read was approved of Order'd to be Recorded & forwarded to them accordingly [197]

At a Council held at the place afores.^d on Tuesday the 20th of June 1727

Present

The Hon ^{ble} Coll Armstrong Liv ^t Governor	
John Adams Esq	Cap. ^t Chris. Aldridge
William Skene Esq	Cap. ^t Jos. Bennitt
William Shirreff Esq	Cap. ^t Jn ^o Blower

Ann Robi-
 chau's petition
 against Jo:
 Adams Esq.

His Honour laid before the Board a Petition of Ann Robichau's complaining agst the proceedings of John Adams

Esq in Relation to a piece of Ground formerly Sold to Said John Adams as upon file

Mr Adams thereunto made answer that there was but little of any truth therein & Said that as he had bought that piece of Ground lying between the Generals Garden & the Church Yard of which he was never putt in possession she not having any power to Sell the Same he therefore tho't it was but reasonable that She Should Repay the Money that he had paid her for the Same

The Alligations on both Sides being Consider'd agreed that the Said Ann Robicheau Shall have Six months allowed her from this day to make good her pretensions & Right to the Said p.^s of Ground and that in the Interim she should pay ninety five Livres into the hands of M^r Shirreff the Secry

At [198]

At a Council held at the place afores^d on Wednesday y^e 21st June 1727

Present

The same Members as on June the 20th 1727

His Hon^r the Liv^t Governor of the province having Sent ^{Etienne Rivett} for Etienne Rivett whom he had detain'd at the Officers ^{examined.} Guard Room and administred an oath to Answer directly to the best of his knowledge to Such Questions as should be putt to him & to declare the truth and nothing büt the truth, caused to be Read a Declaration of Said Etienne Rivetts as upon file which he own'd to be Such & having Sign'd the Same declared the Same to be according to What he had heard as is contain'd in S.^d Declaration: & being further ask'd by His Hon.^r whether he heard that His power was of no Such force as to administer the Oaths of Fidelity to the Inhabitants: answ.^d that the person who brought the Letter Said & Signified So

He was then ask'd why the Inhabitants did not go forward in Cutting the Road as directed; answ.^d that he had heard sev.^l of the Inhabitants Say that if they Should cutt the Road His Honour would take & drive their Cattle away

at his pleasure and use them as he did those here, which he believ'd was the Reason the greatest part of the people desired no Communication with us

After Said Examination His Honour askd him if he had not Some Complaint to lay before the Board about his Mill he answer'd that he had been much Injured thereby Wherefore hoped His Honour would do him Justice therein the Mill being Stopt for almost two Years & now almost to the Ground by the Clandestine practices of Some people

Whereupon [199]

Whereupon His Honour proposed to the Board as it would be a loss to the Country that S.^d mill or any other Tenement Should be destroyed & that Whereas it appears that the S.^d Rivette built said Mill at his own Cost & Charge whether an Order Should not be given to take possession thereof & to Refitt & Employ the Same till further Orders and that Some of the principal Men Should be appointed to Estimate what damages the Said Rivette hath thereby Suffered & the Charges he Still may be at in Repairing the Same

The Board in Consideration thereof & that the Said Mill Should not Go to decay agreed by a Majority. that His Honour might give him Such an order to Repossess himself thereof & to Repair & Enjoy the same & that he may cutt Such Timbers except Masting upon the King's Ground as may be proper for Said Mill till further orders

At a Council held at the Hon^{ble} Liv.^t Governor Armstrongs house in His Majesty's Fort of Annapolis Royal on Tuesday the 25th of July 1727

His Honour the Liv ^t Governor of the province	
John Adams Esq	Cap ^t Chris Aldridge
Will ^m Skene Esq	Cap ^t Joseph Bennitt
Will ^m Shirreff Esq	Cap ^t John Blower

Mr Winnietts
petition agst
John Adams
Esq.^r delay'd.

His Hon^r acquainted the Board that he had Rec.^d a Represent^a from M.^r William Winniet complaining agst John Adams the Deputy [200] Collector for Seizing one of His

Fishing Shallops contrary to the Custom hitherto practiced here &c^a as per S^d Representation upon File

Which being Read John Adams Esq Coll^r desired a Copy thereof in order to answer the Same which Was accordingly Granted

Then His Hon.^r Represented to the Board the Behaviour of the French up^r the Bay at Mines & Checanectou &c^a & left the Same to their further Consideration Whether any Vessels Should be permitted to trade considering their present disrespect to his Maj^{ty} & this his Governm.^t

Behaviour of the french up the Bay Considerd.

Order'd that a Committee be appointed to Examine into former Minutes of Council and Records of the province. Relating to the trade with the French Inhabitants in former times & to make a Report thereof to the Board for further Consideration

Orderd a Committee of the Whole Board to Sitt this afternoon to Inquire into the Same

Mett according to adjournm^t all y^e Same Members

Present P: M.

His Honour laid before the Board a Minute of Council bearing date Tuesday the 6.th July 1725 founded on a Representation of M.^r W.^m Winniets Merch.^a of this place, Relating to Trade with the French Inhabitants up the Bay Which being read His Honour desired the Same might be again taken into Consideration the Inhabitants still behaving themselves with So much disrespect & Insolence as afores.^d & absolutely Refusing to take the Oaths to His Maj^{ty}. [201] Therefore putt the Question Whether they Should be permitted to have the benefitt of Trade with our English Traders going up the Bay

Methods to bring the french to obedience

Taken into Consideration the Insolent Behaviour of the Inhabitants as afores.^d & their Refusing the Oaths to his most Sacred Majesty & Declaring they Will always be faithful to their good king of France as per their Declaration upon File

Resolv'd that untill the Inhabitants' afores.^d Submitt themselves & take the Oath of Fidelity to his Majesty conform to the Laws of Great Britain no Vessel shal be permitted to trade with them until his Majestys pleasure therein Shall be known Att the Same time the Question was putt to the Vote agreeable to the Minute aforementioned of Tuesday the 6th of July 1725 viz. That if this Town was made the Mart Whether it would not Redound to the benefit of this port Which was agreed to in the Affirmative

Mr Winniets
Affair agst Mr
Adams doth
not properly
lye before the
Council.

Then His Honour put the Question Whether the the afores^d affair of M^r Winniets Shallop could be properly try'd by this Board Which being taken into Consideration Agreed that it belonged to a Court of Admiralty only & not to this Board having no Especial Commission for that purpose

Encourage-
ment to the
obedient
french.

Then it was order'd & agreed for the Encouragem.^t of such of the French Inhabitants of this River and Cape Sables as had taken the Oaths to His [202] to his Maj^{ty} that it should be minuted that they have the free Liberty of Trade & Fishing any where within this His Maj^{ty}'s Provincē of Nova Scotia in the Same manner as other English Subjects except going up the Bay to Mines Checanecto &c^a—during the time of the disobedience of the Inhabit.^s of those parts

Then His Hon^r laid before the Board the Copy of a letter bearing date the 17 Ins^t which he sent to the Indjans of pessamaquady by one Simon an Inhab.^t of this place upon a Report that the said Indians had Express'd their being afraid of coming here according to their desire there being a false Report amongst them that two English Vessels had Shown Some hostilitys by firing upon Some Indians in the passage of Fronsac or Gutt of Canso which being read was approved of.

Letters to be
sent to the
Indians to
Confirm them
of the Govern-
ment's
protection.

And it was also Judged proper that His Honour Should Write Circular Letters to the Indians of this provincē to come here towards the Fall in Order to Renew & Confirm to them the Sincerity of His Friendship in behalf of His Majesty by giving them Some Small presents

Order'd that the S.^d Circular Letters be prepared [203]

At a Council held at the Liv^t Governor's house in his Maj^{ty's} Fort of Annapolis Royal on Fryday the 28th of July 1727 A. M.

Present the Hon^{ble} Liv^t Governor

John Adams Esq.

Chris. Aldridge Esq.

Will^m Skene Esq.

Joseph Bennitt Esq.

John Blower Esq.

His Honour Represented to the Board that M^r Shirreff absolutely Refused to Act any longer as Secretary & therefore desired their advice & opinion to Nominate a proper Person to Execute that Office. Advised on & agreed nemine Contradicente that Liv^t Hamilton Should be desired & appointed to Act in his Stead & that His Honour will be pleased to Impower & authorise him for that purpose as he Shall Think Meet Whereupon the Said Liv^t Hamilton was Sent for & having accepted of the Same, His Honour administered to him the usual Oaths

Upon Mr Shirreffs Refusal to act as Secretary Mr Hamilton Accepts of that office & takes the oath.

William Shirreff Esq. being afterwards called in the afores^d Vote was read to him which he approv^d of but at the Same time demanded his place at the Board pursuant to a protest he formerly Entred, or leave to Withdraw till His Majestys pleasure therein Should be known to wch last Request rather than His Maj^{ty's} Service Should be Obstructed His Honour the Liv^t Governor consented by & with the advice of the Board [204]

Mr Shirreff approves of Mr Hamiltons being admitted secretary.

A Memorial of Mr Winniets to the Hon^{ble} Liv^t Governor desiring his leave to go up the Bay Read and advised on

Mr Winets memorial for going up the bay.

Orderd that the Secretary Shall deliver to M^r Winniet a Copy of the Resolutions of the board in Relation to the Trade with the Inhabitants of Mines the places adjacent & Checnectou &

That His Honour will be pleas^d to cause an order on that Subject to be prepared to be posted upon the Fort Gate and a translation thereof into French upon the door of the French Church forbidding all persons to Trade or traffick with the Inhabitants of the places afores^d pursuant to a Resolution of the Board on Tuesday last

At a Council held at the place afores^d on Saturday the
29 July 1727

Present

The Hon^{ble} Liv^t Governor & the Same Members as Yesterday

Prohibiting of
trade to Menis
&c.

The Liv^t Governor's Order prohibiting of Trade to Mines
the places adjacent and Checanectou Read & approved of

Orderd that the Said Order be made publick according
to the Directions of the Board of Yesterday

The Circular Letter order'd to be prepared by an Order
of Council on Tuesday last

Read and advised on [205]

Duplicats of
the letter to
Indians sent
to them.

Order'd that Duplicates thereof be Sent by the first Opp.^o
to the Sev^l Tribes of Indians living at S^t Johns, Pentegouite,
Cape Sables, Marligash, Mines or Checabnacady & Checa-
nectou &c^a

At a Council held at the same place as on the 29 Inst^t
on Monday the 31 July 1727.

Present

The Same Members as then

Letter from
Liv^t Gov.^r of
the Massachu-
sets Bay set-
ting forth his
design to
Ratify the late
treaty of peace
with the Indi-
ans.

His Hon.^r Communicated to the Board two Letters from
the Hon^{ble} Mr Dummer Liv^t Governor of the M^{ass}achusetts
Bay one dated y^o 25th of May & the Other the 5th of July
1727 advising him that he was Going to Casco to Ratifye the
late Treaty of peace with the Indians of S^t Francois & others
& that he had Signified the Same to Maj^r Mascarene Com-
miss.^r for this province whom he had Invited to bear him
Company to the place where they were to meet as also Some
Matters Relating to the Penobscut Indians who Seem'd to be
Resolv'd to Maintain the peace with us by threatening the
Canada Indians with their Resentments in case they Should
make any Rupture.

Read

[206]

At a Council held at the Hon^{ble} Liv^t Governors house in the Fort of Annapolis Royal on Wednesday the 23.^d Aug.^t 1727 A. M.

Present

The Hon ^{ble} Coll. Armstrong Liv. ^t Governor	
John Adams Esq.	Chris. Aldridge Esq.
W ^m Skene Esq.	Joseph Bennitt Esq.
	John Blower Esq.

His Hon^r laid before the Board a Letter from three of the Traders of & to this place Sign'd Will.^m Winniet, James Blin & Joseph Bissel, con.^t some proposals about Supplying the Garrison with provisions provided He would give proper Receipts whereby they might apply to M^r Borland the Contractor to be paid for the Same Read as likewise the Contract & Sev^t papers relating to y^e Victualling

Letter from the traders of this province with proposals of serving the Garrison with provisions.

Resolved that the afores^d Traders proposals to the Liv^t Governor are malicious Insolent & false Mr. Borland being no longer Contractor he having broke the Same by his non-performances of the obligations thereof, of Which Winniet & Bissel cannot but be Sensible Since upon the Survey of the S.^d Borlands pork last fall by Order of the Hon^{ble} Liv^t Governor Doucett they Reported that the Same was bad not corn fed & very Rusty Which is Expressly against the Tenor of His Contract & that their Requiring [207] Receipts in order to apply to the Said Borland for payment is an obstacle Maliciously Inserted on purpose to put it out of the Liv^t Governor's power to accept of the provisions they offer without involving himself in disputes & Troubles with said Borland & doing to himself & the Garrison in General the greatest prejudice & Injustice

Then His Honour acquainted the Board of M^r Blins Insolent behaviour to him on Monday last upon the publick parade before most of the Officers & Soldiers of the Garrison Where after a great deal of disrespectful Language & unmannerly Gestures he at length told him that he would not give him two pence for His Commission

Mr Blinn Committed to prison for his behaviour to the Liv.^t Gov.

Resolv'd that the afores^d James Blin by his disrespectful Carriage & behaviour as aforesaid hath shewn the utmost Contempt & Indignity to his Maj^{ty}'s Authority & Royal Commisison

Order'd that the afores^d James Blin be Committed to prison for Said Offence

The Deputys
not able to
serve the Gar-
rison with
Grain.

A Representation from the Deputys of this River in behalf of themselves & Inhabitants, Shewing the Insufficiency of this place to Supply either the Garrison or themselves with Grain &c

Read & Order'd

That the Said Representation be examin'd by a Committee of the Whole Board at M^r Adams's house on Sunday next being the 27th Ins.^t & that the Deputys have notice to attend [208]

Mett at M^r Adams's on Sunday the 27 Aug^t 1727 according to adjournment

All the same Members Present

The deputys
assured of
kindness upon
their Good be-
haviour.

The Committee after having maturely considered the Contents of the Deputys Representation, They were admitted and assured of all the favour & Good usage they could desire while they behaved themselves As Dutiful Subjects to His Majesty King George

At a Council held at the Liv^t Governor's house in y^e fort of Annapolis Royal on Wednesday the 30 Aug^t 1727

Present

The Same as on the 23.^d Ins^t

Joseph Blissett
petitions for
Going up the
Bay Granted.

His Hon^r laid before the Board a Petition of Joseph Bissett of the Sloop Ranger now Riding at anchor in this Port. Praying his permission to go up the Bay in order to gett in his debts, Engaging at the Same time to supply the Garrison with what Grain they Shall require as far as may lye in his power, Read and His Hon^r desiring the opinion & advice

of the Board [209]. Whether the prayer of Said petition Should not be granted in Consideration of the Necessitys of the Garrison & Inhabitants which cannot be Supplied by the Grain which is produced in this River as *per Representation* of the Dep.^{ys} on file, as likewise of his Wanting a fitt opp^o of Sending the Circular Letters as orderd in Council to the Indians of Checabnacady &c who in all likelyhood may be Incited at this Juncture to Commit Some disorders by the Disaffected French Inhabitants of those parts:

Taken into Consideration the Necessitys of the Garrison &c

After Some debate Agreed & Resolv'd, that Mr Bissel be permitted to go up the Bay for this time provided he Gives in Bond as formerly, with one Sufficient Surety, to the Governour to bring What Wheat or pease he Shall take on Board (except So much as he may have Occasion to dispose of among the Indians of this province) to this port & putt the Same on Shore if Required & That His Hon^r will please to give him in Charge the aforesd Circular Letters to deliver to the Indians as directed & that he be desir'd to Speak to them in a Civil & Friendly manner

A Memorial of Nath^l Donell Master of the Sloop Hope-
well & another of Nath^l Donnel Master of the Sloop Endeavour both riding at Anchor in this Harbour Praying His Hon^{rs} permission to Go up the Bay to take in a load of Coal to carry to Boston, Read

Nathaniell
Donell petitions to have
liberty to go
up the Bay
Granted.

Then His Hon.^r desir'd the Opinion of the Board Whether the prayer of S.^d Memorials might not [210] not be also granted in Consideration of the Benefit that may accrue to this and others of His Maj^{ty}'s adjacent Provinces thereby & that the two Memorialists had no goods or Merchandise aboard.

Agreed & Resolved

That both the Masters afores'd be permitted to go up the Bay with their Sloops to take in a load of Coal according to the prayer of the abovementioned Memorials

At a Council held at the Honble Liv^t Governor's house in the fort of Annapolis Royal on Thursday the 7th of Sep.^r 1727 P. M.

Present

The Hon ^{ble} Liv ^t Governor Armstrong	
John Adams Esq.	Chris. Aldridge Esq.
W ^m Skene Esq.	Jos. Bennitt Esq.
	Jn ^o Blower Esq.

advice of his
Majestys
death.

All the Officers of the Garrison being Convend His Hon.^r Inform'd then that he had Rec.^d a letter from Cap^t Cavalley Commanding Officer at Canso by Gauters Vessel Just arrived from thence advising him of the Melancholly news of His Majestys death, & desired to know of the [211] Gentlemen Whether any of them had any further advice thereof, Whereupon Several of the Offic^{rs} assured him that they had Rec.^d letters from most of the Commission'd Officers of that place to the Same purpose, wch upon Examination made the Certainty thereof no longer to be doubted

It was therefore agreed & Resolved that as the day was far Spent the Remaind^r of it Should be employed to Solemnise the death of that most Excellent & Glorious prince in the most decent manner

The accession
of K. G. the 2d
to the throne
to be declared.

That a proclamation Should be prepared declaring the accession of the High & Mighty prince GEORGE prince of Wales to the Imperial Crown of Great Britain France & Ireland & Supreme dominion of Nova Scotia &c to be proclaim'd & publish'd next day in the forenoon to the Troops in Garrison then in the lower Town and afterwards to the Inhabitants & French planters of the upper Town & that the principal of them Should have notice given them to attend

Then His Hon^r was pleas'd to adjourn till ten a Clock next day

Mett according to Adjournm^{nt} on Fryday the 8th of Sept.
1727

Present the Same Members as yesterday

His Hon^r presented the Proclamation to the Board [212] His Majesty proclaimed
Which was Read Unanimously approved of & Sign'd by him-
self & them & then the Officers of the Troops were called in
Who after the Governor's & Councils Example very cheer-
fully & Readily Subscribed the Same & then the Council was
Adjourn'd till next day in Order to proceed to the Proclaim-
ing of his Most Sacred Majesty King GEORGE the 2.^d

At a Council held at the Liv^t Governor's house in his
Majestys Fort of Annapolis Royal on Saturday y^e 9.th of
Sept. 1727

Present

His Hon^r and Same Members as yesterday

The Liv^t Governor Represented to the Board that as His ~~the officers & members of the Council takes the oath.~~
Most Sacred Majesty King George the 2^d was proclaim'd the
day before he Thought in the next place it was their duty to
take and administer the Oaths as by Law appointed which
being Readily agreed to. His Hon^r first took the Oaths him-
self & Made the Declaration. then administered them to all
the Members [213] of the Board present & having likewise
Made the declaration He & they Subscribed the Same

Then the Offic^{rs} of the Hon^{ble} Col.^o Philipps's Regiment
as also the Other Officers of the Garrison were admitted Who
having taken all the Aboves^d Oaths & made the Declaration
Subscribed the Same

Afterwards the Commissary of the Musters was Com-
manded by the Liv^t Governor to administer the Oaths to all
The Troops Which was accordingly Executed

At a Council held at the Liv^t Gov.^{rs} house in the Fort of Annapolis Royal on Tuesday the 12th of Sept.^r 1727

Present

The Hon^{ble} Liv^t Governor

John Adams Esq.

Will^m Skene Esq

Chris Aldridge Esq.

Jos Bennitt Esq.

John Blower Esq. [214]

The oath to be proposed to the french Inhabitants.

The Hon^{ble} Liv^t Gov.^r acquainted the Board that he did Intend to propose the Oaths to the French Inhabitants & to that purpose he had caused an order to be prepared to be Sent to the Deputys, to Summon them to this place against Such time as the Council Shall think fitt, That as the people of Mines had Refused the Oath which was tenderd to them and taken by the people here to his late Majesty, on acco^t as they pretend of some harsh Expressions He had therefore Some Thought of proposing no other oath than that appointed by Law to be taken instead of the Oath of Allegiance That he had Edeavourd to procure a vessel in order to proclaim His Majesty in all the different Settlements of this Governm.^t but that he had mett with difficulties therein that he could not Surmount, there being but one Vessel fitt for that purpose in the Harbour belonging to M^r Winniet that he had sent the Master to M^{rs} Winniet to hire her for His Maj^{ty}s Service, but he Return'd Soon after with an answer that Her Husband had orderd her to be laid up So soon as She should arrive

Then His Hon^r caus'd the afores^d order to the Deputys to be Read to the Board who having approved thereof Resolvd That the Said Order Should be transmitted to the Deputys forthwith, to assemble the Inhabitants at this Fort agst Saturday next [215] next being the 16 Ins^t & that the Oath appointed by Law to be taken instead of that of Allegiance Should be then tenderd to them & That he Should embrace the first opp.^o of a Vessel that may be hired to proclaim His Maj^{ty} Throughout the Governm.^t

Then a Motion was made to draw up an humble address to Congratulate His Majesty on his happy accession to the Throne of His Ancestors, which Motion was agreed to Nemine Contradicente & orderd to be prepared by a Committee of the Whole Board to be Sent home by the first proper Opp^o

At a Council held at the Liv^t Governor's house in the Fort of Annapolis Royal on Saturday the 16 of Sept^r 1727
A. M.

Present

His Honour and the same Members as on y^e 12 Ins^t An answer to the Liv^t Governor's order of the 12 Ins^t to the Deputys to assemble the Inhabitants this day at the Fort to take the Oaths to His most Sacred Majesty King George 2^d Read [216] but not being subscribed it was Returnd to the three Deputys who presented it who were Order'd to attend at 3 a Clock in the afternoon together with the Inhabitants & then the Board adjourn'd to that time

The deputys ordered to attend with the Inhabitants.

post meridiem mett according to adjournm^t

The Deputys being admitted presented again the above-mentioned paper Subscribed by seventy one of the Inhabitants to his Honour who desired the Board to take the Same into Consideration and to give their Opinions thereupon

The Deputys & Inhabitants refuse to take the oath but upon Certain Conditions.

The Board having Consider'd & advised upon the Said Answer. Resolved That The Said paper is Insolent Rebelious & highly disrespectful to his Maj^{ty's} Authority & Governm^t that His Hon^r would therefore please to tender the Oaths to the Inhabitants & in case of Refusal to Commit the Ringleaders to prison

Whereupon His Honour desired the three Deputys Abraham Bourg, Charles Landry & Guillaum Bourgois to be admitted & having tenderd them the Oaths Severally. they refused to take them on any other terms than those Sett forth in their answer, then Francis Richards, who had voluntarily taken the Oaths to his late Majesty, being called in,

He likewise Refused to take them to his present Majesty as did four or five more, the Rest of the Inhabitants having [217] having Withdrawn themselves without coming to the Fort or Seeing the Liv^t Gov.^r

The 3 Deputy's
Imprisoned.

Order'd that the three Deputy's (Abrah^m Bourg. Charles Landry, Guillaum Bourgeois) & Francis Richards for their Contempt & disrespect to his Maj^{ty's} Governm^t & Authority be Committed to prison & that the Other Inhabitants for having Refused the Oath to His Maj^{ty} Shall be debarrd from Fishing upon the English Coasts till His Majestys further pleasure Shall be known concerning them pursuant to the 13th article of Governor Philipps's Instructions.

Mons.^r
LeFondt his
declaration.

Then His Honour acquainted the Board that he had detain'd in the Fort one Le Fondt for not coming to Wait upon him in 24 hours after his Arrival here from C. Breton

The Said Le Fondt being sent for & upon his Examination having discoverd himself & others Guilty of Some Illegal practices by Conveying away Cattle from this province to Cape Breton &c The Sec^{ry} was order'd to take his declaration in Writing & then His 'Hon^r was pleas'd to adjourn till to Morrow at 9 a Clock [218]

Mett at, the Same place on Sunday the 17th of Sept^r 1727

Present

The Hon^{ble} Liv^t Governor

John Adams Esq.

Chris Aldridge Esq

W^m Skene Esq

Jos. Bennitt Esq

John Blower Esq

His Honour represented to the Board that the three Deputy's in prison had been guilty of Several enormous Crimes in assembling the Inhabitants in a riotous manner contrary to the orders of the Governm^t both as to time & place & likewise in framing a Rebellious paper, which they, instead of Complying with His Order in Council to assemble the Inhabitants at this Fort, Sign'd & delivered in as their final Resolution to take no oaths but upon their own Terms

Taken into Consideration the afores^d Deputy's behaviour in the Deputy's assembling the Inhabi.^{ts} the day before the time & above two ^{ordain'd to be} Miles from the place appointed & Resolved that Charles ^{laid in Irons.} Landry Guillaume Bourgeois & Francis Richards for their Said Offence & likewise for Refusing the Oath of Fidelity to his Majesty which was duly tender'd to them be Remanded to prison laid in Irons & there Remain till His Maj^{ty's} pleasure Shall be known Concerning them [219] and that Abraham Bourg in consideration of His great age Shall have leave to Retire out of this His Maj^{ty's} province according to his desire & promise by the first opp.^o leaving His Effects behind him

Then Mons^r Le Fondt being sent for, his Declaration ^{Mons.^r} under his hand containing Some matters of a Clandestine ^{LeFondt upon} Trade being carried on by himself & Others from Mines & ^{his submission} Checanectou in this province to Cape Breton by Conveying ^{is sett att Lib-} away Several head of Black Cattle against the Standing ^{erty.} orders of the Govern^{mt},^t Read & having Sworn to the Same The Hon^{ble} Liv^t Governor & Council in Consideration of his having Made a very Ingenuous Confession — acknowledg'd his fault & promise of Submission for the future to the Orders of the Government Were pleased to forgive him

Then His Honour Tender'd him the Oath of Fidelity to His Majesty which he took & afterwards Subscribed the Same.

At a Council held at the place afores.^d on Tuesday y^o 26 of Sept^r 1727

Present the Same Members as on the 17.th Ins.^t [220] ^{Several let-} His Honour having Receiv'd Several Publick Letters &c by ^{ters from} Cap.^t How Just arrived was pleas'd to Communicate the ^{Great Britain} Same to the Board which were Read in order as follows ^{Communi-} ^{cated to the} ^{Board.}

A Letter dated the 26 June from the Lords Commissioners of Trade advising him of y^o death of His Maj^{ty} King George & inclosing a Letter from the R^t Honble the Lords of the Privy Council thereupon

A Letter dated y^e 24 of June from the privy Council advising the Same & directing him to proclaim the accession of the High & Mighty prince George Prince of Wales according to a form inclosed in all the proper parts of this Province

A 2^d Letter from the Lds of Trade dated the 11th July, Cont.^a 2 proclamations in print one of the 16th of June from Leicester house Requiring all persons in Office to proceed in the Execution of them for 6 months from the Demise of his late Majesty & another dated from S.^t James's the 5th of July 1727 for Continuing all Officers in the plant.^{as} in their Respective Offices till His Majesties further pleasure therein Should be known

Advised on & Resolv'd

Vessels hired
for proclaim-
ing his
Majestys
accession to
the throne
Amongst
the french.

That as His Hon^r on the Certain advice of the death of His late Maj.^{ty} had already proclaimed the Accession of His Royal Highness George Prince of Wales in this place both in manner & Form as directed by the R^t Honble the L^{ds} of the Privy Council that he should only proceed to publish the Other two procl.^{as} at the head of [221] the Troops & in Town & that he Should embrace the first opp^o to do the Same in all other proper places of the province at the Same time that His most Sacred Majesty King George the 2.^d is proclaim'd

Then His Hon.^r acquainted the Board that there was now in the Harbor a Vessel belonging to Cap^t How which he was Willing to Employ for proclaiming His Maj.^{ty} King George y^e 2^d in all the proper places of the Governmt pursuant to the Directions of the Lds. Commissioners of Trade by their Letter now before the Board

Advised & Agreed

That the Vessel afores.^d be taken up & Charterd for his Maj.^{ty}s Service & that Cap^t How be desired to give in to the Board his proposals in Writing agst to Morrow Morning & then Adjourn'd to that time

At a Council held at the Liv^t Governors house in His Majestys Fort of Annapolis Royal on Wednesday 27th Sep^r 1727

Present

The Hon ^{ble} Liv ^t Governor Armstrong	
John Adams Esq	Chris Aldridge Esq
W ^m Skene Esq	Joseph Bennitt Esq
	John Blower Esq

[222]

His Hon^r Communicated to the Board Cap^t Hows proposals in writing about hiring his Vessel for proclaiming his Maj^{ty} in all the proper parts of the Govern^{mt} either by the month or otherwise by the Lump, that in case they tho't it was most for His Majestys Service to accept of the latter that he Required the full sum of one hundred pounds Sterl he binding & obliging himself by Charter party to Receive on Board what Officers or Troops His Honour shall think Necessary & them to transport to all the different Settlements of this province there to abide as long as his Majestys Service Shall Require & that his Majesty Shall Run no manner of Risque nor be at any further Charge

Cap^t Hows vessell hired to proclaim the King.

The Board having Considered the afores^d proposals agreed that the S^d Vessel be hired by the Lump & Employed for His Maj^{ty}s Service upon the Terms & Conditions offerd & that a Charter party be drawn agreeable to Cap^t Hows proposals & the Boards Resolve

Ensn Wroth appointed to proclaim the K: accession to the throne Amongst the french.

Then His Honour was pleas'd to Nominate & appoint Ensr Robert Wroth Adjutant to the Hon^{ble} Col^o Philipps's Regim^t as a proper person for the afores^d Service of proclaiming His Majesty Who being approv'd of, it was further Resolv'd that M^r Wroth Should have it in Charge to Tender to the French Inhab^{ts} the Oath of Fidelity to his most Sacred Majesty King George y^e 2^d & that every thing be done with the Solemnity and [223] and Entertainments Usual on Such occasions & that he keep an exact Journal of his Expence & all his publick Transactions to the time of his Return

Major
Mascarenes
proceedings
in relation to
the peace with
the Indians
approved of.

Then His Hon.^r laid before the Board a letter from Maj^r Paul Mascarene Comissioner for this province at the Treaty of peace with the Indians cont.^a a full acco.^t of all his Transactions with them since his last Journey to Casco Bay in Comp^a with the Liv^t Governors of the Massachusetts Bay & New Hampshire of His having Ratified the peace with the Indians of Saint Francis & other tribes who were not present with the Penobscutt Indians at the Ratification of the peace last Summer & of His having Enterd into new Engagem^{ts} with them by a Separate Article for mutual assistance as per Said Letter upon File Read & approved of

At a Council held at the Honourable Lieu.^t Governörs house in the Fort of Annapolis Royall on Saturday the 14th of Oct^r 1727

The Honourable Lieu. ^t Gov. ^r of the Province		
John Adams	} Esq. ^{rs}	Christopher Aldridge
Will: ^m Skene		John Blower
		Jos: Bennitt
		} Esq. ^{rs}

one of the
Deputys being
Sick in prison
is not allowed
to go home
without Bail.

His Honour Represented to the Board that Charles Landry one of the French Deputys in Prison was Reported to be in a very Dangerous [224] State of health & likely to dye without Some Indulgence from the Government, That His Wife had Earnestly apply'd to him for Leave to Carry him to his own house on her giving sufficient Surety for his Return after the Recovery of his health or when demanded, He therefore desired the Board to Consider of it and give their opinion — Advised on & after Some debate

Voted That the Prisoner Landry in regard of his being a very Great Offender & Incapable to give sufficient Bail shall not be suffered to go out of the Garrison, but that otherwise His Honour may Show him all the Lenity & favour necessary towards the Recovery of his health

Petition of
Francis
Richards
praying to be
admitted to
take the oath.

A Petition of Francis Richards Shewing that he was the first Inhabitant that took the Oaths to His late Majesty That he was sorry for his fault in Refusing them to His present Majesty being made drunk on purpose & Praying that His

Honour will be pleased to Inlarge him & admitt him to take the oaths as *per* Said Petition on File Read—

And said Richards being Sent for & ask'd how he came to Assemble. the Inhabitants made answer that he did not but that Guillaume Bourgois after that he had deliverd the Governor's Order assembled a Great Number of them at, or [225] or near his house at Beaulieu That he afterwards sent one Pierre Commeau to the lower part of the River to Summon the Inhabitants to Meet altogether at Ruisseau Fourchu the day following which was Fryday which was the day before they were to assemble at the Fort

The Board having taken the matter into Consideration Agreed & Resolv'd that Said Richards be Remanded to Prison in Regard it appears That on his Examination he had prevaricated & was unwilling to make a Frank & Ingenuous Confession of the Whole Truth

Francis Richards Imprisoned.

At a Council held at the Liv^t Governor of the Provinces house in the Fort of Annapolis Royal on Fryday the 20th of Octob. 1727

Present

The Hon^{ble} Liv^t Col.^o Armstrong Liv^t Governor of the Province

The Hon^{ble} Maj^r Cosby Liv^t Governor of the Fort
W^m Skene Esq^r.

Chris Aldridge }
Jos. Bennitt } Esq^{rs}
Jn^o Blower }

The Oaths appointed by Law to be taken instead of the Oaths of Allegiance & Supremacy [226] with the Oath of Abjuration were tenderd to the Hon^{ble} Maj^r Alex^r Cosby Liv^t Gov^r of the Fort & to Sev^l Other Officers & Gent. who having taken & Subscribed the Same also made & Subscrib'd the Declaration

the oath appointed by law is administered to the Officers.

The Hon^{ble} Major Alex^r Cosby being Appointed By his Majesty's Royal Comission Liv^t Gov^r of the Town & Fort of Annapolis Royal after having taken an Oath for the due

Maj^r Cosby made Liv^t Gov^r takes the oath.

Execution of his place & Trust with Regard to the Equal & Impartial administration of Justice in all Causes which Shall come before the Council took his place at the Board as a Member of His Majesty's Council

Francis
Richards set
at liberty.

Then the Liv^t Governor Armstrong Moved to the Board, that as Francis Richards had again humbly applyed to him for his Liberty, to Take his Petition into further Consideration Whereupon the Board desired the Said Richards might be brought before them Who being accordingly Come, His Deposition was taken of all he knew which being Read, as also Some other papers Relating to his affair, it was Agreed, That the Prayer of his Petition Should be Granted, upon which He was discharg'd, Then René Martins Deposition on the Same Subject was taken which being Read to him he afterwards Subscribed [227]

At a Council held at the same place on Thursday the 2^d November 1727

Present

The Hon^{ble} Liv^t Governor Armstrong

The Hon^{ble} Liv^t Governor Cosby

John Adams	} Esq. ^{rs}	Chris Aldridge	} Esq. ^{rs}
W ^m Skene		Jos. Bennitt	
	Jn. ^o Blower		

Information
from Liv^t Gov.
Drummer of
the murder
& piracy Com-
mitted by
the Indians.

The Hon^{ble} Liv^t Governor of the province acquainted the Board that Liv^t Governor Dummer had Sent a Schooner Express with a Letter advising him of Sev^l Hostilities committed by the Indians of this Province in Murdering Severals of his Majesty's Subjects at Lescombs Harbour & Jadore & likewise of an act of Piracy & Robbery Committed by the Indians of Labrador at Port de Basque in Newfoundland as attested by Sev^l Affidavits also Some proposals to prevent the like Insults for the future by acting in Concert either by force or Otherwise as the Occasion may Require, Read, advised on, & Resolv'd that the Liv^t Governor be desird to take all proper Measures to find out the Authors of the afores.^d Violences & bring them to Justice & That in Case the Indians cannot be

brought to Reason by fair means & in a legal manner, That he will then proceed to act in Concert with the Liv^t Governors of New-England & New Hampshire as may be [228] most Expedient for His Majestys Service according to the State & Circumstances of the Garrison & That as it appears that Some Irregularitys have been Committed by the French of Cape Breton, by Harboursing & Receiving the Said Indians who Piratically Carried away the Vessel from Port le Basque That Captⁿ Bennitt be desired & have Instructions to Expostulate with Mons.^r St Ovide & demand Satisfaction for the same

At a Council held at the Same place on Tuesday the 7.th of Novemb^r 1727

Present

The Hon.^{ble} Liv.^t Gov.^r of the Province
The Hon.^{ble} Liv.^t Governor of the Garrison

Jn ^o Adams	} Esq ^{rs}	Jos Bennitt	} Esq. ^{rs}
W ^m -Skene		Jn ^o Blower	

Soulier an Indian of this River & Paul Secoumart a Two Indians Chief of Cape Sables & his Two Sons lately arrived were examined about the murder and piracy committed by the Indians. Examined before the Board touching the Murther & Other Hostility's Committed at Rescombs Harbour & Jadore as sett forth in the Several depositions [229] Transmitted by Govern^r Dummer of Which They Affirm'd they were Ignorant Whereupon Liv^t Govern^r Armstrong Orderd the Articles of the late Treaty to be Read Wherein They Engage that in case of any of their peoples Committing of Robbery &c.^a The Tribe to which They Belong Shall cause Satisfaction to be made, Of which Engagem.^t He told them He now Expected the performance, Whereupon the Said four Indians Promised to do their Utmost to discover the authors of Said disorders & to bring them to Justice

Then a Motion was Made that to Encourage them to the performance of the aforesaid Service Some presents Should be made them, which being Judged for His Majestys Service & Interest was unanimously Agreed to by the Board

At a Council held at the Hon^{ble} Liv^t Governor of the Provinces house in his Majesties Fort of Annapolis Royal on Monday the 13th of November 1727

Present

The Liv^t Gov^r of the Province.

The Liv^t Governor of the Fort

Jn.^o Adams Esq^{re}

Jos Bennitt

Jn^o Blower

} Esq^{rs}

[230]

Ens.^s Wroths
Journal.

Ensⁿ Rob^t Wroth delivered in to the Board the Journal & acco.^{ts} of His proceedings & publick Transactions up the Bay at Mines & Checanecto &c^a which were Read

Ens.^s Wroths
instructions
from Gov.^r
Armstrong.

Then the Hon^{ble} Liv^t Govern^r Casby moved that His Instructions from Govern^r Armstrong might be Read as also the Oaths taken by the Inhabit.^s on the Articles & Concessions granted them by him which being likewise Read The Board after Some debate Voted that the Said Articles & Concessions are unwarrantable & dishonourable to His Majestys authority & Government & Consequently Null & Void & That the Liv^t Governor of the province be desired not to Ratifie & Confirm the Same

Mr. Wroth
Examined
about his
proceedings.

Then Mr Wroth was called in & asked how he came to Grant Such Articles, Answer'd that he had in Every thing Acted according to the best of his knowledge & as he Thought for the Good of His Majestys Service

Order'd That Duplicates of all His Transactions be transmitted home to His Maj.^{ty}s Principal Secy of State & to the Lords Commiss^{rs} of Trade & Plantations for their directions thereupon

Resolv'd That the Inhabitants of the places aforesaid. having Sign'd to & proclaim'd His Majesty & Thereby acknowledged his Title & Authority to & over this Province shall have the Libertys & Privileges of English [231] Subjects & That the Trade to & from these parts be open until his Maj^{ty}s pleasure therein shall be known

Voted That the further Consideration of Mr Wroths Negotiations be Refer'd to another opportunity

Then a Motion was made by the Hon.^{ble} Liv^t Governor Cosby That the Inhabitants here be admitted to take the Oath of Allegiance to his most sacred Majesty King George the 2.^d upon their Requiring the Same of any Member of the Board; Agreed & Resolv'd that the Said Motion Shall pass on Condition that the Said Inhabitants be sworn at the Liv^t Governor's or Commander in Chief of the province's House.

the Inhabitants ought to take the oath of allegiance.

A Letter from Mons^r St Ovide to Governor Armstrongs Notifying the Seizure of the Sloop in Newfoundland by the Savages, & other matters Relating to this Province. Read & Resolv'd That a Copy thereof be Sent home to his Majestys Principal Secretary of State & to the Lords Commiss^{rs} of Trade & Plantations

Letter from Mons^r St. Ovide relating the Seizure of a Sloop by the Savages of Newfoundland.

A Letter in Answer to Mons^r St Ovide's from the Hon.^{ble} Liv^t Governor Armstrong Read & Approved of

A Letter to Governor Dummer in answer to his Read in Council the 2^d Instant. Read & approved of [232]

Then a Congratulatory Address to His most Sacred Majesty King George the 2.^d on his accession to the Throne was Read & approv'd of. Order'd to be Ingross'd, Subscrib'd & Sent home by Captain Joseph Bennitt a Member of this Board

Letter to Congratulate his Majestys accession to the throne.

NOTE.—The next entry in chronological order comes at the end of the book, which was turned about and the last blank leaf used as if it were the first, beginning a new book. It deals with Philipps's arrival on Nov. 20. 1729. Twenty-three pages follow this order, and then minutes are resumed at fol. 232. These twenty-three pages are indexed separately on the obverse of the fly leaf preceding, with the heading, "Index for this Side of the Book."—[EDITOR.]

[1]

Annapolis Royall

November 20th 1729

His Excellency being that Day arriv'd in the River from Canso Landed about Twelve a Clock & haveing Order'd the Council, Garrison, and Inhabitants to be assembled his Commission was Publickly open'd & Read; and then took & Subscrib'd the Oaths therein mention'd; After which seeing y^e

His Excellency's arrival & Making Cape made Councilor.

Number of Councillers, who appear'd to be but four, he appointed Major Henry Cope to be one of that Board to make up the Quorum of five, and he was Sworn in accordingly

(signed)

R Philipps

E. J. Philipps Secretary

More
Councillors
appointed.

At a Council held at His Excellencys House in His Majesties Garrison of Annapolis Royall on Fryday the 21st of November 1729. P. M.

Present

His Excellency General Philipps
L.^t Gov.^r Cosby Will.^m Skene Esq^r
Paul Mascarene Esq^r Henry Cope Esq^r

E. J. Philipps Secretary

Mr. Winniet
Sworn.

The Council being Summon'd to meet at four a Clock in the afternoon, & but four Councillors attending y^e Two others being Sick; His Excellency appointed M^r William Winnett, the most Considerable Marchant, and one of y^e first British Inhabitants in this Place, & represented to me as one eminent in his Zeal for [2] His Majesties Service to be added to the Council & he was Sworn in Accordingly

Which being done his Excell^y acquainted y^e Board that he had appointed New Deputys for y^e River of Annapolis Royal & had increas'd their Number from four to Eight mentioning their Names who had all been recommended as Persons of y^e best Judgment & best Inclind toward his Majesties Service & had sent them their Orders, which were read to y^e board & approv'd of. Likewise his Excell^y acquainted y^e board that he was inform'd that an Address was preparing to be presented to him by y^e Inhabitants, y^e Substance whereof, he would acquaint y^e board with if he found the Same Necessary to be advis'd of;— And furthermore His Excellency Signify'd unto them that he had sent an Express to y^e Deputys of the Severall Settlements of Minas to Notify to them his Excellency's Arrivall at Annapolis

Royall where he expected their attenance with y^e first Convenient Opportunity. All which was approv'd. adjourn'd

(signed)

R Philipps

At a Council held at his Excellency's House in His Majesty's Garrison of Annapolis Royall upon Saturday the 16.th May 1730. P. M

Present

His Excellency Generall Rich.^d Philipps

The Hon.^{ble} L.^t Gov.^r Cosby [3]

Paul Mascarene Esq^r John Adams Esq^r

William Skene Esq^r Henry Cope Esq^r

His Excellency being return'd from y^e Bay acquainted y^e Board of y^e Submission of y^e Inhabitants of this Province, but that there were about Seventeen of those of Chignictou who persist in their obstinacy in refusing to Conform to his Majesty's Orders. His Excellency appointed a Committee to draw up an Order or Proclamation Concerning those Delinquents; Maj.^r Mascarene and Major Cope were Nam'd for that purpose. His Excellency Likewise acquainted y^e Board of Nineteen familys at Chickponly that had not taken y^e Oath of Fidelity to his Majesty. And that they intended to Come in a Body to Annapolis to Submitt themselves. His Excellency Adjourn'd the Board till Monday morning ten a Clock being y^e 18.th Instant in Order to approve of y^e Proclamation

the Submission of the Inhabitants.

proclaim a order to be drawn for the Recusants.

Erns: J^r Philipps Secret.

His Excellency being return'd from y^e Bay acquainted y^e Board of y^e Submission of y^e Inhabitants of this Province, but that there were about Seventeen of those of Chignictou who persist in their obstinacy in refusing to Conform to his Majesty's Orders. His Excellency appointed a Committee to draw up an Order or Proclamation Concerning those Delinquents; Maj.^r Mascarene and Major Cope were Nam'd for that purpose. His Excellency Likewise acquainted y^e Board of Nineteen familys at Chickponly that had not taken y^e Oath of Fidelity to his Majesty. And that they intended to Come in a Body to Annapolis to Submitt themselves. His Excellency Adjourn'd the Board till Monday morning ten a Clock being y^e 18.th Instant in Order to approve of y^e Proclamation

(signed)

R Philipps

Monday Morning ten a Clock 18th May 1730

Present as before

His Excellency the Generall

The Hon.^{ble} L.^t Gov.^r Cosby Presid.^t

Paul Mascarene Esq.^r John Adams Esq.^r

William Skene Esq.^r Henry Cope Esq.^r

proclamation Concerning Delinquetts.

The Proclamation drawn up by the Committee was read to y^e Board and after Some Alterations was approv'd of.

Gov.^r Cosby appointed presid.^t

L.^t Gov.^r Cosby appointed by his Excellen^{cy} President of the Council. Likewise an Order for appointing four Deputys at Chignictou was order'd to be drawn up by y.^o Secret.^r Ad-
journ'd [4]

Eras: Jas: Philipps Secretary

Att A Council held att His Excellency's House in his
*Majestys Garrison of Annapolis Royall on y.^o 7th Day of Dec.^r
at ten a Clock Saturday. A. M. 1730

Present

His Excellency General Rich.^d Philipps
The Hon.^{b^{le}} L.^t Gov.^r Alex.^r Cosby President
John Adams } William Skene }
Will.^m Winnett } Esq.^{rs}. } Eras: Ja.^s Philipps } Esq.^{rs}

His Excellency's
Instructions
read.

His Excellency being arriv'd at Annapolis from Visiting
the other Parts of the Province, assembled The Council as
above. And acquainted them that he had recd Severall
Päpers & Instructions from home which he intended now to
Lay before y.^o Board & accordingly orderd y.^o Secret.^r to
read these that follow Viz.^t—

The Treaty of Peace with Spain.

His Majesties Order to y.^o Gov.^{rs} abroad, relating to y.^o
sd treaty

The King of Spains Cedula

And His Majesties Orders to his Excell.^{cy} to be aiding and
assisting to the Receivers of y.^o Sixpence Ster. *per* month out
of Seamans Wages, towards y.^o Support of y.^o Royall Hos-
pittall at Greenwich

Eras: Ja.^s
Philipps ap-
pointed a
member of
the Council.

His Excellency Likewise acquainted y.^o Board that there
not being Councillers enough upon y.^o Spot to make up a
Quorum, he thought proper with their advice to Appoint M.^r
Eras: Ja.^s Philipps a member thereof who was Sworn accord-
ingly

Alex.^r Bourg
appointed
pro.^r

His Excellency also acquainted y.^o Board that y.^o
King haveing graciously Indulg'd y.^o french Inhabitants
[5] with his Royall promise upon their Submission, of con-
tinuing them in y.^o enjoyment of their Religion & Property

as in y.^o Time of y.^o French Governm.^t it became necessary to make y.^o Best Discovery of their Scituation at y.^t time as to what Homage & Duties they pd to y.^e Crown. And that he intended to make use of one Alex.^r Bourg for that Purpose who was likely to give y.^o best Lights into that affair as being reputed to be one of y.^o Best understanding among them & had bore y.^o Office of Procurator Gen.^l to y.^o King under y.^o late Governm.^t Approv'd nemine Contrad. Ad-journ'd.

(signed)

R Philipps

Erasmus Jac. Philipps Secret:ry

Att a Council held at his Excellency's House in his Majesty's Garrison of Annapolis Royall on tuesday at ten of y.^e Clock A: M being y.^o 11th Day of Dec.^r 1730

Present

The Hon.^{ble} L.^t Gov.^r Cosby Presid.^t

John Adams	} Esq. ^r	{ William Winnett Esq ^r
William Skene		

The Secretary acquainted y.^o Board, that his Excell.^{ty} had order'd him to inform them, that he desir'd they wou'd Consider of some probable methods to provide against to y.^o transporting yearly great Numbers of numbers of Live Cattle & Considerable Quantitys of other provisions. to y.^o neighbouring Settlements w.^{ch} prov'd of very ill Consequence to this his Majesties Province, as also what methods cou'd be taken for y.^o Procuring & keeping & Currency of money in this Governm.^t and that a Scheme might be drawn up forthwith for that purpose to be presented to his Excell.^{ty} for his approbation [6]

methods for preventing the transportation of provisions &c. & a Currency of Coin.

Agreed & order d, that y.^o Secretary & M^r Winniett do prepare Such a Scheme by Tuesday morning 11 a Clock till which time the Board is adjourn'd, being y.^o 16.th ffeb.^r 17 30.

(signed)

R Philipps

Att a Council held at His Excellencys House in his Majesties Garrison of Annapolis Royall on Tuesday 11 a Clock being ye 16th ffeb 17 34 A: M:

Present-

His Excell.^{cy} Gen.^l Rich.rd Philipps

The hon.^{bte} L.^t Gov.^r Cosby Presid.^t

John Adams Esq.^r

William Skene Esq.^r

William Winnett Esq.^r

Secretary Philipps

His Excell.^{cy} as appears by y.^o Last minutes of Council haveing desir'd y.^o Board to Consider upon & advise him what methods cou'd be taken to provide against y.^o Exportation of Cattle in Great numbers as well as Grain & other Provisions in too Considerable Quantitys, to y.^o Forreign Settlements,* as also in Relation to a Currency of money, which was very much obstructed, by y.^o Inhabitants refusing to receive for payment for their goods y.^o New England Province Bills

Eras: Jas Philipps Secret.^r

Scheme for preventing transportation of provisions read.

His Excell.^{cy} acquainted y.^o Board of y.^o Inconveniencies & Difficulties this Governm.^t lyes under for y.^o abovemention'd Reasons, and that it behoved in a particular manner at this present to endeavour to provide against such difficulties & Inconveniencies there being a number of familys (whose Arrivall we were daily to expect;) to settle in this Province according to y.^o advices his Excellency had rec^d from y.^o Governm.^t at home. His Excellency desir'd to know what y.^o Board had con[?]sulted thereon & what they wou'd advise him to do. Upon which a Scheme drawn up by M.^r Winnett &c. was presented to his Excellency who order'd y.^o Secretary to read it which was accordingly done

Boston Bills to pass Cur.^t & prohibiting the transportation of Cattle &c.

Then it was Voted, & agreed nemipe Contradicente that all French as well as other forreign Silver money that now is, or may be brought into this Province shou'd pass as Bullion, equivalent to y.^o Value it bears in Boston, & that y.^o Province Bills of New England, shou'd be a proper tender of

*Marginal note in MS. Omitted to be incerted after line 5.th Which had already bro.^t a scarcity in this Province & likely to be greater.

Payment within this Province, and that his Excellency might Issue out his Proclamation to that Effect.

Also Voted, & agreed, that all Traders to & from this Province shou'd be forbid by his Excellencys Proclamation to transport any Cattle or other Provisions (Corn excepted) more than will serve to Victuall their Crews for two months each Voyage. And that y.^o French Inhabitants be Likewise forbid by his Excell.^{cy}'s sd proclamation to ship clandestinely for y.^o Neighbouring Colonies any Corn, Cattell, Sheep, Hogs or other Provisions at any Ports, but this of Annapolis Royall only; within this Province; on Penalty of twelve months imprisonment, Confiscation of Vessell & Cargo, & to pay a fine of Fifty Pounds. New England Currency whereof half to be given to y.^o Informer. adjourn'd

(signed)

R Philipps

Att a Council held at his Excellencys House in his Maj.^{ties} Garrison of Annapolis Royall on Thursday y.^o 11th March 1739 P: M:—

Present

His Excell.^{cy} Gen.^l Rich.rd Philipps [8]

The Hon.^{ble} L.^t Gov.^r Cosby Presid.^t

John Adams Esq.^o

William Winnett Esq.^r

William Skene Esq.^r

Secretary Philipps

His Excellen.^{cy} acquainted y.^o Board, that he had been inform'd that the Indians had Committed an affront to his Majesties Person & Governm.^t by forcibly rescuing out of y.^o Hands of Capt.ⁿ John Cate (Com.^r of a Schooner belonging to Piscataqua) John Turnoe an Apprentice belonging to one of his Majesties Subjects at Boston New England, who had deserted from his Service, & was taken att y.^o sd Cates request to his Excellency & put on board his Vessell at Minas by his Excellency's order to M.^r Bourg & y.^o other Deputies belonging to that place: and that y.^o sd Cate & M.^r Prud.^t Robishau Jun. Inhabitant of Annapolis Royall, who was sd

Turnoe a
prentice res-
cued by the
Indians &
Mr Prudane
Robicheau
examined.

to be present at y.^e sd Rescūe might be Calld in examin'd upon that Head

M.^r Robishau being ask'd whether or no he was on board y.^e Schooner when y.^e Indians rescued y.^e sd Turnoe as above & whether he knew, who were y.^e Inciters of that Affair Declar'd that he was on board & saw that matter transacted, but that if he was put to his Oath, he could not tell who were y.^e Inciters Directly or indirectly.

Capt.ⁿ Cate being examin'd declar'd upon Oath as on file.

Agreed & resolv'd Nem. Contrad: That y.^e Insults committed by y.^e Indians against his Majesty and this Government, proceed from y.^e French Inhabitants encouraging & inciteing them to it, as appears peticularly in this affair above-mention'd, & that they ought to be made [9] answerable for y.^e behaviour of y.^e Indians for y.^e Future Whereupon voted & resolv'd, that Amand Beaujeau, John Landry & John Le-Blanc Sirnam'd des Sappins sd to be y.^e Cause of this Affront Committed by y.^e Indians may be summon'd to appear forthwith, by his Excellency's Proclamation before his Excell.^{cy} & Council to answer to y.^e Charge Laid against them relating to y.^e Affair aforesd. And in Case of Contempt of sd Order to be treated as y.^e nature of their Crime shall be Judg'd to deserve. Adjourn d.

(signed)

R Philipps

Att a Council held at his Excell.^{cy}s House in his Majesties Garrison of Annapolis Royall on Monday 11 a Clock being y.^e 22.^d Day of March 17 33 A. M:

Present His Excell.^{cy} Gen.^l Rich.rd Philipps
The Hon.^{ble} L.^t Gov.^r Cosby Presid.^t
John Adams Esq.^r William Winnett Esq.^r
William Skene Esq.^r Secretary Philipps

His Excellency order'd y.^e Minutes of y.^e last Council to be read, also y.^e Secretary read y.^e Oath & Deposition of John Cate Com.^r of y.^e I scataquá Schooner, relating to y.^e In-

dians rescuing John Turnoe, as mention'd in y.^e minutes of
Last Council; His Excellency's Proclamation thereupon being
also read was approv'd of Nemine Contrad. adjourn'd

(signed)

R Philipps

Att a Council held at his Excellency's House in his Maj-
esties Garrison of Annapolis Royall on Tuesday April 2.^d
1731 A: M:

Present

[10]

His Excell.^{ty} Gen.^l Rich.rd Philipps

The Hon.^{ble} L.^t Gov.^r Cosby Presid^t

John Adams Esq.^r

William Winnett Esq.^r

William Skene Esq.^r

Secretary Philipps

His Excell.^{ty} acquainted y.^e Council of a Notorious Fraud
that had been committed by two Inhabitants namely, Au-
gustin Como & Francis Richards, which his Excell.^{ty} mov'd
might be examin'd into, and it being prov'd upon them were
sentenc'd as Follows. Viz.^t—Agreed and Orderd y.^t Augus-
tine Como & Francis Richards being found Guilty of y.^e
Crime alledg'd against them by his Excell.^{ty} y.^e sd Como
shall make good his Bargain & stand in y.^e Pilory in y.^e most
publick place in y.^e Town on y.^e Next Holy day, dureing one
Hour being from Eleven till twelve of y.^e Clock. A. M. &
Francis Richards to stand half y.^e sd time in y.^e Pilory as
afores.^d that both Como & Richards shall continue in Con-
finement untill y.^e sd Sentence shall be fulfill'd & Charges
paid. Adjourn'd.

Two french
men orderd
to stand in
the pilory.

(signed)

R Philipps

Erasmus J. Philipps Secretary

Att a Council held at his Excellencys House in his Excellencys House in his Majestys Garrison of Annapolis Royall on Thursday Eleven a Clock being April 25.th 1731. A. M.

Present

His Excellency Gen.^l Rich.rd Philipps
The Hon.^{ble} L.^t Gov.^r Cosby Presid^t

John Adams Esq.^r William Winnett Esq.^r
William Skene Esq.^r Secretary Philipps

His Excellency acquainted y.^e Board that Peter Allen an [11] Inhabitant of Minas waited without to know his Excellency pleasure, being accus'd by John Cate in his Deposition upon Oath bearing Date 11th March 17³¹ of inveigling the apprentice John Turnoe from his Service at Boston & for Shipping him Clandestinely on Board Cates Vessell bound for Minas, which prov'd y.^e Original Cause of y.^e affront committed by y.^e Indians; as hath been represented to y.^e Board by his Excellency on y.^e Eleventh of March Last the sd Allen desiring to know if might have leave to repair to his habitation at Minas. Agreed & resolv'd. That provided Peter Allen wou'd give Security that he wou'd use his Endeavours to secure y.^e sd Turnoe in order that he might be sent back to Boston to be deliver'd to his Master, upon that Condition he might have leave to depart Adjourn'd.

(signed)

R Philipps

Att a Council held at his Excell.^{cy} House in His Majesties Garrison of Annapolis Royall on Thursday nine a Clock being y.^e 24th June 1731. A: M:

Present

His Excell.^{cy} Gen.^l Rich.rd Philipps
The Hon.^{ble} L.^t Gov.^r Cosby Presid.^t

Paul Mascarene Esq.^r John Adams Esq.^r
Will.^m Skenæ Esq.^r William Winnett Esq.^r
Secretary Philipps

Major Mascarene mov'd, that he objected against takeing his Place at y.^e Board under y.^e Hon.^{ble} L.^t Gov.^r Cosby, whom his Excellency had thought fitt to appoint President [12]

Eras. Ja.^s Philipps Secret.^{ry}

Peter Allen
allow'd to go
home to Menis

Eras. Ja.^s Philipps Secret.^{ry}

Major
Mascarenes
objection agt
Govr. Cosbys
being
president.

the Major giving for a reason that he was an Elder Councillour than y.^o L.^t Gov.^r

Upon which his Excellency made answer that he thought himself empower'd to appoint what Member he should think proper to sett as President.

Major Mascarene having desir'd that y.^o same might be minuted in y.^o Council Book took his place accordingly

M.^r Skene mov'd that y.^o 5th Article of his Majesties Instructions might be read relateing to y.^o Council. Whereupon a Debate arose, whether a Councillour having been absent above two years, without y.^o Kings Sign Manuell had not thereby forfeited his place at y.^o Council Board

Maj.^r Mascarene own'd that he had been for so long a time absent, but was sent by y.^o L.^t Gov.^r of y.^o Province who had appointed him a Commissioner for Settling y.^o Peace with y.^o Indians in Conjunction with y.^o Governm^t of y.^o Massachusetts's Bay.

Upon which y.^o Council Nem. Contrad. gave it as their opinions. that it rested entirely with his Excellency to Judge of that Affair. His Excellency acquainted y.^o Board that he thought there was a Difference in a Councillour being barely absent with y.^o Gov.^rs Leave. & his being sent on y.^o Publick Service, And y.^o Major Continued Setting accordingly.

His Excellency signify'd to y.^o Board that some Merchants belonging to Boston had made application to him for a Grant of Lands Scituate in y.^o Bay of ffundy [13] within this Government, being part of a Point of Land lying between Chignictou & Minas; in order to settle the same agreeable to y.^o tenour of his Majesties Instructions.

Boston Merchants petition for a grant, of land in the Bay of ffundy.

That his Excellency had given them for Answer, that in y.^o first place he cou'd not Grant them in form till they had been regularly Survey'd in regard to y.^o securing y.^o Masting &c for y.^o Royall Navy & that he wou'd also act in y.^o Affair by y.^o Advice of y.^o Council.

His Excellency furthermore acquainted y.^e Board that he had order'd one of Co.^{ll} Dunbarr's Deputy Surveyors who was here for that purpose to go & Survey y.^e Same which he had accordingly done upon which y.^e sd Surveyors report was read, with his Majesties Instructions to his Excellency relating to y.^e Settling Lands in Nova Scotia.

Coal Mine.

His Excellency at y.^e same time signify'd to y.^e Board, that they very well knew y.^e Persons & their Views in desiring that Grant. that it was in regard to a Cole Clift that Lay Contiguous, that had as yett never been of any Service either to y.^e Publick or to any private Person. but might for y.^e future bring some advantage to y.^e Governm.^t according to y.^e Proposals made by those Gent. provided y.^e same was approv'd of.

The Councils
Opinion
thereon.

His Excellency mov'd the Board for their opinion and Advice thereupon. Agreed & Advis'd Nemin. Contrad. that y.^e said Settlement be encourag'd & that in y.^e Opinion of y.^e Council his Excellency might without breach of his Orders or at least y.^e Intention of them which. related to Wood Lands [14] only, of which these in question were not as appear'd by y.^e report of y.^e Surveyor.) give a Grant of said Lands, & that it was for y.^e Publick Good of this Province so to do, there being considerable quantitys of Coal in y.^e Province besides that abovemention'd & that they look'd upon it as a happy Circumstance that there was that encouragement for makeing a Settlement in that Place y.^e Lands otherwise being Barren & unprofitable; and that it might be y.^e means of makeing it in time a Place of Considerable Trade.

(signed)

R Philipps

Erns. Ja.^s Philipps Secret.^r

At a Council held at the Honourable L.^t Governor Cosbys House by order of his Excell.^y Gov.^r Rich.^d Philipps in His Majestys Garrison of Annapolis Royall this 19th Day of July at 4 o' the Clock P. M. 1731.

Present

The Hon. ^{ble} Alex. ^r Cosby President	
Maj. ^r Paul Mascarene	John Adams Esq. ^r
William Skene Esq. ^e	W. ^m Shirreff Esq. ^r
Erasmus James Philipps Esq. ^r	

The President acquainted the Board that his Excelly had Sent him a Letter by M.^r Philipps who acted as secretary which was Directed from the Secretary at War to the Commander in Chief of the Province Appointing M.^r Will.^m Shirreff to Act in y.^t Office in the Absence of Captain Philipps which he Order'd to be Read, And M.^r Shirreff produced a Letter from the Secretary at War to the same Purport which was also Order'd to be Read and both of them Were Order'd to be Registred Upon Which M.^r Shirreff took the Usual Oaths Appointed for y.^t Purpose Adjourned

Mr. Shirreff Entered Secretary.

(signed)

Alex. Cosby [15]

At a Council held at the Honourable L.^t Gov.^r Cosby's House, by Order of his Excell.^y Gov.^r Rich. Philipps, in His Majestys Garrison of Annapolis Royall this 24.th Day of July 1731 At 4 o' Clock P. M.

Present

The Honourable L. ^t Governor Cosby President	
Major Paul Mascarene	John Adams Esq. ^e
William Skeen Esq. ^b	Will. ^m Shirreff Esq. ^e
Erasmus Ja. ^s Philipps Esq	

A Letter from his Excell.^y to the Board was order'd by the Presid.^t to be Read which was done Accordingly and is As follows

His Excellys Letter to the Council.

Gentl^{men} of the Council, I have Call'd You together to give me Your Advice Upon two things that are asked of me

to be Done, The first is a Request of L.^t Gov.^r Cosbys for a Grant of some Ground on the Island of Canso, whereon he had Made a Considerable Expence of Buildings for the Improv.^t of that place I am pretty Sure that no Other person but the King has Any Right or pretention to that Plott. The particulars of his Demand will be laid before You

The Other is a Petition of Ens.^r Handfeilds of my Regim.^t for a Grant of a Plott of Garden Ground, which lyes behind a house that he has built at a Considerable Charge for the Conveniency of his ffamily And adds much to the Improvem.^t of the Town of Annapolis Royall, I have only to Observe to You, That it is Récommended by the King to Encourage Improvem.^{ts} of this Kind, And therefore no pretended Claims (Unless made Good) ought to Postpone them, And it may be a Reasonable Objection for Setting such Claims a Side that the Grounds have not been Improved before this time. M^r Handfeild was put in Possession of that Ground by a Person who he beleived had a Right to it, And You Will Consider the Disappointm.^t and Damage to be turned out After his house is built, But this is Refer'd to Your Debates And Resolutions According to Which I shall Determine. I am

Gentlemen Your Most humble Ser^t

July 25.th 1731

R Philipps

Copy

W^m Shirreff Secretary

[16]

Gov.^r Cosbys
petition for
a Grant at
Canso advised.

Which being Consider'd the Question was put Whether it was Reasonable his Excell.^{ty} should Grant a Pattennt for said Plott of Ground in favour of Governor Cosby

Agreed Nemine Contradicente That Upon the Assurances his Excell.^{ty} has given the Board That none hath Any Pretentions to it but the King that he may therefore Give Governor Cosby a Grant of Said Plott being Butted & Bounded as follows being the particulars thereof Recommended to the Boards Consideration by his Excell.^{ty} see page [blank in MS]

Then was Order'd to be Read the 2^d Paragraph of his Excellys Letter in Relation to M^r Handfeilds Request which being also consider'd, The Presid.^t Desired M^r Shirreff to lay before the Board what Directions he had Received from his Excelly Concerning the same Whereupon M^r Shirreff Read a Letter from his Excelly to him which is as follows

mr Handfeilds request for a Grant.

In Ans.^r to the Request of Ens.ⁿ John Handfield's; I have no Objection to his having a Grant for it provided that No One Else hath a Legall Claim to the same, of Which, I Desire You will Informe Yourself as much as possible by the time the Council sitts this afternoon And Acquaint me thereof the said Request being to be laid before them I am y^r

His Excellys Letter to mr Shirreff.

Copy W^m Shirreff Secy

for R Philipps

July 24th 1731

Eras: Ja.^s Philipps

Secretary Shirreff

Then the Presid.^t Desired M^r Shirreff to declare to the Board what Enquiry he had made, who Answer'd y.^t he had Inform'd his Excell.^r therewith by M^r Philipps, And also acquainted the Board of the Same Viz.^t That he had been Inform'd that Mr Jennings one Marquise And M^r Hamilton had Objections to said Grant. And also told the Board that he had Rec.^d a Letter from L.^t Governor Armstrong about said Jennings Wrote him by M^r Boreland which [17] Which was Orderd to be Read Whereupon the Board Agreed that Ens.ⁿ Handfeild should be sent for to give in his pretentions, as also (the Other Claimants being absent) L.^t Otho Hamilton was Call'd in to give in his Objections

mr Shirreff acquaints the Board of the incumbrances upon mr Handfeilds Garden.

M^r Handfeild presented the Board with two papers, the one in french call'd An Authentick Copy of a Grant Made in the time of the french Governm.^t to Christopher Cabouett Signed by Hermitt L.^t Governor of Cape Breton the 12th 7^{ber} 1700

The Other Paragraph of M.^{es} Cabouetts Letter to M.^r Will.^m Winniett

M.^r Hamilton being also come said he Woud prepare his Objections by the Next Sitting of the Board. Then the Presid.^t by the Advice of the Board Adjourn'd the Board to Saturday the 31.st Ins.^t 10 o' the Clock A. M.

Situation of
Gov.^r Cosbys
Grant.

Scituation & Extent of y^e Plott of Ground before mention'd Viz.^t for which a Grant is requir'd by L.^t Gov.^r Cosby

A plott of Ground Scituate on y.^e North side of y.^e Hill of Canso. Butted & Bounded with Pallasadoes Butted¹ on y.^e South West side upon Doct.^r Elliots Ground and on y.^e North East side by John Lumasses Ground w.th Pallasadoes, being in front One hundred & thirty feet reaching along Nearest North East & South West, ranging Back to y.^e Sea, North-erly with a Warf into y.^e Pond, The Whole being environ'd with Pallasadoes

(signed)

Alex^o Cosby

At a Council held at the Honourable L.^t Governor Cosbys house by order of his Excell.^y Governor Philipps on Munday the 9th of August 1731 at 10 o' the Clock A: M.

Present

The [18]

The Honourable Alex.^r Cosby Presid.^t

Major Paul, Mascarene	William Shirreff Secretary
John Adams Esq	W. ^m Winniet
William Skene Esq. ^o	Eras: Jas. Philipps Esq. ^o

The Presid.^t order'd the Minute of the 25.th of July last to be Read as also all the other Papers and Letters therein Mention'd Relating to his Demand of a Plott of Ground at Canso, which being Done, A Declaration from his Excell.^y Concerning the same which His Excelly had order'd the Secretary to Register, was Also Read and also order'd by the Board to be Registered and is as follows Viz.^t

Gov.^r Philipps
Declaration
read in
Council.

Whereas it is the Oppinion of Some persons That I have Rec.^d sums of money from the Governm.^t for Lodgements, Barracks, Store Rooms, fortifications or other Works done at

¹ "bounded" erased and "butted" written instead. in margn.

Canso for the Conveniency of the Troops posted there. I Do hereby Declare Such suggestions to be false. And that I have Never Rec.^d to the Value of a Shilling Directly or Indirectly Nor any sum of Money Whatever from the Government Upon Account of anything that has been done there all which I here Certifie Under my hand this 26.th Day of July 1731

A true Copy of the originall

R Philipps

W Shirren Secretary

Then was Read his Excellencys Order to the Secretary for Drawing a Ruff Draught of a Pattent or Grant for Said Plott of Ground and the Secretary having Acquainted the Presid.^t that His Excell.^y had sent him a Paper Entituled Governor Armstrongs Objections to the Plott of Ground Demanded by Governor Cosby. the same was also order'd to be Read And the Board was of opinion that as they had founded their Vote Upon his Excell.^{ys} letter of the 24th July last & his Declaration That these Objections did not now properly ly before them

His Excellencys order for Gov.^r Cosbys Grant read in Council.

M^e Shirreff Mov'd to the Board Whether they Approv'd of the Ruff Draught, which was ansr.^d in the Affirmative being Conforme to their former Vote

Mr Shirreffs motion.

Then y.^t Paragraph of the former Minute of the 24.th of July last in Relation to M.^r Handfeild's Demand of a Grant was Read, As also M.^r Jennings's Petition to Governor Armstrong And Governor Cosby & M.^e Borland's Letter to Governor Armstrong in M.^r [19] M^r Jennings favour, And L.^t Otho Hamilton's Objections being also Read, the Board after some Debate came to this Resolution:

Mr Hamiltons objections ag^t Mr Handfields Grant.

That M.^e Jennings (who is absent) should have Eight Months Allow'd him to Come or send to make Good his Claim to the Ground Petition'd for by M^r Handfield

As to M.^e Hamiltons Objections the Board were of opinion That if Neither M.^r Winniet nor M.^r Jennings could make out their Pretentions and Claims to be Valid and Good to that Peice of Ground Claim'd by M.^r Hamilton by Virtue

of his having it Near Eight years in Possession (by the time aforesaid) That then M.^r Hamilton by Virtue of his said Pretention thereunto is Prior to any other person now in possession of the same; And that Ens.ⁿ Handfeilds Case being so far parallel to that of M.^r Hamilton and that for his Building Upon and Improving the lower Part of that said Peice of Ground Claim'd by M.^r Winniet and M.^r Jennings, That then (in Case Neither of them should make Good their Claim as aforesaid) his Pretentions were also preferable to Any other persons to the said lower part

fees Recommended by His Excelly.

Then the Presid.^t Acquainted the Board that his Excell.^y had Recommended to their Consideration the Necessary fees to be paid in this Province As also that When the Council do sitt as a Court of Judicature, what fees in such Case might be Judged Necessary in order to be Communicated to his Excell.^y by next Meeting of the Council

(signed)

Alex.^r Cosby

At a Council held by Order of his Excell.^y Governor Richard Philipps at the Honourable Major Alex.^r Cosbys house in his Majestys Garrison of Annapolis Royall on ffryday the 13.th of Aug.^t 1731

Present

The Honourable Alex. ^r Cosby	President
Major Paul Mascarene	William Shirreff
John Adams Esq	Secretary
William Skene Esq	W. ^m Winniett Esq ^r
	Eras: Ja. ^s Philipps Esq. ^r

Samuel Douglass' order to keep possession of a piece of Ground.

[20] The Honourable Presid.^t lay'd before the Board a Power from his Excellency to Samuel Douglass Inhabitant for taking possession of, and Improving a spott of Ground Scituate at the North End of the town of Annapolis Royall till a Grant should be made out for the same and is as foll.^d viz.^t

By his Excell.^y Richard Philipps Esq Cap^t General and Governor in Chief of his Majestys Province of Nova Scotia &.ca

To Samuel Douglass Inhabitant &.c

You are hereby permitted to take possession of a Spott of Ground Scituate in the North End of the Town of Annapolis Royall (where I am Inform'd you have been Settled Many years) Containing fifty Yards in ffront to be made Use of in Building thereon a house and other Necessarys. The Ranging Back to be fix't as soon as it can be Surveyed in order to the Making out of a Grant for the same; Which I promise to do by the first Conveniency

You are furthermore permitted by these presents to Cultivate the Grounds Backward as it now lyes inclos'd till the Boundarys thereof Shall be settled by Us. Given Under our hand at Annapolis Royall this Twenty first Day of April 1731

• R Philipps

By His Excellencys Comand

Eras: Ja.^s Philipps Secretary

As also a Memorial of James Horlock Carpenter to his Excellency Praying a Grant for a Peice of Ground lying behind M.^r Douglass's house and Garden fronting the Cape being in Length one hundred and Eighty foot and one hundred and sixty foot in Breadth as Upon file which being also Read the Board took them both into Consideration and Were of Oppinion that his Excell.^y may Grant both spotts of Ground, to the said M.^r Douglass According to his promise, and According to the Prayer of Carpenter Horlocks Memorial In [21]* In Case there are no other Person or Persons that have any Legall Pretentions to the same as also a Grant for a Peice of Ground Demanded by M.^r Watherby Upon the same Condition: And they Were also of Oppinion that Plac-cards should be fixed in some Publick places of the Town and Copys thereof sent into sev.^l parts of the Country to give

A true Copy of the Original
Wm Shirreff Secy

James Horlocks memorial.

Order y^t the french make out y^r Claims to lands lying westward

* This page loose in the book, and frayed at the edges.

the Inhabitants Notice to Come or send to the secretarys Office in order to make out their sev.^l Claims for the preventing of future Disputes, and for the forwarding the Improving and Cultivating the Waste Lands in this Province Which the Board Recommends to His Excell.^y

fees for the
province
Considerd.

Then the Presid.^t Orderd the *secretary* to Read the Last Paragraph of the Minute of the 9.th of Aug.^t last Relating to the fees of the Province. Which the Board having taken into Consideration they Agreed that they might be the same in this Province as they are in the Province of the Massachusetts Bay in New England if his Excell.^y thought proper & approved of the same

Gov.^r Cosbys
Grant
approv'd.

Then was Read the Grant prepar'd by the *Secretary* in favour of Governor *Cosby* for the Boards Approbation in order that his Excell.^y may Sign and Affix the Province seal to the same, which being Conformable to the Ruff Draught thereof Read the 9.th Ins.^t it was approv'd of

(signed)

Alex. Cosby

At a Council held by Order of his Excellency Governor Richard Philipps at the Honourable L.^t Governor Alex.^r Cosby's house in his Majestys Garrison of Annapolis Royall on Saturday the 21.st Day of Aug.^r 1731 A: M.

Present

The Honourable Alexander Cosby Presid. ^t	
Major Paul Mascarene	William Shirreff Secretary
John Adams Esq ^r	W. ^m Winniett Esq ^r
William Skeen Esq	Eras: Ja. ^s Philipps Esq. ^r

the time
appointed by
Proclamaⁿ for
ye french to
make good
their Claims
to the waste
and uncultivated
land.

The [22] The Honourable Presid.^t Desired M^r Shirreff To Acquaint the Board what his Excell.^y had Orderd Concerning the Paragraph of the Minute of the 13.th last Whereupon he Acquainted his Honour that his Excell.^y had orderd a Proclamation to be Drawn to be laid before the Board for their Consideration Which being Read and Considerd As also the Translation thereof in french and y^e Same being Approv'd

of the Board Agreed that the time for the Inhabitants to come and to make out their Claims to the Waste and Uncultivated land should be on or before the 10.th Day of April 1732

Then the Secretary Acquainted the Presid.^t that his Ex-Grant for
cell.^y had Recommended a Ruff Draught of a Grant for a Piece of
Peice of Ground and Garden lying on the N: N: E side of Cap.^t Aldridge
the Road going up the Cape and Bounded as in the said Grant Which being Read, the Board Agreed that the same
might be Granted on Condition as is Mentioned in the Minute
of the 13.th Ins.^t

Then was also laid before the Board a Petition Directed Jacque Legers
Petition for a
Piece of
Ground in
favour of
his son
at Chippody.
to His Excelly by Jacque Leger for a Pattent for a Peice of
Ground at Chippody in favour of his son who has had it five
Years in his possession Which being also Read. It was Agreed
that in Consideration of the Many Disputes that are Amongst
these people at Chippody about these Lands for which they
have no Grants from the Governm.^t That they should there-
fore be Appointed by the aforesaid Proclamation, in particu-
lar to Come According to the aforesaid Limited time to Make
out their Respective pretentions

(signed)

Alex. Cosby [23]

By his Excellys Command Memorandum 21.st Aug.^t 1731

That having laid before his Excellency this Days Minute Memorandum
Orderd by his
Excelly Con-
cerning the
waste lands.
he said that the time Appointed for the french to Come and
to make out their pretentions was too short and that he
thought to some time in this Month 1732 was little Enough
of which he Desir'd this Minute to be Made and Communi-
cated to the Board as his Oppinion

(signed)

W^m Shirreff Secretary

Hon.^{ble} S^r

In Obedience to Your Reference To Us Upon Prudane Robichaux's Mem.^o in Relation to a Contract for Some Land Boug.^t of his Brother Charles Cadet Catherine Mention'd) and Afterwards Bought by Nicholas Gotie from the Children of said Cadet, We have Examined the Same, And find, by all the papers that were Laid Before Us, and What was Alleged by the Partys On Both Sides That said Charles Cadet had no Power to Sell Said Land Being Only A Tutor and Guardian to his Said Children Then Minors: & Whereas The Said pretended Contract is Only a Private Act Passed Between the two Brothers Without Any Witnesses Or Content to the Children, Who Being the Apparent Heirs By Virtue of their Deceas'd Mother, And Not by their father, And Being Now of Age; We Are of Oppinion. That the Deed of Sale Which they have Sign'd and Deliver'd to the Afores.^d Gotie Is Much Preferable to that Sign'd by their father In favour of his Said Brother Prudane As Aforesaid, And We Are

S^r

Your Honour's Most Obed^t

Hum^{ble} Serv^{ts}

To the Hon^{ble}

John Doucett Esq^o

W.^m Skene

W.^m Shirreff

Leiv.^t Gov.^r of his Majestys Town

And Garrison of Annapolis Royal &c^a

Approv'd On by M^r John Doucett

L.^t Gov.^r

Registered at the Request of M.^r Gotie

15th Nov.^r 1742*

* Date added in different ink. Entries are resumed at fol. [232]

At a Council held by order of the Honourable Lawrence Armstrong Esq. the L.^t Governor of the Province at his own house in His Majestys Garrison of Annapolis Royall on Saturday the 11.th day of September 1731. A: M.

Present

Hjs Hon. ^r the L. ^t Governor of the Province	
The Honourable Alex. ^r Cosby President	
Major Paul Mascarene	William Skeen Esq
John Adams Esq	W. ^m Shirreff Secretary

His honour the L.^t Governor of the Province Acquainted the Board, that ever since Governor Philipps's Departure, his bad state of health had prevented his Calling them together to Communicate to them the Credentials and Orders he had Rec.^d for the Government of this Province in his Excellencys absence which being presented are as follows viz

An Attested Copy of a Letter from Sir William Strickland Secretary at War to Col.^o Philipps Dated Whitehall the 16.th of January 1734.

Gov.^r Armstrongs credentials when Relieved Gov.^r Philipps.

A Copy of a Report of the General Officers of the Army in Relation to Governor Philipps

The Secretary of States Letter to L.^t Col.^o Armstrong Dated Whitehall the 15.th of March 1734

A Copy of His Majestys order for Col.^o Philipps to Returne home dated the 15.th of March 1734 And

A letter from the Secretary at War to L.^t Colonel Armstrong [233] Armstrong Dated the 16.th of January 1734

All which being Read they were Orderd to be Registered amongst the Records of the Province

Then he inform'd the Board that he had several Petitions to lay before them for their opinion And Advice thereon Viz.^t

One from M^o William Skene against M^r Weatherby Bombardier for holding and keeping him out of the quiet possession of his house as upon file

Mr Skeens Petition against Weatherby

Peter Blin
and Monsr.
Gaulins Peti-
tion.

One from Peter Blin praying a Grant of a Plot of Ground at Canso. And

Another from Mons.^r Gaulin Missionary Priest in favour of the Heirs of John Denny Deceas'd in relation to some lands bought by the said Denny of Paul Melanson & Alex.ⁿ Bourg at Mines

All which being also read in their order M^r William Skene and Weatherby being Call'd before the Board and their Case debated & fully Considered It was Determined in favour of M^r Skeen the Plantf. But M^r Weatherby, before the Reading of the Verdict, promising before the Board Immediately to give M^r Skeen the possession of his house, to which M^r Skeen Consenting, their Difference, Upon that Proposition was agreed

Then M^r Peter Blin's Petition with a Deed of Conveyance of the aforesaid Plott of Ground from William and Mary Gould to James Blin (the Petitioners father) since Deceas'd, as also a paper or Certificate thereunto Relating signed by Alex.^r Cosby Which being read and Considered

Agreed Nemine Contradicente that a Patent may be Granted, According to the Prayer of said Petition

And Mons.^r Gaulin's Petition. being next taken [234] Taken into Consideration. Wherein he Assumes the tittle of Tutor to one Mary Denny now and at this time at Mines an Orphant and Daughter of the Aforesaid John Denny for and in favour of Whom her Deceas'd father did purchase the above Mention'd Lands; And Recourse being had to the Records to prove or Defute¹ the Validity of his Assertion That Governor Philipps had Confiscated said Lands for his Majestys Use. And there finding An Order Dated at Mines the 2.^d of May 1730 to that purpose; And the same being also Considered, It was Judged that his Excellency (if what Mons.^r Gauline Represents be true) had been Misinform'd. and told that the said John Denny had Certainly Died not only Intested but without Heirs. Otherways he would not

¹ Refute

have Given Any such Order to their Prejudice, having therein assign'd no Other Reason than the Manner of his Death Which Cannot be Interpreted Felon de Se And it was therefore Agreed that upon Mons.^r Gaulin's producing the Deeds of Sale And Conveyances of said Lands for the Boards Examination, And sufficient proof that the said John Denny has Surviving Issue, that then the Legall Heirs may have the Right and possession thereof Re Establish'd in their Persons

(signed)

L. Armstrong

At a Council held by order of the Honourable L.^t Governor of the Province at L.^t Governor Cosby's house in his Majestys Garrison of Annapolis Royall on Munday the 20.th of September 1731 A: M.

Present

The [235] The Honourable L. ^t Governor Cosby	Presid. ^t
Major Paul Mascarene	William Skine Esq
John Adams Esq	William Shirreff
	Secretary

The Secretary Acquainted his Honour the Presid.^t that that Governor Armstrong was so much out of Order that he Could not Attend the Board and that he had Recommended two Letters which he had Rec.^d from Britain, to the Boards perusal Viz.^t one from the Secretary of State Dated the 25.th of September 1730 Relating to Pyrates And one from M^r Popple secretary to the Board of Trade bearing Date the 24.th of february 1730 with the Oppinion of P. Yorke & C. Talbot the King's Attorney & Solicitor General Relating to fines and Recoverys &.^{ca} which being Read were Order'd to be Registred

Letters from Britain concerning Pyrates & fines and Recovery.

The secretary Also Acquainted the Presid.^t that his hon.^r the L.^t Gov.^r of the Province had Recommended sev.^t Petitions from the Inhabitants for the Boards Advice and Oppinion thereon Viz.^t

One from Etienne Rivett who had been proscib'd for some Misbehaviour by his Excellency Governor Philipps

Etien Rivett and

Bourg's
Petitions

as also

Benjamin
Landry
against
Boudrot and
Antho. Brau.

One from Alex.^r Bourg with a Copy of a Promise Given him by Governor Philipps for a Grant of a Peice of Land on the other side of the Bassin of Mines in Consideration of 280 Livres advanced by said Bourg for His Majestys service

And one from Benjamin Landry Attorney for one John Babin against Peter Boudrot Attorney for one Francis Boudrot for wrongfully taking & keeping the possession of some land claimd by said Babin, And also against one Anthony Brau in Relation to a Mill And [236] And Mons.^r Rivett being called in and Examind upon the Accusations laid to his Charge in his Excellencys Proclamation bearing Date the 30.th of Ap.^r 1730 He said they were false as he Could prove by Certificate Signed by many of the Inhabitants Which he produced

Etien Rivetts
Examination
about his
behaviour.

And the Board Acquainting him y.^t one of his Neighbours Viz.^t John Commeaux had given his Excell.^r some Information and the same, bearing Date the first of May 1730, being Read

He Acknowledged to have had some such discourse with the said Commeaux Upon Acco.^t of a Difference between them which he desired might be peaceably Adjusted between themselves Rather than to be at the Charge of a Process

And the Certificate Signed by fifty five of the Inhabitants being Read And finding no other Witness Against him but the said Commeaux The Board were of opinion that the Informations given against him Were Malicious And were of opinion that upon his taking the Oath of Allegiance he should be Reinstated And have the Enjoym.^t of his Estate as the Rest of the Inhabitants

Then Was Read M.^r Bourgs Petitionary Letter And his Excellencys aforsaid Promise in his favour As also that of Landry against Boudrott &^{ca}

the Boards
opinion in
Relation to
Plantifs and
defendts
Appearing.

And the Board finding that none of the Adverse Partys Were present They Were of opinion that a Time should be fixed and signified to them to show Cause why the Prayer of

said Petitions may not be Granted And that the People of Mines Should Appoint Deputees to Ans.^r for them in Relation to the affair of M.^r Bourg as is Mentioned in Governor Philipps's Proclamation the 14.th of May 1730 And Were also of Oppinion that M.^r Bourg Should be orderd to give An Acco.^t of what Rents as also an Explanation of 280 livers advanced for his Majestys service¹ He [237] He had Received, from Whom and for what Acco.^t As^l also to give An Explanation of the 280 Livers said to be Advanced by him for his Majestys service

M.^r Bourg to give an Acco. of what Rents he has Rec.^d

(signed)

L. Armstrong

At a Council held by Order of the Honourable Lawrence Armstrong the L.^t Governor of the Province at his own house On Thursday the 8.th of Oct.^r 1731 at 9 o'clock A. M.

Present

The Honourable L.^t Governor of the Province
 The Honourable Major Alex.^r Cosby President
 Major Paul Mascarene William Skeen Esq
 John Adams Esq.^o William Shirreff Secretary

His Honour the L.^t Governor of the Province Acquainted the Board that the Major Paul Mascarene had presented him with a petition for a Plott of Ground Scituated W. B. N. $\frac{1}{2}$ N from the ffort of Annapolis Royall. Distance 371 Yards by 67 Perch Containing in the Whole Eight Acres and five Perch as per the Plan thereof Upon file lying Upon the N: N: E Side of the of the Road going up the Cape Bounded on the W B N Side by the Whitehouse feild and on the E C S. side by Ground belonging to Anthony Bellivo alias Blondine which said Petition being Read his Honour Desired the Advice and Oppinion of the Board

Major Mascarins petition for a plott of Ground. Granted.

Which being Consider'd, Agreed that a Patent may be granted for the same on the Conditions allready propos'd And [238] And Agreed to in favour of Cap.^t Christopher Aldridge as per Minute the 21.st Day of Aug.^t last

¹ "as also—service" apparently written in after the entry at the top of fol. 237.

Major Mascaine gets liberty to go to Boston and Otho Hamilton Esq. admitted one of the Council.

Then the Said Major Applied to his Honour in Council for Liberty to go to Boston in New England And his Request being Granted, His Hon.^r Acquainted y^e Board That in order to have a Quorum Conformable to his Majestys Instructions it would be proper to add some Other Gentleman to the Number of Councilors And he having Nominated Lieu.^t Otho Hamilton he was Unanimously Chosen Upon which he was sent for, And having thereunto Agreed he took the Appointed Oaths, And his place at the Board Accordingly.

(signed)

L: Armstrong

At a Council held by Order of the Honourable Lieu.^t Governor Armstrong at his Own house on Wednesday the 13.th day of October 1731 at 9 o' the Clock A: M.

Present

His Honour the L.^t Governor of the Province
The Honourable Major Alex.^r Cosby President
John Adams Esq^o William Shirreff Secretary
W.^m Skeen Esq.^r Otho Hamilton Esq^o

John Bourgs petition praying to succeed Matthew Martin on the Seigniority of Cobequid.

His Hon.^r Acquainted the Board that there were four men come from Cobequit who had presented him with petitions And other papers which he Judged proper to lay before them for their Opinion and Advice on the Same, And the four men Viz.^t Noel Duerong, John Bourg, Lewis Bourg & Joseph Robichau being calld in the Petition of John Bourg in behalf of himself and others Praying that According to the Last [239] Last Will and Testament of Mathew Martain they Might Succeed him As his Heirs in the Seigniority of Cobequit Was Read as also the said Testament and the Concession of the said Seigniority Made in favour of the said Mathew Martain Deceas'd as was likewise the Petition of the said John Bourg, Joseph Robichau and Lewis Bourg against Reny Martain of this River

petition Joseph Robicheau &c against Rene Martin.

As to their succeeding Mathew Martain, his Hon.^r Acquainted them that M.^r Campbel was gone to Britain to sollicite the Affairs of the seigniors And that as soon as he Rec.^d Any Directions about them that then the Prayer of their Petition should be taken into Consideration of which the Board Approved and orderd M.^r Secretary to summons Reny Martain to Appear before the Board to morrow Morning

As to Noel Duerong's Petition his Hon.^r Informed him as also the Rest of them, of the Necessity of having their lands all first Surveyed before he Could give them any Grants: And a paper being prepar'd to that purpose and the same order'd to be Read, it was with some Amendm.^{ts} Judged proper to be translated into french and sent into the sev.^l Districts of the Province, And Orderd that the Secretary should give the said Noel Duerong A minute of the Sentiments of the Board which also were that he the said Duerong might Enjoy and possess his said Estate Untill survey'd as aforesaid or farther orders

Noel Duerongs
petition for a
Grant and the
Gov.'s orders
to the Inhabi-
tants to have
y^e lands
surveyed.

Then Mons.^r Gauline Conformable to the Minute^a of Council the 11.th of September last laid before y^e Board a Copy of the Deed of Sale therein Mentiond Attested by Alex.^r Bourg And also Acquainted his Hon.^r that Mary Denny the Daughter of John Denny was Come from Mines to prove herself Heir of the said John Denny Deceas'd Which being Read [240] Read and the Young woman Call'd upon and Examined; It was agreed that she the said Mary should be Immediately put into the possession of Said Lands there being no body else, ever since the Death of her said ffather John Denny, which is now Allmost two Years agoe, that hath laid any Claim there-Unto or anywise petition'd for the same And it was thereupon Agreed that the Deputees of Mines Allong with the said Alexander Bourg should be Orderd to Give the Said Mary Immediate possession

Copy of Mary
Dinnis deed of
Sale laid
before the
Board & the
orders to
be put in
possession.

(signed)

L: Armstrong

At a Council held by order of the Honourable L.^t Governor of the Province at the Honourable Major Alex.^r Cosby's house the L.^t Governor of the Garrison, on Thursday, the 14 Day of October 1731 A: M.

Present

Major Alexander Cosby Presid.^t

John Adam Esq^o

William Shirreff Secretary

William Skeen Esq^o

Otho Hamilton Esq.^r

The Governors
order for sur-
veying the
lands ordered
to be published

The Secretary Acquainted the Presid.^t and the Board that his Hon.^r the L.^t Governor of the Province was so much out of Order that he Could not Attend the Council, And that he had again Recommended to their Consideration the Instrument that was Read Yesterday (concerning the Surveying of the Inhabitants lands) the same being translated into french Conformable to Yesterdays Minute, of which he desires the Board's Opinion And Whether it was not very Necessary that it should be published amongst the Inhabitants, it being Impossible ever to have Any Tollerable Aeco.^t of their Estates or even to give Grants, till first Surveyed

Which being order'd to be Read the Board Approved thereof [241] Thereof And Were of Opinion that it was Very Necessary that it Should be published And that the Inhabitants ought to have all their Estates Surveyed as is therein Directed; As also that Governor Armstrong should Explain to the Deputys y^t part thereof Relating to their Employing the Kings Surveyor that none of them may be made to believe that he is to do it for Nothing

Then were Read Two Extracts of Yesterdays Minute in Relation to Mons.^r Gauline tutor to one Mary Denny Daughter of the Deceas'd John Denny, And Noel Duerong of Trejeptick on the South Side of the Basin of Mines, of which the Board having Approv'd, they Agreed that the same might be Deliver'd to them

Rene Martain
Order'd to pay
Rent to John
Bourg &c.

And Reny Martain, According to the Order of the Board yesterday, being come to Ans.^r to the Complaint of John Bourg, Lewis Bourg and Joseph Robichau about his paying

them Rent for a ffarm he had by lease of Mathew Martain to whom they Were some of the Heirs As Appear'd by said Martains Last Will, their papers Were Examin'd, and both partys being heard

The Board Were of Opinion that the Said Petitioners Were Intituled to their proportionable part of the rent of Said ffarm ever since the time they took the Oath of Allegiance to his Majesty King George the Second

Lewis Bourg having also presented to the Board a Petition Representing that the aforesaid Mathew Martain of Cobaquit had Granted a Tract of Land to some people of that Place of a League and a half Alleading that these people possess'd more than was Granted [242] Granted And Praying that the same might be Examined into by the Deputees of that Place, till that the same Could be Surveyed by the Kings Surveyor

Lewis Bourgs
petition in
Relation to
Boundarys.

The Board Upon the Consideration thereof, Were of Opinion that the Instrument already Mentioned to be sent to the Inhabitants & their Deputoes about having their Lands all survey'd, And What his Honour the L.^t Governor of the Province had said Yesterday about the Seigniors Was a Sufficient Ans.^r to said Petition

(signed)

L: Armstrong

At a Council held by Order of the Honourable Lieu.^t Governor Armstrong at his own house on Munday the first of November 1731 at 10 o' the Clock A. M.

Present

His Honour the L.^t Govnor of the Province

The Honourable Alex.^r Cosby L.^t Governor of y^e Garrison
Presid.^t

John Adams Esq.^o

William Shifreff Esq.^o

William Skene Esq.^o

Otho Hamilton Esq.^o

His Hon.^r the Lieu.^t Gov.^r of the Province Acquainted the Board that his Calling them together proceeded from Mons.^r Gaulins Complaints, being Destitute of the Necessarys

Mons^r Gaulin
Complaint
against the
Inhabitants.

of Life, because the Inhabitants had Granted him no Manner of Allow.^{ce} for Serving the Cure as their Priest And y^t therefore he had Summond the Deputees to Enquire of them the Reason thereof And Why they did not pay him the Customary Dixiems

The Deputies being call'd in And his Honour having put the Question, They Acknowledged that it was Very Reasonable [243] Reasonable that he should be taken Care of, but that the Year proving so very bad, they were scarce able to provide for themselves, however that they Would Recommend it to the Inhabitants And Returne their Answer on thursday the 11th Ins.^t

Lavern
petition
ags. Guatier.

A Petition of Peter Lavern Against Mons.^r Gualtier was also Read And it was Agreed that Said Petition And two other Papers thereunto Relating Signed by Mons.^r De Braisly, Should be given to Said Gualtier in order to make his Ans.^r to it also the 11.th Ins.^t

(signed)

L: Armstrong

At a Comity of Council held by order of the Council held by Order of the Honourable L.^t Col.^o Lawrence Armstrong the L.^t Governor of the Province on Tewsday the 9th of November 1731 at Mr. Gibson's Room in his Majesty's Garrison of Annapolis Royall at 11 o' the Clock A..M.

Present the Honourable Alexander Cosby Presid.^t
William Skene Esq^o
William Shurreff Secretary Otho Hamilton Esq.

James O.
Neals petition
for a piece of
Ground at
Shikenectue.

The Secretary Acquainted the Presid.^t that there was one James O' Neale, a British subject from Ireland Come here and gives An Acco.^t that he had been for some Years in france and from thence went to Canada and other places in the Dominions of ffrance And that he Now Intends to settle at Shickanecktau Provided the Governm.^t would Grant him a Patent for a Peice of Ground as sett forth in his Petition, And that as he is An Intire Stranger in ye Country and perhaps Come with other Views; His Hon.^r the Lieu.^t Governor

[244] Governor of the Province therefore Desired that his Hon.^r the Presid.^t with this Comity of the Council would be pleased to Examine him And make him a Report in order to be Considered And laid before the Council on thursday Next

M.^r O'Neale being Called. his Hon.^r the Presid.^t put to him the following Questions Viz.^t

Of What Country. And how long he had been from it, & What Induced him to Come to America and to Leave the french plantations After being so long amongst the french? To which Questions

M.^r O'Neal Made Answer that he was of Ireland And born in the County of Cork; That it was about Eight Years since he left that Country, and went from thence to follow his Studies in the College of Lombard in Paris Where he studied Physick and Chirurgery for three Years And from thence Went to Canada in order to find Practice, Where, after an abode of about three Years, not finding the Expected Encouragem.^t he Departed from thence to Lewisbourg in Cape Breton with a Designe to go to New Spain to seek his fortune in these parts; But meeting with on Mons.^r Lattong of this Province at Lewisbourg and he Acquainting him that he might Meet with Encouragem.^t here. Advised him to go to Shickanecktau, where having been for about six months And finding the Place Agreeable, He Intended to Marry & to settle himself there Provided that the Governm.^t Would Encourage him by giving him a Grant of a Peice of Ground for which he had Petition'd the Honourable Lieu.^t Governor Armstrong; He profess'd himself a Roman Catholick, but promised to behave himself faithfully in all Respects to his Majesty King George's Government; And being Ready as sett forth in his said Petition to take the Usual [245] Usual Oath, That he Accordingly Would bear True and faithfull Allegiance to his Britanick Majesty

The Comity are of Opinion that the Irish Roman Catholicks would more Naturally prove better Inhabitants than the

french And that if he perform'd his promise he might be
Very Serviceable in these parts

(signed)

L: Armstrong

At a Council held by order of the Honourable L.^t Govern-
or of the Province at his Own house in his Majestys Gar-
rison of Annapolis Royall on Wednesday the 10.th of Novem-
ber at 11 o' the Clock A.M:

Present

The Honourable L.^t Governor of the Province

The Honourable Alex.^r Cosby President

John Adams Esq

William Shirreff Secretary

William Skene Esq

Otho Hamilton Esq.

The Gov.^r
Speech in
Relation to
the Scarcity
of Grain.

His honour the L.^t Governor of the Province laid before
y^e Board the Necessity that not only the Kings Garrison but
Even the Inhabitants themselves lay Under for Grain, & As
the Trading Vessells were Arrived from the Bay, And having
only a little on board upon freight for some of the Inhab-
itants Desired the Opinion of the Board, And what Methods
they Would Advise him to take Upon such Extremitys

The Board being to sitt again to^morrow Agreed y^t his
Hon.^r the L.^t Govern^or of the Province do send an Order to
y^e Merchants [246] Merchants and Masters of the Vessels
not to permitt any Grain to be taken from or on Board and
put on shore out of any of their Vessells on any Acco.^t What-
soever till farther Orders

(signed)

L: Armstrong

At a Council held by Order of the Honourable Lieut. Governor of the Province at his Own house in His Majestys Garrison of Annapolis Royall on Thursday the 11.th of November 1731 at 10 of the Clock A. M.

Present

The Honourable L.^t Governor of the Province
The Honourable Major Alex.^r Cosby Presid.^t
John Adains Esq. William Winniett Esq.
William Skene Esq.
William Shirreff Secretary Otho Hamilton Esq.

His Honour the L.^t Governor of the Province Acquainted the Board that he had sent to the Merch.^{ts} and Masters of the Vessells According to Yesterdays Minute and that the Quantity of Grain on Board was only Eight hh.^{ds} and one Bush.ⁿ of Wheat and two hh.^{ds} of Pease; And Desiring Advice;

Motion in Relation to the scarcity of Grain.

The Board thereupon Considering the Smallness of the Quantity and the Poverty of these Inhabitants for whom it was Shipt And that Mons.^r Robichau was the Only Person Amongst them that could best spare what was for him. And were therefore of Opinion that his Honour might lodge M.^r Robichaux's in the Stores till his Returne from Mines And then either to Borrow it or to buy it As Necessity Required

Then His Hon.^r Acquainted the Board that Nathaniel [247] Nathaniel Donnell Master of the Sloop Hopewell had presented him with a Petition Signifying that he had been formerly Seiz'd and had Given Bond to M.^r James Gibson the Then Deputy Collector and Naval Officer for the sum of five hundred and Seventy pounds four Shillings to Stand Tryall at a Court of Admiralty to be held in this Province within the Space of Seven Months from the Date of the Obligation And the time being now Elapsed Prays his Bond may be orderd to be Deliverd Up and Cancell'd, he having by Giving Due Attendance fulfill'd the Conditions thereof And that he had Accordingly Protested

Nathaniel Donnell's petition in Relation to his vessel & Goods being Seiz'd.

Upon Which his Petition and Protest (as upon file) being read, M.^r Gibson Was Call'd as also was M.^r Samuel Cottenham the present Deputy Collector And the Bond being produced And the Conditions thereof Considered; It was Agreed Nemine Contradicente That M.^r Donnel had fulfill'd the Conditions of Said Bond And are of Opinion that the same is Void And Now of Non-Effect And that he is Acquitted from all Obligations Or the Penalty of that Bond or any pursuit on Account of the same in time Coming

Mons.^r Gaulin
& the Deputy's
agrec.

Then his Honour Inform'd the Board that the Deputy's of the Inhabitants of this River Were According to Ap-
poin.^{mt} on Munday the first Ins.^t Come with their Answer As
then Required in Relation to their Priest Mons.^r Gauline

And they being Calld they presented their said Ans.^r (as upon file) And the same being Read the Provision therein Made for M.^r Gauline was Judged. Sufficient And as to their Request for his Staying half his time up the River His Hon.^r gave for Ans.^r that he should be permitted to Stay Up the River only Every third Sunday And that only upon his Acquainting [248] Acquainting his Honour from time to time of his going And Coming

the Deputy's
answer in
Relation to
ye lands being
survey'd.

The Deputy's also laid before the Council their Answer to the Instrum.^t of the 14.th October last about the Surveying of their Lands, which being Read it was Agreed that the Consideration thereof should be Refer'd to some other time

Laverns
petition agst
Gautier
Granted.

Then the Affair between Laverne and Gautier Mention'd in Council the 10.th Ins.^t and Refer'd to this Day was taken into Consideration And M.^r Gautier's Ans.^r to Lavern's Petition being Read and both Examin'd; It was after some Debate (Peter King who Appeard as Wittness being Sworn) The Cow in Dispute was Decided in favour of Lavern According to the Evidence & Order'd that the Cow or the Value thereof should be Returnd to Laverne by the said M.^r Gautier

James O
Neales
petition
granted.

Then was Read the Minute of the Comity^r of the 9.th Ins.^t And the Comitys Report on a Petition from one James O'Nealé Praying a Patent for a Peice of Ground at Shick-

anectru And the Report being Approved off, It was agreed Nemine Contra Dicente that the Prayer of his Petition may be Granted Provided None other have and Can show a preferable pretention thereunto on or before the tenth Day of April Next

(signed)

L. Armstrong

Att a Council held by Order of the Hon.^{ble} Lieut Gov.^r Armstrong at his own House upon Thursday the 25th of November 1731 at 9 o/Clock A. M.

Present

His Honour the Lieut. Governor of the Province
The Honourable Major Alexander Cosby President

John Adams Esq.
William Skene/Esq.

John [249]
William Shirreff Secretary
William Winniett Esq.
- Otho Hamilton Esq.

His Honour acquainted the Board of the Arrival of Mr Bissell from the Bay and that he having Grain aboard for the Inhabitants, he had according to the Sentiments of the Board on the 11th Instant, Sent an order to him, Not to Deliver it to them without first Giving him a particular account, & that the Said Inhabitants having been with him yesterday, to whom he had Represented the Necessity of the Garrison; and being sensible of their wants, in Compassion to them, he Consented that they Should go and Receive one half of the Wheat and all their pease, and did Accordingly tell M.^r Bissell to Deliver it to them, But they in an upish Insolent Manner Refusing to take any, unless they had all, was the Cause of his Calling them together for their advice Upon that Subject; He having also told them that the half Which he was obliged to take Should be placed in the Stores, and thereby Untouch'd Unless there was an absolute Necessity to Make use of it for the Support of the Garrison

the Governours
proposalls to
the Inhabi-
tants in Rela-
tion to Grain.

Upon the Consideration of the aforesaid Minute And the present Necessitys of the Garrison, the Board were all of opinion, That his Honours proposals to the Inhabitants at

this Juncture were very Reasonable, and that he Might very Warrantably lodge the Half of their Wheat in the Stores and Make use of it, in Case of Necessity, Which Seem'd to be too Apparent

(signed)

L: Armstrong [250]

Att a Council held by order of the Honourable Lawrence Armstrong Esq^r Lieu.^t Governor of the Province at his own House on Thursday the 30th of December 1731 at ten o Clock A. M.

Present

His Honour the Lieu. ^t Governor of the Province	
The Honourable Major Alex. ^r Cosby President	
John ^r Adams Esq. ^r	William Shirreff Secretary
William Skené Esq. ^r	William Winniet Esq. ^r
	Otho Hamilton Esq. ^r

the petition
of John Prince
&c Examined.

His Honour acquainted the Board that he has Called them together upon a Petition of John Prince and others the Heirs of the deceas'd Widow Richards, Complaining of Piere Depuis for taking possession of the Said deceas'd widows Effects. The Said Depuis and Prudane Robicheaux, who appeard for the heirs, being Called in, the Petition was Read, and his Honour having Asked him the said Depuis, by what Right he had, taken those Goods, into his possession, who answer'd by virtue of a Will, and he having produced the Same, it was also Read, and it being only Signed by John Duon, Michel Richards and Renny Richards, who only made Declaration, that it was Conformable to what the Said widow had Declared to them on her death Bed, His Honour proposed Assigning another Day for their proving the Same

Agreed that on the 22^d of January Next, they Should have a Rehearing, in Order to prove the validity of said Declaration

(signed)

L: Armstrong [251]

Att a Council held by order of the Hon^{ble} Lieu^t Governor Armstrong at his own House in His Majestys Garrison of Annapolis Royal on ffryday the 7th of January 173½

Present

John Adams	} Esq ^{rs}	William Shirreff Secry	} Esq. ^{rs}
William Skene		William Winniet	
		Otho Hamilton	

The Secretary acquainted the Board that his Honour the Lieu^t Governor of the Province was out of order, and could not be present, and that there being Several people Come from Menis, who had presented him with Petitions. He order'd the Same to be laid Before the Board, for their advice and Opinion thereon

The petitions of Michell Boudrot and others of Menis praying for a Settlement at Chippody.

Upon which the people being Called in, The Petition of Michel Boudrot, and that of James Legers In Behalf of his Son &c, Both praying for a Plantation at Chippody were Read, and three Certifycates In favour of Said Boudrots being the first possessor of the Plantation in Dispute were also Read, With a Declaration of Will Denys In favour of Leger, and Governor Cosbys Permitt for his Son to go and work upon his Habitation all Upon ffle

Then the Petition of Reny & ffrancois Leblanes Against Antoin Landry, as also five Certifycates to Support their Pretentions to a Plantation at Chippody, taken possession of by Said Landry, and their farther Reasons advanced in writing by M^r Cottnam, who appear'd for the Said Leblanes as are upon ffle

There were also Read the Said Landrys Petition, with four Certifycates in Support of his pretensions as Upon ffle

The Several partys being Calld and Examined about what they had further to Say, they were ordered to Withdraw [252]

Then the Secretary having (as M^r Boudrot had pled an Order of the deceas'd Governor Doucett as by His Petition)

Read an order of his Honour the Lieut Governor of the Province dated the 22^d of Aprile 1727 Relating to the lands of Chippody, The Case of Boudrot and Legers was taken into Consideration, But Legers Sons not being present, The Board were of opinion, as the ffather Declin'd Appearing for them, That the Determination of that Case Should be Defer'd, till the 10th of Aprile Next, and that Both partys Should then Appear before the Council

The Petition of the Leblancs and Landrys Case were next taken into Consideration and the question being put, which of their pretensions were to be preferred

The Orders of the Deceas'd Lieu.^t Governor Doucett In Relation to the lands of Chippody, being also pled In favour of the Leblancs, and Demanded to be produced, It was therefore Agreed to adjourn till to Morrôw Morning at ten of the Clock, if the Said paper can by that time be produced for farther Consideration of that Case, and others Still to be laid Before the Board

Saturday 8.th Adjourn'd By order of his Honour the Lieu.^t Governor of the Province, to Munday the 10th at 11 o'clock A. M.

(signed)

L: Armstrong

Att a Council held By order of the Hona^{ble} Lieu.^t Governor Armstrong, at his own House in the Garrison of Annapolis Royal on Munday the tenth of January 173½ at 11 o'clock A M

Present

John Adams	} Esq ^{rs}	William Shirreff Secry	} Esq ^{rs}
William Skene		William Winniet	
	Otho Hamilton	[253]	

The Board being Mett According to adjournment, the Secretary acquainted them that he had Communicated to his Honour the Lieu.^t Governor of the Province, the last days Minute, which having perusd, He directed him to acquaint the

Board, that he found that the Plaintiffs only had Appear'd, and that therefore the Board at present, could only take Notice of their Respective papers, and keep them on file, till both partys with their witnesses on Both Sides, Come face to face, to prove the validity of their Several Pretensions, and that before any Decision can be made or Sentence pass in favour of Either party, they ought to Comply with his Majestys Instructions, in Having their lands all Survey'd, and that he also Desires the Board to give Sufficient time, & appoint a Day for the partys Appearing

The Secretary acquaints the Board of the Governours opinion of last days minute & of John Deputies affair.

The Secretary also Informd the Board, that he acquainted the Governor of John Depuis Affair, whose Dispute was with the Claudes Boudrot and Landry In Relation to Some lands at Menis, and that he had Said, that Prudane Robicheau or Michel Boudrot was to appear in Behalf of the Defendants, The Gov.^r Therefore Desired the Board might Examine into the Merit of the Petition. But to Inform him as aforesaid It Being Required that all the Inhabitants Do Comply with his Majestys Instructions as aforesaid

Governor Doucetts order in Relation to Said lands at Chippody, not being as yet produced. The Board proceeded in the affair of John Depuis, Contra the Claudes, Boudrot and Landry, who being Called in, Prudane Robicheau Appear'd for the Defendants

The Petition of Said Depuis was Read, as also an agreement Between Terriot Deceas'd and the Saids Clauds Boudrot and Landry, the Arbitrators Sentence [254] Sentence, Governor Doucetts order to the Deputys of Menis in Relation to Said Sentence and the Deputys of Mines's letter to Governor Doucett in answer to the Same. as upon file

To which Prudane Robichau being Desired to Produce what he had to Say Against the proofs and Arguments advanced by the Plaintiff

He first laid Before the Board a power of Attorney for his Appearing for the Defendants

Then he Demanded that the Terriots first Contract Given for the land in Dispute, might be produced, which was accordingly done and Read, bearing date the 12th of June 1683

Then the Board Demanded also the Defendants Contract, which being also Read, was found to be of the Same date, And the Defender being ask'd if he had any other proofs to produce, he answer'd, only the Certifycates of Some people viz.^{tt} A Declaration of Madam Belisle and of Sebastian Broin, which being also Read, and the partys on Both Sides heard, they were ordered to Withdraw

John Depuis
affair Decided.

The Secretary acquainted the Board, that he had Received Some paragraphs of the Governors Instructions Relating to Surveying the Province which he Desired Might be laid Before them for their Consideration, which paragraphs being Read, The Board proceeded to the Consideration of the Said partys Case, and Neming Contradicente were of opinion, That the land in Dispute, lying between the two Ruisaus, Called by the name of Ruissau de Laigle, Should be Equally Divided viz.^{tt} Both the Wood and the Marshland, and that the Defendants Should pay the whole Charge of the Process And the Secretary Moving the Necessity of Enjoyning them in Said Sentence to Comply with his Majestys Instructions, Conformable to [255] to the Governors Message and the above Said paragraphs of Instructions to that purpose, which were viz.^{tt} The 49th and the 112th Articles of the Earl of orkneys Instructions as Governor of virginia dated the 22^d of March 172 $\frac{1}{2}$. The 21st and 10th Articles of Governor Philippps's General Instructions dated the first of July 1729, which being Read as above. Created Some Dispute. It was Agreed to put the question Whether it was not Necessary That the Inhabitants Should first Comply with his Majestys Instructions to the Governor and that Each Members Opinion Should. be taken and Distinctly Minuted, which are as follows viz.^{tt}

the Members
of Councils
opinion In
Relation to
Surveying
the Province.

Otho Hamilton Esq. That it is Necessary, that the Inhabitants Should have their lands Survey'd, according to his Majestys Instructions, In order to have their Boundaries Settled

William Winniet Esq.^r was, That as there is a Proclamation already Relating thereunto, he had Nothing farther to Say to it

William Shirreff Esq.^r was That it was Necessary that they Should Show their obedience and Comply with his Majestys Instructions, and have their lands all Surveyd

William Skene Esq.^r was, That in order to prevent vexatious Suits, which daily happen, and the Better to Ascertain the Just Boundarys of Each mans property the lands ought to be Surveyed According to His Majestys Instructions

John Adams Esq.^r was non liquit

(signed)

L: Armstrong [256]

Att a Council held by order of the Hon^{ble} Lawrence Armstrong Esq.^r Lieu.^t Governor of the Province at his own House in His Majestys Garrison of Annapolis Royal on Tuesday the 11th of January 173½ at 11 o Clock A. M.

Present

The Lieu.^t Governor of the Province
Major Alexander Cosby President

John Adams	} Esq. ^{rs}	William Shirreff	} Secretary.	} Esq. ^{rs}
William Skene		William Winniet		
		Otho Hamilton		

His Honour order'd the Minutes of ffriday the 7th and Munday the 10th to be Read, which were accordingly done, and his Honour asked whether there were any other Affairs to be laid Before the Board, the Secretary presented him with Governor Doucetts aforesaid Order, In Relation to Chippody, which was also Read

Then was proposed to Sett a time for the Le Blancs to Appear with m^r Landry, to prove the validity of their Respective Certifycates

Landry and the LeBlancs orderd to appear both together in Council in order to have a Decision in y^r affair.

Agreed, that they Come on or Before the 10th of Aprile Next, provided they all Come together

And Whereas the Inhabitants of Mines have Not observed the Directions prescrib'd to them by his Honour the Lieut. Governor of the Province, with the advice of the Council for their Appearing in Case of process dated 21st of September 1731, and that Notwithstanding thereof, the Plaintiff or the Defendant do only appear

Agreed, that his Honour Should write another¹ letter to [257] to M^r Bourg and to the Deputys of Each District to Certify the Reasons for any of the partys Refusing to Comply with the Summons of the adverse party, who are Both Required to Appear

Letter agreed to be Sent to Mr Bourg in Relation to Plaintiff & Defendant as also to the Deputys of Menis to Divide the land in Dispute between Depuis & Landry.

It was also Agreed that an order Should be Sent to M^r Bourg and the Deputys of Menis to Divide the Said land in Dispute Between the Said John Depuis and the Claudes Boudrot and Landry, According to the aforesaid opinion and Determination of the Council, and to put him in possession thereof Accordingly

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lawrence Armstrong Esq^r Lieu.^t Governor of the Province at Jo: Adams Esq his House in the Garrison of Annapolis Royal on Saturday the 22^d of January 173 $\frac{1}{2}$ A. M.

Present

John Adams	} Esq ^{rs}	William Shirreff Sec ^{ry}	} Esq ^{rs}
William Skene		William Winniet	
		Otho Hamilton	

John Princes affair Decided.

The Secretary Acquainted the Board that the Governor was very ill, and Therefore Desired the Council might Sitt at Captain Adams's pursuant to their Adjournment of the 30th of December last for their opinion [258] opinion on the Petition of John Prince and the other heirs of the decess'd Widow Richards against Pierre Depuis

¹ Word doubtful.

The Petition being again Read, and Both partys fully heard and Examined upon the whole Matter. The Board were of opinion, that the Nuncupative will of Widow Brosard (the witnesses having Sworn to the truth of their Declaration) was Good, and order'd the Plaintiffs to pay Cost of Suit

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lawrence Armstrong Esq^r Lieu.^t Governor of the Province at his own House in the Garrison of Annapolis Royal on Saturday the 5th of february 173½ 11 o Clock A. M.

Present \

The Lieu.^t Governor of the Province

John Adams	} Esq ^{rs}	William Shirreff Secry	} Esq ^{rs}
William Skene		William Winniet	
		Otho Hamilton	

His Honour acquainted the Board that he had Several petitions to lay Before them for their Advice & opinion thereon viz^t

one from John^t Gautrau, against John and Andrew Le Blancs Defendants, for whom appeard M^r Bellisle [259]

One from James Hebert In Behalf of himself and the Children of Emanuel Hebert against John Terriot, in Relation to the Common at Menis

One from Bernard Godett and Bernard Pilrain against the Inhabitants of this River who have not paid their proportion of Expense in Cutting the way to Menis, as agreed upon with the Inhabitants

Several petitions and other papers from the people.

One from John Brosard against Francis Richards And the partys being Cald in their order =

Mess^{rs} Gautrau and Bellisle being therefore Cald, and both partys fully heard, their petitions and other papers being Read

¹ Written over and uncertain.

James Hebert In Behalf of himself and the Children of Emanuel Hebert, and John Terriots petitions and papers being also Read and the partys heard

The Board Referd the Consideration of Gautros Case and that of Mr Heberts till Munday the 7th Instant

Adjourn'd to 3. o' Clock P. M.

Pilrains Com-
plaint agst the
Inhabitants
for not
Cutting the
road to Minis.

The Board Mett according to adjournment, & Read the Petition of Bernard Godett and Pilrâin Complaining of the Inhabitants for not Complying with the agreement made by the Deputys for themselves and the Inhabitants for Cutting the Road to Menis, Conformable to Governor Philipps's order, and the list of Said Inhabitants being Call'd for, and they having Answer'd to their Names, and Examin'd order'd that they Should pay it to the Deputys, which they Did accordingly with Sixpence more for the Constable

Petition
Brosard
against
Richards.

Then the Petition of John Brosard Against Francis Richards was Read, The partys being Call'd & heard, and their Affairs taken into Consideration, The Board Agreed that Francis Richards Should pay to [260] to John Brosard a Pistoll for his familys Breach of the Peace on the Kings high way, as also to Return to him the Same quantity of Wood taken off his land and that the Said Francis Richards pay cost of Suit and give Good Security for his peaceable Behaviour for a year and day

Then the Board Adjourned to 11 o' Clock on Munday the 7th Instant

Munday the 7th Instant Mett according to Adjournment (William Winniet Esq.^{re} Excepted) to Consider the Affairs of Gautrau and the Le Blancs, and these of James Hebert, and the Children of Emanuel, Complaining against John Terriot and others, In Relation to the Common of Menis. And their papers being again all Read, the Several partys were again Call'd and Re-examin'd and their Respective Petitions and papers again Read unto them, Gautraus Case and

the Le Blancs being first taken into Consideration and Debated

The Board in the aforesaid Case of Gautrau were of Opinion That the Said Gautrau Should Conform himself to the Contract of the $\frac{1}{4}$ part of the point Granted to him by the Le Blancs in the year 1688. and noways to Enclose and to hinder the Said Le Blancs from the Pasturage of Said $\frac{1}{4}$ part, as is Mentioned in their Said Contract and to pay Cost of Suit, and were also opinion, That the Said Gautrau, In Case of producing proof of Bellisles Contracts Being of a prior date to that of the LeBlancs. and also for the Same peice of Ground-Specified in that of the Le Blancs. Should have a Rehearing [261] Then the Board took into Consideration the Case of Emanuel Hebert, and the Terriots &c., and their Petitions and papers being also again Read, Examind and Both partys heard, The Board Upon the Consideration of the Whole, Agreed

Gautrau and the LeBlancs affairs decided

That the land in Dispute, Call'd the Common of Menis Should Remain to Emanuel during his life, as is Specify'd by M^r Adams's Sentence of Arbitration, only, That the Inhabitants of the Grand Pree of Menis, Should upon paying Sixpence *per* Cord to the Said Emanuel, have liberty to Cutt What Wood may be Necessary for their Respective familys, and are of opinion, That the Said land Should after the death of Emanuel become a Common, Upon their the Inhabitants taking a Grant thereof Conformable to his Majestys Instructions and that the Plaintiffs and Defendants pay the Charge of Suit Equally between them, And that a letter be Sent to the Deputys to Cause this Minute to be publish'd at the Church of Menis

Emanuel Hebert allowed to keep possession of the Common of Menis.

(signed)

L: Armstrong

Att a Council Held by order of the Honourable Lawrence Armstrong Esq.^r Lieu.^t Governor of the Province at his own House in the ffort of Annapolis Royal on Saturday the 25th of March 1732 at 4 o Clock P. M

Present

The Lieu^t Governor of the Province
 Major Alex^r Cosby President [262]
 John Adams } Esq^{rs} William Shirreff Secry }
 William Skene } William Winniet } Esq^{rs}
 Otho Hamilton }

Rene
 Le Blanc
 Petition
 against the
 Melansons.

His Honour acquainted the Board that he had received Petitions from one Rene Le Blanc Inhabitant at Menis, Settling forth Several Greivances, which he thought proper to lay before them for their advice and opinion therein. And the Same with Several other papers thereunto Relating being ordered to be Read, the Complainant was Call'd in

The first that Was Read ^{was} a Petition Complaining against the Heirs of the deceas'd Peter Melanson, then two Sentences pass'd in favour of the said Rene Le Blanc Before John Adams Esq^r Appointed by the deceas'd Lieu^t Governor John Doucett to Examine into that Difference, Bearing date the 12th of Aprile, and the 29th of August 1723, As also Governor Doucetts order in Relation to the Same, a Contract Between the Said Rene Le Blanc and his deceas'd Wife Elizabeth Melanson, the origine of the Whole Dispute

And being ask'd for the Defender, he answer'd, that they were Summon'd, But would not Come, and in order to prove that they were duely Summon'd, He produced the Affidavitts of two Wittnesses, taken Before John Adams and William Shirreff Esq^{rs} as upon file [263]

It was then ask'd if they had Signified the Reasons for not Coming according to Said Summons and the particular orders of the Government in that Respect. Whereupon was Read a letter from M^r Bourg of Menis, and of the other heirs of Said Melanson, Bearing date the 30th of March instant N. S. and the Same Upon Consideration being Judged a very frivolous, Checanning and Impertinent letter it was laid aside

The Board were therefore of opinion that the Said Heirs through their Default. Should be obliged to Comply with the

S^resaid Sentence pass'd thereon by the Said John Adams Esq.^r the 29th of August 1723, And Governor Doucetts order Enjoying the Same Bearing date the 23^d of June 1726. As Also that they Should pay all Damages for their Non Compliance, and Costs and Charges of process, And that His Honour the Lieu.^t Governor Send an Order to M^r Bourg and the other Deputys of the Grand Prée of Menis to See this Sentence duely and Immediately put in Execution, as the party Refusing will answer at their peril

Then the Board adjourn'd till Munday Next the 27th instant at 10 o Clock A. M. to Consider the prayer of the Appellants other petition, and other papers to be laid Before them

Munday the 27th of March 1732, Mett according to adjournment being all present

The other petition of Reny Le Blanc Complaining of Widow Johnson for Keeping him out of the possession of his House in the Lower Town of [264] of Annapolis Royall, and a Note of her deceas'd Husband for £10 due for Rent, as also the Widows Answer to Said Petition, and his Excellency General Philipps's promise of a Grant to the said Widow of Said House, were all Read; And the partys Being Call'd in, and Examined upon their Several Alegations, And Being order'd to withdraw, the Board upon the Consideration of the Whole, By a Majority Gave their Opinion that Rene Le Blanc was Justly Entitled to the Said House

Rene
Le Blancs
petition
against
widow
Johnston.

Then Were Read two permitts viz^t one to Paul Melanson Joseph Surrett, Peter Surrett, Joseph Cadett, Jun.^r Martin Aucoin Jun.^r and Joseph Babbin to go to Mushquash-cove: And one for Paul Le Blanc, John Le Blanc (alias Sappine) James Tibau and Benjamine Le Blanc to go to Apple River and S^t Johns; A letter to the preist of Menis, one to the Deputys of 'Cobaquit and an order to the Inhabitants of St Johns River to Come and take the Oaths, and Submitt themselves to the Government, all which papers being approv'd of, only to Soften Some Expressions in the preists letter, for Reasons advanc'd by Gov.^r Cosby

Melansons
permitt a
letter to the
preist of Menis
& an Order to
the Inhabitants
of St. Johns River
read in
Council.

John
Hansholes
Complaint
against
Francis
Watherby.

Then was Read a Petition from John Hanshole Setting forth that Francis Watherby had encroach'd 3 foot upon his Tenement, which was Refer'd to Said Watherby to make his answer to the Same

Then the Board adjourned till 4 of the Clock in the afternoon [265].

The Same Members having Mett according to Adjournment at 4 o Clock P. M.

Carpent'r
Horlocks
Complaint
ag^t Watherby

His Honour acquainted them that he had received a Petition from Carpenter Harlock Complaining that Francis Watherby had encroachd upon his land, & praying Redress. It was Refer'd till Watherby Gave in his answer to the Same

Landry &
Le Blancs
Controversie
Decided.

Then his Honour acquainted the Board that Mr Landry and the Le Blancs from Menis were Come Conformable to the Minute of Council of the 11th of January last to prove the Respective allegations and pretensions to Some land in Dispute Between them at Chippody, and Refer'd the Same to the Board's Consideration for their opinion therion

The Landrys pretensions to the Said land at Chippody and Memramcoup, and their petitions and other papers, as mentioned in the Minute of the 7th January last being again Read, also the Said Minute, and the partys being again heard. And their Several Allegations Re-Examined, they were order'd to Withdraw

Upon the Whole it appear'd to the Governor & Council that Neither the one nor the other hath any legall pretensions to said land for their presuming to take possession thereof and to work thereon without any Authority from the Government, it being also Contrary to a paragraph of his Majestys Instructions, for them, Either to take, or Even for the Governor to Sett apart any land Untill first Survey'd, and a Report thereof made by the Surveyor [266] Surveyor who is daily expected, and if they Continue to Work thereon, it is to be at their Risque

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lawrence Armstrong Esq.^{ro} Lieu.^t Governor of the Province at his own House in the Garrison of Annapolis Royal on Munday the 8th of May 1732

Present

His Honour the Lieu. ^t Governor of the Province	
John Adams Esq. ^r	} William Shirreff Secry
William Skene Esq. ^r	

His Honour acquainted the Board that he had Received a Message from Major Alex^r Cosby Lieu.^t Gov.^r of this ffort. By a letter to the Secretary, the Copy thereof being as follows viz

Annapolis Royal 7th May 1732

Sir

I desire you'l acquaint the Commander in Chief of this Province at the Next Council that is to be Conven'd, that I withdraw my Self from being a Member of Said Council, untill I acquaint his Majesty with my reason for So Doing

Lieut. Govern-
nor Cosbys
letter to the
Secretary.

I am Sir

Your hum^l Ser^t

To William Shirreff Esq.^r Acting
as Secretary to his Majestys
Council in this Province

Alex^r Cosby

[207]

His Honour Desir'd the opinion of the Board upon this letter, which being taken into Consideration; the Board agreed, that a Copy of Said letter Should be Sent to the Secretary of State, and the Lords Commissioners of Trade and that as he hath voluntarily withdraw'n himself, that he be Suspended from being a Member of his Majestys Council, Untill his Majestys pleasure be thereon Known

Then his Honour acquainted the Board that one Philip Melanson from Menis had presented him with a Petition, Praying a Rehearing of the Plea decided by the Council in favour of Rene Le Blanc the 25th of March last, in prejudice of the heirs of the Deceas'd, Peter Melanson, Said Sentence

a Rehearing
of Melanson
and Le Blanc
Controversie.

being pass'd on account of their not appearing at that time, pretending that he and Said heirs were not Summon'd according to the orders of the Government and as the Said Rene Le Blanc and Several Others Concern'd in that affair, were also Come, he ask'd their opinion thereon

Whereupon the partys Being Call'd in, the Board order'd the aforesaid Sentence to be Read, As Also Said Melansons Petition, and Both partys being heard, The Board were of opinion that the Said Philip Melanson had advanced Nothing why the former Sentence and Decree of the Board Should be in any Manner Revers'd. And therefore Agreed Nemine Contradicente that the Said Sentence bearing date the 25th of March last Should Remain in its full force agst the Defendant

Beaugaud
& Sappine
imprisoned

Then a Certifycate of Piere Le Blancs against one Beaujaud, as upon file, Signifying his unmannerly & Inhuman treatment of the Said Rene Le Blanc his ffather in law, was Read, and John Adams Esq.^r Informing the Board that the Said Beaujaud and one John Le Blanc (alias Sappine) had Behaved themselves Sometime formerly in the time of [268] of his Excellency Governor Philipps, very Insolently and with the utmost Disrepect Imaginable to his Majesty, and Disobedience to the orders of the Government, by inciting the Indians to take and Rescue by fforce, from one Cap^t Cate one John Turnoe a Runaway Apprentice, Belonging to one of his Majestys Subjects In New England, which had Been laid before the Council, and the Minutes being Searchd, and the Same being found, As Also a proclamation thereupon Issued by his Excellency, Bearing date the 19th March 173 ♀ : They were Examind, and ask'd if they had Ever appear'd here, in obedience to Said Decree, and being answer'd by the Said Beaujaud and Sappine, that they did not; The Board Agreed, That his Honour the Lieut. Governor of the Province, Should Send them for their Insolence to Prison, till further Examind on that Subject

Then was read a Petition of Captain John Jephson against Anthony Oliver. In Relation to a Sett of Bills of Exchange Drawn on Mr John Mulcaster In favour of Said Oliver, and by him indorsed to one Mr Johonet Merchant in Boston, the first thereof being protested, and one of the other two being afterwards accepted and paid by Robert Gardner Esq.^r Deceas'd, He therefore pray'd Satisfaction, of Said Oliver, having given a Note to Johonet, and Since that his Bond Bearing Interest for Said Sum, as per Said Petition upon file. M^r Olivers Answer to Said petition being Read also, mr Jephson produced a Certifycate which he Refer'd to the Judgment of the Board, whether mr Oliver ought not Safely Sign the Same, it importing only, that the note Given to Johonet, for which he had Given Said Bond, was in Consideration of Said protested Bill, In order to prevent him from paying Said Sum a second [269] Second time, Johonet having Notwithstanding of Said Bills being paid as aforesaid, pretending that Mr Oliver, and not he (if Said Bill was paid) had Receiv'd the Money, Agreed that Captain Jephsons Demand was very Reasonable, and Mr Oliver having thereunto agreed, they were order'd to prepare the Same to Morrow, that the Same may be Signed in Council, and attested by the Secretary

Captain
Jephson's
petition
against
Anthony
Oliver.

Claud Gautrau of Menis Inhabitant, finding himself Injur'd by Emanuel Hebert, and the Inhabitants of that place. who include into the Common of Menis (Confirm'd to Said Emaniel Hebert during his life) a part of the Said Gautraus Estate, which he hath possess'd Ever Since the year 1683; Pray'd therefore Relief, and an Explanation of that Sentence Relating to the Said Common. The Board having taken the Same into Consideration, agreed that the Said Gautraus Inheritance, of which he had Been in possession for So many years, Could not by Said Sentence be Interpreted any part of Said Common, it never being intended thereby to Dispossess any of their lawfull Inheritance: and were therefore of opinion, that his Honour the Lieut Governor of the Province

Gautrau
against
Emanuel
Hebert in
Relation to
the Common
of Menis

Should Send an order to the Deputys to be published, that None of the Inhabitants May Disturb the Said Gautrau in the Quiet possession of that which Really Appear to be his; And also his Complaint Against Andrew and John Le Blancs; The Sentence pass'd thereon the 7th of february last was Read, and as it was found agreeable to the Said Gautraus Demand, who pleaded the Contract pass'd Between the Le Blancs, the Gautraus & the Dupuis, it was order'd to be Read and Explain'd Unto him for his further Satisfaction

Then the Board adjourn'd till 11 o Clock the Next Day
[270]

Rene
Le Blancs
Case again
laid before
Board.

The Same Members Mett according to adjournment The Secretary laid before the Board a Pétition of Rene Le Blancs, with the Account of his Damages &c. praying that his Honour and the Board would Examine the Same, And as the Deputys of Menis had Refused to Comply with his Orders to adjust the Same. that his adverse partys Should be obliged to make him Satsifaction before their Departure from hence

Beaujaud
order'd to be
Examined.

Then his Honour order'd Amand Beaujaud one of the Prisoners to be Examin'd upon his Rescuing Turnoe out of the hands of Capt: Cate, and his inciting the Indians who took him by fforce, as appears by the Affidavit of Said Cate, Before his Excellency Gov.^r Philipps, which was Interpreted and Read to the Prisoner, and he order'd to make his answer thereto in writing

Rene
Le Blancs
account of
Damages
order'd to be
answer'd by
Melanson &c.

Then the aforesaid Pétition and accompt of Rene Le Blancs was taken into Consideration, and the partys being present, the Same was Read, and Philip Melanson and Beaujaud order'd to make their objections, if they had any, Melanson objected only Against the first Article, alleaging it was too high

Order'd that Said Accompt Should be Given to Said Melanson and Beaujaud to answer, and to adjust the Difference, and to appear Before the Board to Morrow at 10 o Clock, in order to finish the Same

Then mr Oliver Appear'd and Sign'd the Certifycate In favour of Capt Jephson; and afterwards the Board adjourned till Nine of the Clock to Morrow Morning

mr. Oliver
Sign Mr.
Jephsons
Certificate.

Wednesday the 10th May 1732, The Same Members according to adjournment, and Rene Le Blanc and Melanson being Call'd in, they Reported that they had [271] had agreed, and Rene Le Blanc Declar'd himself Satisfyd having got Security for the payment of 1302 Livers two months after date, which put an end to that affair

Le Blanc and
Melanson
adjust their
Accompt.

Then the Secretary laid Before the Board a Certifycate which he had Receiv'd Yesterday from Lieu.^t Gov.^r Cosby In favour of John Le Blanc (alias Sappine) one of the two prisoners aforementioned, the Copy of Said Certifycate being as follows viz.^t

Gov. Cosbys
Certificate in
favour of
Sappine
produced and
upon his Being
Not guilty was
Set at liberty.

Annapolis Royall 9th May 1732

These are to Certify that m^r Eras: James Philipps and my Self Being together on Board the Schooner Prince fredrick, last Spring, on our voyage from hence to Canso, We anchor'd at Grand Passage, where we met with John Le Blanc (alias Sappine) who is now in Prison: We Examind him very Strictly Upon an Information that had been Given into the Council against him and Some others, about a Hat-ter that was Inveigled from Boston & Insults Given on Board an English vessell at Menis, by the Indians. Upon the whole we Could not find that the aforesaid John Le Blanc (alias Sappine) was in any Manner Guilty of what had Been Given in Against him as aforesaid: which Examination we transmitted from Gran Passage to Gov.^r Philipps

Alex.^r Cosby

Which Certifycate Being Read, His Honour Sent for the Said prisoner, who Being Examined, he was order'd to make his Declaration in writing and answer to the Allegations led against him; And Beaujaud the other prisoner Being also

Beaujaud
upon his
Giving bond is
Set at liberty.

Sent for, His Honour Demanded his Answer in writing. as promised Yesterday; He answer'd that [272] that he had Got no body as yet to write it, Whereupon Charles Tallard was Directed to write for him. Then his Honour upon his Saying that he Would Bring Back Said Turnos from Cape Breton, if his Honour would Give him an order for So Doing, and being ask'd what Security he Could give for his own Return. he Said he would find Some; and James Le Blanc, Philipp Melanson, Claud Gautrau and Peter Le Blanc Inhabitants of Menis being present, offer'd themselves Bail and Security for his Return and Appearance here in Six Moneths from the Date hereof; Otherways to forfeit and Pay for his Majestys use the Sum of Two hundred pounds New England money; and upon their promise of Giving Bond, he was admitted to Bail

Then the Declaration of John Le Blac was Read, and Being Consider'd he was found not Guilty of the^s accusation led^t against him and therefore Order'd to be Discharged

The Said Beaujaud having also Brought in his Declaration, and made oath to the Same, it was order'd to be Kept on file, to be further Consider'd upon his Return

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lawrence Armstrong Esq.^r Lieu^t Governor of his Majestys Province of Nova Scotia at his own House in the Garrison of Annapolis Royall on Munday the 19th of June 1732 A. M. Present [273]

Present

The Honourable Lieu ^t Governor of the Province	
Major Paul Mascarene	} Otho Hamilton Esq. ^r Major Henry Cape William Shirreff Esq. ^r
John Adams Esq. ^r	
William Skene Esq. ^r	

The Secretary acquainted the Board by his Honours Orders, that he had Desir'd him to lay Before them a letter from Alured Popple Secretary to the Right Honourable The Lords Commissioners for trade and Plantations, Demanding an Account of the laws &c. in this Province that may anywise affect the trade and Navigation of Great Britain; and that for want of a Sufficient Number of Members to Make a Quorum, through mr Winnietts Absence and Governor Cosbys withdrawing himself, he had order'd a Committee of the Council to Enquire into the State of the Province, and Report the Same to him, that he might transmitt it to their Lordships, in answer to their Said Demand, which being Read, it was Approv'd of; and order'd to be Registered

the Board of Trades letter in Relation to the State of the province laid before the Board.

Then was laid Before the Board a letter from one Preist De Godalie at Menis; to Preist Gaulen at Annapolis Royall, As Also a letter from Said De Godalie to the Honourable Lieut Governor Armstrong; Both which being Read and Consider'd, the Board Unanimously Agreed, that the Said De Godalie had Basely Contradicted himself; And were of opinion, that Neither the Bishop of Quebeck Nor any Other of the Church of Rome has or [274] or ought to have any power or Jurisdiction whatsoever in this his Majestys Province, farther than what was Granted and Stipulated to the french Inhabitants thereof by the treaty of Utrecht, which they are to Exercise according to the laws of Great Britain; And therefore Agreed that Copys of Said letters be Sent home to be laid before any of his Majestys principal Secretaries of State, and the Right Honourable the Lords Commissioners of Trade and Plantations, for his Majestys Directions, in Regard to the Power and Jurisdiction Assum'd & Exercised by the Bishop of Quebeck, and the Missionary Preists Appointed and Establish'd by him; and their presuming to Build Churches, without the privity or Authority of this his Majesty's Government; And then Resolved and Agreed that his Honor the Lieu.' Governor of the Province should write to the Said De Godalie (for his Said Insolent

Preist De Godalie's letters read and he order'd to Depart out of the Province.

Crimes and Misdemeanors, and for perverting one of his Majestys subjects to the Popish Religion Conveying him out of the Province Contrary to the Express orders of the Government, and for Stiling himself the Bishop of Quebecks Vicar) To Depart this Province, and that an order Should be Sent to the Deputys to be published to the Inhabitants, Not to pay him any more Tythes; And his Honour acquainting the Board that he had answer'd Said De Godalies letters, The Copys thereof were Read and Approved of [275]

Gov. r Cosbys
letters in
Relation to
the Command
laid before
the Board.

Then were laid Before the Board viz.^{tt} the Copy of a letter from Major Alex.^r Cosby the Lieu.^t Governor of this Garrison to his Excellency Governor Philipps, In Relation to the Command of the Garrison in his Excellencys Absence Bearing date the 7th of July 1731. One from his Exceely on the Same Subject to the Honourable Lieu.^t Col: Armstrong The Lieu.^t Governor of this Province, Bearing Date the 11th of August 1731, and Governor Armstrongs Answer to Both Said Letters, Bearing Also date the 11th of August 1731, And Also one from Governor Cosby to Governor Armstrong of the 20th of March 173½ on the Subject of visiting and looking over the Stores & Magazines, as Also one to Cap.^t John Jephson Acting as ffort Major, Signifying that he would not Serve any longer under Governor Armstrongs Command, Untill his Majestys pleasure be thereon Known, dated the 8th of May 1732, and another paper, without being Directed or Sign'd, being wrote on the Back of a Report Sign'd by Adjutant TrepSack, But Given to Governor Armstrong (as he Said) by Captain Jephson, as from Governor Cosby, all which being Read

His Honour acquainted the Board, that having already Communicated all Said letters to Some of this Board, they had wrote him a letter theron, bearing date the 19th of May last, which Being also order'd to be Read, it was by the members then Absent now approved of

Then [276]

Then was orderd to be Read Governor Cosbys letter to mr Shirreff, of the 7th of May last, as also the Minute Relating to the Same, of the 8th of Said Month Both which being accordingly Read, The Board approved of Said Minutes, and that Governour Cosby for withdrawing himself from the Council Should Continue Suspended from Being a Member thereof, untill his Majestys Pleasure be thereon Known

Then was Read a Petition from Major Henry Cope and Company of Boston New England. Praying a Grant for the Coalary Near to Chickenectua, as it was promis'd them in writing by Gov.^r Philipps, He having Notwithstanding thereof, Dissappointed them therein, Altho he had laid the Same before the Council for their advice and Approbation, who having Consider'd the Merit of their Design Gave their Opinion In favour of the Said Petitioners

The petition
of Major
Henry Cope &
Company for
the Coalary
at Shicken-
ecty.

Which Said Minute of Council, bearing Date the 24th day of June 1731, was order'd to be Read, and Being found as Represented by their Petition, His Honour ask'd the Major what these proposalls were, they not Being particularly Express'd & Explained by Said Minute

The Major Answerd that they had propos'd to allow for his Majestys use Eighteen pence Sterling for Every Challer upon Condition of a Patent, Not only for the Coall in the Said tract of [277] of Ground Near to Chickenectua, But for all the Coall in the Province, which was promis'd upon that Consideration only, and Not otherways, and that they were not to be anywise obliged to pay a farther quitt Rent for the use of the land, or oblig'd to Cultivate or to Settle any Township thereon, which is Such an Expence that will Intirely Dissenable them to proceed, the Coall in its own Nature being So very Chargeable, and therefore finding that the Condition and promise propos'd by Governour Philipps, Cannot be Complyd with, Being Judged Contrary to the tenor and Intension of his Majestys Instructions, The Major therefore Desird that his Honour would Consider their Case,

and Grant them a Patent for that tract by Shickeneetua. According to the Tenor of his Majestys Instructions, for which as he and his partners would Engage to Settle and Cultivate the Same, they would duely pay the Quitt Rent therein Mentioned; But Could not Accept of it upon the Conditions of paying Both the 18^d *per* Chalder for the Coall, and the Quitt Rent Requird for the land; And a Coppy of Gov^r Philipps permission for the Said Company to proceed, with his promise of a Grant, being laid Before the Board, And Read, And the Major having also laid Before them, a paper Directed to the Governor and Council, Entitled an Answer to Gov^r Philipps's permission, Which Being Also Read, Adjourn'd till 3 of the Clock P.^r M.

Munday the 19th June 1732 P. M.

Mett according to adjournment, the Same Members being [278] Being present, to Consider the Allegations of Major Henry Cope and Company, advanced as aforesaid against their paying the 18^d *per* Chalder, proposd to Gov^r Philipps, and his farther proposalls for making this New Settlement, The Major Being Desir'd to withdraw, His Honour Mov'd to the Board, that it appeard by the Aforegoing Minute, that there were Certain proposalls made by this Company to Governor Philipps, But that there were no Originals to Apply to, and that we know Nothing farther of them, than by Major Copes own voluntary Declaration, and then Ask'd the question, Whether this Board thought he Could Warrantably Recide from and abate any part of their own proposalls, and Said that for his part, he Did Not think that he Could anywise Remit the 18^d *per* Chalder which they had promis'd to his Excellency for the Benefite of the Coall; And that as his Majesty had by his Instructions Requird a Quitt Rent for the land, he Must in that Respect be Regulated thereby, and So insist upon Both; whereupon the Board proceeded no farther; But Agreed that the Major Should be Call'd in, that the Governors Resolutions might be Communicated to him

And being Come, and the Same Read, The Major Represented the Many hardships, that he and his partners lay under, having Been put to Such Insupportable Expences in Carrying on that Coalliary, in order to Settle that part of the province, and to show the Sincerity of his and their Designs in prosecuting and Effecting the Same [279] Same Proposed

That if his Honour would Commence their paying the 18^d which he and his partners had offer'd to pay for the Coall, and Continue it in the Same Manner as His Majesty Requires the payment of the Quitt Rents, he would adventure to accept of it upon those terms; and Desiring that his Said proposall might be taken into Consideration his Honour Refer'd the Same to the opinion of the Board

Agreed that the Same be Considerd upon to-Morrow Morning at 10 of the Clock A. M. & then adjourned

Tuesday the 20th of June 1732, Being mett According to Yesterdays Adjournment, and the Same Members all present

His Honour (Major Cope Being Ordered to withdraw) Reassum'd the affair of the Coalliary and Recommending the Majors last proposition to the Consideration of the Board, he Desir'd they might duely consider upon it, and Give him their advice, Whether it would be for his Majestys Interest to accept thereof, and to Give the Company a Patent for the Same

The Board having Consider'd, that none of his Majestys protestant Subjects had as yet offer'd to Settle themselves in this part of his Province, nor to undertake the Carrying on of Said Coalliary, Except the Major and his Copartners; And that therefore, as it is Agreeable to his Majestys pleasure, that this province Should be Settled, Unanimously Agreed, that as the Rejecting of the Majors proposalls might prove prejudicial, and Retard that Design, So the acceptance thereof might promote and forward it, and Render it more Beneficial to his Majesty by Encouraging of other British [280]

British protestant Subjects to follow their Example, and were therefore of opinion that his Honour (in Consideration also of the great Expence that these Gentlemen have already Been at, and as they are the first adventurers) might very Justly and Safely Grant them a Patent, according to Major Copes last proposition of paying a farther Sum of 18^d for the Coall, as it was Offer'd by the Company to Governor Philipps. Upon the Same Conditions as is Required for the Paying of the Quitt Rent for the land, as Nothing Appear'd to them by the Instructions to the Contrary Order'd a Patent to be prepar'd

Samuel
Douglass
francis
Watherby,
Carpenter
Horlock,
& John
Hausholes
petitions for
Small plotts
of Ground.

Then his Honour order'd the Secretary to lay Before the Board the promise of a Grant of a plott of to Samuel Douglass Gunner, Sign'd by Governor Philipps, as also a Petition of Carpenter Horlocks and francis Watherby, praying Grants of plotts of Ground in the lower Town of Annapolis Royall as p Minute of Council the 13th of August 1731; As Also a Petition from John Hanshole and Carpenter Horlocks Complainings of Said francis Watherby, for ineroaching Upon their propertys;

All which being Read and Consider'd

The Board Agreed, and were of opinion, that as the Secretary hath Informed the Board, that None hath laid any Claim to Said plotts, that his Honour may [281] May therefore Conformable to the Minute of Council the 13th of August last, and his Excellency Governor Philipps's proclamation. now Grant the prayer of Said Petitioners

Patents
order'd to be
prepar'd.

Order'd that Patents be prepar'd and that the Secretary See that mr Watherby do not ineroach upon any of said Complainants

Major
Mascarenes
Petition for
a plott of
Ground.

Then was Read Major Paul Mascarenes Petition which was Read the 8th of October last, praying a Grant of a plott of Ground as therein Mentioned, and the Secretary also Informing the Board, that none had laid any Claim to it: The Board therefore Agreed Nemine Contradicente, that his Hon-

our might also order a Patent in favour of Major Mascarene for the Same

Order'd that a Patent In favour of Major Paul Mascarene be prepar'd according to the Surveyors plan of the Same

Then was Read a Petition from John Adams Esq.^r Praying a Patent or Patents for Several Small Tracts and Plotts of Grounds, which he had formerly Bought of the Inhabitants, and which he now desires may be Confirmed unto him under the Seall of this Province

Mr Adams petition for a Grant of Some plots of Ground.

Agreed that a Patent may be prepar'd According to the Prayer of his Petition for all the Tracts therein Mentioned, Except for that lying Between Samuells Douglasses Garden and the Mass House, till farther Consider'd and Enquir'd into; The Secretary having laid before the Board a Grant in favour of one [282] one Lafflang, now at Menis, from Mr Devivier and Sign'd Lapinot, which was deliverd to the Govern^r by one Boagas (alias Savior) About the latter End of May, or the Beginning of this present Month of June; It being belev'd to include Some part of Said peice of Ground; and Excepting also that lying Between the Church yard and the Garden formerly Belonging to Mons.^r Defaloise, at present in the possession of Major Alexander Cosby as Lieu.^t Governor of this his Majestys ffort, untill his pretensions to Said Spott be farther Considerd, and that Mr and Mrs Robicheaux, from whom he Bought part of it be order'd to Appear before the Council on Wednesday the 28th Instant at 10 of the Clock, to make Good their tittle, and then adjourned till 3 of the Clock P. M.

Teusday the 20th June P. M. Being Mett According to Adjournment

The Secretary having prepar'd a Rough Draught of a Patent In favour of Major Cope and Company, and laid it, and the Surveyors Plan of the Place before the Board, that the quantity of Acres and the Buttings and Boundings, may be agreed upon; which Being Read, and the Plan Consider'd,

Major Cope & Company's patent adjusted and Signed.

his Honour Called the District or Parish by the name of Williamstoun; and in order to Settle the Boundaries along the Sea Shore, he fix'd upon the following places, which he Called viz^t Adventurers Clift, Muscato Creek, Cape William, Creek Henry, Cape Frederick; and allotted the Company [283] Company there three thousand Eight hundred Acres, Being Butted and Bounded, thus, from adventurers Clift two Miles and a half (Being a furlong to the Westward of Creek Henry) from Said adventurers Clift. South South West two miles three furlongs, and from that Extremity Backwards two miles and a half West North West, and from thence two Miles and three furlongs North North East, Where it Joyns with the point by Creek Henry; And having Changed the Name of a place there formerly Called the Grandnajagan to New Castle Cove, and Gave names to Several places there viz^t Cape Emelia, Cape Caroline, and point Caroline. where he allotted two hunderd Acres more to Compleat the Number to ffour thousand Acres in the whole, and the last two hundred were order'd to be Butted and Bounded, Thus, viz^t ffrom Cape Caroline Running South South East one half mile to a Small water ffall, and from Said Cape Caroline West along the Sea Coast one half mile to point Caroline. & from thence South South East one half mile Backwards. and from this last Extremity one half mile East where it Joyns with this Small ffall of Water and then adjourned till to-Morrow at 3 P. M.

Wednesday the 21st June 1732. Mett according to adjournment, and the Patent Being Read and Approved of His Honour Sign'd the Same

(signed)

L: Armstrong [284]

Att a Council held at the Honourable Lieu^t Governor
Armstrong House on Wednesday the 28th of June 1732

Present

His Honour^t the Lieu^t Governor of the Province
Major Paul Mascarene . } William Shirreff Secry
John Adams Esq.^r . } Otho Hamilton Esq^r
William Skeen Esq.^r }

The Secretary having Reported the difference Between the Boundaries of Wetherbys lands &c agreed to be Settled.
mr Horlock, Hanshole and mr Wetherby, about their Respec-
tive plotts of Ground, and the Surveyors Plan thereof being
laid before the Board their Dispute was taken into Consider-
ation, and in order to Secure Some land Backwards to mr
Wetherby, The Governor proposed to mr Horlock and Hans-
hole to Relinquish their old Boundarys, and that in lieu of
the quantity Ceded to mr Wetherby Backwards he would
Give them as much of the Waste adjoining Ground, as to
make all their Boundarys run in a parallel, and that he and
the Members of the Council would Go this Evening about
five of the Clock and fix their Respective Limits, to which
they Agreed

M^r and M^{rs} Robichau not being Come, the Affair of mr
Adams was therefore putt off [285]

Then was Read a Petition from one James Gousseff Prince and Goussells affair Referred to the Deputys.
against John Prince Both of this River Inhabitants, In Re-
lation to the Exchange of Some Ground In Which Said
Goussell Complaining, That the land that the Said Prince
had Given him in Exchange was what he found Belonged to
himself at that time, & not to the Said Prince; and therefore
prayed a New Division of their lands

Orderd that their Difference be Refer'd to Some of the
Deputy's viz^t Sandrew Manuell Joseph Bourgoug^t William
Blanchar and Claud Girroir

Then was order'd to be Read mr Jennings Petition. Mr Jennings affair laid Before the board.
Which by the Minute of Council the 9th of August 1731 was
order'd to be laid before them, and mr Handfeld Being

1. Last part of name blotted.

present, mr Ross Substituted By Joseph Bissell attorney for Said Jennings was also Sent for, to know what power he was Invested with, mr Handfeild having Said, that if he thought mr Jennings had any pretensions (tho he now thought he had forfeited it) he would Rather Give him Some Small Consideration; and mr Ross Being Come, and the question put, he presented a power of Attorney from Mr Jennings to Joseph Bissell, which Bissell had transfer'd to him, and Being Read, the Board having Considerd Mr Handfeilds proposition and Informed mr Ross thereof, the Dispute was Refer'd to themselves, to Consider thereon, and to [286] to agree, if possible Between themselves, and to Report their proceedings to the Board thereon, when Required by the Governor

Mr Hamilton moved, and pled his pretensions to the upper part of Jennings garden, as Specified and agreed upon in Council, the 9th of August 1731, and that he might have liberty to possess and Enjoy the Same on the Conditions therein Mentioned; As to which the Board Referd him Also to treat with mr Ross

(signed)

L: Armstrong

Att a Council held at the Honourable Lieu^t Governor Armstrongs House in His Majestys Garrison of Annapolis Royall on ffriday the 30th June 1723 at 11 o Clock A. M.

Present

The Honourable Lieut Governor of the Province	
Major Paul Mascarene	} William Shirreff Secry Otho Hamilton Esq ^r
John Adams Esq ^r	
William Skeen	

Major
Mascarenes's
patent Signed.

Major Paul Mascarenes Patent Being laid Before the Board and Read, the Seal was affixd [287] Affixd, and the Governor Sign'd the Same.

Mr and Mrs Robicheau having Appeard Before the Board, Mr Adams' affair with Mr Robicheau Decided.
 mr Adams affair that was Refer'd the 19th Instant till their arivall was taken into Consideration; and mr and mrs Robicheau Being Examined and order'd to withdraw, it appear'd to the Board that they who had Sold m^r Adams that land lying by M^r Defallaise Garden had Good Right in themselves to Dispose thereof, But as it was So Nigh the Garrison, it was Agreed that one fourth part thereof lying Next to the Garrison and Church yeard Should Remain for his Majestys Service and be made a Parrade for his Majestys Troops (Seeing mr Adams had acknowledged he had oply paid three fourth parts thereof) and that mr Adams might have the use & possession of the other three fourths that he has So Bought and paid for

Then mr Adams pray'd the Governor to treat with the Several possessors of Said land, to make up a Sum of money for him, in Consideration of his having been So long out of his Money, And that he will Give them Conveyances for their Respective Plotts, to which his Honour Consented, & Said he would propose the Same

(signed)

L: Armstrong [288]

Att a Council held at the Honourable Lieu^t Governor Armstrongs-House in his Majestys Garrison of Annapolis Royall on thursday the 20th of July 1732 A. M.

Present

His Honour the Lieu ^t Gov ^r of the Province	
Major Paul Mascarene	William Shirreff Secry
John Adams Esq ^r	William Winniet Esq. ^r
William Skene Esq ^r	Otho Hamilton Esq. ^r

His Honour Informed the Board that he had ordered the Secretary to prepare Several Grants that were agreed upon in Council the 19th of June last viz^t One for Samuel Douglass Gunner, one for James Horlock and one for John Hanshole, the Difference Between them and Francis Wetherby being adjusted, as proposed in Council the 28th of June last; And

Several patents laid Before the Board & Signed.

that as Captain John Jephson and M.^r John Dyson had also petitioned him for Garden plotts he had Also ordered a Patent for Each of them to be prepared, Seeing they have been in possession thereof for these Several years past, and none having according to the proclamation (Except owen Jolly to part of Captain Jephsons Ground; But as it was Captain Jephson who had put him into the possession of that part, Seargeant Jolly upon the Consideration thereof had Agreed to Accept of a Lease for it from Cap.^t [289] Captain Jephson during his life or While he Should Remain in the province) Said any Claims to the Said Plotts; which Said Grants he Order^d to be Read, and Being Approved or, he Signed the Same

Doctor Watts & Wetherbys Boundaries, & a patent for the Church orderd to be drawn out.

He also acquainted the Board that as Soon as the Difference Between the Reverend M.^r Richard Watts and M.^r Wetherby were Adjusted, he would order a Patent to be drawn for mr Wetherbys Plott, As also another for John Adams Esq.^r for his Several Plotts, as soon as he Could prepare the Several Buttings and Boundings thereof, and that as mr Watts had presented him with a Memoriall the Same was ordered to be Read; And the question Being put, Whether the Ground Claim'd by m.^r Watts was the Church land or land Belonging to the King. Agreed that As it hath always been Called the Church land that it Should Continue So to be, and that a Patent should be prepared to Secure the Same for the use of the Church for Ever

Then the Reverend mr Watts and M.^r Wetherby were Cal'd in, and mr Wetherbys plan of his Plott of Ground (where he demands three foot of the Church land for a passage Round his House) Being Considered; The Governour asked mr Watts whether he would Give him Such a passage he answered that during his time he Should have free liberty, But that he Could not Consent that these 3 foot Should be Given to Said mr Wetherby by Patent, without a [290] a valuable Consideration in lieu thereof, to Remain for the use and Benefite of the Church, to which proposition Mr

Wetherby Consented, and agreed that in lieu thereof he would quitt all his pretensions to a much Greater quantity, lying Contiguous to the Said Church land in the Rear, In favour of the Church; to which they Both agreed

Ordered that their Patents be made out according to this agreement Then Adjourned to 3 o Clock P. M.

Met according to adjournment, the Same members being present

His Honour acquainted the Board that he had Some time agoe Received Petitions from Antoine Hebert and Joseph Robicheau, Complaining of one another Concerning Some land Sold to the Said Joseph Robicheau, by one John Hebert, Brother to the Said Antoine Hebert; and the Said Antoine Praying a Rehearing of that affair (the Same having Been formerly laid before the deceased Governor Doucett, and Since his death before his Excellency Governor Philipps, and Both their Sentences thereon being Read, as also their Petitions) The partys were Called, and being Both Examined and fully heard, they were ordered to withdraw

Hebert and Robicheau's Petitions.

The Board upon a farther Examination of [291] of their Respective Rights and papers, finding that what steps had been taken therein formerly were never Recorded, or So much as mentioned in the Minutes of Council, and that as the aforesaid two Sentences passed thereon by the Deceased Governor Doucett and his Excellency Governor Philipps, The first upon file, and the last upon Record, were given without the advice of the Council; The question was put to Prudence Robicheau Senior, Attorney for the aforesaid John Hebert, and the Said Joseph Robicheau his Son, What the Custom of the french Inhabitants was in Such Cases, who answering that the Custom was, that those of the family had always the preference of Such lands as any of them (of the Said family) Should at any time be obliged to Sell; and that in Case the land should be Sold to a Stranger, that the said Stranger is obliged to Deliver up Said land if Demanded, within a year

and Day to any of the Said family, Upon his being Repaid the Said Sum

Then the question was put to Antonie Hebert, if he had Ever made any Such Offer to Joseph Robicheau, who answered in the Affirmative

Upon the Whole the Board voted, and Agreed, That Antonie Hebert, In Consideration that he hath been in possession of that Estate upwards of fourty years, Should Enjoy the Same according [292] According to the Custom of the french Inhabitants Declared as aforesaid by Prudane Robicheau Sen.^r, But that Joseph Robicheau Should have this years Crompt, and keep the Same in possession untill Antonie Hebert Pay or Cause to be paid unto the Said Joseph Robicheau, the Sum he paid to John Hebert for the Said land, which by his Contract appears to be £6—10

(signed)

L: Armstrong

Att a Council held at Lieu^t Governor Armstrongs House in the Garrison of Annapolis Royall, on Teusday the 25th July 1732 at 11 o Clock A. M.

Present

His Honour the Lieu ^t Governor of the Province	
Major Paul Mascarene	William Shirreff Secry
John Adams Esq. ^r	Major Henry Cope
William Skene	William Winniet Esq. ^r
	Otho Hamilton Esq. ^r

the Members
of the Council
Renew their
Oath of
Secrecy.

His Honour acquainted the Board, that he Judged it Necessary for Several Reasons that the members of the Council Should Renew their oath of Secrecy, and that for that purpose he had ordered the Secretary to prepare the Same, as [293] as also one for the faithfull Discharge of the Secretarys Office, Both Which Being Read, his Hon^r first took the oath that ~~Relates~~ Relates to the Discharge of his Duty, and then administered the Same to the Board, and also that to the Secretary

Then was read mr Jennings Petition that was formerly Read in Council the 9th August 1731, As Also one from Mr Walter Ross in Behalf of Said mr Jennings, Informing His Hon.^r and the Board that He and Lieu.^t Handfeild had Agreed, But that William Winniet Esq.^r Opposed M.^r Handfeilds Geting a Patent for the Same, being Resolved to plead his Right, and to Defeat mr Jennings's Right thereunto, The Plaintiff & Defendant being Both heard

Ordered that the Said Petitions be delivered to mr Winniet to make an answer to them against Teusday the first of August Next Ensuing

Then his Honour acquainted the Board that he had Given orders to one at Menis for building a Magazine there. and that he had been informed that that person whom he had thus Employed had Been insulted and Interrupted by the Indians. in the Execucion of that Work; and as Maj.^r Cope had Arrived here from thence, He Desired the Major to Relate to the Board what he there heard and saw; which was as follows viz.^t

“One Thursday Evening the 13th Instant there Came into “Rene Le Blancs House at Mines three [294] three Indians “viz^t Jacque Son to Winaguadesh Nick- Nam'd Jacques, Antoin his Brother and Andress their Cousin, all living upon “Pizigit River, who in a most villainous Manner and Appro- “brious language insulted the Said Rene Le Blanc and Peter “his Brother, Saying that, all the Le Blancs were Dogs and “villains; Except ffrancois, and that as for Rene, he had a “dagger (putting his hand at the Same time under his Coat, “where twas Supposed the Dagger hung) for him, for that he “was going to Build a ffort for the English, mr Cottnam and “my Self present, when I assured them there was no Such “orders Given at present, But Suppose the King of Great “Britain thought it Convenient to Build a ffort there, who “had anything to Say against it; one of them answered that “he would not Suffer it, for that he was King of that Country, “for that King George had Conquered Annapolis, But not

The Gov's
ord's for
Building a
Magazine at
Mines Com-
municated to
ye Board.

Majr. Cope's
Declaration.

"Menis; and in a most insolent manner, ordered mr Cottnam
 "and me to be Gone, for that we had no Bussiness there; I
 "asked them who Said we were going to Build a ffort; they
 "said all the traders, and Every body, and Named mr Win-
 "niett; they Said that if we did Build a ffort. The Indians
 "Should Gō in at one Door, and we at [295] at tother; Upon
 "the whole I Could Easily See, it was Some of the french
 "that had put the Indians upon this proceeding, out of pre-
 "judice to Rene Le Blanc, who by the General Report of the
 "Inhabitants had Often been insulted in the like manner, for
 "no Reason that I Could Discover, But that he was Employed
 "and intrusted by the Government

(signed)

"Sic Subt.ⁿ Henry Cope

Wm. Shirreff Sec.^{ry}

"I farther more Declare, that three days after the Insult
 "before mentioned, there Came to me a Body of Indians,
 "about ten or twelve, to Excuse and ask pardon for the three
 "Indians who had Insulted Rene Le Blanc, and I told them
 "for answer that their Crime was too Great for me to take
 "upon me to Excuse on any other terms, than their submit-
 "ting themselves & making an open and ingenuous Confession
 "who it was that had put them upon that Insolent Behaviour
 "(for that I was perswaded it was not of themselves) & that
 "thus I Engaged to Interceed with his Honour the Lieu^t Gov-
 "ernor of the Province & Commander in Cheif &c in their
 "behalf, and to make it a merit in them, and to Recommend
 "them as people Deserving his favour, and the protection of
 "the Government

(signed)

"Sic Subt.ⁿ Henry Cope

Wm. Shirreff Sec.^{ry}

Then Adjourned till to Morrow at ten of the Clock A. M.,
 to consider farther the Contents of Major Copes Information
 [296]

Wednesday the 26th July 1732. being Mett according to
 yesterdays adjournment (m^r Skeen only Excepted) His
 Honour the Lieu^t Governor of the Province, Desired that
 Major Copes Information might be again Read, which being

done, His Honour acquainted the Board that he had (through Encouragement from Some of the Inhabitants of Menis) Employed this Rene Le Blanc to Build a House for his Majesty's Service, and that of the Province, at Menis, And therefore he being thus Insulted, through the Insolence of the Savages, and the Evil Rebellious Designes of Some of the Inhabitants, Desired their advice, whether he Should proceed with it or not, and his Honour having Explained himself, as to the use of it, which was Cheifly to lodge Some Troops there, to Curb the Insolence of these unruly people, he again asked Whether Such a Design, if Effected, would be for the Good of his Majestys Service; Which being Debated and Considered; it was Agreed that it would be for his Majestys Service, provided his Honour Could Effect it in Such a Manner, as not to occasion Such a Distrust to those people, as to Cause Greater inconveniencys, than what we at [297] at present labour under through their disobedience

The magazine to be Built at Menis Approved off.

Then his Honour desired that the Gentlemen of the Board might draw up a paper which might be published amongst the Inhabitants and Communicated to the Indians, whereby it might be made Appear that Neither any of them, nor the traders had their rights Infringed, by his Majestys having a House built there for his Especial Service, and in order to Shew to the Board, that he had the Wellfare of the Province, and the freedom of Trade only at heart, He ordered the Secretary to Read a Scroll of a proclamation which had been prepared for their Consideration; and the Same being Read, he asked the Opinion of the Board

Order in Relation to the House to be Built at Menis.

It was agreed that a Committy Should be Appointed to Draw up the aforesaid paper, and to adjust and amend the Said proclamation to be again laid before the Board

Ordered that the Committy Consist of all the members of the Board, and meet at Major Paul Mascarenes for that purpose at 3 of the Clock P. M. And then Adjourned till to Morrow Morning at ten of the Clock A. M.

On thursday the 27th July 1732 the Same Members and William Skene Esq.^r met according to Said Adjournment

Major Paul Mascarene Reported to his Honour [298] and the Board the letter formed by the Comitty appointed as *pér* yesterdays minute, which being Read, the Same was approved of, ordered to be translated, and to be Sent to the Deputys of Menis, and to the places adjacent

Then was Read the Scroll of the aforesaid Proclamation which being Debated; It was Agreed that it Should be again Referred to be farther amended and Considered upon

The Motion being Made that there was Great Imperfections and many Inconveniencys Attending the Measures, and particularly the $\frac{1}{2}$ Bushells of this province, few of them Being Conform to the Standard, which being prejudicial to Trade, it was taken into Consideration, whereupon, Agreed, That a Standard half Bushell Should be made for this River, and Sent to Menis, and to the other Districts thereunto adjacent and the other Settlements of the Province, with a Stamp, to be Committed to the Care of the Deputys, till other persons may be Appointed, to Stamp their Respective Bushells, with orders that none shall use, Buy or Sell with any other than a stamp Bushell, made according to Said Standard, under the penalty of five pounds and the forfeiture of the Corn, and for Every $\frac{1}{2}$ Bushell So Marked and [299] and Stamped, they are to pay to the person or persons Employed to Stamp the Same, 2^d

a new half Bushell order'd to be made and Sent through all the province.

Order in Relation to the Measure of Cord Wood & incroachments made on the Kings high way.

And, as to the Measure of the Wood, Agreed, That an Order be Sent to the Deputys to be Communicated to the Inhabitants, that all Cords of Wood Shall be as follows viz^t

Every Cord shall be full Eight foot long, four foot high, and four foot over, from one half Scarp to one half Scarp, Closely piled, under the penalty of forfeiting the Same if offered for Sale, to be Applyed to the use of the poor

Then his Honour Acquainted the Board that he had Observed, that Some people had Incroached upon the Kings High way, which Being Considered, it was Agreed that this

abuse Should be Remidied, and were of opinion that, an order Should be published, Directing Every person or persons who have made any Such Infringements. Should Remove their picketts or fences into their proper places from off the Kings high way, on or before the twenty third day of Aprile Next, Excepting allways those who have incoached upon the street for the Defence of their Houses

Then was Read a Scroll of a Patent for the Church-land, it was approved of, only ordered [300] Ordered, that the Block House Built by publick Subscription Should be Reserved for publick uses, and the Service of the Town, and also Such Roads as are laid out according to the Plan of the Same

Patent for the Church Approved.

(signed)

L: Armstrong

Att a Council held at the Honourable L^t Governors house by his own Order on Tewsday the first day of Aug.^t 1732 at 11 o' the Clock A. M.

Present

- | | |
|--|--|
| His honour the L ^t Governor of the Province | |
| Major Paul Mascarene | W. ^m Shirreff Esq ^c |
| John Adams Esq. ^c | W. ^m Winniett Esq. ^c |
| William Skene Esq. ^c | Otho Hamilton Esq. ^c |

His Hon.^r Acquainted the Board that he had call'd them together conformable to the Minute of Council of the 25th of July last, in Order to Consider M^r Winnietts Answer to M^r Jennings's Petition: And M^r Winniett being ask'd if he had prepared his Answer, He presented two papers; And having withdrawn himself from his place at y^e Board, they Were then Order'd to be Read, the One being An Answer to M.^r Jennings's Petition And the Other An Answer to that presented by M.^r Ross, Which being done, M.^r Ross Desiring that Samuel Douglass Gunner, formerly Attorney for M.^r Jennings Might [301] Might be called and Admitted to Oath, Which being Accordingly Done, He was Examined as to What he knew in Relation to M.^r Jennings's Right to the House and Gardens he now Claims, they being also Claim'd by M.^r William Winniett

Mr Jennings affair against Mr. Winniet Decided.

He Answerd that the said M.^r Jennings had Given him a Power of Attorney And that by Virtue thereof, he had, in M.^r Jennings Absence, Secured said house, by ffencing it with Picketts; And being Ask'd if he had Any knowledge of M.^r Jennings's having bought and paid for said house And Gardens in ^{the}Dispute as aforesaid y^e Deponent Said he had heard M.^r Jennings say so, and that he had heard him also say that he paid for them part in Rum And part in English Goods; And that he had No Other Knowledge thereof than that he beleived it so And being ask'd for the Power of Attorney he Retired to bring the same

Then Was Read Alex.^r Watts's Affid.^t Made in Boston New England the 30th of May 1732 before John Ballantine Justice of the Peace; An Agreem.^t between Joseph Jennings & said Watts for the house Signed by them both and Witnessed by John Dyson and Robert Arrundale the 30th of March 1722, A Lease Granted by said M.^r Jennings to M.^r Arthur Savage for the Gardens [302] Gardens Dated the 3.^d of february 171⁹/₆ Witness'd by Caleb Willyfy and John Board And Attested by Governor Doucett; A Copy of a Letter, not Attested but said to be from Governor Vetch to said M.^r Jennings Dated Boston the 20.th November 1711, And Also M.^r Jennings's Power of Attorney to the aforesaid Samuel Douglass: All said Papers being presented by M.^r Walter Ross, to prove the Right of the Plantif, M.^r Jennings. M.^r Winniett the Defend^t Was Desired to shew What Right and pretensions he had thereunto; He thereupon presented the Board with Two papers, the One called a Copy of Cahouetts Contract from Petipas bearing the Date the 10th of September 1700, And the Other a Power of Attorney from M.^{rs} Cahouett to M.^r Winniett Dated Lewisbourg the 9th of May 1714 And both which being ordered to be Translated, Adjourn'd till 3 o' the Clock P. M.

Tuesday the first of Aug.^r 1732 at 3 o' the Clock P. M. the Same Members present According to Adjournm.^t to Consider and Examine into M^r William Winnietts Right and Pretensions to the house and Gardens Claim'd & Said to be bought of Christopher Cahouett by M^r Joseph Jennings in the Year 1711; M^r Winnietts Two Papers as mentioned in the forenoons Minute being translated And Compared, they Were Orderd to be Read. [303] Be Read As Also her Late Majesty Queen Anns Letter Dated at Kensington the 23.^d of June 1713 Directed to General Nicholson And M^r Winniett being ask'd if he had any Other Right to produce than these; He Answer'd that these were his Rights & that he thought them sufficient: Which being Objected by M^r Hoss, who Urged that M^r Winniett could Derive No Right from thence; The One being only a Copy of a Contract or Deed of Sale without any Manner of Conveyance, And the Other a Power by Which he Could only Act for his Constituant But not to Apply it to his Own proper Use

Whereupon M^r Winniett layed before the Board a Paper called a Paragraph of a Letter from M.^{rs} Cahouett to M^r Winniett, Said to be Translated, from ffrench into English, by M^r Hamilton, Neither signed nor Attested, But Acknowledged by M^r Hamilton to be his hand Writing; the Copy whereof is as ffollows

Louisbour 25 October 1714

S.^r

I had the hon^r of Yours And that which Mad.^m Your Spouse was pleased to write me, I am Very Well satisfied With Your Civility and Cannot Requite you but by Offering You my Small services in Relation to the house & land in this Country Which belongs to me, I should be abundantly better satisfied y.^t you had it than Another, if it will do you Any Pleasure; I am Surpriz'd that the person who has been in possession of my Estate so long makes Any Difficulty to give it up, As to the Conveyance which he says he had of [304] Of my Deceas'd husband, I am sure my husband. Could Neither sell nor Engage Any Lands Nor Did signe Any Deed

of Sale or Gift, because my Children have allways a Right to Enter into possession of them

The Copy of a Paragraph of a Letter from M.^{rs} Cahouett to M^r Winniett Translated from ffrench into English

And being ask'd for the Original, he said that he knew not what had become of it, he belev'd y.^t he had Lost it: And both Partys being heard they Were Orderd to Withdraw

Then the Board having Carefully taken into their Consideration the aforesaid Partys Papers And Allegations they upon Examination thereof Were of Opinion

That the Copy of Petipas Deed of Sale to Christopher Cahouett, by being in the possession of W.^m Winniett Esq.^r, Can noways Entitle him the said William Winniett to the possession of that house and Ground, Especially seeing it is noways transferd to him by a Deed of Conveyance: That this aforesaid Paragraph is no such Deed, Were it even signed by M.^{rs} Cahouett; & for the same Reasons Advanced in her said Letter or Paragraph, for her Husbands Not Engaging Any Land, Viz.^t because of her Children, She Could not Convey it without them to M^r Winniett; That his Power of Attorney doeth Noways Entittle him to the Possession & Enjoym^t of [305] Of any thing Recovered by Virtue thereof, Were this Right of his Constituant perfectly Good: And as to Her Late Majestys Letter Dated at Kensington the 23.^d of June 1713 The Board Was also of Opinion That it did not Extend to M.^{rs} Cahouett, Who with her husband Christopher had Left this Province & Retired into the Dominions of france some Years before the Date of said Letter. And that therefore She had no manner of Tittle or Pretensions to Her Majestys Most Gracious Bounty & Indulgence then and thereby Signified in favour of the ffrench Inhabitants of this Province; It Evidently Appearing that the Inhabitants then, in the Province who should Chuse to Remove themselves elsewhere are the only persons thereby Meant and Intended to Enjoy these privileges; And not those Who had, before y^o

Date thereof, Chosen to abandon the Province & who had Retired themselves elsewhere: As by these Words of the said Letter; "Or to sell the same if they Shall rather Chuse to Remove themselves Else where; And as M.^r And M.^{rs} Cahouett Did Retire as aforesaid. And Received as it is said a Valuable Consideration for their said house and Land, The Board are Unanimously of Opinion That they and their Heirs have therefore no manner of Right to the said house and Land; And that Consequently M.^r Winnietts Pretentions (as derived from the Said [306] Said Cahouett) to the aforesaid house and Gardens Are of No force.

As to what M.^r Joseph Jennings settts forth, its the Opinion of the Board That if his Allegations Were Supported with full proof, his Right would be Indisputable; But Seeing he has Lost his Deed of Sale Made by Said Cahouett to him for said house And Ground, Recourse was therefore had to Matters of ffact & Other Circumstances to form An Impartial Judgement thereon; And Upon Examination, it was Generally Allow'd That M.^r Jennings was the first possessor After Cahouett left the Province, And that Governor Vetch Consented to the Same in Consideration of a Sum alleadged to be Thirty pounds New-England Money paid by the said Jennings to the said Cahouett as is sett forth in his Memorial When the highest Exchange Was only About fifty *per C.^t* And that When M.^r Winniett was Admitted to live in said house, Which he Afterwards Claimd by Virtue of his Aforesaid Papers, Or his Wifes Relation to M.^{rs} Cahouett; It seems only to have been for the Conveniency of his Bussiness in supplying the Garrison with Wood, And that even M^r Jennings's Consent for that purpose Was Ask'd by the Governor himself; And that although M.^r Winniett kept possession of the house when M.^r Jennings was Oblidged to Retire to the ffort [307] Fort With his Effects for fear of the Indians, Yet upon Governor Vetch's Returne from Boston, he Oblidged him to Quitt it to M^r Jennings Whom he put in possession, Which with a Copy, Said to be, of his Letter from Boston Dated the 20.th of November 1711 Wherein he Calls the house

M.^r Jennings's, Seems to be a plain Inference that the Govern^r knew M.^r Jennings's Right to be Good And preferable to Any Claim of M.^r Winnietts: And its a farther Presumption, That his Right was Approved of, not only for the time of the Capitulation (as M.^r Winniett Alleadgeth) but for ever. As the aforesaid Sum Would now be above Sixty pounds, And is judged its full Value) by being Continued in the possession thereof by all succeeding Governors, Viz^t General Nicholson. Governor Cāulfield, Governor Doucett And his Excellency Govern^r Philipps (till Disposse^d by M.^r Winniett as by Alexander Watts's Affid.^t) During Which time he Built a Very Useful but an Expensive. Wharf for the Improvem.^t & Security of the house And Improved the premisses Either by himself or his Tennants As Appears by his Granting a Lease to M.^r Arthur Savage for the Gardens And his Agree^mt. for the house with Alex.^r Watts, And this being by the Approbation of [308] Of Govern^r Doucett the then Commander in Chief is a farther Confirmation of his Tittle, And it is also Manifest That altho' M.^r Jennings the Planif is now out of all, That he was never Disposse^d either of the Whole or Any part thereof Legally by Any Authority Whatsoever: And it is also Generally beleived that M.^r Jennings Did purchase and pay the Premium as aforesaid The Board therefore Unamously Agreed that as M.^r Jennings's Right is Much preferable to any Claim or Pretensions Advanced to the Board by M.^r Winniett That his the said M.^r Jennings's Right and Tittle to the said house and Gardens Are Valid and Good

Orderd that the Secretary Should Acquaint the Plaintiff and Defend.^t by the Constable that the Opinion of the Board upon their Case should be Communicated to them Next Council Day of which they should have Due Advice

(signed)

L: Armstrong

At a Council held at the Honourable L.^t Governor Armstrongs house in his Majestys Garrison of Annapolis Royall on Saturday the 5th Day of Aug.^t 1732. A. M. at 11 o' the Clock

Present

His [309]

His Honour the L.^t Governor of the Province
 Major Paul Mascarene W.^m Shirreff Secretary
 John Adams Esq.^r Otho Hamilton Esq.^r
 William Skeen Esq.^r

His Honour Acquainted the Board that he had Judged it proper to Call them together in Order to Communicate the Opinion and Sentence of the Board On M.^r Jennings and M.^r Winnietts Affair as by the Minute of Council on Tewsday last, But as M.^r Winniett had sent an Excuse that he Could Not Attend. because of being Employed about fish, He therefore asked their Advice Whether that might not be Defer'd till he Could Attend, The Opinion of the Board is that as M.^r Ross Attorney for the Plaintiff is Attending that it ought not to be Delay'd, But now publickly Read & Declared Which was Done Accordingly

the Sentence of the Board Communicated to Mr. Jennings attorney and Mr. Winnietts Excuse for not Attending.

And M.^r Ross having Recommended to the Board M.^r Jennings's Expence in the Process

The Board Were of Opinion that M.^r Winniett the Defend.^t should pay the Constable & the Secretarys fees

Then his Hon.^r laid before the Board a Copy of An Order in Relation to the Abuses Committed in the Cutting and Measuring of [310] Of Wood per Cord, And the Incroachments made on the Kings High Ways which being Read it was Approved of And Orderd that the same should be published

order Concerning the wood approved of.

(signed)

L: Armstrong

At a Council held by order of the Honourable Lawrence Armstrong Esq.^r L.^t Governor of the Province at his Own house in His Majestys Garrison of Annapolis Royall on Sunday the 13th of Aug.^t 1732 at 3 o' the Clock P: M:

Present

His honour the L.^t Governor of the Province
 Major Paul Mascarene William Shirreff Esq.^r
 John Adams Esq.^r W.^m Winniett Esq.^r
 William Skeen Esq.^r Otho Hamilton Esq.^r

M^r Rodrigues
 memo.¹

His honour Acquainted the Board that he had Received a Memo.¹ from one Monsieur Rodrigue a Subject of France and a Master of a Vessell from Cape Breton Signifying that by the Storm on thursdays night last he was Drove a Shore about a League and a half from the Gutts Mouth in the Bay, And that as his Vessell Was Not Intirely Lost but somewhat Damnfied he Prays the Assistance of Six^r or seven men to help him to Repair her so as to gett her off Again [311] Again and to go to Sea, As also for a Supply of Provisions; And the same being orderd to be Read His Hon.^r Desired the Opinion and Advice of the Board thereon

The Board were of Opinion that the said Rodrigue should be Examined Upon What Bussiness he Came into this Province And Why he pass'd this Port And Went to Mines; And being Called, he Anse.^d that he had bought a Sloop from One there And that he was Come on purpose to pay for her. And that he had for that End Carried there Thirty hh.^{ds} of Molasses and two hh.^{ds} of Rum and that it was the force of Weather that put him by this Port Where Designed to Call to Obtain Liberty

The Board in Consideration of his Distress, Were of Opinion that the Governor should only give him a Reprimand for presuming to Land any Merchandize in this his Majestys Province without Leave first Obtain'd And Grant him the Prayer of his Petition

(signed)

L: Armstrong

At a Council held at the Honourable Lawrence Armstrong's house in His Majesty's Garrison of Annapolis Royall on fryday the 26th of Aug.^r 1732 at 5 P. M. Present [312]

Present

His Hon.^r the L.^t Governor of the Province
 Major Paul Mascarene W.^m Shirreff Secretary
 John Adams Esq.^r Otho Hamilton Esq.^r
 William Skeen Esq.^r

His Hon.^r Acquainted the Board y.^t he had been Consider-
 ing how the Settling of this Province, which he had much at
 heart might be promoted and forwarded; And that there-
 fore had Order'd An Advertisement for that purpose to be
 prepar'd to Lay before them for their Consideration. And
 Advice whether he should not Cause the same to be published
 in the New England News Papers in Order to Draw some
 Protestant Subjects from thence or Elsewhere to settle in
 some parts of this Governm.^t Which being Read & Considered,
 It was approved of And Agreed that the same should be pub-
 lished.

An adver-
 tisement pre-
 pared by the
 Gov.^r to be
 published for
 the settling of
 the province.

His Honour also Acquainted the Board That Some of the
 Deputees of the french Inhabitants had Complained to him
 of the hardships they Sufferd in Attending the Service of the
 Government and the particular Affairs of the Said Inhabi-
 tants And Desiring a New Election that others may take their
 Turn in y.^o Execution of that Duty; that he had therefore
 Directed An Order for that purpose as also in Relation to the
 french [313] French half Bush.¹¹ Conformable to the Minute
 of Council the 27.th July Last, to be prepared for their Advice
 and Opinion thereon; And the same being Order'd to be
 Read, it was with some Amendments Approved of And
 Orderd to be Translated into french and then to be published;
 And also that An Order of the same Nature Should be sent
 into the Several Other Districts of this Province

New Deputys
 orderd to be
 chosen upon
 the Complaint
 of y^e Old.

the french
 half Bush¹¹

Orderd that the Excuse sent by William Winniett Esq.^r
 for his not attending y^o Council be Minuted; And the Con-
 stable being Call'd & Ask'd what it was, he Answer'd that

Mr. Winnietta
 Excuse.

M.^r Winniett Said, when he went and summons'd him, That he belevied that he would not have time to be there

(signed)

L: Armstrong

Att a Council held at the Honourable Lieu^t Governor Armstrongs House in his Majestys Garrison of Annapolis Royall, on Munday the 4th of Septemb.^r 1732 at 11 o the Clock A. M.

Present

His Honour the Lieu. ^t Gov. ^r of the Province	
Major Paul Mascarene	W. ^m Shirreff Secry
Will: Shene Esq. ^r	W. ^m Winniett Esq. ^r
	Otho Hamilton Esq. ^r

His [314]

Some of the
Inhabitants
of St. Johns
River Came
to take
the oath.

His Honour acquainted the Board, that he had Received a letter from the Inhabitants of S.^t John's River, in Answer to the Summons Sent them the 28th of March last, and that in obedience thereunto Some of them were Come to take the oath to His Majesty, and their Said letter being Read. he asked the Advice of the Board. Whether they may be admitted, and permitted to occupy and Enjoy Such lands as they are in possession of, there, or any where Else in the Province, upon their taking Grants for the same, Conformable to his Majestys Instructions

Ordered, That they may be Called in and Examined, Both as to the Number of the familys, & in What manner they live; and Whether they will Accept of Grants, and hold Immediately of his Majesty

And the question being put to them, they Answered, that they were willing to take the Oaths, As Also Grants, But they could not answer for Carrying with them a person to Survey the land, Because of the Indians which answer, for the Safety of the Surveyor, being Refer'd to his Honour to Consider on, when an Opportunity Offer' to Send one, they were admitted to Oath, which they accordingly took, and Subscribed the Same

Then was Read a Petition from the Traders, Complaining of some Interlopers, that traded in the Province, and imported Clandestinely Enumerated¹ Goods. without Ever Entering or Clearing at any Custom House. and praying Redress, such practices being to the Detriment of the fair Traders [315]

the traders
petition Com-
plaining of
Interlopers.

Agreed that their Names and places of abode be Enquired after, and that Information thereof be sent to the Governor and Collector of these parts

Then his Honour acquainted the Board, that he had Received Additional Instructions of the 10th of December 1731, forbidding laying any Duty on Negroes or ffelons from Great Britain, imported into this province. and ordered the Same to be Read

(signed)

L: Armstrong

Att a Council held by order of the Hon.^{ble} Lieu.^t Gov.^r Armstrong, at his own House in the Garrison of Annapolis Royall on Munday the 11th Septem.^r 1732

Present

His Honour The Lieu.^t Governor of the Province
Major Paul Mascarene Will. Shirreff Secy
William Skene Esq.^r Otho Hamilton Esq.^r

His Honour acquainted the Board, that he had Caused three orders, Agreed to¹ by the advice of the Council to be published viz.^t One in Relation to the Magazine intended to be Built at the Grand Pré of Menis, One in Relation to Wood Sold by the Cord, and Inroachments made on the Kings High way, and the third for the Inhabitants of this River to Chuse New Deputys Upon the Complaint of these Now in Office, as also in Relation to the ffrench half Bushell And that² for Answer thereunto the Inhabitants had made [316] made an Answer, which he laid before the Board, for them to Consider, Whether it was a Compliance to his Said orders,

Order in
Relation to
the Magazine
at Menis, one
in Relation to
Wood and in-
roachments
on the Kings
high way &
a third for
Chusing
New Deputyes
approved of
in Council.

¹ See Fisher, True History of the American Revolution. Ch. II.

and therefore ordered Both his orders and their said Answer, to be Read. Which being done, the Board Refer'd the Consideration thereof till 3 o Clock P. M; and ordered that the Deputys be then present

L^t Handfeilds
petition for a
plott of
Garden
Ground
Granted.

Then was Read Lieu^t Handfeild Petition, praying a Patent for the House and Garden he is now in possession of, In the Lower Town of Annapolis Royall, Conformable to an Agreement Between him and mr Walter Ross Attorney for mr Joseph Jennings, The Said Jennings's Pretensions being found preferable to those of mr Winnietts, and Lieu^t Handfeild and mr Jennings's Said Attorney being Called, and the Petition being Read, and mr Ross also Desiring that the Patent Should be in Lieu^t Handfeilds Name. The Board Agreed that the same Should be prepared. Ordered that the Secretary prepare the Same

Major
Mascarenes
Instructions
about settling
the province
&c. Communi-
cated to the
Board.

Then his Honour acquainted them, that as Major Paul Mascarenes private Affairs Required his presence at Boston in New England, he had upon his Request Granted him liberty to Go and Settle the same, And that whereas he found the Indians were kept at a Distance from the English, and on all occasions incited Against them, through the Deceitfull Artifices of the french, who do it, no doubt on purpose to Deter our English Traders, with these views of Securing to themselves the [317] the whole profite of the trade, they being the only persons Cheifly Employ'd by our English Traders to Dispose of their Merchandizes for ffurs, that he had upon the Consideration thereof wrote to his Excellency Govern.^r Belcher, and propos'd to him (in order that the Indians might be better used, and that we thereby Might obtain a Nigher and more Immediate Intimacy with them) the Building of a Truck House at the River St Johns, And that as the Major was Going to Boston, he had also Given him instructions to treat with his Excellency and that Government, upon that Subject, as also with Such of his Majestys Subjects, as Shall be willing upon the advertisement Sent by the Major to be published) to Come and Settle in this Province

And Both the Instructions and Advertisem.^t being Read, they were approved of

And as mr Winniett had Sent word by the Constable that he was Busy, and that his own affairs would not allow him to be present at the Board, his Said Excuse was ordered to be minuted

Mr. Winniett's Excuse for not attending the Board.

Then adjourned till 3 o Clock P. M.

Att 3 o Clock P. M., the Same Members present, The Board took into Consideration the Inhabitants Answer to his Honours aforesaid order for Chusing Deputys; and they having Chosen Prudent Robicheaux, Alexander Hebert, Nicholas Gautier, Peter Lanow, Joseph Bourgeois, Claud Giroard, William Blanchard; and Prudent Robicheaux Jun.^r, altho not [318] Not altogether Conformable to His Honours orders It was Judged proper to accept thereof, and that his Honour might Give his Approbation to the Same, and his Honour did Accordingly Approve thereof, and Recommended to them the Duty upon them, and the faithfull Execution of their office

the Inhabitants answer for Chusing New Deputys Considered.

And According to his Honours aforesaid order, for making an Annual Choice, It was agreed upon by his Honour (by and with the advice of the Board) with the Deputys present, that the annual Day for the Election of New Deputys Shall be always hereafter on the Eleventh of october, in Commemoration of the Reduction of this place, Provided that it be not on the Lords day, Commonly Called Sunday, and that then it Shall be on the Munday following, and that the Deputys in office Shall always Give Notice thereof to the Governor thirty Days before the time then Agreed upon, in order to have his orders for the Same

the Day appointed for the Chusing of Deputys.

Then his Honour Represented to the Board the Difficulty of having a Quorum, mr Adams being frequently through the Infirmary of old age, not able to Give his Attendance; and that Seeing mr Winniet, by his frequent Excuses, that his Bussiness could not permitt him to attend the affairs of the Government, his Honour therefore desir'd the Advice of the Board

Motion for Chusing a New Member of Council.

Resolved that his Honour Should think of a proper person or persons to Supply v'accancys, & to Compleat a quorum

N. B. thus far sent home (signed)

L: Armstrong [319]

At a Council held by order of the Honourable L.^t Governor Armstrong at his own house in his Majestys Garrison of Annapolis Royall on Monday the 25th of 7^{ber} 1732 at 10 o' the Clock A: M:

Present

His Honour the L.^t Governor of the Province
 John Adams Esq.^r Major Henry Cope
 William Skeen Esq.^r W.^m Winniett Esq.^r
 W.^m Shirreff Secretary Otho Hamilton Esq.^r

Mr. Mitchels
 Deputation
 as Deputy
 Surveyor
 laid before
 the Board.

His Honour Acquainted the Board that Col.^o Dunbar his Majestys Surveyor General of the Woods, had sent here M.^r George Mitchell, One of his Deputys, to Receive such Orders as may be judged Necessary for the Execution of that Office in this part of the Province And that as M.^r Mitchell had given him the perusal of his Deputation and Other Instructions in Relation to the Lands & Woods in Nova Scotia He had therefore Judged it Necessary to Communicate the same to the Board in Order to Consult upon such Surveys to be Made As may tend to the Good of the service and forward the settling of the Province, Which being Read they Were Orderd to be Registred, And also that An Order Should be prepar'd for M.^r Mitchel to Make a Survey of the Lands upon the River of Annapolis Royall

William
 Haw's Petition
 for a plot of
 Ground
 Granted.

Then was Read a Petition from William Haw Praying a Small plott of Ground lying between M.^r Bloindens and that Garden formerly in y^o Possession of [320] Serg^t Cundy, but now in the possession of Cap.^t Jn.^o Jephson in the Upper Town of Annapolis Royall

Agreed that the same may be Granted him Provided that No other person hath any just Right to the same

(signed)

L: Armstrong

Att a Council held by order of the Hon^{ble} Lieu^t Gov^r Armstrong at his own House in the Garrison of Annapolis Royall on Wednesday the 13 Decem^r 1732

Present

The Hon ^{ble} Lieu ^t Gov ^r of the Province	
John Adams Esq ^r	Major Henry Cope
William Skene Esq ^r	Otho Hamilton Esq ^r
William Shirreff	Secretary

His Honour the Lieu^t Governor of the Province Acquaint-
ed the Board that on Saturday last the 9th Instant the
Deputys of the ffrench Inhabitants Deliver'd him a petition,
praying that their Preist may be permitted to pass one half
of his time up the River, or that their Church may be Re-
moved to the Midest of the parish; and that having Drawn
up the Substance of What he had to Say to them on that
Subject, the Same, with their petition was laid Before the
Board, for their Consideration, advice and opinion thereon
[321]

the Inhabi-
tants Petition
for having
their Church
Remov'd &c.
not Granted.

And their Petition and an Instrument Issued by his
Excellency Governor Philipps dated the 14 of Decem^r 1729,
being ordered to be Read, the Board found that his Excel-
lency made no Such promise as insinuated by the ffrench
in their Said Petition, and are of opinion that their Church
Should not be Removed, but that it should remain where it
now is as a lasting Monument and Memorial of their
treacherous Villainy to his Britannick Majesty and his sub-
jects

Then was ordered to be Read What his Honour had pre-
pared for their Answer, which being Approved off. it was
ordered to be translated into ffrench and Delivered to the
Deputys on Saturday Next, the 16th Instant

Then his Honour laid before the Board a Letter Directed
to the Members thereof from himself in Relation to the White
House feild, of this Date, Desiring their opinion, Whether
the feild &c. as therein Specified upon file, may not be ap-

the White
House feild
secured to the
Governor
in Chief
for ever.

propriated and Secured for the use of the Governor and Commander in Cheif and his Successors in the Command of this province for Ever Upon the Conditions prescribed by his Majestys Instructions

Goat Island
Granted in
favour of
Mr. Vane.

There was also Read another letter of this Date Desiring the Boards opinion Whether he Might Not [322] not Grant Goat Island In favour of mr Charles Vane upon the aforsaid terms and Conditions Mentioned in his Majestys Instructions, he being inclined to Settle and Cultivate the Same, the Board Agreed that the Same might be Granted, and that a Patent be prepared for the Same. As Also the Board Unanimously Agreed that Every part of the Said White-Housefield Which is not Claim'd or possessed by any lawfull proprietor May be Granted and Remain for Ever to the Governor and Commander in Cheif and his Successors in the Command of the Province for Ever upon the Said Conditions prescribed by his Majestys Instructions

(signed.)

L: Armstrong

Att a Comity of Council held by order of the Hon.^{ble} Lieu.^t Governor Armstrong at Major Henry Copes House in the Garrison of Annapolis Royall on Saturday the 16th of Decer 1732 at 11 o Clock A. M.

Present

John Adams Esq^r Henry Cope Esq.^r
William Shirreff Secretary Otho Hamilton Esq.^r [323]

the Governours
answer to the
Inhabitants in
Relation to
their Church
& preist
approv'd off.

The Secretary Acquainted the Gentlemen of the Committee that as his Honour the Lieu.^t Gov.^r of the Province was so much out of order that he Could not attend the Deputys who by Appointment were to Call this day for an answer to the Inhabitants Petition in Relation to their Church and Preist that he had therefore sent it by him translated into ffrench Conformable to the Minute of Council of the 13th Instant, Which he Desired they might Examine, and Compare, to See if it was justly translated and then give it to them

Which being done, and the Translation Approved off, the Deputys Attending were Called in, and the Same was Delivered to them, to Which no Reply being made, the Committee Adjourn'd to Report the Same

(signed)

L: Armstrong

At a^t of Council held by Order of the Honourable Lieut Governor Armstrong at Maj.^r Copes house in the Garrisⁿ of Annapolis Royall on Saturday the 23^d of Decem.^r 1732

Present

John Adams Esq.^r

Major^r Henry Cope

W^m Skene Esq.^r

Otho Hamilton Esq.^r

W^m Shirreff Secretary

[324]

The Secretary Acquainted the Board that his Honour had directed him to acquaint them that he is informed that the Inhabitants, by a Mutual Consent, are contriving all the ways and means possible to Distress his Majestys Garrison by Raising the price of all Eatables, fire-wood &c. And Whereas they daily Act with So much Contempt, and behave themselves in most Respects as independent of any Government, and Show'd So little Respect to His Majestys Sovereignty, through a Spirit of disobedience and obstinacy; And Seeing Such Innovations and proceedings of theirs, without any visible Reason for their So doing, may not only at this time, but hereafter, prove detrimentall to the Province in General; He had therefore Recommended the Same to their Consideration, for their advice and opinion thereon; and Desir'd that they would Consult upon Such Methods as may be used to keep them to their obedience; And to Consider, Whether for their Disobedience they may not be debar'd from their liberty of fishing and Navigation, till according to their allegiance, they paid Actuell obedience to all legall orders.

Methods
proposed
to Reduce
the french
Inhabitants
to obedience.

Which being taken into Consideration were [325] were of opinion that the Governors Message was of too Great a

Consequence to be precipitately Enter'd upon; and therefore Desired it might be Defer'd to a further day, in order for a fuller Information of the Designs and Conduct of the french Inhabitants

G ov. Cosbys
letter in Re-
lation to the
Marquise's
contract for
a plott of
Ground.

Then the Secretary laid before the Committee a letter from Governor Cosby the 11th September last directed to him, In Relation to a Contract for a peice of Ground bought from one Marquise, and acquainted them that his Honour the Lieu.^t Governor of the Province Desired to know Whether the Said Contract might be Sent him. Agreed that the Secretary, as he had it Given him in trust, might deliver it to the person who lodged it in his possession only, or by his order to any other person whom that person Shall direct

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lieu^t Gov^r Armstrong in his Majestys Garrison of Annapolis Royall on Wednesday the 3^d of January 173 $\frac{3}{4}$

Present

His Honour the Lieu.^t Gov.^r of the Province
John Adams Esq.^r Major Henry Cope
William Skene Esq.^r Otho Hamilton Esq.^r
William Shirreff Secretary

[326]

Order for the
Inhabitants
of this River
to pay their
quitt Rent to
his Majesty.

His Honour acquainted the Board that in perusing the Records in his Excellency Governor Philipps's time, He found a Minute of Council of the 7th of December 1730, And thereon a Commission or order Issued by his Excellency to Allexander Bourg of Menis for Collecting the Quitt Rents formerly paid to their Seigniors, and to Receive them for, and on Account of His Majesty, as the only Sovereign Seignior of this Province, which was Still in practice, and that Therefore he had judged it proper to Call them together for their advice, Whether the people of this River Should not also do the Same

The minute of y^e 7.th Decemb^r being read As also his Excell^y.^s proclamation dated the 10th December 1730, and upon the Consideration Thereof, were of opinion & Agreed that the Inhabitants of this River Should also pay their Quit Rents for his Majestys use As a token of their holding off him as their only and Supream Seignior. Then was Read a Serol drawn by his Honours orders to that purpose, and upon Examination it was approved off

Then his Honour acquainted the Board that he had heard Several people Complain that they had lost Sheep and other Cattle, and were Suspicious that those losses happend Cheifly through the want of [327] of a Herdsman, or Some proper overseers, & that having prepar'd an order to prevent those abuses the Same was Read but Refer'd. and ther^e adjourn'd, till the Deputys Came to Consider of the Rates to be paid to the overseers and to the Constable for visiting^r Such Cattle as Come to the Garrison to be Sold

Order for preventing the loss of sheep &c.

(signed)

L: Armstrong

Att a Council Held by order of the Honourable Lieut Govern^r Armstrong in the Garrison of Annapolis Royall on Munday the 15th of January 173³

Present

His Honour the Lieut Gov.^r of the Province
 John Adams Esq.^r Major Henry Cope
 William Skene Esq.^r Otho Hamilton Esq.^r
 William Shirreff Secretary

His Honour the Lieut Govern^r of the Province acquainted the Board that upon an Information of Nicholas Gautier one of the Deputys, Against Francis Raymond and one Francis Meuse, he had Sent the Constable on Saturdays night last to Apprehend them; The first being Accused of Theft, and Both of them for felling of Trees a Cross the publick High way in order to Stop and hinder the passing of any Carts or Sledges with Wood, As more fully Appears by the Declaration of

Gautiers Information against Raymond and Meuse laid before the Board.

Nicholas Gautier upon [328] Upon file; And Whereas they were now prisoners, He had therefore Called the Council for their advice and opinion thereon

M.^r Gautier the prosecutor, and the prisoners Being all present, The Information in Relation to Francis Raymond was ordered to be Read, which being done, and Mr Gautiers Witnesses viz^t Joseph Landry and Michell Doucett being first Sworn and Examined, they Declar'd, that they were Both on Board of the Said Gautiers Sloop, in this River, when Francis Raymond broke up the Cabin Door, and that they Saw him do it, And that when the Door was so Broke open, they the Said Joseph Landry and Michell Doucett did Drink a Dram with the Said Prisoner at the Cabin Door out of a flagon

The prisoner Francis Raymond Confess'd the Most of Mr Gautiers Information, and that he had taken Money out of M.^r Gautiers Chest viz^t at Lewis Bourgh one Pistol, and at the River Canard £5. But that he did not then break any locks; and Said that At Annapolis Royall he did draw the Steple of the Padlock to take a Dram, according to the Evidences of the Witnesses, who were So far Consenting to it, as the prisoner Said, that they Said to him that there was no harm in taking a Dram

Then the other part of Mr Gautiers Declaration in [329] In Relation to Stopping the high way, and the persons who Complain'd of those Abuses to Gautier as one of the Deputys. being Called and Examined, Joseph Gautier Affirmed before the prisoners that Francis Raymond did Strick him twice with a Stick and pursued him part of his way home: and the prisoner Francis Raymond being Examined thereon He Confessed that he did it. And the other Complainers viz^t James Lavern, Claud Landry Junior, Joseph Landry, Peter Robicheau and Andrew Simon Jun.^r being Sworn and Examined, they Said that they found the Road So Stopt, but that they did not know positively who did it, and being asked if there was much Wood thrown down, they Said about a Cart Load; and the prisoners being ask'd if they had done it, Francis

Meuse Confessed and Said that he did Cut about two or three Small trees, and that he did also pick up about 7 or 8 other Stumps & throw them Amongst them And that for no other Intent than to Cause young Robicheau who was on Horse Back to go a little about; and Francis Raymond Denying that he Cut any, the Said Meuse Said that he did not See him Cut any; Whereupon his Honour to find out more of the truth and State of the Road, Sent the Corporal Major along with James Lavern to visit the Same, and, to make a Report to him of the truth thereof, and then adjourned till three of the Clock P. M. [330]

Met according to Adjournment. the Corporal Major being Come, from viewing the Road. & being Called Before the Board. He Declared, that he had been, in obedience to his Honours orders and Surveyed the Road, and that he there found about 40 or 50 trees laid Cross the Road, and Some lying by the Road Side: And Lavern being also Examined thereon (being Both first Sworn) Said that there were a Great many others lying by the Road Side that had been Removed from off the Road Since he last Saw it

This Report being made, the Board took the Case of the Aforesaid two prisoners Francis Raymond and Francis Meuse into Consideration, and Upon the whole, the Board found, That Francis Raymond by his own Confession was Guilty of Repeated Thefts; and that the Said Francis Meuse, was also by his own Confession, Guilty of a tresspass and Contempt. Then adjourned till to Morrow Morning, and ordered the witnesses and prosecutor to Attend at 10 of the Clock A. M.

Friday the 16th January 1732.

Met According to Adjournment, the Same Members being present, in order to Consider what [331] What punishment Should be inflicted on the two prisoners According to the Nature of their Crimes, and to hear if they had any thing to offer why Sentence Should not be pronounced Against them

Mr Gautier being Called, and the prisoners being brought and further Examined, they Confessed the Same facts as they did yesterday and Said that they had nothing farther to Say in their own behalf, but Submitted to his Honours Clemency

Whereupon it was Agreed (after Some Questions put and Considered) That Francis Raymond Should be Whipt at the Carts tail viz^t at the Block House. at the ffort Gate, at the Cape and at Mr Gautiers; and at Each of these places to Receive five Stripes on his Bare Back with a Cat of Nine Tails; And that Francis Meuse Should Receive 40 Stripes at the ffort Gate on his Bare Back with a Cat of Nine Tails; but submitted the inflicting or Remitting the Same to his Honours Clemency; and ordered that Francis Raymond Remain in Prison after punishment till he pay the Constable a Pistol for his prison fees; and that Francis Meuse be also Committed till he pay to the Constable a pistol for his prison fees, and be Bound over in a hundred pound, and also to find two [332] two Good Securitys in fifty pound. Each for his Good behaviour for a year and a Day; And that both the Said Francis Raymond and Francis Meuse Should Cause the trees Cut down upon the Road to be Removed from off the Same, and brought hither and laid down by the ffort. in Such a place as Shall be appointed: and that they Stand Committed till this Sentence be performed.

Raymond
and Meuse
ordered to
be whipt.

Then the Board proceeded to Consider the Behaviour and Confession of Joseph Landry & Michel Doucett the two Witnesses that Appeared Against Francis Raymond; and being Called upon, mr Gautier Answered that they were not present, and being askd if he had advertised them to be present, he Replied in the Affirmative, and Said that Joseph Landry was Sick, and that Michel Doucett was not at home whereupon the Board Agreed that they (but Especially Michell Doucett) were Guilty of Contempt in Disobedience to yesterdays Minute and mr Gautiers Summons

Ordered that the Constable Should apprehend and take them into Custody for their Said Contempt

Then were Read two petitions viz^t one from Magdalene King in behalf of her husband Lewis fountain at present on a voyage at Boston [333] Boston in New England, and one from Charles King praying for plotts of Ground Conformable to his Majestys Instructions, and that Grants may be prepared for the Same; And the prayer of their Petitions being taken into Consideration, they were Granted

Magdalene and Charles King's Petitions for plotts of Ground Granted.

(signed.)

L: Armstrong

Att a Council held by order of the Honourable Lieu.^t Governor Armstrong in his Majestys Garrison of Annapolis Royall on Tewsday the 30th January 173 $\frac{1}{2}$

Present

His Honour the Lieu^t Govern^r of the Province

John Adams Esq.^r

Major Henry Cope

William Skene Esq.^r

Otho Hamilton Esq.^r

William Shirreff Secretary.

His Honour acquainted the Board that one Anthony Dupuis Brother to one John Dupuis Inhabitant of Menis was Come from thence along with René and Francis Le Blancs, Inhabitants of Said place, who had presented him with petitions in Relation to lands in Dispute with them and their Neighbours of these parts: And also informed the Board that that Solicited by the Dupuis had been [334] been already Decided in Council, and that he had Given his orders to the Deputees of Menis to Divide the land in Dispute Between the Dupuis and the Claudes; and to put the partys in possession according to the Minute of Council the 10th of January 173 $\frac{1}{2}$; and the Petitioners being Called, the petition of Dupuis was Read, As Also the Said Minute, the Governors order to the Deputys and their Letters; And Also a paragraph of the Governors letter of the 28th March 1732 to Bourg; and the whole being Considered, the Board were unanimously of opinion, that Both M^r Bourg with Several of the Deputys of Menis to whom his Honours orders was Directed, and the

Dupuis and the Le Blancs Petitions in Relation to lands in Dispute with Neighbours laid before the Board.

Le Blanc Imprisoned and the Deputys of Menis ordered to appear before the Council.

Depuis's Adverse party, had disobey'd his Honours orders, And Evaded the Sentence of the Council; and that for Said Contempt the Said Alexander Bourg and the Deputys Should be Summon'd to appear here to Answer for the Same, and that the aforesaid Le Blancs who are therein Concern'd as partys. Should (Conformable to Anthony Depuis Request) be kept prisoners until the aforesaid Minute of Council be Exactly and punctually Complied with & therefore

Ordered that the aforesaid Sentence in Relation to the lands lying Between the two Russeaus de Lagle be Executed before the Said Rene & Francis Le Blancs be [335] be Sett at liberty; ordered also that a Summons be Sent to Alexander Bourg and the Deputys of Menis to Appear here forthwith, to answer and Give Reasons for not Complying with the Minutes of Council, and his Honours orders in Relation to the Depuis and Claudes, & Rene Le Blanc and the Melansons

Boumons
Petition for
a plott of
Ground
Granted.

Then was read a Petition from James Boumon. alias Bounevie, praying a Patent for a peice of land as *per* Said Petition upon file; And it being Considered Agreed that a Patent may be Given for the Same According to his Majesty's Instructions. Adjourned till the next morning at 10 o Clock

Wednesday January 31st Met according to Adjournment, the Same Members being present

Le Blancs
petition pray-
ing to have
liberty to go
to Menis.

The Secretary Acquainted the Board that his Honour was not to be present, and that he had Recommended to their Consideration a Petition from the two prisoners viz^t Francis and René Le Blancs, praying that one of them might be Enlarged and permitted to Go to Menis in order to Settle their Affairs and to Return after finishing of the affair with the Depuis; which being Read the Board Agreed that Francis LeBlanc should [336] Should be permitted to Go and Settle Said affairs at Menis upon his Giving a Bond of one hundred pound as also to find two Good Suretys to Give in a Bail Bond for fifty pound Each for his Return from Menis on or before the 23^d of february next, to which the Said Le Blanc Consented and therefore was Set at liberty

Then was Read a Scrol of the Summons or order to be Sent to Alexander Bourg and the other Deputys of Menis to Appear before the Council which was approved of

Sumons for the Deputyes of Menis to Appear in Council.

(signed.)

L^t Armstrong

Att a Council held by order of the Honourable Lieu^t Governor Armstrong in his Majestys Garrison of Annapolis Royall on munday the 5th of february 1733

Present

His Honour the Lieu^t Governor of the Province
John Adams Esq.^r Major Henry Cope
William Skene Esq.^r Otho Hamilton
William Shirreff Secretary

The Members of the Board being Sett and the Secretary being asked whether he had Summoned Mr winniett [337] Winniett, Esq.^{re} he answered in the affirmative; and appealed to the Constable to whom he had delivered the Sunmons. and he being Called in, he said he had Delivered it, & that Mr Winniet Said that in Case he had time he would Come otherways not

Mr. Winniets answer to the Constable.

Then his Honour acquainted the Board that he had Received from home a Report of the Right Hon.^{ble} The Lords of the Committee of Council for Plantation Affairs dated the 2^d of August 1732, which had been laid before his Majesty and his Majestys Privy Council at the Court of Kingsington the 10th of August 1732, Relating to a Dispute Between Colonel Dunbar and Several people of New England about the Settlements Carried on by the Said Colonell Dunbar at Pemmaquid and in that District or Tract of land lying Between the Rivers Kennebeck and S.^t Croix with her Majestys Directions thereon to the Said Colonel Dunbar and the Governor of Nova Scotia which being Read was ordered to be kept upon file.

the state of Colonel Dunbars settlements laid before the Board.

¹Written in above the line.

Mrs Belisle's
petition for
Rents &c.

Then was Read a Petition from Mary de S.^t Etienne Widow of Alexander le Burn of Belisle and of Mary le Burn her Daughter Setting forth that that they had no Contract for Some lands Called the farm. and that it was only Granted them by virtue of Arrest de Cour, as were also the Seigniorial [338] Seigniorial Rents, and therefore as they had been at Great Charges in Settling the Province, Prays the Enjoyment of Said Rents and farms &c. as upon file

Which being taken into Consideration The Board were of opinion that her affair was of Such Consequence, that they Judged it necessary that it Should be Recommended home to the Lords Commissioners for Trade and Plantations; to be laid before his Majesty for his directions thereon, and the Other Demands and affairs of the Seigniors, and that the Petitioners may also apply, if they¹ thinks proper, to his Majesty. for a Determination thereof

John Duons
tryall in Re-
lation to the
paper placed
at the Mass
House and his
Reflections on
the English
Government.

Then his Honour laid before the Board a Paper Delivered to him by the Constable John Hanshole. which had been fixed up by Some unknown person at M^r Douglass's Stable. and Said to have been pulled down by John Duon; it having been first Seen or found in his possession; of Which paper his Honour having been informed, and in whose possession it was, Sent to See it, which being Shown him^r by Said Duon, he ordered him (not knowing who was the author) to Refix it. from whence he took it, which was done; But he immediatly pulled it down again. and Carryed it off, telling the Constable [339] Constable, who Expected him to lodge with him that night, to go and take Care of his paper; upon which the Constable, being suspicious that he had taken it down, went to the place, and found it taken; and thereupon Complaining to his Honour. He ordered him to go and apprehend the Said Duon whom he had Committed to prison for his Said Contempt and the unmannerly Reflections he had Cast upon the English. In presence of the Constable and Charles Tallard &c who being ordered to have their Declarations Ready by four

¹ Written "she"; corrected "they."

of the Clock to Morrow P. M. Adjourned till that time in order to Consider the purport of the Said paper and the Reflection Cost as aforesaid

Tuesday 6th february 1733

Met According to adjournment the Same Members being present and Adjourned till 4 of the Clock P. M. Next day

Wednesday 7th february 1733

Met according to adjournment, and the Prisoner being Sent for. The Witnesses viz^t Charles Tallard, John Hanshole. the Constable and Mary his Wife, were also Called in; and their Respective Declarations being Read, as upon file, they were admitted to oath; and as the Constable had neglected to acquaint William Winniet Esq.^r of the adjournment [340] adjournment, His Honour the Lieu.^t Governor of the Province did therefore again adjourn till to Morrow at 10 of the Clock A. M., and ordered that a Summons Should be Sent to Said M^r Winniet, to advise him thereof

Thursday the 8th of february, 1733

Met according to last days adjournment the Same members being present, and m^r Winniett being asked for again, the Constable Said that he Delivered him the Summons from the Secretary, and that his answer thereunto was. that he Could not Come

M^r Winniet
Ans.^r to the
Constable.

Then the Prisoner John Duon was Sent for, and the Witnesses Called there was Read an addition which Charles Tallard had added to his aforesaid Declaration as upon file; and the prisoner being ask'd-for his answer to the allegations laid against him by Charles Tallard, John Hanshole the Constable and Mary his Wife, He presented the Board with his answer, Wherein he Confessed he had been thrice Employed in Complaints Against his Honour by m^r Winniett Signed by the Inhabitants, and the last thereof was done by several of the Inhabitants through fear. and with much Regrate

And as to the Declarations against him, he [341] he acknowledged himself Guilty in most of the Circumstances, and Said that Several of them he Could not Remember, being very much in liquor; and therefore prayed for forgiveness; Having also Confessed that he had Writ and Drawn up a paper for Philip Melanson at Menis, Reflecting most Basely and falsely against the proceedings and Conduct of his Majestys Council, as upon file

The Whole being taken into Consideration, The Board after Some Debate Agreed, that he Should be Debar'd from writing or Intermeddling Either by word or deed, in any publick affairs without permission first obtain'd, and that he Should be Bound for his Good behaviour of two Good Suretys in £25 New England money Each, and he the Said John Duon in £50, for the due performance of his Recognizance, and that he Should Remain in prison till he pay the Constable a pistole and find Said Suretys

(signed)

L: Armstrong

Att a Council held by Order Aforesaid in his Majestys Garrison of Annapolis Royall on Thursday the 15th february 1733

Present

His Honour the Lieut Governor of the Province [342]
 John Adams Esq.^r Major Henry Cope
 William Skene Esq.^r William Winniet Esq.^r
 William Shirreff Secretary Otho Hamilton Esq.^r

the Le Blancs
 affair upon his
 Return from
 Menis taken
 into Con-
 sideration.

His Honour acquainted the Board that Francis Le Blanc, Whom he had Enlarged upon Bail to go to Menis along with Anthony Depuis to Settle the Dispute Between them, were Return'd with René Landry one of the Le Blancs party, and Reported to him that they had Agreed among themselves, According to the Sentence of the Board, and were therewith fully Satisfyed, and had presented him with a Certifycate of their Agreement; And the partys being Called the Same was

Read, and they thereupon declared themselves fully Satisfied; and the Board therefore ordered that the Said Agreement Should be inviolably observed by the partys

Then was Read the Petition of Francis and Rene Le Blancs, praying that they may have their Pretensions to a peice of Ground in dispute with them and James Le Blanc and Anthony Landry Inhabitants at menis Examined; And the partys being Called, and their papers Read and Considered, the Board being Doubtfull of the Claudes Authority to make any Such Concession, After Debate, it was Agreed, That the affair Should Remain as it is untill the Clauds Original Grant Should be produced [343]

Then was Read a Petition from Andrew and John Le Blancs delivered by John Terriot, Complaining of Claud Gautrot, In Relation to the Common of Menis &c. and his Concealing a minute of Council and an Order of the Governors In Relation to the Same, bearing date the 11th of may 1732, which was published only the 14th of January last; and both which being Examined and Compared with a Plan of the place; The Board Agreed therefore that the Minute of Council of the 8th of May, and his Honours Said order to the Deputys In favour of said Gautrot Should be Explain'd According to the plain meaning of the former orders and minutes passed thereon the 7th of february 173 $\frac{1}{2}$ as it noways Appears to the Board that Claud Gautrot had (as Represented the Said 8th of May last) any Inheritance but the $\frac{1}{4}$ of the point of land already Confirmed to him, Adjacent to the Spot of land Called the Common of Menis; and that by Said Explanation, the former Decree and Sentence of the Board In Relation to Said one fourth part may be duly observed, till the Said Gautrot Can as *per* Said Minute of Council the 7th of february 173 $\frac{1}{2}$) produce Such vouchers as thereby Required; And after due Examination and Consideration of the whole affair The Board found that Claud Gautrots Report [344] Report to the Council the 8th of May last, was false, and an imposition upon the Board, who by Said minute intended

Andrew
and John
Le Blancs
petition
against
Gautrot in
Relation to
the Common
of Menis.

only to Secure to him his lawfull Inheritance adjoining the Common, and not the Common it Self

(signed)

L: Armstrong

Att a Committee of Council held by order aforesaid In his Majestys Garrion of Annapolis Royall at Majqr Henry Copes House on friday the 16th of february 173 $\frac{3}{4}$ Major Henry Cope

Present

William Skene Esq^r Otho Hamilton Esq.^r
William Shirreff Secretary

Explanation
of a former
Minute of
Council in
the affair
of Gautrot and
the LeBlancs.

The Secretary Acquainted the Committee that his Honour had directed him to lay before them A paper ordered to be drawn up yesterday to be Sent to the Gautrots of Menis in order to Examine & amend the Same by Comparing it with the former Minutes and orders Sent on the Subject of the part of the point in dispute with the Said Gautrots and the Le Blanes, that the Same may be laid before the Council in the afternoon, which was accordingly done and ordered to be prepared for the Boards Approbation [345]

ffriday 16th february 173 $\frac{3}{4}$

Mett according to Adjournment the Same members and John Adams Esq.^r being present

The Secretary Acquainted his Honour that he had Summon'd and waited upon the Committee of Council which he had directed and had laid before them for their Examination the order directed to be drawn yesterday in Relation to the Gautrots &c at Mines, and the Committee having Examined the Same they found it agreeable to the preceeding minutes on that affair, which having laid before the Board, the Same was ordered to be read for their farther approbation, Which being done, it was agreed that these words Should be Subjoin'd to Said order viz^t, It does not appear as yet to the Board that Gautrot has any manner of lawfull Claim or pretensions to the lands lying on the Southern Side of the River Gaspereau

Then was Read a Petition from Anthony Dequis Setting forth his Reasons for undertaking to Represent and answer in behalf of Claud Gautrot to Such Allegations as might be advanced against him by John Terriot in behalf of Some others of the Inhabitants of Menis, & (as he owned and Declared that he knew not the State of his the Said Gautrots affair, till the Minutes of [346] of Council and the Governors orders thereon were read and Communicated to him here) the Prayer of his Petition as upon file being to this purpose, that he might not be made accountable for the Said Gautrau's Conduct & proceedings, the Same was Granted, being allowed to be Reasonable

Dequis petitions praying to be excused for not appearing for Gautrot in virtue of his power of attorney.

Ordered that the aforesaid order in Relation to the Gautrots, with a translation thereof in french, be Sent to be immediatly duely publish'd by the Deputys of Menis

Then Mr Shirreff presented to his Honour and the Board a list of Articles of Expences that may attend private disputes and processes passing through the Secretarys Office to be laid before the Council; and Represented his trouble and Expence in giving daily attendance upon the plantiffs and defendants at his office, and in Searching the Records and other papers upon file; And therefore Prayed the Board might Consider the Said list, and Regulate the Articles therein Mentioned As they Should judge Reasonable untill the Same be Settled from home or farther Advice from New England or Rather Virginia to which this Government is Refer'd

the Expences of processes in the Secretarys office Regulated by the Board.

Which list being Examined and duely Considered The Board judged Reasonable that the Secretary Should have Releif, and therefore, as all offices have their fees, agreed [347] Agreed, that Untill a Certain Regulation for Such fees be Sent from Britain or procured as aforesaid, The Secretary Shall be Entitled to the following Regulation viz^t

	N. E. Money
For presenting, Endorsing and filing Petition	£ " 5 " —
for drawing and writing a Bail Bond attend-	} " 7 " 6
ance for Bail & tranacting yrof.....	

	N. E. Money
ffor Reading and Examining papers & Search of Records, for Each paper.....	" 1 " —
ffor Each days attendance.....	— 2 " —
ffor fees as Secretary in Reading the Petition & Minuting the Boards proceedings on the partys Respective Cases &c.....	16 " 6
ffor a Copy of the Boards proceedings and final Sentence, if demanded, the same being to be kept on Record.....	10 " —
ffor Translating a Petition &c.....	3 " 6
ffor translating an order or minute &c other papers in proportion thereto.....	3 " 6

(signed.)

L^t: Armstrong

Att a Council held by order aforesaid at his Majestys Gar-
rison of Annapolis Royall on Teusday the 6th of March 1733 $\frac{1}{2}$

Present

- His Honour the Lieu^t Gov^r. of the Province
John Adams Esq^r Major Henry Cope
W^m Skene Esq^r William Winniet Esq^r.
W^m Shirreff Secretary Otho Hamilton Esq^r. [348]

His Honour acquainted the Board that he had Received a Memorial from Captain Lieu^t John Jephson Complaining Against Major Alexander Cosby the Lieu^t Governor of this Garrison, for disturbing him in the possession of a House and Garden for Which he had a Patent; Which Said Memorial being ordered to be Read, and Captain Jephson being also Called, it was Read accordingly; As Also an Answer thereunto sent to his Honour by Lieu^t Governor Cosby; and also his Majestys Instructions Relating to Grants; and the use of the Seal of the Province of Nova Scotia, as was likewise Cap-
tain Jephsons Patent.

Then Captain Jephson, to prove the allegations of his Memorial, produced John Chappel to prove that he was in possession of that House, who Declared that he about Eighteen

Captain
Jephsons
memorial
against Gov^r.
J. Cosby.

years agoe lived in that ~~House~~; and paid Captain Jephson Rent for the Same: And in order to prove Govern.^r Cosbys Assertions, That William Hall had put him into the possession of it; The Said Hall was Sent for; But not being at home his Wife appeared And Said that her husband was put into the possession of it by the Lieu^t Governor of the Province. and that Governor Cosby made them uneasy, by Charging them with Stealing his fowls. that they therefore left it; But She Said that to the best of her knowledge, her husband Gave no possession thereof to Governor Cosby

Upon the Whole it was agreed, that Captain Jephson [349] Jephson Should wait upon Governor Cosby himself and Shew him his Patent and the Plan of the Same

(signed.)

L. Armstrong

Att a Council held by order of the Honourable Lieu.^t Governor Armstrong in the Garrison of Annapolis Royall the Seventh day of March 1733

Present

His Honour the Lieu. ^t Gov. ^r of the Province	
John Adams Esq. ^r	William Shirreff Secretary
William Skene Esq. ^r	Major Henry Cope
	Otho Hamilton, Esq. ^r

His Honour acquainted the Board that Several people had presented him with memorials Praying Patents for Some plotts of Ground and that therefore he had Called them together for their opinion and advice thereon, and then ordered the Secretary to Read the Same; And having Read one from Captain Henry Daniell for a plott lying up the Cape by m.^r John Dyson's the same was Approved of, And Nemine Contradicente Agreed that a Patent Should be Granted in favour of the Petitioner [350]

Captain Daniels Patent ordered to be prepared.

Then was Read a Petition from M.^r Walter Ross praying a Patent in favour of the Said M.^r John Dyson for a Small plott of Ground lying in the lower Town of Annapolis Royall

Patent in favour of Mr John Dyson.

being a part of the Ground formerly in dispute between m^r William Winniet and m^r Joseph Jennings: which was upon the first of august 1732 Confirmed by the Board to the said m^r Jennings, and m^r Ross being Called in & having produced a legall power of Attorney to dispose of all lands & tenements belonging to the Said m^r Joseph Jennings Whereupon, the Board, finding his Request just and Reasonable they Agreed Nemine Contradicente thereto and ordered the Secretary to prepare a Patent for the Same in favour of the Said M.^r John Dyson

the members
of Council to
direct their
Speech to
the President.

A Dispute having happen'd at the Board upon Reading a paper noways directed to Either the Governor or Council: Ordered that the members of this Board upon Every discourse of Bussiness at the Board Do Speak and direct their Speech to the Governor, if present, or to the president or Chairman in his absence; and that he avoid all undecency at the Board, the Members thereof are [351] are not to find fault with. Reproach and Reprimand one another for their Discourses Arguments and opinions. Delivered upon the Subject of any Bussiness before the Board, but address himself to the Governör, or Chairman in his absence, that the Whole Board, upon the question putt, may judge and Give their opinion impartially of the Controversy, and Decide the Matter in hand without heat or passion

(signed)

J. L. Armstrong

Att a Committee of Council held by order of the Honourable Lieu.^t Governor Armstrong at Major Cope's House in the Garrison of Annapolis Royall on Wednesday the 27th of March. 1733

Present,

William Skene Esq.^r

Henry Cope Esq.^r

William Shirreff Secretary

Otho Hamilton Esq.^r

The Secretary Acquainted the Gentlemen of the Committee that he was directed by his Honour the Lieu.^t Governor of the Province to Communicate and lay before them Several

papers for their Consideration and Amendment, particularly a [352] A. Mistake Committed purely through inâdvertency and want of due information of Reserves to be made in the Patent Granted in favour of Charles Vane Esq.^r for a plott of land purchased of John Adams Esq.^r lying between the Church yeard and the Lieu.^t Governor of the Garrisons Garden formerly Called that of mr de fallois

Mr. Vane's
Patent or-
dered to be
Rectified.

That The mistake in the first place proceeded

That The mistake in the first place proceeded from mr Adam's Consenting unwarily to a Request of Captain John Jephsons, that a Reserve of a little House Standing thereon might be made in favour of the Said Captain John Jephson, in Consideration that he has had the Same for Several years in his possession, which Reserve being made accordingly in m^r Vanes Patent. without Considering that the Said House was an inseparable Appurtenance belonging to the House Called the Hospital, which being also omitted to be Reserved for his Majestys use and to Remain as an Hospital through the like inâdvertency: His Honour the Lieu.^t Governor of the Province therefore desires that you may take the Same into Consideration and Concur in Some effectuall Measures how the same May be Rectified [353]

And he farther Represented that his Honours opinion was (that as none can give what they have not, and as m^r Adams hath in that Respect since the Granting of said Patent more particularly and Clearly Explain'd himself) that the said Reserve (consented to also by the present Patentee in Coim- plaisance to mr Adams) is of it Self, and always ought to be Esteemed Null and of no force; and that the Method proposed to put it out of all doubt, and also to Secure the Said other House Called the Hospital, for the use aforesaid, if you approve thereof (considering M^r Adam's Explanation of the Case and that m^r Vane is willing to Submit himself there- unto) was to Raze Captain Jephsons Name out of Said Patent (it having upon application been Refused to be inserted in his own, beleiving at the Granting thereof that it was m^r Adam's Property) and in place thereof to insert his Majesty,

Captain Jephson through Mistake being only inserted as aforesaid; And as to the Hospitall that a Clause of Reserve thereof may be added to the foot of the Patent, m.^r Vane being willing to Sign the Same

Whereupon the Gentlemen of the Committee were of opinion that all mistakes ought to be rectified according to Right and Equity [354]

Order in Relation to Cattle approved of.

Then was read a Scrol of an order in Relation to Cattle, and the Same was approved off. Except a paragraph that Related to the other Inhabitants of the River, it being judged Sufficient to Extend only to the Herds and flocks of Annapolis Royall, the Cape. Bellair and Rushau fforshew,¹ and were of opinion that the Said paragraph Should be omitted & intirely left out

Scrol Commission for uplifting the Rents of this River.

There was also laid before them and Read a Blank Scroll of a Commission for Collecting the Rents of this River, and upon Consideration thereof it was Judged Necessary that the Said Rents Should be Collected, But that they Should not be appropriated to any use, But kept, or the value thereof, till his Majesty's pleasure in Relation to Said Rents Claimed by the Seigniors, be known

Order about fishing Delayed.

And as to the Scrol orders about the Cannoo's and other fishing vessells, they were of opinion that Such an order might Clog and prove prejudiciall to that Trade, So much directed to be Encouraged, by perhaps, loosing a Tide, or Some time more, if Restricted to Stop and wait upon the Naval officer. Either in passing or Repassing with their ffish: and that therefore they Judged it Sufficient that the Naval Officer take a particular Account of all the fish Cleared out. because [355] because that from the Export and an Estimate of the Consumption made thereof in the place a Judgement may be formed of the quantity Caught annually by the Inhabitants

(signed)

L: Armstrong

¹ ruisseau forchu f

Att a Committee of Council held by order of the Honourable Lieu.^t Governor Armstrong in his Majestys Garrison of Annapolis Royall on 19th of Aprile 1733

Present

William Skene Esq^r

Henry Cope Esq.^r

William Shirreff Esq.^r

Otho Hamilton Esq.^r

The Secretary Acquainted the Gentlemen of the Committee that his Honour the Lieu.^t Governor of the Province had directed him to lay before them a letter from Josiah Willard the Secretary of New England with an abstract of Capt: Giles's Account of Alexander Campbell a Soldier of Cap.^t Daniells Company, who deserted from Chickenectua, and accused by the Indians for killing two of their people, And Also the Said Alexander Campbells Examination taken at Boston upon the accusation [356] Accusation, being Read, the prisoner was Sent for and Reexamined, and being asked who they were that enticed him to Desert, He Said Jaque Morise; He also Said that no body Carried him over the River to Chippody but that he took an old Cannou and Crossed the River to Chippody by himself, and that he was not near any of the Houses at Chippody; He Said likewise that with the peice Cloath he Sold, he purchased provisions, and had the Same at Tontlamare, And Said that the Casteens were the first that told him that two Indians were killed: and Said that the Casteens told him that they had sold them Rum two or three days before, and was informed by the Said Casteens that they were drowned; He also said that he had no Black Eye when he arrived at S.^t Georges

Alexander
Campbells
Case En-
quired into.

Searg.^t Royden who was upon the party at the Coallinary, being Sent for, Said, that the Prisoner and Thomas Herefoord had quarrelled, and being in the dark he did not know Whether he had Black Eyes or not

Upon the Whole, the Gentlemen of the Committee were of opinion that he should Continue in prison till the Indians upon a Convenient [357] Convenient time Given, Should Come and prove their Allegations against him.

(signed)

L: Armstrong.

Att a Council held by order of the Honourable Lawrence Armstrong Esq.^r Lieu.^t Governor of the Province in his Majesty's Garrison of Annapolis Royall on Saturday the 23^d of June 1733

Present

His Honour the Lieu.^t Governor of the Province
 John Adams Esq.^r William Shirreff Secretary.
 William Skene Esq.^r Henry Cope Esq.^r

William and
 Alexander
 Trahans differ-
 ence decided.

His Honour acquainted the Board that there were Some men arrived here from Pissauquit viz^{tt} Anthony Le Prince and Honoré Le Blanc for and in behalf of William Trahan Plantiff; & Paul Bennoit and Reny Boudrot attorneys for Alexander Trahan Defendant; and ~~that each of the partys had presented him with Memorials in Relation to a Difference~~ between the Plantiff and Defendant; by which it appears that their Said Difference had not only been adjusted between themselves by an Agreement under [358] under the penalty of two hundred livers bearing date the first day of December 1717 before Alex.^r Bourg Notary^r at Menis in the presence of Francis Silvan and Philip Melanson, But also afterwards by an order of Government under Govern.^r Doucetts hand bearing date the 2^d of August 1726. Upon the Defendant William Trahans not observing and Conforming himself to his foresaid agreement with his Brother Alexander, for which he was Condemned to pay the above penalty to his Said Brother Alexander, which his aforesaid attorneys acknowledgeth to have been paid and Received according to Governor Doucetts Said Sentence, by which it was also judged Necessary, that the Plantiff William Complaining of the unjustness of the Compass by which their Boundaries were Settled; Should have liberty to Chuse one of the best and justest Compasses he Could find, for Drawing the line of Separation as mentioned in their foresaid agreement; which having been done by the Deputys of Menis, and the Defendant Alexander Refusing to Rectify the former [359] former Error of the Compass, by which the line of Separation was drawn; alledging that it was just, and that the last Compass was Erroneous,

he had therefore laid their Respective papers before the Board for their advice and opinion thereon

Whereupon both partys being Called, their papers Read, and both partys heard, Agreed that the land in dispute between the two Brothers W.^m and Alexander Trahan's Should Remain in the possession of the present possessor, untill that a person properly authorized Shall with a Just Compass Survey and Draw the line of Separation, as Decided by a former order by Governor Doucett

(signed)

L: Armstrong

Att a Council held by order and at the place aforesaid on Friday the 6th of June 1733

Present

His Honour the Lieut Gov ^r of the Province	
John Adams Esq. ^r	Henry Cope Esq. ^r
William Skene Esq. ^r	William Winniett Esq. ^r
William Shirreff Secretary	Otho Hamilton Esq. ^r

His Honour acquainted the Board that he had Received a letter with a Copy of an additional [360] Additional Instruction from the Right Honourable the Lords Commissioners of the Board of Trade and Plantations, which he thought proper to lay before them; and having also judged proper to Call the Officers of the Regiment to hear them Read, they were Read accordingly

the Governours
Additional In-
structions &
letter laid be-
fore the Board

Ordered that the letter be Recorded in the records of the Province, and that the original with the Copy of a former additional Instruction be Carefully kept upon file

Then was Read a Petition from m^r John Dyson Praying that having purchased from M^r Ross attorney for M^r Jennings, the Ground & Wharf formerly belonging to the Said m^r Jennings, that the Waste Ground lying between the Said Plott and the House belonging to Marquise at present in the possession of m^r Quinton, may be for Ever Reserved for a publick passage and high way; which being taken into Consideration, Agreed (William Winniett Esq.^r having withdrawn

a Common
passage
Reserved
through
M^r Dysons
Ground.

himself upon Reading the Petition) Nemine Contradicente that the Said Waste Ground be for Ever Reserved for a publick passage, Noways to be Eneached upon, Stopt or shut up by any person or persons whatsoever M.^r [361]

M^r Winniets
Reflections
taken into
Consideration.

M^r Winniet having withdraw himself as aforesaid, as improper for him to be present at the hearing of any Such Subject; and having also Said that he had Received injustice at this Board in the Decision of that affair, and that therefore he would appeal Home, believing that the Spot Sold by m^r Ross on account of m^r Jennings was Still his; His Honour upon a Motion made thereupon ordered him to be Called back, and Desired to know wherein he had Received injustice; and charging him for insulting and Reflecting upon the Board, Desired to know his intentions, and that if he was So Resolved, to give in Sufficient Security for his prosecuting that affair before his Majestys privy Council at home, Seeing the affair hath been already Seriously weighed. Considered and impartially Determined at this Board

His answer was, that he did not know whether his attorney would prosecute or not; and his Honour insisting upon Security if he Should any way appeal for Defeating or having the Sentence of the Board Reversed.

Ordered and Agreed that the Instructions for the Better Government of the Province be Examined & laid before the Board, the first Board day

(signed)

L^d Armstrong [362]

Att a Council held by order and at the place aforesaid on Saturday the 7th of July 1733

Present

His Honour the Lieu. ^t Gov. ^r of the Province	
John Adams Esq. ^r	Major Henry Cope
W. ^m Skene Esq. ^r	Otho Hamilton Esq. ^r
W. ^m Shirreff Secretary	

His Honour acquainted the Board that According to yesterday's minute in Relation to m.^r Winniets Conduct and

behaviour, he had perused his Instructions and had found, that by the 74 Article of the virginia Instructions, it is expressly ordered that no appeal be admitted unless the sum exceed £300 Sterling, and that within 14 days after the passing of Sentence, and Good Sufficient Security Also given for Effectually prosecuting the Same and Answering the Charge of Condemnation &c as by the Said Article is more fully Express'd: which Said Article being Read As Also the 10th Article of his Majestys Instructions dated the first day of July 1729, Referring to the Instructions of virginia. It was found that m^r Winniet could not appeal. and that therefore the Sentence of the Board yesterday, in favour of mr Dyson is ordered to Stand Confirmed [363]

M^r Winniet
Conduct
Examined.

Then the Secretary acquainted the Board that m^r Winniet had Sent word by the Constable that he Could not attend because he was not well

His Honour thereupon put the question whether m^r Winniet was not Guilty of a Great Contempt. not only by his absenting himself So frequently from the Board, but by his Reflecting upon the Governor and the members of his Majesty's Council, in taxing them with doing them injustice in the Decision of the Affair between him and M^r Jennings; and his Honour Having Also Represented to the Board, that not passing two hours agoe, he had Seen him walking along with Lieu.^t Handfeild & Lieu.^t Amhurst; The opinion of the Board thereupon, is, that William Winniet Esq.^r is Guilty, and that his Honour Should, according to the 6th Article of his Majestys Instructions, admonish him for his not attending, and Reprimand him for his other Reflections

Whether
M^r Winniet
is not guilty
of Contempt.

found Guilty
for which to
be Admon-
ish'd and
Reprimanded.

(signed)

L: Armstrong

Att a Council held by order of the Honourable Lieu^t Governor Armstrong in his Majestys Garrison of Annapolis Royall on Teusday the 24th day of July 1733 [364]

Present

His Honour the Lieu^t Gov.^r

John Adams Esq.^r

Henry Cope Esq.^r

William Skene Esq.^r

Otho Hamilton Esq.^r

William Shirreff Secretary

William Haw
put in Irons.

His Honour acquainted the Board that upon the Information of m^r John Dyson Store Keeper to the Board of ordinance, he had last night sent for William Haw and put him on Guard for Entertaining the Artificers Employed on the Kings Work, by selling them liquor without licence, and making them Drunk So as that they Neglected their Bussiness, to the prejudice of the Service; and that therupon the Said Haw having Contemptuously Returned his Patent to the Secretary, Saying that he would not Stay in the Country, and would therefore have nothing to Do with it: Wherefore Judging his behaviour as a Signal mark of Great Contempt and high Disrespect both to himself and his Majestys Council: He had therefore ordered him into Irons, as to which and other Informations of his audacious Insolence read against him, he Desired their advice and opinion, whereupon was ordered to be Read his petition for Said Patent [365]

Then an Information of Sergeant Gemells to what he heard the prisoner Say, as upon file, and Thomas Parsons who was upon Guard last night being Also Examined upon oath, Declared, That he heard the prisoner Speak very Disrespectfully of the Governor with Cursings and threatnings to shoot him; all which being taken into Consideration, and the prisoner asked what he had to Say In his own Defence, who answering that he was Drunk, and Rememberd nothing of the Matter; the Board were of opinion, That, as to the Patent, having voluntarily Given it up, he had forfeited it, and that the land Returned to the King, and might Therefore be Granted to another. And as to his Contempt and Scandalous Reflections, Disrespect and threatnings of the Governor, The

Board were of opinion, That he deserves to be Severely punished for his Insolent behaviour: and it being put to the vote what punishment Should be inflicted upon him. It was agreed, That he Should to morrow morning between the hours of 9 and 10, be Whip'd at the Cart's Tail, and Receive Ten Lashes with [366] with a Cat of nine tails on his bare Back at the ffort^gate, Ten at mr Blondens in the Cape. Ten more upon his Return from M^r Blondens at the ffort Gate, and in the lower Town viz^t Ten lashes opposite to his own House. Ten more between M^r Douglass's and Doctor Watts Houses. being in all fifty; and that before he is Released out of Prison he Should find two Good Suretys to be Bound in fifty pounds Each, and himself in one hundred pounds. for his Godd behaviour for a year and a Day

William Haw
ordered to
be Whipt.

And the Board were also of opinion That all Inhabitants that Suttle and keep publick Houses of Entertainment Should be first licenced So to Do by the Governour. upon pain of hav- ing their liquor forfeited

Suttlers to
take licence.

(signed)

L: Armstrong

*Att a Council held by order and at the place aforesaid on Saturday the 11th day of August 1733

Present

His Honour the Lieu^t Governour of the Province [367]
 John Adams Esq.^r Henry Cope Esq.^r
 William Skene Esq.^r Otho Hamilton Esq.^r
 William Shirreff, Secretary

His Honour acquainted the Board That he had frequently ordered the Deputys to inform the Inhabitants of this River to plant Poles at their Respective Boundarys in order to Enable the Surveyor to make a Plan of this River and of their Respective Plantations, That, according to his Instructions he might transmitt the Same to the Board of Trade and plan- tations, and that notwithstanding of his Repeated orders, as he hath been informed by m.^r Mitchell the Surveyor, they had not Complied; and that having ordered them below the River

the Inhab-
tants ordered
to plant Poles
at their
Boundarys.

to attend here with Prudane Robicheaux one of their Deputys, He had therefore thought it necessary to Call them together for their advice upon the Same; which being taken into Consideration, M.^r Robicheaux and the Inhabitants were Called in and Reprimanded for their Disobedience, and upon their Excuse made, It was agreed that an order should be published at the Church Door for the Inhabitants forthwith to Comply therewith, and that a Deputy of Each District Should, with one or two of Each Village, Attend the Surveyor and Show him their Respective Boundaries and [368] and true bearings as they will answer to the Contrary, and that the Inhabitants below the River do Give their Attendance on the Surveyor on Thursday Next

Major Copes
petition for
for a peice of
Ground.

Then was Read a Petition from Major Henry Cope Praying for a Patent for the Ground formerly Granted to William Haw, and Since Contemptously by him Relinquished as *per* Minute of Council the 23.^d of July last Which being Read it was agreed to Defer any opinion thereon till the Said Plott Should be visited and Surveyed once more, That proper Roads may be Reserved.

And the Patent Agreed to be Granted in favour of Charles King the 16th of January last being also Read, it was approved of

(signed)

L: Armstrong

Att a Committee of Council held by order & at the place aforesaid on Wednesday the 22.^d of August 1733

Present

William Skene Esq.^r Major Henry Cope
William Shirreff Secretary Otho Hamilton Esq.^r

Aubasque
& Heberts
Difference.

The Secretary laid Before the Committee a Petition of francis Aubasque Complaining of [369] of Antoine Hebert and his family, for Maltreating him, and taking from him Some land in farm lett to the Said Aubasque by the Said Antoine Hebert, Contrary to their Agreement

The Plaintiff being Called, As Also John Duon who Appeared for the Defendant, The Petition was Read As Also the Agreement for the land, and the plaintiff being Asked how he Could Support his allegations, he answered that his witnesses being Employed in their harvest, they Could not at this time attend, Whereupon the Committee Dismissed the Partys till the plaintiff Could produce his witnesses, and Directed the Defendant to Attend at the Same time Both partys being willing So to do

(signed)

L: Armstrong

At a Committee of Council held by Order and at the place aforesaid upon Munday the 27th of August 1733

Present

William Skene Esq.^r Henry Cope Esq.^r
William Shirreff Secretary Otho Hamilton Esq.^r

The Secretary laid before the Committee a Petition from Anne Doucett, praying Satisfaction for Damages Sustained by the Cattle of Lewis Tiboe [370] Tiboe Breaking down her fences & Destroying the Wheat &c

Ann Doucetts
Petition
against
Lewis Tibor.

The partys being Called, The Petition Read, Their Respective allegations and witnesses Examined

Agreed, as the plaintiff Could not positively prove that it was the Defendant's Bullocks that did the Damage but only presumptuously, through the badness of their former character, That the Defendant Should Either Dispose of his Bullocks or otherways Secure them from breaking ffences. or be lyable to all Dammage that may happen hereafter by the Cattle in the Neighbourhood; and that the Defendant pay y^e Charges

(signed)

L: Armstrong

Att a Council held by order and at the place aforesaid on
friday the 28th Day of Septem.^r 1733

Present

His Honour the Lieu^t Gov^r of the Province
Paul Mascarene Henry Cope
John Adam Eras: James Philipps } Esq.^{rs}
William Skene Otho Hamilton }
William Shirreff *Secretary*

Alexander
Le Borgne
sieur De
Belisle took
ys Oath &
Claims the
Priviledge
of Seignior.

His Honour acquainted the Board that [371] that Alexander Le Borgne Sieur de Belisle who was Come to take the oaths of Allegiance, had presented him with a Petition praying that he may be Restored to the Seigniority of this Province and the priviledges Enjoyed by his Deceas'd ffather, and the oath being administratd to him in Council, the prayer of his petition was then taken into Consideration; and the Board were of opinion that the State of his Case, with Copy of his other papers be transmitted home. Conformable to a letter from the Right Honourable the Lords Commissioners for Trade and Plantations Dated the 2^d Nov.^r 1732, and the prayer of his Said Petition

the Priviledge
of Cutting fire-
wood and Hay
Granted to be
Cut off such
Lands as
belong to
his Majesty
at Menis.

And as to his Demand of land not as yet Granted at Mines. it is agreed, That part, at least, of Such lands may be Granted to him (Seeing he had taken the Oath) Conformable to his Majestys Instructions. And as to his Demand for Cutting Hay and Wood &c, for his immediate Subsistance, He Should be permitted to Cut Both fire Wood and Hay off his Majestys lands not as yet Granted, and Enjoy all the other priviledges as the other Inhabitants of [372] of Mines, till farther orders: and that a Certifycate be Given him, that he has taken the oaths

Thomas
Rawden &c
Petition Com-
plaining of
Major Cape
and Compy.

Then was Read a Petition from Thomas Rawden, Alex.^r Campbell, David Thomas, and Thomas Harwood Complaining of Major Henry Cope for not paying them their Wages. According to Agreement, for working at the Coalary, praying that Justice may be done them in that Respect; As Also that they may be paid the Losses they Suffered there through the Neglect of the Company, in being Robbed by the Indians.

their Wages being £48 " 1 " 6, and their losses to £29 " 18 " 6, as per their Respective Accompts

Major Cope, being present, Agreed to the Justness of their Demand of Wages and Desired y.^t they might be put to their Oaths for their particular Losses and that Advice May-be sent to his Partners thereof that they may give Directions for the Disposall of such Effects as the Company hath in this Province for the paying of the said Petitioners Demands

(signed)

L: Armstrong

At a Council held by Order of the Honourable L^t Governor Armstrong Esq.^r at his House in his [373] His Majestys Garrison of Annapolis Royall On Saturday the 20th of October 1733

Present

His Honour the L^t Governor of the Province

Major Paul Mascarene

Major Henry Cope

John Adams Esq.^r

Eras. James Philipps Esq.^r

W.^m Shirreff Secretary

Otho Hamilton Esq.^r

His Honour Acquainted the Board that Thursday the 11.th Ins.^t being the Anniversary Day Appointed for the Chusing of New Deputys, they then, in Comp.^y with Old Deputys, came for the Approbation of the Governor & Council; but the Report of their Election Not being in forme As prescribed, that he had therefore Appointed them to Attend y^e Council On this Day; And they being Orderd to be Called in, they Deliverd their Report, Which being Read, his Hon.^r Recommended to them the Duty of their Office of which they Accepting, they were thereupon Approved, And Admitted for the service of the Ensuing Year Commencing the 11.th Ins.^t And Ending the 10.th of Oct.^r 1734: And his honour having also Return'd thanks to the last Years Deputys for the Discharge of their Office, they were then Dismissed

The New Deputys make their Appearance and are Approved.

(signed)

L: Armstrong [374]

At a Comity of Council held at the Secretarys' Office by order of the Honourable Lawrence Armstrong Esq.^r the L.^t Governor of y^e Province On Munday the 19.th November 1733

° Present

William Skeen Esq.^r
William Shirreff Secretary
Otho Hamilton Esq.^r

Oath Admin-
strd At Major
Copes Request
to Thomas
Rawdin, &c.

The Secretary Acquainted the Comity that 'his Honour had Desired them to Meet in Order to Administer An Oath to Thomas Rawden, Alex.^r Campbell, David Thomas & Thomas Harwood Conformable to the Minute of Council of the 28.th September last in Relation to their Losses sustained at the Coallary, their Oaths thereunto being then Required by Major Henry Cope The Which said Persons (Except Alexander Campbell) being present, they Made Affidavit to their Respective Acco.^{ts} And the Gentlemen of the Comity Attested the same

(signed)

L: Armstrong

At a Council held by order of the Honourable Lawrence Armstrong Esq.^r the L.^t Governor of the Province at his house in his Majestys Garrison of Annapolis Royall on Wednesday the 9.th of January 1734

Present

His Honour the L.^t Governor of y^e Province

Major [375]

Major Paul Mascarene	Major Henry Cope
John Adams Esq. ^r	Eras: Ja: Philipps Esq. ^r
William Skeen Esq. ^r	Otho Hamilton Esq. ^r
William Shirreff Esq. ^r	

the paym.^t of
the Quit Rents
Communi-
cated to y^e
Board &
Mad^m Bellisle's
Petition
Considerd.

His honour Acquainted the Board that he had, pursuant to a Minute of Council Dated On Wednesday the 3.^d of January 1734, Orderd the Inhabitants of this River to pay their Rents for his Majestys Use And that he had Accordingly Rec.^d part thereof, And that he would order a State thereof to be laid Before the Board As soon as he Rec.^d the Whole;

And that as the Receiving of said Rents Affected M^{rs} Belisle who had presented him with a Petition, he had therefore Called them for their Advice and Opinion thereon; Which being Orderd to be Read, As Also his Honours Own Proposals for their Consideration, the Board are of Opinion, y^t his Honour may Give his Orders for her present Releife And Continue the same Provided Allways it May Not Affect or Prejudice Either his Majestys Prerogative or Her Right And that her Pretentions should be Examin'd into as soon as possible That it way be Known Whether they Are Quit Rents or ffarme Rents

the Governours
Proposall is
one half of
said Rents
As per Book
of Orders fo:

Then his Hon.^r Informed the Board That [376] That he had summond William Winniett Esq.^r As Usual to Attend the Council And that as he had frequently Refused to Attend by sending frivolous Excuses As Appears by the Minutes of Council, And had on several Occasions behaved himself Disrespectfully That Therefore, And Other Reasons, which he Would Lay before his Majesty, he Did Suspend him the said William Winniet Esq.^r from being a Member of this Board till His Majestys Pleasure be thereon farther known

Will.^m Win
niett Esq.^r
Suspended.

Orderd that M.^r Secretary do Acquaint M.^r William Winniett of his being suspended by sending him a Copy of the above Paragraph of this Days Minute

Sent by the
Constable on
y^e 10th Ins.^t

(signed)

L: Armstrong

At a Council held by Order of the Honourable Layrence Armstrong Esq.^r the L.^t Governor and Commander in Chief of this Province at Major Paul Mascarene's house in his Majestys Garrison of Annapolis Royall on fryday the 25.th Day of January 1734 at 10 o' the Clock A. M.

Present

Major Paul Mascarene.
John Adams Esq.^r
William Skeen Esq.^r

W.^m Shirreff Secretary
Eras: Jam: Philipps Esq.^r
Otho Hamilton Esq.^r

The [377]

The Secretary Acquainted y^e Board That his Hon.^r the L.^t Governor through the Present Disorders of his family Could not be present, And Represented that the cause of their Meeting Proceeded from a Dispute between Prudane Robicheaux Appointed by y^e Governor Receiver of the Rents Within the Banlieu, And James Mitchel of Russhu forshew Inhabitant in Relation to his Contracts Which Seem to have been Defaced with a Designe to Defraud Which being Communicated to the Governor by the said M.^r Robichaux. He had therefore Orderd y^e Partys to Attend that the said Contracts may be Inspected into and Examind And y^t the Board thereon may give their Advice & Opinion

Mitchel's
Contracts
upon a Dispute
w.th Robichau
for Acco.^t
of Rent
Examined.

Which being Perused And the Alterations found Visible, The Said Mitchell And his Partners were called in: And being Examined, M^r Robicheaux being also present, they Produced Sev.^l Acquittances for Rent paid One Whereof dated the second of March One thousand Seven hundred And Thirty, Thirty One Signed Agat Campbell Acknowledging the Receipt of Three Bus.^{11s} of Wheat and three Capons for last years Rent Mentioning the said Mitchel & his Partners Who Paid the same, Which being Considered, And What y^e Said Mitchel And his Partners Also Affirmed Who said that they were Ready to take their Oaths that they Received said Contracts from their [378] Their Predecessors And that by Virtue of the Alterations And Abatements Made therein, they Never paid More for One Years Rent than What is Mention'd in the Said Received Acquittance

The Board upon y^e Whole, for want of Proof, Judge it no fraud in y^e present Possessors, And Are of Opinion that the said James Mitchell & his Partners should for the future be Obliged to keep up to y^e first Tenor and Obligations of their Contracts; The One Viz.^t in favour of Stephen Comaux for on Deniere Tournois de Cens two Bus.^{11s} of Wheat and Two Capons, And the Other in favour of Peter Vincent for One Deniere Parisis Two Capons And four Bus.^{11s} of Wheat

Then it was Moved Whether these Words, "Unless that they Can produce sufficient Vouchers And Acquittances from y^e Officers Employed in Receiving the french Kings Rents to y^e Contrary, should be Added to y^e Above Opinion of the Board, Which being Debated, was Carried in the Affirmative

The Proceedings of the Board being Communicated to the Governor he Acquainted the Gentlemen of the Board That M.^r Mitchell And his Partners had, Notwithstanding their Dispute with M^r Robichaux, Allready bro.t and Delivered into his Majestys Store the full Quantity of Wheat And Number of fflowles, Debated, Conformable to the first Tenor and Obligations [379] Obligations Required in their Contracts for the Two Years 1732 and 1733 Which he Desired might be Subjoynd' to this Days Minute

(signed)

L: Armstrong

At a Council held at the Honourable L^t Governors Own house in His Majestys Garrison of Annapolis, Royall on Monday the 4.th Day of March 1733 at 3 o' the Clock P. M.

Present

His Honour the L.^t Governor of the Province

- | | |
|---------------------------------|---------------------------------------|
| Major Paul Mascarene | Will. ^m Shirreff Secretary |
| John Adams Esq. ^r | Henry Cope Esq. ^r |
| William Skeen Esq. ^r | Otho Hamilton Esq. ^r |

His Honour Acquainted y^e Board that Prudane Robichaux and John Duon whom he had Commissioned to Receive and Collect the Seigniorial Rents of this River Were Come And as they had Given him in their Acco.^{ts} thereof And Wanted Acquittances for y^e Same, He had Therefore judged Proper to Lay the same before them that Cognition may be taken of the Annual Amount thereof And of the Real Quantity [380] Quantity that he had Received from the said Rent Gatherers for and On Acco.^t of His Majesty that a State from thence may be made in Order to be Transmitted home by the first Opportunity

Rent gathers
Acco.^t of the
Seigniorial
Rents laid
before the
Board.

the Amount
of the
Seignr.^{ty}
Rents.

the Boards
Opinion
Directing that
the Rents may
be Reduced to
money And
that such are
not as yet p.^d
may be paid
and that the
Rent gather-
ers Acco.^{ts}
may be Exam-
ined by a Com-
ity of Council.

Prudane Robichaux's Acco.^t Amounting to forty one Bus.^{lls} And Seven Eights of Wheat fifty six fflowles four Partridges five shill & ten pence Cash on Acco.^t of Rent; and Two pounds thirteen Shillings for fines of Alienation, being Read: As also that of John Duon's, Amounting to Eighty Bus.^{lls}. † Bus.^{ll} of Wheat, Seventy Nine fowles, Thirteen Shill & four pence on Acco.^t of Rent, And Eight pounds seven Shill and Sixpence for Fines of Alienation: The Board Are of Opinion that ^{the} Governor should give his Receipt for the sum And Quantity of the sev.^l Species he had Rec.^d from y^e Rent-gatherers And in the State of Acco.^{ts} to be Transmitted to be Only Charged Accordingly And that Such of the Rents as are out standing may be paid in And placed to Acco.^t As soon as possible And That the said Rents may be Reduced to Money Viz.^t by Reckoning the Wheat at 50.^d Hens at 15.^d Pullets at 5.^d Partridges at 5.^d the present Currant prices of these Species Amongst the Inhabitants And not According to the price they went at formerly in time of the ffrench Viz.^t y^e Wheat at 40.^d And Hens at 10.^d as *per* Report thereof Made by M^r Duon

Order'd that an Order be sent to the Richards of Beauprée Renny fforest And James Gerroir & Such [381] Such others as had not paid their Rents to Appear before the Council to Show Cause why they do not pay. As the Other Inhabitants have Done Conformable to the Governors Orders --

Order'd that a Comity of Council be Appointed to Examine the Rent-gatherers Acco.^{ts} And Compare them with the Minutes taken of the Contracts in the Secretarys Office And the State M.^r Secretary has made of the Same

Order'd that William Shirreff, Major Henry Cope, Erasmus James Philipps and Otho Hamilton Esq.^{rs} be the Members of y^t Comity

(signed)

L: Armstrong

At a Council held at the same place on Wednesday the 10th Day of April 1734 at 10 o' the Clock A. M.

His Honour the L. Governor of the Province and the Same Members Present

The Board being set Major Paul Mascarene who was Appointed in the Room of Mr Shirreff Who could not Attend the Comity, Appointed the 4th Day of March last, for Examining the Rent Gatherers Acco^{ts} of the Seigniorial Rents, Laid before the Board the Comitys Report thereof, Which being Read And Orderd to be kept upon file, It was Agreed that According to the Examination taken of M.^{rs} Belisles Case conformable to the Minute of Council the 9.th of January last, His Hon.^r the L.^t Governor of the Province Might give An Order to the [382] The Inhabitants of Beaupré, Renny fforest and James Girroir to pay to her the said M.^{rs} Belisle the Whole of their Rents they Appearing, without Any Contradiction as Yet to be farm Rents and Not what they Call Seigniorial Rents And to Continue to pay her the same till his Majestys pleasure be thereon Known

the Comitys Report of the Seign^l Rents laid before the Board.

the Inhabit^{ns} of Beaupree Renny forest & James Girroir Orderd to pay M.^{rs} Belisle their wroble Rents.

Then his Honour laid before the Board a Memo.^l from the Officers of the Garrison Praying That the Small Incloser Adjoyning to the Governors Garden and y^e White House field And lying Opposite to the ffort Gate known by y^e Name of the Bowling Green, Should be Reserved and sett apart for ever for them and their successors and all Other Gentlemen who may please to Contribute to the Expence of making the said Encloser a Bowling Green And Repairing and ffencing the same; Which being Read and Considered, Agreed that the said Incloser be Reservd And Sett apart for a Bowling Green and place of Recreation for the Gentlemen and their successors And Other Gentlemen who may thereunto Contribute for ever

the Bowling Green Reserved for the Gentlemen of the Garrison.

There was also Read a Memo.^l from John Adams Esq.^r a Member of this Board Praying Leave of Absence for Twelve months to go to Britain for some Relief in Consideration of his services; And Also that his Hon.^r and the Members of this Board Would please Give him a Certificate of his Conduct; Agreed that the Prayer of his Petition should be Granted

Memo^l of John Adams Esq.^r praying leave of Absence Granted.

(signed)

L: Armstrong [383]

At a Council held by Order of the Honourable Lawrence Armstrong Esq.^r the L.^t Gov.^r of the province at the Secretarys Office on fryday the 5.th Day of July 1734 at 9 o' the Clock A. M.

Present.

Major Paul Mascarene	Henry Cope Esq. ^r
William Skeen Esq. ^r	Eras: Ja: Philipps Esq. ^r .
Wiliam Shirreff Secretary	Otho Hamilton Esq. ^r

His Hon^r
Direction
for Represent-
ing the state of
the Province &
an Address to
His Majesty on
the marriage
of the Princess
Royal with the
Prince of
Orange.

The Secretary Acquainted the Gentlemen of the Comity that his Honour the L.^t Govern^r of the province had Directed him to lay before them for their Consideration a Writting Certified by Cap.^t Christopher Aldridge to be a True Copy of a Paragraph of a Letter from his Excellency Govern^r Philipps in Order that they might Conformable thereunto Draw up a Representation, Directed to His Majesty, of the Present State of the Province And the Danger that Canso Will be Exposed to in Case of a War with france. As also an Address to His Majesty upon the Happy Mariage of the Princess Royall with His Most Serene Highness the Prince of Orange, both to be signed by himself And Officers and so transmitted home

The said Paragraph being Read, Adjourned to Consider thereof, till 10 'o the Clock to Morrow A; M.

Message
Sent to the
Governor.

Saturday the 6.th July 1734 The same Members having Mett According to Adjournment, They Adjourned to Henry Copes Esq.^r Where the said Paragraph being again Read, The Comity Desired M.^r Shirreff to wait upon the Governor to know what Advice he had Rec.^d from Cap.^t Aldridge in Relation to the present State of Canso and the Behavior of the french at Cape Breton being Desireous to know all the particulars Necessary for their Assistance in Drawing up the Representation Required In [384] In Answer to the said message; His Honour said that he had Rec.^d no Advice from Cap.^t Aldridge Only that the french at Cape Breton seem'd more Shey than formerly, Which may give Suspicion of their Designes in Case of a War; That we all know the Defenceless

the Govern^r
Answer.

state of Canso, And that if it should fall into the hands of the french, That this place would be thereby much in Danger And the Trade Destroyed to the Great Disadvantage of the British Subjects. Which a Representation to His Majesty Setting forth the Importance and value of Canso may perhaps happily prevent

The Comity are of Opinion That Cap^t Aldridge Would in Compliance to, the Said Paragraph send a more particular Account of the State of Canso and of the Behaviour of the french at Cap^e Breton than we here at such a Distance are Capable of And they Agreed

That M.^r Secretary should prepare a Scrole of Such a Representation of the State of the Province as is Required by the said Paragraph, As also of the Address to be laid before the Comity on Towsday the 9th Ins.^t at 10 o' the Clock A. M. for their Consideration

the Secretary Directed to draw up said Representation & Address

Towsday the 9th July 1734 at 10 'o the Clock the Same Members being present

The Secretary Acquainted the Board that he Was Directed by His Honour the Lieu.^t Governor of the Province to lay before them a Letter from his Excellency Jonath.ⁿ Belcher the Governor of New England Relating to the State of this Province for their perusal Which being Read He also laid before them The Scrole Representation And Address Which on Saturday^t last he was Directed to Draw up and prepare for their perusal, Which being also Read the Board proceeded to Consider the same And With some Amendments they being Approved of The Secretary was Desired to lay them before his Honour the Lieu.^t Governor of the Province for his farther perusal of which he also approved and Directed to have them fairly Copied

Scroll of said Representation & Address laid before ye Board.

(signed)

L: Armstrong [385]

At a Council held by Order of his Honour Lawrence Armstrong Esq.^r The L.^t Governor of the Province At his Own

house in his Majestys Garrison of Annapolis Royall On Saturday the 20th of July 1734

Present

His Honour the L.^t Governor of the Province
 Major Paul Mascarene Henry Cope Esq.^r
 William Skeen Esq.^r Eras: Ja. Philipps Esq.^r
 William Shirreff Secretary Otho Hamilton Esq.^r

L.^t Edwards
 & Wm. Green's
 Case laid be-
 fore the board
 & Considerd.

His Hon.^r Acquainted the Board That he had Received a Memorial by the hands of William Skeen Esq.^r from Lieu.^t Tho.^s Edwards Complaining highly of William Green his Covenanted Servant for not only Detaining but Imbezelling his Goods And for Refusing to Deliver them, As *per* his said Memorial, According to his Order, Which he laid before the Board for their Consideration

William Skeen Esq.^e Also laid before the Board The said Greens Indenture And An Affidavit transmitted from Cork in Ireland of the Agreement with An Inventory of the Effects And Lieu.^t Edwards Instructions to him for Calling the said William Green to An Acco.^t

All Which being Read; William Green produced his Instructions and the Inventory of the Goods left with him by his Master Lieu.^t Edwards Which being also Read

The Board Agreed And Were of Opinion That the said W.^m Green should state his Acco.^t and have it Ready to lay before the Board On Munday Morning the 22.^d Ins.^t at 9 o' the Clock And then Adjourned

Munday the 22.^d July 1734 Mett According to Adjournm.^t the same Members being present

William Green laid his Acco.^t of Work done and Expences in Mentaining himself and Boy before the Board, which being Read, it was agreed that he should signe it and make affidavit that it was a just, True and faithfull Acco.^t of his Work &^{co} And not to Enquire any farther thereunto Untill it was [386] was Examined how far the things said by Inventory to be in the Chest and Scrutore were forthcoming

and the Other Effects left in his possession, not Mentioned in his said Acco.^t And then adjourned till 3 o' the Clock P. M.

Munday the 22.^d July 1734 Mett at the Same³ Place According to Adjournm.^t the same Members being present

William Skeen Esq.^o laid the Inventory Again before the Board And Reported the things he thereof found wanting in the presence of Will.^m Shirreff, Henry Cope, and Erasmus James Philipps Esq.^{res} for their further Consideration

Which being Examined And Greens Acco.^t Re Stated, there appeared, after giving him Credite for all his Necessary Expences and Charges in maintaining himself and Boy as per his Acco.^t And also for the sum of £44 " 6/ paid on Acco.^t of Lieu.^t Edwards A Ballance of £15 " 8 " 4 in Lieu.^t Edward's favour besides these things Reported by William Skeen Esq.^o to be Wanting Which the said Green said Were party Expended by himself and the Boy

Then the Question was put What sum Lieu.^t Edwards should Allow William Green upon Delivering up his Indenture

After some Debate thereon, It was agreed That Notwithstanding the said William Green had Idled Away his time And not Acted somuch for his Masters Interest and profite as he might have done, That as Lieu.^t Edwards had left him with such a Discretionary Trust and power and did not seem to Call him to Acco.^t for any other thing than for the Effects in his possession, That there should be allowed him the said William Green £20 New England Money According to his [387] His Indenture, Conformable to the Explanation of the Agreement upon Oath Transmitted from Cork as afore-said And that therefore Upon his Delivering up the Effects in his Possession to William Skeen Esq.^o That the said Ballance of his Acco.^t Should be made up to him £20 New England Money his Indenture Delivered and so Discharged

(signed)

L: Armstrong

At a Council held at the Honourable Lieu.^t Gov.^r Armstrongs house in his Majestys Garrison of Annapolis Royal on Tuesday the 6th day of Aug.st at 10 o² the Clock A M

Present

His Hon.^r the Lieu.^t Gov.^r of the Province
 William Skeen Esq.^r Erasmus Jam.^s Philipps Esq.^r
 William Shirreff *Secretary* Otho Hamilton Esq.^r
 Henry Cope Esq.^r

Complaint
 Mary Davis
 against
 Jean Picot.

His Honour Acquainted the Board that he had rec.^d a Petition from Mary Davis praying Justice of Jean Picot the Wife of Lewis Thebauld for Scandalously Reporting and Accusing her of the Murder of Two Children Whereupon the partys being Called the petition Read, and the Witnesses Examined, it was found a vile Malicious Groundless and Scandalous Report and therefore Agreed That Jean Picot the Wife of Said Thebauld Should be Duck'd and that She and Cecil Thompson called by her the Said Picot as a Witness Should [388] Should be both bound Over to the Peace as the Authors and Spreaders of Said Malicious Scandle and then

Ordered that Jean Picot Should be Duck'd on Saturday Next the 10th Instant at High Water

Ordered Also that M.^r Secr.^y Deliver up to W.^m Haw His Bail Bond

Then at the Request of the Said Mary Davis praying that the Aforesaid Sentence, of Ducking may be Reversed And y^t She the Said Picot might only be Obliged to ask her pardon on Sunday the 11.th Instant at the Mass house Door Which being Consider'd it was Agreed and accordingly Order'd that She the Said Jean Picot Should publicly beg her the Said Mary Davis's pardon at y^e Mass house Door on Sunday the 11.th Instant

(signed)

L. Armstrong.

At a Council held by Order of the Honourable Lawrence Armstrong L.^t Governor of the Province at the Secretarys

Office in His Majestys Garrison of Annapolis Royal on Monday the 12.th of Aug^t 1734 at 11 o' the Clock A. M.

Present

Will.^m Skeen Esq.^o Eras: Ja. Philipps Esq.^o
William Shirreff Secretary Otho Hamilton Esq.^o
Henry Cope Esq.^o

The Board being Sett Mathew Hurry Prisoner upon the Accusation, of Serg.^t James Thompson Setting forth that he the said Mathew Hurry had stoll from him a three pound Bill Was [389] Was brought before the Board And being thereon Examined, It appeared by the Evidence brought Against him that he the said Mathew Hurry was Guilty of the Crime with which he was Accused And Therefore the Board Were of Opinion that he the Said Mathew Hurry Should be Whipt and that he Should Receive fifty Lashes on his Bare Back with a Catt of Nine Tails And that the Money Should be Returned to the said James Thompson

Complaint James Thompson Against Math: Hurry.

Matthew Hurry Ordered to be Whipt.

(signed)

L: Armstrong

At a Council held at the Honourable L.^t Governor Armstrong's Own house in His Majestys Garrison of Annapolis Royall on Thursday the 29.th Aug.^t 1734

Present

His honour the L.^t Governor of the province
William Skeen Esq.^o Eras: Jan: Philipps Esq.^o \
William Shirreff Secretary Otho Hamilton Esq.^o
Henry Cope Esq.^o

His hon^r having Acquainted the Board That at the Request of Ens.ⁿ Tho.^s Armstrong praying a Grant of a plott of Ground Situated on the Island of Canso. he had therefore Order'd the Secretary to Draw a Scrole of one to be laid before them for their perusal Consent and Approbation Which with the plan thereof being laid before the Board, Read and Considered It was Consented to And Agreed that His [390] His Hon.^r May Grant the same And then Orderd that the patent be prepared that the seal of the Province may be Affix'd to the same

Patent in favour of Ens.ⁿ Thomas Armstrong Granted.

(signed)

L: Armstrong

At a Council held by order of the Honourable Lawrence Armstrong Esq.^e the L.^t Governor of the Province at his Own house on Wednesday the 11th of September 1734 at 9 o' the Clock A. M.

Present

His hon.^r the Lieu.^t Governor of the Province
 William Skeen Esq.^e Eras: Ja: Philipps Esq.^e
 Will.^m Shirreff Secretary
 Henry Cope Esq.^e Otho Hamilton Esq.^e

An Order by his Excellency Gov.^r Philipps issued but not Entered laid before the Board upon a Complaint in Relation to Horses.

His honour having Represented to the Board That Sev.^l of y^e Inhabitants had Made Complaint to him As He found they had to His Excellen^r Governor Philipps Against some Unruly persons, Who without any Regard to justice, take their Neighbours Horses Wheresoever they find them, And to the Great prejudice of the Said Beasts And Disadvantage of their Owners Ride them Whither they please; He Acquainted them that the said Inhabitants had presented him with An Order, Issued by his Excell.^r the 12.th of May 1730 prohibiting all such abuses, And as it has been Omitted to be Entered upon Record, He therefore judged proper to lay it before them for their Opinion Whether it Should not now be Enterd And Coppins sent to Mines Where the like Disorders Were Daily Committed

Which being Read And Considered, It was Agreed [391] Agreed that the same should be Registered Amongst the Other Orders of the Government And that it should be Republished And Coppins thereof sent to Mines And to such Other parts in the province As the same may be Required, with his Honours further Orders y^t it be Duely Obeyed

Order to prevent Thiving.

Then he Acquainted the Board that the Inhabit.^{ns} had also Complain'd to him That sev.^l Thefts of Late have been Committed of which they seem'd to suspect some of y^e Soldiers, Wherefore he had Directed y^e Secretary to Draw up a Scrolè of An Order for the said Inhabitants to keep Watch & Ward And to Apprehend, if possible, All Such persons As may be Suspected of felonious Designes by Lurking or

Approaching their Tenements or property at Any Unseasonable time of the Night Which being Read it was Approved of And Directed to be prepared in order to be published

(signed)

L: Armstrong

At a Council held by Order of the L^t Governors Order at the place aforesaid On Munday 16th of September 1734 at 10 o' the Clock A. M.

Present

His honour the L^t Governor of the Province

- | | |
|------------------------------------|--|
| William Skeen Esq. ^e | Erasmus Ja: Philipps Esq. ^e |
| William Shirreff Esq. ^e | Otho Hamilton Esq. ^e |
| Henry Cope Esq. ^e | |

His Hon.^r having Represented to the Board that Alexander LeBorgné S.^{re} De Bellisle who had about A Year ago, as by the Minutes, taken the Oath [393] Oath of Allegiance to His Majesty, having laid before him and the Council the Miserable Condition he Was then in for Want of fire Wood & Hay; That Notwithstanding in Consideration thereof It was agreed in Council that he should have Liberty Granted him to Cutt these Necessary Materials for his Own Immediate Use from off the Kings Land As Yet not Granted, That he was Informed by a Memo.^l from the said Alexander Le Borgné presented him by his son That He Was therein Obstructed by Some at Mines Who seem'd to Despise all Order of Government, And That therefore he Desired the Boards Advice And Opinion in regard to What may be Necessary to be farther done therein

Petition
Alexand.
Le Borgne
Contra
Charles Rich-
ards in Rela-
tion to Hay.

The Memo.^l being Read As also the former Minute On that subject bearing Date the 28.th of September 1733 Alex.^r Bellisle y^e Son was called in And being thereon Examined, he laid some Other papers Vouched and Attested by some of the Deputees & Others, as upon file. That One Charles Richards lately come into the Province from Cape Breton And Others of his party had not only Opposed him in Cutting but had even Insulted him And taken away the Hay

that he had Cutt without showing the least Regard to the Authority Granted to his father for So doing And Contemptuously Refused to see it or to hear it Read

Whereupon being Asked off what land he had Cutt said Hay And his Answer being from off some Land Granted by Mons.^r La Toure a Subject [393] Subject of France since the Reduction of the province to his Britannick Majesty

Of which the Board having Considered They were of Opinion, that if the Case was as Represented, That as the said Latoure had no power or Authority to Grant or to make any Such Concession, That therefore none by Vertue of Any such Grant Could have any Right of possession, That all such Lands Were as Yet in His Majestys Gift, And therefore Agreed that the said Richards Should be Summond to Appear here to Show Cause for so much Insolence, to be Expressly Orderd to Return the Hay to M.^r Bellisle And That An Order should be sent to the Deputes to see it punctually & Immediatly Done

(signed)

L: Armstrong

At a Council held at the same place on Thursday the 19 of September 1734 at 10 o' Clock A. M.

Present

His Honour the L.^t Governor of the Province

William Skene Esq.^e

Will.^m Shirreff Esq.^e

Henry Cope Esq.^e

Eras: Ja: Philipps Esq.^e

Otho Hamilton Esq.^e

His Honour Acquainted y^e Board that Since the Examination of Bellisle's Complaint against Charles Richards and his partners at Mines the 16.th Ins.^t That the Said Richards Was Come to Answer for himself, And had bro.^t along with him a Child Angelick Dougas who had presented him with a Petit.ⁿ Setting forth That her Deceas'd father Joseph Dougas Did [394] Did Purchass that land (which Bellisle hath Represented to be the Kings Land) not only of Monsieur Latour but of the Other Seigniours Since that time

become Coheirs of the Seigniorality And therefore praying a hearing He had Called them to Consider of the said Petition And such Other papers as they had to lay before the Board to prove the Right they pretend to the said Land, for their Advice and Opinion thereon

The Petition, With a Contract or Grant of said land Bearing Date the third day of March 1713 Said to be Granted by the Seigniours, Attested by Alexander Bourg Notary being laid before the Board And Read the said Richards also produced four Receipts for Rent said by him to be paid for the said land to y^e Seigniours

a Rehearing of
M^r LeBorgne
Case upon the
petition of
Angelick
Douglas & the
Appearance
of Charles
Richards.

All which being taken into Consideration And y^e Said Charles Richards Examined, The Board were all of Opinion that the said Grant was not Only Defective but fraudulent And Unanimously Agreed that they found No Cause to Recede from the last Days Minute being of the Same Opinion That the said Douglas had no Right of Inheritance by Virtue of said Grant Seeing he had also Abandon'd the Province And Retired with his family into the Dominions of France; And Agreed that as it then was in y^e Gift of the King that the property thereof Should remain as it is till his Hon.^r should have An Opportunity to go And Visit it at Mines And that till Then or further Orders M^r Bellisle may Cutt Hay as is Allready Directed; And then Orderd that the said Richards as he hath, with the quantity taken from Bellisle, Cutt from off said Land Sixteen Loads of Hay, That he the said Charles Richards or his partners Shall Return Eight Loads thereof to the said M^r Bellisle. find Good security that this Order Shall be punctually performed And Obeyed And Not to Depart from hence till a Certificate is Returned from Mines that it is Duely Complied with Ordered [395]

Ordered that the said Charles Richards Should pay the Charge of the process And that M^r Secretary Should keep the aforesaid Grant or Contract upon file And give An Attested Copy thereof to the said Charles Richards

(signed)

L: Armstrong

At a Council held by Order of the Honourable L.^t Governor Lawrence Armstrong at his Own house in His Majestys Garrison of Annapolis Royall on fryday the 27.th of September 1734 at 4 o' the Clock P. M.

Present

His Honour the Lieu.^t Governor of the Province
Will.^m Shirreff Esq.^e Eras: Ja: Philipps Esq.^r
Henry Cope Esq.^r Otho Hamilton Esq.^r

Ens.ⁿ Sam.^l
Cottnam's
Letter in
Relation to
Clandestine
Trade laid be-
fore the Board.

His Honour having Signified That he had Received a Letter from Ens.ⁿ Samuel Cottnam at Mines Giving An Account of a Clandestine Trade carried on by Some persons there Noways Qualified, And Desiring Whether he Should take And bring any of them in, His Honour laid that parragraph of the Letter before the Board for their Advice and Opinion thereon

Which being Read, the Board upon Consideration thereof Desired to know what his Instructions Directed in Such Cases; The Which, with the Laws for Trade & Navigation being Ordered to be laid before them for their perusal, His Honour then Adjourned the Board to Consider further thereon till 9 o' the Clock to Morrow Morning

the Board's
Opinion
thereon.

Being Mett according to Adjournment and the said Instructions And Laws being Considered, It was, after Debate, Agreed, That his Honour the Governor Should Authorize and Impower Ens.ⁿ Cottnam to Enquire After the Clandestine Traders and to bring them and their Vessells Whether Aliens, forreigners, or Subjects into this Port for a farther Enquiry thereof; A motion [396] A Motion being made, That as M.^r Peter Bline, who with others, had petitioned the Board the 4.th of September 1732 upon the Same Subject, That it would be proper he Should be sent for Which being Agreed to he Came Accordingly, And being Asked Sev.^l Questions And particularly Whether he knew any of Clandestine Traders, He answered in the Affirmative And gave An Account of One Bently of Charlestown in New England, Munier an half Indian, And Chatteneuf a frenchman Son.

Mr. Peter Blin
sent for, fur-
ther Inform-
ation his
Acceptance
of an Order.

in Law to S.^t Castine of Penobscutt who Daily practised that Trade, and That the said Bently of Charlestown threatned to meet with him the Said Peter Blin this fall at S.^t Johns River and their to feight him

Whereupon his Honour the L.^t Governor proposing to give him An Order to take him or Any Other Unqualified Trader, be thereof Accepted, And the Board Agreed that his Honour Should Authorize and Impower him, in the Same Manner As M.^r Cottnam, for his so doing; And that his Honour Should order M.^r John Hamilton the Deputy Collector And Naval Officer to go along with him up the Bay to make such Seizurs as the Case may Require. And thereby to Order All Officers Civil and Military And all Others his Majestys Subjects to be aiding and Assisting to M.^r Hamilton in the Lawfull Execution of his Duty

the Deputy Collector ordered to go up the Bay.

(signed)

L: Armstrong

Att a Council held by Order of the Honourable L.^t Gov.^r Lawrence Armstrong att his Own house in his Majestys Garrison of Annapolis Royall on friday the 11:th of October 1734 att 10 o' the Clock A: M:

Present

His Honour the Lieu.^t Governor of the Province
 William Shirreff Esq.^e Eras: James Philipps Esq.^e
 Henry Cope Esq.^e Otho Hamilton Esq.^e

The last years Deputies of the French Inhabitants of [397] Of this River came & Introduced to the Governour and Council the New Elected for the Service of this Ensuing Year for his Hon.^{rs} Approbation, Who having laid before the Board the Inhabitants Report of their due Election. and a list of the ffamilies of their Respective Districts; Which being read, His Honour was pleased to Approve of the Inhabitants Choice, & then Recommended to them the Duty of their Office.

The New Deputies introduced and Approven by the Governour.

(signed)

L: Armstrong

Att a Council held at the Secretarys house in his Majesties
 flort of Annapolis Royall on Tuesday the 29.th of Oct^r 1734
 att 11 o' the Clock A: M:

Present

Will: Skene Esq.^e
 Will: Shirreff Esq.^e
 Henry Cope Esq.^e

Eras: Ja:^s Philipps Esq.^e
 Otho Hamilton Esq.^e

Orders issued
 upon the Deput-
 ies Request
 for Repairing
 the high Ways

The Secretary acquainted the Board that upon the Peti-
 tion of the Deputies of this River, his Honour Intended to
 Ishue out the following Order^s for the Repairing & making
 the highways from the nethermost to the uppermost houses
 on both sides of this River of Annapolis Royall viz.^{tt}

One to the Inhabitants Directed to their Dept.^s for that
 purpose

John Hebert
 Jn^o Baptist
 Terriot's
 petition.

One to L:^t Edw:^d Amhurst, & one to M^r George Mitchell,
 The Deputy Surveyors, To Oversee & direct the same Con-
 formable to the Request of the said Deputies And also another
 order at the Request of John Hebert, John Bap:^t Terriot &
 Oliver Daigre Inhabitants of Mines, Prohibiting one Noel
 Pinot & others from Possessing or Improving any part of
 some Land which [398] Which they the said Hebert, Terriot
 & Daigre say they had bought of one John Kessis att Shicka-
 necto; & therefore desires their advice & Opinion

Both said petitions and the aforesaid Orders being read

As to the orders of the High wayes they were Approv'd of
 And

As to the order upon Heberts Petition it was rejected, &
 agreed (that neither party may be Injured) That his Honour
 may be pleased to send a disrecretionary order to the Deputies
 of Shickanecto to Examine and Enquire into the Partys Right
 & pretentions, and to make a Report thereof Accordingly

(signed)

L: Armstrong

At a Council held by order of the Hon.^{ble} Lieu.^t Governour Armstrong Esq.^e the 26th Nov.^r 1734 At Major Henry Copes house in his Maj.^{ty} Garrison of Annapolis Royall at 11 o' the Clock A. M.

Present

Will Skene Esq.^e Eras: Ja:^s Philipps Esq.^e
 Will Shirreff Sec.^{ry}
 Henry Cope Esq.^e Otho Hamilton Esq.^e

The Secretary Aquainted the Board that there was one Joseph Munier an half Indian come to make his Submission & to take the Oath of Allegiance to his Majesty, & therefore His Hon.^r Desired to know whither it might not be administred to him & he admitted to the same priviledges as his Majesties other ffrench Subjects The [399] the Oath Administered to Joseph Munier

The Board Agreed that as he was an Active man amongst the Indians and as it might prove to the good of his Majestys Service to admitt him, the Oath was Accordingly Order'd to be Administred, who being sent for he took the Same before the Board

(signed)

L: Armstrong

At a Council held at the Hon.^{ble} Lieu.^t Gov.^r Armstrongs house in his Maj.^{ty} ffort of Annapolis Royall on Saturday the 30:th 9.^{br} 1734 A M

Present

The Hon.^{ble} Lieu.^t Gov.^r of the Province
 Will: Skene Esq.^e Eras: Ja:^s Philipps Esq.^e
 Will: Shirreff Esq.^e
 Henry Cope Esq.^e Otho Hamilton Esq.^e

The above mentioned Members having presented his Honour with a memoriall in behalf of themselves & others, as upon file, to be Sharers in some Mines discovered in the Province, as a Recompence of their many years Service at this Board; Which being read & the Gov.^r having Considered the Prayer of the Petition & the merit of the Subscribers, hath at their Earnest Solicitations consented that they Should be the Gentlemen of the Council Nomigated proprietors of Mines in Consideration of their many years services & the Patent Orderd to be Drawn.

named as Proprietors in conjunction with those mentioned in the Annexed List And therefore ordered the Secretary to prepare a Patent in favour of those therein Mentioned [400]

A List of the Patentees for Mines in Nova Scotia

The Hon.^{b^{le}} S.^r Rob.^t Walpole: His Grace the Duke of New Castle; My Lord Harrington; His Grace the Duke of Chandois; The Hon.^{b^{le}} Horatio Walpole; The Hon.^{b^{le}} Henry Pelham; S.^r William Strickland; My Lord Isla; Coll.^{ll} Bladen; Gov.^r Hart; Coll.^{ll} John Armstrong; Allured Pople Esq.;^r King Gould Esq.;^r Henry Pople Esq.;^r Capt.ⁿ Andrew Robinson, The Hon.^{b^{le}} John Cockburn; His Excell.^r Gov.^r Rich^d Philipps; The Hon.^{b^{le}} L.^t Gov.^r Armstrong; The Hon.^{b^{le}} L.^t Gov.^r Cosby;

Major Paul Mascarene

John Adams Esq.^r

Will Skene Esq.^r

Will Shirreff Esq.^r

Henry Cope Esq.^r

Erasmus Ja^s Philipps Esq.^r

Otho Hamilton Esq.^r

M^r John Handfield; M^r Edward Amhurst

Capt.ⁿ Nath:^{ll} Donnell Junior

Capt.ⁿ Peter Blin

M^r Sam:^{ll} Donnell Junior

Capt.ⁿ Joseph Jephson,

Rene L' Blanc

Bernard L' Blanc

Capt.ⁿ Henry Dániel, M^r Geo: Mitchell;

} Councill:^{rs} for this Province

} Merchants

} Discoverers,

In all 36

Annapolis Royall

30:th 9.^{br} 1734

[401]

At a Committee of Council held by Order of y^e Hon:^{ble} L.^t Gov.^r Armstrong Esq.^r At Major Henry Cope's House within his Majesty's Garrison of Annapolis Royall On Tuesday the 7.th January 173⁴;

Present

W.^m Skene Esq.^r

Eras: Jam.^s Philipps Esq.^r

Will. Shirreff Secretary

Otho Hamilton Esq.^r

Henry Cope Esq.^r

The Secretary Represented to the Board that His Honour being Informed that the french had risen their Wood to a very Extravagant price; he had therefore Desired that the Board would Consider & think upon Such methods as may Effectually put a Stop to Such an Inconveniency

Concerning the price of Wood & the Board's opinion thereon.

Which being considered y^e Board Agreed & were of Opinion, that it would be the Easiest & most Acceptable method for His Hon.^r to Discourse with the Deputies thereupon; & to prevail with them if possible, to settle the price of the Wood &.^{ca}, with the Inhabitants within their Respective districts & then to be laid before the Gov.^r & Council

(signed)

L: Armstrong

At a Council held by Order of the Hon:^{ble} Gov.^r Armstrong at Major Henry Cope's house in his Maj.^{ty} Garrison of Annapolis Royall, on Wednesday the 15.th January 173⁴.

Present

W.^m Skene Esq.^r

Eras: Ja.^s Philipps Esq.^r

W.^m Shirreff Secretary

Otho Hamilton Esq.^r

Henry Cope Esq.^r

The Secretary [402]

The Sec.^y Acquainted the Board that he was Directed by His Hon.^r the L.^t Gov.^r of the Province to lay Severall papers before them for their perusuall, viz.^t a Copy of the R.^t Hon:^{ble} The Lords Commiss.^{rs} for Trade & plantations Report upon y^e Petition of M.^{rs} Agatha Campbell; Copy of a Minute of His Maj.^{ty} most Hon:^{ble} Privy Council upon a Representation of John Hart Esq.^r Praying a Grant with the Seal of

Copy of the Board of Trades Report Concerning M.^{rs} Campbells Affairs & his Majestys Order for Granting land to Jno. Hart Esq.^r

this province for Some Lands as therein Specified upon file And His Hon.^{rs} Letter to the R.^t Hon.^{ble} The Lords Commiss.^{rs} in answer to the whole. All which being read & Considered, The Board Judged & Allowed the Gov.^{rs} Letter to be a very proper Answer to all that was laid before them And are of Opinion that His Hon.^r Should order a Grant in fav.^r of John Hart Esq.^r Conformable to the minute of his Maj.^{ty} most Honourable Privy Council, As Soon as the Season of the year will permit the Land to be Surveyed

(signed)

L: Armstrong

At a Committee of Council held by Order of the Hon.^{ble} Gov.^r Armstrong, At the Secretarys Office In his Majestys Garrison of Annapolis Royall On Monday the 3rd february 1734, at 3 o' the Clock P. M.

Present

W.^m Skene Esq.^r
W.^m Shirreff Secretary
Henry Cope^o Esq.^r

Eräs.^s Ja.^s Philipps Esq.^r
Otho Hamilton Esq.^r
The Secretary Acquainted [403]

The Secretary Acquainted the Board that His Hon.^r being again Informed of the great Abuses & Exorbitant prices demanded by the french Inhabitants for fire wood, by which they Seemed to have no other views at this time than to distress his Majestys Garrison, Every Officer & all the English Inhabitants in the place. And that as his Majesty hath an undoubted right to the woods & they only to the Herbage & Vesturage of the Lands And Entitled only to the benefit of Such Woods as they may have immediate Occasion for their own proper use & buildings. He therefore desired, That as they the Inhabitants had Obstinate through Contempt refused taking Patents for their said lands in his Majestys Name; His Hon.^r therefore Desired the Gentlemen of the Board Seriously to Consider their Insolence. & the present Circumstances of his Majestys Garrison which could not possibly Subsist without wood; And for that purpose the

The price of Cordwood again Recommended to the Consideration of the Board.

Sec.^{ry} also laid before them for their Consideration a Minute of Council of the 23.^d December 1732, & another of the 7th January 1733. And then recommended to them the necessity of Settling the price of Wood

The above Message from His Hon.^r the Lieut.^t Gov.^r being Considered & debated, The Board Unanimously Agreed & were of Opinion, that Six Shill & Eight pence pr Chord was a reasonable Encouragement for the french Inhab^{ts} to Supply the Garrison & Others with wood, & that under that price the Garrison & others may run the Risque of being disapointed

the Boards
Opinion.

Then Peter Grange & Francois Doucett being called, who had in order to Enhance y^e price of Wood. Spread a Report that Major [404] Major Henry Cope had Offered five Liv.^{rs} per Chord, they declared that they had heard Such a report but did not know the authors: Which being Considered it was agreed that for their Spreading a false Report Each of them should be fined five Shill to be paid to y^e Constable

Peter Grange
& Francis
Doucett fined
for false
Reports.

Then was laid before the Board Henry James's Petition ag.^t Joseph Commeaux for not holding his agreement in relation to wood last year

Henry James
Contra Joseph
Commeaux.

Which being Considered, the party's called & Examined. the Defendant Acknowledged that he he had Sold to Henry James Eight Chord of Wood at 5s 10^d per Chord: And that as he could not for want of Snow get it out of the woods last Winter, that he came some days ago And Acquainted him that his wood was Ready according to Agreement, & telling him at the Same time he had cut more wood, & if he would take the whole he Should have it at 6s 8.^d per Chord but if that was not Agreeable to him his Eight Chords were ready According to Agreement

The Plaintiff having no Witnesses to Support his Allegations, it is the Opinion of the Board that Henry James should have his wood According to Agreement, & that therefore the Defendant should pay the Constable & the Plaintiff the other Cost of the Suit

(signed)

L: Armstrong

At a Council held by Order of the Hon.^{ble} Gov.^r Armstrong at his own house within his Majestys Garrison of Annapolis Royall on Saturday 15.th february 1734 at 10 oClock A. M.

Present [405]¹

Present

The Hon.^{ble} the L.^t Gov.^r of the Province
 W.^m Skene Esq.^r Eras.^s Ja.^s Philipps Esq.
 W.^m Shirreff Secretary
 Henry Cope Esq.^r Otho Hamilton Esq.^r

Governor
 Cosbys Peti-
 tion for a
 patent for
 Widow Le
 Bats Land.

The Board being Sat, there was laid before them for their consideration a Memoriall of Maj.^r Alex.^r Cosbys L.^t Gov.^r of the Garrison of Annapolis Royall praying a patent for Some land now in his possession, having purchased part of the Same of Renneé Gotrot widow to the Deceased John Le Bat.

The Said Reneé Gotrots deed of Sale to Gov.^r Cosby for the same Land. An Agreement between Reneé Gotrot of the one part & James Giroard & Francis Giroard on the other part for the Said Lands. The S.^r de Bell Isle's Grant for the Said lands to the Said John le Bat. Also the Said S.^r de Bellisle's Widow's Contract to the Said Le Bat An Examination taken by Cha.^s Tallard of the said Reneé Gotrot before two of the Deputies by order of the Hon.^{ble} Gov.^r Armstrong

Geroards the
 Defend.^{ts}

All which being read, Gov.^r Cosby with Pierre Lanow & W.^m Burgeois for James & Francis Giroard's Appeared before the Board, And having heard what they had to Say further on Said papers, it was found that Said Burgeois had no Authority to Act or Say any thing in behalf of the Giroards, And therefore Lanow who was Summon'd by L.^t Gov.^r Cosby, being Ask'd whether he had any knowledge of the Giroard's having performed that [406] that part of the Contract by building the house therein mentioned, he Answered, that they had not, because they had not finished the Same

Two pages blank, fastened together with wax.

Whereupon his Hon.^r the L.^t Gov.^r of the Province finding that there were none to represent the S.^d Giroards, thought proper to Adjourn the Board till Saturday next the 22.^d Ins.^t And then Ordered M.^r Secretary to Summons the partys to Appear that day with all their papers & Such other witnesses as knew anything of the Affair in dispute with René Gotrot. L.^t Gov.^r Cosby & the Said Giroards And Also Ordered that M.^r Secretary Should minute down that James & Francis Giroards should Each of them pay a pistole to the Constable for their Contempt in not Appearing

(signed)

L: Armstrong

At a Council held by Order of the Hon.^{ble} L.^t Gov.^r Armstrong At the Secretarys Office in his Majesty's Garrison of Annapolis Royall on tuesday the first April 1735

Present

John Adams Esq.^r

Henry Cope Esq.^r

W.^m Skene Esq.^r

Eras^s James Philipps Esq

W.^m Shirreff Secretary

Otho Hamilton Esq.^r

The Secretary Aquainted the Board that he was ordered by the L.^t Gov.^r of y^e Province (who Intends to go up the Bay of ffundy) to Summons them together, & to lay before them [407] them for their Consideration Severall papers. Viz.^t Scroll proclamation Prohibiting the Exportation of Cattle out of the Province, Copy of the peace Concluded with the Indians In order to be again renewed & Ratified, Copies of the Oaths taken by the french & desires to know whither the Same should not be tendred to the people up the Bay from the Age of 16 to 60. As also a Petition from Peter Blanchard Against James Oneal. & the Said Oneals Acco.^t Ag.^t Said Blanchard; And that he thereon desires their Opinion & advice, as Also on his Ordering the Secretary to carry with him up the Bay the Council Book & Book of Orders, and Such other papers as relates to the Affairs of Menis. Pizequid, Cobaquid & Chignecto

the Governor Adviseth of his going up the Bay.

Proclamat.^a prohibiting the Exportation of Cattle.

Copy of the peace with the Indians.

Copy of oaths.

Blanchard & Oneal.

Whether the Council book &c may not be Carried out of this place.

Books &
papers.

The Board having Considered the said Papers, they Approved of the Proclamation the Same being Amended in Council; And were of Opinion that His Hon.^r may Renew the peace with the Indians if he finds them Inclinable so to do; And that the Oaths should be tendered to all Such Inhabitants as have not already taken them. As to the Books & papers, the Board were doubtfull Whither it were Customary in any other Province to remove any Such things which So much Concerns y^e publick out of the Secretarys Office. But upon Debate. It was agreed, that as his Hon.^r was bound to Menis & not out of the Province, he might carry all Such papers & Books &c^a as were absolutely necessary for his Majestys Service in these parts. And then Adjourned till 3 o Clock P. M. Being [40s]

Being Met According to Adjournment the Same Members being present

The Difference between Peter Blanchard & James Oneal being Considered & the partys being Called. The Petition of Said Blanchard was read, To which the Said Oneal made Answer, That from the treatment he had mett with from M^{rs} Blanchard & her husband, he had Said some things to M^{rs} Blanchard that were not very agreeable to be repeated, but that otherwise he did not Threaten or Insult her nor So much as Entered into Blanchards House As M^r Blanchard Sets forth & affirming that M^r Blanchard could not produce the proofs he So much Insists upon, M^r Blanchard being¹ Examined, he said that his Wife told him So, as Did also M^r Laffoney's Son before two of the Deputies; but neither Laffoney's Son or any of the Said Deputies being present. Thursday next was Appointed to Blanchard to bring his Witnesses & ordered to Appear At 11 o' the Clock A: M:

Then was Read the S.^d Oneal's petition Ag.^t Said Blanchard, & his Acco.^t for Cureing of Blanchards Wife of a Cancerous Ulcer in her leg, Amounting to £19..15..6 Whereupon M^r Blanchard being Examined, he Said he did not owe

¹ Line run through "called & "

him a penny, for that he had paid him twenty Livres, & that, He had Severall times told him the Said Oneal that he would never pay him any more, for Altho' that he had made an Agreement to the Said Oneal for 50 Livres for the Cure of his Wife, he Said [409] said that S.^d Oneal did not perform his Engagement, for that he was Obliged to make use of M.^r Moutton for Some Ointment.

To which M^r Oneal replied that the 20 Liv.^{rs} were for Cureing himself of a fever, and Also Asserted that he had performed the Cure with his Wife, And therefore prayed that His time & the Value of his Medicines May be Considered, As to which he Appealed to Doct^r Skene or any other who were acquainted to medicines & the practice of Chirurgery, And Prayed that he might be Enlarged & Released from his Imprisonment

Upon the whole as the Allegations of either of the partyes were not Supported with any Witnesses, The Board therefore Adjourned till Thursday next the 3.^d Ins.^t for their Appearance at 11 o' Clock A: M

(signed)

L: Armstrong

At a Committee of Council Held by Order of y^e Hon.^{ble} L.^t Gov.^r Lawrence Armstrong On Saturday the 5.th April 1735

Present

John Adams Esq ^r	Henry Cope Esq
W. ^m Skene Esq. ^r	Eras. ^s Ja. ^s Philipps Esq. ^r
W. ^m Shirreff Secretary	Otho Hamilton Esq. ^r

The Secretary Acquainted the Board that he was directed by his Hon.^r the L.^t Gov.^r of [410] of the Province to lay before them a petition from Will^m Haw praying that his Honour might Return him his patent for a peice of Ground (which as the Petitioner Setts forth he was ordered to Deliver up) for the Boards Consideration & Advice thereon

W.^m Haws
petition.

The Petition being read & the tenor thereof Considered & Compared with former minutes of Council bearing date the 24th day of July 1733, & of the 11.th Aug.^r 1733

The Board Agreed that there was no Reason for Reversing their former Opinion, And Considering also that the Petitioner had now Sett forth a Notorious falsehood highly reflecting upon His Honour & justice of the Council &c.^a Were therefore of Opinion that the Petition Should be Rejected

(signed)

L: Armstrong

At a Committee of Council held by order of the Hon.^{ble} Lieu.^t Gov.^r Armstrong at Menis in his Majestys Province of Nova Scotia on Thursday the 17.th April 1735 at 10 o' the Clock A. M.

Present

The Hon.^{ble} Lieu.^t Gov.^r of the Province

Will: Skene Esq.^r

Will: Shirreff Secretary Otho Hamilton Esq.^r

His Hon.^r Aquainted the Board that as he had already at Annapolis Royall Ishued [411] Issued out an order in relation to measures, & as it hath not as yet been regarded here, that he therefore Intended to renew the same; and also having received a Complaint from Mons.^r Degodalie & other Inhabitants in relation to trespasses daily Committed by Cattle through the Insufficiency of their dykes and fences he asked their Opinion whither he should not also Issue out an order for keeping the said fences &c^a in good Repair, under the pain of a Certain penalty to be paid by the person or persons offending to those who may be Injured through such willful & Careless neglect, which being all agreed to, Orders were thereon Issued.

the measures
Dykes &
fences to be
kept in good
Repair.

(signed)

L: Armstrong

Menis April the 19.th 1735

The Gentlemen of the Committee being Called, Mons.^r Pierre le Blanc presented a petition setting forth how he had through compassion to Philipp Melanson when sued by his Brother René Le Blanc, engaged & became Surety for him the said Melanson in the sum of one thousand three hundred & two Liv.^{rs} for which being pressed by his said Brother René he had actually paid the said Sum, The said Melanson having absolutely refused notwithstanding of his Engagement; And therefore prayed his Honour while here on on the Spot would take his Case into Consideration, & give his Necessary orders & assistance whereby he may be Enabled to recover the said sum from the said Melanson for the support of his family &c.^a as upon file

In relation to Peter Le Blancs being Surety for Philip Melanson.

Which being Read & Considered, & an Order thereupon Issued to said Melanson to Appear before the Gov.^r & Committee of Council on Monday the 21.st Ins.^t to show Cause for not paying & discharging his Bail according to Obligation

(signed)

L: Armstrong [412]

Menis April 21.st 1735

The Board being Sett His Honour & the same Members of the Committee being present. Mons.^r Pierre le Blanc having represented to the Gov.^r & Committee of Council that Philipp Melanson upon the order sent him had considered the case, & had therefore paid the money & put an end to the dispute

the Agreem.^t made up between the two foregoing Partys.

(signed)

L: Armstrong

Menis April the 24.th 1735

The Gentlemen being Called & Sett. Eliz.th Godet having presented his Honour with a petition Complaining against her two brothers supported by her Mother, for depriving her of her share & proportion of the Land & moveables left by her deceased ffather John Godet of Piziguet

Elizabeth Godets Complaint in Relat.ⁿ to the Land & moveables left her by her ffath.

The partys being called, the petition read, and the reasons on both sides being heard & Considered

The Board were of Opinion, that the Defendants viz.^t John Bap.^t Godet & Peter Godet should put their Sister Elizabeth into the possession of her proportion & just Share of the Inheritance left by their said Deceased Father

the Boards
Opinion
thereon.

Ordered that the said deffendants do Immediately put their said Sister into the quiet possession of the share both moveable & immoveable Estate left by their said Deceased ffather John Godet & that they shall give Security for the true performance of the same, & good behaviour towards their said Sister

Agreed that an order be sent to the Deputys of Piziguet to see that the same be punctually done

(signed)

L: Armstrong

At a Committee of Council held by order of the Hon.^{ble} Lieu.^t Gov.^r Armstrong at Menis In his Majestys Province of Nova Scotia, on Saturday the 26.th April 1735 at 3 o' the Clock P. M.

Present

The Hon.^{ble} Lieu.^t Gov.^r of the Province

Will: Skene Esq.^r

Will: Shirreff Secretary Otho Hamilton Esq.^r

the Dispute
between René
Blanchard &
Celestine, &c^{ca}
in relation to
Some land.

René Blanchard of Menis having presented his Honour with a petition complaining that Anthoine Celestine, Claud Babin & their Associates had trespassed upon his Grounds, at the same time praying redress, which, with the said Celestine & Babin's ans.^r to the same being also laid before the Board & read. the partys Called, their reasons heard & Considered. as also a plan of the Land & road Examined

The Board agreed, as by the plan their difference could not be easily understood, That the Secretary should write an order to four of the Deputys to choose four of the Antient Indifferent Inhabitants of the Grand Pré in order to go upon

the Spot, to visite the Situation of their ground & the road in dispute; & to make a Report & plan thereof in order to be laid before his Honour & the Board on Wednesday next, & so referr'd till that time

(signed)

L: Armstrong

Menis the 28.th April 1735

The Board being sett, the same members as above being present

His Honour aquainted the Board that as he had Appointed both this & the last years Deputy's to Attend this day, & as they were Come he [414] he thought proper to Interrogate them for what reasons they did not Comply with his orders bearing date the 2.nd of Nov.^r last in relation to petit Jacques Le Blanc for grossly affronting M^r John Hamilton Depty^r Coll.^r in the Execution of his duty Which being judged very Just & reasonable, they were accordingly Called in, & the question being put their Answers thereunto heard, The Board agreed & were of Opinion (that as the Old Deputy's Confess'd themselves to be in the fault in not sending an Answ.^r upon Petit Jacques Le Blanc's refusing to Comply with said Orders) that the said Deputy's for the year 1734 to witt John Tibado, Peter le Blanc al.^s P^{ino}¹, Jos: Terriot, Claude Boudrot, Peter le Blanc the son of James, Joseph Grangier & John Terriot should still be Oblidged to put said order in Execution, & to take & apprehend him the said Petit Jacques Le Blanc & to bring him before the Gov^r & Council at Annapolis Roy.¹ as soon as he the said Le Blanc returns & arrives here, under the pain & penalty of 5 po.^d N. England Currancy to be paid by each of the said Deputy's who shall not Comply therewith. And the present Deputy's to witt James Hebert, Peter le Blanc, Bernard Diagre, John Doucett, Francis le Blanc the son of James & John Laundry are likewise ordered to join their Assistance as they shall answer

the Deputy's of last year reproved in Relat.ⁿ to Petite Jacques le Blanc for not putting the Order sent them in Execut.ⁿ

to the Contrary at their peril, and they the said new Deputy's are also ordered to go Immediately & take an Account both of the moveable & Immoveable Estate of the said Petit Jacques le Blanc & to take care That none of his Effects be Embezled

The Deputy's Complaining of the Hardships & difficultys they mett with amongst the Inhabitants in the Execution of their Office and their said Complaint being considered, & that they being all of the Romish persuasion & Consequently unqualified to bear any Civil Office by Commission in the Government It [415] It was notwithstanding Judged proper that the present Deputy's should Choose six of the Inhabitants in order that two of them may be nominated Constables on Thursday next, to assist the Deputy's to put the orders of the Government in Execution, & that being thus unqualified they should only Act as Constables in their own private affairs as the Case may require amongst themselves for the more speedy administration of Justice there being no protestants in these parts

Ordered that a copy of this Minute be given to the Deputy's of Menis to be Communicated to the people for an Answer

Order for the
Chusing
Constables.

Ordered also that two Men be Nominated & Chosen by the Deputy's of Piziguet & Cobaquit for their Assistance in putting the orders of the Gov.^{rn} in Execution, & in other Cases to act only as aforesaid

Then His Honour acquainted the Gentlemen of the Committee, that he beleived it would be Necessary, as he had published several orders here at Menis, to send Duplicates thereof to the Inhab.^{ts} of Piziguet, Cobaquit & Chignecto, particularly of that in relation to the Exportation of Cattle; & that having wrote a letter on that Subject, & the bringing in of their Grants, to the Deputy's of Piziguet & another much of the same tenour to Mons.^r Maufils to advice the people to a Compliance The same were read & Approved of, And the Secretary ordered to prepare Duplicates accordingly

(signed)

L: Armstrong

At a Committee of Council held at Menis In his Majesty's Province of Nova Scotia the first day of May 1735

His Honour & the above Members being present [416]

His Honour acquainted the Board that the Deputy had presented him with an Inventory of Petit Jacques le Blanc's Effects, as also their Answer in relation to Choosing of Constables, & that Alex.^r Bourg of Menis had presented him with a list of Contracts, all which being read as upon file, His Honour, as the Inhabitants by their Answ.^r having refused the Choosing of Constables, desired the Gentlemen to Consider of what other methods should be taken thereon, who judging this Employ a new Office amongst them with which they were as yet as little acquainted, as they were at first with that of Choosing Deputy's; were of Opinion that his Honour should speak to them in a mild friendly manner, particularly to the most judicious of them & signify that the Government had no other Views by Appointing such Officers than their own welfare, it being the most Speedy way of deciding their frequent & Vexatious differences, And if they did not think proper at this time to Comply, to leave it to their further Consideration as it was of no other Consequence to the Government than to promote their own Ease

(signed)

L: Armstrong

Menis May the 9.th 1735

His Hon.^r & the Gentlemen of the Committee being met, The Deputy's of Menis waited upon his Hon.^r & presented him their Report upon the Dispute between René Blanchard plaintiff & Anthoine Celestine & Claud Babin deff.^{ts} Conformable to the orders given them as p.^r a Minute of Council of the 26.th Ap.^l last, & also a Copy of the agreement between the plaintiff & y^e two Deff.^{ts} which his Hon.^r Committed to the Care of the Secretary to be kept upon file

(signed)

L: Armstrong [417]

Inventory of
Petit Jacques
le Blanc's
Effect. pre-
sented to the
Board &c. the
Depty. Answer
in relat.ⁿ to
Constables &c

the Deputy's
Report upon
the Dispute
between Blanch-
ard & Celestine &c

At a Council held by order of the Hon.^{ble} Lieu.^t Gov.^r Armstrong At the *Secretarys* Office In his majestys Garrison of Annapolis Roy.^l on Monday the 12th May 1735

Present

John Adams Esq.^r

Henry Cope Esq.^r

Will: Skene Esq.^r

Eras: Ja.^s Philipps Esq.^r

Will: Shirreff *Secretary*

Otho Hamilton Esq.^r

Dispute
betwixt
Mary Martin
& Joseph
Richard.

The Secretary acquainted the Board that his Hon.^r upon the petition of Pierre Corporon & Mary Martin his Wife Ag.^t Joseph Richard her son in Law for Insulting her & her present husband the said Corporon in relation to the building a Barn and stopping the Kings high way &c.^a as per their petition upon file, Had ordered them to meet in order to Consider the difference between the partys that the same might be adjusted

Whereupon the partys were Called, the above petition^d & the said Joseph Richard & his partners Answ.^r thereunto being read, & the Witnessess Examined, the Board upon the Consideration of the whole agreed & werè of Opinion,

As it was represented by Mary Martin that her witnessess refused to Appear that the Case should be deferrd 'till another day, & that the *Secretary* should send them a Summons to Appear at Such a time as his Hon.^r the Lieu.^t Gov.^r of the Prvince shall be pleased to 'Appoint

Complaint
ag^t René
Martin.

The Secretary also represented to the Board, that his Hon.^r the Lieu.^t Gov.^r of the Province had desired him to signify to them that he had receiv.^d a Verbal Complaint from Anthoine Bruine one of the Deputys of this River Ag.^t René Martin of said Place for Opposing the Deputy's & other the Inhabitants, in Carrying on & perfecting the Highway conformable to the Gov.^rs Orders of the 29th October last, which disobedience & disrespect he desires may be seriously Considered and that he the said Martin may be Oblidged to find Immediate Bail for

his due Compliance, or be Committed [418] Committed to prison till he find such bail, & fined as the Board may think proper for such disobedience & Contempt

Whereupon the Board agreed & were of Opinion, that René Martin upon the Report of Anthoine Bruine one of the Deputys, Witnessed by Will Denny Ab Pierre Goddet, was guilty of Contempt & disobedience. And that he should therefore be Oblidged to find Immediate Security for Complying with the Gov.^{rs} Orders, or to be Committed to Goal, & to pay all Charges

Ordered that all the Deputys of that side of the River be present at laying out of the Road.

(signed)

L: Armstrong

-At a Council held by Order of the Hon.^{ble} Lieu.^t Gov.^r Armstrong At the Secretarys Office In his Majestys Garrison of Annapolis Roy.^l On Tuesday the 23.rd Sept.^r 1735. at 3 o' the Clock P. M.

Present

John Adams Esq.^r

Henry Cope Esq.^r

Will^m Skene Esq.^r

Eras: Ja.^s Philipps Esq.^r

Will^m Shirreff Secretary

Otho Hamilton Esq.^r

The Secretary aquainted the Board that he had Conformable to His Honour the Lieu.^t Gov.^r of the Province's Order prepared & drawn out a Scrol of a Grant in fav.^r of John Hart Esq.^r for Hault^l Island in the Bay of ffundy & that Peninsula lying to Eastward thereof in y^e said Bay, which he was desired to lay before them for their Consent to & approbation of the same.

In relatⁿ to
y^e Patent
Granted to
Mr Hart.

Upon the Secretarys communicating thus his orders from his Honour the Lien^t Gov.^r of the Province to y^e board, Major

Governor
Cosby Desires
to speak to
the Council.

¹ Isle Haute. In Jeffreys map of 1755, Holt Island : off Cape Chignecto.

Alexander Cosby sent advice to the Board by the Constable [419] Constable that he was without & desired to speak to the Board, whereupon being admitted, he acquainted the Gentlemen that hearing the Council was this day to sit upon granting a Patent to John Hart Esq.^r for that peninsula lying Eastward from Hault Island, & Apprehending that such a Grant might prejudice himself & others, to whom his Honour had by repeated promises & a minute of Council already Given, he presented the Board with a Memorial (saying that he beleived his Honour the Lieu^t Gov^r had been present) & desired the same, being put into M^r Secretarys hands, to be Read.

Lt. Governor
Cosbys memo.

Whereupon M^r Secretary applied himself to M^r President & put the question, as the Memorial^l was Directed to his Honour & the Council, whether it should be read without being first Communicated to his Honour which being considered, the Board were of Opinion, that it should be first communicated to his Honour & therefore Ordered that M^r Secretary should go & acquaint his Honour that such a paper was delivered & lying before the Board, & that Major Cosby was also waiting for an Answer

Upon which his Honour desiring that it might be sent him M^r Secretary carried the same; & his Honour after having perused it, came to Council. To whom Gov^r Cosby repeated the same what he had said to the Board, & desiring his Memorial to be read & lodged in the Office. His Honour Judged it not proper, & said that he intended prejudice to no Man, but only to Comply with his Majesty's Order.

Governor
Armstrongs
ans.^r Governor
Cosby.

Whereupon was read the Minute of the Committee of the Lords of his Majesty's most Hon.^{ble} Privy Council, & being Compared with the Deputy Surveyors plan of said peninsula. & a minute of this Board bearing date Wednesday the 15th January 1734 signifying that this Board were fully of Opinion thThat his Honour should order a Grant in favour of John Hart Esq.^r Conformable to the minute of his Majestys Most Hon.^{ble} Privy Council was also Read

The the [420]

Then the Constable acquainted the Board that Captⁿ Henry Daniel, Captⁿ Peter Blin & Captⁿ Nath^l Donnell Jun.^r desired to speak with his Honour at the Board, who being admitted they also delivered in a paper which M^r Secretary delivered to his Honour at the Board, & having also privately perused the Same He gave them the same Answer, & said that he would send their petitions home, & told them that they had not as yet made any proposals for Settling said lands; To which they replied that they were willing as represented in their Memorial to Comply with his Majestys Instructions

Cap.^t Henry Daniel Cap.^t Peter Blin & Capt. Nath.^l Donnell desire to be heard at the Board.

The Govern^rs ans.^r

The Gentlemen being withdrawn M^r Secretary ask'd his Honour whether he would have the afore mentioned scrawl of the patent read His Honour Answered, that as he did not now intend to give y^e Grant, there was no necessity of reading it at present, & only desired a copy thereof, & of that for the Coliary to be sent Home

Copy^s Intend^d to be sent home.

(blank for signature)

At a Council held by order of the Hon.^{ble} Lieu^t Gov^r Lawrence Armstrong at His own House in his Majestys Garrison of Annapolis Royal On Thursday the 13th Nov.^r 1735 at 10 a Clock A: M:

Present

The Hon.^{ble} the Lieu^t Gov^r of the Province
 John Adams Esq.^r Henry Cope Esq.^r
 Will^m. Skene Esq.^r Eras Ja^r Philipps Esq.^r
 Will^m Shirreff Secretary Otho Hamilton Esq.^r

His [421]

His Honour acquainted the Board that having had two Scrawls of Grants from M^r Secretary viz^t One for Lands to be granted at Chiconito & the other for lands to be also granted at Menis or Piziguet, which having perused he thought it Necessary to lay before the Board for their consideration that the same might be amended if need require in order to draw the patent

Scrawl Patents for Lands at Chiconecto and Mines Laid before the Board.

And he also acquainted the Gent.ⁿ that he expected & doubted not but that they would accept thereof upon His

Majestys terms, and that therefore he must give them One hundred thousand Acres in each place in order to erect Townships as his Maj^{ty} by his Instructions hath required, & according to M^r Harts proposal to Settle One Hundred protestants

Sam.^l Donnell
Junior Capt.
Jno Jephson
&c. Struck out
of the List and
Others put in.

He also acquainted the Board that as he had Struck out of the List, Sam.^l Donnell Jun.^r Capt^a Jn^o Jephson, Rene le Blanc & Bernard Le Blanc, he had put in their places M^r John Dyson, M^r Rob.^t Beaden, M^r Edward How^e & M^r Will^m Winniet in order to keep up the number of 36, and the Board being therewith Satisfied, His Hon^r gave Orders to the Secretary to prepare the Patents, which the Gent^l said they would Accept upon the terms of his Majestys Instructions

The Names of
the Township

Then His Hon.^r with y^e Board proceeded to give Names to the Peninsula & to these tracts now to be Granted; and agreed that the peninsula should be called Norfolk, & the township to be Settled there Norwich in the Said County of Norfolk

And that the Tract or Township to be Settled at Piziguet should be called Harrington in the parish of Harrington

(blank for signature) [422]

At a Council held by Order of the Honourable Lieu.^t Govern^r Lawrence Armstrong Esquire at his Own house in His Majestys Garrison of Annapolis Royall on Munday the 22.^d of December 1733.

Present

John Adams Esq.^e Eras: James Philipps Esq.^e
William Skeen Esq.^e
William Shirreff Secretary Otho Hamilton Esq.^e

Stephen Jones
Complaining
Ag.st Goune
Doucett &
Pino for
Theft &c.

The Secretary Acquainted the Board that he was Directed by his Hon.^r the Lieu.^t Govern^r of the Province to present them with his service and to lett them know that he was so much Indisposed that he Could not be present at the Board And Did therefore Recommend to their Consideration the State of Stephen Jones's Case as set forth in his petitions And

the Confessions of the partys Accused Upon An Examination thereon Made by Will^m Shirreff, Erasmus James Philipps Esquires And to Advise him what he must further do therein that the Complainant may have justice done him

The petitions of the Complainant with y^e Gov.^{rs} Order to the Constable to Search for Stollen Goods And Order to the above Named Gentlemen to Examine into the truth of the petitioners against Peter Goun, Jermine Doucett and Peter Pino being Read, the prisoners sent for and being Againe Examined by the Board they all Confessed And Acknowledged what is Sett forth in their Respective Confessions Made on Saturday the 20.th Ins.^t but would make no further Declaration or Discovery of the Other Goods that Were Lost

Whereupon the Board Considering that the Partys [423] Partys Accused had Confessed their sev.^d Thefts as afores.^d before the Board, Agreed

That Peter Guon the spainard should Receive fifty Stripes at the Carts upon his bare Back, from the Mass house to the Cape; And be also bound for the Space and term of three Years to serve him the said Stephen Jones or Assignes towards Recompensing his Other Losses, Costs and Dammage^s Sustained through the Thefts of him the said Peter Goun to Commence from the Expiration of the time that the said Peter Goun hath Engaged to Serve John Stickney Marriner of flmouth in Casco Bay in New England, Provided he the said John Stickney Will not Redeem him the Said Peter Goun by paying unto him the Said Stephen Jones the proportion of Damgages Amounting to fifty six pounds New England money And then Adjourned till 3 o' the Clock at the Secretarys Office P: M.

Peter Goun
Ordered to
be Whipt.

Munday the 22.^d of December 1735 at 3 o' the Clock P: M. the same members being mett According to Agreement And the former Minute of this Day being Again Read and Approved of, the Board proceeded to Consider what punishment or fines Should be Inflicted Upon Jermain Doucett &

Peter Pino And therefore As to the first to Witt, Jermain Doucett

Doucett to
be Whipt.

The Board Agreed And Were of Opinion That he the said Jermain Doucett Should Receive Twenty five Stripes upon his Bare Back at the Carts Tail from the Mass house to the Cape and to be fined four fold the Value of the Goods found in his possession, and to lie in jail till he pay Said Sum

And as to the Boy Peter Pino the Board were [424] Were of Opinion that he should also pay four fold the Value of what was found in his possession And should whip the Other Two viz.^t Peter Goun and Jermain Doucett According to the sentence of the Board

(signed)

L: Armstrong

At a Committie of Council held by Order of the Honourable Lawrence Armstrong Esq.^r the L.^t Gov.^r of the province at the Secretarys Office on fryday the 16.th of January 173 §

Present

William Shirreff	} Esq. ^{rs}
Henry Cope	
Eras: Ja: Philipps	

Gautier &
Moiards case
in relatⁿ to yr
rent of ye Mill.

Mons.^r Gautier laid before the Gentlemen of the Comitie An Acco.^t of Arrearages of Rent due to him by Mons.^r Moiard: And Desiring that the Gentlemen would Examine the Same: M^{ons}.^r Moiard Also produced his Acco.^t Which being Compared with that Exhibited by M.^r Gautier he Accepted of Moiards Charge And Granted him the Term of Seven Months to pay him the Remaining Balance Which is Seventy five Bus.^{lla} And an half of Wheat And so they Agreed

(signed)

L: Armstrong

At a Committee of Council held by the Authority Afore-said at the same place on saturday the 24.th of January 1732 P. M.

Present

William Shirreff	} Esq. ^{rs}
Erasmus James Philipps	
Otho Hamilton	

Etiene and Charles Martains & Ant. Broin Petitioners [425] Petitioners With the Tibodeaus Defendants in Relation to turning the Course of the Rivolet Loup-Marine being all present The Gentlemen in Obedience to his Honours Order heard what both the partys had to say On that Subject; but could not judge of the Reasonableness of either partys Allegations Untill first Visited And Impartially Reported by Disinterested people of Judgm.^t And Experience of Such Works and Enterprizes: The Defend^{ts} Alledging that by altering its Course their Estates may be thereby Ruin'd, And that therefore it Would be Very Imprudent in them to Consent to And Run the Risque of Such An Accident, besides the Other Inconveniencys which they must be Reduced to by being shut up in an Island if the work should be Carried on, And that the petitioners could not Warrant the Contrary

The petitioners in Ans.^r to these Allegations Replied and said that they could Run no such Risque of loosing their Estates, Nor be Reduced to Any Such Inconveniencys thereby: Because that they Would Warrant the Contrary by giving them Good Security for their Estates, And that they would prevent their other Inconveniencys by Building a Bridge whereby they might at all times go to the Wood for their firing And Other Necessarys And that they Would Rebuild their Mills And pay all the loss they in the Mean time might Sustain, Support and Maintain the Bridge for ever And also Give Security for their so doing

Which being the Sum of the Whole, the Gentlemen Recommended to them to Consider well of the Consequence of the Work, to Advise friendly with on Another, And to

Call Such of the Other Inhabitants And Neighbours for their Assistance As were Well Acquainted with such Works And [426] And Undertakings; And told them that in Case they Came to An Agreem.^t that the Gov.^r Would Appoint One or two of the Gentlemen of the Council to Visite the place Along with the said Inhabitants in Order also to Make him their Report thereon

(signed)

L Armstrong

At a Comity of Council held by Order of the Honourable Lawrence Armstrong Esq.^r the L.^t Governor of the province at the Secretarys Office in His Majestys Garrison of Annapolis Royal on Saturday the 21.st of february 1734 at Ten o^r the Clock A: M:

Present

William Skene Esq.^e

Eras.^r James Philipps Esq.^e

William Shirreff Esq.^e

Otho Hamilton Esq.^e

The Difference
betwixt Jas
Gouzile agst
Bastarach &
Orrillion
about fences.

The Secretary Acquainted the Gentlemen of the Comitee that as James Gouzile Inhabitant of this River had presented his Hon.^r the L.^t Governor of the Province with a Petition Complaining Against John Bastarach Charles Orrillon and their Partners in Regard to the Insufficiency of their ffences through which he had last Summer lost the Whole produce of Twelve Bus.^{11s} of Wheat it being Intirely Eat up & Destroyed by the Cattle of the Said John Bastarach; He was therefore Directed to lay the said Petition before them for their Examination As the partys Concerned were all here, And also the Decision thereon formerly Made by One Bernard Goddet, At that time one of the Deputys, by Order of the Honourable Alexander Cosby The Lieu.^t Governor of the Garrison for their Consideration That they might hear what the partys Accused by the Said Gouzile and those Condemned by the Said Goddet had to Offer for them Selves And to Report the Same to his Hon.^r

•All which being Read and the Partys Called The Defend.^{ts}
viz.^t the aforesaid John Bastarach Charles [427] Charles

Orrillon And one Baptist Richard Did not Deny the loss said to be Sustained by Gouzile but said, that it was not Owing to any Default of theirs, but purely Through the Default of those who had not According to An Agreement Dated January 1723 Compleated and made Good their part of that fence in Common As then Agreed upon to hinder the Cattle from Entering that Way; of which Common fence, John Bastarach, whose Cattle committed the Trespass, Affirmes, As by ~~his~~ Petition upon file, that he had made good his part the Year before

In Answer to that Allegation The party Condemned By Bernhard Goddet Viz.^t Peter Depuis, John Prince And the afore Said Baptist Richard, To pay to James Gouzile one hh.^d of Wheat for Damage Affirm and Say, particularly Peter Depuis and Prince, That the Damage did happen through the Default and Insufficiency of the Above Mentioned Defendants own fence And not through their Neglect of making up their part of the fence with them in Common as hath been sett forth and therefore think it is a Very great hardship that they Should be Condemned, at least Equally with the Said Baptist Richard who is not Only concerned with them in y^e Party or Common fence but also with Bastarach And Orrillon in that fence of the Inclosure through which the Trespass was Committed And the Reason which they Advance to prove their Allegation that the Cattle did break through their Own proper fence and not the fence in Common is this

That as there hath not been such a fence in Common to prevent the Cattle from Entering by the River these forty Years past, The Cattle would, have allways formerly Entred that way as well as Now; And as to their fulfilling their Agreement for their making up and Compleating their Respective parts of Said Common fence. they Said that they were both Ready And Willing to do it, As soon as they, who are also with them therein Concern'd And most lyable to Losses, through the want thereof, Gave them a Call; And therefore Complaining of being Condemned [428] Complaining As aforesaid of being Condemned and that by the Single

Opinion of Bernard Goddet Equally Seeing there hath been no such Common fence, to which he the said Bernard And the Other party now pretend to Impute the present Damage, for these forty years as aforesaid; And as they had No Manner of Interest Either in the Inclosure or the fence thereof; through which, Asserting that it was more probable from the Defective Condition it then was in, for the Cattle to Enter than through Any Default of theirs in not having made their part of the fence Common fence, They Appealed And Referred its then State to the Testimony of the Said Bernard Goddet and Reny Richard at that time also a Deputy And Ordered by Governor Cosby to Adjuste the Dispute

Who thereupon being Asked Answered that the fence About the Inclosure properly belonging to Bastarach, Orrillon And Baptist Richard was not good, And as to that of forty Years None Denied the Allegation, tho' they were of opinion that if those who are concerned and Obliged by Agreement to make up the fence in Common had performed their parts, it might have contributed much towards the preventing of Any Such Loss

Charles Orillon Alleading that his part of the fence About the Inclosure was good; he was therein contradicted by Reny Richard who said that there was such a Breach in it at that time, that Cattle might Enter with Ease

To Which Orillon Answer'd That that Breach, was made by Driving the Cattle out of the Inclosure through that part of his fence; Whereunto Richard Reply'd That it was Evident at that time from the Beaten path that the Cattle had made that they had frequently And more than Once passed and Repassed that Way

And Baptist Richard Representing that he had Sent a Man last Spring to make good his part. He was also Answered, that Notwithstanding thereof it was not Done, and that it was Only to Repair his part of the Inclosure's fence and not that of the fence in Common which he did Not Deny

The Deputy Bernard Goddet being asked why he had Condemned Dupuis and Prince who had no Interest in the Inclosure or feild where the Trespass was Committed [429] Committed And not Rather the person whose Cattle Committed it, And these Other people who are Concerned therein as well as Baptist Richard

He Answered, Because that by the best Information he could get, the Cattle Enter'd the feild by the River through Default of that Common fence of which Baptist Richard hath a part and not through the fence of the fence (*sic*) of the Feild in which he the Said Baptist is also Concerned with Bastarach and Orillon; And that therefore he Judged these who had not perform'd their part of that Common fence, According to Agreement (which was shown him) the Most Culpable; And to Prove that they did Enter the feild by the River, One Breton who lives Opposite thereunto Declared that he saw the Cattle Enter by the River and not through the fence of the Inclosure

And being also Ask'd why he presum'd of himself to pass Sentence without the Concurrence of Renny Richard the other Deputy who was Ordered on that Affair As well as he

He Answered that he had sent to him but not being at home he Nevertheless thought it was his Duty to Comply with Gov.^r Cosbys Order as soon and Exactly as he was Capable According to the aforesaid Circumstances, And that he send (?) his Decision thereof to John Dupuis, that Renny Richard might See it

Renny Richard being Ask'd if he had seen it; He Ansr.^d in the Affirmative, but, said, that as he did not Approve of it he would not Signe it

And being asked why he Disapproved of it, He Replied, because, in the first place, that Neither Dupuis nor Prince whom Bernard Goddet had Condemnd had Any Interest in the Inclosure where the Damage was Done; And that if they Only with Baptist Richard were to be Condemned for not performing their part of y^e Common fence, And not Bas-

tarach and Orrillon whose fence was bad and out of Repair, He therefore thought it would have been more just to have charged all these Coheirs with the Damage in proportion to their Several Interests in both ffences

And the Deputys being Asked for the Order, They both Said that it was only a Verbal One [430]

Which being all that both partys had to Offer they then Retired

And then was Read a Scrole Order, the Copy of that formerly Isued at Mines in Relation to their Dykes Barriers and ffences

The Secretary having Communicated the Commtty's Examination of the Partys concerned in James Gouzils Affair to his Honour the Lieu.^t Governor of the province, His Hon.^r was pleased to Order him to Resumons the same Gentlemen & to Add to them Henry Cope Esq^e in Order to make a Quorum who being all mett at the same place at 5 o' the Clock P. M

The Secretary Acquainted the Board that his Honour having perused the preceding Examination And finding that there was no Opinion passed thereon for want of a Quorum he had therefore Ordered him to Summons again, on the same Affair, the Gentlemen of the Committee, As Also Henry Cope Esq^e in Order to Make a Quorum That the Board might Come to a Resolution and give their Opinion on the Whole that the Person Injured might have Justice done him

Whereupon the above Examination being Read to Henry Cope Esq.^e The Board Agreed the Two Deputys Should be Recalled in before them And asked such Questions as might be Judged proper

Who being Accordingly called, And the Question being put, who these persons Were that were Obliged to make good and keep James Gouzils' ffences in Repair

They answered that the person of whom he Rented the Land was Obliged,

And Bernard Goddet Affirming with such Evidence that the Damage happened through the Default of John Prince, Peter Depuis and Baptist Richard who had not performed their part of the said fence in Common As Bastarach and the Rest of the Coheirs had done According to agreem.^t And that it was purely through their Omission that Bastarach's Cattle Committed Said Trespass. And in this his Affirmation being Supported by the Declaration of the aforesaid Bretron before the Cominity

The Board, After having Seriously Considered the Same And the Aforesaid Examination and the Whole being [431] Being fully Debated, Resolved and Agreed in Opinion That John Prince, Peter Depuis & Baptist Richard, Who by their Own Confession had not performed their part of the Agreement, Should therefore pay to James Gouzile One hogshead of wheat as formerly Awarded by the Said Bernard Goddet (it being affirmed by both the Deputys that it was as much as the Cattle had Destroyed, The Rest of the Damage being owing to the Overflowing of the Tyds) As also Ten Shillings to the Said Bernard Goddet According to his aforesaid Sentence; And moreover y.^t They the Said John Prince, Peter Depuis & Baptist Richard Should also pay their proportion, with the Other Heirs and Owners of said Lands and fences, of all Cost of Suit

~ Then Was Read the aforesaid Order in Relation to the Dykes &^{ca} of which the Board Approved

(signed)

L: Armstrong

At a Committee held by the Authority aforesaid at the Secretaries Office, on Munday the 23.^d of february 1735 at 3 o' the Clock P. M.

Present

William Skeen Esq^e
William Shirreff Esq^e

Eras: James Philipps Esq^e
Otho Hamilton Esq^e

Jacque
Beaumonts
petition read
& consid.^d

The Secretary Acquainted the Gentlemen of the Committee that he was Directed by his Honour the L.^t Governor of the province to lay before them for their Consideration Advice and Opinion the petition of Jacque Bonnevie (alias Beaumont Who had taken Down and Removed his house from the Kings Land for which he had formerly petitioned A grant without giving his Honour Any previous Notice thereof, or even asking him Any Manner of Liberty for so Doing

Which being Read & the Said Beaumont Called & Examind The Gentlemen Also thereupon Asked him if he had Any thing further to Say, And Appearing Sorry for his Ignorance in what he had done, He answered nothing more than what he had Sett [432] Set forth in his petition. Referring himself to his Honours Clemency

(*blank for signature*)

At a Council held by Order of the Honourable Lawrence Armstrong Esq^e L.^t Governor and Commander in Chief of the Province in his own house in His Majestys Garrison of Annapolis Royal on fryday the 14.th of May 1736 at Ten o' the Clock A : M

Present

His Honour the L.^t Governor of the Province

John Adams Esq^e

Henry Cope Esq^e

William Skene Esq^e

Eras: James Philipps Esq^e

William Shirreff Secretary

Otho Hamilton Esq.^r

Mrs Bucklers
case laid
before the
Board in
relate to
the Brig the
Baltimore &ca

His Hon.^r Acquainted the Board That M^{rs} Buckler had Showed him some papers which he thought proper to lay before them, And also to Recommend to their Consideration Sev.^l Circumstances Set forth by M.^r George Mitchell in his

Declaration Relating to the Brig.^t Baltimore And the Behaviour of the Pobomecoups

One of which papers Was a Register of the Brigantine Dated at Mary Land the 17.th Day of September 1734 by which it Appears that Buckler Partridge was at that time Sole Owner And Paul Whitecott Master; But on the Said Register there is an Endorsement Dated at Barbados the 14.th of April 1735 by Edward Lescells the Coll.^r Declaring Richard White the Master

The other was a Porttage Bill Dated, Barbadoes 1735 from Andrew Buckler Containing his orders to Richard White, whom he had Appointed Master, & the said Masters promise of Complying therewith under the Penalty of Twenty five pound Sterling, Witnessed by Peter Vallis with an Acco.^t of goods & freight Shipt by Sundrys for Dublin, by which in case of M^r Buckler's Death, he the Master is by the said Portage Bill directed to Apply himself to M^r Tho^s Corker Merch^t there to [433] to whom he is also thereby Directed in case of M^r Bucklers death during the Voyage to deliver all his papers & freight money &c & to be under his Directions with the Vessell for M^r Bucklers best Advantage

Which said papers, as also a Cockett^l from the Port of Dublin of Sundry's but not of any Considerable Value to be Shipt on Board the said Brigantine The said Richard White Mast^r for Maryland, being only twelve Barrells of Beef One Hundred wt Cheese, One Barrell of Oatmeal One firkin $\frac{1}{2}$ h.^d W^t Butter, 3 Casks Ten Hundred wt Bread Ten Tun Shingle stones & a Box half a Hundred wt of Candles. As also more by Andrew Buckler, Eight Barrells of Beef & four Barrells of Herrings half full half shotten, the Custome of both barrells being paid as *per* said Cockett Dated the first of September 1735 A lett pass from the Hon.^{ble} James Dottin Esq^b President of his Majestys Council & Commānder in Chief of Barbadoes &ca. dated at that place the 5th May

¹ A document sealed by the officers of the custom house, and delivered to merchants as a certificate that their merchandise has been duly entered and has paid duty. Now disused.—Oxford Dic.

1735. to the Said Rich^d White to depart with the said Brigantine A receipt of Andrew Arbuthnott for £4 " 10s from Andrew Buckler Owener of the Baltimore in full of all Acco^{ts} &c Demands for Wages due on Board the said Vessell, Witnessed by William Ware dated the 18th July 1735; And a Memorandum dated the 6th May 1735, signifying that a Bill of that day's date was drawn for £42 " 4 " 8 $\frac{1}{2}$ On M^r Thomas Corker Merch^t in Dublin, in favour of Mess.^{rs} Sturge & ffort of Barbados, but not being signed it does not Appear by whom Drawn

Which papers being all read, the Gentlewoman was called, & being thereon Examined, She Excused herself from having a General knowledge of her Husbands Affairs gave such Answers as could not be Contradicted & said that M^r Corker was her Husband's Merch^t, in that place as he had others Elsewhere, & that having her Husbands power of Attorney to manage in his Absence, he was to Settle his Affairs; & in case of any such Accidents as aforesaid to be Accountable to her for the benefit of his surviving family having now two Children in Ireland with her Mother And [434] And as her Assertions could be noways Contradicted there was then read to her an English translation of M^r Dantremonts (al.^s Pobomcoup's) Declaration; & she being thereon Examined, She admitted & Acknowledged that all he had related & said of what had passed between them was truth & that he & the rest at Pobomcoup had Entertained her with a great deal of Civility, but positively Denied that Circumstance of about praying their Acceptance of the Vessell Saying that she only in a most Ardent & Suppliant manner prayed & desired them to bring her, the Vessell, from where she was into their Harbour, & said he Certainly misunderstood her, for having heard him talk of Annapolis, & that Merch^{ts} from thence as she Apprehended came frequently there, She was thereby in hopes of saving the Brigantine, & by their Assistance of getting her Conducted to that Port, beleiving it to be that Annapolis in Maryland, & that therefore she had only committed the Vessell to their Care

M^r Dentremont being also again called & Interrogated particularly about the two Men whom the Gentlewoman had left when the Indians took her, he Answered & said, that while she was along with him, that he never heard her say anything about two men being left on Board alive: that the Indians had said & told him that they were all Dead & had found no person there but the Gentlewoman, & being told that she had informed & told him thereof: He replied that if she did, he did not understand her, & upon recollecting himself, said that in coming hither, he understood that the Lady had said so to M^r Mitchell, & gave a further Acco^t that the Indians had also told him that they had found Eight persons lying all Dead & naked upon y^e Shore whereof one was a Woman big with Child as they supposed near to the Tusketts, & The Gentlewoman saying that she had two maids, the One a pretty lusty Woman & the Other but only a Girl, & that she did not know nor did She ever in the least perceive her to be in that state & Condition & alledging that they must have been mistaken Adjourned till 3 o' the Clock P M Being [435]

Being met at the Same place According to Adjournment & the Same members present His Honor acquainted the Board that for want of proof & further Information, they had in his Opinion gone through the Examination as much & and as Strictly as was possible That he had therefore thought proper to propose to them his Intentions of sending a party of the Kings Troops to the Harbour Tibogue & Pobomcoups to Recover the Brigantine her Sails, Rigging & ~~as many of the Other Effects as possible for the Benefit of the Owner, & thereon~~ desiring the Opinion of the Board. & the question being put it was by a Majority Carried in the Affirmative that it was very proper that His Honour should send a party for that purpose, & to write to the Indians & the french Inhabitants at Pobomcoups Expostulatory Letters on the Same Subject

Ordered that M^r Secretary should prepare such letters to be laid before the Board for their Consideration, on Monday next the 17th Inst. at 3 o' the Clock P. M

Monday the 17th May 1736 being mett According to Adjournment the same Members present, The Secretary presented to His Honour in Council the aforesaid letters & their french Translations, with a Copy of some of the Articles of Peace with the Indians to be sent to the Chief of Cape Sable Tribe, which being all read, they were approved of

The Inhab. of Cobaquit Petitioning for a Priest.

Then His Honour Acquainting the Board that as the Inhabitants of Cobaquit had applyed to him for a Priest & that as M^r S^t Ponce whom they Petitioned for was thinking of going to France, but willing to Stay a Year longer with these People, He had therefore a great mind to let him go but not till either his or M^r Chaveraux Return from Pobomcoups being Intended at the request of M^r Dentremont to send One of these Priest to use his Endeavours with the Indians to make Restitution, & then laying the Petition of Francis Mitchell & John Robisheaux in behalf of the Inhabitants before y^e Board, it was upon Debate, deferr'd till to morrow that y^e Petitioners & the two Priests might be presente Then [436]

Ann James's Petition read.

Then was also read a Petition of Ann James Wife of Henry James Soldier in Maj^r Mascarene's Company Praying a Grant, or a Lease for her House (which she had built by the Governors Commission) for twenty One years renewable for Ever as upon file

Whereupon His Honour (as the White House field on which the said House Stands was already by a Minute of Council sett apart for the use of the Gov^r & Commander in chief of the Province for Ever provided that there be no Lawfull Claimer) desiring the Opinion of the Board whether he could grant the prayer of said Petition

The Boards Opinion thereon.

It was Motioned that the Minute thus Setting it apart for the Gov^r & Commander in Chief should be Read, & the

Same being Read; It was only therefore recommended to the Governor who had permitted her to build the said House & that as he also Says at the request of Gov^r Cosby to Secure her the said Petitioner in the Enjoyment of it for twenty One Years

Tuesday the 18th May 1736, Being Mett at the same Place According to Yesterdays Appointment & the Same Members Present A. M:

A Scrawl Letter to Gov^r St Ovid on the Subject of the Brigantine the Baltimore was read & approved

The Petition in behalf of the Inhab.^{ts} of Cabaquit was also laid before the Board, which being again read & what His Honour had also said thereon Considered the prayer was Granted.

Whereupon M^r de St Poncey & Cheveraux the two The Behav^r of
y^e Romish
Priests. Romish Priests were called in & informed thereof & told that it was Judged necessary, before M^r De St Ponceys departure for Cabaquit, that either he or M^r Cheveraux should first go to Pohomcoups along with M^r Charles Dentremont & Lt Amhurst to use Endeavours that Restitution may be made of the Vessells Sails & such Other Effects which the Indians had taken

They thereunto Answered his Honour & the Board in a most Insolent, Audacious & Disrespectfull manner. Saying that absolutely that they would not go & that they would have nothing to do in the Affair

And [437] And being asked if they would not Obey the Just & lawfull Orders of his Majesty's Government, to which M^r Cheveraux Answering Contemptously with an Unbecoming Air and unmannerly gestures Saying Que Je Suis ici de la part du Roy de France, & M^r St Poncey most Affrontingly affirming the Same also, in words to the Same Effect

His Honour thereupon told them, that he had a great mind, seeing they had so Said, for their Contempt of this his Majesty of Great Britain's Government to send them to France

They replied with a Laugh. & a most haughty Insolent Air, With all their Hearts, then turned their Backs & went out of the Room Seemingly in very great passion, Slaming & throwing the Doors in a most rude & Insulting Manner, & without his Honours leave they left the Board where they were desired to Attend for an Answer to the above said Petition

Then Mr. Dentremonst Being called before the Board & told that the Priests had refused to go, He said he was sorry for it, for it was his Opinion that the most Expedient method to bring these Indians to reason & to get Restitution would be to send a Priest, which was the reason of his proposing it to his Honour, a Priest being also much wanted at their Village to Baptize & administer the Sacraments

The Board having taken their Behaviour & Comportment into Consideration. came unanimously to this Resolution that they should be dismissed & ordered to retire to the Presbytere & there remain till an Opportunity Offered to send them out of the Province

Agreed that they the two priests should be Again Sent for to hear the Opinion & Determination of the Board, that they may prepare to be gone when ever an Opportunity Should Offer

Whereupon the said two Priests Appearing before the Board & the Sentence being read; They resumed their former Insolence, Called for chairs to sitt Down, Saying that they did not Appear as Criminals & that they had no bussiness with things Temporal, and further expressed themselves in these words "Que Nous N'avous point D'ordres à Recevoir jci and as their whole [438] whole Behaviour & Discourse to the Gov.^r was as above Recited & tending to a Jurisdiction of their own Independant of his Majesty's Authority & the civil power of this his Government, they Were Ordered to

Depart immediately to the Presbytere & there to Remain as aforesaid & also Ordered that the 14th Art.¹ of the Treaty of Utrecht should be sent them

And it being Motioned at the Board that notwithstanding the Standing Orders of the Government upon the Treachery of the Priest Charlemaine that there should be no more Mass said up the River, that the Mass house there should be Demolished & one Built here to which they might all resort, as an Eternal Monument of their said Treachery The Inhabitants, No doubt through the Advice & Instigation of their said Independant Priests. had repaired or rebuilt One up the River which they had Adorned & Made much finer than this One here below, And that it was Reported that Mass was Said up the River at that House as frequently as at this; And as thereby they showed their Contempt of & Disobedience to the Govern.¹ if they have done any such thing without Permission; It was therefore Motioned as a thing Worthy the Consideration of the Board

In relatⁿ to the
Mass house
up the River.

Whereupon his Honour assuring the Board that he had never given them any permission & that it was the first time he had ever heard of it It was then Ordered that it should be Enquired into, that According to the truth & Certainty thereof, the Board may Consider upon such Methods & take Such Measures that the Orders of the Government, may be more Punctually & Respectively Obeyed And that in the Meantime the Doors of that house ~~be~~ Closly Naild up¹.

(signed)

L: Armstrong

¹ The same words at the end of the Council for May 24. 1736 scored out: written here in different ink and in a different hand.

At a Council held by Order of the Hon.^{ble} Lieu.^t Gov.^r Lawrence Armstrong at His Own House In His Majesty's Garrison of Annapolis Royal On Monday the 24th day of May 1736, A. M. Present [439]

Present

The Hon. ^{ble} the Lieu. ^t Gov. ^r of the Province	
Jn ^o Adams Esq ^e	Henry Cope Esq ^e
Will ^m Skene Esq ^e	Eras: Ja ^s Phillips Esq ^e
Will ^m Shirreff Secretary	Otho Hamilton Esq ^e

There was then laid before the Board y^e Petition of René Guillot (alias L'Angevine) the Plaintiff

The Petition of Paul Boudrot in behalf of Charles Duron His ffather in Law the Deffendant

The Plaintiff by his Petition represents & setts forth that the Deffend.^t Charles Duron his Brother in Law has Disturbed him in the possession of his Inheritance left to his Wife Margaret by her Deceased ffather John Duron, & not only so, but that when gave him a Summons to Appear before the Gov.^r & Council to have their Difference decided he beat him with a Stick &.^{ca} as upon file

To prove his right & to Support his Allegations he produced a Declaration made by his ffather in law the said John Duron bearing date the 27.th July 1730 before Alex.^r De Noninville Priest at Piziquet, which the said Priest also testifies by a Certificate Dated the 22nd July the year not Mentioned. which, Supposing it to be the Same year being five days before the date of the Declaration, Imports therefore a Mistake in M^r Bourg the Transcriber, or in y^e Priest the Certifier

And he the Plaintiff also laid before the Board a Certificate or Declaration of Charles Boudrot, signifying that he had heard the said John Duron (the Plaintiffs ffather in Law) say that each of his Children were to have an Equall Share of his Estate. Dated the 18.th April 1735, & Witnessed by One Berrier; & Likewise four Receipts for his Having paid the Seigniorial Quit Rent for said Land

Guillot
Boudrot
& Duron's
Difference.

And to his being Disturbed in the possession of his said Estate, as sett forth in his Petition, he produced two Certificates the One Signed by James Le Blanc the 10th May 1736, & the other by Peter Brosard & Witnessed by Peter Babin the 20th. of Said Month [440]

The Partys being thereupon Called & the Deffendants Attorney Examined & heard, what he had to Offer in behalf of his Client to what the Plaintiff had sett forth; & desiring that his Petition & his other papers might be also read & Considered.

His Petition Signifying that the Plaintiff had Misrepresented things &^{ca} & that having brought Such papers as would Support his Allegations, & his Constituents right to the Lands in Dispute. The said Petition being Read, his other papers (which were only a power of Attorney from Charles Duron his father in Law, & an Agreement made by the Plaintiff & Deffend.^t dated the 11th June 1735 to stand to the Determination of Peter Le Blanc Bernard D'aigre & John Doucett three of the Deputys whom they had chosen to be Arbitrators, under the Penalty of One hundred Livers, with the Opinion of the said Arbitrators thereon & thereunto Annexed) were also read

Which Opinion of the said Arbitrators being with the same date of the Party's Act of Submission giving it in favour of the Deffend.^t reference being there'in made to the Declaration of Peter Vincent Deceased & other Certificates which at this time doth not Appear, that it was Charles Duron the Deffend.^t & not John Duron his ffather Deceased. That purchased the Land now in Dispute as by said Certificates Appeared to them, & the Deffend.^{ts} readiness to make Oath, that he & not his ffather was the Purchaser, & that the bill of Sale which is burn'd, was in his own Name & not in his ffathers; Yet notwithstanding of this their Opinion, they referring it to a Court of greater Authority to Decide their Difference without any regard to be had to the Penalty aforesaid

The Board upon the Consideration of y^e whole were of Opinion, that the Plaintiff René Guillot should be continued in the quiet & peaceable possession of the said Lands till the Deffend^t Charles Duron shall produce a more Sufficient Evidence, that it was he & not his ffather John that purchased said Lands, Considering that the Plaintiff hath for Eleven years past during the life of his deceased ffather John been in the possession [441] possession thereof & paid the Quit Rents for y^e Same

Ordered that an Order be prepared & sent to the Said Charles Duron strictly to comply herewith & to the Deputy's of Piziguet to see that the said Plaintiff may be noways Disturbed in the Possession thereof; And that a Copy of this days Minute be therewith sent them

(signed)

L: Armstrong

At a Council held by Order of the Honourable Lawrence Armstrong Esq.^o the Lieu.^t Gov.^r of the Province, at his Own House in his Majesty's Garrison of Annapolis Royal. On Monday the 7th day of June 1736 at 10 o' the Clock A M

Present

His Honour the Ligu ^t Governor of the Province	
John Adams Esq ^o	Henry Cope Esq ^o
Will ^m Skene Esq ^o	Eras: James Philipps Esq ^o
Will ^m Shirreff Secretary	Otho Hamilton Esq ^o

In Relation to the Brig.^t ye Baltimore & of some papers laid before the Board.

His Honour Acquainted the Board that as Ensign Vane had Returned with the Party, & Brought along with Him M^r Charles Dentremon & Peter Landry of Pobomecoup & the Brig.^t Baltimore to this Port. He therefore Desired the Opinion of the Board what he must now Do with Her

Which being taken into Consideration, y^e Board Agreed & were of Opinion, that as She was now in this Harbour, She ought to be Laid up & Secured with as much Care as possible 'till further Advice, for the Benefit of the owner Then [442]

Then His Honour also Acquainted y^e Board, that M^r Vane having Delivered him Several Papers, which M^r Charles Dentremon of Pobomecoup had Recovered from the Indians, he Judged proper to Communicate them to y^e Board for their Perusal & Consideration, which being Only Viz.^t

A Letter of Attorney from Valentine Lock of Crookittstaff in the County of y^e City of Dublin Dyer &^{ca} To Andrew Buckler of Bridgetown in the Island of Barbados Merch.^t to Act in his own Right by Virtue of his Purchase Dated y^e 18:th Day of Aug.^t 1735. Under the Lord Mayor's Seal, the said Letter being Witnessed by Thomas Corker, Will.^m Matthews & Will.^m Snoise bearing Date the ^{sd} 18:th Day of Aug.st 1735. With an Affidavit thereonto Annex'd by Will.^m Matthews y^e 19th August 1735: Before the Right Hon.^{ble} Nathaniel Kane Esq.^e Lord Mayor of the City of Dublin, to which the Seal of his Mayoralty is Affixed; & a Copy of Sd Letter and Affidavit

An Indented Deed of Purchase from Valentine Lock to Andrew Buckler for some Houses, Land and Negroes in y^e said Island of Barbadoes Made y^e 18th Augst 1735. With M^r Locks Receipt thereon for five Shill.^s Sterling in full of y^e Consideration Money mentioned in y^e Sd Deed Dated y^e [blank] Day of Aug.^t 1735. being both Executed in the Presence of the Afore Sd Witnesses, Whereunto are Subjoined and Annex'd an Affidavit of Will.^m Matthew's under the Lord [443] Lord Mayor's Seal y^e 19 Aug.st 1735. And a Certificate Signed William Parr Deputy Register Signifying that a Memorial of the within written Deed was Entered in the Registers Office in the City of Dublin y^e 19:th Day of Aug.st 1735. at half an hour after five a Clock in y^e afternoon in Lib: 81 Page 163. & Number 56593. And y^e Execution of the sd Deed & Memorial was Duely proved pursuant to an Act of Parliament in that Case made and Provided. The Registers fees being 3/6^d.

A Copy of y^e Sd Deed of Purchase & of the Receipt for Consideration Money writt on three Sheets of Paper

Num.^{bd} 1. 2. 3 The Said Deed of purchase & Copy by the Endorsement is said to be Enrolled in the Castle Office of Dublin by William Matthews Attorney 1735.

Also a Copy of y^e AforeS^d Certificate that a Memorial of y^e said Deed was Entered as aforesaid, and of M.^r Matthews Affidavit one of y^e Witnesses to y^e said Deed before the Lord Mayor, both writ on one half Sheet of Paper

And a Copy of an Affidavit made before y^e Right Hon:^{ble} Nathaniel Kane Lord Mayor of Dublin, by Mary Hackett, Alias Lock, Daughter of Richard Lock late of the City of Dublin Hester [444] Hester Duff of y^e Sd City & Valentine Lock of Crookettstaff in the County of y^e said City, Dyer, Affirming that y^e said Valentine Lock was always taken, Deemed, Reputed and known to be the Brother of William Lock late of y^e Town of S:^t Michaels in y^e Island of Barbadoes, Deceased; Who was y^e Son of the Above Mentioned Rich:^d Lock who was the said Valentines Father &^{ca} By which Copy it Appears that y^e Original was under the Lord Mayors Seal & Dated the 11th Day of Aug:st 1735

Which Said Papers being all Read & his Honour desiring the Opinion of y^e Board what he should do with them. The Board agreed and were of Opinion that they should be sent to M.^r Thos:^s Corker Merch^t in Dublin by y^e first Opportunity, it being said that he was M.^r Bucklers Correspondent & Attorney

And it being said that it had been Reported that there had been seen Several other Papers such as Indentures &^c and more Particularly a Bill of Exch:^{se} Supposed to be Drawn either by, upon, or in favour of my Lord Scarsburry, his Name being said to be therein Mentioned; and a Large Packett Directed to some Gentlemen in Barbados & that there were also Several Hancuffs & Shakles & a great many Women's old Cloaths found on Board & Blood in some Mens Trousers

It was then moved that it would be necessary that M.^r [445] M.^r Charles Dentremon who Rec.^d these Papers from

y^e Indians should be Re- Examined, & also Peter Landry his Brother in Law, before y^e Board as to what Either of them had further heard the Indians say. It having been Alledged that since their Arrival, they had Reported that the Indians had told them that they had Burried the Person called y^e Cap:^t

Which being Approved it was Ordered that M:^r Peter Landry & Charles Dentremon be Directed to Attend the Board at three of the Clock in the Afternoon

Monday the 7.th June 1736 Being Mett according to The Examin-
atⁿ of Peter
Landry Adjournment Mess:^{rs} Landry & Dentremon being also present.

M:^r Peter Landry being Examined, he Related His Story much to the same Effect as is set forth by M:^r Charles Dentremon's Declaration, and further Added that He had spoke with the afore Mentioned Rich of Marblehead, who Denied that he had been on Board; But said that He had found the Ships Journall with a Letter, upon an Island near the Tusketts, Which Letter being Directed to a Gentleman in Boston He had sent them thither Upon which y^e Report of the Packett & Bill of Exch:^{se} being again Reasumed M:^r Vane was sent for, & being Asked wether there [446] there was such a Bill of Exch:^{se} He Answered & said he Believed there was such amongst y^e Pap^r he had Delivered

Ordered that M:^r Landry prepare and give in his Declaration to y^e Board in Writing to Morrow y^e 8.th Instant at three of y^e Clock Afternoon, And that M:^r Secretary Shirreff should ask him such Questions as he may think necessary for the better Information of y^e Board & that Sergant Tallard should Likewise Attend at the Secretarys Office, in Order to Interpret, And then Adjourned till Tuesday y^e 8.th Instant at 3 of the Clock P. M

Tuesday y^e 8:th June 1736. Being mett according to Yesterdays Adjournment M:^{rs} Charles Dentremon & Peter Landry being also Present

The *Secretary* Acquainted y^e Board, that his Honour the L:^t Governor of the Province being a little Indisposed he could not Presently be at the Board, & therefore Desired y^e Gentlemen to Read & Consider M:^r Landry's Declaration And that as there could be no further Information had at Present of y^e Truth & Certainty of what hath happened to that Unfortunate Vessell the Baltimore, that they would therefore come to a Conclusion

Landry's
Declaratⁿ laid
before the
Board

Which said Declaration being Accordingly Read the said Peter Landry thereunto Affix'd his U^sual Mark & made Oath to y^e Same, And M:^r Charles Dentremon [447] Dentremon being Ask'd what He had further heard or Seen since his Departure from hence with M:^r Vane He said that He had Rec:^d from the Indians a Packett ab^t 2 or 3 Inches thick Sealed with three Seals and several other Sealed Letters & loose papers which he gave to M:^r Vane, And that the Indians had Directed him where to find some of the Vessells Sails. Which was all he had to say further than what he and his Brother in Law had already Related

Concerning
the mass
House up
the River.

Then His Honour Coming to y^e Board proposed (Accordinging to a paragraph of A Minute of Council of y^e 18:th May Last Relating to the Mass House up y^e River) to Come to Some Resolution to prevent y^e Inhabitants from making any further use of that Mass House up y^e River, and therefore desired their opinion whether the S:^d House Should be burnt pulled down or otherways.

Which question being put it was agreed that it was Necess:^{ry} first to send for y^e Deputys of y^e Inhabitants and to Acquaint them with the Opinion of y^e Board 18:th May & to hear what they had to offer for daring Without Leave of y^e Governm:^t to Establish any other Mass-House in this River then this one below built & allow'd of by the Govern:^t

Order'd that M:^r Secr:^y Send an order by y:^o Constable for y:^o Deputys to attend this Board with as Many of y:^o Ancient Inhabitants as they may think proper on Saturday next .^o 12:th Ins:^t at 10, o' y:^o Clock A: M

(signed)

L: Armstrong.

Sam: ^l Douglass Gunner	} Plaintifs
Jn: ^o Hergrave Mason	
Jn: ^o Seal Brewer.	
Jn: ^o Gormon Serg ^t	
Charles King al ^s Roy	Defend. ^t

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The Defend:^t at the Request of Sam^l Douglas one of y:^o Above plaintiffs appearing according to Summons of this Date for a Debt Due to Him the Plaintiff [448] Plaintiff by y:^o S.^d Cha.^s King Deffendant Sixteen Shill.^s & five pence & the Other plaintiffs Charging Him also with their particular Demands viz.^t Jn.^o Hergrave With a debt of ten Shill.^s for two pound powder, Jn.^o Seal for Himself & Partner for y:^o Debt of Eleven & Seven pence & Jn.^o Gormon for y:^o Debt of ten Shill.^s for a pair of Shoes, all which S.^d Demands, Excepting that of Jn.^o Hergrave's the Defend:^t acknowledged to be justly Due, Whereupon the Deff.^t being order'd to pay the S.^d Acknowledged Debts, He Said that He had no Money but that He would give Each of them his Note for the Respective Sums Due, to be paid upon His Return from the Bay with Cap.^t Donnell

Which proposal of His being put to the Said plaintiffs they positively refus'd y:^o Acceptance of his Note & Insisted upon being presently p^{aid}, or otherwise to have Bail & good Security

As to M:^r Hergrave's Demand y:^o S.^d Deff.^t alledged & affirmed that He Wrought three Days at 3^s per Diem for S.^d Hergrave & therefore He oweth him no More than one Shill:

Whereunto M:^r Hergrave replied & Said that y:^o Deff.^t being Endebted to Tho.^s Brown formerly a Soldier in y:^o Hon.^{ble} Rich^d Philipps's Reg:^t, from Whom He had a power

of Attorney, the Sum of about 13 s. and that having Employed the Said Deff.^t three Days about his Cannoe, that in Consideration thereof He forgave Him y.^e Remainder of Said Brown's Debt & that the Debt of 10s which he now Demands is Intirely due which y.^e Deff.^t then Immediately also Acknowledged to be as y.^e S.^d Hergrave Sett forth, & He y.^e S.^d plaintiff being also ask'd if He would take his Note, He answer'd in y.^e Same Manner as the Rest, & the Deff.^t Being ask'd if He could find no Bail or Security, He answer'd He could find none, however, at his prayer & Request they Consented to give Him his Liberty in order t^o go to find Mony or Security till to Morrow about 4 in the Afternoon, He Having promis'd upon his Word & Honour to return by that time.

According to his promise he came with his Sister Beau-lieu & told the Plaintiffs that he had not Money enough to Satisfy their whole Demands, but that He would pay them in part. & that his Said Sister would be Answerable for y.^e rest, & accordingly paid Hergrave & Gormon their Demands & whereupon M^r Douglass took his Sister Magdelaine's Word for the S.^d Debt & y.^e Secretary who answer'd for Cook & Seal took her Word also both for that sum & his fees

(signed)

W^m Shirreff Secretary

Att a Council held at y.^e Secretary's office by order of y.^e Hon.^{ble} L^t Governor of y.^e Province on Saturday 12:th June 1736 at ten o' y.^e Clock A: M:

Present

Jn:^o Adams Esq^o

Henry Cope

W:^m Skene Esq^e

Eras: Jam: Philipps

W:^m Shirreff Sec:^y

Otho Hamilton

} Esq.^o

The Mass
house up the
River to be
pulled Down
&c.

The Secretary acquainted the Board that His Honour y.^e Lieu:^t [449] the L.^t Governor of y.^e Province had directed Him to acquaint Them that all what He had to Say to y.^e Deputys, was that they Should pull down that Mass House up y.^e River, and bring the Timbers thereof Down for y.^e

Enlarging of this Below, & that they Should make Use of no other Mass-House than this Below for their publick Service & meeting of y.^e people

Two of y.^e Deputys with Some of y.^e Inhabitants being Called in & y.^e opinion of of y.^e 18.th May Communicated to Them, as also y.^e Governors Message Sent by y.^e Secretary, they thereunto Answer'd and Said, it was no Mass House, tho' their Priests used to say prayers & Administer the Sacrament in it Some time when they went up y.^e River, that Since their priest was gone the Ornemants were all taken down, & that the House was So old & Rotten, it was not worth Removing & the Host was never left in it; the Board Charging Them at their peril Never to make use of that or any other publick Mass-House Except this Below; they promis'd to Comply Strictly with the S:^d Orders, & to Nail up y.^e Doors

(signed)

L: Armstrong

Att a Committee of Council held by order of y.^e Hon.^{ble} Lawrence Armstrong Esq.^e L.ⁱ Governor of y.^e Province at y.^e Secretarys office in his Majesty's Garrison of Annapolis Roy.^l on Wednesday the 16.th June 1736 at 10 o' y.^e Clock A: M.

The Secretary acquainted y.^e Board that he was directed by His Honour to lay before them for their Consideration two petitions Viz:^t one from Paul Boudrot of Mines ag:st René Guillot, alias L Angevin Signifying, that according to the Minute & Sentence of this Board, the 24.th of May Last, He had brought further Certificates to prove that it was Charles Dueron his ffather in Law & not y.^e S:^d Charles's ffather that bought the Land in Dispute with y.^e S:^d Charles & S:^d Guillot, praying y.^e Consideration of the Board thereon

The Petitions
of Paul
Boudrot agst
Guillot laid
before the
Board:

The other from Jn.^e Dupuis of Bellisle Complaining ag:st Mess:^{rs} Les Pobomecoup for dispossessing Him of some Lands which he had Improved & rented of them for these 30 Years past, as upon file

The petition of Paul Boudrot Being read & He Call'd before y.^e Board*

Order'd that a Summons be Sent for Both Partys for to Appear before y.^e Board by y.^e first of Dec:^r next at furthest

Jno Dupuis &
Pobomcoups
Difference.

Then was Read Jn.^o Dupuis petition Complaining ag:st y.^e Pobomcoups as aforesaid & he y.^e S:^d Dupuis & M:^r Charles Dentremon of Pobomcoup, being both present & Examined thereon And it [450] And it being Said that M:^r Pobomcoup had by Lease Lett to farm y.^e Said Land to Alex:^r Giroar for Twelve Years, it was Judged proper that the Said Giroar & his Wife Should be sent for to appear before y.^e Board tomorrow June y.^e 17:th 1736 at 10. A. M: till which Time Adjourned;

Being mett according to Adjournm:^t the partys being also present, as also M:^r Alex:^r Giroar and his Wife, the Niece of Said M:^r Pobomcoup, who produced a Lease dated 17:th July 1735: for Said Land in favour of Herself & Husband for 12 Years, they being thereby to pay to y.^e S:^d Pobomcoup 14 Bushells of Wheat *per* Annum in Consideration of that Rent to have also y.^e preference of S:^d Land if it should be at any Time offer'd to be Sold; Which being Consider'd as also M:^r Dupuis Allegation of M:^r Pobomcoups having Verbally Leas'd to Him 32 Years agoe S:^d Land for 8 Bushels *per* Annum, & that He would not turn Him out, untill He or Some of His Children Should Settle thereon, & what M:^r Charles Dentremon advanced in answer thereunto, as his Deceas'd ffather's Reason for dispossessing the Said Jn.^o Dupuis

All which being Consider'd and Debated it it was agreed & order'd that in Consideration that y.^e S:^d Dupuis had been so Long^{er} in possession of S:^d Land, & had been ejected without any Warning, notwithstanding of all His improvements that He the Said Dupuis Should have y.^e Enjoym:^t thereof for four Years Longer upon Condition of his paying to Mess:^{rs} Des Pobomcoups or their order y.^e Same Rent of fourteen Bush.^s of Wheat *per* Annum as aforesaid, to Commence

from St. Andrew's Day next Ensuing & that after y.^e Expiration of y.^e S.^d four Years to revert to the Said Giroar. He y.^e S.^d Dupuis, during y.^e S.^d Term of four Years being obliged to Maintain & Support y.^e Dykes & ffences, & to deliver up y.^e S.^d Land to y.^e S.^d Giroar in good order. & Tenantable Condition

Order'd that the S.^d Dupuis & Giroar pay Each one Moity of Cost

N. B * That this Paragraph is to be Read where this mark is placed on the other side Viz^t It was agreed, that as his Adverse party was not Come & as he the said Paul Boudrot had the first time neglected to bring his papers. That the Decision of their-Dispute should be Deferr'd till the first day of December or Sooner if they the party's See Cause

(signed)

L: Armstrong [451]

At a Council held by Order of his Honour the Lieut Governor of the Province At his own House in his Majesty's Garrison of Annapolis Royal On Thursday the 1.st July 1736

Present

His Honour the Lieut. Gov ^r of the Province	
John Adams Esq. ^r	Henry Cope Esq. ^r
William Skene Esq. ^r	Eras ^r James Philipps Esq. ^r
William Shirreff Secretary	Otho Hamilton Esq. ^r

His Honour Acquainted the Board that M^r Shirreff having his Majesty's leave to go to Brittain, & as he had Nominated Otho Hamilton Esq.^r to do his duty as Secretary in his Absence, He therefore desired their Opinion

Otho Hamilton Esq.^r Appointed to Act as Secretary in Mr. Shirreff's Absence.

The Board having taken the same into consideratⁿ they agreed that Otho Hamilton Esq.^r was a very Proper person to Act as Secretary in M^r Shirreffs Absence

Ordered that M^r Shirreff committ an Inventory of the Papers, Books &^{ca} before his Departure to Otho Hamilton Esq.^r he being willing to Act & to Accept of the same & then Adjourn'd till to Morrow at Nine a Clock

Annapolis Royal July the 2nd 1736

Mett According to Adjournment, the Governor & all the same Members (Except M^r Shirreff) being Present

In Relate to y^e
Inhab.^{ts} of
St John's.

The Gov^r Acquainted the Board that he had confined Prisoners to the Guard two of the Inhabitants of St John's viz^t Joseph Bellefontaine & Mich^l Bergeron dit D'ambois for Contempt & disrespect in not coming to wait upon him on their Arrival here with Captⁿ Blin On saturday last was sen- night

The Prisoners aforesaid being sent for, they humbly ask'd pardon for their fault & said that it was Owing to their Ignorance & their Opinion of their being of too Mean a Condition to presume to wait upon his Honour

The Gov^r desired them to give him a List of the french Inhabitants Settled at St Johns which being taken by Major Philipps was as follows viz^t Married [452]

List of the
Inhab.^{ts}
Settled at
St John's.

Married Men & Women.	Boys.	Girls.
Joseph Bellefontaine & his wife	3	1
Mich ^l Bergeron & Ditto	3	3
Barth. ^w Bergeron & D. ^o	5	4
Augustin Bergeron & D. ^o	—	2
Francois Roy & D. ^o	5	4
Jean Dugas & D. ^o	2	—
Louis Bellefontaine & D. ^o	—	1
Jaque Bellefontaine & D. ^o	2	1
Rene Bellefontaine & D. ^o	1	—
Pierre Bellefontaine & D. ^o	2	2
Jean Bellefontaine & D. ^o	3	1
Charles Bellefontaine & D. ^o	1	—
Jean Pair & Ditto	1	—
Pierre Robert & D. ^o		

Total Men	15	28	19
Women	15		
Boys	28		
Girls	19	— In all 77 Souls Besides the	

Missionary Priest Jean Pierre Danilo

The Governor then proposed that they should give Security for their good behaviour for the next twelve Months ensuing

under the Penalty of One Hundred pound New England money for each of them; And Captⁿ Blin offering himself to be bound for them, The same was Accepted of.

The Gov.^r then Charged them to acquaint the rest of y^o Inhabitants of that place that he Expected them here by the first Opportunity with their Conveniency within One year, to make their Submission to the Government And that they should not receive any Missionary Among them untill such time as they shall have the Approbation of the Government for y^o Exercise of their Function

Then it was moved that the Governor should write a Civil letter to Invite the Chiefs of the S^t Johns Indians hither; It being Observed that for want of a more familiar Correspondence with the English, The said Indians had [453] had been prevailed on by the Artifices of the french to Construct the Trade & Commerce of his Majesty's Subjects

Agreed that a Verbal Message should be Sent them by the two frenchmen Aforesaid to Invite them hither at their Conveniency & that they should be graciously Received.

(signed)

L: Armstrong

At a Council held by Order of the Hon.^{ble} Governor Armstrong at His Own House in his Majesty's Garrison of Annapolis Royal On Thursday the 8th July 1736 At 4 o' the Clock P: M:

Present

His Honour the Lieu.^t Governor of the Province

John Adams Esq.^r

Will^m Skene Esq.^r

Henry Cope Esq.^r

Eras: James Philipps Esq.^r

Otho Hamilton Secretary

His Honour communicated to the Board a Letter from Mons.^r S^t Ovide Gov.^r of Lewisbourg bearing date the first of July N. S. being in Answer to One from him dated the 20th May last, which being read; The Governor thought proper to Adjourn the consideration thereof on the Arrival of Pierre the Chief of the Cape Sable Indians, who being Introduced

Gov.^r S.^t
Ovide's Letter
laid before the
Board in
Relatⁿ to y^o
Baltimore.

with Prudent Robisheau as Interpreter; The said Chief presented the Governor with two Letters, One from Mons.^r Cheverau the Priest who had stopt at Cape Sables on Account of his Health as he pretended, & another from himself touching the plunder said to be taken from on Board the Brigantine Baltimore which were Likewise read

Pierre, Chief
of the Cape
Sable Indians
Exa.^d

Then the Governor proceeded to Examine the said Chief touching the Misfortunes which happen'd to the said Brig.^t Baltimore at Tibogue. The said Chief being ask'd what was become of the Guns & the Mainsail of the said Vessell [454] Vessell which are Wanting, The said Indian declared that there was two schooners of New England aboard of the Brigantine & that it was generally beleived that the said schooners had Carried off the guns & y^r Mainsail afores.^d That he was at La Have when the Brig.^t was first Discovered by the Indians, that he knew nothing of their having pillaged the said Vessell till he found it out by their making a better Appearance as to their Cloaths than when he left them; That upon his return he mett with five dead bodies on the shore, which he Burried

Then the Governor by Consent of the Board adjourn'd the Consideration of the Governor of Cape Breton's Letter till next meeting & orderd the Same to be translated into English
(signed)

L: Armstrong

At a Council held by Order of the Honourable Lieu.^t Gov.^r Armstrong at his Own House in his Maj.^{ty}s Garrison of Annapolis Royal on Wednesday the 28th July 1736

Present

His Honour the Lieu.^t Gov^r of the Province

Jn^o Adams Esq^r

Will^m Skene Esq^r

Henry Cope Esq^r

Eras: James Philipps Esq^r

Otho Hamilton Secretary

His Honour Acquainted the Board that he had Conveen'd them to take their Opinion about an Answer he had Order'd the Secretary to prepare to Mons^r S^t Ovide's Letter read the last Council day, there being now an Opportunity by M^r Mac-

An Answer
to Gov.^r
S^t Ovid's
Letter laid
before the
Board &
Consid^d

queen to send it to him; Whereupon the Gov.^r Ordered M^r S^t Ovide's Letter translated into English to be read & afterwards the Answer aforesaid, which being done Accordingly, The Board approved thereof & Agreed that the said Answer without any Amendments should be sent away by M^r Macqueen

Then his Honour presented to the Board the Declaration of Ensign Vane & Mr Nolen whom he had Sent [455] Sent along with Pierre the Indian Chief, to Recover what they could of the goods & Effects of the Brigantine the Baltimore, Whereby it Appeared that the Indians had restored the Brig^t shalooop, some old Clothes, Arms, Sixty six Indentures & some other things of small Value; And that further they had heard that Charles Muse had confess'd to the Priest Cheveraux that one Jonathⁿ Ridge to whom he was Pilot had taken away the Mainsail, some Rigging & six swivel Guns; which being read the same was Ordered to be kept on file

Part of ye
plund^r taken
from on Board
ye Brig.^t
restored.

(signed)

L: Armstrong

At a Council held by Order of the Hon^{ble} Lieu.^t Governor Lawrence Armstrong At his Own House in his Majestys Garrison of Annapolis Royal on Tuesday the 11th August 1736

Present

His Honour the Lieu.^t Gov.^r of the Province

John Adams Esq.^r

William Skene Esq.^r

Henry Cope Esq.^r

Erasmus Ja^s Philipps Esq.^r

Otho Hamilton Secretary

His Honour communicated to the Board, two letters from the Board of Trade about Matters Relating to the Affairs of the Government, Which were read, Two letters from M^r Cheveraux in relation to the Effects of the Brigantine the Baltimore & praying his leave to return & about the three Deserters whom in Obedience to the Governors Order they had apprehended & sent back to the Garrison by M^r Gautier, Which were also Read;

Two Letter
from the
Board of
Trade read &
Considered.

Claud
Brassard &
Etienne
Rivette's
Difference
in relation
to Cutting
of Hay &c

Then was read the Petition of Claude Broussard of Piziguet complaining of Etienne Rivette's having disturbed him [456] him in the possession of the lands there which he had bought of Cecille Rivette his Half Sister & that he had hindred him from cutting or taking his Hay off the said Land to his great loss & Detriment; Which was Read: As also a Grant from the said Cecille Rivette to him for the foresaid lands & the Testament or Distribution of said Lands by the Father of the said Etienne & Cecille Rivette in favour of his Children, Also a Division of said Lands made by Michael Boudrot Acting by Order of Etienne Rivette & Mich.^l Pourpar his half Brother Dated the 23.^d March 1726 Also a Receipt bearing date the 9th of April 1733 for the fine of Alienation due to the Seignior, Amounting to the Sum, of Twenty two livres & ten Sous paid to Alexander Bourg*

The Board was of Opinion that as the Affair was very dark & intricate & could not be Determined without farther light into the Pretensions of either party that Broussard should keep possession of the land & the fruits thereof for this year, And that an Order should be sent to the Deputys & four of the Ancient Inhabitants of Pizaguit, two to be chose by each party, to Examine into the Pretensions of both partys & to make a Report thereof to this Board that in case they think proper to renew their Dispute, The Council may be the better Enabled to make a Decision thereof.

Then Etienne Rivette presented a Petition to the Council in answer to that of Claude Broussard wherein he Setts forth that His Half Sister had not a legal Right to the Said Land & Consequently could not Sell or Disposé thereof wch was also read

(signed)

L: Armstrong

This being
omitted in
the proper
place to be
read at this
mark as
above

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